



Volume 5. Issue 30

Keritut – an Introduction

The first *Mishnah* in *messechet Keritut* gives a list of the various sins which incur the punishment of *karet* - a spiritual punishment which also relates in some way to premature death. *Karet* is only incurred if the sin was deliberate and was committed without a warning or the presence of witnesses. If the sin was committed in the presence of two proper witnesses who gave a proper warning then the perpetrator is punishable by the *Bet Din*, in most cases with capital punishment or *malkut* (lashes) and *karet* is avoided (*Makkot* 3:15). Why does the same sin have a different punishment merely because of the presence of witnesses and a warning?

Perhaps we can shed some light on this question by analysing the distinction between a *ganav* (a thief who steal clandestinely) and a *gazlan* (a robber who takes openly and with force). The *ganav* has to pay back double to the victim and in some instances also has to pay a four of five-fold penalty. The *gazlan* only has to return the object or its equivalent in cash. This is difficult to understand – in the secular legal system, a robbery (which is often more violent) is punished more harshly than a theft. The *Gemara* (*Baba Kamma* 79b) explains the difference: fear of *Hashem* must be above everything else. A *gazlan*, by acting openly, steals without fear or shame, his attitude to *Hashem* is the same as his attitude to his fellow man. The *ganav* hides himself from his fellow man but not from *Hashem* – thus demonstrating that he fears man more than he fears *Hashem*.

The same analysis might apply in the case of *keritut*. The transgressor who sins brazenly in public – in front of two witnesses after receiving a clear warning, demonstrates that his fear of man and his fear of *Hashem* is the same. The transgressor who sins surreptitiously, out of the public eye, demonstrates that his fear of man is greater than his fear of *Hashem*.

This analysis suggests that the one who sins in private should be treated more harshly than the one who sins in public. This is in fact the case for those sins that are punishable with *malkut*. The one who sins in public receives the far less severe punishment of lashes and manages to avoid *karet*. However how can we explain those sins that are punishable by the *Beit Din* with capital punishment? One who sins in public is put to death whereas one who sins in private is allowed to live – and therefore

has a chance to do *teshuva* and gain forgiveness. It seems that the one who sins in public is treated more harshly - the opposite to the conclusion that we reached above. How can we reconcile the two?

We can understand this by looking at the case of *Arei Miklat* – the cities of refuge to which an inadvertent killer would be exiled. There are actually three cases of inadvertent killing (*Makkot* 8a):

1. a killing which is totally unforeseeable – there is no culpability and the killer does not need to go into exile;
2. a killing due to negligence – there is some degree of culpability, the killer would need to go into exile; and
3. a killing due to gross negligence with a high degree of culpability – this killer would not go into exile and also would escape punishment from the *Beit Din* due to the lack of witnesses and warning.

The second category of killer has some degree of culpability and needs atonement for that. The mere fact of going through exile provides some form of atonement for this killer. The third category of killer is so culpable that they do not deserve the opportunity of obtaining atonement through exile. It may seem as though they have avoided punishment but their punishment will come in *Olam Haba*. The third category of killer can do *teshuva* but this is much more difficult to do without the atonement that is obtained through going into exile. Such a person may spend the rest of their life wondering if they have done sufficient *teshuva*.

We can now explain those sins that are punishable by capital punishment. One who sins in public is put to death and this death penalty provides a form of atonement for their sin. This seems counter-intuitive from our perspective. However this person's *neschama* will experience the spiritual benefit of this atonement in *Olam Haba*. One who sins in private is allowed to live. It may seem as though he has avoided punishment however this is not the case – he does not have the opportunity to gain the atonement that results from the death penalty. Such a person does have a chance to do *teshuva* for his sin and avoid the punishment of *karet* (*Rambam Hilchot Teshuva* 1:4). However it is much more difficult to do *teshuva* without the atonement that is obtained through the death penalty. We therefore see that the one who sins in private is in fact treated more harshly than the one who sins in public.

Allon Ledder

Revision Questions

תמורה ו' ג' – ו' ג':

- Provide two examples of a *mechir kelev*. (ו' ג')
- What is the source for why a *mechir zonah* and *etnan kelev* are *mutar* to offer on the *mizbeach*? (ו' ג')
- What other law is learnt from that *pasuk*? (ו' ג')
- Does the law of *etnan zonah* apply to money? (ו' ד')
- What is the rule regarding to what items the law of *etnan zonah* applies? (ו' ד')
- What is the source for why the law of *etnan zonah* applies to birds and why would we have thought otherwise? (ו' ד')
- Explain the debate regarding whether a *vlad treifah* can be used as a *korban*? (ו' ה')
- What does *R' Channinah ben Antignus* add to the list of animals that cannot be used as a *korban*? (ו' ה')
- What is the law regarding a *korban* that became a *treifah*? (ו' ה')
- What laws apply to *kodshei mizbeach* that do not apply to *kodshei bedek ha'bayit*? (ו' א')
- What four laws apply to *kodshei bedek ha'bayit* that do not apply to *kodshei mizbeach*? (ו' ב')
- What laws listed apply equally to both and which one is the subject of a debate? (ו' ג')
- What are the *issurei hana'ah* that must be buried and which one is the subject of a debate? (ו' ד')
- What are the *issurei hana'ah* that must be burnt? (ו' ה')
- How does *tameh trumah* differ from those items referred to in the previous question? (ו' ה')
- Is one allowed to burn that which must be buried? (ו' ו')

כריתות א' א' - ה'

- How many prohibitions are listed in the *Torah* are punishable with *karet*? (Hard: Can you list them?) (א' א')
- What must one do if they violated one of the prohibitions unintentionally? (א' ב')
- What must one do if they are unsure whether they violated one of these prohibitions? (א' ב')
- Explain the debate regarding the exception to rule discussed in the previous question. (א' ב')
- When would a *yoledet* bring a *korban chatat* and:
 - It be consumed? (א' ג')
 - It not be consumed? (א' ד')
- When would a *yoledet* not bring a *korban* at all? (א' ה')

Local Shiurim

Sunday -Thursday

Between mincha & ma'ariv
Mizrachi Shul

Friday & Shabbat

10 minutes before mincha
Mizrachi Shul

Audio Shiurim on-line!

- 613.org/mishnah.html
- www.shemayisrael.com/mishna/

www.
mishnahyomit
.com

Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
30 th November ג' כסלו	1 st December ד' כסלו	2 nd December ה' כסלו	3 rd December ו' חשוון	4 th December ז' חשוון	5 th December ח' כסלו	6 th December ט' כסלו
Keritut 1:6-7	Keritut 2:1-2	Keritut 2:3-4	Keritut 2:5-6	Keritut 3:1-2	Keritut 3:3-4	Keritut 3:5-6

