

# Laws of Circumcision, Chapter 2 (Auto Translated)

English

Auto Translated

## Shiur Overview

### Lecture Summary: Laws of Circumcision, Chapter 2 (Book of Love)

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#### Law 1: Who is Qualified to Perform Circumcision

**Words of the Rambam:** "All are qualified to circumcise, even an arel (uncircumcised), a slave, a minor, and a woman—these may circumcise when there is no man. But a non-Jew should not circumcise at all, and if he did circumcise, one need not circumcise again."

#### Plain Meaning:

Every Jew may circumcise—even an arel (a Jew who is himself uncircumcised), a slave, a minor, or a woman—but only "when there is no man." A non-Jew should not circumcise l'chatchila (ideally), but b'dieved (after the fact) if he did circumcise, one need not repeat it.

#### Insights and Explanations:

#### 1) Brit milah does not require kavana l'shma (proper intention) from the mohel:

Brit milah is different from other mitzvot (like tekiat shofar) where one needs a bar chiyuva (one obligated) with kavana l'shma. Here it is valid even with an arel, slave, minor, or woman—people who are not under the same obligation. This shows that the mitzvah is more focused on the **result**—that the child should be circumcised—and not on the action of the mohel himself.

#### 2) Why not a non-Jew—two opinions in the Gemara, and the Rambam's ruling:

There is a **dispute** in the Gemara about the reason why a non-Jew should not circumcise:

- **Opinion A:** A non-Jew cannot circumcise l'shem shamayim—according to this, **even b'dieved** it should be invalid.

- **Opinion B:** The concern is a **practical danger**—a non-Jew is not trustworthy, he might make a k'rut shafcha or p'tzua daka.

The Rambam rules like **Opinion B**—because he says b'dieved it is valid. This means that the invalidation of a non-Jew is **not an invalidation in the act of the mitzvah**, but rather a **concern for danger**.

#### 3) Keneset HaGedolah—an expert non-Jewish mohel:

According to the reason of danger, an **expert non-Jew (doctor)** would perhaps be different—because he won't ruin his reputation, and we trust him when it comes to his livelihood. **But the Rambam does not make such a distinction**—a non-Jew remains invalid l'chatchila even if he is an expert.

#### 4) Practical difference—what does one do when there is no Jew?

"When there is no man" means: if there is no Jewish man who can circumcise, a woman, slave, or minor may circumcise. But **a non-Jew—even when there is no Jew at all**—one should **wait until tomorrow** for a Jewish mohel, even though one will miss the eighth day. This is the practical difference between "when there is no man" (where woman/slave/minor are valid) and a non-Jew (who is invalid l'chatchila even in such a situation).

#### 5) What is the definition of the act of circumcision—mitzvah or preparation for a mitzvah?

An important scholarly discussion:

- **Question:** Is the **act** of cutting the orlah itself a mitzvah, or is it only a **preparation for a mitzvah** (hechsher mitzvah) for the result of being circumcised?

- **Proof that it is an act of mitzvah:** The Rambam ruled earlier (Chapter 1) that one may circumcise even in a place of tzara'at—because **aseh docheh lo ta'aseh** (a positive commandment overrides a negative commandment). If milah were only a hechsher mitzvah, aseh docheh lo ta'aseh **would not apply**—because hechsher mitzvah does not override a prohibition.

- **Counter-argument:** Perhaps the mitzvah is only the **result**—that one should not have an orlah, or that one should be in a covenant. The act of cutting is only a means.

- **Answer:** "The Torah says to cut the orlah—how can you say it's not a mitzvah?"—the act of cutting is itself a mitzvah, not merely a preparation.

#### 6) Hatafat dam brit for a convert who was already circumcised—and the distinction from our law:

A **convert who is already circumcised** requires hatafat dam brit. Question: if a non-Jew's circumcision is valid b'dieved, why does a convert need hatafat dam brit?

- **Answer:** This is **not a proof** regarding our law. A **convert must become a Jew**—hatafat dam brit is part of the conversion process. But a **Jewish child is already a Jew**—he doesn't need to "become" a Jew through circumcision, he only needs to fulfill the mitzvah of milah. Therefore, if a non-Jew circumcised a Jewish child, it is valid b'dieved—because the child is already a Jew, and the circumcision was performed.

#### 7) "When there is no man"—what does it mean?

"When there is no man" doesn't mean there is literally no Jew in the entire city—but that there is no **Jewish man who can circumcise**. The reason why l'chatchila there must be a "man" is because **he is primarily obligated** in the mitzvah—mitzvah bo yoter mi'b'shlucho (it is better for him to do it than through an agent), or because he has the obligation to circumcise.

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#### Law 2: With What Does One Circumcise

**Words of the Rambam: "One may circumcise with anything, even with a flint or glass or anything that cuts. But one should not circumcise with a reed stalk because of danger. The most preferred mitzvah is to circumcise with iron—either a knife or scissors. And all of Israel has the custom to use a knife."**

**Plain Meaning:**

One may circumcise with anything that can cut—even a stone (flint) or glass. But not with a reed stalk because it is dangerous. The mitzvah min hamuvchar (most preferred) is with iron (metal)—a knife or scissors. The custom of Israel is with a knife.

**Insights and Explanations:**

**1) No specific instrument—a technical mitzvah:**

Brit milah does not require a special instrument—"with anything that cuts." This strengthens the point that the mitzvah is focused on the result (that the child should be circumcised), not on a specific form of the action.

**2) Proof from Tzipporah:**

The verse "And Tzipporah took a flint" (Exodus 4:25)—Tzipporah used a sharp stone. This is a source that one doesn't necessarily need a metal knife. Similarly, Joshua (Joshua 5:2—"flint knives") used stones.

**3) Flint vs. iron—a historical development:**

Tzipporah and Joshua used flints—sharp stones (from the "Stone Age"). This was the best instrument in those times. With the coming of the "Iron Age," iron became better, and the custom adapted. This shows that regarding circumcision—the instrument—one goes with the times, what is practically better.

**4) Why is iron mitzvah min hamuvchar:**

The simple reason is **practical**—iron is the safest and best material for cutting, with the least danger. This fits with the reason why a reed stalk is forbidden—"because of danger."

**5) Contradiction between midrash and practice:**

There is a **midrash** that says one must use specifically a knife/iron. This is in **contradiction** with the fact that Tzipporah and Joshua used stones. The Rambam rules that it is only a **mitzvah min hamuvchar**, not an obligation—which resolves the contradiction.

**6) A midrash says one must circumcise with iron—question from the altar:**

Regarding the altar it states "you shall not wield iron upon them, for you have profaned it with your sword"—iron is invalid for the altar because it shortens life. But specifically regarding circumcision it is mitzvah min hamuvchar. It is left open whether this is mitzvah min hamuvchar from the perspective of the mitzvah itself, or from the perspective of what is healthier for the child.

**7) Scissors vs. knife—why is the custom specifically a knife?**

Scissors are a later invention, but within iron instruments one has remained with the older form—the knife. Seemingly one can also cut well with scissors, but the custom of Israel has remained with a knife. Perhaps a knife is easier to control, but a clear reason is not stated.

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**Law 2 (continued): The Process of Circumcision—Cutting, Periah, Metzitzah**

**Words of the Rambam: "How does one circumcise? One cuts all the skin covering the corona until the entire corona is revealed. And afterwards one tears the soft membrane beneath the skin with the fingernail and folds it back and forth until one sees the flesh of the corona. And afterwards one suction the circumcision until blood comes out from distant places so that there will be no danger. And any mohel who does not suction is removed. And after suctioning, one places upon it a bandage or compress and the like."**

**Plain Meaning:**

The process of circumcision has three stages: (a) **Cutting**—one cuts off all the skin (orlah) that covers the corona; (b) **Periah**—one tears with the fingernails the thin membrane (an innermost layer of skin) beneath the skin, and folds it back and forth until one sees the flesh of the corona; (c) **Metzitzah**—one suction out the blood from distant areas to avoid danger. A mohel who does not do metzitzah is removed. After metzitzah one places a bandage (ispalanit/retiyah) with ointment.

**Insights and Explanations:**

**1) "Folds it back and forth"—what does this mean?**

"Folds it back and forth" means one peels back the thin membrane—one opens it up this way and that. This is not a cut with a knife, but a tearing with the fingernails. The Rambam describes two separate layers: (a) the **skin**—the main skin that is cut off with the knife, and (b) the **soft membrane**—a thinner skin beneath it, which is only torn with fingernails, not cut. Today's mohelim do it somewhat differently technically, but the essence remains the same.

**2) Metzitzah—the reason is danger, not a law in the mitzvah of circumcision:**

The Rambam says clearly that metzitzah is "so that there will be no danger"—it is a medical matter, to draw out the blood from distant areas so it won't stagnate and cause a wound. The proof is that "any mohel who does not suction is removed"—not because he didn't fulfill a law in circumcision, but because he is not careful enough with the child's health.

**3) Metzitzah with an instrument—an important question:**

The Rambam did not know about metzitzah with an instrument (through an instrument instead of directly with the mouth)—in his time it didn't exist. A parallel: just as regarding the knife for circumcision itself the Rambam says "one may circumcise with anything"—it doesn't matter what type of instrument, each generation has its instrument—so seemingly metzitzah should also be. If metzitzah is a "matter of danger" (a medical matter), then one should use whatever is the best way to eliminate the danger. But the Rambam himself doesn't say about this, and one must look in other places.

**4) Ispalanit and retiyah:**

Ispalanit and retiyah are both a cloth with ointment—two terms from the Gemara for bandages with medicinal cream. The Rambam doesn't specify a particular recipe, because this is a practical medical matter that goes according to the times.

**5) The distinction between the instrument of circumcision and metzitzah regarding changes:**

Regarding the knife for circumcision the Rambam says explicitly "one may circumcise with anything"—the instrument is not essential, only the custom of Israel. But regarding metzitzah the Rambam says "any mohel who does not suction is removed"—which sounds stricter. The Rambam learns simply in the Gemara that metzitzah is indeed a fixed law (unlike ispalanit and retiyah which are "not specified"), but the manner of metzitzah—whether directly by mouth or through an instrument—is a question for today's rabbis, not a question on the Rambam, because in his time an alternative didn't exist.

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### Law 3: Fringes That Invalidate the Circumcision

**Words of the Rambam:** "There are fringes that invalidate the circumcision. How so? If there remained from the skin of the orlah skin that covers most of the height of the corona, he is an arel as he was. And this is called fringes that invalidate the circumcision. But if only a little remained—fringes that do not invalidate. The mohel, as long as he is engaged in the circumcision, returns both for fringes that invalidate and for fringes that do not invalidate. If he separated—for those that invalidate he returns, for those that do not invalidate he does not return."

