

Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o"n

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

1. Cutting off *tzaraas* from the area where circumcision is performed is a *davar shaino miskavein*.

The *braisa* states that from the extra word flesh in the verse that states: *on the eighth day the flesh of his foreskin shall be removed*, we learn that one can remove *tzaraas* from the circumcision area. Removal of the *tzaraas* is an unintentional act, which is normally permitted. Nonetheless, we need the verse to teach us that even according to Rabbi Yehudah, who forbids one to perform an unintentional act on *Shabbos*, one is permitted to remove the *tzaraas* while in the process of circumcision. Alternatively, even according to Rabbi Shimon, who forbids performing an unintentional act when it is inevitable that the forbidden act will occur, the verse teaches us that one may remove the *tzaraas* while performing the circumcision. (133a)

2. If there is a positive and negative commandment and one is able, he should fulfill both the positive and negative commandment.

The *Gemora* states that even if one intends to cut off the *tzaraas* of an adult while performing the circumcision, it is permitted. Similarly, if the father of an infant declares that he is cutting off the *tzaraas* on the area of circumcision of his son, the circumcision is permitted. If, however, there is someone else available besides the father to perform the circumcision, then that other person should

perform the circumcision, because the rule is that if there is a positive commandment and a negative commandment that conflicts with the positive commandment, it is preferable that one fulfill the positive commandment without violating the negative commandment. If this is not possible, then the positive commandment will override the negative commandment. Subsequently, the *mitzvah* of *milah* conflicts with the prohibition of removing the *tzaraas*. If one can obtain another person besides the father to perform the circumcision, one should do so, because another person will not intend that the circumcision effect the purification of the child by removing the *tzaraas*. If there is nobody else, the Torah teaches us that the father himself can perform the circumcision. (133a)

3. The *mitzvah* of *milah* only overrides Yom Tov when the circumcision is performed in its proper time.

It is said with regard to leaving over from the *korban pesach*: *you shall not leave any of it until morning, and that which is left of it until morning you shall burn in fire*. From the fact that the Torah states the words *until morning* twice, we learn that the *Pesach* leftovers are rendered a weekday concern, so one cannot burn the leftovers on Yom Tov. Rather, one must burn the leftovers on the second day, i.e. the first day of *Chol Hamoed* (*Intermediary Days*). *Milah* that is performed after its proper time is also considered a weekday concern

and therefore will not override the Yom Tov. Alternatively, it is said: *the olah offering of each Shabbos on its own Shabbos*, and this teaches us that only the *olah* offering of *Shabbos* can be burned on *Shabbos*, but a weekday *olah* cannot be burned on *Shabbos* or on Yom Tov. *Milah* that is not performed in its proper time is akin to a weekday *olah* and therefore one cannot perform *milah* not in its proper time on Yom Tov. Another source for *milah* not in its proper time not overriding Yom Tov is from where it is said regarding Yom Tov: *no work may be done on them, except for what must be eaten for any person only that may be done for you*. The word *asher*, that, teaches that one may not perform any act of labor that involves the preparations for making food. The word *levado*, only, teaches that one cannot perform a circumcision not in its proper time on *Shabbos* or Yom Tov. (133a)

4. A positive commandment does not override a positive and a negative commandment.

Another source that states that *milah* not in its proper time cannot override Yom Tov is because regarding Yom Tov it is said: *on the first day a solemn rest and on the eighth day a solemn rest*, and the word *Shabbason*, rest, is a positive commandment. The Torah also states that *you shall not do any laborious work*, which is a negative commandment. The one positive commandment of *milah* not in its proper time does not override the positive and negative commandments of not performing an act of labor on Yom Tov. (133a)

5. Any act of labor that can be performed regarding the *korban pesach* before *Shabbos* must be performed before *Shabbos*.

The *Mishna* stated that Rabbi Akiva maintains that when a preliminary act of labor

can be performed before *Shabbos*, one cannot perform the act on *Shabbos*. The *Gemora* states that the *halachah* follows the opinion of Rabbi Akiva. Similarly, with regard to the *korban pesach*, any act of labor that can be performed before *Shabbos* cannot be performed on *Shabbos*, with exception to the slaughtering of the *korban* which can be performed on *Shabbos*. Here too the *halachah* follows Rabbi Akiva. We need to be taught with regard to both cases that the *halachah* follows Rabbi Akiva, because one may assume that only concerning *milah* one cannot perform preliminaries on *Shabbos* if they could have been performed before *Shabbos*. The rationale for this would be that if the child were not circumcised on the eighth day, neither he nor the father would incur the punishment of *kares* (*excision*). The infant will not be liable *kares* because a minor is not obligated in *mitzvos*, and the father will not be liable *kares* because one who does not circumcise his son does not incur *kares*. With regard to *pesach*, however, one would think that preliminaries that could have been performed before *Shabbos* can be performed on *Shabbos* also. The reason for this assumption is that the *korban pesach* carries with it the punishment of *kares* if one does not fulfill the *mitzvah* of offering a *korban pesach*. Conversely, if we only were taught that the *halachah* follows the opinion of Rabbi Akiva with regard to *korban pesach*, we would assume that the *korban pesach* is not unique like *milah*, which Hashem made thirteen covenants with, and therefore we would think that the *halachah* does not follow the opinion of Rabbi Akiva, and one would be able to perform the preliminaries of *milah* on *Shabbos*, even though they could have been performed before *Shabbos*. Therefore the *Gemora* teaches us in both the case of *milah* and in the case of *korban pesach* that the *halachah* follows Rabbi Akiva. (133a)

