

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah presents a dispute between Rabbi Eliezer and Rabbi Akiva whether preparations for a bris may be done on Shabbos.

2) Clarifying the statement of R' Eliezer

The Gemara asks: Does R' Eliezer require the milah knife to be carried exposed to show love for the mitzvah, or is it to avoid suspicion that he is carrying something else?

R' Levi responds that R' Eliezer's intent is to demonstrate love for the mitzvah. Two proofs are mentioned to support this understanding.

The Gemara asks: In times of danger when the milah knife is carried with the knowledge of witnesses, does R' Eliezer mean that two separate witnesses are necessary, or just one witness in addition to the one carrying the knife.

No definitive conclusion is reached.

3) Following the lenient rulings of Tannaim

A Beraisa states: In R' Eliezer's town they made charcoal for the purpose of fashioning a milah knife on Shabbos, and in R' Yosi HaGalili's town, they would eat fowl with milk.

A story is told about a household that would eat fowl and milk together. Additionally, the Gemara mentions the great reward granted to a particular city that followed R' Eliezer's ruling regarding milah preparations.

4) Milah and tefillin

The mitzvah of bris milah was accepted by the Jewish people with joy, and they were willing to give up their lives for the sake of the mitzvah as opposed to other mitzvos.

Tefillin is identified as one of the mitzvos for which the Jewish people were not willing to sacrifice their lives.

5) Transporting the milah knife

R' Abba bar R' Ada in the name of R' Yitzchok tells of the incident where they forgot to bring the milah knife to the place of circumcision before Shabbos, and how they transported it to that place on Shabbos itself.

Following that story, the Gemara records a discussion between R' Zeira and R' Assi concerning carrying in a mavoi that was not merged. The issue was resolved from an incident involving carrying a milah knife from one end of an unmerged mavoi to the other, thus indicating that carrying beyond four amos is permissible.

R' Zeira himself ruled that one may not carry more than four amos in an unmerged mavoi. Abaye explains that carrying in an unmerged mavoi depends on whether the courtyards merged with the houses.

The Gemara begins to question this distinction. ■

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Distinctive INSIGHT

The Mitzvah of Milah – An Ongoing Covenant

כל מצוה שקבלו עליהם בשמחה כגון מילה...עדיין עושין אותה בשמחה

Rashi explains that the reason this mitzvah merited to be fulfilled with great pomp and celebration is that it is found on the body itself. It allows a person the special opportunity to directly and continually bear a symbol of the covenant between himself and Hashem at every moment.

This Gemara is cited as a source in the Teshuvos Or Zarua to show that the mitzvah of bris milah is not to merely remove the foreskin, but the mitzvah is rather to exist in a state of being of having circumcised flesh. This sign is imprinted on a person's body, and it is a mitzvah that is ongoing, rather than one which took place one at one time when he was eight days old. This is why Dovid Hamelech was originally perturbed when he found himself in the bathhouse, seemingly without any mitzvos. However, when he realized that he stood with his bris, he was content. The mitzvah of bris milah was not merely an act that had been performed at one time in his infancy, but it was a current and constant mitzvah which was being fulfilled even as he stood in the bathhouse.

Rabbi Akiva Eiger (in his commentary to Avoda Zara 26b) notes that the Gemara considered that a gentile could be eligible to perform a bris on a Jewish baby, except that there is a specific scriptural source which disqualifies a gentile from performing this mitzvah. It might seem unnecessary to exclude a gentile from this mitzvah, for the mitzvah is incumbent upon the father, and the halacha does not recognize his being able to delegate this charge to the gentile. Why then does the Gemara require a special verse to exclude a gentile from eligibility in this mitzvah? We see that the main mitzvah is not only the removal of the foreskin, but it is having the person be in a state of being circumcised. This state of being could theoretically come about even through a gentile's removal of the foreskin. ■

REVIEW and Remember

1. According to R' Akiva, which melachos can be pushed aside to perform a bris milah on Shabbos?
2. What two rewards were granted the city that followed R' Eliezer's lenient approach?
3. In what way are the Jewish people compared to doves?
4. Why were the sages disturbed when the people followed the opinion of R' Eliezer?