#### Plain Meaning:

After the circumcision, if pieces of skin (fringes) remain: if they cover most of the height of the corona—he is still considered an arel, and this is called "fringes that invalidate." If only a little remained—"fringes that do not invalidate." As long as the mohel is still in the middle, he goes back for both types. But after he has already separated (stepped away), he only goes back for those that invalidate, not for those that don't invalidate.

#### Insights and Explanations:

##### 1) What does "fringes" mean?

The word "tzitzin" is connected to "tzitzit"—which the Rambam himself defines in the Laws of Tzitzit as a piece that sticks out. So too here: tzitzin are pieces of skin that remain sticking out after the circumcision.

##### 2) The measure of "invalidating"—most of the height of the corona:

The Rambam's measure is clear: if the remaining skin covers most of the height of the corona, he is still "an arel as he was." This means that the entire goal of circumcision is revealing the corona—if this is not achieved, the circumcision is not a circumcision.

##### 3) Separated / not separated—the Rambam doesn't sound like Shabbat:

Simply, the Mishnah that speaks about tzitzin speaks in the context of Shabbat: if the mohel has already separated, the question is whether one may desecrate Shabbat again for fringes that don't invalidate. **But the Rambam sounds different**—he doesn't mention Shabbat, and it sounds like even during the week there is a practical difference: one shouldn't just go back and cause the child pain unnecessarily. But "one doesn't see this so strongly in the later authorities."

##### 4) The opinion of the Rema—l'chatchila one returns even for those that don't invalidate:

The Rema says that l'chatchila one should return even for fringes that don't invalidate, if they are large. This is perhaps a

matter of beautifying the mitzvah.

##### 5) "Circumcised but did not do periah is as if he did not circumcise":

If one did the cutting but not the periah (tearing the soft membrane with fingernails), and a thin skin still remains, it is "as if he did not circumcise." This is connected to the same principle: the goal is revealing the corona, and everything—cutting, periah, tzitzin—is a measure of how far one must go to achieve this.

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### Laws 4-5: Revealing the Corona—Measure, Nature, Appearance, and the Law of One with Thick Flesh

**Words of the Rambam:** A child whose flesh is soft and flabby... appears as if he is not circumcised... needs to be corrected because of appearance... and when erect the corona is revealed—he is circumcised and does not need to be circumcised again. But one needs to correct the flesh on both sides because of appearance. And all these matters are rabbinic.

#### Plain Meaning:

A child whose flesh is soft (soft and flabby) or he is thick-fleshed (fat/thick), it can happen that even after a valid circumcision, it looks like he is not circumcised. The Rambam says one checks when erect—if then the corona is revealed, he is validly circumcised. But nevertheless one must "correct" the flesh from both sides, because of appearance. All this is rabbinic.

#### Insights and Explanations:

##### 1) Periah is part of circumcision from the Torah—halacha l'Moshe mi'Sinai:

Periah (tearing off the second, thinner skin with the fingernails) is not merely a custom but a halacha l'Moshe mi'Sinai, as the rule: "circumcised but did not do periah is as if he did not circumcise." In the Torah it only says "circumcision," but periah is part of the completeness of the mitzvah. Without periah there remains a piece of skin that covers the corona, and this is as if one did nothing.

##### 2) Periah came later—periah was not given to Abraham our father:

A Gemara says that Abraham our father did not have the law of periah. A reasoning: the reason why periah came later is technical—without periah enough skin remains that one can "draw back the foreskin"—one can pull back the skin and cover. Periah makes this not applicable—"no backsies"—it doesn't go back. This is an innovation that periah is not just a measure in cutting, but a mechanism to ensure that the circumcision will be permanent.

##### 3) Revealing the corona—more than a measure, a sign of Jewishness:

Is "revealing the corona" only a measure (how far one must cut) or something different? Conclusion: it's more than a measure—circumcision is a sign in the body of a Jew that he goes without an orlah. Therefore, if someone pulls back the skin (draws back the foreskin), he has "disguised himself as a non-Jew in his body." This is the foundation of what was done in the times of the Greeks—Jews who went to the gymnasium (where one went naked) would draw back the foreskin so people would think they were not circumcised.

#### 4) The law of not covering the circumcision—bathhouse:

There is a law (which the Rambam brings in the Laws of the Bathhouse) that when one goes in a river or mikveh, one may not cover the place of circumcision—"so that they will not see my altar of the covenant of circumcision." This is a proof that there is a matter that the circumcision should be visible.

[Digression: Old Hasidic Jews (like the Bobover Rebbe) would not go with "bathing suits"—this is connected to this matter of not covering.]

#### 5) Three levels in the law of circumcision—from the Torah, rabbinic (corona revealed), rabbinic (appearance):

A clear structure of three levels:

- **From the Torah:** The essence is that one has cut off a piece of the orlah. Even without concern whether one can see or not—"cut off the orlah, it's a good day."

- **Rabbinic (first level):** The corona must be revealed—one must see that he is not an arel. If there is no revealing of the corona, the circumcision is lacking, he is "not well circumcised."

- **Rabbinic (second level):** Even if he is indeed well circumcised (corona revealed when erect), there is still an additional obligation of appearance—"needs to be corrected" the flesh from both sides, so it will look circumcised even when flabby.

The "needs to be corrected" is not the same obligation as the essential circumcision—it's not from the law of circumcision, but from the law of appearance, a separate obligation.

#### 6) How does one check when erect?

For a child who is thick-fleshed or whose flesh is soft and flabby, one cannot properly assess whether the corona is revealed. Therefore one checks when erect—when it is "hardened," the flesh becomes more firm, and then one can see if the corona is truly revealed. "Erection can happen with a baby too, it's not desire, it's a natural reaction." The Rambam tells us that the very "corona revealed" means when erect—this is the measure.

[Digression: The Minchas Elazar would check circumcisions.]

#### 7) Appearance—how is it relevant in a private place?

Question: how is appearance relevant for a nakedness that is always in private chambers? After all, appearance is forbidden even in private chambers (as the rule). Answer: there are practical situations where one sees—like when one goes to the mikveh, to the bathhouse. Also, circumcision is a sign for the nations—"we're talking here about a society where the standards are different from ours."

#### 8) Tzemach Tzedek—"appears an arel as he was":

The Tzemach Tzedek says "appears an arel as he was"—this confirms that it's not a question whether from the Torah one fulfills by removing the orlah without revealing the corona. Revealing the corona is a separate law. The flesh that covers in a thick-fleshed person is not the orlah itself—it's a different piece of skin/flesh. Therefore the law of "needs to be corrected" is a separate category.

#### 9) What exactly does one cut in "correcting on both sides"?

For a thick-fleshed person, the flesh that covers is not orlah—it's a different piece of skin/flesh from the sides. One cuts "on both sides"—from both sides—so it will look like the corona is revealed even when flabby. The technical details one must ask a mohel practically.

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#### Laws of Circumcision on Shabbat: What Overrides Shabbat

**Words of the Rambam: "One does all the needs of circumcision on Shabbat—one circumcises, does periah, and suction, and returns for fringes that invalidate even if he separated, and for fringes that do not invalidate as long as he has not separated, and places upon it a bandage... But preparations for circumcision do not override Shabbat."**

#### Plain Meaning:

All direct needs of circumcision—circumcision, periah, metzitzah, fringes that invalidate (even after separation), fringes that don't invalidate (as long as he hasn't separated), and placing a bandage—override Shabbat. But preparations for circumcision—preparations and arrangements for the circumcision—do not override Shabbat.

#### Insights and Explanations:

##### 1) The distinction between "needs of circumcision" and "preparations for circumcision":

The Rambam makes a clear distinction between two categories: "needs of circumcision" means the direct act of the mitzvah—what the mohel does with the child (circumcision, periah, metzitzah, tzitzin, bandage). "Preparations for circumcision" means the preparations—bringing a knife, boiling water, preparing medicines, etc. The first overrides Shabbat, the second does not. This is a concept from Tractate Shabbat, where there was a dispute among the Tannaim—Rabbi Eliezer held that preparations for circumcision also override Shabbat, but the Sages (and the Rambam rules like them) hold that they do not.

This is an interesting example of the general distinction between preparations and action—similar to the distinction between building a sukkah (preparation) and entering the sukkah (fulfillment of the mitzvah).

##### 2) Tzitzin on Shabbat—the distinction between "need not" and "may not":

An innovation in what the Rambam says about tzitzin on Shabbat. Earlier (in the laws of tzitzin in general) the Rambam said that fringes that don't invalidate after separation—"one need not" return even during the week. But on Shabbat the law is stronger: one **may not** return for fringes that don't invalidate after separation, because Shabbat is present.

On the other hand, fringes that don't invalidate **as long as he has not separated**—one may even on Shabbat. This is an innovation, because one could say he has already fulfilled the mitzvah, and nevertheless, as long as he has not separated, it is still part of the mitzvah of circumcision as it should be, and therefore it overrides Shabbat.

##### 3) Metzitzah and bandage—why are they "needs of circumcision"?

Question: metzitzah and bandage are not parts of the essential mitzvah of circumcision (like circumcision and periah which are essential). Answer: metzitzah is simply about danger to life

—without metzitzah one cannot circumcise, because it is dangerous. So too the bandage—otherwise one cannot circumcise. It's not that two separate things override Shabbat (circumcision + danger), but rather it's one mitzvah of circumcision that cannot be performed without these things.

#### 4) What type of labor is circumcision?

Question: what type of labor does one do in circumcision? It's not simply "wounding," but "wounding that is constructive"—it's not destructive, but constructive. This is important because only a labor needed for its own sake is biblically prohibited, and here the wounding is constructive. It's "not clear which labor"—whether it's wounding, whether constructive, whether both.

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#### The Foundation of "Since It Could Have Been Done Before Shabbat"

**Words of the Rambam: "This is the rule—anything that could have been done before Shabbat does not override Shabbat."**

##### Plain Meaning:

The reason why preparations for circumcision do not override Shabbat is because one could have done it before Shabbat. Circumcision itself cannot be done before Shabbat, because "on the eighth day he shall be circumcised"—Shabbat happened to be the eighth day. But bringing a knife, boiling water, preparing medicines—all this could have been done on Friday.

##### Insights and Explanations:

#### 1) Preparations for circumcision do not override even rabbinic prohibitions:

The Rambam brings a specific example: **"One does not bring a knife from place to place, even in an alley that is not open-ended."** An alley that is not open-ended is only rabbinically prohibited (not a biblical public domain), and nevertheless one may not bring the knife. Even the eruv—which is itself a rabbinic law—is not overridden for bringing the knife. The foundation is the same: "it could have been brought before Shabbat."

