

OVERVIEW of the Daf

1) The uncircumcised kohen (cont.)

A second appearance of the word **בו** in the context of Korban Pesach is explained.

The necessity for the Torah to exclude the uncircumcised and the apostate is presented as well as the necessity of the word **ממנו**.

2) R' Akiva's position

Two explanations are presented to explain how R' Akiva knew to include someone uncircumcised rather than one who is onein.

The Gemara explains what exposition R' Akiva makes from the words **תושב ושכיר**, why R' Eliezer does not subscribe to that exposition and what exposition R' Eliezer makes from the words **איש איש**.

3) The uncircumcised child

Rami bar Chama inquires whether it is permitted to rub terumah oil on an uncircumcised minor.

R' Zeira attempts to prove that it is prohibited but Rabbah rejects this proof.

R' Pappa, Rava, R' Kahana the son of R' Nechemiah and R' Shrivya offer alternative explanations of the Beraisa.

The last interpretation is unsuccessfully challenged.

4) Purifying one who is uncircumcised

R' Yochanan in the name of R' Bena'ah asserts that one who is uncircumcised may be sprinkled with parah adumah ashes.

The proof is unsuccessfully challenged.

5) Uncovering the circumcision

Rabbah bar Yitzchok in the name of Rav teaches that the mitzvah of uncovering the circumcision was not given to Avrohom Avinu.

This assertion is unsuccessfully challenged.

6) Circumcision in the desert

The Gemara inquires why the Jewish people did not practice circumcision in the desert. ■

Distinctive INSIGHT

Definition of words in the verse and colloquial usage of terms
והני מולין נינהו והתן קונם שאני נהנה

In presenting the view of Rabbi Akiva, the Gemara first explains that the verse of **תושב ושכיר** which is written in reference to the korban Pesach comes to teach us that an Arab or Givoni (non-Jews) who happen to be circumcised may nevertheless not partake in the korban. The Gemara asks that there should be no reason why the verse would have to exclude these people from participating in the korban Pesach, when we know that regardless of their physical condition, gentiles are not defined as "מהול—circumcised." In response to this question, the Gemara suggests an alternative lesson from the verse

When the Gemara stated that gentiles are, by definition, categorized as "uncircumcised," this contention was supported by a Mishnah from Massechta Nedarim (31b): "If a person declares that he will not benefit from those who are 'uncircumcised,' he may still benefit from all Jews, even those who are currently uncircumcised. He is, however, restricted against benefiting from all gentiles, even those who are circumcised." The reason is that when people speak **לשון בני אדם** when they say **מולין** they are referring to Jews, and when they say **ערלים** they are referring to gentiles. Based upon this Mishnah, our Gemara accurately contends that the verse in Shemos 12:45 cannot be coming to exclude a circumcised gentile from eating the korban Pesach.

Tosafos **ד"ה והני מולין נינהו** presents the classic discussion regarding whether we are justified in interpreting verses based upon colloquial usage of words and their definitions. In this case, for example, the Gemara questions our understanding of a verse based upon the definition of the word **מולין** in common usage. Why is it, asks Tosafos, that the verse and its meaning is limited by the fact that people refer to gentiles as **ערלים** even when they are circumcised? Perhaps the Torah uses the words **מולין** and **ערלים** in their proper and literal sense, and the fact that people at large speak more generally is not relevant to the strict interpretation of the verses?

Tosafos establishes a principle for this and all parallel cases. However, the Gemara often does bring proofs to definitions of words from general usage among people when the verse itself is ambiguous or unknown. When the definition of a word is distinct and different in its common usage from how it is known to be used in the verse, the verse is to remain intact and genuine, regardless of the general understanding. However, the exception to this is when we interpret what a person might have meant when he pronounced a vow. In reference to vows, we follow colloquial usage, because we must assume that the person committed himself to fulfill his words as he understands them. ■

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By Mr. and Mrs. David Binter
In loving memory of their father
הרב גרשון זאב בן ר' מרדכי דוד, ז"ל
Rabbi Gershon Futerko o.b.m.

HALACHAH Highlight

Is a woman three days post-partum permitted to fast on Yom Kippur?

