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Shabbos Daf 70

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Mav the studing of the Daf Notes be a zechus for their neshamot and mav their souls find peace in Gan Eden and be bound up in the Bond of life

Chatas for each Shabbos

The *Mishna* had stated: 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].

The *Gemora* asks: How do we know this?

Rav Nachman said in the name of Rabbah bar Avuha: Two verses are written: *The children of Israel shall keep the Shabbos (employing the singular term)*, and it is written: *and my Shabbosos (employing the plural term) you shall keep*. How is this to be explained? *The children of Israel shall keep the Shabbos* implies one observance for many *Shabbosos* (in the sense that if one desecrates many *Shabbosos* he fails in a single observance and is liable to one *chatas* only), whereas ‘*and my Shabbosos you shall keep*’ implies one observance for each separate *Shabbos* (that the desecration of each *Shabbos* requires a separate sacrifice). [It then rests with the Rabbis to decide where each shall apply. They decided through logic as follows: If one forgot the essence of *Shabbos*, he would only be liable to one *chatas* for all his desecrations; however, if he knew about *Shabbos* and then forgot about it, he is liable for each and every *Shabbos*. This is because it is assumed that he found out about *Shabbos* during the intervening days of the week.]

Rav Nachman bar Yitzchak asked: On the contrary! The

logic is exactly the opposite!?! *The children of Israel shall keep the Shabbos* implies one observance for each separate *Shabbos*; whereas ‘*and my Shabbosos you shall keep*’ implies one observance for many *Shabbosos*. [Rav Nachman bar Yitzchak agrees that the distinctions of the *Mishna* follow from these verses, but he reverses their significance.] (70a)

Chatas for each Melachah

The *Mishna* had stated: 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].

The *Gemora* asks: How does the first clause differ from the second? [Why, when he knew which *melachos* are forbidden, but he did not realize that it was *Shabbos* – he is liable to only one *chatas* for the entire *Shabbos*; however, when he knew it was *Shabbos*, but he did not know that he was performing forbidden *melachos*, he is liable to a separate *chatas* for each *melachah* he violated?]

Rav Safra said: Here (in the first case) he would refrain on account of the knowledge that it is the *Shabbos* (and since it was that realization that makes him liable to a sacrifice, he is liable to only one *chatas*); while there (in the second case) he would refrain through the knowledge of the forbidden *melachah* (and therefore, he is liable a *chatas* for each and every *melachah*; when they would inform him that it was *Shabbos*, he would not refrain from

his actions, for he does not know that they are forbidden).

Rav Nachman said to him: Does one refrain from (*performing work on*) the *Shabbos* for any other reason other than (*his awareness that*) the labors are forbidden; and does one refrain from performing labors for any other reason other than (*his awareness that*) the *Shabbos*? [*If the matter is determined by the reason one would refrain from performing labor on Shabbos, the Shabbos and its forbidden labors are tantamount to the same thing, and there would be one law for both forms of ignorance.*]

Rather, said Rav Nachman: For what does the Merciful One impose a sacrifice? It is for inadvertence. There (*where he acted inadvertently regarding the Shabbos but deliberately regarding the melachos*), there is one act of inadvertence (*and therefore, he is liable to only one chatas*); here (*where he acted deliberately regarding the Shabbos but inadvertently regarding the melachos*), there are many acts of inadvertencies (*and therefore, he is liable to a chatas for each and every mistake*). (70a)

Source for “Separation”

The *Mishna* had stated: [*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.

The *Gemora* asks: From where do we know the division of labors (*that a sacrifice is incurred for every separate melachah, though they are all performed in one state of unawareness, and though they are all prohibited from the same verse: You shall not do any work*)?

Shmuel said: It is written: *Every one that desecrates it shall surely be put to death (and the doubling of the verb, ‘die, you shall die’ indicates that there may be multiple liabilities for violating the Shabbos, and this would refer to one who performs several melachos on Shabbos)*; the Torah decreed

many deaths for one desecration.

The *Gemora* asks: But this refers to a deliberate desecration?

The *Gemora* answers: Seeing that it is irrelevant in connection with a deliberate desecration, for it is written: *whoever does any work on it shall be put to death*, apply it to one who acts inadvertently; and what then is meant by, ‘*shall be put to death*’? It means that he shall “die” through money (*the sacrifices will be costly; it emerges that the verse is teaching us that many sacrifices may be incurred for the desecration of one Shabbos*).

