

Laws of Circumcision, Chapter 3 (Auto Translated)

English

Auto Translated

Shiur Overview

Summary of the Lecture: Laws of Circumcision, Chapter 3 – Order of Blessings of Circumcision and Conclusion of Sefer Ahavah

A. The Mohel's Blessing: "Al HaMilah" or "Lamul Et HaBen"

Words of the Rambam: "The mohel blesses before he circumcises: Who has sanctified us with His commandments and commanded us concerning circumcision. And if he circumcises his son, he blesses 'and commanded us to circumcise the son.'"

Plain Meaning:

The mohel makes a birkat hamitzvot before circumcising. If he circumcises someone else's child, he says "al hamilah." If the father circumcises his own child, he says "lamul et haben."

Insights and Explanations:

1) The Distinction Between "Al" and "L-" – Two Separate Mitzvot:

The distinction between "al hamilah" and "lamul" is not merely a matter of text, but reflects **two separate mitzvot**:

- **A general mitzvah upon all of Israel** – that every uncircumcised person among Jews should be circumcised. For this, a non-father mohel says "al hamilah."

- **An additional mitzvah upon the father** – "the father has [a mitzvah] to circumcise his son," a special obligation upon the father to circumcise his own child. For this, the father says "lamul."

This accords with the **principle that the Rambam already brought in Hilchot Berachot**: when one performs a mitzvah for oneself, one says it with "l-" (lamul, leishiv basukkah), and when one performs it for another, one says "al" (al hamilah, al netilat yadayim), with certain exceptions (al mikra megillah, al tekiat shofar, etc.).

B. The Blessing "Lehachniso Bivrito Shel Avraham Avinu"

Words of the Rambam: "The father of the child blesses another blessing: Who has sanctified us with His commandments and commanded us to bring him into the covenant of Abraham our father. For the mitzvah upon the father to circumcise his son is in addition to the mitzvah that all Israel is commanded that all uncircumcised among them should be circumcised. Therefore, if the father is not there – others do not bless this blessing."

Plain Meaning:

Besides the blessing of "al hamilah" / "lamul," the father makes another blessing: "lehachniso bivrito shel Avraham Avinu." This is a blessing on the **additional mitzvah** that lies

specifically upon the father. If the father is not there (or not present), no one makes this blessing.

Insights and Explanations:

1) "Lehachniso" is a Birkat HaMitzvot, Not Just a Birkat HaShevach:

The Rambam holds that "lehachniso" is a birkat hamitzvot (with the text "vetzivanu"), which corresponds to a **separate mitzvah** – the father's special obligation to circumcise his son. This is not a duplicate of "al hamilah" / "lamul," but a blessing on a **second mitzvah** that exists by brit milah.

2) Why Another Cannot Make "Lehachniso":

If "lehachniso" is a blessing on the father's own additional mitzvah, it makes no sense that a stranger – even a beit din or a representative of Klal Yisrael – should make this blessing. The general mitzvah of Klal Yisrael already has its blessing: "al hamilah." "Lehachniso" belongs exclusively to the father.

3) The Rambam Brings a Dissenting Opinion:

"And there is one who ruled that the members of the beit din or one of them should bless" – there are those who hold that beit din or one of them can make "lehachniso" even when the father is not there. The Rambam rejects this opinion.

Explanation of the Dissenting Opinion: They hold that it's not two separate mitzvot, but **one mitzvah** upon Klal Yisrael, and the father is merely a "mitzvah min hamuvchar." Therefore, a representative of Klal Yisrael can also make "lehachniso."

4) The Opinion of the Ra'avad:

The **Ra'avad** holds like the opinion that the Rambam rejects, and says that **the sandek** makes "lehachniso." The Ra'avad's reasoning: the sandek is the "machnis" – he represents Klal Yisrael who brings the boy into the covenant of Abraham our father. According to the Ra'avad, "lehachniso" makes sense even for a stranger, because he is the machnis in actuality.

5) A Person Who Circumcises Himself as an Adult – Does He Say "Lehachniso"?

When an adult circumcises himself, does he say "lehachniso"? **According to the Rambam – no.** "Lehachniso" is specifically the mitzvah of the **father** upon his **child**. An adult who circumcises himself fulfills a mitzvah, but not the mitzvah of "the father has [a mitzvah] to circumcise his son." He doesn't have the "lehachniso" aspect. Even if he has a stronger obligation (because karet is upon him), it's not the same mitzvah as "the father has [a mitzvah] to circumcise his son," and he doesn't say "lehachniso."

6) "Bivrito Shel Avraham Avinu" – Two Layers in Mitzvat Milah:

In the blessing "lehachniso bivrito shel Avraham Avinu" lie **both layers** of mitzvot milah:

- **"Who has sanctified us with His commandments and commanded us"** – this refers to the mitzvah as it was

given through **Moshe Rabbeinu at Sinai** (as the Mishnah says that the obligation stems from Sinai).

- **"Bivrito shel Avraham Avinu"** – this recalls the **historical origin** by Abraham our father, which is even older, a part of the founding of Klal Yisrael.

It's not "mitzvotav shel Avraham Avinu" – it's not Abraham's mitzvah, but the covenant that was given to Abraham, and we have a part in it through fulfilling mitzvot milah. Thus, in one blessing is united the Sinai aspect (obligation/command) with the Abraham aspect (covenant/history).

7) Comparison to Mitzvat Talmud Torah:

Just as by talmud Torah there is a general mitzvah upon all Jews to learn Torah, **and specifically** a mitzvah upon the father to teach his son – so too by milah: a general mitzvah upon Klal Yisrael that every uncircumcised person should be circumcised, **and specifically** an additional mitzvah upon the father to circumcise his son.

8) "Lehachniso" – Before or After the Brit:

On the third blessing "asher kidash" the Rambam explicitly says "and afterwards" – after the brit. But on "lehachniso" the Rambam **did not explicitly say** whether one makes it before or after the brit. From his language it is **implied** that one makes it **before** the brit, and that's what we do.

9) Teshuvat HaRambam – "Lehachniso" is a Birkat HaShevach:

In a **responsum** the Rambam said that "lehachniso" is **not a birkat hamitzvot**, but a **birkat hashevach**. Therefore, one can make it **afterwards** as well – birkat hamitzvot must be made beforehand, but a birkat hashevach can be made after the mitzvah.

Question on the Responsum: This doesn't fit **well** with what the Rambam says here in Hilchot Milah: he says it's a **mitzvah upon the father to circumcise his son** – that sounds like a birkat hamitzvot! One can answer that he's only explaining why specifically the father can say this text – but the blessing itself is a shevach.

10) Teshuvat Rabbi Avraham ben HaRambam:

There is **another responsum** from the **Rambam's son, Rabbi Avraham**, which says that the Rambam **in practice** said that one must say the blessing **beforehand**, and not as **Rav Hai Gaon** said that one can say it afterwards as well. This fits better with what it says here in the Rambam, and perhaps the Rambam retracted later from his responsum. In practice, we conduct ourselves that one says it **beforehand** or **during the act** – right after the mohel's blessing of "al hamilah."

C. General Notes About the Structure of Blessings at a Brit Milah

Three Types of Blessings at a Brit:

At a brit milah there are **three types of blessings**:

1. **Birkat HaMitzvot** – "al hamilah" / "lamul" – on the mitzvah itself.
2. **Birkat HaShevach** – one praises the Almighty for the covenant, for His having made a covenant with Abraham our father.
3. **Request/Prayer** – "keshem shenichnas labrit ken yikanes leTorah ulchuppah ulma'asim tovim" – a prayer for the child.

The Order of Three Blessings – Three Participants:

The normal order of a brit is: a father, a mohel, and the public. Each gets a blessing: the mohel – "al hamilah," the father – "lehachniso," the public – "keshem shehichnasto."

[Digression: The maggid shiur compares this to the campaign for the beit hamidrash – mitzvah, shevach, and bakasha – as a metaphor for talmud Torah.]

D. The Blessing of Those Standing: "Keshem Shehichnasto Labrit..."

Words of the Rambam: "And if there were people standing there, they say: Just as You have brought him into the covenant, so may You bring him to Torah, to the marriage canopy, and to good deeds."

Plain Meaning:

If there are people at the brit, they say a blessing/prayer for the child: just as You have brought him into the covenant, so may You bring him to Torah, chuppah, and good deeds.

Insights and Explanations:

1) The Text "Keshem Shehichnasto" – What Does "Keshem" Mean:

Many people want to make special interpretations of the word "keshem." "Keshem" is simply a poetic formulation – one wants to connect the moment of brit with a request for the child's future. It's similar to what one says at other celebrations.

2) "Torah, Chuppah Uma'asim Tovim" – Different Levels of Obligation:

- **Torah** – the father has a real obligation of talmud Torah for the child (as learned in Hilchot Talmud Torah), he should bring him to cheder.

- **Chuppah** – the father doesn't have a formal obligation, but the practice is that one brings a child to chuppah.

- **Ma'asim Tovim** – one cannot do good deeds for him, but one asks that he should merit this.

3) The Status of "Keshem Shehichnasto" – A Takanah, Not Just a Custom:

Many people think that "keshem shenichnas" is just something one says, not a formal blessing. From the Rambam one sees, however, that he understands it as a **takanah** of the Sages. The **Gilyon Maharsha** in Hilchot Berachot brings that there are "things that the Sages enacted that don't have an opening and closing" – the Sages enacted various types of blessings and recitations, not all have "baruch," but it's also a blessing with a takanah.

4) "And If There Were People Standing There" – Optional or Obligatory?

The language "and if there were people standing there" is proof that the Rambam views this as **optional** (not me'akev). If it were an obligation, he would have written "and those standing say" (without a condition).

5) The Rambam Doesn't Bring an Obligation of a Minyan at a Brit:

The Rambam doesn't mention that one must bring a minyan for a brit milah. The Shulchan Aruch writes that one should ideally bring a minyan, but by the Rambam it's not there. Even if there is a concept of "berov am hadrat melech," that's a

general principle for all mitzvot, not a specific law in brit milah.

[Digression: A story about a brit in private – a Jew wanted to make a brit in private, only with the mohel and the household members. Three proofs were brought that one needs a public. One of them: it says "adayin otanu oseh besimchah" – "besimchah" means one makes a celebration. The Jew answered that the correct text is "oseh befarhesya" (publicly), not "besimchah." But even "besimchah" doesn't mean just a good mood, but with a simchah, a celebration.]

6) The Role of the "Omdim":

The omdim represent Klal Yisrael. They stand there because the covenant of Abraham our father is the foundation of Judaism – to be a part of the covenant. The public has a role to actualize in practice the covenant of Abraham our father. "Now you are a part of the Jews" – that's what the omdim express.

E. The Blessing "Asher Kidash Yedid Mibeten"

Words of the Rambam: "The father of the child or the mohel or one of those standing there blesses: Blessed are You, Hashem our God, King of the universe, Who sanctified the beloved one from the womb, and placed a statute in his flesh, and sealed his offspring with the sign of the holy covenant. Therefore, in reward for this, the living God, our portion forever, our Rock commanded to save the beloved of our flesh from the pit..."

Plain Meaning:

This is a blessing that can be said either by the father, or the mohel, or one of those standing. The text is a poetic blessing that recalls the covenant of Abraham our father and Yitzchak, and one asks for the child.

Insights and Explanations:

1) "The Father of the Child or the Mohel or One of Those Standing" – Why All Three:

The Rambam mentions all three options. He wouldn't have said "one of those standing" alone, because one would have thought that the father may not say it. The Rambam shows that a brit comes with three types of participants: father, mohel, and one standing – and each of them can say this.

