CHAVRUTA SHABBAT — DAF KUF NUN GIMEL

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...and the soul ascends and no longer descends.

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Said Rav Yehudah the son of Rav Shmuel bar Shilat in the name of Rav: From the eulogy of a person it is recognizable whether he is a member of the World to Come or not, because if he is an upstanding person everyone will cry over him and relate his

praises.

The Gemara raises a difficulty: Is this so? Note that said Rav to Rav Shmuel bar

Shilat: After my death, attempt to warm up the listeners with the eulogy, so that they

will be moved and cry for me, because I will be there during the eulogy and I will hear

it.

We see that Rav found it necessary to exhort about this. This is difficult, as Rav was a

great person and a member of the World to Come. Why was it necessary for him to do

this, when he said that from the eulogy of a person it is recognizable whether he is a

member of the World to Come?

The Gemara answers: This is **not difficult.** One must always arouse the feelings of the

people at a eulogy, as they will not be able to arouse their feelings by themselves over an

old man that dies. Rather, this statement that Rav made is when he arouses the people

and they are aroused, then it is recognizable that the dead person is a member of the

World to Come. And that is when he arouses the people over the dead person, and they

are not aroused, then it is recognizable that he is not a member of the World to Come.

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Abaye said to Rabbah: A person like you, our Master, that the entire town of

Pumpedita dislikes you because you rebuke them regarding their trickery, who will be aroused at your eulogy?

He said to him: It is enough if you and Rabbah bar Rav Chanan are aroused and cry over me.

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Rabbi Elazar posed an inquiry to Rav: Who is a member of the World to Come?

Rav said to him: As it is written (Yeshayahu<sup>1</sup> 30:21), "And your ears shall hear from behind you, saying, 'This is the way; go on it,' whether you will go right or whether you will go left." If you hear people walking behind your bier saying, "One should go in the way that this dead person went," you are assured that you are a member of the World to Come.

**Rabbi Chanina said:** Anyone that due to what is heard about him and seen in him, his Torah masters are pleased with him, he is a member of the World to Come.

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It is also written in Kohelet<sup>2</sup> (12:5), "While the mourners go about the streets."

The people of the Galilee said: Do good deeds so the eulogizers will say them before your bier.

The people of Yehudah said: Do good deeds so the eulogizers will say them after your bier.

The Gemara explains: **And** the people of the Galilee and the people of Yehudah **do not disagree.** Rather, **they,** i.e., the people of the Galilee, expressed themselves **as their place** is accustomed to do, as in the Galilee the eulogizer stood in front of the bier; **and they,** i.e., the people of Yehudah, expressed themselves **as their place,** as in Yehudah

<sup>1</sup> Isaiah <sup>2</sup> Ecclesiastes

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they would stand behind the bier.

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It was taught in a Mishnah there: Rabbi Eliezer says: Repent one day before your death.

His disciples asked Rabbi Eliezer: And does a person know which day he will die on, that he should repent?

Rabbi Eliezer said to them: All the more so, since he does not know, he should always repent. And being that repentance one day before death is beneficial, he should repent today, perhaps he will die tomorrow, and so everyday. And the result will be that his entire life will consist of repentance.

And even King Shlomo<sup>3</sup> said in his wisdom (*Kohelet* 9:8), "Let your garments always be white, and your head never lack oil." White clothes allude to the soul, which always needs to be pure and clean.

Said Rabban Yochanan ben Zakai: It is compared to a king who invited his servants to a banquet, and he did not set a time for it. The intelligent ones amongst them prepared for the banquet and adorned themselves immediately and sat at the entrance of the palace, as they said: Is anything lacking of the provisions of the banquet in the palace? Everything is ready, and perhaps they will summon us suddenly to come to the king.

But the fools amongst them went to their work, as they said: Is there any banquet without laborious preparations? By the time they will prepare the banquet in the palace, we will have enough time to adorn ourselves.

In the end, the king suddenly summoned his servants to come to the banquet. The intelligent ones amongst them entered before him while they were adorned, and the fools entered before him while they were dirtied from their work. The king was

happy with the intelligent ones and angry with the fools.

The king said: These intelligent ones who adorned themselves for the banquet, they will sit and eat and drink, but those fools who did not adorn themselves for the banquet, they will stand and watch the banquet of the intelligent ones and they will not eat.

