

Mishnah with a Twist [25]

If They Would Have Allowed Me.... Insights into Mishna Keritot 6:3



"And I feel guilty I don't have more guilt feelings."

Background to Our Story

Karet: A Biblical Punishment

my JEWISH LEARNING

What does it mean to be 'cut off' from the Jewish people?

Karet (pronounced KAH-rate), also known as excision, is a biblical punishment imposed for a number of offenses, including sexual immorality, eating leavened products on Passover, performing work on the Sabbath and failing to circumcise males. The word itself comes from the root meaning "cut off," but the particulars of what this punishment entails are not specified in the Torah and are subject to debate.

The Bible employs the root of karet to describe the consequence for a range of sins. Exodus 12:15 states that anyone who eats leavened bread during the week of Passover "shall be cut off [v'nichr'tah] from Israel." Leviticus 20:18 states that if a man has intercourse with a woman while she is menstruating "both of them shall be cut off [v'nichr'too] from among their people." Exodus 31:14 states that anyone who does work on the Sabbath "shall be cut off [v'nichr'tah] from among kin." The Mishnah lists 36 offenses for which a person is liable for karet, about half of which are sexual in nature and the rest ritual infractions, several of which concern the service conducted in the ancient Temple. (Keritot 1:1)

The Torah's repeated mentions of being cut off from the community implies a kind of social ostracism, but much rabbinic commentary suggests that karet literally meant death. In his commentary on Leviticus 17:9, which states that anyone who offers a sacrifice and does not bring it to the Tent of Meeting for God shall be cut off, Rashi says this means both "his days" will be shortened and his offspring shall die off. Similar notions are found in the Talmud. According to a passage in Moed Katan 28a, death prior to the age of 60 was understood to be a result of karet. One sage in fact made a party on his 60th birthday to celebrate the fact that he had escaped death from karet. The implication of these and other sources are that karet is a punishment meted out by God, not by the rabbis or the wider community.

But other authorities understand karet as more akin to spiritual death. In the Mishneh Torah, Maimonides suggests that karet refers to losing the eternal life of the soul in the World to Come. "The reward of the just is, that they will acquire the sweetness thereof, to be in such goodness; and the punishment of the wicked is, that they will not share in such life, but will suffer excision and eternal death," Maimonides writes. "And whosoever does not earn such life, is to be dead, without coming to life forever; for he is severed from life by his iniquity and goes to oblivion like an animal." In this view, karet is akin to what animals face after death — having one's soul fade into nothingness rather than partake of eternal life in the World to Come.

Nachmanides, the 13th-century Spanish kabbalist, sought to bridge these two views by suggesting that the nature of karet differs according to the specific language utilized in the Torah. Verses that say "a person" will be cut off refer to someone who was generally righteous, but sinned due to overwhelming desire. Such a person's lifespan will be shortened, but they will still retain their portion in the World to Come. Verses that say a "soul shall be cut off" — which we find concerning the punishment for eating leavened products on Passover (Exodus 12:19) and violating the Sabbath (Exodus 31:14) — refer to sins so weighty that the soul is denied eternal life. And verses that use the most stringent language — "the soul shall utterly be cut off [hikaret tikaret]" (Numbers 15:31) — refer to both early death and the loss of eternal life. This form of karet pertains specifically to the sins of idolatry and blasphemy.

Asham Talui – Provisional Guilt Offering

◆ AI Overview

An Asham Talui (Hebrew: אֲשָׁם תְּלוּי, translated as a "conditional" or "suspensive" guilt offering) is a specific type of sacrifice in biblical law. It was brought to the Temple when a person was in serious doubt over whether they committed a severe religious sin.

Core Function and Rules

- The Trigger: It applies exclusively to sins that carry the punishment of *karet* (spiritual excision) if done intentionally, and require a *Chatat* (sin offering) if done accidentally.
- The Classic Example: A person has two pieces of fat on a table—one is *cheilev* (forbidden fat) and the other is regular kosher fat. The person eats one piece and the other is lost. Because they cannot verify if they violated the law, they bring an *Asham Talui* to secure conditional atonement.
- Conditional Nature: The sacrifice acts as a temporary shield against divine punishment. If the person later discovers they definitively sinned, they must still bring a regular *Chatat* (sin offering).
- The Financial Penalty: To prevent people from acting carelessly, the *Asham Talui* was legally required to be an expensive, high-value unblemished ram. It cost significantly more than a standard accidental sin offering.

In Jewish philosophy, the *Asham Talui* serves as a powerful psychological mechanism. Sages like Nachmanides (Ramban) explain that human beings naturally rationalize and ignore their mistakes when there is lack of certainty. By demanding an expensive sacrifice for a *potential* mistake, the Torah teaches that people must take absolute accountability for risky or careless behavior, even in the absence of conclusive proof.

