

## **And he is liable one חטאת for drinking blood – וחייב על הדם אחת**

### **OVERVIEW**

The ברייתא teaches us (according to the חכמים) that a תינוק שנשבה is liable to bring (only) one חטאת קרבן for all the חילול שבת that he transgressed, as well as another חטאת for all the דם that he drank, and another חטאת for all the חלב that he ate, etc. תוספות explains what is the novelty that a תינוק שנשבה brings only one חטאת קרבן (since it was done אחד).<sup>1</sup>

תוספות anticipates a difficulty:

אף על גב דמילתא דפשיטא היא דאכל מה שאכל דם אינו חייב אלא אחת –

**Even though that this ruling is obvious, that for all the blood that he ate he is only liable for one חטאת קרבן.** Now תוספות explains why this is obvious -

כיון שאין בדם חילוק איסור כמו שיש בשבת חילוק מלאכות<sup>2</sup> –

**Since there is no division in the prohibition of דם as there is a division of שבת regarding מלאכות** where there are many different ways to desecrate the שבת. However by דם there is only one prohibition -

וכל אדם נמי בלא תינוק שנשבה אכל דם ודם אינו חייב אלא אחת –

**And therefore every person, even if he is not a תינוק שנשבה, who repeatedly ate דם (without knowing in between his successive eating's that he ate דם), is only liable for one חטאת.** The question is why is it necessary to inform us that a תינוק שנשבה is חייב one חטאת for all the דם that he ate when this is a universal law.

תוספות responds that we are not discussing where he merely ate the דם many times, but -

אלא אומר רבינו יצחק דמיירי דאפילו אכלו בכמה תמחויין –

**Rather, says the ר"י, that we are discussing a case where he ate the דם in various differently prepared dishes, in which case –**

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<sup>1</sup> העלם אחד (one concealment) means that he was not aware during all the times that he transgressed that this was prohibited. If he ate חלב for instance many times and did not know that חלב is אסור, he is liable for only one חטאת קרבן. Similarly if he was not aware that he ate חלב many times (even though he knew that חלב is אסור), he is also liable for only one חטאת קרבן.

<sup>2</sup> תוספות is explaining that by חילול שבת there is a novelty that the תינוק שנשבה is חייב only one חטאת. For by שבת he transgressed many different מלאכות (on many different שבתים), and if a 'regular' person would do different מלאכות on שבת (because he was unaware that they are אסור), he would be liable for a חטאת קרבן for each מלאכה (and according to some opinions, for each שבת that he transgressed), however by a תינוק שנשבה he is חייב only one חטאת קרבן for all the מלאכות (and for all the שבתות). However by דם there seems to be no difference between a תינוק שנשבה and anyone else. See 'Thinking it over' # 1.

**דלרבי יהושע** (לקמן דף עא,א) **אדם אחר חייב על כל תמחוי אפילו בהעלם אחד** –

**According to יהושע ר' another person (not a שושבה) would be liable for a קרבן for each individual dish, even if they were all eaten in one 'concealment';**<sup>3</sup> he did not realize between each eating that eating דם is prohibited. However -

**ובתינוק שושבה אינו חייב אלא אחד** –

חטאת **by a שושבה** even יהושע ר' will agree **that he is חייב only one**.

asks: תוספות

**אך קשה לרבינו שמשון בן אברהם** –

**However the רשב"א has a difficulty;**

**דמאי איצטריך תו לאשמעינן ולמתני ועל החלב**<sup>4</sup> **אחד:**

**Why was it necessary to continue to inform us and mention that the תינוק** is liable **one חטאת** **for eating חלב?** What more does that teach us after we already know that he is **חייב** (only) **one חטאת** for eating דם. תוספות does not answer this question.<sup>5</sup>

## **SUMMARY**

The novelty is (according to יהושע ר') that a שושבה is only **חייב one חטאת** for eating דם even if it was eaten in many תמחויין

## **THINKING IT OVER**

<sup>6</sup> שבת by חילוק איסור (and חלב?) there is no חילוק as there is by שבת. Seemingly we can say that there can be a חילוק איסור even by דם, if for instance he drank the דם (or ate the חלב) of different animals (just as we say by עריות that גופין מחולקין)?<sup>7</sup>

2. Why did the רשב"א ask only regarding חלב, and not regarding ע"ז?<sup>8</sup>

<sup>3</sup> (מחלקין שבת of מלאכות just as the different תמחויין are maintained that יהושע ר' maintains that).

<sup>4</sup> See 'Thinking it over' # 2.

<sup>5</sup> See פני אברהם and שבת של מי.

<sup>6</sup> See footnote # 2.

<sup>7</sup> See מנחת אריאל אות ג'.

<sup>8</sup> See פני אברהם.