

Daf Yomi Talmud Study
Shabbat 96b: Speculation Has Its Consequences
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אָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: מְקוּשָׁשׁ, מְעַבֵּיר אַרְבַּע אַמוֹת בְּרִשּׁוֹת הַרְבִּים הָוָה. בְּמַתְנִיתָא
תַּנָּא: תוֹלֵט הָוָה. רַב אַחָא בְּרַבִּי יַעֲקֹב אָמַר: מְעַמֵּר הָוָה

Rav Yehuda said that Shmuel said: The wood gatherer (who was punished for desecrating Shabbat, see Numbers 15:33–36) **was one who CARRIED four cubits in the public domain. It was taught in a *baraita*: He was one who DETACHED** (still-growing branches). **Rav Aḥa, son of Rabbi Ya’akov, said: He was one who GATHERED** (sticks together into a pile).

לְמַאי נִפְקָא מִינֵיהּ? לְכַדְרַב, דְּאָמַר רַב: מְצַאֲתִי מְגִלַּת סֻתְרִים בֵּי רַבִּי חִיָּיא וְכְתוּב בָּהּ, אִיִּסִי בֶן יְהוּדָה אוֹמֵר: אַבּוֹת מְלָאכּוֹת אַרְבָּעִים חֹסֵר אַחַת וְאִם עֲשָׂאן כּוֹלֵן בְּהַעֲלִים אַחַת וְאִינוּ חַיִּיב אֶלְא אַחַת. אַחַת וְתוֹ לָא? וְהִתְנַן: אַבּוֹת מְלָאכּוֹת אַרְבָּעִים חֹסֵר אַחַת, וְהִוִּינן בָּהּ: מְנַיִנָא לָמָּה לִּי? וְאָמַר רַבִּי יוֹחָנָן: שְׂאֵם עֲשָׂאן כּוֹלֵם בְּהַעֲלִים אַחַת — חַיִּיב עַל כּל אַחַת וְאַחַת

א

What is the practical ramification of determining precisely which prohibited labor the wood gathered performed?

The ramification is **with regard to** the statement of Rav, as Rav said: **I found a hidden scroll in the house of Rabbi Ḥiyya. And in it, it is written that Isi ben Yehuda says: The number of primary categories of labor** (prohibited on Shabbat) **is forty-less-one. And if one performed all of them in the course of one lapse of awareness, he is liable to bring only one sin-offering. One and no more? We learned in a mishna: The number of primary categories of prohibited labors is forty-less-one. And we discussed: Why do I need this tally of forty-less-one? And Rabbi Yoḥanan said: The tally was**

included to teach **that if one performed all** the prohibited labors **in** the course of **one lapse of awareness, he is liable for each and every one.**

אימא: אינו חייב על אחת מהם.

This citation cannot be accurate. Rather, emend this statement in the hidden scroll and **say that one is not liable for one** (of the categories of prohibited labor).

רב יהודה פשיטא ליה דהמעביר חייב, ומתניתין פשיטא ליה דתולש חייב, ורב אחא בר יעקב פשיטא ליה דמעמר חייב. מר סבר הא מיהת לא מספקא, ומר סבר הא מיהת לא מספקא.

It is obvious to Rav Yehuda that one who CARRIES is liable. And it is obvious to the *baraita* that one who DETACHES is liable. And it is obvious to Rav Aḥa bar Ya’akov that one who GATHERS is liable. Each Master maintains: there is no uncertainty.

ב

תנו רבנן: מקושש זה צלפחד, וכן הוא אומר: "ויהיו בני ישראל במדבר וימצאו איש וגו'", ולהלן הוא אומר: "אבינו מת במדבר", מה להלן צלפחד, אף כאן צלפחד — דברי רבי עקיבא.

