

Daf Notes is currently being dedicated to the neshamah of

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May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

HIGHLIGHTS

1. *Mishna*: A major rule has been laid down with regard to *Shabbos*: One who forgot the essence of *Shabbos*, and thus performed many forbidden labors on multiple *Shabbasos*, he brings only one *korban chatas*.

One who knew of the essence of *Shabbos* in general (*but lost track of the days of the week and did not realize that it was Shabbos*) and performed many forbidden labors on multiple *Shabbasos*, he must bring a separate *chatas* for each *Shabbos* that he transgressed.

One who knew it was *Shabbos* (*but did not know that certain activities are forbidden*), and performed many forbidden labors on multiple *Shabbasos*, he must bring a separate *korban* for each *av melachah* of forbidden activity which he transgressed.

If he did many *tolados* of the same *av melachah* (*in one spell of unawareness*), he is liable only to one offering (*since they were all in the same category of labor*).

2. The reason the *Mishna* refers to the rules that it states as a *klal gadol* (*a major rule*) is because these rules deal with *Shabbos*, which is more severe than the laws of *Shemittah*, *ma’aser*, or *pe’ah*.
3. *Shabbos* is more severe than *Shemittah* because its laws are relevant even to detached produce. *Shemittah* is more severe than *ma’aser* because its

laws are relevant even to animal fodder. *Maaser* is more severe than *pe’ah* because its laws are relevant to produce that is harvested in stages and vegetables that cannot be stored for long periods.

4. The *Mishna* had said that “one who forgets the main principle of *Shabbos*,” i.e. the fact that there is a Torah-commandment to observe *Shabbos*, brings a single *korban chatas* for all of the times that he transgressed as a result of this lack of knowledge. Rav and Shmuel hold that one who never knew that there was a Torah-commandment of *Shabbos* has the same status as one who forgot. Rebbe Yochanan and Rish Lakish hold that one who never knew of *Shabbos* does not bring a *korban* at all for his transgressions.
5. Rav and Shmuel hold like the Chachamim, and Rabbi Yochanan and Rish Lakish hold like Munbaz. Munbaz even considers a case where a person knew some of the nature of his transgression when he transgressed to be considered a *shogeg*, and thus he must bring a *korban*.

COMMENTARY

1. *Mishna*: A major rule has been laid down with regard to *Shabbos*: One who forgot the essence of *Shabbos*, and thus performed many forbidden labors on multiple *Shabbasos*, he brings only one *korban chatas*. [*This is because all of the times that he transgressed the Shabbos are due to only one mistake – he did not know that the concept of Shabbos was a mitzvah in the Torah.*]

One who knew of the essence of *Shabbos* in general (but lost track of the days of the week and did not realize that it was *Shabbos*) and performed many forbidden labors on multiple *Shabbosos*, he must bring a separate *chatas* for each *Shabbos* that he transgressed. [This is because the intervening days make it as if he became aware of which day of the week it is. Thus, each *Shabbos* represents a new error. He does not, however, bring a separate *korban* for each category of transgression, for since he didn't know it was *Shabbos*, all the transgressions that he did are considered a single error.]

One who knew it was *Shabbos* (but did not know that certain activities are forbidden), and performed many forbidden labors on multiple *Shabbosos*, he must bring a separate *korban* for each *av melachah* of forbidden activity which he transgressed. [**Av melachah is the main category of labor that is forbidden on Shabbos. A *toladah* is a secondary act of labor – one which is derived from the main category. They are all Biblically forbidden on Shabbos.**]

If he did many *tolados* of the same *av melachah* (in one spell of unawareness), he is liable only to one offering (since they were all in the same category of labor).

2. The *Gemora* asks why the *Mishna* referred to the laws it teaches as a *klal gadol*, a general rule of paramount importance.

At first, the *Gemora* assumes that the reason is because this rule contains more information (Rashi) than another general rule stated later regarding the laws of *Shabbos*.

The *Gemora* assumes that this is also the reason why the term *klal gadol* is used when the *Mishna* discussed the laws of *Shemittah*.

However, the *Gemora* points out that in a similar case discussing the laws of *ma'aser*, the term is not

used.

