

Is there anything that his...lack of circumcision, etc. – **מי איבא מדי דערלות וכו'**: This point is so obvious that some commentaries are puzzled as to the Gemara's initial line of thought: How could it have been considered possible that the lack of circumcision of others is more problematic than one's own? The Ritva suggests that one could claim that this is a kind of penalty, as, if the *halakha* is not stringent with regard to such an individual, he will be lax and never circumcise those under his authority. *Tosefot HaRosh* and the Meiri explain that since a man who remains uncircumcised usually does so due to circumstances beyond his control, one might have thought that he should not be prohibited from eating *teruma*, whereas no such excuse applies to his failure to circumcise others.

הַנֶּחְדָּשׁ נִפְיֵשׁן וְאִיבְעִית אִימָא: בְּלֹא [הַנֶּחְדָּשׁ] נִפְיֵשׁן נִמְי לֹא מְצִית אֲמֶרֶת, מִי אִיבָא מִיְדֵי דְעֵרְלוֹת דְּגוֹפִיָּה לֹא מְעַבְבָּא בֵּיהּ, עֵרְלוֹת דְּאַחֲרֵינִי מְעַבְבָּא בֵּיהּ?!

The Gemara answers: **These arguments for including one's own circumcision in the prohibition are more numerous. And if you wish, say: Even without the rationale that these arguments are more numerous, you still could not say that the verbal analogy comes to include in the prohibition against eating *teruma* one whose male children or slaves have not been circumcised. As, is there anything that his own lack of circumcision^N does not preclude him from doing but the lack of circumcision of others does preclude him from doing?** Rather, it must be that the verbal analogy comes to teach that the priest's own lack of circumcision precludes his eating *teruma*, while that of his male children and slaves does not.

הַשְּׁתָּא דְאֲמַרְתָּ "בּו" לְדַרְשָׁה הוּא דְאֲתָא, "כֹּל בֶּן נֶכֶר לֹא יֹאכַל בּו" לְמָה לִי? "בּו"

The Gemara poses a question: **Now that you have said that the phrase "from it" used in this context comes for an exposition and serves to exclude other cases, with regard to the phrase "from it" in the verse "No stranger shall eat from it" (Exodus 12:43), why do I need it?** The Gemara answers: This, too, teaches that it is only **from it**, eating the Paschal lamb,

Perek VIII

Daf 71 Amud a

מְשוּמָדוֹת פּוֹסְלוֹת, וְאִין מְשוּמָדוֹת פּוֹסְלוֹת בְּמַעֲשֵׂי.

that apostasy [*meshumadut*]¹ disqualifies,^H as the term "stranger" in this context is understood to refer to a Jew whose conduct makes him estranged from God, and he is disqualified from eating the Paschal lamb, **but apostasy does not disqualify one from eating tithe.**^N

"כֹּל עֶרֶל לֹא יֹאכַל בּו" לְמָה לִי? "בּו" אִינוּ אוֹכְלִים, אֲבָל אוֹכְלִים הוּא בְּמַצָּה וּמְרוֹר.

The Gemara asks further: If so, with regard to the phrase "from it" in the verse "**No uncircumcised person^N shall eat from it**" (Exodus 12:48), which again emphasizes "from it" and not from another item, **why do I need it?** The Gemara answers: This teaches that only **from it**, the Paschal lamb, one who is uncircumcised **may not eat, but he eats *matza* and bitter herbs.**^H One who is uncircumcised is obligated to eat *matza* and bitter herbs on Passover, just like any other Jew.

וְאִיצְטְרִיךְ לְמַכְתָּב "עֶרֶל", וְאִיצְטְרִיךְ לְמַכְתָּב "כֹּל בֶּן נֶכֶר". דְּאִי פְתַב רַחֲמֵנָא "עֶרֶל" מְשׁוּם דְּמֵאִיס, אֲבָל בֶּן נֶכֶר דְּלֹא מֵאִיס, אִימָא לֹא. וְאִי פְתַב רַחֲמֵנָא "כֹּל בֶּן נֶכֶר" מְשׁוּם דְּאִין לְבוּ לְשִׁמּוּם, אֲבָל עֶרֶל, דְּלְבוּ לְשִׁמּוּם, אִימָא לֹא, צְרִיכָא.

The Gemara continues: **And it was necessary for the Torah to write the prohibition with regard to an uncircumcised man, and it was necessary for the Torah to write a separate prohibition with regard to any stranger. As, if the Merciful One had written only about an uncircumcised man, one might have thought that only for him is it prohibited to eat from the Paschal lamb because the foreskin is repulsive, but with regard to a stranger, who is not repulsive, say that it is not prohibited. And if the Merciful One had written only about any stranger, one might have concluded that only for him is it prohibited to eat from the Paschal lamb because his heart is not directed toward Heaven due to his apostasy, but with regard to an uncircumcised man, whose heart is directed toward Heaven, and it is only on account of unavoidable circumstances that he has not undergone circumcision, say that there is no prohibition against his eating the Paschal lamb. Therefore, it is necessary to teach both cases.**

LANGUAGE

Apostasy [*meshumadut*] – **מְשׁוּמָדוֹת**: There are various opinions as to the etymology of this word. Some understand the original meaning of the word as connected to the root *sh-m-d*, in the sense of a decree enacted against the Jews that they must change their religion. Therefore, the primary sense of the word *meshumad* is: One who was forced to convert to another religion. Rav Hai Gaon argues that the word is derived from the ancient Aramaic *amad*, meaning immersed, and a *meshumad*, the abbreviated form of *meshumad*, is one who has been

baptized. From here the word was taken to mean anyone who converted to another religion. The Ramban, however, suggests that the word is a shortened form of *meshumada*, from the Aramaic *eshtamoda*, meaning alienate. Therefore, a *meshumad* is anyone alienated from his religion. Others are of the opinion that the term is derived from the word *shemad* in the sense of excision, close in meaning to the root *sh-m-t*, meaning: Place under a ban. According to this opinion, *meshumad* means one who is cursed and cut off from the Jewish people.

