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**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**TALMUDIC METHODOLOGY**  
**By Rav Moshe Taragin**

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**Shiur #21: *Peria* – The Second Stage of *Mila***

The previous shiur addressed the question of whether the mitzvah of *berit mila* demands uncovering the *makom ha-mila* or merely cutting skin, the quantity of skin which must be cut being defined by the volume of flesh which covers the *makom ha-mila*.

There is, however, a second stage to *mila* known as *peria*, pulling back the white membrane underneath the foreskin. The nature of this phase of the mitzva and its relationship to basic *mila* may influence the previous question.

The Bavli (Shabbat 137b) does not cite a source for the mitzva of *peria*. The mishna (ibid. 19:6) declares that "if someone cuts the foreskin without removing the membrane, it is considered as if he did not perform *mila*." The Yerushalmi (ibid. 19:2), however, does raise two potential sources for the mitzva of *mila*, and the gemara does not cite a source for *peria*. Ha-kadosh Barukh Hu instructs Avraham about *mila* by commanding (Bereishit 17:13) "*Himmol yimmol*;" this double conjugation of the root of *mila* may imply the requirement of two components: basic *mila* and supplementary *peria*. Alternatively, the Yerushalmi cites the statement of Tzipora, wife of Moshe (Shemot 4:26), in which she uses the obscure phrase "*chatan damim la-mulot*" to refer either to her husband or to her infant son; either way, the plural term "*mulot*" also suggests multiple phases of *mila*. While the Bavli intuits the requirement of *peria* without a Torah citation, the Yerushalmi demands an explicit source.

Perhaps the Yerushalmi and Bavli are disputing the structural function of *peria*. According to the Bavli, it is considered an integral element of the *mila*; therefore, it does not require an additional source. The Yerushalmi, on the other hand, may view *peria* as a separate act, perhaps necessary to complete the overall mitzva of *mila*, but in no way an integral element of the act of *mila*. As an independent procedure, it requires an additional source.

Viewing the Bavli's position in this light may raise certain questions regarding a Gemara in Yevamot (71a). The gemara claims that Avraham was

commanded to perform *mila*, but not *peria*. Since Hashem commands Yehoshua to perform *peria* for the males of the generation entering Eretz Yisra'el, (Yehoshua 5:2), the Gemara infers that Avraham was never thus obligated. If Avraham were commanded about *mila* but not *peria*, it would seem as if even the Bavli views them as divisible. To be sure, there is some debate amongst Rishonim as to whether this position is rejected; Rashi quotes two variant versions of the conclusion of this gemara, one of which may conclude that Avraham indeed fulfilled *peria*. (For an interesting apologetic claiming that Avraham indeed fulfilled *peria*, see the Gur Aryeh's commentary on Parashat Lekh Lekha).

Even were we to justify the omission of *peria* from Avraham's mitzva – since he received mitzvot in a pre-Sinaitic context – we would still question its delayed delivery to Yehoshua. Presumably, as an integral part of the *mila* process, it should have been issued to Moshe at Har Sinai; after all, the Torah does repeat the mitzva of *mila* during Matan Torah (Vayikra 12:3). Tosafot in Yevamot assume that Moshe received the command, but was unable to execute it, since *mila* was suspended for the forty years of the desert travels (Yehoshua 5:5-6). The Ramban, however, cites an opinion which insists that Moshe did not receive the command of *peria*, and it was only issued to Yehoshua after forty years. Certainly, this opinion casts *peria* as an element independent of *mila*.

It should be noted that even if *peria* is independent of *mila* according to the simple reading of the mishna in Shabbat it is still mandatory; the omission of *peria* would still disqualify the overall *mila*. There are some dissenting opinions which reinterpret the mishna's statement and do conclude that in the absence of *peria*, *mila* has still been effectively performed. However, these remain minority opinions, and most assert that even as an independent phase of *mila*, it is still *me'akeiv* - totally indispensable.

There are several halakhic issues which may stem from the issue of whether *peria* is an inherent element of *mila* or an addendum. For example, the Rama, in Responsum 76, questions whether *peria* should override Shabbat in the same manner that *mila* does. He concludes that as *peria* is an essential component of *mila*, the guidelines of *mila* and its capacity to supersede Shabbat apply equally to *peria*. Had *peria* been an addendum, one might wonder about the Rama's reasoning; in fact, many Rishonim do cite alternate sources to justify the fact that *peria* overrides Shabbat. Perhaps they maintain that *peria* is distinct and requires an independent 'authorization.'

The Yam shel Shlomo in Yevamot (8:3) raises an inverse question, but one which echoes with the aforementioned logic: can a *mohel* perform *mila* on Shabbat without completing *peria*? If *peria* is integral to the *mila*, the latter is incomplete without the former, and an incomplete *mila* may not supersede Shabbat. If, however, each phase is cast as independent, we may allow each to override Shabbat even without the performance of the complementary action.

The Tashbetz (2:277) raises an interesting option which reveals his opinion of *peria*. Facing various difficulties in scheduling the *berakhot* of *mila*, the Tashbetz suggests delaying the *berakha* upon *mila* ("*al ha-mila*") until after the initial *mila*, immediately prior to *peria*. He argues that this would still be considered "*over la-asiyatan*" – prior to the action of the mitzva — since the necessary conclusion of *mila*, namely *peria*, has yet to be executed. He too views *peria* as an integral aspect of *mila*, allowing the *berakhot* of *mila* to be delayed as long as they are uttered prior to *peria*.

In truth, the structural dynamic of *peria* appears to be a debate between the Ran and the Ri Migash – cited by the Nimukei Yosef in his comments to Bava Metzia (30a). Acknowledging the ability of *peria* to override Shabbat, the Ran extrapolates that any act associated with a mitzva and integral to it may be able to override an *aveira* (prohibition) if the mitzva itself has the power to do so. He postulates that, in theory, necessary preparations for fulfilling the mitzva of *hashavat aveida*, returning lost objects, may take precedence over some *aveirot*. If *peria* overrides Shabbat, then other non-mitzvot which are nonetheless necessary may similarly override *aveirot*.

The Ri Migash thoroughly rejects the Ran's view, invalidating his proof from *peria*. *Peria*, he claims, is not an associated act of *mila*, but rather the essence of this mitzva; therefore, it overrides Shabbat in the very same manner that basic *mila* does. One cannot extrapolate from this instance of *peria* to the general ability of non-mitzva acts which are associated with mitzvot to override an *aveira*.

Having identified two very different views of the relationship between *mila* and *peria*, it is undeniable that this question impacts on the earlier issue of defining *mila*. *Peria*'s entire function is the uncovering of the *makom ha-mila*: unlike *mila*, which involves cutting skin, *peria* merely removes a thin membrane, casting it off the *makom ha-mila* but not severing the membrane. It is clearly an act geared toward uncovering the *makom ha-mila*. If it is an integral aspect of *mila*, then by extension *mila* becomes defined – in part – as an act geared toward revealing the *makom ha-mila*. If *peria* is merely an addendum, it may not indicate the nature of the essential *mila*; we may still define *mila* proper as essentially being a mitzva to cut skin, the volume of which is defined by the flesh which covers the *makom ha-mila*.