2) "Yedid Mibeten" = Yitzchak Avinu (Rashi):

The Rambam himself doesn't explain the text, but **Rashi** explains that "yedid mibeten" means **Yitzchak Avinu**. Yitzchak was sanctified "from the womb" – he was born after Abraham our father already went through his brit. He was born to a Jewish father, and right after eight days they made him a brit – unlike his father Abraham (who was circumcised later in life) and Yishmael (who was circumcised at thirteen years).

3) "Vechok Besharo Sam" – Two Meanings of "Chok":

(a) Chok = engraved (chakuk) – a physical sign in his flesh, a covenant.

(b) Chok = a mitzvah, a fixed thing, a practice (like "lechem chukkam").

Both meanings are possible: the Almighty placed a chok in his flesh – either a physical sign or a mitzvah.

4) "Vetze'tza'av Chotam Be'ot Brit Kodesh" – Who is the "Chotam"?

The "chotam" is the Almighty – He stamps with the sign of a holy covenant. But the mohel does the act in practice. This is the same principle as all blessings: "hamotzi lechem min ha'aretz" – the Almighty brings forth bread, though people bake it. **The Almighty seals through all those who do avodat Hashem.** Every blessing comes to say that what happens in nature or what people do – the Almighty does.

5) "Al Ken Bishchar Zot Kel Chai Chelkeinu La'ad" – The Brit as a Deal of Two Sides:

The brit is a deal of two sides: Jews make the brit (ot brit kodesh), and correspondingly – the Almighty is "our portion forever," He is our God forever. This is the reward, the other side of the covenant.

6) The Structure of the Blessing – Shevach and Bakasha (According to the Rambam's Responsum):

The Rambam explained in a **responsum** that the first part (until "al ken") is **shevach** – one thanks the Almighty for what He did for our ancestors. From "al ken" onward – "tzureinu tzivah" – one begins to **pray**, a request.

7) "Tzivita Lehatzil Yedidut She'areinu Mishachat" – The Meaning of "Tzivita":

The word "tzivita" is explained not only as a command/order, but as a promise – just as the Almighty promised the "kedoshim" (Abraham our father and his children) that there would be a covenant of two sides: they will fulfill the brit milah, and the Almighty will be "lahem le'Elokim." We therefore ask: do as You "commanded the kedoshim" – may You save "the beloved of our flesh from the pit."

8) "Yedidut She'areinu" – Two Meanings:

- **Simple meaning:** "Yedidut she'areinu" means the descendants of the "yedid" (Abraham our father), which fits with the beginning of the blessing "yedid mibeten" – a continuation of the motif.

- **The Rambam's meaning (in his responsum):** "Yedidut she'areinu" means "the beloved thing" – the most beloved thing of our flesh, which is our **life, our nefesh/neshamah/da'at**. We ask that through the brit milah our neshamah should be saved "from the pit" – from Gehinnom. This fits with the Rambam's introduction to Sefer Ahavah: "the sign in our flesh to remember Hashem always" – the sign of milah reminds us constantly of the Almighty, and through this one is saved from Gehinnom. This is a **salvation of the soul** through the covenant.

9) "Koret HaBrit" – Double Meaning:

The conclusion "Blessed are You, Hashem, Who makes the covenant" has a double meaning:

- (a) It refers to the **physical cutting** – the cutting of the orlah on the body.

- (b) It refers to the Almighty who **made a covenant** with the Jews.

The image of "keritah" = "brit" is illuminated by **Rashi at "brit bein habetarim"**: the practice of making a covenant was to cut something (sometimes an animal), and here the cutting is the orlah – through this a covenant is made.

[Digression: Keritot and milah – "lehatzil yedidut she'areinu mishachat" can also be connected with the concept of **karet**:

whoever transgresses milah receives karet. Through milah one exits from the obligation of karet. This is connected with the incident with Moshe Rabbeinu ("vayifgeshehu Hashem vavevakesh hamito") – Tziporah took a stone and "cut" the orlah, and through this he was saved. It's also compared to the custom on erev Yom Kippur to take lekach from the shamash – if it was decreed to beg, one should fulfill it with this; if it was decreed to cut, one should fulfill it with the milah.]

F. The Blessing of Shehecheyanu from the Father of the Child

Words of the Rambam: The father of the child blesses shehecheyanu.

Plain Meaning:

The father of the child makes a blessing of shehecheyanu at the brit milah.

Insights and Explanations:

1) Shehecheyanu on the Mitzvah, Not on the Child:

When the child was born, the father already made shehecheyanu or hatov vehameitiv (on good news). The shehecheyanu at the brit is **on the mitzvah**, not on having a child. The Rambam already mentioned at the **end of Hilchot Berachot** that on every mitzvah that comes from time to time one makes shehecheyanu, or a mitzvah that comes "through acquisition that a person acquires" – brit milah is only once in a lifetime, but it comes through the "acquisition" of having a son.

2) Ashkenazic Custom – One Doesn't Make Shehecheyanu:

The custom among Ashkenazim is that one does **not** make shehecheyanu at a brit, but Sephardim do conduct themselves to make it – a dispute between the Mechaber/Rema. The **Hagahot Maimoniyot** brings many reasons why not, among them because **the baby is in pain**. On this, however, it's asked: we see in Chazal that at a brit there is a **simchah!**

G. Circumcision of Converts – The Mohel's Blessing

Words of the Rambam: "One who circumcises converts blesses: Blessed are You, Hashem our God, King of the universe, Who sanctified us with His commandments and commanded us to circumcise converts and to draw from them the blood of the covenant, for were it not for the blood of the covenant, heaven and earth would not endure."

Plain Meaning:

The mohel who circumcises a convert makes a special blessing that includes both elements – the milah and the blood of the covenant – in one blessing.

Insights and Explanations:

1) Why "Lamul" and Not "Al HaMilah":

At a regular brit, when the mohel is not the father, he says "al hamilah" (because the obligation doesn't lie directly on him). But by a **convert** there is no father who should make "lehachniso" – the **mohel himself** is the one fulfilling the mitzvah of circumcising converts. Therefore, he says "**lamul** et hagerim" – he directly performs the mitzvah.

2) Why Both Elements in One Blessing:

At a regular brit there are **two blessings**: (a) "al hamilah" (birkat hamitzvah), (b) "asher kidash yedid mibeten" (which speaks of the virtue of brit). By a **convert** one **cannot** say that second blessing – he is **not a beloved one of Abraham our father**, one cannot request the special covenant of the fathers. Therefore, both elements are **united in one blessing**: "lamul et hagerim" (the mitzvah) **and** "ulhatif mehem dam brit, she'ilmalei dam brit..." (the concept of brit).

3) "Dam Brit" – Double Meaning by Converts:

"She'ilmalei dam brit lo nitkaymu shamayim va'aretz" (as it says "if not for My covenant day and night, I would not have established the laws of heaven and earth") – the verse refers to **brit Torah** and **brit milah**. By a **convert** this is especially fitting, because through the blood of the covenant (milah) he enters into **brit Torah** – both covenants are united. This is a more **universal** blessing, fitting for a convert.

4) The Mitzvah of a Non-Jew to Become a Jew:

There is a **mitzvah upon every non-Jew to become a convert** – "in my opinion without doubt." But a non-Jew doesn't have birkat hamitzvot because he's still a non-Jew. But **retroactively**, after he became a Jew, there was a mitzvah to become a Jew. The "blood of the covenant" is the means through which he becomes a Jew.

5) Why the Mohel Makes the Blessing, Not the One Being Circumcised:

The **mohel** makes the blessing, not the convert himself (the one being circumcised). This is because the one being circumcised doesn't do the **act** – unless he cuts himself (like Abraham our father). By a convert who is circumcised by a mohel, the **mohel** is the one fulfilling the mitzvah.

H. Circumcision of Slaves – The Mohel's Blessing

Words of the Rambam: "One who circumcises his slaves blesses: Blessed are You, Hashem our God, King of the universe, Who sanctified us with His commandments and commanded us to circumcise slaves and to draw from them the blood of the covenant, for were it not for the blood of the covenant, heaven and earth would not endure." By circumcising the slave of others one says "al milat avadim ulhatvilam leshem brit."

Plain Meaning:

By circumcising slaves the text is similar to circumcising converts, with the distinction that by a **slave of others** (when the mohel is not the master) one says "**al milat avadim**" (instead of "lamul"), because the obligation doesn't lie directly on the mohel.

Innovation:

The distinction between "lamul" (when the master circumcises his own slave) and "al milat" (when an outside mohel circumcises) reflects the same principle as by circumcising his son: "lamul" when the obligation lies directly on him, "al hamilah" when he does it as an agent.

I. Circumcising an Adult – Modesty at the Circumcision

Words of the Rambam: By circumcising an adult (convert or slave) "one must cover his nakedness until he blesses, and afterwards he uncovers it and circumcises."

Plain Meaning:

By a baby, ervah is not relevant, but by an adult one must cover his ervah until one makes the blessing, and only then uncover and circumcise.

Insights and Explanations:**1) Why is the Ervah of a Minor Not a Problem at Brit Milah?**

The Rambam in Hilchot Kriat Shema says that one may not read Kriat Shema facing the ervah of a minor. It could be that there's a distinction between a blessing and Kriat Shema. But the **Rosh** says a deeper answer: at a brit milah the Almighty Himself gave a mitzvah to circumcise a baby – one cannot say that the place of the mitzvah is an ervah! It's a kedushah, it's a mitzvah. By an adult it's different – one needs modesty.

J. A Convert Who Was Circumcised Before Converting, a Minor Born Circumcised, Androgynous – Drawing Blood of the Covenant Without a Blessing

Words of the Rambam: "A convert who was circumcised before he converted" – one draws blood of the covenant. "And a minor who was born circumcised" – also one draws blood of the covenant. But "they don't require a blessing."

Plain Meaning:

In all three cases – a convert who already circumcised himself as a non-Jew, a minor who was born without an orlah, and an androgynous – one draws blood of the covenant but without a blessing.

Insights and Explanations:**1) Why No Blessing? – Doubt:**

Drawing blood of the covenant in these cases is a doubt – by a minor born circumcised it's a doubt about the kedushah (perhaps he's truly circumcised), by a convert it's a dispute of Tannaim (Beit Shammai and Beit Hillel) regarding a convert who was circumcised but didn't immerse or immersed but wasn't circumcised. The Rambam rules stringently that one should draw blood of the covenant, but stringently one doesn't make a blessing – "safek berachot lehakel." By an androgynous also one circumcises out of doubt without a blessing.

2) Dispute Between Rambam and Ra'avad – Safek Berachot:

The **Ra'avad** disagrees and holds that by a doubt of Torah law one does make a blessing. The Ra'avad's reasoning: "safek berachot lehakel" only applies to a rabbinic doubt (like demai, which by Torah law isn't a doubt at all). But by a true Torah doubt, where one is obligated stringently to perform the mitzvah, one also makes a blessing.

The Rambam holds that even then one doesn't make a blessing, because the blessing itself is only rabbinic – the mitzvah must be done out of doubt, but the blessing, which is rabbinic, one doesn't make by a doubt.

K. A Non-Jew Who Wants to Remove His Orlah for Medical Reasons

Words of the Rambam: "A non-Jew who needs to cut the orlah because of a wound or boil that developed on it – it's forbidden for a Jew to cut it." But "if the non-Jew intended to circumcise – it's permitted for a Jew to circumcise him."