HALAKHA

Apostasy disqualifies – מְשׁוּמָדוֹת פּוֹסְלוֹת – One who feeds an olive-bulk of the Paschal lamb to an apostate guilty of idolatry has transgressed a negative mitzva (Rambam *Sefer Korbanot, Hilkhot Korban Pesah* 9:7).

He eats *matza* – אוֹכְלִים הוּא בְּמַצָּה – An uncircumcised man is obligated to eat *matza* and bitter herbs on Passover (Rambam *Sefer Korbanot, Hilkhot Korban Pesah* 9:8).

NOTES

But apostasy does not disqualify one from eating tithe – וְאִין מְשׁוּמָדוֹת פּוֹסְלוֹת בְּמַעֲשֵׂי: *Tosafot* state that apostasy does not disqualify a priest from eating *teruma* either, and they explain how both *halakhot* can be derived from the same exclusion. However, Rashba, who apparently had a different reading of the Gemara in *Pesahim*, maintains that apostasy does disqualify a priest from eating *teruma*. Since there is a verbal analogy between the Paschal lamb and *teruma*, they are equated in every possible manner.

No uncircumcised person – כֹּל עֶרֶל: One issue concerning the prohibition against gentiles eating from the Paschal lamb is the question: To whom does the prohibition apply? If one claims that it applies to Jews in that they may not feed gentiles from the offering, there is no need for a special teaching with regard to a circumcised Arab, as this prohibition itself is a novelty. For this reason some commentaries say that the prohibition applies to the gentile himself. *Tosefot HaRosh* points out that it is unusual for the Torah to state a special *halakha* that applies only to gentiles and not to Jews.

NOTES

Rabba said that Rabbi Yitzhak said – רבא אומר רבי יצחק – On 74a the statement is that of Rava, citing Rabbi Yitzhak. Rabba and Rava are actually the same name; they are spelled slightly differently in order to distinguish between two very important *amora'im*: Rabba bar Nahmani and his student, Rava, the son of Rav Yosef bar Hama. Despite this convention, the names are often confused, both in manuscripts and in printed editions of the Talmud.

An acute mourner – אונן: The *halakhot* of acute mourning are derived from the verses describing Aaron on the day his sons died. The verse “Behold, this day have they offered their sin-offering” (Leviticus 10:19), teaches that by Torah law, the period of acute mourning applies only on the day of death (Rabbeinu Yehonatan). The Gemara further derives from the verse “And its end as a bitter day” (Amos 8:10), that the *halakhot* of acute mourning apply for the entire day, but only during the day. The extension of the *halakhot* of acute mourning to the night following the first day is by rabbinic decree. Although the mourning rites continue into the following seven- and then thirty-day periods, only the period of acute mourning involves prohibitions related to the Temple and offerings.

To include a circumcised Arab – לְאִתּוּי עֲרָבִי מְהוּל – If this Arab is a gentile, how is he better than a “stranger,” an apostate Jew? The early authorities suggest that it might have been argued that although the stranger was originally a Jew, since he renounced and abandoned his religion he may be lower in status than a gentile (Ramban; Rashba). The *Halakhot Gedolot* explains that this is referring to an Arab who converted but there was as yet no dripping of covenantal blood, the procedure used in the case of a convert who converted when already circumcised (see Meiri).

BACKGROUND

Gibeonite – גִּבְעוֹנִי: The Gibeonites mentioned here are apparently not the Gibeonites mentioned in the Bible. The *Arukh* and others read: Gavnoni, which Rabbeinu Hananel understands as a reference to the Gavnonim, meaning: The nation that lives in the mountains, from the word *giva*, meaning mountain. According to some commentaries, they live in the mountains on the east bank of the Jordan, while others propose that they are members of a nation that lived in the Gubia district in the mountains south of Caucasia. According to Rashi, it is the name of a talmudic-era nation that practiced circumcision.

“ממנו” “ממנו” למה לי? לדרבבה אומר רבי יצחק.

אמר מר רבי עקיבא אומר: אינו צריך, הרי הוא אומר “איש איש” לרבות את הערל ואימא לרבות את האונן! אמר רבי יוסי ברבי חנינא: אמר קרא “וכל זר” וזוה אמרתיו לך ולא אנינות.

אימא: ולא ערלות! הא פתיב “איש איש”.

ומה ראית? מסתברא, ערלות הוה ליה לרבויי שכן מעשי”ם כרותים בדב”ר העב”ד: מחוסר מעשה, ומעשה בגופו, וענוש ברת, וישנו לפני הדבור, ומילת זכריו ועבדיו מעבבת.

אדרבבה, אנינות הוה ליה לרבויי שכן ישנה בכל שעה, ונוהגת באנשים ונשים, ואין בידו לתקן עצמו.

הנך נפישן. רבא אומר: בלא הנך נפישן נמי לא מצית אמרת, אמר קרא “איש איש”, איזהו דבר שישנו באיש ואינו באשה – הוי אומר: זה ערלות.

ורבי עקיבא, האי “תושב ושכיר” מאי עביד ליה? אמר רב שמעאי: לאתויי ערבי מהול וגבעוני מהול.

The Gemara asks: With regard to the phrase “of it” in the verse “Do not eat of it raw, nor boiled in water, but roasted in fire” (Exodus 12:9), and the phrase “of it” in the verse “And you shall let nothing of it remain until the morning” (Exodus 12:10), both of which are terms of exclusion, why do I need them? The Gemara answers that they are necessary for that which Rabba said that Rabbi Yitzhak said, as will be explained later (74a).^N

The Master said above in the *baraita*: Rabbi Akiva says that it is not necessary to derive by way of a verbal analogy the *halakha* that an uncircumcised priest may not eat *teruma*, as the verse says: “Any man [*ish ish*] from the seed of Aaron who is a leper or a *zav* shall not eat of the holy things” (Leviticus 22:4). The repetition of the word *ish* comes to include an uncircumcised man and indicate that he too may not partake of consecrated food. The Gemara asks: But say that the verse comes to include an acute mourner^N in the prohibition against eating *teruma*. Rabbi Yosei, son of Rabbi Hanina, said: The verse states: “No foreigner may eat of the holy thing” (Leviticus 22:10), which indicates: A disqualification stemming from foreignness I told you prevents one from eating *teruma*, but not a disqualification based on acute mourning.