And so it is in the World to Come. The righteous who were always afraid that they would die tomorrow, were constantly repenting. They will sit and eat there, while the wicked who did not prepare themselves in this world, they will stand and watch the honor of the righteous.

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The son-in-law of Rabbi Meir said in the name of Rabbi Meir: The wicked do not stand and watch, because if they did, even they would appear as if they were invited as waiters, because it is normal for waiters to stand during the meal and this is not embarrassing. Rather, these and those, i.e., the righteous and the wicked, sit. These eat and those are hungry. These drink and those are thirsty, as it says (Yeshayahu 65:13-14), "Therefore, so said G-d, 'Behold, My servants shall eat, but you shall be hungry; behold, My servants shall drink, but you shall thirst; behold, My servants shall sing from joy of heart, but you shall cry out from sorrow of heart."

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The Gemara returns to explain the words of Shlomo: Another explanation: (Kohelet 9:8), "Let your garments always be white," these are tzitzit, which are made of white wool.

<sup>3</sup> Solomon

"And your head never lack oil," these are tefillin, as tefillin represent the Name of G-d, as it is written (*Devarim*<sup>4</sup> 28:10), "Then all the people of the earth will see that the Name of G-d is proclaimed over you and they will revere you." The Gemara expounds "good oil" to refer to tefillin of the head, as a good name (the Name of G-d) is better than good oil, as stated in *Mishlei*<sup>5</sup>.

# HADRAN ALACH SHOEL

We Will Return to You, Perek Shoel

<sup>4</sup> Deuteronomy Proverbs <sup>5</sup>

# Perek Mi Shehechshich

#### **MISHNAH**

**Someone** for whom the day **grew dark** while he was still traveling on **the road** on Friday afternoon, and Shabbat is about to start, **he gives his wallet to a gentile** while it is still day, and the gentile carries it for him, as he will not be able to carry it after Shabbat starts because of the prohibition of transferring objects in the public domain.

Even though normally it is forbidden to tell a gentile to do forbidden labor on Shabbat, as he is considered the Jew's agent to do the prohibition, here the Rabbis permitted it. The reason will be explained in the Gemara.

And if he does not have with him a gentile, he places it, the wallet, on the donkey. And the donkey will transport it until he reaches town. However, if he has a gentile there, he should not place it on the donkey, as he is commanded concerning the Shabbat rest of his animal. The Gemara will explain that the Mishnah is speaking of a situation where there is no prohibition of donkey-driving.

When **he reaches the outermost courtyard** of town, since a courtyard is a protected place, he **takes the utensils that may be taken**, i.e., those that are permissible to move on Shabbat, off of the donkey. **And** the utensils **that cannot be taken**, since they are *muktzeh*, **he unties the ropes** of the saddle, **and the sacks** that are tied to it **fall by** 

**themselves** from the donkey, along with the *muktzeh* utensils that are in them.

**GEMARA** 

It was taught in the Mishnah: He gives his wallet to a gentile.

The Gemara asks: What is the reason the Rabbis permitted to give his wallet to a gentile? Does not the gentile become the Jew's agent to carry it on Shabbat, and this is a *shevut*<sup>6</sup> and forbidden?

The Gemara answers: It is **known to the Rabbis that a person will not refrain from** saving **his money, and if you will not permit him** to give it to a gentile, **he will come to carry** the wallet himself a distance of **four** *amot*<sup>7</sup> **in the public domain.** 

Said Rava: Specifically, they permitted him to give his wallet to a gentile. But a found object, that he discovered on the road, he may not give it to a gentile for him to carry. Since he is not so concerned about it, we do not say: "a person will not refrain from saving his money" concerning it, and he will not come to carry it in the public domain.

The Gemara raises a difficulty: This is **obvious**, for note that **it was taught** in the Mishnah **"his wallet"**, specifically. What is Rava teaching us?

The Gemara answers: What is it that you would say? That the same applies even to a found object, that he may give it to a gentile. And that which is taught, "his wallet," is merely because it is teaching a common case, as he normally has his wallet with him on the road. Rava informs us that the Mishnah taught specifically, "his wallet", and not a found object.