Rabbi Yosi bar Avin therefore attempts a new answer: When a general rule is introduced regarding a subject that is divided into *avos* and *toldos*,¹ the term *klal gadol* is used. The laws of *Shabbos* include 39 *avos* of forbidden labor, which include numerous sundry *toldos*. Similarly, the laws of *Shemittah* include *avos* of planting and harvesting (of grains or grapevines), with all agricultural activities included in those categories. *Ma'aser*, however, is not divided into *avos* and *toldos*, and therefore its rules are not introduced with the phrase *klal gadol*.

The *Gemora* questions this approach, however, since Bar Kappara's edition of a *braisa* uses the term *klal gadol* even regarding *maaser*.

The *Gemora* concludes that the term *klal gadol* is used when a general rule is introduced in a subject that is more severe than another subject which also contains a general rule. Thus *Shabbos*, which is more severe than *Shemittah*, is introduced with the term *klal gadol*. *Shemittah*, too, is more severe than *ma'aser*, and is thus introduced with the phrase *klal gadol*. *Ma'aser* is more severe than *pe'ah*, so Bar Kappara introduces it with the term *klal gadol* (see *Iyunim* 2). But *pe'ah*, which is the least severe of the laws which contain general rules, does not have its general rule introduced as a *klal gadol*.

The *Gemora* explains: *Shabbos* is more severe than *Shemittah* in that the laws of *Shemittah* only affect produce that is still attached to the ground at the onset of *Shemittah*, whereas the laws of *Shabbos* affect all types of produce. *Shemittah* is more severe than *ma'aser* because the laws of *ma'aser* do not apply to animal fodder. [By Torah law, *ma'aser* applies only to the five grains, grapes, and olives, but the Rabbanan extended it to include all types of food fit for human beings.] *Ma'aser* is more severe than *pe'ah* because it was taught in a *Mishna*: A

¹ *Avos* are general categories, while *toldos* are specific things that fall into the larger categories.



general principle was stated in respect to *pe'ah*: it only applies to food - as opposed to certain grasses used for making dyes, for instance; that is protected – as opposed to ownerless produce; which grows from the ground - rather than mushrooms and the like; and which are harvested all at one time - as opposed to foods like figs (*where some become ripe at one time, while others only ripen later on, thus requiring them to be harvested in several stages*); and which can be stored away for long periods - as opposed to most vegetables (*which rot quickly*). Regarding *ma'aser*, however, it was taught in a *Mishna*: Whatever is a food, is protected, and grows from the ground is subject to *ma'aser*; but we did not learn that they need to be harvested all at one time and that they can be stored away for long periods.

3. [The *Mishna* had said that “one who forgets the main principle of *Shabbos*,” i.e. the fact that there is a Torah-commandment to observe *Shabbos*, brings a single *korban chatas* for all of the times that he transgressed as a result of this lack of knowledge.] The *Gemora* cites a statement by Rav and Shmuel in which they agree to something regarding a person who never knew that there is a *mitzvah* of *Shabbos*. The *Gemora* provides two examples of such a person: a child who was captured and raised by gentiles, or one who converted in a foreign land, where only a few Jews were present (Tosafos). In both cases, the person didn't forget the laws of *Shabbos*; he never knew them to begin with.

At first, the *Gemora* understands that Rav and Shmuel said that this is the person meant in the *Mishna* when it refers to one who “forgets.” One who actually knew of the concept of *Shabbos*, but forgot, must bring a separate *korban* for each *Shabbos* that he transgresses (*but not for each separate transgression*).

The *Gemora* demonstrates, however, that one who forgets the concept of *Shabbos* does not bring more than one *korban*.

Rav and Shmuel are therefore reinterpreted as having said that while the *Mishna* referred to one who forgot the concept of *Shabbos*, the same rules apply to one who never knew them – i.e. he brings a single *korban* for all his transgressions.

Rabbi Yochanan and Rish Lakish, however, hold that one who never knew of the concept of *Shabbos* brings no *korban* at all.

4. The *Gemora* questions Rabbi Yochanan and Rish Lakish by citing a *braisa* in which the Chachamim, including Rebbe Akiva, held that one who never knew of *Shabbos* brings a *korban* for his transgressions, while Munbaz disagrees.

Rabbi Yochanan and Rish Lakish, however, answer simply that they hold like Munbaz.

The *braisa* concludes that Munbaz even considers a case where a person knew some of the nature of his transgression at the time when he transgressed to be considered a *shogeg*,² and thus he must bring a *korban*. [The *Gemora* will discuss what this means on the next *Daf*.]