The Gemara asks: Say that the verse comes to teach that a disqualification stemming from foreignness prevents one from eating *teruma*, but not a disqualification based on the priest’s lack of circumcision, and so it should be permitted for an uncircumcised priest to partake of *teruma*. The Gemara answers: Isn’t it written: “Any man [*ish ish*],” where the repetition of the word *ish* comes to include an uncircumcised priest in the prohibition?

The Gemara asks: And what did you see that led you to include an uncircumcised priest in the prohibition against eating *teruma* and exclude an acute mourner? The Gemara answers: It stands to reason that lack of circumcision should be included and should preclude a priest’s eating *teruma*, as the *halakhot* governing an uncircumcised man are stringent in several respects, as alluded to by the following mnemonic of key words: Acts; *karetim*; the divine word; the slave. The Gemara explains: An uncircumcised man lacks the act of circumcision, and this act is performed on his body; the failure to perform circumcision is punishable by *karet*; circumcision existed before the divine word was spoken at Mount Sinai, as the mitzva of circumcision had already been given to Abraham; and the lack of circumcision of one’s male children and slaves precludes one’s eating the Paschal lamb.

The Gemara counters: On the contrary, acute mourning should be included and it should prevent a priest from eating *teruma*, as acute mourning is relevant at any time, it applies to both men and women, and it is not in the mourner’s power to render himself fit until after the deceased is buried.

The Gemara answers: These arguments for including an uncircumcised priest in the prohibition are more numerous. Rava said: Even without the rationale that these arguments are more numerous, you still cannot say that an acute mourner should be included and an uncircumcised priest should be excluded, as the verse states: “Any man [*ish ish*],” emphasizing maleness. Now, what matter applies to a man and not to a woman? You must say that it is lack of circumcision, and therefore it cannot be that the phrase comes to include acute mourning in the prohibition.

The Gemara asks: And what does Rabbi Akiva do with this phrase: “A sojourner and a hired servant,” as it is not needed for the Paschal lamb? Rav Shemaya said: It serves to include a circumcised Arab^N and a circumcised Gibeonite^b in the prohibition against the eating of the Paschal lamb. Although they have been circumcised, it is prohibited for them to partake of the offering.

Konam – קונם: A *konam* is a type of vow, the *halakhot* of which are explained at length in tractate *Nedarim*. The word *konam* refers to an offering; one renders an item prohibited to himself as though it were an offering. One of the basic principles of a *konam* is that it cannot apply to an action or an abstract state, but only to an object the likes of which can be consecrated. Therefore, the phrase: The benefit is *konam* to me, in essence means: I shall be prohibited by a *konam* from deriving benefit (see *Tosafot*).

To include a convert who was circumcised but did not yet immerse – לְאִתּוּי גֵר שְׂמֵל וְלֹא טָבַל: The early authorities are puzzled as to why a special verse is required for this *halakha*. Since a convert who was circumcised but did not yet immerse is not a Jew, he certainly may not partake of the Paschal lamb, like any other gentile. They explain that once he has undergone circumcision for the purpose of conversion, he is no longer classified as a gentile, and since his heart is directed toward Heaven and he is not uncircumcised, one might have thought that he may eat of the Paschal lamb (Ramban; Rashba).

What is the halakha with respect to anointing him – לְסוּבֵר: The later authorities discuss which prohibition might be violated by this anointment. One explanation is that while the child himself is not obligated in mitzvot, an adult may not act in a manner that will cause the boy to benefit from a prohibition. According to this opinion, it is prohibited for an adult to feed a minor non-kosher food, despite the fact that the latter is not obligated in mitzvot (*Arukh LaNer*). Others maintain that there is no such prohibition; rather, the question here relates to the loss of *teruma* and the possible theft involved: If the child is considered uncircumcised and *teruma* oil is used on his account, the *teruma* has been misused (*Mei Neftoah*).

Lack of circumcision not at its appointed time – עֲרֻלוֹת: Many early authorities are of the opinion that this question with regard to lack of circumcision not at its appointed time is left unresolved by the Gemara, as Rabbi Zeira's proof is ultimately refuted. Therefore, the ruling with regard to an uncircumcised newborn is unknown (Rabbeinu Hananel; Rid; Rashba). Others maintain that the problem is resolved concerning uncircumcised males under one's authority, and therefore the question concerning one's own uncircumcised state may be answered as well (see Meiri and *Kesef Mishne* on the Rambam). Yet others claim that although in the Babylonian Talmud the dilemma is left unresolved, in the Jerusalem Talmud it is explained that an uncircumcised male prior to the time of obligation is not considered uncircumcised, and the Jerusalem Talmud is relied upon when it is not contradicted by the Babylonian Talmud (see *Yam shel Shlomo*). In the Jerusalem Talmud the following question is raised as well: On the eve of the eighth day, is the child considered an uncircumcised male not at its appointed time, in light of the *halakha* that circumcision is not performed at night? The Gemara there concludes that since he is considered uncircumcised on the eighth day, he has the status of an uncircumcised male the night before as well.

וְהִנֵּי מוֹלִין נִינְהוּ? וְהָאֵתְנָן: "קוֹנֵם שְׂאֵנִי נְהַנֶּה לְעֵרְלִים" מוֹתֵר בְּעֵרְלֵי יִשְׂרָאֵל, וְאֶסוּר בְּמוֹלֵי אוֹמוֹת הָעוֹלָם. "קוֹנֵם שְׂאֵנִי נְהַנֶּה לְמוֹלִין" מוֹתֵר בְּמוֹלֵי אוֹמוֹת הָעוֹלָם, וְאֶסוּר בְּעֵרְלֵי יִשְׂרָאֵל.