6. One may perform all the necessary procedures for circumcision on *Shabbos*.

One may perform every necessary procedure related to *milah* on *Shabbos*. One can circumcise, reveal the corona tearing and pulling back the thin membrane under the foreskin draw the blood, and place a bandage and cumin on the wound. One who did not grind the cumin before *Shabbos* can chew the cumin on *Shabbos* with his teeth and place it on the wound. Normally, grinding cumin on *Shabbos* is forbidden. Although the infant is considered a *choleh sheyeish bo sakanah*, one who is critically ill, and grinding would be permitted, one is still required to perform the prohibited act in unordinary fashion. (133a)

7. One involved in circumcision can go back and remove the pieces of foreskin that prevent the circumcision from being complete, and he can even remove the pieces of foreskin that do not prevent the circumcision from being complete.

The *Mishna* stated that anything that is required for the circumcision could be performed on *Shabbos*. Given that the *Mishna* delineates the entire procedure of the circumcision, the *Gemora* explains that the *Mishna* means to include even going back on the remaining pieces of foreskin, whether they prevent the circumcision from being considered complete or not, as long as one is still involved in the circumcision. If one is no longer involved in the circumcision, however, one can only go back to remove the remaining pieces of foreskin that prevent the circumcision from being complete. One may not, however, go back to remove the remaining pieces of foreskin that do not prevent the circumcision from being complete. (133b)

8. There is a dispute when the fourteenth of *Nissan* falls on *Shabbos* how far one can skin the *korban pesach*.

If the fourteenth of *Nissan* occurs on *Shabbos*, Rabbi Yishmael, the son of Rabbi Yochanan ben Berokah, maintains that one can skin the *korban pesach* as far as the breast. The Chachamim, however, maintain that one can skin the entire animal. The *Gemora* assumes that Rabbi Yishmael, the son of Rabbi Yochanan ben Berokah, maintains that once the person stops performing a certain act, going back to finish the act is considered a new act. Subsequently, once they skinned the *korban pesach* up to its breast and then removed the innards, resuming the skinning is a new act and unnecessary for the *korban*, so Rabbi Yishmael, the son of Rabbi Yochanan ben Berokah did not allow the completion of the skinning. The *Gemora* rejects this reasoning, and suggests that Rabbi Yishmael, the son of Rabbi Yochanan ben Berokah's rationale is that the Torah did not require one to beautify the *mitzvah* by skinning the whole animal. (133b)

9. One must beautify Hashem's commandments.

It is said: *this is my G-d and I will beautify Him*. The *Gemora* interprets this verse to mean that one should beautify himself before Hashem when observing the *mitzvos*. This can be accomplished making a beautiful *sukkah*, a beautiful *lulav*, a beautiful *shofar*, beautiful *tzitzis* and a beautiful *sefer Torah*. One should write in the *sefer Torah* for Hashem's sake with beautiful ink, a beautiful quill, and an expert scribe. The Torah should also be wrapped in beautiful silks. Abba Shaul interprets the word *vanveihu* to be a contraction of two words *ani vahu*, He, and I, which implies that one should be like Hashem. Just like Hashem is favorable and

merciful, you too should be favorable and merciful. (133b)

10. There is a dispute regarding desecrating the *Shabbos* if the new moon can be viewed by everyone.

The Chachamim maintain that whether the new moon is clearly visible or not, witnesses can desecrate the *Shabbos* by traveling beyond the techum to report what they witnessed to the court. Rabi Yosi, however, maintains, that if the new moon is visible to everybody, the witnesses cannot desecrate the *Shabbos* by traveling beyond the techum to report their sighting. The *Gemora* assumed that Rabbi Yosi is of the opinion that one cannot desecrate the *Shabbos* in performance of a *mitzvah* if there is no purpose in the act. The *Gemora* rejects this reasoning and states that since the new moon is visible, there was no reason to allow the desecration of the *Shabbos* in the first place. *Milah*, on the other hand, overrides *Shabbos* prohibitions, so one would be allowed to go back for the remaining pieces of foreskin even if he is not still involved in the circumcision. (133b)

cornered garment that requires one to place *tzitzis* on it.

Why is there a necessity to beautify the *tallis*? The Acharonim explain that in Talmudic times, there was a requirement to beautify the *tzitzis*, but there was no need to beautify the *tallis*, as the obligation to place *tzitzis* was on a four-cornered garment. Nowadays, however, that people seek to perform the *mitzvah* of *tzitzis* by purchasing specifically a four-cornered garment, the garment itself has a status of a *mitzvah* object and one is required to beautify the garment also.

The Aruch Hashulchan opposed those who wore an *atarah* (literally crown) of silver on their *tallis*. This adornment appears to lend prestige to the portion of the *tallis* that is placed on the head, as that is where people place the *atarah*, when in truth, the *mitzvah* of beautifying the *tallis* is specifically on the portion of the *tallis* which covers the body.

DAILY MASHAL

Beautifying the Tallis

The *Gemora* states that one should beautify himself before Hashem in the observance of *mitzvos*. This means to make a beautiful *sukkah*, *lulav*, *shofar* and *tzitzis*, amongst other *mitzvos*.

Rashi elsewhere explains that one is required to make a beautiful *tallis* and beautiful *tzitzis*.

The Dvar Avraham questions this, as we can understand that the *tzitzis*, i.e. the strings, should be beautiful because the *tzitzis* are the essence of the *mitzvah*. The *tallis*, however, is merely a four-