

Chullin – Simanim

פרק ד – בהמה המקשה

דף עב – Daf 72

1. Why a midwife becomes *tamei* from touching the dead fetus

The Mishnah had taught that a midwife who inserts her hand into the womb and touches the dead fetus becomes *tamei*. The Gemara asks that this is analogous to two rings swallowed by one person, and according to Rabbah, the fetus should not be *metamei* the midwife!? Shmuel answers: *טומאה זו אינה מדברי תורה – this tumah is not Biblical*, rather, it is from the words of the *סופרים*. He means that one should not think this Mishnah follows Rebbe Akiva, who holds a fetus inside a womb is *metamei* (Rashi says he disputes the entire principle of *בלועה*), and the midwife is *tamei* *מדאורייתא*. Rather, the Mishnah can agree with Rebbe Yishmael, who holds a fetus inside a womb is *not metamei*. Still, the Rabbis decreed *tumah* on the midwife, because *שמה יוציא ולד ראשו חוץ – perhaps the dead fetus will put its head out of the “antechamber” (the birth canal) and become capable of being metamei*, without the midwife realizing. No *tumah* was decreed on the mother, because *אשה מרגשת בעצמה – a woman giving birth senses herself* when the fetus's head emerges, and will realize that it is *metamei*. Still, we cannot rely on her to inform the midwife, since she is preoccupied with the labor.

2. *Machlokes* if the mother's *shechitah* can remove *tumah* from the protruding אבר

The next Mishnah states that if the fetus put out a limb and one cut it off, and then *shechted* the mother, the rest of the *עובר's* meat is *tahor*. Although the limb is *tamei* (either as *אבר מן החי*, or, if the fetus is dead, as a *נבילה*), it could not be *metamei* the fetus while it was in the mother's womb, since the mother was alive and not susceptible to *tumah*. If he *shechted* the mother and then cut off the protruding limb, Rebbe Meir says the remaining meat is *נגע* – *tamei* on account of touching *neveilah*. Since the mother was *shechted*, the fetus is classified as food, and susceptible to *tumah* (even if it is alive). Therefore, it contracts *tumah* from the protruding limb. However, the Chochomim say that just as with a *טריפה* animal, *שחיטתה מטהרתה – its shechitah purifies it* from becoming a *נבילה* when it dies, so too, the *shechitah* of the mother should prevent the אבר from becoming *tamei*. Rebbe Meir replies that *shechitah* of a *טריפה* only prevents *tumah* from *דבר שגופה – something which is its own body*, but not from the *עובר's* protruding limb.

3. *טומאת בית הסתרים* – how a limb or garment is *metamei* as it is torn away

The Gemara asks how the fetus became *tamei* from the limb: *טומאת בית הסתרים היא – it is tumah in a concealed area* (i.e., the point of contact with the fetus), and *טומאת בית הסתרים* is not *metamei*!? The Gemara suggests that the Mishnah follows Rebbe Meir, who said that if a garment measuring three *tefachim* by three *tefachim* was *tamei* as *מדרס*, and was divided in two, the pieces lose their *מדרס*, but are *tamei* from *contact* with *מדרס*, from touching each other when the garment was torn. Rebbe Yose said they are not *tamei*, because the contact between the pieces was *טומאת בית הסתרים*. The Gemara answers that Rebbe Yose agrees with our Mishnah, because if segments of three *טפחים* square are torn from a large garment, Rebbe Yose agrees the torn pieces are *tamei* through contact with *מדרס*, because *בשעת פרישתן מאביהן – during the separation from their “parent” garment*, they inevitably contract *tumah* from the garment, because the edges touch after they are no longer concealed. The same applies to a limb torn from a fetus. Ravina answers that a garment does not stand to be severed, but *עובר לחתיכה קאי – the protruding limb of a fetus stands to be severed*, and *וכל העומד לחתוך בחתוך דמי – and anything which stands to be severed is considered as if it was already severed*, so it is not considered “concealed.”

Siman – Thick Piece of Cake

The midwife who was given a **thick piece of cake** as a consolation for becoming *טמא מדרבנן* by touching a dead fetus, listened in on the argument in the operating room if the *shechitah* of the mother cow can prevent *טומאה* status from a cut off אבר, and watched how the orderly demonstrated how a hospital gown ripped into two pieces is *טומאת בית הסתרים*.

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3 things to remember

1. Why a midwife becomes *tamei* from touching the dead fetus
2. *Machlokes* if the mother's shechitah can remove *tumah* from the protruding אבר
3. טומאת בית הסתרים – how a limb or garment is *metamei* as it is torn away