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לע"נ כ"ק אדמו"ר רב אברהם אייכענשטיין זצוק"ל
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מזידיטשוב - שיקאגו

HALACHAH Highlight

Points regarding maintaining a clean body while wearing Tefillin

אמר רבי ינאי: תפילין צריכין גוף נקי כאלישע בעל כנפים. מאי היא? אביי אמר שלא יפיה בהן. רבא אמר שלא יישן בהן.

Rav Yanai said that the donning of Tefillin requires a clean body, like Elisha the Master of Wings. What is the definition of a clean body? Abaye says that one must not experience flatulence while wearing Tefillin. Rava says that one must not sleep while wearing Tefillin.

The Rambam¹ writes that the holiness of Tefillin is exceedingly great, and during the entire time that one wears them he must be humble and G-d fearing. As well, he must not allow himself to be drawn to laughter and frivolous speech. He must not think improper thoughts, but rather he should clear his heart with thoughts of truth and justice. Therefore, a person must endeavor to wear Tefillin all day, for that is their Mitzvah. [In order to illustrate the profound seriousness and holiness associated with the donning of Tefillin as it was practiced in times of old, mention should be made of a remarkable and intriguing statement written by Rav Meir HaMi'eli² of Narbonne. He references a Yerushalmi that there were Amoraim that refrained from donning Tefillin each day due to the great care and attention that Tefillin require. These Rabbis held that the concept of a clean body did not apply solely to the physical body, but also to the spirit, such that the soul had to be clean of sins! According to this approach, Rav Meir HaMi'eli interprets our Gemara to teach that physical uncleanness, although a necessity, is unacceptable while wearing Tefillin, all the more so spiritual uncleanness can not be accepted. It must be said that this was written in regard to previous generations and has no application today.]

In fact, in Talmudic days the prevalent custom was to don Tefillin all day³. But, explains the Tur⁴, because Tefillin require a clean body such that a person must not pass wind while wearing Tefillin, and similarly one must be careful not to allow his thoughts to be distracted from the Tefillin while wearing them, and not everyone can be careful with this, thus the custom developed that Tefillin are not worn all day. However, minimally the Tefillin need to be worn during the recitation of the Shema and the Amidah. The Shulchan Aruch⁵ rules as such.

Amongst the rules of maintaining a clean body:

- One must not pass wind while wearing Tefillin⁶.
- An individual suffering from a stomach ailment⁷, even if not painful⁸, and even if it does not prevent him from leaving his home⁹, is exempt from wearing Tefillin. As well, one who has taken a medi-

cine that precipitates diarrhea is exempt¹⁰. He may not attempt to nevertheless wear the Tefillin in contravention of this regulation, with the exception of reciting the Shema and the Amidah when he is certain that he can maintain a clean body during that time¹¹.

- An individual who does not suffer from a stomach ailment whoknows that he will not be able to prevent flatulence while wearing the Tefillin is similarly exempt¹². If he knows that he will be able to prevent the flatulence while reciting the Shema, he should put on the Tefillin just before reciting the Shema¹³.
- If the person does suffer from a stomach ailment or flatulence, he should recite the Shema with its blessings, even if he knows he will have to stop in the middle¹⁴. Of course, he should not put on Tefillin unless he is sure that he can maintain a clean body. Rather, he should don his Tefillin later in the day when he can maintain the clean state¹⁵. As for the Amidah, he should not begin it if he knows he will have to stop in the middle. He should then pray an additional Amidah for Minchah¹⁶.
- These rules apply only if he is certain of his inability, but if he is unsure than he should not refrain from anything¹⁷.
- Rav Chaim Falaji¹⁸ writes that a person should refrain at night from eating foods that may have a detrimental digestive affect on him and possibly influence his Tefillin status the next morning. ■

