

Chullin – Simanim

פרק ד – בהמה המקשה

דף ע – Daf 70

1. הלכו באיברין אחר הרוב או לא

Rava asked: הלכו באיברין אחר הרוב – *did they follow the majority regarding limbs*, or not? The Gemara first suggests that the case is where most of a *bechor* emerged from the womb, and the emerged majority included the minority of a particular limb, and Rava's inquiry is whether the minority of that אבר follows its own majority to consider it entirely inside the womb (resulting in the majority of the fetus not having left the womb), or if it follows the majority of the fetus. However, the Gemara objects: פשיטא דלא שבקינן רובא דעובר ואזלינן בתר רוב אבר – *it is obvious that we do not forsake the majority of the fetus and follow the majority of the limb!* Therefore, the Gemara explains Rava's inquiry is כגון שיצא חציו ברוב אבר – *where half the bechor emerged, with the majority of a particular limb*, and his question is: מהו למישידיה בתר רוב אבר – *do we assign it to the majority of the limb*, considering that entire limb “born,” which would result in the majority of the fetus being “born,” or not?

2. Various שאילות of חציצה in the birth of a *bechor*

The Gemara asks a series of questions about חציצות in the birth of a *bechor*, which is sanctified by passing through the womb. Rava asks: כרכו בסיב – *if one wrapped [the fetus] in palm bast*, or in his garment, does this חציצה prevent the animal from gaining *bechor* status? What if it was wrapped אחרת בשליא – *in the amniotic sac of another fetus*? What if the woman wrapped the fetus in her hands and drew it out? [These inquiries are relevant where the fetus was emerging feet first, allowing it to be wrapped before being considered born.] Additional inquiries: בלעתהו חולדה – *if a weasel swallowed [the fetus] inside the womb and drew it out*, and then reinserted it and spit it out back into the womb, after which it was born normally, can it become a *bechor* through this second emergence? והוציאנהו – *if one attached two wombs of animals to each other*, so a fetus passed from one into the other, and was then “born” from the second animal, is it a *bechor*? If the birth canal opened wide and the fetus was born without touching the birth canal, can the airspace of the womb render it a *bechor*?

3. Does one become *tamei* if they touch an animal's dead fetus inside the womb?

The next Mishnah states: בהמה שמת עובריה בתוך מעיה – *if an animal's fetus dies inside its womb*, and the shepherd inserted his hand into the womb and touched it, the Tanna Kamma says that whether it is a kosher or nonkosher animal, the shepherd remains *tahor*. Rebbe Yose HaGlili says that if it is a nonkosher animal, he is *tamei*, but if it is a kosher animal, he is *tahor*. Rav Chisda explains that a dead fetus inside a kosher animal is *tahor* based on a *kal vachomer*: אם הועילה אמו להתירו באכילה – *if its mother succeeds to permit [the dead fetus] in consumption* (through her *shechitah*), לא תועיל לו לטהוריה מידי נבלה – *should she not succeed to keep it tahor from neveilah* while she is alive? The Tanna Kamma holds the same applies to a nonkosher animal, based on a *hekesh*. Rebbe Yose HaGlili *darshens* a *passuk* which says that if someone touches the carcass of a nonkosher חיה, or a nonkosher בהמה, or a nonkosher שרץ, he is *tamei*. This implies that touching the נבילה of a kosher animal is not *metamei*, which is not true!? Rather, the *passuk* is referring to a fetus, teaching that a dead fetus inside the womb is only *tamei* in the case of a nonkosher animal.

Siman – Eye Doctor

The **eye doctor** who invented a new pair of glasses that can see into **the womb**, was measuring a limb that was **mostly out in a half emerged bechor and wondering if one can add the minority to consider it fully born**, when his assistant asked him for the glasses because **he had many shailos on חציצה regarding a bechor being born**, knowing that **even if the fetus dies inside the womb it would not be מטמא someone who touches it inside**.

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3 things to remember

1. הלכו באיברין אחר הרוב או לא
2. Various חציצה of שאילות in the birth of a bechor
3. Does one become *tamei* if they touch an animal's dead fetus inside the womb?