#### 2) Is this a "penalty" or an essential law?

Is the law of "preparations for circumcision do not override Shabbat" a penalty for one who did not prepare? Or is it an essential law? It's not a penalty—it's a principle. The mitzvah of "on the eighth day he shall be circumcised" is important enough to override Shabbat for the essential act of circumcision. But when it comes to preparations that could have been done earlier, Shabbat is more important. A reasoning: when a person begins to "be lax" with Shabbat with things he could have done earlier, this is a much greater desecration of Shabbat than the circumcision itself. (But it's not certain that this is the precise wording, just a direction.)

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#### Practical Solutions When One Did Not Prepare Before Shabbat

##### Insights and Explanations:

#### 1) Cumin:

If one did not grind cumin before Shabbat—"if he did not grind cumin before Shabbat, he grinds it with a change"—one can grind it with the teeth (a change), which is not grinding in its usual manner.

#### 2) Wine and oil:

If one did not mix them—"one places this by itself and that by itself"—one pours separately wine and separately oil, not mixed.

[Digression: "mixing wine and oil"—mixing wine and oil—is seemingly only a rabbinic prohibition of engaging in medicine, not a biblical labor. Therefore it is forbidden on Shabbat because one could have done it before Shabbat.]

#### 3) Hot water:

For hot water the Rambam did **not** give any permission or solution. If one did not prepare hot water before Shabbat, one circumcises tomorrow (not Shabbat). For cumin and wine/oil there is a way around because one can do it with a change (which is only a rabbinic prohibition, and here there is a side to be lenient), but for hot water there is no change—cooking is cooking.

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#### When Circumcision Has Already Been Done and a Problem Occurs—Danger Overrides Shabbat

**Words of the Rambam: "Circumcised the child on Shabbat... and the hot water spilled or the medicines scattered... to do for him all his needs on Shabbat, for there is no danger..."**

##### Plain Meaning:

If one already circumcised the child on Shabbat (properly, with all preparations made before Shabbat), and afterwards the hot water spilled or the medicines were lost—one may now do everything on Shabbat, because **danger overrides Shabbat**.

##### Insights and Explanations:

#### 1) The reason is danger, not "he didn't cause it":

A nice distinction: the reason is **not** because the person "didn't cause it" (he did prepare before Shabbat, so it's not a penalty). The reason is **danger**. With danger one doesn't make calculations—even if we were "the greatest criminals" (that is, even when one has been negligent), danger still overrides Shabbat.

#### 2) The distinction between "didn't prepare" and "problem after circumcision":

If one **did not** prepare before Shabbat (forgot hot water, knife, etc.)—one does not circumcise on Shabbat, one waits until tomorrow. Because preparations for circumcision do not override Shabbat. But if one **did** already circumcise (permissibly), and now a problem occurs—it is already a question of danger, not of preparations for circumcision, and danger certainly overrides Shabbat.

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#### Washing the Child on Shabbat

**Words of the Rambam (with the Rema's explanation): In a place where they customarily wash the child—one washes him on Shabbat, both before the circumcision and after the circumcision. And so on the third day after circumcision that falls on Shabbat—both washing his entire body and washing the circumcision. Whether one heated water for him before Shabbat, or one heats for him on Shabbat.**

##### Plain Meaning:

If the local custom is to wash the child before or after the circumcision (because it is good for the child's healing), one may do this even on Shabbat. The same applies to the third day after circumcision (the third day after circumcision, which is a time of danger), if it falls on Shabbat—one may wash the entire body or just the circumcision area, and one may even heat water on Shabbat itself.

#### Insights and Explanations:

##### 1) Why is washing on Shabbat even a question?

Generally washing on Shabbat is rabbinically forbidden (even with water that is already warm). And making hot water on Shabbat is another rabbinic prohibition (or even biblical—cooking). For circumcision one may do both things, because it is a danger for the child.

##### 2) "Or one heats for him on Shabbat"—by whom? Not by a non-Jew!

One approach says "one heats for him on Shabbat" means through a non-Jew. This is sharply rejected: **it doesn't say a non-Jew, one shouldn't think up things that aren't stated.** The Rambam means that a Jew himself may heat water on Shabbat for the child, because it is a matter of danger, **and with danger one doesn't make calculations.**

##### 3) The difficulty of "before the circumcision"—and the answer:

Question: how can one say that one makes hot water **before the circumcision** on Shabbat? We already learned that **preparations for circumcision do not override Shabbat**, and if one didn't prepare before Shabbat, one doesn't do the brit on

Shabbat at all! If there is no brit today, there is no "before the circumcision"!

Answer: **"One heats for him on Shabbat" does not apply to the case of "before the circumcision."** That is, the Rambam is speaking of two separate cases:

- **Before the circumcision**—only with hot water from before Shabbat (because if one didn't prepare, there is no brit anyway).

- **After the circumcision, or the third day after circumcision**—there one may even make hot water on Shabbat itself (because this is already after the circumcision, or a brit that was on Thursday, and the third day falls on Shabbat).

##### 4) The Rema's different understanding and the struggle:

The Rema understood differently—he understood that "one heats for him on Shabbat" applies **also** to "before the circumcision." Therefore he struggled with the question (why should one make hot water before the circumcision on Shabbat?), and he explained that it means **through a non-Jew**. But according to the simple understanding, one doesn't need the non-Jew answer—because "heating on Shabbat" only applies to after the circumcision / third day after circumcision.

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#### Telling a Non-Jew: Forgot and Didn't Bring a Knife Before Shabbat

**Words of the Rambam: "If he forgot and didn't bring a knife before Shabbat—we tell a non-Jew to bring a**

**knife on Shabbat, provided he doesn't bring it through the public domain."**

#### Plain Meaning:

If one forgot to bring a knife before Shabbat, one may tell a non-Jew to bring the knife on Shabbat, but **only through courtyards** (which is only a rabbinic prohibition), **not through the public domain** (which is a biblical prohibition).

#### Insights and Explanations:

##### 1) The principle of telling a non-Jew in a place of mitzvah:

The Rambam establishes a principle:

- **Anything whose prohibition is a rabbinic decree** (rabbinic prohibition, like carrying through courtyards)—**it is permitted to tell a non-Jew to do it in order to perform a mitzvah in its time.** One may have a non-Jew do a rabbinic prohibition for a mitzvah.

- **Something whose prohibition is a labor** (biblical prohibition, like carrying through the public domain)—**it is forbidden to tell a non-Jew to do it on Shabbat**, even for a mitzvah.

##### 2) Why can't one have a non-Jew circumcise?

Question: can't one have a non-Jew circumcise the child, in order to perform the mitzvah in its time? Answer: **we're not talking about having a non-Jew do the mitzvah itself**—the principle is only that one may have a non-Jew do **preparations for circumcision** (like bringing a knife). The actual circumcision by a non-Jew is a separate question—it is valid b'dieved, but l'chatchila it is forbidden to let a non-Jew circumcise.

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#### Preparations for Circumcision on Yom Tov—Kal V'chomer

**Words of the Rambam: "And kal v'chomer—if preparations for circumcision that do not override Shabbat whose prohibition is stoning, they will not override Yom Tov whose prohibition is only a negative commandment. But preparations for food—are permitted on Yom Tov, since the labor of food preparation was permitted."**

#### Plain Meaning:

The Rambam makes a kal v'chomer: if preparations for circumcision do not override Shabbat (which is stoning), kal v'chomer they do not override Yom Tov (which is "only" a negative commandment). But—on Yom Tov there is a leniency: things that fall under the labor of food preparation (like medicines/spices that can also be used in cooking) are permitted on Yom Tov, because the labor of food preparation is permitted on Yom Tov.

#### Insights and Explanations:

##### 1) The kal v'chomer from Shabbat to Yom Tov:

Shabbat is more severe than Yom Tov (stoning versus a negative commandment). If preparations for circumcision cannot override Shabbat, it is obvious that they also cannot override Yom Tov. This is an innovation—one shouldn't think that because Yom Tov is easier, one can do more.

##### 2) The leniency of Yom Tov—medicines through "mitoch" / "hutra":

On Yom Tov there is a special leniency: **the labor of food preparation is permitted**. Therefore, medicines (remedies, cumin, etc.) that one didn't prepare before Yom Tov—if they fall under the category of things that can also be used for cooking (permitted regarding a pot), one may prepare them on Yom Tov itself. The foundation is the principle of "**mitoch she'hutra l'tzorech—hutra shelo l'tzorech**" (since it was

permitted for a need—it was permitted not for a need), or the principle that **because it's fresher (and therefore better for Yom Tov enjoyment), one may do it on Yom Tov**—as learned in the Laws of Yom Tov.

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**With this, Chapter 2 of the Laws of Circumcision is concluded.**

## Full Transcript

### Laws of Circumcision, Chapter 2 — Who is Qualified to Perform Circumcision and With What Do We Circumcise

#### Introduction: Fundraising for the Beis Medrash

Good day, we are going to learn today Hilchos Milah (Laws of Circumcision), the second chapter, Chapter 2 in Sefer Ahavah.

These days there is a fundraising campaign for our beis medrash (study hall) to be able to support our limud haTorah (Torah study) and our harbatzas haTorah (spreading of Torah), and this shiur (lecture) and all other shiurim of Yedidi HaGaon Rav Yitzchak. We ask everyone to participate, to strengthen, to inform others, and so forth, to help support the beis medrash and spread Torah. And may the merit protect our great sponsor, the generous philanthropist Rav Yoel Wetzberger, with all other supporters, and may it be fulfilled "Blessed is he who upholds the words of this Torah."

#### Law 1: Everyone is Qualified to Circumcise — Who May Perform Circumcision

The Rambam says, Chapter 2, the Rambam goes on to say who can perform circumcision, and here he discusses technically who can perform circumcision and all the laws of how one circumcises and what exactly the process of bris milah (circumcision) is. That is, the previous chapter was more about who is obligated, and how the obligations work, and which day one is obligated. Here is much more the practical maaseh hamilah (act of circumcision).

The Rambam says: "**Hakol kesheirim lamul, va'afilu arel**" — everyone may perform circumcision, even a Jew who has not himself been circumcised. We don't say that because he hasn't been circumcised himself he cannot circumcise another. But arel here refers to a Jew, a Jew who is an arel. "**Ve'eved**" is the same thing, "**ve'eved vekatan ve'ishah, harei eilu mohalin**" — they too may circumcise. It doesn't have to be specifically a man, as only a man can do other things, such as being a shaliach tzibbur (prayer leader) or other things. Everyone can circumcise, "**bimkom she'ein ish**".

