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Sanhedrin Daf 62

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One or Two Transgressions?

Rabbi Zakkai taught a *braisa* before Rabbi Yochanan: If someone sacrificed, burned incense, poured wine, and bowed down to an idol without being aware during this entire time that this was prohibited, he is only liable for one transgression.

Rabbi Yochanan said to Rabbi Zakkai: Go teach this outside (*i.e. it is a mistake*)!

Rabbi Abba says: Rabbi Zakkai’s *braisa* is in fact the subject of an argument between Rabbi Yosi and Rabbi Nassan. The *braisa* states: The Torah specifically mentioned the prohibition against lighting a fire on *Shabbos* (*though it did not mention the other thirty nine melachos*) to teach that this is a basic negative commandment. [*This is as opposed to the other melachos for which one receives kares.*] These are the words of Rabbi Yosi. Rabbi Nassan says: The Torah said this to show that one is liable for every category of *melachah* separately.

Accordingly, Rabbi Yosi, who holds that lighting a fire was stated to show it was a basic negative commandment, will hold like Rabbi Zakkai’s *braisa* that the verse states bowing down an extra time to indicate that it is not punishable with *kares*. Rabbi Nassan, who holds that this is to show that one is liable for every category of *melachos*, will hold like Rabbi Yochanan, who holds that the extra “bowing down” in the verse is to teach that for every form of worship, one is liable for one transgression.

Rav Yosef asks: Perhaps Rabbi Yosi only understands the verse this way regarding *Shabbos*, as he derives that this is indicated by the words *from one (achas) from these (mei’heinah)*. This is as the *braisa* states: Rabbi Yosi says: *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 *korban* for each transgression. Rabbi Yonasan explains: Why does Rabbi Yosi say this? 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*. 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*. [*This is why Rabbi Yosi knows that lighting a fire must be teaching that it is only a negative commandment. However, regarding idolatry, Rabbi Yosi has no such verse, and therefore may agree to Rabbi Yochanan that one is liable for each form of worship!*]

The *Gemora* counters: Why don’t we say that the verse *from one from these* can be used to show that there should be separate liability for each form of idol worship? We would say that *one* refers to sacrificing. *From one* refers to slaughtering only one pipe (*trachea or esophagus*). *These*



refer to the main categories of sacrificing, burning incense, pouring wine, and bowing down to an idol. *From these* refer to subcategories, such as breaking a stick in front of it. *One that is these* refers to a case where one knew it was prohibited to serve idols, just not in these ways. *These that are one* refer to a case where one did not know it was prohibited to serve idols, but did know that these forms of idolatry were forbidden (*see below*).

The *Gemora* asks: What is a case where one did not know it was prohibited to serve idols? If he thought it was a synagogue and therefore bowed down to it, his heart was towards heaven (*and therefore he clearly has not really transgressed idolatry*)! It must be that he saw a statue and bowed down to it.

The *Gemora* counters: This cannot be! If he accepted it as his god, he is serving intentionally! If he does not accept it as his god, he did nothing at all!

Rather, the *Gemora* answers: It must be that he served an idol out of love or fear of a person.

The *Gemora* asks: This is understandable according to Abaye, who said (*above*) that a person is liable for serving idols in such a case. However, according to Rava, who says he is exempt, what is the case?

The *Gemora* answers: It must be where he claims that idolatry is permitted (*and he would only be liable to bring one chatas even if he performed many services in one period of forgetfulness*).

The *Gemora* asks: This, then, should give us the answer to Rava's inquiry to Rav Nachman. Rava asked: What if a person forgets both that it is *Shabbos* and that these *melachos* are forbidden on *Shabbos*? [*Is he obligated to bring one korban or several?*] We should prove from idolatry that he only brings one *korban*!

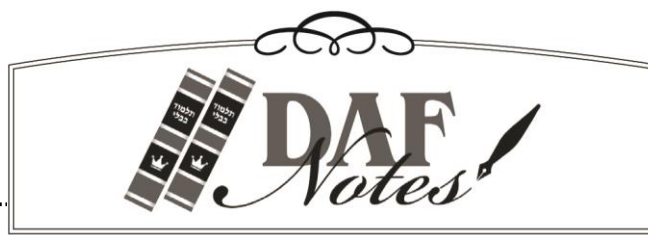
The *Gemora* answers: This is not difficult, as we may indeed prove the answer to Rava's question.

