

34.5.1

20b (משנה א) → 22a (ר' יהודה היא)



- I א משנה א: range of דם which generates חיוב חטאת
- a Animal blood, including ויעוף חיה ועוף, בהמה, חיה ועוף, שחיטה, any other killing, pulling out סימנים or blood-letting
 - b Exempt: spleen, heart, blood in eggs, locust blood, דם התמצית, דם (comes out after death)
 - i Dissent: ר' יהודה finds liability for דם התמצית
 - c ברייתא: v. 1 – עוף ובהמה are the model;
 - i since: they have טומאה קלה (ט"א) and טומאה חמורה (ט"ו) → excludes human (no ט"א) & שרצים (~ לטמא בנדים)
 - 1 extends (via ופרט וכלל): to כיו (this and the following is only needed if בפני"ע); ספק, no need
 - 2 and: כף הירך is banned from v. 3 (כל חלב); כף נבלת כיו (כל נבלה) from v. 4 (כל נבלה); גה"נ from v. 5 – it also has a הירך
 - (a) and: טומאתו (as נבלה) and requirement of שחיטה follow; since תורה extended all other rules to כיו
 - 3 Challenge: דם אדם has טומאה קלה; if one cuts flesh from living person, requires מחשבה (חזי לכלב re: דיון)
 - (a) Answer: after death, only has טומאה חמורה
 - (b) Challenge: animals also – both flesh and דם נבילה are טמא (per ב"ה)
 - (i) Answer: per ג: requirement of מחשבה for certain נבילות (in certain loci), although there is no need for הכשר (v. 6 – only where there is no inherent טומאה ט"א; טומאה ט"א is never טמא ט"א (cannibals are דעתם בטלה))
 - (ii) Answer2: even if there is חיית; if wrapped in dough; טומאת נבלה is "blocked"; ט"מ "pushes through"
 - 4 Challenge: טומאה שרצים
 - (a) Answer: they have טומאת מגע, טומאת משא, no טומאת משא (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 מצוות שילוח הקן; מצוות שילוח הקן בהמה would limit to those bound by עטטז
 - 1 explanation: bird's feathers are not banned from being woven with linen (other suggestions for "כלאים" rejected)
 - v proposal: why not read כל דם as כל דם, כלל as פרט – פרט is limited to פרט (only פרט ועוף) (בהמה ועוף)
 - 1 answer: v. 2 is the כלל afterwards → כלל ופרט וכלל
 - 2 challenge: 1st כלל, לאו, is dissimilar from 2nd כלל (כרת)
 - (a) answer: follows תדברי"י who doesn't require similitude
- II Various מיררות of דם and their analyses
- a דב: if he ate דם שרצים – מכות
 - i Challenge: תוספתא כריתות ב:יח – spleen, kidney, heart and limb-blood are (only) ל"ת; human and שרצים is אסור
 - ii Defense: "אסור" means לאו
 - iii Rejection: then it is no different from first list; in addition, our תנא excluded it via כלל ופרט וכלל
 - 1 Rather (ששת) (ר'): 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 visible); 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: from טמאה ק"ו, בהמה טמאה, 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 – משהנה)
- 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 מה'
 - (i) ד"א spurting
 - (ii) ד"ש immediately after dark drops are done
 1. Note: דבר"י – on v. 8 – defines דם for הכשר זרעים as after הנפש
 - iii Question (ר' ירמיה מר' 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 יהודה, כפרה, must be דם הנפש, per v. 9
 - i Support (from סיפרא, compiled by יהודה ר'): v. 10 prohibits כל דם
 - 1 Extending: even beyond דם which effects כפרה (per v. 9) to דם חולין and דם התמצית