We see that the word is... okay, let's see. "**Aval goy lo yamul klal**" — a non-Jew should not circumcise. A non-Jew should not circumcise, but lechatchilah (initially) he should not circumcise. "**Ve'im mal, ein tzarich lachzor ulmolo shenis**" — if he did circumcise, one does not need to circumcise him again, according to the Rambam.

#### Novel Point: Bris Milah Does Not Require Intention for Its Own Sake

It appears apparently that bris milah is not like other mitzvot where the action must be done with intention for its own sake, or like tekias shofar (blowing the shofar) and others which must be specifically a person whom we know we trust that he

does it for its own sake, or greater requirements, but rather a slave, a Samaritan, and an Israelite can also circumcise. Well if so, why not a non-Jew?

#### Reason for the Law: Why a Non-Jew Should Not Circumcise — A Dispute in the Gemara

It appears that the Rambam learns that a non-Jew not circumcising is also only lechatchilah. I think there is a dispute in the Gemara. There is an approach that the reason why a non-Jew doesn't circumcise is because he cannot do it for the sake of Heaven, but then it would also be a problem bedieved (after the fact). There is another opinion that with a non-Jew we are afraid that he will cut in and he can make a krus shafchah (severed organ), which is a dangerous thing, he can easily make a child into a petzu'a daka or krus shafchah (one with damaged reproductive organs). Therefore we don't trust a non-Jew lechatchilah, but if he did circumcise it is indeed valid. It appears that this is how the Rambam rules, that the goy lo yamul is a practical matter regarding health, regarding danger, that we don't trust the non-Jew.

And indeed, I see in Knesses HaGedolah and others learn accordingly that a non-Jew who is an expert mohel, that is a non-Jew who is a doctor, whom we always know that an expert we trust, he won't ruin his reputation. We don't trust a non-Jew that he will just be good to you and do a good job, but if it means his livelihood, we do trust him. According to this perhaps such a non-Jew would be different, but the Rambam doesn't make such a distinction. Okay.

#### Talmudic Analysis: What is the Definition of the Act of Circumcision

But what is the definition? In what way is bris milah different, for example, from making a sukkah? The Rambam doesn't say that there must be something of an action for its own sake. It's enough that the people around say that one is making a bris milah. A bris milah is somewhat a Jewish thing that one does for the sake of Heaven. A sukkah a non-Jew can make. Which thing can a non-Jew make? Writing a sefer Torah... blowing shofar... wait, tzitzis is actually a question, yes. Is the action a mitzvah. Milah is actually a technical thing.

Here I wanted to get to, that the milah, the mitzvah is that one should be circumcised. It's not just that one should be circumcised, there is also an addition of bris, one should go through until the bris. It's not simple that the person who makes the bris, he is the one who is ma'avir babris (passes through the covenant), as if he has a part in the bris. Okay, the orlah (foreskin) is also a part in the bris, but a non-Jew bedieved is valid, a non-Jew.

So the mohel is like the technical person. It's more a question... let's clarify the law. Even an arel, slave, non-Jew is only bedieved, bimkom she'ein ish (when there is no man). A non-Jew, even bimkom she'ein yid (when there is no Jew),

what does one do? Does one wait until tomorrow? This must come up in halachah.

**Practical Application: When There is No Man**

Yes, it appears so. Bimkom she'ein ish one must also think, it doesn't mean to say if one cannot fulfill it on the eighth day, that's the word, or whatever, that it shouldn't be a day later. That bimkom she'ein ish there is indeed a man in general. It comes out bimkom she'ein ish, apparently because a person has an obligation in the mitzvah, it comes out that one should give it to the person who is primarily obligated. Or because this is all only bedieved. We don't know if there is a law like not agency, mitzvah bo yoser mibeshlucho (a mitzvah is greater when performed by oneself than through an agent), or it's indeed not the same lechatchilah for the milah.

Right, so when we say bimkom she'ein ish, apparently so that a Jew should do the mitzvah, because he is obligated. Yes, lechatchilah there must be a Jew who is obligated, he has the obligation to circumcise. If you are in a place on the eighth day, there is no Jew, no man who can circumcise, yes, an ish doesn't necessarily mean there isn't a single man in the entire city, but one who can be a mohel, so to make a woman, but not a non-Jew, you must wait until tomorrow, that's how it sounds. But bedieved, if a non-Jew came, one doesn't need to redo it. That's how I would interpret the law practically.

**Review: Why is Milah Different from Other Mitzvos**

And why? Because one must say that we view milah more like making the sukkah than sitting in the sukkah. Certainly according to the Rambam that a non-Jew bedieved is valid. Yes, one must also understand this versus the law that we just learned that one may circumcise even in a place where there is also tzaraas (a skin affliction). If it weren't a maaseh mitzvah (act of mitzvah) it would be a problem, whether it's indeed asech docheh lo saaseh (a positive commandment overrides a negative commandment), because this is only a hechsher mitzvah (preparation for a mitzvah). Here comes in the talmudic analysis.

**Discussion: Is Milah an Act of Mitzvah or Preparation for a Mitzvah**

**Study Partner A:**

No, it's indeed not a hechsher mitzvah, like preparation. The mitzvah is that one should not have the orlah, and perhaps also to be a bris.

**Study Partner B:**

I don't agree.

**Study Partner A:**

Apparently, I don't know, perhaps there is such a thing as hechsher mitzvah. We learned in this chapter that sukkah is also a mitzvah, not just a hechsher mitzvah.

**Study Partner B:**

Right, what do you mean what does hechsher mitzvah mean? It's a mitzvah, the mitzvah is to do this. And certainly, the Torah says that one should cut the orlah. The Torah also says that one may not cut a... what's it called... a tzaraas, but asech docheh lo saaseh. What does it mean it's not a mitzvah to cut the orlah? One should indeed cut the orlah, how can you say?

**Study Partner A:**

No, but it's only a preparation for the mitzvah of being cut.

**Study Partner B:**

I don't know what you want to say.

**Study Partner A:**

That the action is not an action, but the result is the action.

**Study Partner B:**

It's indeed an action, and not just an action, but there is a mitzvah not to cut. There is a prohibition. I don't agree with you.

**Discussion: Hatafas Dam Bris for a Convert**

**Study Partner A:**

It's interesting, according to this, why is someone whom a non-Jew circumcised not like a non-Jew who was circumcised? What is the difference between a non-Jew and a Jew? One must do hatafas dam bris (drawing a drop of covenantal blood). The non-Jew didn't do it for the sake of entering into the covenant of Abraham our father.

**Study Partner B:**

I would have thought that the non-Jew who is circumcised is also simply that there are a few Jews around, the mother of the child asks the non-Jew, "Perhaps you'll do the bris?" And it's for the sake. The blood from him is also dam bris. Because not for nothing did they say that one must draw hatafas dam bris after the non-Jew circumcised.

**Study Partner A:**

The non-Jew circumcised, here we're talking about him making a bris for Jews, he comes to a bris, he sits on the... he brings with the... whatever, he comes to a Jewish bris. Not such a non-Jew who circumcised not for the sake of milah at all.

**Study Partner B:**

If so it's more than nolad mahul (born circumcised), it's not an action. There must be an act of milah.

**Study Partner A:**

Why is there such a thing as hatafas dam bris?

**Study Partner B:**

One can say that nolad mahul only goes regarding the doubt of orlah kevushah (hidden foreskin), then it's a matter. But here is indeed another matter. We know that he is circumcised, but a non-Jew did it.

**Study Partner A:**

Okay, there are always the two ways. It shouldn't come out clearly. It's more like...

**Study Partner B:**

But this is a non-Jew when he circumcises, he must do it again. A non-Jew when he must speak dam bris if he is already circumcised. But this makes sense, because if a milah by a non-Jew is valid, his father circumcised him. Yes? Yes, let's say someone circumcised him. But a non-Jew must become a Jew. How does he become a Jew? How does the child become a Jew? I mean, the child cut off the name.

**Study Partner A:**

What? A Jewish child doesn't need to become a Jew with a bris. Yes, he enters into the covenant. You say that a non-Jew must now enter into the covenant, blessed be... hatafas dam bris. He doesn't look at the milah, I hear you're talking here about hatafas dam bris. It's not a proof. I don't see that it's a proof, because a non-Jew must become a Jew. A Jew doesn't need to become a Jew, he must make a bris milah, but he is

already a Jew. He is already a Jew, he can no longer become not one.

### Law (Continued): With What Do We Circumcise

Okay, the Rambam says further, with what does one circumcise? **Bakol mohalin**. It's not like a certain... like I know even in other things... **Bakol mohalin**, there's no difference, **afilu betzur**, **bizchoochis**, it doesn't have to be a certain knife. **Bechol davar shekores** — anything that can cut. As we see there, yes, "**Vatikach Tziporah**", she took a tzur. A tzur one cuts the... yes, it doesn't mean that a tzur means a sharp stone. **Bechol davar shekores**.

But what not? **Velo yamul bikrumis shel kaneh mipnei hasakanah** — one should not use what is a piece of hard grass, because of the danger.

The Rama says, **mitzvah min hamuvchar**, everything is valid, but the mitzvah min hamuvchar (the most preferred way) is **lamul bebarzel**, **o besakin**, to circumcise with iron, or with a knife, **o bemisparayim**, a scissors, like two knives. **Venahagu kol Yisrael besakin** — the custom of Israel is to do it with iron and to do it with a knife.

Why is this mitzvah min hamuvchar? Simply practically, because it's the best. Presumably this is the best, yes, presumably the Gemara says that this is the best. The least danger. Or the danger that he says from the krumis shel kaneh.

### Discussion: Midrash About Knife Versus Stone

#### Study Partner A:

What? There is such a midrash that says one must do it with a knife. In practice, it's a contradiction, because you say that Tziporah and Yehoshua used stones.

#### Study Partner B:

The stone, tzur, is a stone that is sharpened. A certain stone, I'm not sure what it is, a "certain kind" of stone that is very sharp, as the Mishnah says this. But he says that the custom is specifically not to do so, but specifically so. It could be that a mitzvah min hamuvchar is also a composite matter. There is a midrash that says one must circumcise with iron.

### Iron in Milah vs. Iron at the Altar

No, I see for example the "**Lo sanif aleihem barzel ki charbecha henafta aleha vatechalelehah**" (You shall not wield iron upon them, for you have lifted your sword upon it and profaned it). Specifically iron shows that it's a mitzvah min hamuvchar. Is it a mitzvah min hamuvchar in milah, or is it a mitzvah min hamuvchar in what is healthiest for the child? I don't know.