Plain Meaning:

A non-Jew who wants to cut off his orlah because of a wound or boil – a Jew may not do this, because it's forbidden to heal a non-Jew for free (from the law of "lo techanem" / "we don't raise them up and we don't bring them down" – Masechet Avodah Zarah). But if the non-Jew intends it for a mitzvah – a Jew may circumcise him, because then he's helping someone perform a mitzvah.

Insights and Explanations:**1) The Rambam's Foundation: A Non-Jew Can Fulfill Every Mitzvah:**

The Rambam holds fundamentally (Hilchot Melachim) that there's no such thing as a mitzvah that a non-Jew may not do. Every mitzvah a non-Jew can do as "one who is not commanded and does" (except perhaps Shabbat). He receives reward for it, just less than one who is commanded and does.

2) How the Rambam Learns the Gemara Differently from Others:

In the Gemara it says "we don't circumcise a non-Jew." Most people understood that milah belongs only to Jews – one doesn't make a milah for a non-Jew (except for the sake of conversion). The Rambam understood completely differently: the Gemara doesn't mean that milah is fundamentally not for non-Jews, but that one may not heal a non-Jew – and when the non-Jew does it only for healing (not for the sake of a mitzvah), it's only a medical procedure, which falls under the prohibition of "we don't raise them up."

3) The Condition of Intent for a Mitzvah by a Non-Jew – Stricter Than by a Jew:

The Rambam holds (Hilchot Melachim) that a non-Jew receives reward for mitzvot only if he believes that the Master of the Universe gave to Moshe Rabbeinu the 613 mitzvot, and he wants to be a part of that. If he just holds on his own that it's a good thing – the Rambam holds it's worth nothing. The Rambam is precise: "one of the pious of the nations of the world" – "and not of their wise ones" – he's a wise non-Jew, but he hasn't performed a mitzvah.

By a Jew, "mitzvot require intent" means basic intent. By a non-Jew the intent must be much more – he must believe in the prophecy of Moshe and that the mitzvah comes from there.

4) Teshuvat HaRambam Regarding Muslims:

The Rambam was asked whether one may circumcise Muslims (who conduct themselves to circumcise). The Rambam answered that one may, on condition that the non-Jew

believes in the prophecy of Moshe, that he commanded the mitzvah of milah. In Hilchot Melachim the Rambam brings that the children of Keturah (of whom Yishmael is a descendant of Abraham our father) also have a mitzvah of milah – not the mitzvah of Moshe, but a mitzvah from Abraham our father (the covenant of Abraham our father). This can be a genuine permission to circumcise a Yishmaelite.

5) A Difficult Question: Who is the "Non-Jew" in This Law?

"Non-Jew" in many laws means an idol worshipper. An idol worshipper certainly doesn't intend it for a mitzvah. But a non-Jew who is not an idol worshipper – what is his law? Does the law of "pious of the nations of the world" apply to him? The conclusion is that only a ger toshav has that special status, not just a "good non-Jew."

6) Practical Application – The Non-Jew Who Asks for Medical Treatment:

A person lives on a block with non-Jews. A non-Jew comes asking that one should remove his orlah because of a wound. One knows that he's not doing it for a mitzvah, but for healing. Then one doesn't do it – because it's only healing, which falls under the prohibition. If there is a permission (such as because of enmity), one will find that permission, but the basic law is forbidden.

[Digression: The distinction between Jews and non-Jews in access to mitzvot – a Jew would say "I certainly intend the mitzvah – I have a wound too, but I'm taking advantage of the opportunity to perform a mitzvah." The non-Jew doesn't know that one can "eat kugel and perform a mitzvah." A talk is brought from R' Daniel Alter (R' Shaul's brother) about matan Torah: why did the Jews say "na'aseh venishma"? Because Jews know that "one finds a way out" – it says "lo tirtzach," but one can make a permission. The non-Jew is afraid, the Jew knows that a way will be found.]

L. The Virtue of Milah – End of Chapter 3

Words of the Rambam: "Great is milah, for there is no one who engaged in mitzvot like Abraham our father, and he was not called complete except on account of milah, as it says 'Walk before Me and be complete.'" "Whoever breaks the covenant of Abraham our father... even though he has many good deeds, he has no portion in the World to Come." "Come and see how severe milah is, that Moshe Rabbeinu was not given respite from it even for one hour." "The mitzvot of the Torah were given with three covenants... thirteen covenants were made regarding milah."

Plain Meaning:

The Rambam concludes Hilchot Milah with a long series of virtues of milah, beginning with that orlah is a disgrace, through the importance of Abraham our father's milah, the punishment of Moshe Rabbeinu, to the thirteen covenants.

Insights and Explanations:

1) Orlah – A Disgrace Even for the Wicked:

"Arel" is such a bad thing, that even when one wants to speak about the wicked one says "like all the uncircumcised nations" – one calls a wicked person "arel" as an insult. Even a wicked person is ashamed of this. This shows that orlah is a disgraceful thing in itself.

2) Abraham Avinu – Not "Complete" Without Milah, and the Juxtaposition with the Wicked:

A beautiful symmetry (reversed matter): on one hand, even a non-Jew who does "all kinds of terrible things" – what does one call him? "Arel" – that's his worst name. On the other hand, even a tzaddik like Abraham our father, who performed all the mitzvot – when is he called "tamim"? Only with brit milah. "Walk before Me and be complete" – only after the milah does he become complete, and then comes "My covenant between Me and you." This shows that milah is the foundation of completeness – without it even the greatest tzaddik is not whole.

3) "Whoever Breaks His Covenant... Has No Portion in the World to Come" – Fits with Both Sides:

Whoever doesn't circumcise, or "draws" (he pulls back the skin so one shouldn't see that he's circumcised), even if he has many good deeds – "he has no portion in the World to Come." This fits very well with both points: (a) without milah even a wicked person is even worse than a wicked person, (b) even a tzaddik without milah is nothing. And this also fits with the foundation of "keshem shenichnas labrit" – only through brit milah can one claim good deeds and merit the World to Come. Without it his Torah and good deeds are worth nothing.

4) Moshe Rabbeinu – "He Was Not Given Respite Even for One Hour":

The incident of "and it was on the way at the lodging place, and Hashem met him and sought to kill him" – Moshe Rabbeinu delayed circumcising his child, and immediately a danger came, until Tziporah took a flint and circumcised.

The plain meaning (Rashi / Gemara): Moshe didn't circumcise because he held that on the road one doesn't circumcise because it's a danger. The Almighty said: "But now at the lodging place – the moment you stopped, you can already!" – from this we see that even one hour one didn't wait.

Two Innovations from This Incident:

(a) Connection to the Dispute Between Rambam/Ra'avad Regarding Karet:

From the fact that Moshe Rabbeinu received a punishment of "death" (something similar to karet) for delaying – this fits somewhat with the opinions that were learned at the beginning: the Rambam says that one is only liable for karet if one never circumcised the entire life, and the Ra'avad says that one is "standing in his karet" the whole time. The fact that by Moshe Rabbeinu a punishment came immediately, points to the Ra'avad's opinion that every moment of not circumcising is a separate stringency.

(b) Connection to the Law That Milah Must Be Done Early:

The Rambam says that the mitzvah of milah must be done early (with alacrity). "Even one hour" can mean even on the eighth day itself – even a few hours later in the day. Perhaps this isn't literally the plain meaning for every person (because there's no obligation of death for this), but "according to the greatness of Moshe Rabbeinu" – for him even one hour from when the obligation came already meant a stringency.

5) Two Ways to Understand the Punishment of Moshe Rabbeinu – The Lubavitcher Rebbe:

In the name of the Lubavitcher Rebbe there are two ways to think:

- **Way A:** "Tzaddikim are judged strictly" – a tzaddik is punished more for smaller transgressions, because more is demanded of him.

- **Way B (the Lubavitcher Rebbe's explanation):** The opposite – usually a tzaddik has "protection" through his merits (merit suspends). But milah is such an important thing, that even for Moshe Rabbeinu – the greatest tzaddik – he already had no protection at all, even for one hour. This doesn't show that tzaddikim are punished more, but that milah is so severe that no merit can help.

The normal plain meaning "tzaddikim are judged strictly" actually doesn't fit with the midrash – because if one says "specifically Moshe Rabbeinu is punished because he's a tzaddik," everyone can say: "I'm not Moshe Rabbeinu, I don't

have a problem!" Therefore, the correct plain meaning is that milah is so severe that no one has any protection.

6) Jews in the Desert Didn't Circumcise:

It says that the Jews in the desert didn't circumcise (because they couldn't), but from Moshe Rabbeinu the Almighty demanded more.

7) Three Covenants on the Torah:

"The mitzvot of the Torah were given with three covenants" – three times it says that the Almighty made a covenant with the Jews about the mitzvot: (a) "These are the words of the covenant" (Devarim 28), (b) "Besides the covenant that He made with them at Chorev" (also there), (c) "To pass into the covenant of Hashem your God" (Parashat Nitzavim). It's actually two covenant ceremonies (Har Sinai and Moshe Rabbeinu's covenant), but the Torah mentions the word "brit" three times – therefore it's called "three covenants."

8) Thirteen Covenants on Milah:

The Rambam counts thirteen times that the word "brit" appears by milah (in Parashat Lech Lecha), and lists all the verses: "And I will establish My covenant between Me and you," "Behold, My covenant is with you," "And I will establish My covenant between Me and you," "And it shall be an everlasting covenant," "And you shall keep My covenant," "This is My covenant," "You shall keep My covenant," "And My covenant shall be in your flesh for an everlasting covenant," "And he has broken My covenant," "And I will establish My covenant with them for an everlasting covenant," "And My covenant I will establish with Yitzchak." With this the Rambam concludes Hilchot Milah as a good thing – with the making of the covenant.

M. Conclusion of Sefer Ahavah

"The second book is completed with the help of the Almighty"

Insights and Explanations:

1) "With the Help of the Almighty" – Not "Rachmana":

The Rambam writes "with the help of the Almighty" (with the name Sha-dai) – not "Rachmana" as he writes in other places. "Sha-dai" one may write (it's not the name Havayah), and "Sha-dai" is in gematria 14 – which alludes to the fourteen books of Mishneh Torah (Yad HaChazakah).

2) Forty-Six Chapters in Sefer Ahavah:

Sefer Ahavah has forty-six chapters: 14 from Kriat Shema, 15 from Tefillah, 10 from Tefillin Mezzuzah and Sefer Torah, 3 from Tzitzit, 11 from Berachot, and 3 from Milah. 46 has a secret – "ma'amid hakol."

[Digression: The Rambam's method in building the books – the Rambam had a "sea of Torah" – thousands of laws – and he had to make a book that one can "hold in the hand" (yad), it shouldn't be endless. The Rambam always knew that one can put in more laws, but he held that the book must be a "yad" – something that can fit.]

With this Hilchot Milah and Sefer Ahavah are concluded. Blessed is the Merciful One who has helped.

Full Transcript

Laws of Circumcision Chapter 3 – The Order of Blessings at a Circumcision

Introduction: Completion of Sefer Ahava and the Campaign for the Beis Medrash

Good. We are learning Laws of Circumcision, the third chapter. We are now going to finish in this chapter the end of Laws of Circumcision, the last chapter of circumcision, and with this we will complete Sefer Ahava with God's help.

We are also finishing in these days the great campaign for our beis medrash, so that we can be disseminators of Torah, so that my dear partner the Gaon Rabbi Yitzchak should be able to continue with his Torah classes and benefit and enlighten the eyes of so many Jews. Hundreds and thousands of Jews have pleasure from the classes, and it is fitting that we become a partner, we show appreciation, we show partnership, and we become a part in the Torah.