The Gemara poses a question: **And are these considered circumcised? But didn't we learn in a mishna (*Nedarim* 31b):** If one vowed: **The benefit that I might gain from the uncircumcised is *konam*^N to me,**^H i.e., forbidden to me like consecrated property, then it is permitted for him to derive benefit from uncircumcised Jews, and it is prohibited for him to derive benefit from the circumcised of the nations of the world, as gentiles are considered uncircumcised even if they have their foreskins removed. And conversely, if he vowed: **The benefit that I might gain from the circumcised is *konam* to me,**^H it is permitted for him to derive benefit from the circumcised of the nations of the world, as they are not considered circumcised, and it is prohibited for him to derive benefit from uncircumcised Jews. This indicates that the circumcision of gentiles is disregarded.

אֵלֶּא, לְאִתּוּי גֵר שְׂמֵל וְלֹא טָבַל וְקָטָן שְׂנוּלֵד בְּשֵׁהוּא מְהוּל, וְקָסְבֵר: צְרִיךְ לְהִטִּיף מִמֶּנּוּ דָם בְּרִית.

Rather, the phrase "a sojourner and a hired servant" comes to include in the prohibition against eating of the Paschal lamb a convert to Judaism who was circumcised but did not yet immerse^{NH} in a ritual bath, and a child who was born circumcised,^H i.e., without a foreskin. Although he does not have a foreskin, he is still seen as lacking the act of circumcision. And he, Rabbi Akiva, maintains that it is necessary to drip covenantal blood from him, in lieu of circumcision, in order to usher him into the covenant of Abraham, even though he has no foreskin that can be removed.

וְרַבִּי אֱלִיעֶזֶר, לְטַעֲמֵיהּ, דְּאָמַר: גֵּר שְׂמֵל וְלֹא טָבַל גֵּר מְעֻלָּא הוּא, וְקָסְבֵר: קָטָן בְּשֵׁנוּלֵד מְהוּל אֵין צְרִיךְ לְהִטִּיף מִמֶּנּוּ דָם בְּרִית.

And Rabbi Eliezer, who uses the words "a sojourner and a hired servant" for a verbal analogy, conforms to his standard line of reasoning, as he said: **A convert who was circumcised but did not yet immerse is a proper convert** in every way. Therefore, the verse cannot come to exclude such an individual. And he maintains that in the case of a child who was born circumcised, it is not necessary to drip covenantal blood from him. Since he was born without a foreskin, no additional procedure is necessary.

וְרַבִּי אֱלִיעֶזֶר, הָאֵי "אִישׁ אִישׁ" מֵאֵי עֵבֶד לִיהֵ? דְּבִרָה תּוֹרָה בְּלִשׁוֹן בְּנֵי אָדָם.

The Gemara asks: **And what does Rabbi Eliezer do with this inclusive phrase "any man [*ish ish*]?"** The Gemara answers: He maintains that the Torah spoke in the language of men, meaning that no special *halakha* is derived from this expression, as it is common biblical vernacular.

בְּעֵי רַב חָמָא בַר עֻקְבָּא: קָטָן עָרַל, מְהוּ לְסוּבֵר בְּשִׂמְן שֶׁל תְּרוּמָה? עֲרֻלוֹת שְׂלֵא בְּזִמְנָה מְעַבְבָּא אוֹ לֹא מְעַבְבָּא?

Rav Hama bar Ukva raises a dilemma: With regard to an uncircumcised child who is less than eight days old and not yet fit for circumcision, what is the *halakha* with respect to anointing him^N with oil of *teruma*?^H The Gemara explains the two sides of the question: Does lack of circumcision not at its appointed time,^N meaning before the obligation of circumcision goes into effect, preclude the infant's benefiting from *teruma*, as he has the status of an one who is uncircumcised, or perhaps it does not preclude his benefiting from *teruma*, as he is not considered uncircumcised until the mitzva of circumcision is applicable?

HALAKHA

One who vows not to benefit from the uncircumcised – הַנֶּזֶדֶר: It is prohibited for one who vows not to derive benefit from the uncircumcised to derive benefit from gentiles, even if they underwent circumcision, and it is permitted for him to derive benefit from Jews, even if they are uncircumcised (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:22; *Shulhan Arukh*, *Yoreh De'a* 217:41).

One who vows not to benefit from the circumcised – הַנֶּזֶדֶר: It is prohibited for one who vows not to derive benefit from the circumcised to derive benefit from Jews, even if they are uncircumcised, and it is permitted for him to derive benefit from gentiles, even if they underwent circumcision

(Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:22; *Shulhan Arukh*, *Yoreh De'a* 217:42).

A convert who was circumcised but did not yet immerse – גֵּר שְׂמֵל וְלֹא טָבַל: If a gentile undergoing conversion was circumcised but did not yet immerse, or he immersed but was not yet circumcised, he is not a convert until he undergoes circumcision and immerses himself, in accordance with the Rabbis (Rambam *Sefer Kedusha*, *Hilkhot Issurei Bia* 13:6).

A child who was born circumcised – מְהוּל: If a child was born without a foreskin, it is necessary to drip covenantal blood from him, as the *halakha* is ruled in accordance with the

opinion of Rabbi Akiva against that of Rabbi Eliezer. Although Rav disagrees with Shmuel in tractate *Shabbat* and rules in accordance with the opinion of Rabbi Eliezer, a ruling accepted by the *Halakhot Gedolot* and *Tosafot*, nevertheless, since Rabba and Rav Yosef agree with Shmuel, the *halakha* is ruled in accordance with Shmuel's view (Vilna Gaon; Rambam *Sefer Ahava*, *Hilkhot Mila* 1:7; *Shulhan Arukh*, *Yoreh De'a* 263:4).