### From Stone to Iron — A Historical Development

Is iron better than a stone? It could be that the Sages held that one can maintain control, this is better. Stone is indeed the predecessor of iron, of the knife. Ah, a good time in Scripture one used stones, and that was the best. That's the Stone Age. Now it's no longer the Stone Age, one can already use iron. It's better to use iron. Welcome to the Iron Age, what's it called, yes.

But between iron there are two types of iron, either scissors or a knife, and the custom is to use a knife.

### Why a Knife and Not Scissors?

Indeed scissors are a later invention of a knife, somewhat, yes. First there was a knife, scissors are much later. So regarding, one moved from the Stone Age to iron, but even in iron they

remained with the old. Apparently one can very practically cut well with scissors. Perhaps what was safe. But the custom of Israel is to do it with a knife.

I don't know, one must perhaps ask the mohalim if one can make better scissors that work well. Perhaps the opposite, perhaps for some reason it's easier to control a knife, I don't know. Also, you're here with a knife, you know that the knife of today is exactly the same as the knife that was in the times of the Rambam. There are all kinds of technologies with...

Okay.

### How Do We Circumcise? — The Process of Milah

**Keitzad mohalin? "Choschin es kol ha'or hachofeh es ha'atarah"**. At the tip of the organ there is an atarah (corona), and one must cut off all the skin, the extra skin that can cover the atarah. One must cut "**ad shetitgaleh kol ha'atarah**", until there is no longer any skin that covers it.

**"Ve'achar kach porin es hakrum harach shelemata min ha'or betziporen"**. Afterwards one tears the soft membrane that is under the skin. What does it mean under the skin there is still something that is the soft membrane? A tissue or... another membrane means like a... another layer of skin. "**Shelemata min ha'or betziporen**", one does it with a fingernail to cut. "**Umachziro lechan ulechan**", one moves it around so that one shouldn't cut too much of the skin, but also not enough, so that one should remove all the excess. "**Umachziro lechan ulechan ad sheyera'eh besar ha'atarah**".

### Discussion: What Does "Machziro Lechan Ulechan" Mean?

#### Speaker 1:

The machziro lechan ulechan helps so that one shouldn't cut too much, one should only cut as much as is missing. That's not the word. "**Umachziro lechan ulechan ad sheyera'eh**". "**Ve'achar kach motztzin**". Lechan ulechan means one peels it. The skin, the... what we call the orlah.

#### Speaker 2:

So that you shouldn't... you won't know whether to cut too long. So you cut a bit, the kol ha'or you cut, and afterwards you tear a bit with the fingernail. I don't know. It's two different levels.

#### Speaker 1:

According to what the Rambam says, cutting one cuts the entire orlah, one piece, one like layer. Afterwards, under this there is still something of a skin, so says the Rambam. We, today's mohalim do it a bit differently, but under this there is still like a thinner skin, this one doesn't cut at all. One gives such a tear with the... fingernail, and one cuts it open lechan ulechan, one opens it up a bit.

### Metzitzah — The Law and the Reason

**And afterwards he performs metzitzah on the milah**, then one performs metzitzah on the milah, and the reason for metzitzah is **until the blood comes out from the distant places**, so that the blood that is there around the nakedness shouldn't remain stagnant, shouldn't become like a wound, **so that it should not come to danger**. The Rambam says, **any mohel who does not perform metzitzah**, a mohel who doesn't do the metzitzah which is an extra law regarding the danger to the child, an extra law regarding the health of the child, danger, **we remove him**, because he is not a good mohel, he is not careful enough, and so on.

**And after he performs metzitzah**, after metzitzah, one does a bit more, **we place upon it ispalanit or retiyah**, we put a bandage. I mean in those times the types of bandages were a leaf or such a thing, **and similar things**. I mean, ispalanit is already the bandage, and retiyah means the cream, the medicine that one puts? Or both mean the cloth? No, ispalanit is a cloth with an ointment, and retiyah is a cloth with an ointment. Both already have a bit of cream, a bit of something. I mean it's just terms from the Gemara.

**Discussion: Metzitzah with a Tube — An Important Question Speaker 1:**

It's very interesting, that is metzitzah, for example, it says in the Gemara that one must do it, this is perhaps a technique, the Rambam says that you should do it exactly this way. Afterwards, in the Gemara and in the Mishnah, ispalanit and retiyah and the like are mentioned. The Rambam says, he doesn't say that ispalanit is some sort of recipe of... The question is about metzitzah.

About metzitzah, once new methods came out, can you say just like regarding milah I don't care which type. The Rambam tells us clearly, **with anything one circumcises**. Here he tells us, with anything one performs metzitzah. The Rambam didn't know, there was no such thing as metzitzah with a tube. What the Rambam tells us, **one who does not perform metzitzah we remove him**. Metzitzah with a tube, what we call metzitzah with a tube, is still with the mouth, just with an interposition of a tube. With an interposition of a tube, that is, one can argue that the hand is... This is certainly not at all related. That is metzitzah... I don't know, all metzitzah with a tube is just that the mouth... What is called metzitzah with a tube means through some thing.

I mean, what I remember, one can say differently, you can make... Do things that are not metzitzah, you can put, perhaps today there are antibiotics, I don't know what, it's not impossible. Okay, it's a different question.

**Speaker 2:**

But you want to say that the knife with which one performs the brit, which is ostensibly the main mitzvah, that's what one does, that's what one removes the orlah with, I don't care what type of instrument. Every generation has its own instrument. The Rambam does give an answer, we are accustomed in Klal Yisrael. So metzitzah should also ostensibly be the same thing. Metzitzah is a matter of danger, whatever is the best type of matter of danger. But the Rambam doesn't tell us, for this one must look in other places.

**Speaker 1:**

Or say, because the Rambam means to learn the plain meaning in the Gemara, that the Mishnah which says "that were not separated" means it's not necessarily so, but metzitzah is yes. Until the Rambam's time it was close.

**Speaker 2:**

You want to say that today is different, we find that today is different, one must ask a contemporary rabbi, not the Rambam. It's not a question on the Rambam.

**Speaker 1:**

Yes. Okay.

**Halakha 3: Tzitzin That Invalidate the Milah**

**There are tzitzin that invalidate the milah.** After one performs the brit, there are many times... Many times? Or

there is such a thing as tzitzin, little pieces. Ah, ostensibly if one didn't cut well. The sugya comes. What invalidates the milah? There is what the law is that if one didn't completely cut off, tzitzin remained, whatever that means, little pieces, what invalidates the milah, there is a measure that invalidates.

**How so?** They said it, the Rambam said the definition of the word in Hilkhos Tzitzit. Tzitzit means a piece that sticks out. So tzitzin that invalidate the milah is also... Did you know that in brit milah there is also tzitzit? No, it's not the plain meaning. The plain meaning is that one didn't cut off.

**The Measure of Tzitzin That Invalidate**

**How so? If there remained from the skin of the orlah**, a piece of skin remained **that covers the majority of the height of the corona**, a piece of skin from it remained, **he is an arel as he was**, he has the status of an arel, because there is still orlah that covers the corona. He says **"the majority of the height of the corona"**.

**And this is what is called tzitzin that invalidate the milah**, that he cut the entire orlah, some little piece remained, but there is still a piece that is still a covering. **And if only a little remained from it**, if only tzitzin remained that is not a covering, the measure of covering, it doesn't invalidate.

**Separated / Did Not Separate — The Distinction**

What does one invalidate and one not invalidate mean? It's like this, **the mohel, as long as he is engaged in the milah**, as long as he is still in the middle, he is still standing there by the child with his knife, **he returns**, he must go back and he means he has already finished, the corona was revealed, but when he sees that there are tzitzin, the corona wasn't completely revealed, pieces still remained, **he returns both for tzitzin that invalidate**, he goes back and he perfects the cutting, to cut off all the pieces, whether the pieces that cover the majority of the height of the corona are invalidating, **and for tzitzin that do not invalidate**.

But **he separated**, after he has already finished the milah, the question is now whether he must go again and, I don't know, pain the child again, or something that one must do again, if the tzitzin invalidate, **he returns**, because it doesn't yet mean that he circumcised well, one must do it again. But tzitzin that don't invalidate, **he doesn't return**.

**The Simple Plain Meaning and the Rambam's Approach**

The question arises, what is the question? Simply, the Mishnah that speaks about this speaks about Shabbat. On Shabbat there is a prohibition to make the wound or to fix the brit milah, so if it's a tzitz that invalidates, which is a part of the mitzvah, one must return. If it doesn't invalidate, there is the distinction of separated and didn't separate. That's the simple plain meaning.

The Rambam doesn't sound, the Rambam doesn't say that we're speaking of Shabbat. It sounds from the Rambam that he means to say that even on a weekday there is this question, one shouldn't just bother the child. But we don't see this so strongly in the Acharonim. But the Rema says, as he says here on this page, that initially one should yes return even for tzitzin that don't invalidate if they are large.

The names of the categories of the question already say the entire law. **"Do not invalidate"** means one doesn't have to go back, one doesn't have to. The Rema says that it's actually yes, not separated, but not separated yes. Initially yes. Even tzitzin that don't invalidate, a milah comes, perhaps this is a

matter of beautifying the mitzvah, he hurries because not just to tear.

### **Circumcised but Did Not Uncover — As If He Did Not Circumcise**

There is a matter of "**circumcised but did not uncover the milah**". If he performed the milah but he didn't do the thing of uncovering with the fingernails, and a smaller skin still remained, **it's as if he did not circumcise**.

And this is indeed a matter of revealing the corona, everything is just a measure in how far milah goes. This is indeed a matter of revealing the corona. It's indeed about, because just as if the second skin still remained,

### **Halakha 4 (Continued): Circumcised but Did Not Uncover — Periah as Part of Milah**

#### **Speaker 1:**

Another matter, "**circumcised but did not uncover, it's as if he did not circumcise**". If he performed the milah, but he didn't do the thing of must uncover with the fingernails, and some small skin still remained, it's as if he did not circumcise.

And what you say, revealing the corona is always just a measure in how far milah goes, and there is something of a matter of revealing the corona. I ask you because if the second skin still remained, there is still no revealing of the corona. Or, and we take here the, how is it called? Well, folds that don't return to their place. What makes it not look like he is not circumcised? Well?

#### **Speaker 2:**

Ah, one who draws his foreskin.

#### **Speaker 1:**

There is such a matter that he covers back the orlah. I mean, it looks as if there is such a thing that the corona must be revealed. It's even kabbalistic words, the crown should be revealed, I don't know what. But ostensibly simply the corona being revealed is just a measure in the mitzvah, of how much one should cut.