Yes, and we are also already grateful to all those who have already helped out. One can always help more and speak with others and tell about the class, tell about the money. And this is like we learn here three blessings at a bris milah: there is the mitzvah, fulfilling the mitzvah of Talmud Torah. There is praise, one praises and thanks the Almighty that one merits to begin in this world receiving reward. It's a whole good job, the job of learning Torah, teaching Torah, participating in and supporting the Torah, is also a good job. So that is the praise. And there is a third blessing, and that is a request, one asks

"ulehachnis" – the Jewish prayer, "keshem shenichnas labris kein yikanes leTorah," a blessing. It's all that one should pray that everything should succeed, and one should arrive properly.

The Order of the Bris – The Blessings at a Bris Milah

Says the Rambam, in this chapter the Rambam is going to tell us the order that one says at a bris, the blessings, the order of the bris. He says a few more laws, but the first beginning is the blessings. One can say essentially the order of bris milah, it is essentially the blessings. More or less the laws are about blessings, and two laws about a non-Jew, and so forth, and afterwards he concludes with the virtues of bris milah.

So the Rambam begins with the blessings of circumcision. As Rabbi Yitzchak began in the introduction, there are several types of blessings, because at a circumcision several things happen. There occurs the mitzvah of circumcising, upon which one must make a blessing on the mitzvah, just like for all blessings on mitzvos. There occurs here a great joy, one thing is that the father had a child born, that is one thing, but afterwards that the father merits such a thing. You see that it is more than just that the father merits a mitzvah. It is a mitzvah that one does only once with a child, and it is a covenant for which there is a blessing of praise upon this mitzvah. And of course prayers for the child, the child now needs to have prayers, so there are prayers in the merit of the bris, or prayers for the child, so there are two. Here prayers that one blesses

the child, there is a prayer that one blesses in the merit of milah, that Jews should be blessed... perhaps it means specifically the child? Let's see.

Law 1: The Blessing of the Mohel – "Al HaMilah" or "Lamul Es HaBen"

The mohel blesses before he circumcises, Baruch Atah Hashem Elokeinu Melech HaOlam asher kidshanu bemitzvosav vetzivanu al hamilah, so the mohel blesses before he circumcises, just as every blessing on a mitzvah is done before the mitzvah, the one who does it, who circumcises, says Baruch Atah Hashem Elokeinu Melech HaOlam, asher kidshanu bemitzvosav vetzivanu al hamilah, thanking the Almighty who gave the mitzvah of circumcision to the Jews.

If he circumcised the son of his friend, if the mohel is not the father of the child, he cannot say lamul, one says milah, because the obligation is not on the specific mohel, the obligation is on the father, on the son, on Klal Yisrael, but he makes the blessing on the mitzvah of milah, **but if he circumcises his son, he says the better blessing, because the mitzvah is actually upon him. Then he says the same blessing, but he says vetzivanu lamul,** it is not, on the circumcision, but the mitzvah is to circumcise his own child.

Very good, this is the principle that we have already learned in Laws of Blessings, that every mitzvah that one does, the one who does it himself, one says with it la'asos or lamul, and one does it for another, one says al, except for various exceptions, which are learned there. That means for example optional mitzvos, al netilas yadayim, because one doesn't have to, and the like. But there is the option of al krias megillah, and I think lishmo'a kol shofar or further.

Law 1 (Continued): The Blessing "Lehachniso Bivrito Shel Avraham Avinu"

And the father of the son blesses another blessing, Baruch Atah Hashem Elokeinu Melech HaOlam asher kidshanu bemitzvosav vetzivanu lehachniso bivrito shel Avraham Avinu.

The Almighty made a covenant with Avraham Avinu that he should circumcise himself, the Almighty made a covenant upon this, and this is even called a bris. A bris always means that it goes two ways, that it is a relationship, that Avraham Avinu did a difficult thing for the Almighty, and the Almighty has a certain commitment to Avraham Avinu and his children, and therefore one brings the children into the covenant of Avraham Avinu.

Why Does the Father Make the Blessing "Lehachniso"?

Says further the Rambam, why does specifically the father do it? The mitzvah of the covenant of Avraham Avinu, why is it the father? **Because the mitzvah upon the father to circumcise his son,** the mitzvah upon the father to circumcise his own child, **is greater than the mitzvah that all of Israel is commanded,** is more and stronger than the mitzvah that all Jews are commanded **that they should circumcise every uncircumcised person among them.**

The Rambam says it here very clearly, I mean even more clearly than it has been said until now, that all Jews have the mitzvah that every single person who lives among Jews, everyone who is among the Jews, every uncircumcised person among the Jews, should be circumcised, no difference whether

it is, of course, a Jewish child, or even a slave, a convert who comes among Jews, this is a mitzvah upon Jews. But this is not the primary mitzvah or the superior mitzvah, the important mitzvah. Apparently this is like similar, it sounds similar, it's not the same mitzvah, but we spoke that it is similar to the mitzvah of Talmud Torah. There is a mitzvah upon all Jews, and in particular there is an additional one, another mitzvah, that the father should circumcise his son.

Innovation: Two Separate Mitzvos – "Lamul" and "Lehachniso"

And here is an innovation, the Rambam says, it doesn't fit so well, because the standard of the Rambam, let's say, the standard of the Rambam that this is a blessing on a mitzvah, should be "vetzivanu". "Vetzivanu" is certainly a formula of a blessing on a mitzvah. The Rambam asks, what does it mean, how do you find a mitzvah that has two blessings, "lamul" or "lehachniso"? Because you could apparently say "lehachniso" is the primary mitzvah, this is after all a more poetic blessing, not just "lamul", but bringing the child into the covenant. This is essentially the same mitzvah, the same thing, with the circumcision one does this.

But the Rambam says that this is a second blessing, sorry, on the second mitzvah that exists in bris milah. There is a mitzvah "lamul", al hamilah, that is one blessing. Besides this there is another mitzvah that the father should circumcise his son, the mitzvah of "lamul es beno", and this is called "lehachniso bivrito shel Avraham Avinu". By the way, the other is also "lehachniso bivrito shel Avraham Avinu", but this is a mitzvah on the special obligation. For example, if the father circumcises himself, he makes both blessings, because he fulfills two mitzvos so to speak, both the mitzvah "lamul es haben", and also the mitzvah "lehachniso bivrito shel Avraham Avinu", which is a special mitzvah of the father. And again the Rambam brings an innovation in halacha.

I think that the point is perhaps that it is a special mitzvah, it is more than for example like eating matzah, that one does it only once in the life of a child. It can even be that you say like at the coming of Mashiach, a Jew enters into the covenant of Avraham Avinu, a child cannot do it himself.

Discussion: What Happens When an Adult Circumcises Himself?

What happens when an adult person circumcises himself when he is grown? Do you tell him that he should himself lehachniso? No, you don't say. I'll tell you the Rambam.

Therefore, if there is no father present, others do not bless this blessing. The mitzvah that a person should circumcise himself also appears that it is not on the same level. It is not lehachniso.

The Rambam says it like this, let's say, **therefore if there is no father present, others do not bless this blessing.** Other people do not make the lehachniso bivrito shel Avraham Avinu, it is only a blessing on the extra mitzvah that the father has to circumcise his child.

I say that although there is indeed a mitzvah upon the beis din to make a bris milah, or as you say upon all Jews, upon that one there is not the blessing. The blessing, argues the Rambam, is a blessing on the mitzvah of the father.

Another Opinion: Beis Din Can Make the Blessing

Says the Rambam, so that you should know that there are those who argue with me, **there are those who have ruled,**

there are those who have indeed ruled that the beis din, **that those sitting in the beis din or one of them should bless**, or the beis din or whoever as a representative of the people, can make the blessing. What were they thinking? They didn't understand like you the distinction between the father or Klal Yisrael. They held that always it is a mitzvah upon all Jews, perhaps the father is only a mitzvah min hamuvchar. Not that it is even a gezeiras hakara, it is more apparently a mitzvah min hamuvchar. It means, every Jew has a mitzvah that all Jews should be circumcised, and also the father has a mitzvah to circumcise his son. It's two mitzvos on the same subject, but it's two different mitzvos. Therefore the Rambam holds that it doesn't make sense that another should make the blessing.

And another mitzvah on the son. The obligation lies on two people. It's not that if the father... if the father is not then... okay, one must think, how does the work go here, that the father and on the son there is a substitute? According to the Rambam it's two mitzvos. The world has a mitzvah, every Jew has a mitzvah that all Jews should be circumcised, and also the father has a mitzvah to circumcise his son. It's two mitzvos on the same subject, but it's two different mitzvos. Therefore the Rambam holds that it doesn't make sense that another should make the blessing.

By the way, what you see that the one who said "one of them" understood that beis din, as I said when we learned by beis din, beis din doesn't necessarily mean the beis din, it's not a book of judges. Beis din means to say that it's not only an obligation on the father, it's an obligation on Klal Yisrael to take care that children should be circumcised. Beis din is the one who takes care of general mitzvos.

Discussion: The Obligation of an Adult Who Circumcises Himself

It's interesting, I think indeed when an older person circumcises himself, as the Rambam said earlier the law is, whether his obligation will also be such an obligation on all of Klal Yisrael, or is it in any case like a father on his child? According to the Rambam, apparently it is more than just like every Jew is obligated to circumcise every Jew, a certain obligation on him, because the kares is on him?

True, true. According to the Rambam he also doesn't say the blessing "lehachnis". "Lehachnis" itself doesn't exist. Okay, because the mitzvah was something not like that, the content of the mitzvah was not like that. According to the Rambam certainly not. According to other people one will think. According to the Rambam it is certain that a person who circumcises himself, he doesn't do the mitzvah of "father to circumcise his son". He does something else, the mitzvah of milah, but not the mitzvah of "lehachnis".

Apparently the other opinion will say, "what does it mean?" They can say that it's just two blessings, one is more such a blessing of praise, he also says "vetzivanu". And therefore, "lehachnis" means he comes into Klal Yisrael, the representative of Klal Yisrael says it, something like that.

The Opinion of the Ra'avad: The Sandek Makes "Lehachnis"

So says the Ra'avad. We learned that the Ra'avad says that he holds like the opinion that the Rambam says one should not do, and he says that the custom is that the sandek does it. What the Ra'avad calls sandekus, he says. But he indeed says simply, he is the one who brings in, he makes sense, he is the

representative of Klal Yisrael who brings the boy into the covenant of Avraham Avinu.

The Covenant of Avraham Avinu – The Dual Layers of the Mitzvah of Circumcision

The covenant of Avraham Avinu doesn't mean Klal Yisrael. One is indeed concerned for Klal Yisrael also as uncircumcised, but one means the covenant of Avraham Avinu. The blessing has within it an interesting thing, because the mitzvah of circumcision stands in the Torah by Avraham Avinu, but there is a Mishnah that the obligation of it is when Moshe Rabbeinu was commanded at Sinai. In the blessing there are both things, asher kidshanu bemitzvosav vetzivanu that it is Moshe Rabbeinu's mitzvah, but lehachnisu bivrito shel Avraham Avinu recalls the deed that it is even older, it is still a part of the founding of Klal Yisrael still in the times of Avraham Avinu.

He says further, "if there was Avraham Avinu" – the reality of the

The Blessing of Those Standing and the Blessing "Asher Kidash Yedid Mibeten"

The Blessing of Those Standing: "Keshem Shehechenasto Labris..."

And so indeed the Rambam continues as the place where he is, he is the one who brings in, it makes sense, he is the representative of Klal Yisrael to bring the boy into the covenant of Avraham Avinu.