INSIGHTS TO THE DAF

Klal Gadol

The *Gemora* gave three possible explanations for why the rules given in our *Mishna* are referred to as a *klal gadol*.

The **first reason** presented is that there is another general rule about *Shabbos* mentioned later, which contains less laws. Since that *Mishna* presents a *klal*, a general rule, our *Mishna* is a *klal gadol* – a great (or important) general rule. The *Gemora* rejects this explanation, however, since two general rules are discussed regarding the laws of *ma'aser*,

² *Shogeg* is usually translated as “accidental,” but the term refers to specific cases, where at least some guilt can be ascribed to the person. A better translation would be negligence.



but the term *klal gadol* is nevertheless not used in either case.

Tosafos asks why this should present a question. The second general rule introduced in the laws of *ma'aser* does not contain fewer laws than the first. Tosafos leaves the question unanswered.

Rashash, however, notes that our *Gemora* does not say that another *klal* is taught *later* regarding *ma'aser*. Rather, the *Gemora* says, "But by *ma'aser*, where another *klal* is taught, it should say *klal gadol*." Rashash points out that the second *klal* mentioned regarding *ma'aser* contains more laws than the first. The *Gemora's* question was that the second *Mishna* should have used the term, not the first.

It would seem that Tosafos did not accept this answer since the order of the two *Mishnayos* is significant. When a more significant ruling is presented before a less significant one, the *Mishna* introduces it with a statement declaring that this rule is more significant. In this way, the reader is told that another general rule, albeit a less significant one, is coming up. If the term was used in the second *Mishna*, however, it would add no information at all, since both *Mishnayos* have already been seen by the time the reader sees the term.

This interpretation can be supported by the terminology used in the *Gemora*; in explaining the term *klal gadol* in our *Mishna*, the *Gemora* does not say simply that another *klal* exists. A precise reading of the *Gemora* is that the term *klal gadol* is used "because it was going to teach yet another *klal*." This phraseology would seem to indicate that the other *klal* would be taught after the *Mishna* under discussion.

The second explanation of the term *klal gadol* in the *Mishna* is supplied by Rabbi Yosi bar Avin, who writes that the term is used when discussing general rules in laws that are divided into *avos* and *toldos*.

Tosafos points out that, according to this explanation, every general rule mentioned regarding *Shabbos* and *Shemittah* should be referred to as a *klal gadol*. As we have seen, however, the second time a *klal* is taught in these subjects,

the term is not used.

Tosafos explains that the other instances in which a *klal* is taught are meant to be continuations of the first general rules introduced. Thus, the second *klal* of *Shabbos*, for instance, should be read as "yet another *klal*, (like the first *klal gadol* mentioned previously)."

The *Gemora* rejects this answer, however, since Bar Kappara's Tosefta edition of the *Mishna* regarding *ma'aser* uses the term *klal gadol*, even though *ma'aser* is not divided into *avos* and *toldos*. Instead, the *Gemora* explains, the term is used when the *klal* under discussion is more severe than another *klal*. Thus, *Shabbos* has the term, since it is more severe than *Shemittah*. *Shemittah* also has the term, since it is more severe than *ma'aser*. Bar Kappara's version states that *ma'aser* also has the term, since it is more severe than *pe'ah*. The *Mishna* that we have, however, did not use the term *klal gadol* in discussing *ma'aser* since its superiority over *pe'ah* is only rabbinic (Tosafos, citing Rashba³).

Rashba asks, however, why this third answer is necessary. The first answer was that in any place where a second *klal* is mentioned, the first *klal* is referred to as *klal gadol*. According to this explanation, *ma'aser* should have had the term in its first *klal*. In fact, it was for this reason that the *Gemora* rejected this first answer. According to the second answer given, that subjects divided into *avos* and *toldos* have the term, *ma'aser* should not have it. Why not say, therefore, that Bar Kappara used the first answer, while our *Mishna* used the second?

He answers that, apparently, the *Gemora* preferred that Bar Kappara and our *Mishna* agree to the essential methodology used regarding when and when not to use the term *klal gadol*. (Better, the *Gemora* felt, that their argument regard the relatively small debate of whether the rabbinic superiority of *ma'aser* over *pe'ah* renders *ma'aser* deserving of the title of *klal gadol*.)

³ This is not Rabbeinu Shlomo ben Aderes, the Rashba usually referred to in Torah literature, and who is cited in the next paragraph.