### **Discussion: Periah — Biblical or Rabbinic?**

#### **Speaker 2:**

So, simply, as you say, there is a theory that says, I mean, we say "**circumcised but did not uncover, it's as if he did not circumcise**", that means that periah is biblical, it's a halakha from Moses at Sinai, it's exactly like milah. In the Torah it doesn't say periah, it says milah, and or the periah is included as another piece, so that's the completeness.

I saw a reasoning that says that the periah, in the Gemara it says that there are places where it says that there wasn't periah once, Abraham our father didn't do periah, periah was not given to Abraham our father. There are those who argue that the reason why it was added is, because if one does, so one argues technically, if one does plain just milah, then some skin remains that one can do the drawing of his foreskin, one pulls some skin and covers it. But periah makes it so it won't grow back, it won't be relevant to draw his foreskin. So periah makes the milah be, as one says, "no backsies", it doesn't go back. Interesting.

### **Revealing the Corona — More Than a Measure**

#### **Speaker 1:**

It says that the foundation of revealing the corona is something more than a measure. It's clear, no, it's clear that milah is indeed a sign for a Jew, besides it being a covenant cutting, the act of cutting, it's a sign of a Jew that in his body he goes without an orlah. So if a Jew goes, he pulls back the orlah, sorry, he disguised himself as a gentile in his body, right? A Jew may not disguise himself as a gentile. The whole point of those who draw their foreskin was, they wanted, one used to go there to the...

#### **Speaker 2:**

They wanted people to think they were circumcised. They were in the gymnasium, there where one used to go naked.

#### **Speaker 1:**

Yes, and there is a law, the Rambam didn't bring it, but there is a law in the laws of the bathhouse, yes, one shouldn't go covering the milah.

#### **Speaker 2:**

But I'm speaking later, later he will speak about appearing as an arel, there you see that it's a matter of appearance, it's not just appearance.

#### **Speaker 1:**

Yes, we're going to learn that now. There is a term of how do you call it, appearance, but I say it's like as a rule that one knows that a nice milah is not going to any... Yes, okay, I mean one should stop.

### **Halakha 5: A Child Whose Flesh is Soft and Flabby — Fleshy and Appearance**

#### **Speaker 2:**

Okay, halakha 5.

#### **Speaker 1:**

Yes. So for us, essentially the topic here is like the technical level of milah, how much one must cut, and we learned that there are tzitzin that invalidate and tzitzin that don't invalidate. Now we're also going to learn that there is something like rabbinically, and rabbinically one must sometimes cut more than it seems, yes?

#### **Speaker 2:**

I said a bit more clearly, that after we learned that a part of the mitzvah of milah is, or a reason or a sign, that the corona must be without skin, unless it's not large pieces which is the majority of the height of the corona, and even that the next piece one must return to tzitzin, we know that there is something of one must look circumcised. Automatically comes in the law, what happens with one who is circumcised, but for other reasons he can look like he's not circumcised.

#### **Speaker 1:**

Very good. There is something like besides the milah which is just a law to remove the corona, there is something of an appearance of a Jewish corona, as one says. A Jew has a different appearance in his...

### **The Rambam's Words: A Child Whose Flesh is Soft or Who is Fleshy**

#### **Speaker 2:**

"**A child whose flesh is very soft**", a child whose skin is very soft, and it's so easy it slides down, it's not stiff, something like that. "**Or who was fleshy**", or a child who is fleshy, who goes chubby, like today as one says chubby, yes, what means fleshy. Yes, one speaks my baby is on the eighth

percentile. But the child, fatter has more flesh for example at the place of milah. Even if one circumcises, it can look like he's not circumcised.

So what does one do then also like this, "**we view him at the time of erection**", then one looks when it's erect, then one sees circumcised, "**he doesn't need to be circumcised**". If when it's erect, then one sees he's circumcised, then one doesn't need anything. Right, erection can happen to a baby also, it's not desire. It's not a natural reaction. So when it becomes more stiff, so then it looks good.

#### **Innovation: Revealing the Corona at the Time of Erection**

So the Rambam explicitly tells us that the revealing the corona means the essence of revealing the corona, when there is erection, that's the point. But earlier he didn't tell us this. Right. Indeed once, the main cutting one cuts off the orlah, one knows what it is. Now one speaks that it's essentially not the orlah, it's another piece of skin that goes to cover it. Essentially, as the one who draws it will do it, right? The piece that the fleshy one has. It's not, flesh doesn't hang down from the sides. Something. It's understood that it's a type, by a normal child there is a bit of extra covering. And here, but I don't know to cut too much, what it's not seen, and he has a lot of flesh on to say. One didn't start he can cut how much the... And very much. One must ask someone. But how much one can cut. Okay, I really don't know.

#### **Speaker 1:**

If there is a mohel... One must ask a mohel practically what one speaks, because I don't understand how it can be such a piece. Yes.

#### **The Law of Appearance — Must Fix**

#### **Speaker 2:**

But in short, if at the time of erection, one can see he's already circumcised, it means he's circumcised "**he doesn't need**". But, says the Rambam, "**the law is one must fix the flesh from here and here, because of appearance**". It must however look like it's circumcised in a normal way at the time of erection. As it also says earlier, one pulls the skin in a manner that one should see. At the time of erection he also doesn't look circumcised, that means he is so strong, so much fleshy, or such strong flabbiness, then one must cut the edges to take flesh that's flabby from here and here, one must cut more from the sides, to the same term that the Rambam the corona revealed at the time of erection one must make.

In short, the Rambam told us here basically the law, that when it's hard to assess the revealing the corona for some reason, then one can check it based on the category of when it's in erection. But then, even if it's kosher because it's cut enough that the corona is revealed in erection, there is a matter of appearance.

#### **Discussion: How is Appearance Relevant by Milah?**

#### **Speaker 1:**

It's very interesting, because indeed how is appearance relevant? It's indeed a nakedness that you can never really like a place for appearance.

#### **Speaker 2:**

When one goes to the mikveh. By other places one says appearance, okay.

#### **Speaker 1:**

We spoke, I reminded you, I remember already, the Rambam brought a... We spoke about this already. There is a law that when one goes in a river to immerse or to wash, once it wasn't the custom that one goes with bathing suits. Also today lately, the Hasidic Jews you know, one doesn't go with bathing suits. You know about this, yes? One refrains from it. But I was told that the Bobover Rav, the old Hasidic Jews didn't used to go with bathing suits to swim. So then it says in the Gemara that at the time that one goes down into the water, one may not cover oneself, one used to go with the hands, so that they should not see the altars of the covenant of circumcision. So there is a plain meaning. But it can also be that appearance doesn't necessarily mean that someone will see.

#### **Speaker 2:**

Okay, I know, the thing is appearance is forbidden even in the innermost chambers, but here it's always in the innermost chambers. But one also sees the milah so that the gentiles should think, so we're speaking here in a society where the standards are different from ours.

#### **Three Levels in the Law of Milah**

#### **Speaker 1:**

The Rambam says further, what here what is with rabbinic words, the law of appearance is with rabbinic words. Ah, no, the law... Yes. Ostensibly, the entire law. Both details ostensibly, right? No, the thing that one who has soft and flabby flesh must cut more, this thing is rabbinic. "**From the Torah, even a small measure of an arel, he is circumcised and doesn't need to return and circumcise**". There are three levels. There is the biblical level, that the main thing is that one cut off a piece from the orlah, without the concern whether one can see or not. And we have here the rabbinic words, that it must also be the corona revealed, one should see that he's not an arel. And we have here the third level of appearance, that even if one already cut off...

#### **Speaker 2:**

Because there are two levels from the Rabbis. The second level is only — he doesn't say "tzarich letaken" (needs to be fixed), and the tzarich letaken is here how... It's an extra thing, it's not the same obligation. It's not an obligation from the law of milah, it's an obligation from the law of "veheyitem nekiyim" (you shall be clean), I know, from the law of *marit ayin* (appearance). I know, with the Rabbis, I know with the *divrei sofrim* (rabbinic words), but... yes, yes. That means, from the Torah, if the orlah is cut off, it's a good day. From the Rabbis, it also needs to look right. Both are *marit ayin*.

#### **Speaker 1:**

It says... I dissent on this, but bedieved (after the fact), as if it's one lesser level, that if there is an *ish sham* (someone there), it's kosher. It appears that the Rabbis indeed said that if there is no *giluy ha'atarah* (revealing of the corona), then the milah is lacking, he's not properly circumcised. And we have here an extra level of someone who is indeed properly circumcised, we have here a problem of *marit ayin*.

#### **Discussion: What is the difference between *giluy ha'atarah* and *marit ayin*?**

#### **Speaker 2:**

No, no. All milah is *giluy ha'atarah*. Every milah is *giluy ha'atarah*. Not everything is visible. There is another piece of flesh. This piece of flesh is not part of the orlah. You keep on

saying that it's a part of the orlah. I don't mean it that way. I mean that there is something that we know what orlah means. I don't know, ask a mohel technically. And that one certainly cuts off the whole thing. There are tzitzim she'einan me'akvin (fringes that don't invalidate), because that's such a small part next to the...

#### Speaker 1:

It appears so, because the Tzemach Tzedek indeed said about the Rabbis, "nir'eh arel kemo sheha'yah" (appears uncircumcised as he was). Nir'eh arel kemo sheha'yah. It's not a question whether from the Torah one fulfills the obligation by removing the orlah without giluy ha'atarah. There must be giluy ha'atarah. It's a different piece. So, what is in giluy ha'atarah is also there, there is as he says about marit ayin, there is because it's not so well circumcised. Right, that's already afterwards, after that level. One needs to ask a mohel what exactly is the...

#### Law 6: Milah on Shabbat – The act of milah and the instruments of milah

##### Speaker 2:

Now we're going to see the laws of when one performs a brit on Shabbat, what is yes and doesn't override Shabbat. He already said the essential thing that a brit overrides Shabbat. Milah bizmanah docheh Shabbat (circumcision in its time overrides Shabbat) he said in chapter 1. Now he's going to speak about the details of even if the act of milah itself overrides Shabbat, but will there be a melachah (forbidden labor) of metaken (fixing)? We spoke about this. It's not clear which melachah. Chovel (wounding)? A chovel that is metaken. It's not mekalkel (destructive). A chovel that is metaken.

##### Introduction: Milah bizmanah overrides Shabbat

Now we're going to see the laws when one performs a brit on Shabbat, what is yes and doesn't override Shabbat. He already said the essential thing that a brit overrides Shabbat, yes? Milah bizmanah docheh Shabbat, he said in chapter 1. Now he's going to speak about the details of this.