The covenant of Avraham Avinu doesn't mean Klal Yisrael must be a part of Klal Yisrael also as uncircumcised, but one means the covenant of Avraham Avinu, that's what it means. The blessing has within it an interesting thing, because the mitzvah of circumcision stands in the Torah by Avraham Avinu, but there is a Mishnah that the obligation of it is when Moshe Rabbeinu was commanded at Sinai. And the blessing has here both things, it is written "vetzivanu" that it is Moshe Rabbeinu's mitzvah, but "lehachnisu bivrito shel Avraham Avinu" recalls the deed that this is even older, this is still a part of the founding of Klal Yisrael still in the times of Avraham Avinu.

Says the Rambam further, "if there were standing there" – the reality of the covenant of Avraham Avinu, it is not a mitzvah of Avraham Avinu, it is the covenant that was given to Avraham Avinu, and it comes to us through the fact that we fulfill the mitzvah of circumcision.

Correct. Good. Says the Rambam further, **"and if there were standing there"** – if there are other people at the bris, **"they say"** – the people say the formula, the prayer, **"keshem shehechenasto labris"** – just as you brought him in. The father says "hechenasto", yes? We are speaking here a bit about the child, everything alludes to the child, one says it about the child. Just as you brought him in labris, indeed that you circumcised him, you took a mohel for him, **"so may you bring him into Torah, to the chuppah and to good deeds"**. The same thing, you should have the same divine assistance that you had, just as you merited to learn with your child, just as the obligation that a father has the mitzvah of Talmud Torah for the child, and chuppah and good deeds, the child should merit to have a wedding. Even the father has no obligation, but the order is that one brings a child to the chuppah, and a person should merit good deeds. Yes, good deeds one cannot do for him, but he should merit good deeds.

The Status of "Keshem Shehechenasto" – An Enactment or a Blessing?

If there is no person – but the Torah means simply, he should bring him to cheder as we learned in Laws of Talmud Torah. For example, if there are no people standing there, the father doesn't say as I have. It appears here that it is more like a blessing, when one sees, like when one sees a tree, a beautiful tree, one makes Baruch shekacha lo be'olamo. It stands there in the middle of a bris, it becomes for him a blessing. It's a bit different, you could have said as we spoke about the things that people say when they see certain situations. When a person sees a funeral, he says Baruch dayan ha'emes. When he teaches a child his mitzvos, the covenant of Avraham Avinu, the people standing say keshem shenichnas labris, so may you enter.

I would have said so, there is what is indispensable. For example, there is no, the Rambam doesn't say that one must bring a minyan for a bris milah. It is certainly a nice thing, it says in Shulchan Aruch that one should bring a minyan lechatchilah, but it's not... the best advice that they advised him, Avraham Avinu, nasan etzah lamilah. It says in the Rishonim that one should do it publicly. It says in Chazal, or it says in Chazal for every bris milah, that one sees in Chazal about the bris that the Rambam brings about the three blessings. The normal order is, there stands a father, there stands a mohel, and there stands the public. One gives each one a blessing: for the mohel al hamilah, for the father lehachnis, and for the public a blessing for the child.

But it's also a takana (rabbinic enactment). I think the Gilyon Maharsha said in Hilchos Berachos that there are things that the Sages enacted that don't have an opening and closing blessing. People think that this "keshem shenichnas" is just something that one says, it's not really a type of beracha. But it appears from the Rambam that he understands that this is a takana. The Sages enacted various types of berachos and recitations, not all of them have a "baruch," but it's also a beracha for the father. Even though it doesn't say "Baruch Atah Hashem Elokeinu Melech HaOlam," it's still a beracha that has a takana. And it belongs to the role of those standing there.

Which makes sense, because aren't you in agreement? The covenant of Avraham Avinu has a part in this, the foundation of Judaism is to be part of the covenant of Avraham Avinu. But the people are standing there. They have a mitzvah to actively fulfill the covenant of Avraham Avinu. So those standing are essentially the Jews, now you're a part of the Jews, it makes sense.

They also say, don't think it's enough, you had a bris, you've already fulfilled your obligation with a Jew, you need to make him Torah, you need to make him chuppah, you need to make him a chasan Torah. But this isn't just so, it's a beautiful beracha. Keshem shenichnas, keshem sheyikanes.

The Formulation "Keshem" – A Poetic Expression

He simply says a... No, many people want to interpret and want to make special drashos on "keshem." I don't hold that "keshem" is used very much like... It's a beracha, it's a beracha for the occasion, you want to connect, you want to pray for the child, but you want to make it a poetic thing. It's connected with a bris. They say he should live over a year, he should see himself at the child's wedding.

Digression: A Story About a Private Bris

A Jew recently asked me, a Jew wanted to make a bris for some reason like no people, privately, just the mohel with the family. I brought him three proofs that you need to have a community. One I remember, it says "adayin osanu oseh besimcha." I said, besimcha means you make it as a celebration. He told me that Rabbi Yonasan, actually at such a shiur when I called him, that there's no proof, it says "adayin osanu oseh befarhesya." Ah, farhesya, ah, very good. But even besimcha means, besimcha doesn't mean you have to be in a very good mood, besimcha means with simcha, with a celebration.

"Ve'im Hayu Sham Omdim" – Optional or Obligatory?

But here, "ve'im hayu sham omdim," is a bit of a proof that the Rambam already looks at it as an obligation, because if so he would have said "veha'omdim omrim." But the Rambam doesn't write that it's an obligation, because he could write "veha'omdim omrim," which itself would be a bit of an indication that one should. "Ve'im hayu sham" is like it's optional. And the Rambam is very precise to write only what one must. What one doesn't need to, look at this in Seder Siddur.

No, even if let's say there's a concept of "berov am hadras melech," but the Rambam, it's a whole general mitzvah, and such a general rule, that mitzvos that one can should do berov am, is not a law in bris milah, the Rambam would certainly not write it here.

The Beracha "Asher Kidash Yedid Mibeten"

Okay. **"And afterwards the father of the son blesses,"** here is another beracha, a berachas habakasha, a prayer that one says in honor of the bris. And then there is the beracha **"the father of the son or the mohel or one of those standing there."** The beracha can be made by one of the three, either the father, or the mohel, if he sees that it fits better, or not, or one honors someone. As they say, one of the three people. He says that a bris comes with three people, a father, a mohel, and one standing. He wouldn't have said "one of those standing," one would have thought that not the father may say it.

The Text of the Beracha

He says thus: **"Baruch Atah Hashem Elokeinu Melech HaOlam, asher kidash yedid mibeten."** It's a textual expression, and let me translate it as Rashi translates. The Rambam himself doesn't translate the piece, but one blesses the Almighty who sanctified "yedid mibeten." Rashi says it means Yitzchak Avinu, that Yitzchak Avinu was already sanctified from the womb. That is, he was already born after Avraham Avinu already went through the covenant of Avraham Avinu. After Avraham Avinu is already in his importance, he's already born to a Jewish father, and right when he's going to be born, after eight days they're already going to make him a bris, unlike his father and unlike Yishmael's bris. No, Yishmael's bris was right after Yitzchak's bris, I think. No, no, he was thirteen.

"Vechok bish'aro sam." And after he was born, the Almighty made a chok in his she'er, which means in his flesh. The Almighty placed a chok in him, that is a bris, a sign that he's a Jew. Does chok mean engraved, or does chok mean a mitzvah? It can mean both things. He gave us a mitzvah, or it means engraved in his flesh, a chakuk. I know there's a concept of "chakuk." Chok is sometimes said about something that one places, not necessarily that it means to engrave. It can

mean a fixed thing, like a custom. Okay, "lechem chukom." A bris milah is an aspect of a tattoo.

"Vechok bish'aro sam." And his descendants, the children of Yitzchak further, **"chosem be'os bris kodesh,"** He made the mitzvah have the os bris kodesh, stamped with the sign of a holy covenant.

Who is the "Chosem"?

Yes, but it's interesting, who is chosem os bris kodesh? The mohel who does he does... The Almighty. Yes, but the same one who makes hamotzi lechem min ha'aretz. The mohel does the dvar Hashem. Eh, all berachos go like that, right? Yes, but it's an interesting... All berachos one says... The Almighty stamps through all the processes that do the service of Hashem. Every beracha comes to say that what happens in nature, or what people do, the Almighty does. Essentially "asher kidshanu bemitzvosav vetzivanu" also means that the Almighty gave us the command, one places His name on the mitzvah. I think that's the simple meaning. I want to go back to the end.

"Al Ken" – The Transition from Praise to Request

"Al ken," now one requests. Now one requests. Like the Rambam, the beginning is like a praise, that one thanks the Almighty who did these things for us, that He gave mitzvos to our ancestors. Al ken, now one requests. No, the Rambam explained in his responsum that until here one still says. The Rambam says thus: al ken, because the Almighty gave a bris, **"usechar zos,"** and the reward of this bris, the other side of the bris, a bris is a deal of two sides, **"Kel chai chelkeinu la'ad,"** the living God is our portion, is our God forever. So, because Jews have upon themselves an os bris kodesh, Jews make the bris, which is a kriyas habris, and correspondingly the Almighty what He does back, just as we are united with the os bris kodesh, and He is "chelkeinu la'ad," He is our God. The Rambam says, now one begins to pray. And the Rambam adds, he checked the language in a responsum, he says **"hevei Tzureinu."** Now one begins to pray.

The Text of the Request

"Tzureinu," Creator, I ask You, **"tzaveh es mitzvosecha tziviso likdoshim,"** just as You commanded the holy ones... Apparently he means the beloved of Yehoshua, right? Just as You commanded the holy ones to make a bris milah... No, no, just as I think that "tzivahu" doesn't translate like I thought that "tzivahu" translates like You said. Just as it says "tzivah," what makes the sandal language of command. He means to say, just as they fulfill what He promised for the holy ones, that there will be a bris of two

Bircas "Asher Kidash Yedid Mibeten" – Continuation: Translation of "Tzavis" and "Yedidus She'areinu Mishachas"

Translation of "Tzavis Lehatzil"

Speaker 1:

No, no. Just as I think that "tzavis" here translates... I would have thought that "tzavis" translates like you said. What does "tzaveh" say? What doesn't work for the sandal language "tzaveh"? He means to say, just as they fulfill what You promised to the holy kedoshim that there should be a bris of two sides, that You will also be for them as a God and be there for them in the merit of bris milah. We ask You that You should indeed do as "tzavis likdoshim," that lehatzil You should save yedidus she'areinu mishachas.

Translation of "Yedidus She'areinu"

Speaker 2:

They started "yedid vechag bish'aro." Right, it's certainly grammar.

Speaker 1:

Yes, here he says, You should save the yedid, the grandchildren of the yedid. You should save the grandchildren of Avraham Avinu. The Rambam translates in his responsum "yedidus she'areinu," it doesn't fit so well with your grammar that you say, the Rambam translated "yedidus she'areinu" the beloved thing, "yedid" means a beloved thing, the most beloved thing of our flesh, which is our life, and they said that our nefesh means our soul, our consciousness, mishachas from Gehinnom. Very very good. Through the fact that we make a bris milah, which reminds us of the Almighty, as the Rambam says in the introduction to Sefer Ahava, "ha'os bevisreinu lizkor es Hashem tamid," and we will be saved from Gehinnom. He made a beracha, we should have a yeshuas hanefesh through the bris, **"Baruch Atah Hashem kores habris."**

"Kores Habris" – Double Meaning

Speaker 1:

Very good. The Rambam forgets. Because "kores habris" can refer to the cutting that one does on the body, the cut, and refer to the fact that the Almighty cut a bris with the Jews, and one asks Him here for the bris. The imagery of cutting is bris, Rashi says by "bris bein habesarim" that the order of making a bris was to cut something, sometimes it's an animal, and here it's cutting an orlah. Through this becomes a bond. And this time it's cutting the flesh of the orlah, with this one is kores habris, and one blesses the Almighty who is the kores habris. Very interesting, because the mohel himself is both the one who is chosem bris kodesh, he's also the kores habris, he does the act of cutting it's a bris.