רב פפא אמר כגון דכאיב ליה עיניה לינוקא

R' Pappa says that the Beraisa refers to where the baby's eyes hurt

Rav Ovadiah Yosef¹ quotes a Rav who suggested that a woman who is three days post-partum and asserts, with the agreement of her doctors, that she is capable of fasting on Yom Kippur is permitted to fast. Proof to this position can be found in a comment of Ramban². Ramban writes that although the Gemara states that one desecrates Shabbos for the sake of a woman who is post-partum, even when she claims it is unnecessary, nevertheless, if there is a doctor present who confirms that she does not need Shabbos to be desecrated on her behalf they should be heeded and one should not desecrate Shabbos for her. Similarly, when the mother and the doctor assess that fasting will not be detrimental to her or the baby she is allowed to fast.

Rav Ovadiah Yosef strongly opposes this position for a number of reasons. Firstly, even according to Ramban it could be suggested that a woman who is post-partum should not fast. Concerning Shabbos one could adopt a strict approach and maintain that if everyone agrees that this woman does not want Shabbos to be desecrated on her behalf one should not desecrate Shabbos but adopting a strict approach towards Yom Kippur results in further suffering, especially in our weakened generation. Secondly, even though the doctors claim it will not have a detrimental effect their assessment is not to be followed when it contradicts Chazal's assessment. Rivash³, for example, writes explicitly that halacha does not follow the opinions of doctors because

REVIEW and Remember

1. Why is it logical to assume that one who is uncircumcised is prohibited to eat teruma?
2. Is it permitted to rub teruma oil on an uncircumcised infant?
3. What happens to newborns as soon as they enter this world?
4. How do we know that Avrohom was not commanded to do פריעה?

if we were to follow their assessment it will lead to a corruption of halacha. An example of this is presented by Avnei Nezer⁴. Our Gemara states that if a newborn's eye hurts the bris is to be delayed. Even though the pain in the eye does not pose a danger there is a concern that the composite effect of the pain in the eye and the bris will put the baby in danger. Similarly, even if a woman and her doctor claims that she is healthy since Chazal declare that a woman three days post-partum is dangerously ill we are concerned that fasting will aggravate her condition putting her in greater danger. ■

1. שו"ת יביע אומר ח"ז או"ח סי' נ"ג אות ה'
2. רמב"ן ספר תורת האדם בשער הסכנה ומובא דבריו בשו"ת יבי"א הנ"ל אות ב'
3. שו"ת הריב"ש סי' תמ"ז
4. שו"ת אבני נזר או"ח סי' תנ"ג ■

STORIES Off the Daf

Bris Milah in the Warsaw Ghetto

כגון שהיו אביו ואמו חבושין בבית האסורין

On today's daf we find that sometimes parents might fail to circumcise their son on time because they are in prison. Not very long ago, however, there were times when even Jews who were imprisoned sacrificed their lives to perform the mitzvah.

It was the winter of 1943 in the Warsaw ghetto. The bris for the child who was already several months old was to be conducted by the expert mohel, the Piacezner Rebbe, Rav Kalonymus Kalman Shapira, Hy"d, Rebbe of the Warsaw ghetto. Every single person who attended the tiny min-

yan had put himself in mortal danger because the ghetto had been very nearly transformed by that time into a Nazi concentration camp. Anyone who was caught in the streets of the ghetto was likely to be shot on sight. But the mother of the child had wept and pleaded with the Rebbe to finally circumcise the child; she could no longer stand to raise an orel. At first she had hesitated because she thought that she might hide him with a gentile family, but now she saw that she really wanted to perform the mitzvah, come what may.

Rivers of tears flowed at that bris, the participants were overwhelmed by sorrow and despair. The father was gone—taken by force to a death camp near Lublin. Filled with fear for his safety, the child's mother cried out in prayer before the as-

sembled group, "Ribbono shel olam, in the merit of this bris, please save my husband... wherever he is!" The minyan burst into tears at the sound of her cries.

Just then, Rav Alexander Zusia Friedman, hy"d, one of the members of the group, began to sing an inspiring Chassidic melody. Little by little the rest joined in, the mood of despair lifted, and the small minyan slowly rose to the heights of impassioned devotion to Kiddush Hashem. And in that elevated atmosphere, the child entered the bris of Avraham Avinu.

Although the Angel of Death himself roamed the streets of Warsaw outside, nothing could stop that small group of Jews from feeling and demonstrating their love of the mitzvah of milah. ■