It means, even if the act of milah itself overrides Shabbat, a whole melachah of, what did we speak about? It's not clear which melachah, a chovel that is metaken. A chovel that is metaken, yes.

But what happens with the others? One needs to make additional preparations for the brit on Shabbat.

#### Law 6 (continued): One may do all the needs of milah on Shabbat

##### The Rambam's words: The needs of milah override Shabbat

So, says the Rambam, "**osin kol tzorchei milah beShabbat**" (one may do all the needs of milah on Shabbat), one can do everything that's needed for the mitzvah of milah. That means, "**molin, pore'in, umotztzin**" (we circumcise, uncover, and suck), the three labors of milah.

And one may also "**vechozer al tzitzin hame'akvin aflu shepeirash, ve'al tzitzin she'einan me'akvin kol zman shelo peirash**" (return to the fringes that invalidate even if he separated, and to the fringes that don't invalidate as long as he hasn't separated). On Shabbat we deal with the issue of tzitzin the same way as during the week. We don't say okay, complete it after Shabbat, rather we do it on Shabbat, because it's me'akev (invalidating).

#### Innovation: The distinction between "doesn't need to" and "may not" regarding tzitzin

And the innovation is this, we spoke about this earlier, that the Rambam brought the law of tzitzin hame'akvin, that after he separated one doesn't need to anymore, even during the week. But on Shabbat one may not, not just one doesn't need to, but one may not. If he separated, he may not return, because Shabbat is here. Yes.

It's not so clear why he needs to tell us this, I would have told you why. Earlier he only said that during the week one doesn't need to, now he says that on Shabbat one may not.

But on the other hand, the tzitzin she'einan me'akvin, kol zman shelo peirash (as long as he hasn't separated), one may even on Shabbat, kol zman shelo peirash. This is an innovation. You could say that he was already yotzei (fulfilled the obligation).

Right, now it's a different melachah. It's still part of the mitzvah milah ketakanah (the mitzvah of milah as ordained), and as long as there's no separation, it's still part of the mitzvah milah. Yes.

##### Isplanit also overrides Shabbat

"**Venotnin aleha isplanit**" (and one places isplanit on it), one may afterwards place the bandage, whatever, for healing the... These things override Shabbat.

#### The instruments of milah don't override Shabbat

##### The principle: The distinction between tzorchei milah and machshirei milah

But what doesn't, is this, "**machshirei milah**" (instruments of milah). There is the first thing called "tzorchei milah" (needs of milah). Tzorchei milah means the direct thing that the mohel does with the child. But preparing for the milah is "**einan dochin et haShabbat**" (don't override Shabbat).

We spoke yesterday regarding the laws of birchat hanehenin (blessings of enjoyment), the Rambam doesn't give any distinction between machshirim (instruments) and the actual doing. Here he gives us an example regarding another thing, a distinction between things that are preparations for a mitzvah, for example boneh sukkah (building a sukkah) versus actually going into the sukkah. Here is the example regarding what machshirei milah means.

##### Machshirei milah – a concept from tractate Shabbat

Machshirei milah is a concept from tractate Shabbat. Yes, there was a dispute among the Tannaim. Rabbi Eliezer said machshirei milah docheh Shabbat (the instruments of milah override Shabbat). A machshir is exactly not doing the milah, but bringing a knife, washing it, and the like.

##### What are tzorchei milah?

I think that tzorchei milah also, the Rambam doesn't make it so clear, but tzorchei milah means the act of the mitzvah. That means, milah and priah are me'akvin the mitzvah, and metzitzah is simply about pikuach nefesh (saving a life). It's not or placing isplanit on it, otherwise one cannot circumcise.

Actually, there's also a dispute about priah. Otherwise it's not tzorchei milah. Otherwise it's not like two things are here that override Shabbat, milah with danger. It's milah, because otherwise one cannot circumcise.

Very good. So you could say, as if, if milah weren't a mitzvah, one wouldn't be allowed to do these things. But now that one must perform the mitzvah milah, one must place the isplanit.

**Machshirei milah don't override even rabbinic prohibitions**  
But what doesn't? But machshirei milah, things that are to prepare the milah, don't override Shabbat.

**Keitzad? Ein meviyin izmel mimakom lemakom** (How so? One doesn't bring a knife from place to place). One may not now go bring a knife, **afilu bemavoy she'eino mefulash** (even in an alley that isn't open), even in a place that isn't a reshut harabim (public domain) which is forbidden on Shabbat from the Torah, but a mavoy she'eino mefulash, which is forbidden rabbinically, one still may not do it. Machshirei milah doesn't even override rabbinic law.

**Afilu bemavoy she'eino mefulash, ein meviyin izmel mechatzer lechatzer** (Even in an alley that isn't open, one doesn't bring a knife from courtyard to courtyard). For one eruv of their words, the mitzvah of eruv which is from the words of the Sages, is not pushed aside because of bringing the knife.

**The reason: Ve'efshar lehavi me'erev Shabbat**

Why? Says the Rambam, **lamah zeh?** (why is this?) Why don't all machshirei milah override even rabbinically? **Ve'efshar lehavi me'erev Shabbat** (and it's possible to bring from before Shabbat). Because all things that one could have done before Shabbat, milah itself isn't relevant to do before Shabbat, because the mitzvah is "bayom hashemini yimol" (on the eighth day he shall be circumcised), and Shabbat happened to fall on the eighth day. But all these matters of preparation the person could have done before Shabbat. If he didn't do it, it's too bad, one doesn't circumcise on Shabbat.

And consequently the same reasoning applies to rabbinic law. The Gemara says that the whole thing is only from the Torah, this is about rabbinic law. But the same reasoning, that you can bring it before Shabbat.

**Law 7: Specific instruments that don't override Shabbat**

**The Rambam's words: Spices, hot water, isplanit, wine and oil**

Okay, in short, **ein shochakin lah samanin** (one doesn't grind spices for it). This is an interesting law, because the possibility isn't simply that it's a penalty for the person who neglected and didn't do it. It's a mitzvah that needs to be done. And on the eighth day it's simple that the mitzvah is important enough that it's more important than Shabbat.

But it's important enough that things that one needs to do... Don't forget, there was a law in the Gemara why one slaughters on the eighth day on Shabbat. But the point is, you'll need to say, certainly you need to, but the mitzvah overrides Shabbat, that what one needs, but it's called bring your knife on Shabbat, bring it around Shabbat.

**Discussion: Is this a penalty or an essential law?**

Consequently, what are you telling me now, that it's a penalty? And you know that the mitzvah of on the eighth day is an important enough mitzvah, it overrides Shabbat. It's simple that anything that's needed to be able to circumcise on the eighth day, seemingly, if you go with the same logic. If you say it's needed, but it's not needed. You can bring it before Shabbat.

But now it's Shabbat, and it's not here, and you need to bring it before Shabbat. Yes, but now it's Shabbat. The question is which mitzvah is more known? On the eighth day he shall be

circumcised, or the mitzvah of keeping Shabbat? You say Shabbat in this situation is more important.

Because Shabbat didn't override machshirei milah lechatchilah (initially). What you're saying he would have held, but the Sages didn't hold that way.

**Reasoning: When a person is mezalzel in Shabbat**

Okay, yes. In short, no, I have something like my reasoning is like that when a person is, the mitzvah milah itself overrides Shabbat, already, you know. But when a person is as if beginning to be mezalzel (disrespectful) of Shabbat, things that he could have done also before, is much more of a desecration of Shabbat. I don't believe that's the word, but that was a dispute among the Tannaim, but I think that...

**More instruments that one doesn't do on Shabbat**

Already, the Rambam goes in and says more things that one doesn't do on Shabbat for the same reason because one could have done it before Shabbat.

**Ein shochakin samanin** (one doesn't grind spices), one doesn't grind spices to heal the child. **Ein mechamim lo chamin** (one doesn't heat water for him), one may not cook water on Shabbat to make hot water. **Ve'ein osin lo isplanit** (and one doesn't make isplanit for him), one doesn't prepare the bandage. **Ve'ein torfin yayin veshemen** (and one doesn't mix wine and oil), also was a type of medicine that one would mix wine and oil for the birthing mother.

By the way, torfin yayin veshemen, this is seemingly only a shevut (rabbinic prohibition) of being involved in medicine.

Yes, could be, could be that the Rambam didn't want to go into this, could be that the Rambam has no distinction. By some of them one doesn't do, by the other things there is a solution.

**Solutions bedieved: If one didn't grind cumin before Shabbat**

Already, because all these things one could have done before Shabbat. But here there is a distinction: **lo shachak kamon me'erev Shabbat** (if one didn't grind cumin before Shabbat), if a person didn't grind cumin, the Rambam ruled that on the things where ein shochakin samanin he didn't give any permission, but here he did. This is lo shachak kamon, this is lo shachak kamon. In other words, on these things there is indeed a solution, since this is a rabbinic prohibition, or since this is needed.

On heating he has no permission, that one should bring a non-Jew, I don't know what. Again, on the hot water, we spoke about this, one can make it before Shabbat, make a blech (hot plate). But if you didn't have, let's see what one can do.

**Discussion: What does the Rambam mean by "lo shachak kamon"?**

Yes, he says, look what he says. Lechatchilah one needs to prepare this before Shabbat. Lo shachak samanin, no, he's speaking here about cumin, he's speaking here about cumin. He means to say that this is only the most important of the spices, etc. The spices that are here are less important, but take what is really important, the cumin. He brings an example of this.

**The Rambam's words: Solutions with a change**

So **lo shachak kamon me'erev Shabbat, one can do it with a change so it won't be called grinding, it won't be called actual grinding. Shocheq beshinuy al yedei netinah** (grinds with a change by means of giving), he grinds it with his teeth, that's not called grinding, and he places it. **Lo**

**taraf lo yayin veshemen** (if he didn't mix wine and oil for him), if he didn't mix wine and oil, **noten zeh le'atzmo vezeh le'atzmo** (gives this by itself and this by itself), he gives this already more as advice. He can pour a little wine and a little oil.

**The principle: Kol she'efshar la'asoto me'erev Shabbat ein docheh Shabbat**

**Zeh haklal, kol she'efshar la'asoto me'erev Shabbat ein docheh Shabbat** (This is the principle, anything that's possible to do before Shabbat doesn't override Shabbat). Something that one could have prepared before Shabbat doesn't override Shabbat. **Aval bedieved im shachach velo hechin...** (But after the fact if he forgot and didn't prepare...) Ah, that means except for the things that one can do permissibly. **Im shachach velo hechin hamachshirim** (if he forgot and didn't prepare the instruments) and there's no way to do without desecrating Shabbat...