And that which they say, not to give a found object to a gentile, this prohibition applies

<sup>6</sup> A Rabbinical Shabbat prohibition

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**only** with a found object **that did not come to his hand** before dark. Since he did not yet acquire it, he does not care about it, and even if we would not permit him to give it to a gentile he would not come to carry it in a public domain on Shabbat. **But** if the found object already **came to his hand** before dark and he has already acquired it, **it is like his wallet,** and once it has become his property in all regards, we say "a person will not refrain from saving his money."

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There are those that say that this was not a definite statement of Rava; rather, he posed it as an inquiry.

For **Rava posed an inquiry: A found** object that already **came to his hand** before dark, **what is it** to give to a gentile?

Do we say: **since it came to his hand** and he already acquired it before Shabbat, **it is like his wallet,** and since he cares about it we should be concerned perhaps he will come to transport it in the public domain?

Or perhaps, specifically with the money in his wallet—for which he had to work to earn—we are concerned about this. But a found object, since he did not work for it, it is not like his wallet and he will not come to transport it in the public domain.

The Gemara concludes: **Let it stand.** The question is left unresolved.

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It was taught in the Mishnah: And if he does not have with him a gentile, he places it on the donkey.

The Gemara infers: The **reason** they permitted him to do so is **because he does not have** with him a gentile. This implies that if there is a gentile, he gives it to the gentile and does not place it on the donkey.

<sup>7</sup> 1 *ammuah*: 18.7 in., 48 cm.

The Gemara objects: What is the reason that giving it to a gentile is preferable to placing it on a donkey?

The Gemara answers: A donkey, you are commanded regarding its Shabbat rest according to Torah Law. For it is written (Shmot<sup>8</sup> 23:12), "in order that your ox and your donkey will rest." This verse teaches us that a Jew must see to it that his animals rest on Shabbat. But a gentile, you are not commanded regarding his Shabbat rest. It is prohibited only Rabbinically to ask him to work for a Jew. Therefore giving it to a gentile is preferable placing it on the donkey.

Even though the Gemara later explains the case that he is not transgressing a Torah prohibition of his animal's Shabbat rest, nevertheless, it is more stringent than giving to a gentile, because if the animal were to do a proper forbidden labor, its owner would be liable according to Torah Law.

Just as the Rabbis permitted him to place his wallet on a donkey, similarly they permitted him to give it to one who is deaf and dumb, or to one who is deranged, or to a minor, if he does not have a donkey.

But if he has a donkey and he also has a deaf person, a deranged person or a minor, he places his wallet on the donkey. But to the deaf person, the deranged person or to the minor, he should not give it.

The Gemara asks: What is the reason?

The Gemara answers: These, the deaf and dumb person, the deranged person, and the minor, they are people, and there are other people who are obligated in mitzvot. If we permit him to give them the wallet to carry on Shabbat, he will come to give it to other people who are obligated in mitzvot. But this donkey is not a person, and no one will confuse a person with a donkey.

And if he only has a deaf person and a deranged person, he should give it to the deranged person and not the deaf person, as the deranged person has no wisdom at all, but a deaf and dumb person has a small amount of wisdom.

And if he has a deranged person and a minor, he gives it to the deranged person and not to the minor, because the minor has more wisdom than the deranged person.

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They posed an inquiry: If he has with him a deaf person and a minor, what is the halachah, to whom does he give his wallet?

The Gemara explains: **According to Rabbi Eliezer**, **this is not a question**, as he should certainly give it to the minor and not the deaf person, because Rabbi Eliezer holds that a deaf and dumb person might have intelligence, and he is possibly obligated in mitzvot.

As it was taught in a Baraita: Rabbi Yitzchak says in the name of Rabbi Eliezer: The terumah<sup>9</sup> of a deaf person, i.e. if the deaf and dumb person separated a portion of terumah...

#### **AMMUD BET**

...it is not treated as ordinary food, since it is a doubtful matter whether he has intelligence or not. Because of this doubt we treat his terumah with all the stringencies of such, and it is forbidden for non-cohanim to eat it.

<sup>&</sup>lt;sup>9</sup> A small portion separated from agricultural produce in the Land of Israel, and given to cohanim for their personal consumption. It may be eaten only in purity.