The *Gemora* asks: But let the division of labors be derived from where Rabbi Nassan derives it? For it was taught in a *braisa*: Rabbi Nassan said: *You shall not kindle any fire throughout your dwellings on the Shabbos day*. Why is this stated? [*Don’t we already know that labor is forbidden on the Shabbos?*] Because it is written: And Moshe assembled all the congregation of the children of Israel, and said to them, “*These are the things (which Hashem has commanded, to do them), six days shall work be done.*” ‘*Things*’ (*which is plural indicates two melachos*); ‘*the things*’ (*the extra letter ‘hey’ indicates one more melachah*); ‘*these (are the things)*’ (*based on the numerical value of the word ‘eileh’ include thirty-six more*). These are the thirty-nine labors taught to Moshe at Sinai. I might have thought that if one performs all of them in a single lapse of awareness, he is liable to only one *chatas*; therefore it is stated: *from the plowing and from harvesting you shall rest*. [*Since these are specified individually, it follows that each entails a separate sacrifice.*] Yet I might still argue that for plowing and for harvesting one incurs two sacrifices, but for all the others (*when done together*), there is but a single liability; therefore it is written: *You shall not kindle any fire*. Now kindling is included in the general rule (*of labors that are forbidden*); why is it then singled out? It is so an analogy may be drawn, teaching us that just as kindling is a principal labor and it entails a separate liability, so for every

principal labor a separate liability is incurred. [We see that R' Nassan derived this rule from a different verse!?!]

The *Gemora* answers: Shmuel holds as Rabbi Yosi, who maintains that kindling is singled out to teach us that it is merely a prohibition (*whereas other labors, deliberately performed, are punishable by death or kares, this is punished by lashes, like the violation of any negative precept*). For it was taught in a *braisa*: Kindling is singled out to teach that it is merely a prohibition; these are the words of Rabbi Yosi. Rabbi Nassan said: It is particularly specified to indicate a separation (*between all the different labors; one will be liable to a chatas for each and every one*).

The *Gemora* asks on Shmuel: Now, let the separation of labors be derived from where Rabbi Yosi learned it from? For it was taught in a *braisa*: Rabbi Yosi said: 'And he will do from one from these' indicates that sometimes a person is liable for one transgression for many acts of transgression, and sometimes he must bring a separate *chatas* for each transgression. And Rabbi Yosi the son of Rabbi Chanina said: What is Rabbi Yosi's reasoning? The verse says: *And he will do from one from these*. This implies that there are four types of sinning: One from one, these from these, one that is these, and these that are one. An example of *one* is a person writing the name Shimon on *Shabbos* (*for he is only liable unless he writes the entire word, for that was his intention*). An example of *one from one* is writing the first two letters of Shimon, namely *shin* and *mem* (*which comprise an entire word*). *These* refer to the main categories of *melachos*. *From these* refer to subcategories of *melachos*. *One that is these* refers to someone who knows it is *Shabbos*, but does not remember that these *melachos* are forbidden. *These that are one* refer to someone who forgets it is *Shabbos*, though he knows that these *melachos* would be prohibited on *Shabbos*.

The *Gemora* answers that Shmuel did not accept the interpretation that 'one is these, and these are one.' (70a

– 70b)

Unaware of Both

Rava inquired of Rav Nachman: If a person was unaware of two things (*he forgot both that it was Shabbos and that those melachos are forbidden on Shabbos*), is he obligated to bring one *chatas* or several?

Rav Nachman said that since he forgot that it was *Shabbos*, he is only liable for one.

Rava countered: But he also forgot the *melachos*, and therefore he should be liable for each and every one?

Rav Ashi says that we investigate why he stopped violating the *Shabbos*. If it was due to realizing that it was *Shabbos*, he is considered to have forgotten the *Shabbos*, and he is liable for only one *chatas*. If, however, it was due to realizing the forbidden labor, he is considered to have forgotten the *melachos*, and he is obligated to bring a *chatas* for each and every transgression.

Ravina said to Rav Ashi that the two cannot be separated, since in each case, he only stopped because he realized both that it was *Shabbos* and that labor is forbidden - irrespective of which realization triggered the other. Rather, in both cases, he is liable to only one *chatas*.

The *Gemora* asks from a *Mishna*: We learned in a *Mishna*: The primary forms of labor are forty minus one. Now we asked regarding this: Why state the number (*if the Mishna proceeds to enumerate them all anyway*)? And Rabbi Yochanan replied: It is to teach us that if one performs all of them in a single lapse of awareness, he is liable to a *chatas* offering for each (*thirty-nine in total*). Now, it is well if you say that if one is unaware of both, he is liable for each separately; then it is correct (*for he acted inadvertently regarding each and every melachah*); but if you maintain that this is mainly an inadvertence with respect of the *Shabbos*, and entails only one sacrifice, then

how is this possible (*that he should be liable for thirty-nine sacrifices*)? Surely only where he is aware of the *Shabbos*, but unaware of the forbidden nature of his labors (*and that when he is liable to a chatas for each and every melachah; however, if he knew the melachos were forbidden, but he was unaware that it was Shabbos, he would be liable to only one chatas*). As for Rabbi Yochanan, who maintained that since he acted inadvertently in respect of *kares*, though fully aware of the prohibition (*he will be liable to a chatas*) it is well, for it is conceivable e.g., where he knew that labor is forbidden on *Shabbos* by a negative command (*but since he did not know that it was punishable by kares, he is liable to a chatas for each and every melachah*); But according to Rabbi Shimon ben Lakish, who maintained that he must be unaware of the negative injunction and of *kares* (*and only then will he be liable to a chatas*), regarding what did he know of the *Shabbos*?

