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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Rabbi Oshaya raised an objection: [We have learned:] Rabbi Shimon Shezuri and Rabbi Shimon said: They did not dispute regarding transgressions of the same denomination, when [it is agreed that] he is liable. About what did they dispute? About transgressions of different denominations: Rabbi Eliezer declares him liable to a chatas, and Rabbi Yehoshua declares him exempt. And what did Rabbi Yehudah [in the Mishnah] say? That their dispute was in the case of a person who intended to pick grapes and he picked figs, or black [grapes] and he gathered white ones. Now, are not figs and grapes, or black grapes and white grapes, of two different denominations? Is this not, then, identical with [the views of] Rabbi Shimon and Rabbi Shimon Shezuri? What then does Rabbi Yehudah come to teach us? Hence you must say that they differ concerning *misasek*,¹ Rabbi Yehudah holding that one is liable for *misasek*; whereas Rabbi Shimon and Rabbi Shimon Shezuri hold that one is exempt for *misasek*!² — No; all agree that for *misasek* one is exempt; they differ rather in this point: Rabbi Shimon Shezuri holds that if the purpose escaped the gatherer's mind [and he erred] in respect of the same denomination, all agree that he is liable, and that their

dispute is in the case [where the error related to] two different denominations; while Rabbi Yehudah maintains that they differ both in the instance of one denomination and in that of two denominations.

Rava said: They differ in the matter of sequence.³ As it has been taught: If there were before a person [on the Shabbos] two burning [or extinguished] candles and he intended to extinguish the one but extinguished the other, or to kindle the one but kindled the other, he is exempt;⁴ if he intended first to kindle the one and then to extinguish the other, and he first extinguished and then kindled,⁵ if with one breath⁶ he is liable, if with two breaths he is exempt. But is this not obvious? — I might have thought that since his design was not realized, seeing that he wanted first to kindle and then to extinguish, but in his act [we might regard it as if] the extinguishing was done first and then the kindling, he should accordingly be exempt; therefore we are told [that this is not so]; for although [the kindling] did not precede [the extinguishing], neither did it follow.⁷

¹ When one is preoccupied with performing one forbidden act, and unknowingly performs a different forbidden act.

² Rabbi Shimon expounded that the dispute in the Mishnah was concerning the case where the original purpose had been forgotten, implying, however, that for *misasek* all agree that one was exempt. Rabbi Yehudah, on the other hand was of the view that the dispute was in the case of *misasek* concerning different kinds of fruit, but that concerning the same kind all would agree that he is liable. Rabbi Yehudah is thus in contradiction to Shmuel.

³ I.e., when the error was concerning the order of two acts; he intended to pick first the one fruit and then the other, but did it in the reverse order.

⁴ He had forgotten that the day was the Shabbos, or that such acts were prohibited on the Shabbos.

⁵ I.e., there were before him two candles, one lit and the other unlit. His intention was first to light the one and then to extinguish the other, but he did it in the reverse order.

⁶ I.e., the candles stood close to one another. The same breath that extinguished the one transferred the flame to the other.

⁷ I.e., in fact both acts were simultaneous.

Our Rabbis taught: If one removed coals [from a burning pile] on the Shabbos, he is liable to a chatas; Rabbi Shimon ben Elozar says in the name of Rabbi Eliezer son of Rabbi Tzadok: He is liable to two [offerings], because he extinguished the upper coals and kindled the lower ones.⁸ How is this case to be understood? If he intended to extinguish as well as to kindle, what is the reason of the one who exempts him [from the second offering]? And if he did not intend to kindle, what is the reason of the one who holds him liable to two? — Rabbi Elozar and Rabbi Chanina both explained the case as follows: He intended to extinguish the upper coals knowing that this would set the lower ones ablaze.⁹ The first Tanna holds that one is exempt for any kindling which is to his disadvantage;¹⁰ while Rabbi Eliezer son of Rabbi Tzadok holds him liable. Rabbi Yochanan also said: It speaks of a blacksmith. Said Rabbi Yochanan: Until now the reason for this law has not been found.

Ammi ben Avbin and Rabbi ChHanania ben Avin both said: He intended to extinguish as well as to kindle. The first Tanna follows Rabbi Yosi's view, who holds that kindling was singled out [in Scripture] in order to establish for it a prohibition;¹¹ while Rabbi Eliezer son of Rabbi Tzadok holds with Rabbi Nassan, who maintains that kindling was singled out to establish separate [acts of work].¹²

Rava explained: They differ in the matter of the sequence.¹³

⁸ By transferring live coals from a burning pile into a container, those that were lying on top of the pile are now at the bottom of the container and cool off, but those at the bottom of the pile flare up. His action therefore involves both extinguishing and kindling.

⁹ The man was a blacksmith and his aim was to extinguish the upper coals before their consumption so as to provide big coal lumps for his smithy. The burning of the lower coals was not to his advantage at all.

¹⁰ Lit. 'destructive'. As distinct from other acts of work which involve no liability unless they are constructive.

¹¹ I.e. that this act of work is subject to a mere prohibition and not to the death penalty in the case of willful transgression. There is therefore no offering incurred in the case of transgression in error.

Rav Ashi explained: He intended to extinguish and the kindling followed of its own accord; the first Tanna agrees with Rabbi Shimon who maintains that one is exempt for an unintentional act; while Rabbi Eliezer son of Rabbi Tzadok follows Rabbi Yehudah who holds that one is liable for an unintentional act.

Our Rabbis taught: If a man removed coals on the Shabbos in order to warm himself therewith, and they flared up of their own accord — one [Baraisa] teaches that he is liable, but another teaches that he is exempt. That which teaches that he is liable adopts the view that one is liable for an act of work which is not required for its own sake;¹⁴ and that which teaches that he is exempt adopts the view that one is not liable for an act of work which is not required for its own sake.

¹² I.e. that for each act of work on the Shabbos one is separately liable. Kindling, however, is still subject to the death penalty.

¹³ His intention was e.g. to kindle first the one and then extinguish the other, but in fact both acts were done simultaneously. The first Tanna insists that the work must be performed in the intended sequence and therefore declares him liable only for the kindling which after all was done at the initial stage; whereas Rabbi Eliezer pays no heed to the intended sequence, and consequently declares him liable for both acts.

¹⁴ The burning of the coals is not done for its sake i.e. to consume the coal, but in order to obtain heat.