Machshirim means the knife and the like?

Yes, or anything, the hot water. Seemingly also, but let's see the next day. But what there is hot water leit shi (makes no difference), one should circumcise the next day.

**Law 8: Circumcising the child on Shabbat — when danger overrides Shabbat**

**When one has already circumcised and a problem arises**

What happens **milat hakatan beShabbat?** (circumcising the child on Shabbat?) One circumcised the child on Shabbat, and had things ready. That means, the person did according to law and prepared before Shabbat what was needed. But **ach im nitpazru hachamin o nitpazru hasamanim** (but if the hot water spilled or the spices scattered), the hot water or the spices that he prepared were spilled or became lost, here you can... The child is already circumcised. It's true, milah doesn't override Shabbat, but danger does override Shabbat. Don't make any calculations when it comes to danger.

**La'asot lo kol tzrachav beShabbat, she'ein sakanah zo...** (to do all his needs on Shabbat, for this danger is not...) May we indeed do everything on Shabbat, because it's a danger for the child if we don't warm hot water for him, because in such a case danger certainly overrides Shabbat.

**The distinction: Danger versus machshirei milah**

It's different words. In such a case we don't say "hoil ve'efshar la'asoto" (since it's possible to do it), because he actually did it before Shabbat. But we don't even need to come to this, because danger, even if we were the greatest criminals, danger still overrides Shabbat.

What he's saying is, if you didn't prepare hot water before Shabbat, you forgot, it makes no difference, you'll circumcise tomorrow. Because that's the law, machshirei milah don't override Shabbat. You have no right to do something, even if it's a mitzvah, that will lead to desecration of Shabbat, don't do it.

But if you did it permissibly, you circumcised according to the law of milah, now you have a problem that you need hot water, the question doesn't begin. Danger.

**Innovation: The word is danger, not penalty**

But this is the innovation, that even... It's a nice inference. The word is because of danger. For example, if a person prepared hot water and it spilled, right before the brit milah, that's a penalty, and consequently now I don't have the penalty. The word isn't the penalty. The word is when one has already

circumcised it's a danger. The word is danger, but with danger one doesn't make calculations. Consequently it's good.

**Washing the child on Shabbat**

Says the Rambam a bit explaining the things that one does on Shabbat. **Makom shedarkho lerachitz et hakatan** (in a place where it's customary to wash the child) is a child that one needs to prepare the prep.

**Law 8 (continued): Washing the child on Shabbat — when and how**

**Speaker 1:**

The word is danger, and with danger one doesn't make calculations.

**Molin oto beShabbat** (We circumcise him on Shabbat). Says the Rambam a bit explaining the things that one does on Shabbat. **Makom shenohagu lirchatz et hakatan** (In a place where they are accustomed to wash the child), where the medical authorities say to wash the child after the milah or before the milah, **marchitzin oto beShabbat bein lifnei hamilah bein le'achar hamilah** (we wash him on Shabbat whether before the milah or after the milah). If that's the custom, that it's good for the child that one should wash him before the milah or after the milah.

The same thing, if it's the custom that on the third day of milah one needs to wash, **bishlishi shel milah shachal lihyot beShabbat, bein rechitzat kol gufo bein rechitzat milah** (on the third day of milah that falls on Shabbat, whether washing his whole body or washing the milah), one may do it. **Bein mechamim lo chamin me'erev Shabbat, bein mechamim lo beShabbat** (Whether one heats water for him before Shabbat, or heats for him on Shabbat), one may indeed do it either on the day of the brit, or on the third day of milah, one may do it either heating water before Shabbat, which is the proper way so there won't be washing.

**Discussion: Why may one make hot water on Shabbat? Through a non-Jew?**

**Speaker 2:**

Right. Yes yes. Generally, yes, on Shabbat one doesn't do, true. Even for a baby we say that washing is forbidden, a rabbinic prohibition. Bein mechamim lo beShabbat, what is this another rabbinic prohibition, which means through a non-Jew?

**Speaker 1:**

Why does one do it on Shabbat? Not a non-Jew, where did you come to a non-Jew? Yes, through a Jew.

It means, it could be that it's better to prepare from before Shabbat, but the Rambam says that one needs to prepare from before Shabbat even. He only says that seemingly as you say, he says **bein mechamim lo beShabbat** (whether one heats for him on Shabbat), sorry, **me'erev Shabbat** (before Shabbat), he means because this would also have to be rabbinically forbidden, at least, with washing on Shabbat, as the Rambam had luck in the laws of Shabbat. But here one may do this, one may even cook on Shabbat which is a danger.

**Discussion: The question of "lifnei hamilah" — and the answer**

**Speaker 2:**

No, but what does it say **bein lifnei hamilah** (whether before the milah), here is the problem. Not necessarily lifnei

hamilah, one can mean through a non-Jew.

**Speaker 1:**

What comes in a non-Jew? It doesn't say a non-Jew.

**Speaker 2:**

But what does he say, before the circumcision (lifnei hamilah)? Why should one warm it?

**Speaker 1:**

A non-Jew doesn't make sense. A non-Jew doesn't make sense, one shouldn't think up things that don't make sense. The answer is, if one needs to make hot water (chamin) before the circumcision and you're not doing the circumcision today, there is no "before the circumcision." We're not talking about that. Just as we heard earlier, that if one didn't prepare one of the instruments, one doesn't perform the brit on Shabbat. What it says that "one warms on Shabbat" means after the circumcision (achar hamilah), or another case, or the third day after the circumcision when the brit was on Thursday, and the like. So the person below says, I saw what I meant. But simply, one doesn't need to try to understand the reasoning.

With a non-Jew I don't know what the point will help. The Rema learned it differently there than us, that's why he struggled with it and he argues with the Rema, because the Rema understood that "they warm hot water for him on Shabbat" applies also to before the circumcision. He asks, why should one make it before the circumcision? He says perhaps through a non-Jew. But if one explains that one learns like us, that the warming applies to the second case, one must understand on one's own that before the circumcision one doesn't do the preparations for circumcision. There is no circumcision today! We already learned that it's an invalid circumcision if one didn't prepare. Apparently it's simple.

**Telling a Non-Jew: He Forgot and Didn't Bring a Knife Before Shabbat**

**Speaker 1:**

Okay. Now we're going to learn about a non-Jew. **He forgot and didn't bring a knife before Shabbat.** What happens? The Rema told us that one may not bring on Shabbat a knife, even only through a rabbinic prohibition. Even not with a rabbinic prohibition. Even a rabbinic prohibition one may not. No, even "and he brings it not in the usual manner" (shelo al yedei issur). A person wants to make a brit on Shabbat, and he realized that he didn't bring a knife to the place where the child is before Shabbat. What one may indeed do is, **we tell a non-Jew to bring a knife on Shabbat.** One may indeed tell a non-Jew to bring a knife on Shabbat. But **provided that he doesn't bring it through the public domain (reshut harabim).** The non-Jew also may not carry it through the public domain. That means, one may tell a non-Jew to do a rabbinic prohibition. It says that the non-Jew himself also may not do any Torah prohibition. The non-Jew may do what we learned earlier that the Jew may not do, go through the courtyards. What is only a rabbinic prohibition, which is two rabbinic prohibitions, you're telling a non-Jew only to do one rabbinic prohibition, that one may say. The Rema explains this. **Anything whose prohibition on Shabbat is forbidden to us because of shevut (rabbinic decree),** something which that thing is only forbidden because of shevut to do on Shabbat, such as for example carrying through courtyards, **it is permitted to tell a non-Jew to do it in order to perform a mitzvah in its proper time,** one may

have a non-Jew do it, for the sake of a mitzvah one may have a non-Jew do a rabbinic labor.

**But something whose prohibition on Shabbat is forbidden to us because of labor (melacha), it is forbidden to tell a non-Jew to do it on Shabbat,** if it's something that is forbidden to us, it's a proper Torah prohibition like the public domain, one may not tell the non-Jew, that is the prohibition of shevut, one may not tell the non-Jew to do it on Shabbat even for a mitzvah.

**Discussion: Can One Tell a Non-Jew to Circumcise?**

**Speaker 2:**

The Rambam says, preparations for circumcision even in its proper time, one regarding Yom Tov, I just learned that preparations for circumcision on Yom Tov that it's the Rambam the same thing, that regarding Yom Tov, it's the novelty, its proper time even when it is on the eighth day which happens to be on Yom Tov, it turns out that on Yom Tov, I may not do preparations for circumcision, preparations for circumcision do not override Yom Tov, since it was possible to do them before Yom Tov.

I can ask you a question, but with difficulty there's a non-Jew standing, can one say, in order to perform a mitzvah in its proper time.

**Speaker 1:**

Ah, it's simple, because if it's not on the eighth day it doesn't make us Shabbat. But I'm telling you, we're not just standing to do a mitzvah, the mitzvah that stands on the actual brit. You can't say they should make a brit on Shabbat, a non-Jew doesn't circumcise. Or have a non-Jew circumcise like Shmuel. Recognize for the sake of a great worker, yes. No, for the sake of a worker it's valid, but not that he should. From the Mishnah it's forbidden, forbidden we don't let a non-Jew. You understand.

**Preparations for Circumcision on Yom Tov — Kal Vachomer (A Fortiori Argument)**

**Speaker 1:**

The Rambam says, **and how much more so (kal vachomer) are these matters, and if preparations for circumcision which don't override Shabbat whose prohibition is by stoning,** preparations for circumcision are indeed not overriding Shabbat, **they will not override Yom Tov whose prohibition is by a negative commandment.** So, a Yom Tov is indeed not as severe as Shabbat, not stoning, but it's a negative commandment. So a preparation for food also cannot merit a negative commandment. Not only Shabbat he doesn't merit, he also doesn't merit a negative commandment. But what yes, there are things that are easier. Why on Yom Tov may one indeed do labors for food preparation (ochel nefesh)? On Yom Tov one may indeed do labors in the kitchen, labors for food preparation. So one may indeed do many things, the spices that one struggled with what happens if a Jew didn't prepare the cumin with the things for the child. But on Yom Tov one may indeed do many things, the spices on Yom Tov, because it was permitted regarding the pot, the spices one can also use for cooking, one may indeed make. In the laws of Yom Tov we learned that because it's fresher, yes, something that comes out fresher, it will afterwards increase the pleasure of Yom Tov, one may indeed do on Yom Tov, because it was permitted

regarding the pot. And the same thing, Torah gave it and placed it, because Yom Tov is also something that one may do. Very good. So, we have finished chapter nineteen.

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