An uncircumcised child with regard to *teruma* – קָטָן עָרַל: A priestly infant of less than eight days old may be anointed with *teruma* oil even though he is uncircumcised, in accordance with Rava's resolution of Rav Hama's dilemma (Rambam *Sefer Zera'im*, *Hilkhot Terumat* 11:7).

אמר רבי זירא, תא שמע: אין לי אלא מילת זכריו בשעת עשייה, ועבדיו בשעת אכילה, מנין ליתן את האמור של זה בזה ואת האמור של זה בזה – תלמוד לומר "אז" "אז" לגזירה שוה.

בשלמא עבדיו, משפחת לה דאיתנהו בשעת אכילה וליתנהו בשעת עשייה – בגון דזבניהו ביני ביני.

אלא זכריו דאיתנהו בשעת אכילה וליתנהו בשעת עשייה – היכי משפחת לה? לאו דאתילוד בין עשייה לאכילה? שמע מינה: ערלות שלא בזמנה הויא ערלות.

אמר רבא: ותסברא? "המול לו כל זכר" אמר רחמנא "ואז יקרב לעשותו", והאי לאו בר מהילא הוא! אלא, הקא במאי עסקינן – בגון שחלצתו חמה.

וניתוב ליה כל שבועה, דאמר שמואל: חלצתו חמה נותנין לו כל שבועה! דיהבין ליה כל שבועה. ונימהליה מצפרא! בעינן

Rabbi Zeira said: Come and hear a proof from the following *baraita*: I have derived only the *halakha* concerning the circumcision of one's male children at the time of the preparation,^h i.e., the slaughter, of the Paschal lamb, as it is stated: "Let all his males be circumcised, and then let him come near and keep it" (Exodus 12:48), and the *halakha* concerning the circumcision of one's slaves at the time of the eating of the Paschal lamb, as it is stated: "But every man's servant... when you have circumcised him, then shall he eat from it" (Exodus 12:44). From where do I derive that it is proper to apply the prohibition that was stated about this case to that case, and the prohibition that was said about that case to this case, i.e., that the circumcision of both one's male children and one's slaves is indispensable both at the time of the preparation of the Paschal lamb and at the time of its consumption? The *tanna* answers that the verse states the term "then" with regard to male children and the term "then" with regard to slaves as a verbal analogy.

The Gemara comments: Granted, with regard to one's slaves you find a case where they are present at the time of eating but they were not present at the time of preparation; for example, if he purchased them in the meantime, i.e., they did not belong to him when the Paschal lamb was slaughtered but he bought them immediately afterward, before it was time to eat it.

However, with regard to his male children, how can you find a case where they are present at the time of eating, but they were not present at the time of preparation? Does it not involve a situation where they were born between the time of the Paschal lamb's preparation and the time of its eating? Learn from this that lack of circumcision, even not at, i.e., before, its appointed time, is nevertheless considered lack of circumcision that prevents the father from partaking of the offering.

Rava said: And how can you understand it that way? How can you think that the lack of circumcision of a newborn child precludes his father's eating from the Paschal lamb? Doesn't the Merciful One state: "Let all his males be circumcised," followed by "and then let him come near and keep it" (Exodus 12:48), and as this infant is not yet fit for circumcision he cannot possibly preclude the father's partaking of the offering? Rather, with what case are we dealing here? With the case, for example, of a baby who was exempt from circumcision at the time of the preparation of the Paschal lamb because he was sick with a high fever, and subsequently the fever left him and he recovered. In such a case, failure to immediately circumcise his son precludes the father's eating from the Paschal lamb.

The Gemara raises a difficulty: If the case is one of a child recovering from an illness, let us give him the full seven days that he needs to recuperate properly. As Shmuel said: In the case of a baby that was sick with a high fever, and subsequently the fever left him,^h one gives him a full seven days to heal and only then is he circumcised, but not before. The Gemara answers: The case is in fact one where we already gave him a full seven days to heal, but they culminated on the eve of Passover. The Gemara asks: But if the seven-day recovery period ended on the eve of Passover, why did the father wait until the time of eating the Paschal lamb, i.e., the first night of Passover? He should have circumcised him already in the morning, before the time of the preparation of the Paschal lamb. The Gemara answers: We require

HALAKHA

The circumcision of one's male children at the time of the preparation – מילת זכריו בשעת עשייה – The circumcision of one's male children and slaves is an indispensable requirement both at the time of the preparation of the Paschal lamb and at the time of its consumption. Therefore, if one acquired a slave after the Paschal lamb was slaughtered, or if the obligation to circumcise his son began only after it was slaughtered, e.g., if the infant recovered from illness seven days beforehand, and he did not circumcise the slave or infant, it is prohibited for him to eat the Paschal lamb (Rambam *Sefer Korbanot*, *Hilkhot Korban Pesah* 9:9).

The fever left him – חלצתו חמה: As long as a child is ill, he is not circumcised. After he recuperates, he is given a full seven days, and only then does he undergo circumcision. This *halakha* applies only to a sickness that took hold of his entire body, but if he was experiencing minor and localized pains, e.g., in his eyes, he is circumcised immediately upon his recovery. The *halakha* is ruled in accordance with the opinion of Shmuel, Rabba, and Rav Pappa. The Rema notes that severe pain in the eyes is treated like a sickness of the whole body (Rambam *Sefer Ahava*, *Hilkhot Mila* 1:16; *Shulhan Arukh*, *Yoreh De'a* 262:2).

מעת לעת.

that during the recovery period one must wait **from the time** the seven days began **to the exact same time** seven days later, i.e., seven complete twenty-four-hour periods. Therefore, if the child recovered in the afternoon of a particular day, one is required to wait until that same time of day a week later, and only then is he circumcised.

והתני לודא: יום הבראתו כיום
הולדו, מאי לאו, מה יום הולדו לא
בעינן מעת לעת אף יום הבראתו לא
בעינן מעת לעת!

