

The Weekly Daf



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Krisos 18-24

Week of 26 Iyar-3 Sivan 5757 / 2-8 June 1997
Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud
studied in the course of the worldwide Daf Yomi cycle

An Expensive Doubt

Just as there is a sacrifice of *korban chatas* to serve as an atonement for involuntary transgression of a sin whose punishment for intentional transgression is *kares* (premature death), there is a sacrifice of *korban asham taluy* to protect one who is not certain that he has even committed such as sin.

If someone ate *chelev* (forbidden animal fat) which he mistakenly assumed was *shuman* (permissible fat) he is considered a *shogeg* (involuntary sinner) and must offer a *chatas* (sin offering) as atonement.

But a different scenario introduces a different sort of sacrifice. There were two pieces of fat before him, one *chelev* and one *shuman*, and he mistakenly assumed that both were *shuman* and ate one of them. After both pieces were gone he was informed that one of them had been *chelev* but he is not certain as to which piece he ate. Since there is a doubt as to whether he actually ate the forbidden piece and incurred an obligation to offer a *chatas* he is required to offer an *asham taluy* (a doubtful guilt offering). His purpose is to protect him from Heavenly punishment, and if he eventually clarifies that he did indeed eat the forbidden piece he must offer a *chatas*.

It is interesting to note that the ram which must be used for the *asham taluy* must have a minimal value of two *shekalim*, while the lamb or goat used for the *chatas* need not be more valuable than a *danka*, which is one forty-eighth of two *shekalim*.

Why must so much more be spent on atonement for a doubtful sin than for one which was certainly committed?

Rabbeinu Yonah of Gironde, one of the classical Talmudic commentaries, offers a fascinating explanation in his commentary on *Mesechta Brachos* (1b). When one is certain that he committed a sin by being careless and involuntarily eating forbidden fat or violating Shabbos, he takes the matter to heart, regrets his behavior and repents wholeheartedly. But when he is not certain that he actually committed a sin he tends to rationalize that the piece he ate was not the forbidden one and therefore does not set his mind to repenting. The Torah therefore required him to spend much more money on the animal for this sacrifice so that he will realize the gravity of his action and properly repent.

Krisos 18a

Scene of the Unseen

Although the Torah prohibited the consumption of the blood of animals and fowl it did not forbid the consumption of human blood. The Sages, however, banned human blood because of *maris ayin* — a fear that the observer of such consumption may mistakenly assume that animal blood is being consumed and conclude that it is permissible.

The rule, therefore, is that if one's mouth is bleeding and the blood touches the food he is eating he must remove that part of the food tainted by the blood before eating the rest. If the blood only oozed from his gums but never left his mouth he is permitted to swallow it (because no one saw it — Rashi in *Kesubos* 60a).

An interesting challenge is presented to this distinction by one of the early commentaries from a Gemara in *Mesechta Shabbos* (146b) which states the principle that wherever the Sages prohibited an action because of *maris ayin* the ban applies to that action even in a place where no one can see it. The case there is the prohibition against hanging up one's clothes to dry on Shabbos if they become wet, because the observer will mistakenly assume that he washed those clothes on Shabbos and that it is permissible to do so. This ban applies even to hanging those clothes in his innermost rooms, far removed from any human view. If so, why is it permitted to swallow the blood oozing from the gums just because no one sees it, since a *maris ayin* ban extends even to situations when there is no viewer?

Two resolutions are suggested by the commentaries. One is that something which is not possible to view in a public place never came into the category of *maris ayin*. Wet clothes hanging on a line would be viewed if they were in a public place and the ban on hanging them therefore extends even to the most private place where no one sees them. Blood in the mouth is obscured from view even in a public place so that it never entered the category of *maris ayin*.

A second approach is that it is permitted to swallow the blood from the gums not because it is not visible, as suggested by Rashi, but because there would be no problem even if it was visible since it is obviously human blood. This is similar to the rule concerning fish blood, which is permitted by Torah law and prohibited by the Sages on the grounds of *maris ayin* if such blood is detached from the fish and gathered in a bowl. If fish scales are visible in this blood it is permitted because it obviously came from the fish. In similar fashion, blood seen coming from human gums is clearly seen as human blood and there is no need to extend the ban.

The difference between these two approaches will be when the blood in the mouth is indeed visible. According to the first it will be forbidden; according to the second it will be permitted.

Krisos 22a

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