However, a normal person must separate **terumah** from the produce a second time, for perhaps the deaf person's **terumah** is invalid and the food is still **tevel**.<sup>10</sup>

When will you have the question as to which is better, a deaf person or a minor? The question is according to the Rabbis who hold that a deaf person is definitely not obligated in mitzvot since he lacks intelligence.

As it was taught in a Mishnah: Five do not separate terumah, and if they separate, their separation is not terumah. And they are: The deaf, the deranged, and the minor. These may not separate terumah, since it is learned from a verse regarding the donations to the Tabernacle (*Shmot* 25:2), "whose heart motivates him". This implies that one must have understanding of heart in order to donate.

Another case of invalid **terumah** is: **And the one who separates terumah** of that **which is not his,** and does so without the owner's permission, as it says, "the **terumah** of **your** planting."

Another case of invalid **terumah** is: **And a gentile who separates terumah of** the produce of **a Jew. And even if** he separated **with his permission,** i.e., of the Jew, **his terumah separation is not terumah**, since a gentile cannot act as the agent of a Jew. The halachah of agency is learned from the verse (*Bamidbar*<sup>11</sup> 18:28), "so you will separate, also you," which is interpreted: Just like you are "members of the covenant," i.e., Jewish, so too your agents must be "members of the covenant."

If one has with him a deaf and dumb person, and also a minor, according to the Rabbis what is the halachah? Do we say he gives it to the deaf person and not to the minor? For the minor, even though he has no intelligence now, he nevertheless will come to a state of having intelligence, when he becomes an adult.

Or perhaps, he gives it to the minor and not to the deaf person. For a deaf person is an adult and even though he has no intelligence, people will come to confuse him with an

<sup>&</sup>lt;sup>10</sup> Before *terumah* and *ma'aser* (tithes) are removed from produce, it is called *tevel*.

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**adult** who is **intelligent** and they will come to give the wallet even to someone who is obligated in mitzvot. However, an adult will not be confused with a minor.

The Gemara concludes: There are those that say: He gives it to a deaf person.

And there are those that say: He gives it to a minor.

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The Gemara asks: If the day grew dark while he was traveling, and there is no gentile, and no donkey, and no deaf person, and no deranged person, and no minor, what should he do?

Said Rabbi Yitzchak: Another additional solution they had, and the Sages did not want to reveal it.

The Gemara objects: What is the other additional solution that they had?

The Gemara answers: That **he transports it** in the public domain **less than four ammot** at a time. He should pick up the wallet and walk with it less than four **ammot** and stop to rest, thereby nullifying the first "picking up." He then again starts walking, which is considered like picking it up, and walks less than four **ammot** and stops to rest. He continues in this fashion until he reaches his home. Thus, he has not transported four **ammot** at one time and he is not liable according to Torah Law.

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The Gemara again asks: Why did the Sages not want to reveal it, and thereby hiding words of Torah?

The Gemara answers: **Because** (*Mishlei*<sup>12</sup> 25:2), "**The honor of G-d is to conceal a matter, whereas the honor of kings is to search out a matter."** It is permissible to hide words of Torah if it is to enhance the honor of G-d. However, one should not hide the

<sup>12</sup> Proverbs

honor and wealth of a person, rather one should search it out.

The Gemara asks: And here, what honor of G-d is there in hiding this solution?

The Gemara answers: If this matter would be known, and people would transport objects less than four **ammot** at a time, **perhaps** by doing so **they will come to carry four ammot in the public domain** at one time and they will transgress a Torah prohibition.

And since it is very easy to do so, they did not wish to reveal this solution.

However, they did not totally forbid this. In a situation where he has no gentile, animal, deaf or deranged person, or minor available, it is permissible to transport it less than four **ammot** at a time.

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It was taught in a Baraita: Rabbi Eliezer says: On that day that the Sages went up to the attic of Chananyah ben Chizkiyah, and decreed eighteen matters, one of these eighteen was not to use this method to transport less than four ammot. Rather, he should give it to a gentile. They thereby protected the Torah with an overflowing measure. This was very proper, in order to protect the Torah.

Rabbi Yehoshua says: On that day they leveled the measure. A vessel can hold three measures: overflowing, full and level. This Tanna holds that the Sages filled the measure to overflowing by making too many decrees, and the public would not be able to uphold all of them. This would cause the public to transgress Torah prohibitions, thereby making the Sages' measure "level." It would have been better had the Sages filled the measure to "full," to insure that the measure would not become just "level."

