



THE שבוע MATTERS

שבת קודש חוה"מ סוכות תשפ"ב | מסכת יבמות דף ע"א

INSIGHTS FROM OUR CHABUROS

Definition of Words in the Verse and Colloquial Usage of Terms

STORIES OFF THE DAF

Bris Milah in the Warsaw Ghetto

והני מוליך נינהו והתנן קובץ שאני נהנה

In presenting the view of Rabbi Akiva, the Gemara first explains that the verse of **ויקח** 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 **מחולל**—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 **מוליך** 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 מוליך 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 **מוליך** 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 in their proper and literal sense, and the fact **ערלים** and **מוליך** 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.

בגון שהיו אביו ואמו חבושין בבית האסורין

On this week'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 Piaczner Rebbe, Rav Kalonymus Kalman Shapira, Hy"d, Rebbe of the Warsaw ghetto. Every single person who attended the tiny minyan 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 oriel. 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 assembled 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.

PARSHA CONNECTION

This week's daf the Gemara discusses the status of a baby who is less than eight days old and therefore has not yet had a ברית. Why is the ברית on the eighth day? The (מורה"ל תפארת ישראל פרק ב') explains that the number seven represents טבע (e.g., the seven days of the week) and the number eight represents something which is above nature (למעלה מן הטבע). We learn this concept from קהלת which tells us in the second verse **הכל הבלים הכל הבל**. The Midrash explains that this refers to the world which was created in seven days. If the world is **הכל** how do we understand its purpose? The Alshich Hakadosh explains that the world by itself would be for naught if not for the fact that the Torah was created before the world was created and this is what gives the world its purpose. The world without Torah has no value, but with Torah it has significant value. Similarly the מורה"ל explains that a ברית which elevates a physical act into a spiritual covenant is above "nature" and is therefore done on the eighth day.

MUSSAR FROM THE DAF

Work in Progress

וקטן שנולד כשהוא מהול וקסבר צריך להטיף ממנו דם ברית אלא לאתויי גר שמל ולא טבל

The Gemara brings the opinion of R' Akiva who holds that even if a child is born with a Bris Milah, one still has to perform Hatafas Dam.

The Moser explain that one of the lessons that one can learn from the Mitzvah of Milah is to remember that we are not born perfect. We always have to work on ourselves.

With the chiddush of R' Akiva ברית ממנו דם ברית צריך להטיף ממנו דם ברית in our sugya we can take that concept even deeper.

A person might feel that in a certain area they are naturally "perfect" and therefore has no need for further refinement. R' Akiva teaches us that even such a person still needs to continue to work on themselves in that area.

POINT TO PONDER

The Gemara says that it is possible for a father to be capable of פסח thru שחיטת קרבן פסח but not be able to eat it, because of his uncircumcised son. One way that this can happen is if both parents were incarcerated when it was time for the שחיטה, and were released from prison in time for the שחיטה. Rashi explains that they appointed a שליח to slaughter the animal but could not do the bris because they were in prison. Why can't they appoint a mohel to do the bris on their behalf the same were they are able to appoint one for the שחיטת קרבן פסח?

Response to last week's Point to Ponder:

The Gemara recounts an incident whereby רב אשי asked two מייארומוא to immerse his slave in a Mikva and ensure that he doesn't become a free Jew in the process. He warned them that if they are not careful and the slave becomes a free man, he (רב אשי) would hold them responsible. How would we assess the damages in such a case? What is the definition of their responsibility?

The consensus of most Rishonim is that they would have to pay for causing a loss to a fellow Jew. This is based on a Gemara in תכסמו א"ע א"ע which discusses various opinions regarding damages which are not visible. For example, bread on Passover, whereby the bread itself wasn't changed or damaged in any way, but not selling it to a non-Jew prior to Passover, resulted in a total loss. See (ח"י פיעס זסר נמיס העד), for more details.

HALACHA HIGHLIGHT

Is a Woman Three Days Post-Partum Permitted to Fast on Yom Kippur?

רב פפא אמר כגון דכתיב ליה עיניה לינוקא

R' Pappa says that the Braisa 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 postpartum 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 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 אר"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 אר"ח סי' תנ"ג

ר' יוסף שמואל שמעלקא ב"ר יצחק מערמעלשטיין ז"ל, Shelly Mermelstien לע"נ יעומוס

For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Gutterman, please visit our website, dafaweek.org, or download the app

To share an insight from your Chabura please email info@dafaweek.org

The shavua matters is published by the Daf a week program under the rabbinical guidance of Harav Meir Stern shlita and Harav Shmuel Kamenetsky shlita

To sponsor a publication, please contact Rabbi Zacharia Adler, Executive Director at info@dafaweek.org or call 507-daf-week. Sponsorship for one week is \$100

Sections reprinted with permission from the Chicago Torah Center