The Gemara asks: **Didn't the Sage from Lod teach that the day of his healing is like the day of his birth? What, is it not that just as with regard to the day of his birth we need not wait from the time he is born to the same time on the eighth day to circumcise him, so too, with regard to the day of his healing we need not wait from the time he heals to the same time seven days later?**

לא, עדיף יום הבראתו מיום הולדו.
דאילו יום הולדו לא בעינן מעת
לעת, ואילו יום הבראתו – בעינן
מעת לעת.

The Gemara refutes this argument: **No, the day of his healing is superior to the day of his birth: While from the day of his birth until circumcision we need not wait from the time he is born to the same time on the eighth day to circumcise him, i.e., the child may be circumcised already at the start of the eighth day, from the day of his healing we need to wait seven complete days from the time he heals to the same time seven days later.**

רב פפא אמר: כגון דכאיב ליה עיניה
לנוקא, ואיתפח ביני וביני.

The Gemara suggests other circumstances where a male child may be present at the time of the eating of the Paschal lamb but absent at the time of its preparation. **Rav Pappa said:** This would take place, **for example, if the baby's eye hurt him^N** on the eighth day following his birth, which occurred on the eve of Passover, **and he recovered in the meantime** between the time of the preparation of the Paschal lamb and the time of its eating. In the case of a minor ailment such as eye pain, circumcision is not performed as long as the pain persists, but it may be performed as soon as the child has recovered, without first waiting seven days.

רבא אמר: כגון שהיו אביו ואמו
תבושין בבית האסורין.

Rava said: This would occur, **for example, if the infant's father and mother were incarcerated in a prison** at the time of the preparation of the Paschal lamb, and they slaughtered their offering by way of an agent, and there was no one available to circumcise the infant, and the parents were released from prison before the time for eating the Paschal lamb arrived.

רב כהנא בריה דרב נחמיה אמר:
כגון טומטום, שנקרע ונמצא זכר
ביני וביני.

Rav Kahana, son of Rav Nehemya, said: This would occur, **for example, if the infant was a tumtum,^B** one whose external sexual organs are indeterminate and it is unclear whether the infant is male or female, and **in the meantime** between the time of the preparation of the Paschal lamb and the time of its eating, **he was torn open**, his gender was revealed, **and he was found to be a male**, so that the obligation to circumcise him went into effect.

רב שרביא אמר: כגון שהוציא ראשו
חוץ לפרוזדור.

Rav Sherevya said: This would occur, **for example, if seven days earlier the baby had already extended his head**, but not the rest of his body, **out of the corridor^L** to his mother's womb. In such a situation he is considered born, but he is fit for circumcision only after his entire body has emerged. If this occurs between the time of the preparation of the Paschal lamb and the time of its eating, the child's father may not eat of the offering until he has circumcised his son.

ומי חיי? והתנא: כיון שיצא לאויר
העולם נפתח הסתום ונסתם הפתוח,
שאמלא בן אין יכול לחיות אפילו
שעה אחת!

The Gemara poses a question: **But in a case such as this, can the child live for such a long period with only his head outside? Isn't it taught in a baraita: Once a baby emerges into the air of the world, that which had been closed, the mouth and nostrils, open, and that which had been open, the umbilical cord, from which the child had previously received its sustenance, closes, as, if this did not occur it could not live for even an hour**, as it has no other way to receive nutrition. If so, this child whose head alone emerged from his mother's womb would certainly starve, as it cannot take in any sustenance.

NOTES

כגון דכאיב ליה – כגון דכאיב ליה – For example, if the baby's eye hurt him – עיניה לינוקא: The Rashba and others explain that this *halakha* was not stated specifically with respect to discomfort in the eye, even though it is recorded that the Sages were especially concerned about eye pain. Rather, if the baby suffers from pain of any kind, his circumcision is delayed until he recovers. A similar interpretation is attributed to the *geonim*.

BACKGROUND

Tumtum – טומטום: A *tumtum* is one whose external sexual organs are indeterminate, and it is unclear whether the individual is male or female. In certain cases the gender of a *tumtum* can be established through a surgical procedure in which the genitals are exposed. Once the gender of the *tumtum* is revealed, he or she is considered a full-fledged member of that gender.

LANGUAGE

Corridor [*prozdor*] – פרוזדור: Many maintain that the proper spelling of this word is *prozdod*. In any event, the word is derived from the Greek, apparently from the word *πρόστας*, *prostas*, meaning entrance room or gatehouse. This word is used by the Sages in reference to certain structures, and also euphemistically for a woman's vagina and labia.

BACKGROUND

He was sustained by a fever – זַנְתִּיָּה אִישְׁתָּא – One who does not consume any food receives his nourishment through the breakdown of fatty tissue in his body. If he has a fever, this process of fat breakdown is accelerated. Therefore, it can maintain an individual for only a short period of time, as the more rapid loss of body fluids can be fatal.

HALAKHA

An uncircumcised man may receive the sprinkling – עֵרַל מְקַבֵּל הַזֹּאֵה: If an uncircumcised man contracted ritual impurity from contact with a corpse, and purifying water was sprinkled upon him on the third and seventh days, he is purified from this impurity. After he is circumcised, he must immerse himself, and then he may eat sacrificial foods in the evening, in accordance with the opinion of Rabbi Bena'a (Rambam *Sefer Tahara, Hilkhot Para Aduma* 11:3).

הַכָּא בְּמַאי עֲסָקִינָן – כְּגוֹן דְּזַנְתִּיָּה אִישְׁתָּא. אִישְׁתָּא דְּמֵאן? אִישְׁתָּא דִּידִיָּה – אִי הָכִי כָּל שְׂבַעֵה בְּעֵי, אֲלָא דְּזַנְתִּיָּה אִישְׁתָּא דְּאִמְיָהּ. וְאִיבַעִית אִימָא: הֲנֵי מִיֵּלִי – הִיכָא דְּלֵא מְעֵי, אֲבָל הִיכָא דְּמְעֵי – מְחִיָּיא חֵי.