Bircas Shehecheyanu of the Father of the Son

Halacha 3 – The Father of the Son Blesses Shehecheyanu

Speaker 1:

The father of the son blesses shehecheyanu. Very good. There's another beracha here. The father of the son... makes a beracha shehecheyanu. So two things one needs to understand. Apparently the father of the son, when the child was born he made berachos, either shehecheyanu or hatov vehemetiv, like when someone has good news happen to them, or a good thing happens to them. The Rambam isn't so clear. He said when a son is born.

Speaker 2:

No, but it doesn't work out to say every thing.

Shehecheyanu on the Mitzvah, Not on the Child

Speaker 1:

So here the shehecheyanu is on the same mitzvah. The Rambam already mentioned the shehecheyanu in Hilchos Berachos, end of Hilchos Berachos, he said on every mitzvah that comes from time to time one makes shehecheyanu, or a mitzvah that doesn't come from time to time, bris milah is only once in a lifetime, but it comes through acquisition that a person acquires, like he gives an example bris milah, he had a son and he makes a bris, he makes shehecheyanu that he had a

son that he can make the bris milah. But it's certainly a shehecheyanu on the mitzvah, not on having a child. On having a child is good news, he needs to make an extra hatov vehemetiv or shehecheyanu.

Ashkenazi Custom – We Don't Make Shehecheyanu

Speaker 1:

For our purposes, our custom is that we don't make shehecheyanu, but the Sephardim do conduct themselves to make it, dispute between Mechaber Rama and so on.

And the Hagahos Maimoniyos has on this piece, I see that among the Ashkenazi poskim there were many reasons why not. The Hagahos Maimoniyos brings because the infant is in pain, and on this one asks him that one sees in Chazal that by a bris there is simcha.

Bircas "Lehachniso" – Before or After the Bris?

The Rambam's Language: "Ve'achar Kach" by "Asher Kidash," Not by "Lehachniso"

Speaker 1:

It's interesting, because we just spoke about this. On the third beracha the Rambam says "**ve'achar kach**," that after the bris milah one makes the beracha "asher kidash." On the first beracha "lehachniso," the Rambam didn't say whether one makes it before or after. It's implied from his language that one makes it before the bris, that's what we do too.

Responsum of the Rambam – "Lehachniso" is a Bircas Hashevach

Speaker 1:

But someone has a responsum of the Rambam, where he was asked about this, he said that the beracha "lehachniso," the Rambam said that it's not a bircas hamitzvos, it's a bircas hashevach, therefore one can make it afterwards. Bircas hamitzvos one needs to make beforehand, but just a beracha one can make after the mitzvah.

Question on the Responsum

Speaker 1:

But it doesn't fit with what the Rambam says here, because the Rambam says it's a mitzvah on the father, the beracha is just a bircas hamitzvos, "**mitzvah al ha'av limol es beno**," he gives the reason. You can say it's a praise on what that mitzvah has, that's basically a bircas hamitzvos. It doesn't fit me.

Speaker 2:

No, but he's nobody, it simply presents itself, why only the father can say the words "lehachniso bivris shel Avraham Avinu"? The bircas hamitzvah the mohel already said. But he says, why can he say "lehachniso bivris shel Avraham Avinu"? Because he has the mitzvah "lehachniso bivris shel Avraham Avinu." But the bircas hamitzvah isn't made, this is a bircas hashevach. He's only explaining here.

Responsum of Rabbi Avraham son of the Rambam

Speaker 1:

But I want to go back to the beracha "asher kidash yedid mibeten." Let me finish this, one second. But he brings that there's another responsum from the Rambam's son, Rabbi Avraham, who says that the Rambam did say in practice that one needs to say the beracha beforehand, and not like he brought from Rav Hai Gaon that one can say it afterwards too.

I think it fits better with what it says here in the Rambam, and it could be that this is the true Mishna Berura, perhaps the Rambam retracted later. Yes.

Speaker 2:

It makes no difference, he makes it not necessarily beforehand. So said Rav Hai Gaon and the Rambam in one responsum, but afterwards one sees that one didn't conduct oneself so. We also conduct ourselves that one says it beforehand, or during the act if the mohel does it quickly, after the mohel's beracha of "al hamilah."

Digression: Kares and Milah

Speaker 1:

But I think the "tzareinu tzivah lehatzil yedidus" simply means that there's a prohibition of kares, an obligation of kares that one shouldn't have a false oath. When one circumcises oneself, one goes out from the obligation of kares. Kores habris, kares. If he transgresses this, he receives kares.

Speaker 2:

No, by the story of Moshe they speak about this. That one comes with a "vayifgashehu vayevesh hamiso," "hamiso" is usually I think by sword. Simple death in the Torah is killing by sword. He grabbed a stone and he is kores es hashad. And one sees that this is like a parable for the thing, that there can be a root of the soul with a bris, that is a bris that brings afterwards Torah and brings knowledge, there is a root of the bris. And if not, there is, one is essentially there, one has already received, the Almighty removes the obligation of kares.

Speaker 1:

You say there can be an interesting symbol in bris milah, like for example erev Yom Kippur there's a custom to take from the shamash candles. If it was decreed to ask, one should say together with him. If it was decreed to cut, one should fulfill with...

Speaker 2:

They are stringent on me on later authorities so, I see a novelty. Could be.

Circumcision of Converts – The Mohel's Beracha

Halacha 4 – One Who Circumcises Converts

Speaker 1:

What happens regarding circumcision of converts? We learned earlier that there's also a mitzvah to circumcise converts. The Rambam says, circumcision of converts, and the other beracha, it's not the same text, there's a special text. One says "**Baruch Atah Hashem Elokeinu Melech HaOlam asher kidshanu bemitzvosav vetzivanu.**" It's an interesting thing, because apparently, long before, I believe, one should have said "al hamilah," because it's not the obligation on him. I'll say the text that I think. One says the beracha thus: "**Baruch Atah Hashem Elokeinu Melech HaOlam asher kidshanu bemitzvosav vetzivanu lamul es hagerim ulhatif mehem dam bris.**"

"Dam Bris" – Double Meaning by Converts

Speaker 1:

The Mitzvah of Circumcising Converts

The mitzvah of circumcising converts (milat gerim), where part of this, apparently, at a brit there is also drawing blood of the covenant (hatafat dam brit). "Were it not for the blood of the covenant, heaven and earth would not endure." The blood of the covenant is very important, because the blood of the covenant is what... sustains heaven and earth, without it heaven and earth would have no existence. As it says, "If not for My covenant day and night, I would not have established the laws of heaven and earth." And this verse refers to the covenant of Torah and the covenant of circumcision. So say the commentators, so it appears apparently from what he learned that it means the blood of the covenant of circumcision.

Apparently, by the convert there are both, because through the blood of the covenant he enters into the covenant of Torah.

Why "To Circumcise the Converts" and Not "On the Circumcision"?

Speaker 1:

So I think, they struggled last night, the other night, they learned what is the mitzvah of "to circumcise the converts." The mitzvah to become a convert, a non-Jew has a mitzvah to become a Jew. Apparently, the... and also the second blessing that you mentioned, "Were it not for the blood of the covenant." So, apparently, at every brit two blessings are made. There is a blessing "on the circumcision" or "to bring him into." I need to ask why do we say here "to circumcise the converts"? Because the one who circumcises does it, there is no father here who should make "on the circumcision."

Speaker 2:

No, but the one who circumcises, he is not obligated to circumcise, he is only commanded on the circumcision, like the mitzvah that he takes on, but he is not obligated. But he, the one who does it, there is no one else who does it as an agent of another or something. The mohel of the convert, he performs the mitzvah of circumcising converts. The slave is the one who is circumcised or...

Speaker 1:

No, a convert, a convert, a convert. A convert, a slave is indeed different. A convert is whoever is being circumcised, not the beit din. The mohel, he is the one who fulfills the mitzvah.

Why Both Elements in One Blessing

Speaker 1:

I say that at every brit there are two blessings, "on the circumcision" and afterwards there is a blessing that explains the matter of brit milah, for example the blessing that we say "commanded to save the beloved one" – no, "commanded" is that one is a version of the blessing over mitzvot. But the second blessing that is said afterwards is that through this one is saved from destruction, we speak of the virtue that the world stands on brit milah, a Jew cannot be killed because of this, whatever.

There is a blessing on converts, both are made at once. Instead of making two blessings "on the circumcision" and another thing, one cannot say that blessing on converts because it's not, he is not a beloved one of Abraham our father. Therefore one also cannot request the special covenant of the fathers. Here we request the covenant that the Almighty made with the Jews, that there should be from another covenant. It's a universal thing. And here you see that the Rambam actually

holds that a non-Jew can also perform the covenant, make a covenant and you will be saved.

The Mitzvah of a Non-Jew to Become a Jew

Speaker 1:

Essentially, what must a non-Jew do? A non-Jew must become a Jew. I say that there is a mitzvah on every non-Jew to become a convert, in my opinion without doubt, and this is the mitzvah that is spoken of here regarding the convert. But a non-Jew doesn't have the blessing over mitzvot because he is a non-Jew, a non-Jew has no mitzvot. But retroactively, after he has become a Jew, there was indeed a mitzvah to become a Jew, and only so should it be to be a non-Jew. And this "blood of the covenant" means the blood of the covenant, through this one becomes a Jew, on this there are no transgressions, understand? I mean that this is the meaning. It's very nice, it's more universal because it's a convert.

Why the Mohel Makes the Blessing, Not the One Being Circumcised

Speaker 2:

But why shouldn't the... we see something that the mohel makes the blessing, not the one being circumcised. I'm thinking of an adult, a Jew who for some reason wasn't circumcised, why shouldn't he make the blessing on his own circumcision? Or the convert, he's doing the mitzvah, let him...

Speaker 1:

But he's not doing the act, except if he cuts himself. Abraham our father cut himself, perhaps that's different, but except for that.

Circumcising Slaves – The Mohel's Blessing

Halacha 5 – One Who Circumcises His Slaves

Speaker 1:

Okay, "**One who circumcises his slaves**". One who circumcises his slaves blesses **Blessed are You, Lord our God, King of the universe, who has sanctified us with His commandments and commanded us to circumcise the slaves and to draw from them the blood of the covenant, for were it not for the blood of the covenant, heaven and earth would not endure.** When circumcising a slave of others, one cannot say "to circumcise" because he doesn't have the obligation on him, so he says "**on the circumcision of slaves and to immerse them for the sake of the covenant**" is the Rambam's language. When circumcising an adult, an older person who comes in now becomes a convert or a slave, usually there should be a certain modesty, there should be a certain refinement.

Laws of Circumcision, Chapter 3 – Continuation: Blessing for Circumcising Slaves, Circumcising an Adult, Doubtful Circumcision, and Circumcising a Non-Jew

The Mohel's Blessing When Circumcising Slaves

When circumcising his slave, he blesses Blessed are You, Lord our God, King of the universe, who has sanctified us with His commandments and commanded us to circumcise the slaves and to draw from them the blood of the covenant, the same text, for were it not for the blood of the covenant, heaven and

earth would not endure, as it says if not for My covenant day and night.