The Sages taught: The wood gatherer mentioned in the Torah was **Zelophehad**. For it says: ***“And the children of Israel were in the desert and they found a man gathering wood on the day of Shabbat”*** (Numbers 15:32), **and further on**, in the appeal of the daughters of Zelophehad, **it says: “Our father died in the desert and he was not among the company of them that gathered themselves together against the Lord in the company of Korah, but he died in his own sin, and he had no sons”** (Numbers 27:3). **Just as below** the man in the desert is **Zelophehad, so too, here**, in the case of the wood gatherer, the unnamed man in the desert is **Zelophehad. So says Rabbi Akiva.**

אָמַר לוֹ רַבִּי יְהוּדָה בֶּן בֵּתִירָא: עֲקִיבָא, בֵּין כֶּךָ וּבֵין כֶּךָ אַתָּה עֲתִיד לִיתֵן אֶת הַדִּין: אִם כִּדְבָרֶיךָ — הַתּוֹרָה כִּסְתָהּ, וְאַתָּה מְגַלֶּה אוֹתוֹ!?! וְאִם לֹא — אַתָּה מוֹצִיא לַעֲז על אוֹתוֹ צְדִיק.

Rabbi Yehuda ben Beteira said to him: Akiva, in either case you will be brought to account in the future.

If it is in accordance with your statement that the wood gatherer was Zelophehad, **the Torah concealed** his identity, **and you are revealing it.**

And if it is not so, you are unjustly slandering that righteous man!!!

...

ג

(Another Example)

כִּיּוֹצֵא בְּדָבָר, אַתָּה אוֹמֵר: "וַיַּחַר אֵף ה' בָּם וַיִּלַּךְ" — מִלְמַד שְׂאֵף אֶהְרֵן נִצְטָרַע, דְּבַרֵי רַבִּי עֲקִיבָא. אָמַר לוֹ רַבִּי יְהוּדָה בֶּן בֵּתִירָא: עֲקִיבָא, בֵּין כֶּךָ וּבֵין כֶּךָ אַתָּה עֲתִיד לִיתֵן אֶת הַדִּין. אִם כִּדְבָרֶיךָ — הַתּוֹרָה כִּסְתָהּ וְאַתָּה מְגַלֶּה אוֹתוֹ!?! וְאִם לֹא — אַתָּה מוֹצִיא לַעֲז על אוֹתוֹ צְדִיק.

On a similar note, Rabbi Akiva revealed an additional matter not explicitly articulated in the Torah. One can conclude that when Aaron and Miriam spoke against Moses, both Aaron and Miriam were struck with leprosy, as it written: *"And God became angry at them and He left, and the cloud departed from above the tent, and behold, Miriam was leprous like snow. And Aaron turned toward Miriam, and behold, she was leprous"* (Numbers 12:9–10). The verse's statement that God became angry at **both of them** teaches that Aaron, too, became leprous; this is the statement of Rabbi Akiva.

Rabbi Yehuda ben Beteira said to him: Akiva, in either case you will be called to account in the future for this teaching. If the truth is in accordance with your statement (namely, that Aaron was punished), the Torah concealed

Aaron's punishment and you reveal it?!?! And if the truth is not in accordance with your statement, you are unjustly slandering that righteous man.

וְאֵלָא הַכְּתִיב "בָּם" ! הֵהוּא בְּנִזְיָפָה בְּעֵלְמָא. תְּנִיָא כְּמָאן דְּאָמַר אֶף אֲהֲרֹן נִצְטָרַע, דְּכְתִיב: "וַיִּפֹּן אֲהֲרֹן אֶל מִרְיָם וְהִנֵּה מִצְרַעֶת", תְּנָא: שְׂפָנָה מִצְרַעֶתוּ.

However, didn't Rabbi Akiva derive this from the plural pronoun "them"??? (meaning that it is obvious that God was angry with both of them and so presumably punished both of them)?

Not necessarily. God's anger in that verse could have expressed itself in a mere rebuke, not necessarily with leprosy.

A *baraita* was taught in accordance with the opinion that Aaron also became leprous, as it is written: "And Aaron **turned toward** Miriam, and behold, she was leprous" (Numbers 12:10), and it was taught: This teaches that **he turned**, i.e., **he was healed from** his leprosy, implying that he too had been afflicted.