אָמַר רַבִּי יוֹחָנָן מְשׁוּם רַבִּי בְּנֵאָה: עֵרַל מְקַבֵּל הַזֹּאֵה, שְׂכָן מְצִינוּ בְּאַבְוֹתֵינוּ שְׂקִבְלוּ הַזֹּאֵה כְּשֶׁהָיוּ עֵרְלִים, שְׁנֵאֲמַר "וְהָעָם עָלוּ מִן הַיַּרְדֵּן בְּעֶשְׂרֵת לַחֹדֶשׁ הָרִאשׁוֹן."

בְּעֶשְׂרֵה לָא מְהִילֵי מְשׁוּם חוּלְשָׁא דְּאוֹרְחָא, הַזֹּאֵה אִימַת עֵבִיד לְהוּ לָאו כְּשֶׁהָיוּ עֵרְלִים!?

וְדִלְמָא לֹא עֲבוּד פֶּסַח כְּלָל? לֹא סִלְקָא דְּעֵתָךְ, דְּכַתִּיב "וַיַּעֲשׂוּ אֶת הַפֶּסַח."

מִתְקִיף לָהּ מֵרַז זֹטְרָא: וְדִלְמָא פֶּסַח הָבֵא בְּטוּמְאָה הִיא! אָמַר לִיהּ רַב אֲשִׁי: תִּנְיָא בְּהֵדִיא, מְלוּ וְטַבְלוּ וַעֲשׂוּ פֶּסַחְהוֹן בְּטַהֲרָה.

The Gemara answers: **With what case are we dealing here?** It is, for example, a case where he was sustained by the heat of a fever^b and therefore did not need to eat. The Gemara asks: **Whose fever? If we say it is his own fever**, i.e., the baby himself had a fever, **if so**, it should be necessary to wait a full seven days after his entire body exits the womb before he can be circumcised, in accordance with the *halakha* governing an infant who was ill. **Rather**, it must be that he was sustained by his mother's fever. **And if you wish**, say that this principle that a child cannot survive in such conditions applies only when he does not cry,ⁿ but when he cries he can live, as his crying indicates that he has already started to breathe.

§ Rabbi Yohanan said in the name of Rabbi Bena'a: **An uncircumcised man may receive the sprinkling^{hn}** of the water mixed with the ashes of a red heifer in order to purify himself from ritual impurity imparted by a human corpse, as we do not say that this sprinkling is ineffective as long as he is uncircumcised. **As we found that our forefathers received the sprinkling when they were uncircumcised**, as it is stated: **"And the people came upⁿ out of the Jordan on the tenth day of the first month"** (Joshua 4:19), and the verses go on to relate that the men were all later circumcised before sacrificing the Paschal lamb on the fourteenth (see Joshua 5:10).

The Gemara clarifies: **On the tenth day itself they did not circumcise themselves due to the weariness caused by their journey.** When, then, was the sprinkling done to them in order to remove the ritual impurity resulting from contact with a corpse, so that they would be fit to bring the Paschal lamb on the fourteenth? The first sprinkling must have taken place no later than the tenth, as there is a four-day waiting period between the first and second sprinklings. In that case, **wasn't the initial sprinkling performed when they were still uncircumcised?** This proves that an one who is uncircumcised may receive the sprinkling of the purification waters.

The Gemara counters: **But perhaps they did not sacrifice the Paschal lamb at all.**ⁿ The Gemara answers: **This cannot enter your mind, as it is written: "And they kept the Passover"** (Joshua 5:10), meaning they brought the Paschal lamb.

Mar Zutra strongly objects to this: **But perhaps it was a Paschal lamb that comes in a state of impurity?** If the majority of the community is ritually impure due to contact with a corpse, they may all sacrifice their Paschal lambs even though they are ritually impure, and there is no need for any sprinkling. **Rav Ashi said to him: It is taught explicitly in a baraita that they circumcised themselves, immersed in a ritual bath, and performed the ritual of their Paschal lambs in a state of purity.**

NOTES

When he does not cry [me'avei] – דְּלֵא מְעֵי: Rabbeinu Hananel reads this as *ma'arei*, which is apparently the reading of *Tosafot* as well. This refers to a case where the baby is no longer mingled [*me'ureh*] and connected to his mother by the umbilical cord. However, if he is still attached to his mother, he receives his sustenance from her. The preceding phrase in the Gemara: "He was sustained by his mother's fever," indicates likewise, as he can receive nourishment from his mother only if he is still connected to her.

An uncircumcised man may receive the sprinkling – עֵרַל מְקַבֵּל הַזֹּאֵה: The early authorities inquire as to why one might think that an uncircumcised man is ineligible for sprinkling. They answer that according to Rabbi Akiva's opinion that one who is uncircumcised is like one who is ritually impure, one might have thought that he may not receive the sprinkling due to this impurity (*Tosafot Yeshanim*). The *Tosefot HaRosh* adds that although most impure individuals may receive the sprinkling and are thereby purified from ritual impurity contracted through contact with the dead, sprinkling is ineffective for certain types of impurity, e.g., leprosy.

As it is stated: And the people came up – שְׁנֵאֲמַר וְהָעָם עָלוּ: Rabbi

Avraham Av *Beit Din* asks why the Gemara does not cite a more straightforward proof from the instruction given after the war against Midian: "You shall purify yourselves on the third day and on the seventh day, you and your captives" (Numbers 31:19). He answers that this proof can be refuted, as it could be argued that those who fought in that war were from the older, circumcised generation, who had themselves been part of the exodus from Egypt (*Tosefot HaRosh*). The Ramban cites the above question and answer and adds a different resolution of his own: It is possible that although Moses issued these instructions with regard to their purification, in practice they were unable to carry them out and had to wait until they were circumcised.