1. רמב"ם (פ"ד מהל' תפילין הלכה כה)
2. ספר המאורות (ברכות יד ע"ב, עמ' סא). וכן ראה כזה במאירי שם (עמ' 49 ד"ה מש שביארנו). ועיי' מש"כ על מנהג קצת חכמים בזמנו. ועיי' תוס' (רי"ה יז ע"א ד"ה קרקפתא) בשם ר"ת. ודו"ק. ועיי' בעטרת זקנים (רש"י סי' כה) וז"ל: "יוש שאינם מניחים תפילין דצריכין גוף נקי. סמ"ג עשה ג' שהיו נמצאין בימיו אלפים ורבות בשפרד ושאר ארצות שלא היו מניחין תפילין מטעם הנ"ל. ע"כ. ועיי' דבריו של רבי אברהם דוד מבוטשאטש באשל אברהם (סי' טצג) שרבים נמנעו מלהניח תפילין מחשש שאולי הגופות אינם נקיים עיי'.
3. עיי' בי"ח (אוי"ח סי' לז ד"ה מצותן כל היום). וראה עוד בסי' תורת שלמה (מילואים סוף כרך יב, סי' לט, עמ' רמא) מש"כ בזה.
4. טור (סי' לח). ובבי"ח שטעם זה שלא נוהגים ללבוש תפילין כל היום הוא משום שצריכים גוף נקי כן כתב הרא"ש בהל' תפילין. עיי'.
5. שו"ע (סי' לז סי"ב)
6. שו"ע (סי' לז סי"ב וסי"ג לח סי"ב)
7. שו"ע (סי' לח סי"א)
8. רמ"א שם
9. משנ"ב שם (סי"ד)
10. משנ"ב (סי' לח סי"א) עיי' החיי אדם (כלל יד סעיף יח)
11. משנ"ב שם
12. שו"ע (סי' לח סי"ב) ויש לציין לדבריו של רבי אברהם מבוטשאטש באשל אברהם (סי' לח) שחזק שהניח כשהתפילין עליו נכון שיתענה יום אחד על דרך התענית למי שנפל תפילין מידיו. עיי'.
13. שו"ע שם
14. משנ"ב (סי' לח סי"א) וסי' פ' סי"א ג)
15. משנ"ב (סי' פ' סוף סי"א ג)
16. שו"ע (סי' פ' סי"א)
17. משנ"ב שם (סי"ד ו) ועיי' משנ"ב (סי' פ' סי"א א)
18. סי' כף החיים (סי' י אות לא) והוב"ד בכף החיים סופר (סי' לז אות ז) ■

Gemara GEM

Adopting the View of Rabbi Eliezer

א"ר יצחק עיר אחת היתה בארץ ישראל שהיו עושין כרבי אליעזר

The people of this city conducted themselves according to the opinion of Rabbi Eliezer, and as a result they were recipients of many blessings. They did not die prematurely, and they were miraculously spared when the government issued an evil decree. The question is, though, that there is a difference of opinion recorded in the Mishnah between the Chachamim and Rabbi Eliezer, and the rule is that the halacha fol-

lows the majority opinion. Therefore, the people in this community should not have conducted themselves according to the opinion of Rabbi Eliezer, who is an individual, against the majority. Why did they follow Rabbi Eliezer, and why does the Gemara credit them with life and fortune for acting accordingly?

One answer that is given (Ritva) is that the people of this city lived at a time when this issue was still being discussed, and the halachic conclusion had not yet been determined to follow the majority opinion and not allow preparations for the milah to be done on Shabbos. Being that the halacha had not yet been determined, these people adopted the opinion of Rabbi Eliezer, because he was a local authority.

The Gemara (Avoda Zara 7a) tells us that when there is an argument between two sages, where one is strict and the other is lenient, the guideline is that if the issue is a Torah law, we must follow the strict opinion. If the issue is of a rabbinic nature, we are allowed to follow the lenient view. Therefore, we would expect the people of that city to have adopted the view of the Chachamim, who are stricter. Nevertheless, this rule only applies when neither of the opinions is a local authority, or if neither is their rabbi. Here, Rabbi Eliezer was the authority figure of that city, and the people followed his opinion, whether it was lenient or strict. In this manner, the people were consistent and justified in their adherence to halacha. ■

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