



Torn Garment

The *Mishnah* (27:9) discusses a case of a garment that is three by three *tephachim* and was *tameh midras*. The garment was then torn in two, such that each part was more than three by three *etzbaot* but less than three by three *tephachim*. In other words, the parts were still susceptible to *tumah*, but not *tumat midras*. According to the first opinion in the *Mishnah*, the parts are considered *maga midras*. Recall that a garment that was *tameh midras* (e.g. due to a *zav* sitting on it) is considered an *av ha'tumah*. According to the first opinion, even though the parts are too small to be susceptible to *tumat midras*, they are nevertheless considered as if they had come into contact with *tumat midras*. They are *maga midras* and considered a *rishon le'tumah*. *R' Yosi* however disagrees. He explains that once the garment is less than three by three *tephachim*, *tumat midras* disappears. Consequently, for these parts to be considered *maga midras* they would have had to come into contact with something else that was *tameh midras*, which *R' Yosi* reasons never happened.

The *Mishnah Achrona* explains that the first opinion understands *tumat beit setarim* ("concealed" *tumah*) can cause a transfer of *tumah*. In other words, the interface between these two parts was in contact with the complete garment that was *tameh midras*. The first opinion considers that significant enough to consider each part as being *maga midras*. *R' Yosi* however disagrees, and maintains that *tumat beit setarim* cannot cause a transfer of *tumah*.

While the *Bartenura* explains that we do not rule like *R' Yosi*, the *Rambam* (*Hilchot Keilim* 23: 9) rules that we do. The difficulty with the *Rambam* is how he rules regarding the earlier *Mishnah*. We learnt (27:7) that if a small patch that was exactly three by three *tephachim* was *tameh midras* and a thread was then removed, and then more fabric was added to complete the garment, the garment is *maga midras*. Based on our *Mishnah* it would seem that *R' Yosi* would disagree, and rule that the garment should be *tahor* – this is

the understanding of the *Bartenura*. The *Rambam* (ibid 23:7) however rules in this case like the *Mishnah*. In other words, it appears that in our *Mishnah* the *Rambam* rules like *R' Yossi*, whereas in the earlier *Mishnah* he rule against him.

The *Tosfot Yom Tov* suggests that the *Rambam* does indeed rule like *R' Yossi*. The earlier *Mishnah* however is different. Just like if one were to remove a small patch from a large garment, it is difficult to ensure it that the part did not come into contact with the garment, the reason why the earlier *Mishnah* is considered *maga midras* is based on that concern. The *Mishneh Lemelech* finds this explanation difficult.

The *Mishnah Achrona* also understands that the earlier *Mishnah* is an exception. He explains that the reason why the garment is considered *maga midras* is out of concern one might confuse this case with the case where the garment was first completed, prior to the thread from the patch being removed. The *Mishnah* (29:7) rules that in that case garment is *maga midras* – and everyone would agree. Since a slight change in the order of events could result in the garment being a *maga midras*, the *Chachamim* simply kept the ruling the same in both cases.

The *Maaseh Rokeach* however provides a different explanation. He cites the *Tosfot* (*Zevachim* 94b) who differentiate between whether a garment is torn in two or a piece of cloth. They explain that if it is a garment that is torn, then it is considered like a broken *kli* and therefore completely *tahor*. If however it is a small patch, that is not yet defined as a *kli*, and its size is reduced, then while it is no longer *tameh midras*, it can still be considered *maga midras*. The *Maaseh Rokeach* suggest that that is how the *Rambam* understands the two *Mishnayot*. The earlier *Mishnah* is a small patch whose size is reduced, where as our *Mishnah* discusses a garment that is torn in two, and therefore considered broken and therefore *tahor*.

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Revision Questions

כלים כ"ז: ב' – כ"ח: ג'

- What is minimum size of the following materials for them to be susceptible to *tumah*: cloth; sackcloth; matting? (כ"ז: ב')
- About which of the fabrics is there a difference in the minimum size between its susceptibility to *tumat midras* and *tumat met*? (כ"ז: ב')
- About which of the fabrics does *R' Meir* argue and what is his opinion? (כ"ז: ב')
- What is the law regarding the minimum size of a garment made of a combination of fabrics? (כ"ז: ג')
- When do all materials share the same minimum size and what is that size? (כ"ז: ד')
- Explain the debate regarding a worn out "sieve" that was to be used for sitting on. (כ"ז: ה')
- What is difference about the susceptibility to *tumah* of a child's chair? (כ"ז: ה')
- Explain the debate regarding children's clothing. (כ"ז: ה')
- List some items that are measured "doubled over". Explain. (כ"ז: ו')
- What is the law regarding cloth just satisfying the minimum measure that became *tameh midras*, was then made part of a larger garment, and then a thread was removed from the original patch? (כ"ז: ז')
- Is the law different if the thread was separated prior to being made part of a larger garment? (כ"ז: ז')
- Regarding the previous two questions how is the law different if the patch originally became *tameh met*? Explain. (כ"ז: ח')
- Explain the debate regarding a sheet that was *tameh midras* then used as a door-curtain. (כ"ז: ט')
- What other case is debated in the same manner? (כ"ז: י')
- What are the two conditions for cloth of the minimum measure to be susceptible to *tumah*? Explain the debate regarding one of the requirements. (כ"ז: י"א)
- When is it required for both to be fulfilled and when is it enough for only one to be fulfilled? (כ"ז: י"א)
- When is a torn cloth of the minimum measure still susceptible to *tumah*? (כ"ז: י"ב)
- Complete the following phrase: (כ"ז: י"ב)
לְעוֹלָם _____ מְטַהְרֵתָהּ, _____ מְטַמְּאָתָהּ.
- What are the three opinions regarding the scope of this statement? (כ"ז: י"ב)
- What is the difference between cloth that was three by three *etzba'ot* and three by three *tephachim* that was use to stuff a ball? That was made into a ball? (כ"ח: א')
- What are the three opinions regarding cloth, less than three by three handbreadths, that was used to hold a pot when cleaning? Explain the debate. (כ"ח: ב')
- What other cases are debated in the same manner? (כ"ח: ב')
- What is the difference between an *isplanit* and a *melugma* regarding when they are susceptible to *tumah*? (Include both opinions.) (כ"ח: ג')

Melbourne, Australia

Sunday -Thursday
10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

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Melbourne, Australia

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Sunday -Thursday
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Kollel Magen Avraham
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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
6 December כ' כסלו	7 December כ"א כסלו	8 December כ"ב כסלו	9 December כ"ג כסלו	10 December כ"ד כסלו	11 December כ"ה כסלו	12 December כ"ו כסלו
Keilim 28:4-5	Keilim 28:6-7	Keilim 28:8-9	Keilim 28:10-29:1	Keilim 29:2-3	Keilim 29:4-5	Keilim 29:6-7

