

1 At the end of the previous דף we learned that in the opinion of מונבז a
 תינוק שנשבה לבין הנכרים - somebody who never had any knowledge of the concept of שבת - does not have to bring a קרבן at all for violating שבת. He derived this from the juxtaposition of two פסוקים - פסוקים - תורה אחת יהיה לכם לעושה בשגגה and תורה אחת יהיה לכם לעושה ביד רמה - והנפש אשר תעשה ביד רמה - that links שוגג to מזיד: מזיד - Just as the deliberate sinner obviously had knowledge of the איסור, איסור, - So too, the inadvertent sinner had some knowledge of the איסור in the past. Only then is there a חיוב קרבן.



2 Upon which ר' עקיבא asked him - according to you, we should extend this reasoning as follows?
 Just as the מזיד was aware of the איסור while doing it, - So too, the שוגג was aware of the איסור while doing it.
 - אמר לו הן
 answered, yes indeed, I would say so.
 - אמר לו לדברך אין זה קרוי שוגג אלא מזיד
 R' Akiva responded, if the person was aware of the איסור while doing it, he is not considered a שוגג but a מזיד.



3 Our shiur began at this point, with the גמרא referring back to that discussion by asking:
איסור - ואלא מונבו שגגה במאי - According to what part of the איסור was he unaware of, that renders him a שוגג?
The גמרא answers בקרבן - כגון ששגג בקרבן
עבירה is something for which a person can be חייב to bring a קרבן is enough of a lack of awareness to classify him a שוגג - which now obligates him to bring a קרבן, and exempts him from כרת.
- ורבנן שגגת קרבן לא שמה שגגה
The Chachamim hold that merely being unaware of a חיוב קרבן is not enough to classify him as a שוגג. If so, the Gemara asks; - ורבנן שגגה במאי
According to the רבנן what must he be unaware of to be considered a שוגג?
This is actually מחלוקת a:
- ר' יוחנן אמר כיון ששגג בכרת אף על פי שהזיד בלאו
R' Yochanan says that he would be considered a שוגג and חייב if he did not know that he would be חייב for this עבירה, even though he was fully aware that he was violating a לאו.
- Reish Lakish holds that he is only considered a שוגג if he did not even realize that he was violating a לאו.
Reish Lakish supports his position from the Posuk - אשר לא תעשינה ואשם - which indicates that he was unaware of the fact that it is forbidden.
- הלכה to teach a different פסוק however, uses ר' יוחנן - השב מידיעתו מביא קרבן על שגגתו
Only someone who would not have done it had he known that what he was doing is an עבירה, can bring a קרבן.
- לא שב מידיעתו אינו מביא קרבן על שגגתו
However, someone who would not have refrained from transgressing even if he knew that it's a איסור, cannot bring a קרבן.

4 The גמרא next wants to support ר' יוחנן from the משנה later on דף ע"ג ע"א which enumerates the 39 מלאכות of Shabbos, from which we also learn that a person can be 39 חייב separate קרבנות חטאת on a single שבת if he does every מלאכה.
Now, 39 separate חטאות can only be in a case of שבת ושגגתו, where he is aware of Shabbos but he is not aware of any of the 39 מלאכות. According to ר' יוחנן this can be understood that he indeed knows that the מלאכות are forbidden, but he does NOT know that there is כרת for any of the 39 מלאכות.
However, according to ריש לקיש that שוגג means that he is not aware that this act is forbidden - in this case it would mean that he does not know of any one of the 39 מלאכות to be forbidden. In other words, he is not aware of the entire concept of Shabbos. If so, he should bring only one קרבן חטאת. The גמרא answers בתחומין - דידיעה בתחומין - he knows about תחום שבת, and the Mishnah follows the opinion of ר"ע that תחום שבת is דאורייתא.



5 The Gemara next cites two cases where ר' יוחנן says that even שגגת לאו would agree that one would bring a קרבן only if it was לאו, he did not realize that he was violating a לאו.

אמר אביי הכל מודים בשבועת ביטוי

If a person made a שבועת ביטוי - an oath that he will not do something, for example he will not eat, and subsequently he did eat. He brings a קרבן only if he had forgotten about the שבועה when he violated it - which is שגגת לאו.

As the Gemara explains, שגגת כרת is of course not applicable, because there is no כרת for שבועת ביטוי. Abaye is saying that שגגת קרבן is also not sufficient to consider him a שוגג. Even though the שבועת ביטוי is a חידוש - because we generally do not bring a קרבן on a לאו for which there is no כרת - we do not say that R' Yochanan would agree that according to the Rabonon in this case שגגת קרבן would be considered a שוגג.

5 **אביי says**

Even ר' יוחנן would agree one brings a קרבן only if it was לאו

1 **אמר אביי הכל מודים בשבועת ביטוי**

For example
He will not eat → He did eat

He brings a קרבן Only if he had forgotten about the שבועה

שגגת לאו

6 The second case is - ואמר אביי הכל מודים בתרומה - Abaye suggests that all agree one is obligated to pay back the value of תרומה plus a חומש - an additional fifth - which is plus 25% - for eating בשוגג, only if he was unaware that it was אסור for him to eat - שגגת לאו.