Rabbi Eliezer ben Hyrcanus



Koren Talmud Bavli, The Noe Edition. Bava Metzia Volume I. Koren publishers Jerusalem. Page 325

When the name Rabbi Eliezer occurs in the Talmud without a patronymic, it refers to Rabbi Eliezer ben Hyrcanus, also known as Rabbi Eliezer the Great, who was one of the leading Sages in the period after the destruction of the Second Temple. Rabbi Eliezer was born to a wealthy family of Levites, who traced their lineage back to Moses. Rabbi Eliezer began studying Torah late in life, but he quickly became an outstanding disciple of Rabban Yohanan ben Zakkai. Rabban Yohanan ben Zakkai remarked: If all the Sages of Israel were on one side of a scale and Eliezer ben Hyrcanus on the other, he would outweigh them all. Rabbi Eliezer was blessed with a remarkable memory. All his life, in his Torah study and his halakhic rulings, he attempted to follow the traditions of his Rabbis without adding to them. Nevertheless, although he was the primary student of Rabban Yohanan ben Zakkai, who was a disciple of Beit Hillel, he was considered one who tended toward the opinions of Beit Shammai. Rabbi Eliezer's close friend, Rabbi Yehoshua ben Hananya, completely followed the opinions of Beit Hillel, and many fundamental halakhic disputes between these Sages are recorded in the Mishna. Because of his staunch and unflinching adherence to tradition, Rabbi Eliezer was unwilling to accede to the majority opinion. Rabbi Eliezer's conduct generated so much tension among the Sages that Rabban Gamliel, who was the brother of his wife, Imma Shalom, was forced to excommunicate him to prevent controversy from proliferating. This ban was lifted only after Rabbi Eliezer's death. All of the Sages of the next generation were Rabbi Eliezer's students, most prominent among them Rabbi Akiva. Rabbi Eliezer's son, also named Hyrcanus, was a Sage of the following generation.

Bava ben Buta



Koren Talmud Bavli, The Noe Edition. Nedarim. Koren publishers Jerusalem. Page 285.

An outstanding student of Shammai and an important Sage of his generation, Bava ben Buta was renowned in his lifetime both for his great righteousness and for his wisdom. Many stories are told of his exceptional humility and his lack of concern for his own honor whenever he could assist in matters involving domestic peace, or to increase the honor of God. He likely served as a judge in Jerusalem and was also highly regarded for his knowledge of worldly matters. It is related in the Talmud that when Herod killed many of the Sages of Israel, he blinded Bava ben Buta but kept him alive so he could continue to seek his advice. The Gemara relates that it was Bava ben Buta who advised Herod to undertake his magnificent rebuilding of the Temple.

The Text: Mishna Keritot 6:3

רבי אליעזר אומר, מתנדב אדם אשם תלוי בכל יום ובכל שעה שינצח, והיא נקראת אשם חסידים. אמרו עליו על בבא בן בוטי, שהיה מתנדב אשם תלוי בכל יום, חוץ מאחר יום הכפורים יום אחד. אמר, המעון הזה, אלו היו מגיחים לי, הייתי מביא, אלא אומרים לי, המתן עד שתפנס לספק. וחקמים אומרים, אין מביאים אשם תלוי אלא על דבר שזדונו כרת ושהגתו חטאת:

Rabbi Eliezer says: A person may volunteer to bring a provisional guilt offering (Asham Talui) every day and at any time that he chooses, even if there is no uncertainty as to whether he sinned, and this type of offering was called the guilt offering of the pious, as they brought it due to their constant concern that they might have sinned.

They said about Bava ben Buta that he would volunteer to bring a provisional guilt offering every day except for one day after Yom Kippur, when he would not bring the offering. Bava ben Buta said: I take an oath by this abode of the Divine Presence that if they would have allowed me, I would have brought a guilt offering even on that day.

But they (the Sages) would say to me: Wait until you enter into a situation of potential uncertainty.

And the Rabbis say: One brings a provisional guilt offering only in a case where there is uncertainty as to whether he performed a sin for whose intentional performance one is liable to receive karet and for whose unwitting performance one is liable to bring a sin offering.



Explaining the Text

What's going on here? (The sequence of events)

Comprehension and Analysis Questions

? Why, according to Rabbi Eliezer, may a person volunteer to bring a provisional guilt offering every day and at any time that he chooses?

? Why is this particular provisional guilt offering called "the guilt offering of the pious"?

Bonus ? Why did Bava ben Buta volunteer to bring a provisional guilt offering every day?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Extra Bonus ? Why didn't Bava ben Buta bring a provisional guilt offering the day after Yom Kippur?

? Why didn't the Sages allow Bava ben Buta to bring a provisional guilt offering the day after Yom Kippur?

Bonus ? Why did the Sages limit the provisional guilt offering to cases where there is uncertainty as to whether he performed a sin for whose intentional performance one is liable to receive karet and for whose unwitting performance one is liable to bring a sin offering? What do you think is the problem with bringing a provisional guilt offering "just in case"?

"The Twist" – Or the Lessons We Can Learn from This Text



Living with guilty feelings is neither good for you nor for the people around you!