The *Gemora* asks: We cannot establish this verse (*from one from these*) to be discussing idolatry. This is because regarding regular accidental sins, we say that an anointed *Kohen Gadol* brings a bull, a *Nasi* brings a goat, and a regular person brings a sheep or female goat. However, regarding accidental idolatry the *Mishna* states that all bring a female goat, just like a regular individual would bring for a regular sin. This shows that this verse cannot be talking about idolatry (*and therefore Rav Yosef's question above is valid*).

When Rav Shmuel bar Yehudah arrived, he said that Rabbi Zakkai in fact had taught the following teaching before Rabbi Yochanan. *Shabbos* is stricter in a sense than other *mitzvos*, and other *mitzvos* are stricter than *Shabbos* in a different sense. *Shabbos* is stricter, as if one does two different categories of *melachah* on *Shabbos* and realizes in the meantime that he has done something wrong, he has to bring two separate *korbanos*. If this would happen regarding other *mitzvos*, he would only bring one *korban*. The strict aspect of other *mitzvos* is that if one accidentally transgressed other *mitzvos* - even without intent at all, he has to bring a *korban*. This is in contrast to *Shabbos*, where he would not bring a *korban* at all.

The *Gemora* had stated: *Shabbos* is strict...as on *Shabbos* he would have to bring two etc.

The *Gemora* asks: What is the case? If he harvested and ground up something, and the contrast regarding other *mitzvos* is that he ate forbidden fat and blood, there too he would bring two *korbanos*! Therefore, what is the case regarding other *mitzvos* where he would only bring one? It must be that he ate forbidden fat twice, as opposed to a case of *Shabbos* where he harvested twice. If so, he would bring only one *korban* in both cases!?



The *Gemora* answers: This is indeed why Rabbi Yochanan told him to go say this outside.

The *Gemora* asks: Why is this a question? Perhaps the case indeed is where he harvested and ground up something, and the contrast regarding other *mitzvos* refers to idolatry. This is as Rabbi Ami says: If someone sacrificed, burned incense, and poured wine to an idol without being aware during this entire time that this was prohibited, he is only liable for one transgression.

The *Gemora* answers: It cannot be discussing idolatry, as this does not fit into the second part of his statement. The second part is that regarding other *mitzvos* one is liable even without intent, as opposed to *Shabbos*. What would be such a case regarding idolatry? If he thought it was a synagogue and therefore bowed down to it, his heart was towards heaven (*and therefore he clearly has not really transgressed idolatry*)! It must be that he saw a statue and bowed down to it.

The *Gemora* counters: This cannot be! If he accepted it as his god, he is serving intentionally! If he does not accept it as his god, he did nothing!

Rather, the *Gemora* answers: It must be that he served an idol out of love or fear of a person.

The *Gemora* asks: This is understandable according to Abaye, who says (61b) that a person is liable for serving idols in such a case. However, according to Rava who says he is exempt, what is the case?

The *Gemora* answers: Rather, according to Rava it must be referring to someone who says this is permitted (*he says there is no prohibition against serving idols*). This is in contrast to *Shabbos*, where such a person would be exempt.

The *Gemora* asks: Until now, Rava only asked Rav Nachman regarding forgetting both *Shabbos* and *melachos* in order to inquire if he must bring one or two *korbanos*. He never entertained that he would be totally exempt!?

The *Gemora* answers: What is the question? Perhaps the first part of the statement (*i.e. the mention of "other mitzvos"*) refers to idolatry, and the second part refers to all other *mitzvos*? Other *mitzvos* refers to a case where a person ate something forbidden because he thought it was merely spittle in his mouth (*he is liable anyway*). This is as opposed to *Shabbos* where he is exempt, as we know that if someone intended to pick up something that was detached from the ground and ended up cutting something that was attached to the ground, he is exempt.

This difference is also expressed by Rav Nachman in the name of Shmuel. He says: If someone unintentionally transgressed eating forbidden fats or having forbidden relations he is liable, as he had benefit from these acts. If someone unintentionally transgressed *Shabbos* he is exempt, as the Torah only prohibited premeditated acts on *Shabbos*.

The *Gemora* explains: [*Why didn't Rabbi Yochanan understand this approach?*] Rabbi Yochanan is basing on his reasoning that a *braisa* does not start off with one reason, and then make a second statement based on entirely different reasoning. This is as Rabbi Yochanan says: If someone will explain to me the *Mishna* regarding a barrel according to one *Tanna*, I will carry his clothes after him to the bathhouse. (62a – 62b)