רבא אמר מיתה במקום כרת עומדת

Rava disagrees and says that the חייב מיתה בידי שמים for a ישראל who eats תרומה במזיד is the equivalent of כרת. Therefore שגגת מיתה would render him a שוגג, similar to כרת, according to R' Yochanan.

6 **ואמר אביי הכל מודים בתרומה**

One is obligated to pay back the value of תרומה plus a חומש For eating בשוגג

Only if he was unaware that it was אסור for him to eat

שגגת לאו

רבא אמר

מיתה במקום כרת עומדת

7 The Gemara next deals with the following scenario. - היה מהלך בדרך או במדבר ואינו יודע אימתי שבת - If a person is wandering and lost track of the days of the week and has no idea which day is שבת.

7 היה מהלך בדרך או במדבר ואינו יודע אימתי שבת

8 There is a מחלוקת אמרואים which day to observe as שבת:

אמר רב הונא... מונה ששה ימים ומשמר יום אחד -
He should count six days and keep Shabbos on the seventh,
just like the seventh day after the creation of the world was
שבת.

חייא בר רב אומר משמר יום אחד ומונה ששה -
He should observe the first day as שבת just like אדם הראשון
kept the first day after he was created as שבת.

8

אמר רב הונא

מונה ששה ימים ומשמר יום אחד

חייא בר רב אומר

משמר יום אחד ומונה ששה

9 This opinion is rejected from an **ברייתא** that says מונה ששה ימים ומשמר יום אחד - he should count six days and then observe שבת.
Now we must remember that every day is actually a ספק דאורייתא whether that day is שבת.

Therefore the גמרא says
בכל יום ויום עושה לו פרנסתו אפילו הוא יומא -
He is allowed to do work to sustain himself on each of the
days, even the day he is keeping as שבת, because it's פיקוח נפש
- a matter of life and death. However, that applies only to the
bare minimum necessary to sustain life, and no more.

The only way that the designated day is recognizable as שבת
is by him making קידוש and הבדלה at the
beginning and end of that day.

9

ברייתא:

מונה ששה ומשמר יום אחד

ספק דאורייתא
whether that day is שבת

בכל יום ויום עושה לו פרנסתו אפילו הוא יומא פיקוח נפש

קידוש ואבדלתא

10 רבא teaches that if the person knows how many days ago he left, but does not remember which day of the week it was, he can assume that he did not set out on שבת, since it is אסור to travel on שבת.

Therefore, he may do unlimited מלאכה when he gets to that day of the week, which would be the eighth, fifteenth day, etc. from the day he left.

The Gemara points out however, that he may not assume that it was not Friday either - which would allow him two days of unlimited work - because although people generally would not embark on a trip on Friday, under certain circumstances they would do so.

10

רבא

If the person knows how many days ago he left

He can assume that he did not set out on שבת since it is אסור to travel on שבת

Therefore...
He may do unlimited מלאכה when he gets to that day of the week

He may not assume that it was not Friday either
Under certain circumstances they would embark on a trip on Friday

11 The דף concludes with the Gemara referring back to the first two cases taught in the משנה at the beginning of the Perek.

-1- כל השוכח עיקר שבת - One who did not know that a concept called Shabbos exists - and he violated many שבתות - he would bring only one קרבן חטאת.

-2- היודע עיקר שבת - One who knows about the concept of Shabbos but did not realize that this day was שבת and he did many מלאכות over many שבתות, must bring one קרבן חטאת for each שבת he violated.

The Gemara here teaches us that the sources in the Torah for the difference in these two cases are the following two פסוקים

ושמרו בני ישראל את השבת - The word שבת is singular.
 ואת שבתותי תשמרו - The word שבתותי is plural.



12 One of these פסוקים is interpreted as one observance for many שבתות and the other as a separate observance for each שבת, but there is a מחלוקת אמוראים which פסוק refers to which idea.

Rashi explains:
 The Torah is saying that sometimes one קרבן suffices for many שבתות, and sometimes a קרבן is required for each שבת. ולא מסרן אלא לחכמים להודיען מסברא - The Torah left it to the חכמים to determine the respective circumstances based on סברא - reasoning.

Therefore, in our first case - his total ignorance of the concept of שבת - he brings only one קרבן, because it is חדא שגגה - one mistake.
 In the second case, where he's aware of the concept of שבת, but did not remember on those given days that it was שבת, he brings a separate קרבן for each שבת, because טובא שגגות הווין - each Shabbos is a separate mistake.
 As Rashi in the Mishnah explains, because at some point in the week a person becomes aware of the correct day of the week - thereby realizing that the given day was שבת.
 Once a person becomes aware and then forgets again, it is considered a separate שגגה.