But perhaps they did not sacrifice the Paschal lamb at all – וְדִלְמָא לֹא עֲבוּד פֶּסַח כְּלָל: The Ritva is puzzled by this suggestion, as the verse states explicitly that they did sacrifice the Paschal lamb. One answer is that the verses might be referring to the second *Pesah*, but this appears unlikely. The Ritva himself states that it is possible to explain that only those who were circumcised offered the Paschal lamb, but not the rest of the people.

The shreds that invalidate the circumcision – ציצין – המעבבין את המילה: If there remains of the foreskin flesh that covers most of the height of the corona, even only in one place, the circumcision is incomplete, and it is as though the individual had not been circumcised at all. However, if the remaining flesh does not cover most of the height of the corona, the circumcision is valid. Nevertheless, all large shreds of flesh should be removed *ab initio*, even those that do not invalidate the circumcision (Rema; Rambam *Sefer Ahava, Hilkhhot Mila* 2:3; *Shulhan Arukh, Yoreh De'at* 264:5).

אמר רבה בר יצחק אמר רב: לא ניתנה פריעת מילה לאברהם אבינו, שנאמר: "בעית ההיא אמר ה' אל יהושע עשה לך חרות צרים" וגו'.

Rabba bar Yitzhak said that Rav said: The mitzva of uncovering the corona during circumcision was not given to our Patriarch Abraham.^N The command given to Avraham included only the mitzva of circumcision itself, i.e., the removal of the foreskin, but not the uncovering of the corona, i.e., the folding back of the thin membrane that lies under the foreskin. As it is stated: "At that time the Lord said to Joshua: Make yourself knives of flint, and circumcise again the children of Israel a second time" (Joshua 5:2). Why was it necessary to circumcise them? Apparently, it is because before the Torah was given on Mount Sinai, some of them had been circumcised in the manner of Abraham, without uncovering the corona, and therefore they needed to be circumcised a second time in accordance with the Torah law that requires uncovering the corona.

ודלמא הנך דלא מהול, דכתב "כי מלים היו כל העם היצאים וכל העם הילדים" וגו'?

The Gemara asks: How may it be inferred that those who were already circumcised required a second circumcision? Perhaps the verse is referring to those who had not been circumcised at all, as it is written: "For all the people who came out were circumcised; but all the people who were born in the wilderness... had not been circumcised" (Joshua 5:5)?

אם כן, מאי "שוב"? אלא לאו – לפריעה, ומאי "שנית"?

The Gemara responds: If so, that it was only those who had never been circumcised who required circumcision, what is the meaning of "circumcise again," which indicates that they had to be circumcised a second time? Rather, is it not referring to uncovering the corona? And what is the meaning of "a second time," stated in the same verse? This phrase appears redundant, as the verse already stated: "Circumcise again."

לאקושי סוף מילה לתחלת מילה, מה תחלת מילה מעבבת, אף סוף מילה מעבבין בו. דתנן, אלו הן ציצין המעבבין את המילה: בשר החופה את [רוב] העטרה, ואין אוכל בתרומה.

The Gemara explains: It comes to equate the end of circumcision, when it is necessary to circumcise a second time in order to correct an improperly performed circumcision, with the beginning of circumcision: Just as an incomplete performance at the beginning of circumcision invalidates the circumcision, so too, incomplete performance at the end of circumcision, i.e., the foreskin not being fully removed, invalidates the circumcision. As we learned in a mishna (*Shabbat* 137a): These are the shreds of flesh that invalidate the circumcision^H if they are not cut. The essential element of circumcision is the removal of the flesh that covers most of the corona, and a child who was not circumcised in this manner is considered uncircumcised, and he does not partake of *teruma*.

אמר רבינא, ואיתימא רב ירמיה בר אבא, אמר רב: בשר החופה את רוב גובהה של עטרה.

With regard to this issue Ravina said, and some say it was Rav Yirmeya bar Abba who said that Rav said: When the mishna mentioned most of the corona, it meant the flesh that covers most of the height of the corona as well as most of its circumference.

ובמדבר מאי טעמא לא מהול? איבעית אימא: משום חולשא דאורחא.

The Gemara returns to the incident involving Joshua. And what is the reason that they did not circumcise themselves in the wilderness^N after the Torah had already been given? The Gemara answers: If you wish, say it was due to the weariness caused by their journey. Since they were traveling continuously, they were too weak to undergo circumcision.

NOTES

Uncovering the corona during circumcision was not given to our Patriarch Abraham – לא ניתנה פריעת מילה לאברהם אבינו: The early authorities ask: If the mitzva of uncovering the corona is not clearly stated in the verses concerning Abraham, how could Joshua have introduced this requirement? *Tosafot* suggest that Joshua received it as a *halakha* transmitted to Moses from Sinai. The *Halakhot Gedolot* explains that the command "circumcise again... a second time" refers to the manner in which circumcision had been performed by Moses. Moses had earlier circumcised the people in Egypt with the uncovering of the corona, as that is the fundamental *halakha*, but in the wilderness the practice had been stopped. *Tosafot* suggest a somewhat similar explanation. Another explanation is that it was Moses who instructed them to uncover the corona, but in practice they could not perform the mitzva until they arrived in Eretz Yisrael (Rashba; Ritva). In the Jerusalem

Talmud it is indicated that this *halakha* is derived either from the verse: "He must surely be circumcised [*himmol yimmol*]" (Genesis 17:13), which includes both circumcision and uncovering of the corona; or from the phrase: "A bridegroom of bloods in regard to circumcision" (Exodus 4:26), the plural term "bloods" indicating that there are two stages of circumcision: The circumcision itself and uncovering the corona.

What is the reason they did not circumcise themselves in the wilderness – במדבר מאי טעמא לא מהול: The idea that circumcision was not practiced at all in the wilderness is puzzling for several reasons, as mentioned by the early authorities (see *Tosafot*). A novel opinion of the *ge'onim* is that it does not mean that the entire people did not circumcise themselves in the wilderness; rather, it is referring only to those born after Moses' passing until their entrance into Eretz Yisrael.