

The Weekly Daf



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Week of 5-11 Iyar 5757 / 12-18 May 1997

Temurah 30-Krisos 3

Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied in the course of the worldwide Daf Yomi cycle

The Burned and the Buried

There are two categories of forbidden matter which must be eliminated so that no one will derive any benefit from them. One category requires burial. This includes, among others, meat and milk which have been cooked together, and a non-sanctified animal which has been slaughtered in the Sanctuary. The second category, of which *chametz* on Pesach is one example, requires burning.

One may not bury what requires burning nor burn what must be buried. Burial does not suffice for what is to be burned, explains Rashi, because there is the danger that someone may unearth it and make illegal use of it. Burning is improper for what is to be buried, explains the Gemara, because there is a difference in the legal status of the ashes. Anything which the Torah commanded us to burn ceases to retain its forbidden status once we have fulfilled this command; its ashes are therefore permitted for use. An item which we bury because the Torah did not command us to burn it has no limit set on how long it remains forbidden; its ashes are therefore still forbidden. The result is that if we burn what needs only to be buried we run the risk of using the ashes which are still forbidden.

Rabbi Akiva Eiger challenges the reason given by Rashi for not burying what must be burned because of the fear that it may be unearthed and used. Since there is a Torah command to burn such an item, he asks, is this not sufficient reason to prohibit us from burying it since this prevents its being burned?

Temurah 34a

Too Early, Too Sudden

The name of the *Masechta* we begin this week — *Krisos* — is the multiple form of the word for the heavenly punishment of *kares* incurred by serious, intentional violations of Torah law. Our very first mishnah lists 36 such sins mentioned in the Torah. What does *kares* actually consist of?

The first time it is mentioned in the Torah (*Bereishis* 17:14) is in regard to the heavenly punishment for a male descendant of Avraham (later narrowed down to descendants of Yaakov) who will fail to become circumcised. Rashi explains that this means he will die childless and before his time. This approach is repeated in Rashi's commentary in *Masechta Shabbos* (25a) where he explains the difference between the *kares* meted out for graver sins and "death at the hands of Heaven" incurred for lesser ones. Both consist of premature death, but *kares* also includes the loss of the children (if they were minors at the time of the parent's punishment — Tosefos).

While Rashi does not delineate the age for premature death, the Gemara in *Masechta Mo'ed Katan* (28a) indicates that *kares* means death before sixty, while no exact figure is mentioned for the other form of premature death. The Talmud Yerushalmi, however, defines *kares* as dying before fifty, whereas the other form of premature death takes place before sixty.

An interesting problem is raised in the Yerushalmi. What sort of *kares* is there for a man who eats forbidden animal fats (or any other sin deserving *kares*) when he has already passed the age of fifty (or sixty according to our Babylonian Talmud)? The answer given is that he dies a sudden death which is also a form of *kares*.

This form of *kares* is mentioned in an incident related in the aforementioned Gemara about Rabbi Yosef who made a feast for his fellow sages when he reached the age of sixty since he saw this as an indication that he had not committed any sin deserving of *kares*. His disciple, the Sage Abaye, reminded him that even though he was beyond the *kares* of years he still faced the danger of a *kares* of days — a sudden death. Rabbi Yosef's response was that passing the *kares* of years alone was a cause for celebration, but his disciple's challenge introduced the concept of a *kares* of days which threatens a sinner at any age.

Krisos 2a

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