אָמַר רִישׁ לְקִישׁ: הַחוּשֵׁד בְּכַשְׂרִים — לֹקֵה בְּגוֹפוֹ, דְּכְתִיב: "וְהֵן לֹא יֶאֱמִינוּ לִי וְגו'", וְגִלְיָא קָמִי קוּדְשָׁא בְּרִיךְ הוּא דְמַהֲיִמְנֵי יִשְׂרָאֵל. אָמַר לוֹ: הֵן מֵאֲמִינִים בְּנֵי מֵאֲמִינִים, וְאַתָּה אֵין סוֹפֵךְ לְהֶאֱמִין.

Reish Lakish said: One who suspects the innocents of indiscretion is afflicted in his body, as it is written: "*And Moses answered and said: But they will not believe me and will not hearken to my voice, for they will say, God did not appear to you!*" (Exodus 4:1), yet it was revealed before the Holy One, Blessed be He, that the Jewish people were indeed believers. So the Holy One, Blessed be He, said to Moses: They are true believers (literally, believers who are the children of believers); in the end, it is *you* who will not believe.

הֵן מֵאֲמִינִים, דְּכְתִיב: "וַיֶּאֱמַן הָעָם". בְּנֵי מֵאֲמִינִים — "וְהֶאֱמִין בִּי". אַתָּה אֵין סוֹפֵךְ לְהֶאֱמִין, שְׂנַאֲמַר: "יַעַן לֹא הֶאֱמַנְתֶּם בִּי וְגו'". מִמָּאֵי דְלָקָה, דְּכְתִיב: "וַיֹּאמֶר ה' לוֹ עוֹד הֵבֵא נָא יָדְךָ בְּחִיקְךָ וְגו'".

They are believers, as it is written: *“And the people believed once they heard that God had remembered the children of Israel, ... and they bowed and prostrated”* (Exodus 4:31). And they are the children of believers, as it says with regard to Abraham our Patriarch: *“And he believed in God,”* (Genesis 15:6). Ultimately, you will not believe, as it is stated: *“And God said to Moses and to Aaron: Because you did not believe in Me to sanctify Me in the eyes of the children of Israel”* (Numbers 20:12). From where do we know that Moses was afflicted in his body? As it is written: *“And God said to him further: Bring your hand to your bosom, and he brought his hand to his bosom and he took it out and behold, his hand was leprous like snow”* (Exodus 4:6).

אָמַר רַבָּא, וְאִיתִימָא רַבִּי יוֹסֵי בְרַבִּי חֲנִינָא: מְדָה טוֹבָה מִמְהָרָת לְבָא מִמְדַּת פּוֹרְעָנוּת. דְּאִילוּ
 בְּמַדַּת פּוֹרְעָנוּת כְּתִיב: “וַיֹּצִיֵאָה וְהָיָה יָדוֹ מְצֹרֶעַת כַּשֶּׁלֶג”, וְאִילוּ בְּמַדָּה טוֹבָה כְּתִיב: “וַיֹּצִיֵאָה
 וְהָיָה שָׁבָה כַּבָּשָׂרוֹ” — מִחִיקוּ הוּא דְשָׁבָה כַּבָּשָׂרוֹ.

On this topic, Rava said, and some say that it was Rabbi Yosei, son of Rabbi Hanina, who said: The divine attribute of beneficence takes effect more quickly than the divine attribute of punishment. From where is this derived? While, with regard to the divine attribute of punishment, it is written, *“And he took it out and behold, his hand was leprous like snow”* (Exodus 4:6), but with regard to the divine attribute of beneficence it is written: *“And He said: Return your hand to your bosom, and he returned his hand to his bosom and he took it out from his bosom and behold, **it had already returned to be like his original flesh**”* (Exodus 4:7). (In other words, Moses’ hand was healed even before he took his hand out.)