When circumcising a slave of others one cannot say "to circumcise", because he doesn't have the obligation on him, rather "on the circumcision of slaves and to draw from them the blood of the covenant", is the continuation.

Circumcising an Adult – Modesty at the Circumcision

When circumcising an adult, there is a related law that comes in, exactly as we speak of a convert and a slave. At a circumcision there must be a certain modesty, there must be a certain refinement. Usually at a brit milah it's a baby. A baby, a baby's nakedness is not relevant, one is not particular about a baby's nakedness, in any case not at a brit milah. But when circumcising an adult, **one must cover his nakedness until he blesses, and afterwards he uncovers him and circumcises.**

An Inquiry in the Rishonim: Why Is a Minor's Nakedness Not a Problem at Brit Milah?

There is an interesting inquiry in the Rishonim why exactly. There is even a question from the Tosafot and Rambam in the laws of reciting Shema, the Rambam says that one may not recite Shema facing a minor's nakedness. But one sleeps with one's own children, one is covered, but simply a minor's nakedness the Rambam doesn't say. It could be that simply there is a distinction between a blessing and reciting Shema.

But the Rosh says that it cannot be, he makes a blessing, the Almighty gave a mitzvah to circumcise a baby, do you say that the mitzvah is nakedness? There is holiness now. An adult is not different, it's not actually nakedness, but a baby you cannot say it's nakedness, it's a circumcision, it's a mitzvah.

It's a matter of honoring the mitzvah. There are even the vessels, we know we learned earlier situations when there is a doubt with an obligation of circumcision, and we learned it regarding overriding Shabbat and other things.

A Convert Who Was Circumcised Before Converting, A Child Born Circumcised, Androgynous – Drawing Blood of the Covenant Without a Blessing

The Rambam says thus: **A convert who was circumcised before he converted**, who circumcised himself before he converted, the same thing, he already circumcised himself, he circumcised himself as a non-Jew, one performs drawing blood of the covenant. **And a child who was born circumcised**, where also the law is that one only draws blood of the covenant, when one performs the blood of the covenant, **they do not require a blessing**, because it appears that the blood of the covenant is not biblical.

Dispute Between Rambam and Raavad – Doubtful Blessings

The answer is that the Rambam held that the blessing is out of doubt, or because a child born circumcised is simply a doubt about the sanctity. Truly, even a convert is a dispute of Tannaim, a dispute of Beit Shammai and Beit Hillel, a dispute of Tannaim simply in Beit Shammai and Beit Hillel. It could be that the Rambam who rules that one must perform drawing blood of the covenant, is simply out of doubt, because he knows that one must do it with his name.

But it's a doubt, firstly we don't know if the non-Jew intended at the circumcision for the sake of mitzvot to perform the mitzvah, and not... I mean not, it's a dispute of Tannaim whether a convert who was circumcised but not immersed, immersed but not circumcised, and I understand that the

Rambam rules stringently that one should perform drawing blood of the covenant, but stringently one doesn't make any... but one is stringent here, one acts stringently both ways. **And likewise an androgynous**, also circumcised stringently out of doubt, and one makes a blessing on a circumcision that is not certain.

Okay, so the Raavad disagrees, the Raavad holds that for a biblical doubt one does make a blessing. There is a dispute, the Raavad assumed that doubtful blessings is not a principle, because it's different. But the Raavad has, there is a Tosafot that we learned in the Gemara about certain rabbinic and doubtful rabbinic. The Raavad assumed that doubtful rabbinic means to say that it's only a rabbinic doubt, like demai, biblically there isn't even a doubt, then one doesn't make a blessing. But when one has an actual biblical doubt, the Raavad argues that one does make a blessing.

And the Rambam held that even then it's a rabbinic doubt, because a blessing is only rabbinic, it's to perform the mitzvah one needs, but the blessing is rabbinic, that means doubtful blessings we are lenient, one doesn't make a blessing. The Rambam is very against making more blessings, yes?

So the others who argue with the Rambam hold like that it's a law in the mitzvah, therefore... ah, a biblical doubt? It's a dispute whether one makes a blessing.

A Non-Jew Who Wants to Remove His Foreskin for Medical Reasons – It Is Forbidden for a Jew to Circumcise Him

Okay, the Rambam says further, a non-Jew, so, we learned about circumcising a non-Jew, let's learn another law about circumcising a non-Jew. The Rambam says, **A non-Jew who needs to cut the foreskin because of a wound or boil that developed**, a non-Jew who wants to cut his foreskin, but he's doing it because he wants to be rid of some illness or wound in that place, **it is forbidden for a Jew to cut it**, a Jew may not be the one who performs the brit milah, the brit, the cutting. Why? Because there is a law that Jews may not heal non-Jews for free.

The Law of "Lo Techanem" – We Neither Raise Them Up Nor Bring Them Down

The law, the law of "lo techanem" is learned in tractate Avodah Zarah, "lo titen lahem chanayah", "lo techanem". The Gemara says there, "lo ma'alim velo moridin". A Jew may not save a non-Jew for free. "Velo moridin otan", but also a Jew may not kill a non-Jew, bring him down to danger. But in any case, a Jew may not do for free for a non-Jew just like that a serious medical treatment.

Even if it's not a mitzvah, just a medical treatment, this means that one may not. Except a doctor in a situation where one may, but just like that a Jew may not be the one who performs a "medical procedure" or a medical thing for a non-Jew.

The Rambam's Innovation: A Non-Jew Can Fulfill Any Mitzvah

The Rambam says, here apparently a Jew should be allowed, because in practice this is a mitzvah. The Rambam holds that also for a non-Jew to circumcise himself is a mitzvah. Everything that a non-Jew does, a mitzvah that stands in the Torah, and he does it for the sake of the mitzvah, a non-Jew can grab onto a mitzvah. A mitzvah is happening here, even if it's not a medical mitzvah.

But the Rambam says, but he can do it without intending for the mitzvah. The non-Jew is doing it because of a wound that he has there. So when he does it, he's not doing a mitzvah. So there is no mitzvah happening here.

But if the non-Jew intended to circumcise, if the non-Jew actually wants to grab the mitzvah, he wants to fulfill the mitzvah of circumcision, **it is permitted for a Jew to circumcise him**, because then the Jew is actually helping someone perform a mitzvah, and then there isn't the matter of "lo ma'alim".

How the Rambam Learns the Gemara Differently from Others

So it's very interesting. In the Gemara it says that one doesn't circumcise a non-Jew, and the Gemara explains that it doesn't mean for the sake of conversion, because for the sake of conversion certainly one may, but it means for the sake of medical treatment. And most people understood that this means to say that circumcision belongs to Jews, one doesn't perform circumcision for a non-Jew. Ah, why would a non-Jew want circumcision? Even if he wants, he has some excuse, one doesn't do it. Certainly, it's missing becoming a Jew, he's not a non-Jew, he's a convert.

But the Rambam understood completely differently, because the Rambam actually held fundamentally that there is no such thing as a mitzvah that a non-Jew may not do. Every mitzvah a non-Jew can do, he's called "one who is not commanded but does". So it says explicitly in the laws of kings, every mitzvah, except perhaps Shabbat, and here perhaps is an exception, but generally speaking, every mitzvah that a non-Jew does he has reward, but "one who is not commanded but does" he is not.

Therefore also, it was difficult for the Rambam, why does it say in the Gemara in Tosafot that they perform a brit milah? So the Rambam understood that the Gemara means simply to forbid, not that medical treatment would have been a reason that one should be allowed. Medical treatment is a reason that one should not be allowed, because medical treatment one may not heal a non-Jew. So one says, because of enmity, there is perhaps a permission for this, but generally speaking the law is that medical treatment one may not heal a non-Jew. So medical treatment one may not do.

If so the Rambam had difficulty, but it's a mitzvah, a mitzvah one does. Therefore the Rambam found here a source for another innovative thing. That what he says that a non-Jew can do every mitzvah, doesn't mean that he can simply do it and he fulfills, he fulfills mitzvot when he keeps Shabbat. I don't know what, again will say the non-Jew from America will keep Shabbat? With God's help. Okay.

The Requirement of Intention for the Mitzvah by a Non-Jew – Stricter Than by a Jew

In any case, the Rambam says that a non-Jew – he says it explicitly in the laws of kings, occasionally, right? – that a non-Jew, the reward that he has when he does a mitzvah is only if he does it for the sake of, he believes that the Master of the Universe gave to Moses our teacher the 613 mitzvot, it's actually not for him, but he also wants to be a part of this, he wants to do a mitzvah. But simply he holds himself that it's a good thing, the Rambam holds that it's worth nothing. The Rambam is indeed occasionally precise there, that "one of the pious of the nations of the world" – "and not from their wise ones", or "but from their wise ones". In any case, no mitzvah

does he have, he's a wise non-Jew, but a mitzvah he doesn't have.

And here he says the same law, that the non-Jew needs... that a Jew doesn't need to intend for the sake of the mitzvah. Yes, mitzvot require intention, not to say admitting, he didn't see, he also didn't fulfill the law of medical treatment. But a non-Jew has no reward for doing mitzvot only if he has in mind for the sake of the mitzvah, and the intention means much more.

The Rambam's Response Regarding Muslims

There is a responsum from the Rambam, it was asked, the Muslims practice circumcision, yes? The Rambam was asked this question. So the Rambam said that one may, but on condition that the non-Jew believes in the prophecy of Moses, that he commanded the mitzvah of circumcision. There are others in the laws of circumcision, in the laws of kings it says in the Rambam that it could be that it's an actual mitzvah, not the mitzvah of Moses, but a mitzvah from Abraham our father. The children of Keturah, where perhaps Ishmael is a grandson of Abraham our father, also have a mitzvah, not our mitzvah from Moses, but... he looks in the laws of kings the Rambam brings that the children of Keturah... that this is the covenant of Abraham our father, is also their fat. It could be a real permission to circumcise an Ishmaelite because of this covenant.

A Difficult Question: Who Is the "Non-Jew" in This Law?

But the thing is difficult for me in general, because when one speaks of a non-Jew, often non-Jew means an acquisition of an idol worshipper. I don't know if we're speaking here of this non-Jew, because the non-Jew who is an idol worshipper is certainly not intending for the mitzvah. But a non-Jew who is not an idol worshipper also has the law "we don't circumcise him immediately". But what is the law? Does the law of the pious of the nations of the world apply to him? If the pious of the nations of the world there is no "we circumcise him immediately", one must think. No, only if he is a ger toshav.

Yes, you're asking a good question. It doesn't fit. I mean that the Rambam... frankly, non-Jew usually meant idol worshipper. Here we're not speaking of an idol worshipper, because an idol worshipper I don't know if he can at all intend for the mitzvah. Okay, very good. Let it be so. If he does anything he's not intending for the mitzvah. Very good. It's not true. It does fit. The non-Jew is not healed, the one who is not intending for the mitzvah. The one who is intending for the mitzvah is obligated in general to perform circumcision.

Practical Application – The Non-Jew Who Asks for Medical Treatment

I'll tell you between what. A person lives on a block with non-Jews. The non-Jews, let's say, are in a category of decent non-Jews. But now, when he comes to ask that his orlah should be removed because of a wound, you know that he's not doing it for the sake of a mitzvah, he's doing it for healing. Very good. So now one doesn't do it for such a healing. If there's a heter (leniency) on that halacha, one will find the heter, but the Rambam is just learning from the Gemara. The other non-Jew who is miskaven l'mitzvah (intends for the mitzvah), certainly, the good non-Jew. The non-Jew is a shoteh (fool), because a Jew would certainly have said, "I certainly have in mind the mitzvah, I also have a wound." I took advantage of an opportunity to do a mitzvah.

