

34.5.1

20b (משנה א) → 22a (ר' יהודה היא)



I א range of דם which generates חיוב חטאת משנה א

- a Animal blood, including ועוף ועור, בהמה, חיה ועור, שחיטה, טמא even. any other killing, pulling out סימנים or blood-letting
- b Exempt: spleen, heart, blood in eggs, locust blood, דם התמצית (comes out after death)
 - i Dissent: דם התמצית ר' יהודה finds liability for ר' יהודה
- c דם התמצית v. 1 – v. 1 are the model;
 - i since: they have טמא אדם (ט"א) and טמא חמורה (ט"ו) → excludes human (no ט"א) & שרצים (~)
 - 1 extends (via ופרט וכלל): כתיב (this and the following is only needed if בפ"ע כתיב; ספק, no need)
 - 2 and: חלב of כתיב is banned from v. 3 (כל חלב); כתיב נבלת from v. 4 (כל נבלה); כתיב גה"נ from v. 5 – it also has a הידך כתיב
 - (a) and: טומאתו (as נבלה) and requirement of שחיטה follow; since תורה extended all other rules to כתיב
 - 3 Challenge: אדם has טמא קלה; if one cuts flesh from living person, requires מחשבה (חזי לכלב re: דיון)
 - (a) Answer: after death, only has חמורה טמא
 - (b) Challenge: animals also – both flesh and דם of נבילה are טמא (per ב"ה)
 - (i) Answer: per ג: עוקצין – requirement of מחשבה for certain נבילות (in certain loci), although there is no need (בטלה דעתם) טמא ט"א (cannibals are טמא ט"א); מת is never טמא ט"א (only where there is no inherent טומאה); טמא ט"א is never טמא ט"א (cannibals are טמא ט"א)
 - (ii) Answer2: even if there is כזית; if wrapped in dough; טומאת נבלה is "blocked"; ט"מ "pushes through"
 - 4 Challenge: שרצים have טמא
 - (a) Answer: they have טומאת מגע, טומאת משא, טומאת משה (less severe than בהמה נבלת)
 - ii since: they are flesh → excludes ביצים
 - iii since: they have איסור then היתר (w/שחיטה) →excludes fish and locusts which require no שחיטה
 - iv justification: עוף would only include those that have שילוח הקן; בהמה would limit to those bound by טענו
 - 1 explanation: bird's feathers are not banned from being woven with linen (other suggestions for "כלאים" rejected)
 - v proposal: why not read כתיב as כתיב as כתיב – פרט – פרט is limited to פרט (only ועוף פרט)
 - 1 answer: v. 2 is the כתיב afterwards → כתיב ופרט וכלל
 - 2 challenge: 1st כתיב, א, לאו, is dissimilar from 2nd כתיב (כתיב)
 - (a) answer: follows תדבר"י who doesn't require similitude

II Various מימרות רב regarding דם and their analyses

- a דב: if he ate כזית of דם שרצים – gets מכות
 - i Challenge: תוספתא כריתות ב:יח – spleen, kidney, heart and limb-blood are (only) ל"ת; human and שרצים is איסור
 - ii Defense: "איסור" means לאו
 - iii Rejection: then it is no different from first list; in addition, our תנא excluded it via וכלל
 - 1 Rather (שתי): if the התראה was "blood" – exempt; if it was "שרץ" – liable (דם שרצים is considered שרץ)
- b דב: if he collected fish-blood in a cup – prohibited
 - i Challenge: we already excluded דם דגים
 - ii Answer: that is if it wasn't collected
 - 1 Challenge: parallel – human blood – if not collected is completely מותר (per ruling about blood between teeth)
 - 2 Rather: if there are scales inside – מותר (דם דגים is מותר); if not, prohibited due to מראית העין or לאיחלופי

- c פרוש) (even) of avoidance מצוה – no ששת
- i Challenge: תוספתא כריתות ב:יח (above)
- 1 Answer: it is אסור if it left the body; if on/in the body (e.g. inside the mouth) – מותר
- ii Note: some read ר"ש's statement as a comment on suggestion that human milk may be a לאו
- 1 Per: ר"ש from טמאה מ"ק"ו, who may be touched, yet whose milk is אסור; humans who have an איסור מגע (if she is נדה) – אסור milk should be; therefore v. 7 limits טומאה to those mentioned; but we might extend it to דם, since דם applies to both M/F; therefore v. 7 limits דם איסור to those listed – then ר"ש comments...
- d חולין ח:ג. the heart must be ripped open and the blood taken out; if not taken out, no violation
- i דב: only applies to birds (less than כזית blood in heart); but in mammals – חייב כרת
- ii Challenge: תוספתא כריתות ב:יח (above)
- 1 Answer: that is referring to heart-blood; רב was referring to blood that comes from elsewhere
- (a) Challenge: isn't heart-blood the same as דם האברים, which is on the same list?
- (b) Counter: and דם כליות is also on same list → תנא isn't bothered by explications
- 2 Clarification: blood comes into atria at death of animal
- III Analysis of "blood-letting" (added in משנה בו – שהנשמה יוצאה בו)
- a Question: which is the blood upon which life depends?
- i ד' יוחנן as long as it is spurting
- ii דשב"ל after the dark blood is finished and it lightens
- 1 Challenge (to ר"ל): תוספתא זבחים ח:זי: – "life-blood" is spurting; as opposed to דם התמצית which drips
- (a) Assumption: this excludes both at the beginning and end
- (b) Rejection: excludes dark blood at beginning
- 2 Challenge(to ר"ל): definition of דם ראשון – as long as it is spurting; excluding dripping blood (even at beginning)
- (a) Defense (ר"ל): this is דם הנפש regarding definition of דם תנאים מ' regarding definition of דם הנפש
- (i) ד' א' spurting
- (ii) ד' ש' immediately after dark drops are done
1. Note: תדבר"י – on v. 8 – defines דם for הכשר זרעים as after דם הנפש
- iii Question (ר' ירמיה מ' זירא): if he let blood of an animal into 2 cups – is he חייב for the 2nd cup (1st clearly חייב)
- 1 Answer: dispute יוחנן/רשב"ל:
- (a) If: he let blood into two cups and drank them both
- (i) ד' יוחנן liable for one חטאת
- (ii) דשב"ל liable for 2 חטאות
- IV Comment on יהודה ר' dissent re: דם התמצית
- a ד' א' agrees that for כפרה, must be דם הנפש, per v. 9
- i Support (from סיפרא, compiled by יהודה ר'): v. 10 prohibits דם כל
- 1 Extending: even beyond דם which effects כפרה (per v. 9) to דם חולין and דם התמצית