It was taught in a Baraita: A parable, that of Rabbi Eliezer, to what is the matter compared? To a box which is full of squash and gourds. A person puts into it mustard seed, and it also holds the seeds. Since the seeds are small, they fall in between the squash and gourds, and they remain in the box. Here too, they decreed wisely and added lasting prohibitions.

And a parable, that of Rabbi Yehoshua who referred to this decreed as a level measure, to what is the matter compared? To a mixing bowl which is full of honey. A person puts into it pomegranates and nuts, and as a result, it the bowl spits out the honey.

Here too, by making too many prohibitions, they cause people to transgress. As a person might not want to rely on a gentile, and now that the Sages forbade transporting less than four **ammot**, he will carry it himself four **ammot** at one time, since a person cannot bear to see his money get lost.

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#### Said Master: If there is no gentile with him, he places it on the donkey.

The Gemara is puzzled: **And is this not donkey driving?** Leading one's loaded animal in the public domain is a Torah prohibition, as **the Merciful One said** in the Torah (*Shmot* 20:10), "**Do not do any work,** you and your animal." What type of work is done with the man and the animal together? This is donkey-driving. From here we learn that all forms of Shabbat work are forbidden to do with one's animal.

Said Rav Ada bar Ahavah: He places it, the wallet, on her, the animal, when she is walking. In order to be liable for transferring on Shabbat, one has to pick up the item from one place and put it down in another. By placing the wallet on the animal after it has already started walking, the animal will not be "picking it up." But if he places it on the animal while it is stationary and then it starts walking, the animal has "picked it up," due to the halachah that states: "uprooting one's body is like picking up the item" (daf 3a). Since the person himself would not be liable for transferring in this manner, i.e., if someone else placed the item on him after he had started walking, there is no prohibition of donkey-driving either.

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The Gemara again raises a difficulty: **And note** that **it is impossible that** the animal **will not stop to urinate or defecate** before reaching town. Therefore, it will "pick up" and

"put down" the wallet, since after it stops to rest, when it starts walking again it is a new "picking up."

The Gemara answers: This is what he should do: When it is walking, he places it, the wallet, on her. And when she stands to defecate, he takes it from her before she starts walking again, and he only puts it back on her after she starts walking again. Thus she will never start walking with the wallet on her, and it is not considered "picking up."

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The Gemara raises a difficulty: **If so,** one can **even** do so with **his friend as well.** He can place the wallet on his friend in the same manner that he does with the animal.

**Said Rav Papa:** They only permitted this with an animal, because if he himself were to pick up an object while walking and transport it in the public domain, he would be liable a sin offering.<sup>13</sup>

Therefore, **Any** situation **that** if he himself would transport it **with his body** he would **be liable a sin offering, where** he places it on **his friend** while his friend is walking, he is **exempt, but it is forbidden** Rabbinically to put it on him.

And any situation where placing it on his friend, he would be exempt but it is forbidden to do so, where he places it on his donkey, it is completely permissible. Since this is not donkey-driving according to Torah Law, the Rabbis permitted him to do so, because if they would not permit him, he would come to transport it himself four ammot in the public domain.

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Said Rav Ada bar Ahavah: If his package was placed on his shoulder on Friday while

<sup>&</sup>lt;sup>13</sup> He is considered to have done an act of "picking up" even though he was walking while he took the object. For he actually took it from its place of rest. But if he were to place it onto a walking person, that person did not actually take it from its place of rest, nor did he do an act of "picking up" by setting his body in motion.

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it is still day, he may **run with it**<sup>14</sup> even after Shabbat starts, **until he reaches his house.**Since he started to run before Shabbat started and he did not stop to rest, thus he did not "pick up" the package on Shabbat, and he is not liable for "putting down", since he did not do an act of "picking up" on Shabbat.

The Gemara infers: They permitted **specifically running. However,** if he walks **little** by **little,** i.e., unhurriedly, they did **not** permit, although even in this case, no "picking up" was done on Shabbat, as he did not stop to rest.

The Gemara explains: What is the reason that walking is forbidden? Since that with walking normally there is no reminder, and we are concerned that he will forget and stand to rest after Shabbat starts, and he will then continue to walk. And he will come to do "picking up" and "putting down" on Shabbat, since uprooting his body after he stood still is like "picking up" the object.