Digression: The Difference Between Jews and Non-Jews in Approach to Mitzvos

The problem with the non-Jews is, chas v'shalom (God forbid), YouTube here, in short, that he doesn't know that one can eat kugel and do a mitzvah. I heard a talk from Rav Daniel Alter, Rav Daniel Alter, you know who, yes? Rav Shaul's brother. He gives a talk in a yeshiva preparation for Shavuos. He says after the Gemara that they asked the non-Jews if they wanted the Torah, and they all said no. He asks, why did the Jews say yes? Didn't they ask them there? He says, because the Jews know that one finds a way out. It says you can't plow, but one can make a heter mechira (sale permit). The Jew was frightened, one may not. Here a way will be found. Listen well, rabbosai (gentlemen), the Rambam will finish with the virtue of the mitzvah of milah (circumcision).

Hilchos Milah, Chapter 3 - Continuation: The Virtue of Milah

Orlah - A Disgrace Even for the Wicked

When one wants to speak about the wicked, one says "**k'chol hagoyim ha'areilim**" (like all the uncircumcised nations). So, if one wants to mock someone, one calls him an areil (uncircumcised). One sees that orlah is a disgraceful thing. Yes, even a wicked person is ashamed of this.

Avraham Avinu - Not "Complete" Without Milah

"Gedolah milah shelo nikra Avraham avinu shalem" (Great is milah that Avraham our father was not called complete). And the opposite of this, the virtue, begins with the deficiency. **"Gedolah milah shelo nikra Avraham avinu shalem"**. Avraham avinu, true, he is the beloved, the great beloved, but as long as he had not circumcised himself - yes, according to those who learn that Yisro circumcised Avraham, but ultimately he is Avraham avinu - but still he is not called shalem (complete) ad shemal (until he circumcised himself), until he circumcised himself, **shene'emar "hishalech lefanai veheyeh tamim"** (as it is said "walk before Me and be perfect"). He is whole, he is complete, and then he becomes **"brisi beini uveinecha"** (My covenant between Me and you).

The Juxtaposition with the Wicked - A Davar Hafuch

So, in other words, it's actually a davar hafuch (reversed matter). Even a non-Jew who does all kinds of terrible things, what does one call him? Areil. That's the worst thing. Even a tzaddik, like Avraham avinu, he does all the mitzvos, when does one call him tamim? Only with bris milah. This is simply the virtue.

"Kol Hameifer Briso Shel Avraham Avinu" - Has No Share in the World to Come

"Kol hameifer briso shel Avraham avinu" (Whoever breaks the covenant of Avraham our father), and he doesn't circumcise his child, or he doesn't circumcise himself, when he left his orlah, **o mashach** (or stretched), he made it so one shouldn't see the orlah, so one shouldn't see that he is circumcised, **af al pi sheyeish b'yado ma'asim tovim harbei** (even though he has many good deeds), even if he has many good deeds, **ein lo cheilek l'olam haba** (he has no share in the World to Come).

Ah, this fits very well with what I just said, that milah - even a wicked person is even worse than a wicked person. And here he says, even a tzaddik, if he doesn't have milah, he is nothing.

But it also fits very well that k'sheim shenichnas labris (just as he entered the covenant), so can he go claiming good deeds, and he will be able to be zocheh (merit) the World to Come,

because without this his Torah and good deeds would have been worth nothing.

But the Rambam doesn't bring this simply to explain the halachos of one who breaks the covenant, but to show the virtue of milah.

Moshe Rabbeinu - "Not Delayed Even One Hour"

Says the Rambam, **"bo ur'eh kamah chamurah milah"** (come and see how severe is milah), how serious is the mitzvah of milah, **"shelo nislach lo l'Moshe Rabbeinu aleha afilu sha'ah achas"** (that Moshe Rabbeinu was not given respite for it even one hour).

"Vayehi hu baderech" (And it was on the way), it says in the Torah, that when he was going on the way, Moshe Rabbeinu with his wife Tziporah with the children, a child was born, and **"vayeishev Moshe Rabbeinu"**, he delayed, he didn't immediately circumcise when the mitzvah came, it happened that **"vayifgeshehu malach Hashem vayevekeish hamiso"** (an angel of Hashem met him and sought to kill him), there was danger, and afterwards Tziporah took a stone and circumcised.

One sees that the punishment for Moshe Rabbeinu came immediately. One sees that milah is something that must be done quickly.

The Explanation of Moshe Rabbeinu's Punishment

If I remember, the explanation is that Rashi says this, perhaps it says this in the Gemara that he brings, that he didn't want to circumcise because he said that on the road one doesn't circumcise because it's dangerous during the journey. The Almighty said, "Okay, but now b'malon (at the inn), the moment you stopped you could already." Here one sees that even one hour was not waited.

Two Novel Points from This Story

I thought two things that one sees from here.

One, that from here it fits somewhat with the shitos (opinions) that we learned at the beginning, that there is kares (spiritual excision) for not circumcising oneself, and there is the dispute between the Rambam and the Ra'avad. The Rambam says that he is only chayav kares (liable for kares) if he never circumcised himself and he went through his whole life, and the Ra'avad says that he is constantly omed b'karso (standing in his kares). One sees how there came to Moshe Rabbeinu a death penalty, something that is similar to kares, a punishment for being lazy.

And the second thing I thought, that the Rambam says that the mitzvah of milah must be done early. It was even one hour means even on the eighth day itself. Perhaps it's not on the eighth day itself, but according to the greatness of Moshe Rabbeinu, because there doesn't come upon this any chiyuv misah (death penalty), but according to the greatness of Moshe Rabbeinu, even one hour can mean literally from when the obligation, not when the obligation is already past.

Two Ways to Understand the Punishment - The Lubavitcher Rebbe

One must know, this I saw here he brings from the Lubavitcher Rebbe of mine, that there are actually two ways how one thinks. Sometimes one says that such a tzaddik is punished for smaller transgressions, and sometimes one says the simple meaning of the Midrash is not exactly the opposite - Moshe Rabbeinu is the greatest tzaddik, and for the small thing they... because usually a tzaddik has protection. This is

such an important thing, he already has no protection at all, even one hour for taking away the World to Come, because usually merit suspends... he has other merits.

So although it sometimes says that tzaddikim medakdekim (the righteous are exacting) has simply the only reasoning, the normal reasoning is the opposite, and it doesn't fit the Midrash. You understand? You can say specifically Moshe Rabbeinu, I am a Moshe Rabbeinu, I have no problem.

And another thing, because it says that the Jews were not circumcised, they only circumcised themselves first. Yes, it says in the desert they couldn't circumcise. But Moshe demanded more from the Almighty.

Three Covenants on the Torah

So we turn further about the importance of covenant. I have **mitzvos haTorah nitnu al shalosh brisos bilvad** (the commandments of the Torah were given on only three covenants). Three times it says that the Almighty made a covenant with the Jews about the commandments of the Torah.

Shene'emar "eileh divrei habris" (as it is said "these are the words of the covenant") in Parshas Devarim, and there he says further, at the end of Sefer Devarim, and there he says **"milvad habris asher karas itam b'Choreiv"** (besides the covenant that He made with them at Horeb). The word bris appears twice in this verse. **V'sham hu omeir** (and there it says) in Parshas Nitzavim, **"atem nitzavim hayom... l'ovrecha b'vris Hashem Elokecha"** (you are standing today... to pass into the covenant of Hashem your God), the covenant of what Moshe Rabbeinu says before the Jews.

It's already two covenants essentially, and the word bris appears three times on this. It's the covenant of Mount Sinai, and afterwards the covenant of Moshe Rabbeinu, but this is called in the Torah shalosh brisos (three covenants).

Discussion: How Many Times Does "Bris" Appear?

Speaker 1: He brings in his book, he asks, it says twice bris on the Torah, and again. But here at the end, this is the end of Sefer Devarim, in Parshas Nitzavim, as I remember, **"eileh divrei habris"**, Devarim 28, it says about the entire Torah **"eileh divrei habris"**, **"milvad habris"**, **"l'ovrecha b'vris"**. The word bris appears three times, one sees that the entire Torah is three times bris.

Speaker 2: But on milah... no, I'm saying, twice there occurred a ma'amad habris (covenant ceremony), but the Torah mentions three times the importance of it.

Speaker 1: It doesn't mean that, it means how many times the word appears.

We've already spoken about this many times.

Thirteen Covenants on Milah

And the Rambam must write the word "bris", because **"v'lo yimol v'nichras"** (and will not circumcise and will be cut off) is **"shalosh esrei brisos nichresu al hamilah"** (thirteen covenants were made on milah), shene'emar (as it is said), the Rambam counts out thirteen times:

"V'asnah brisi beini uveinecha" (And I will establish My covenant between Me and you)

"Ani hinei brisi itach" (I, behold My covenant is with you)

"Vahakimosi es brisi beini uveinecha" (And I will establish My covenant between Me and you)

"V'haysah livris olam" (And it shall be for an everlasting covenant)

"V'atah es brisi sishmor" (And you shall keep My covenant)

"Zos brisi" (This is My covenant)

"Es brisi tintzoru" (My covenant you shall keep)

"V'haysah brisi bivsarchem livris olam" (And My covenant shall be in your flesh for an everlasting covenant)

"V'es brisi heifer" (And My covenant he has broken)

"Vahakimosi es brisi itam livris olam" (And I will establish My covenant with them for an everlasting covenant)

"V'es brisi akim es Yitzchak" (And My covenant I will establish with Yitzchak)

Conclusion of Hilchos Milah and Sefer Ahavah

And with this the Rambam concludes like a good thing with the cutting of the covenant that the Almighty made with the Jews, **"Baruch Rachmana d'sayan"** (Blessed is the Merciful One who helped), who finished Hilchos Milah, and with this **"nigmar sefer sheini b'ezras Sha-dai"** (the second book is completed with the help of the Almighty), and with this we have finished the second book, Sefer Ahavah.

Discussion: Why Does the Rambam Write "Sha-dai"?

Speaker 1: Here it says yes Sha-dai, it doesn't say... one can explain why he said it, but he doesn't say that the Almighty's name is only Rachmana at the end, but Sha-dai one may write.

Speaker 2: Aha. We've departed from this. Okay.

Speaker 1: It says here that Sha-dai is the yud-dalet, the fourteen books. It's worth giving one of the fourteen books.

Again, the Rambam was... the Rambam found here an ocean of Torah, and the... the... she'ein lahem da'as (who have no knowledge), that means, the Rambam has thousands of halachos, he only needs to include Hilchos Ahavah.

Speaker 2: So what's relevant here "she'ein lahem da'as"?

Speaker 1: Making a book there is... because in general, the Rambam's book makes a "yad" (hand), one can hold the Torah, it shouldn't end forever. And therefore one must make "yud-dalet", because the Rambam was always sure that the Rambam had things that one can still include in Sefer Ahavah, more halachos. The Rambam held that we have a book that one can learn, it shouldn't be endless and so forth.

Forty-Six Chapters in Sefer Ahavah

And the total is here in this book forty-six chapters:

- Fourteen of Krias Shema
- Fifteen of Tefillah
- Ten of Tefillin Mezuzah Sefer Torah
- Three of Tzitzis
- Eleven of Berachos
- And three of Milah

And this is the end of forty-six.

Forty-six is some kind of secret.

Speaker 2: What is the secret of forty-six? Do you know?

Speaker 1: "Ma'amid hakol" (sustains everything).

Speaker 2: Don't know. Okay.

A good Shabbos, a good year.

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