The *Gemora* answers: He knew of the law of boundaries (*the techum - that one may not go on the Shabbos more than a certain distance beyond the town limits; and violation of this law does not entail a sacrifice*); this being in accordance with Rabbi Akiva (*who maintains that this prohibition is Biblical*). (70b)

INSIGHTS TO THE DAF

The Rules of Decision Making

By: Divrei Chaim

The notion was advanced that the *k'lalei hora'ah* (*rules of the 'bottom-line' decision*) were a recognition of the blanket authority of certain Sages. While this formulation probably is extreme – after all, there are exceptions to the *k'lalei hora'ah*, and it is hard to imagine that we would cling to these rules if a certain *sugya* is overwhelmingly weighted to the contrary position – there is something to be said for such an approach.

R' Elchanan (Koveitz Shiurim, Baba Basra #499) poses the following inquiry: Are the *k'lalei hora'ah* a statement on the *gavra*, i.e. the capability or thinking of one Sage, who outweighed his peers, and therefore the *halachah* is determined in his favor, or are the *k'lalei hora'ah* descriptive of a pattern which happened to emerge when the cases addressed were reviewed on a one by one basis.

Tosfos (Shabbos 70b d"h Noda) writes that the rule (Yevamos 36) that the *halachah* follows Rabbi Yochanan in any dispute with Rish Lakish (*with three exceptions*) applies only to cases that came to a decisive vote in their time; however, we cannot draw conclusions to a case that will be relevant only after Moshiach arrives. Were *k'lalei hora'ah* reflective of a consensus regarding Rabbi Yochanan's ability in *hora'ah* as superior to Rish Lakish, Tosfos distinction would be difficult to understand. It seems that Tosfos takes the rules of *psak* as descriptive of the results of case by case review, and cases that have not yet been subject to debate remain undecided. R' Elchanan quotes those who attribute the counter-position to the Rambam.

Tosfos (Yevamos 14) is troubled by the apparent contradiction between the *Gemora's* acceptance of the declaration of a Heavenly voice that the *halachah* follows Beis Hillel against Beis Shamai and the *Gemora's* rejection of the various miraculous proofs of Rabbi Eliezer that the *halachah* is in accordance with his opinion.

Tosfos answers that the support of Rabbi Eliezer came only to protect his honor, but not because his position was correct. Secondly, Beis Hillel was the majority opinion, and the Heavenly voice was consistent with the normative *halachic* rule of following majority; in R' Eliezer's case he was the minority opinion, and the Heavenly voice subverted the normative rule.

The Ohr Sameiach (end of Hil Yesodei haTorah) points out that this question is difficult only within Tosfos understanding that the rules of *psak* are the results of a case by case review. If one adopts the Rambam's approach, one can distinguish between the Heavenly voice in Rabbi Eliezer's case, which was in support of a specific

case ruling and therefore has no standing, with the Heavenly voice supporting Beis Hillel, which was not a ruling on case law, but a ruling on the *gavra* - of Hillel, that his skill in *hora'ah* was superior to that of Shammai.

DAILY MASHAL

Something From Nothing

By Rabbi Shlomo Jarcaig

When commanding us to observe the *Shabbos*, the Torah says, "On six days, work may be done, but the seventh day shall be holy for you, a day of complete rest for G-d; whoever does work on it shall be put to death." (Shemos/Exodus 35:2) Just as G-d created the world in six days and rested on the seventh, similarly we emulate Him by "creating" for six days and resting on the seventh. The Torah's "work" is not an issue of effort, exertion, or difficulty.

The Talmud explains to us (Shabbos 70a) that the work the Torah prohibits are the 39 categories of creative labor utilized in building the Mishkan (Tabernacle). Why did G-d tell us specifically to refrain from the activities of building the Mishkan in order to emulate him?

Rabbi Chaim Friedlander expounds that when G-d created the universe He created something from nothing. There had previously been no physical properties, but with creation G-d generated them. In contrast, when we create physical edifices we are creating something from something. We are merely manipulating the preexisting physical properties to generate a new functionality. But mankind, in its own way, is also capable of creating something from nothing. When the Jews built the Mishkan, they used physical devices and created a spiritual home for the Divine. The process of building the Mishkan is the paradigm of how we can use the physical world to foster spiritual growth.

We say in our Shabbos prayers that the Shabbos is the purpose of creation. On Shabbos we cease from our creative activities and focus on the spiritual goals behind them, just like G-d ceased His mundane creating and focused on the purpose behind it all. Shabbos, therefore, is a time to focus on the creative activities we normally perform throughout the week, and to think about the real reasons for doing them. In this way the Shabbos can affect all of our physical activities throughout the week, and turn them into spiritual ones.