But when he runs, there is a reminder inherent in this, and he will remember not to stop to rest.

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The Gemara raises a difficulty: How is it permissible to run with his package, when in the end when he reaches the house, it is impossible not to stand still a little, outside the house while he is still in the public domain, before going in. Then, when he starts walking to enter the house, he has "picked up" in the public domain, and when he puts it down in the house, there is a "putting down" in the private domain. And thus he has brought in from a public domain to a private domain!

The Gemara answers: When he comes to his house, he does not put them down in a normal fashion, rather **he throws it in an unusual fashion,** i.e., he throws it behind his back. Thus, he has "picked up" without "putting down," and he is not liable.

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<sup>14</sup> Lit. under it

Said Rami bar Chama: He who drives his animal in the public domain on Shabbat while it is loaded: If he did it unintentionally, he is liable a sin offering, and intentionally, he is liable stoning, just as one who did any of the thirty-nine types of work.

What is the reason of Rami bar Chama?

Said Rava: Because the verse said, "Do not do any work, you and your animal." The verse teaches us the prohibition of donkey-driving.

From here we also learn that one who drives his donkey is considered a full-fledged Shabbat desecrator. From the fact that it is written "you and your animal," there is a *hekeish*, a comparison, between the two. Thus, driving **his animal** is **similar** to **his own** work on Shabbat.

Just like if he himself would do work on Shabbat, if he did so unintentionally, he is obligated a sin offering, and if he did it intentionally, he is obligated stoning, so too if he does work with his animal also, unintentionally he is obligated a sin offering, and intentionally he is obligated stoning.

**Said Rava:** There are **two refutations in this matter** to be directed to Rami bar Chama, to prove his approach incorrect.

One, note that it is written regarding the sin offering of idol worship (*Bamidbar* 15:29-30), "There shall be a single Torah for them, for one who does unintentionally. A person who shall act high-handedly, whether native or convert, he blasphemed G-d. That person shall be cut off from among his people." The Gemara explicates: In this passage, the entire Torah has been compared to idol worship.

Just like idol worship, where he is not liable a sin offering for doing so unintentionally until he does an action with his body, as it is written, "one who does unintentionally," here also with all sin offerings. He is not liable until he does an action with his body.

<sup>&</sup>lt;sup>15</sup> Lit. with the back of his hand

But donkey driving, where he does an action only through his animal, he is not liable a sin offering.

And furthermore, it was taught in a Mishnah: One who desecrates Shabbat by doing something that when done unintentionally, they are liable for a sin offering. And when done intentionally, i.e. there were witnesses and the guilty party was forewarned, they are liable for kareit. This implies that there is something, i.e. a type of Shabbat desecration, that when done unintentionally, they are not liable a sin offering. And when done intentionally, they are not liable stoning. And what is this? Is it not the negative commandment of donkey-driving?

Whereas according to Rami Bar Chama, who said that sin offering and stoning applies even to donkey-driving, there is no Torah prohibition regarding Shabbat that does not have a sin offering or stoning.

The Gemara rejects this proof: The implication from the Mishnah, that there is a Shabbat prohibition for which there is no sin offering or stoning, is **not** referring to donkey driving. Rather, it refers to Shabbat **boundaries**<sup>17</sup>. **And** this is **according to Rabbi Akiva**, who holds that the prohibition of going beyond the boundary is from the Torah, but there is no sin offering or stoning for it. Rather, it is a mere negative commandment.

Or else, it is referring to the prohibition of **kindling** fire on Shabbat, **and according to Rabbi Yosi.** It is written (*Shmot* 35:3), "You shall not kindle fire in any of your dwellings on the Shabbat day." Why is this verse necessary, if it already said (ibid 20:10), "You shall not do any work"? Rabbi Yosi explains that the prohibition of kindling was specially mentioned by the Torah to teach us that it is merely a negative commandment, and it does not carry with it a liability for sin offering or stoning.

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<sup>&</sup>lt;sup>16</sup> Lit. Cut off. A spiritual punishment, where one's soul is "cut off" from its source.

<sup>17</sup> The two thousand *ammah* Shabbat boundary.