



Arel and Terumah

The eighth *perek* opens by teaching that a *kohen* who is an *arel* (uncircumcised) may not eat *terumah*. Nevertheless, his wife and servants would be able to eat *terumah*. Exactly which *arel* is being discussed is the subject of debate.

Rashi (*Yevamot* 70a) explains that the *arel* discussed in the *Mishnah* is an individual that was not allowed to have a *brit millah* because his older brothers died as a result of having a *brit millah* – *arel she'metu achav*.

The *Tosfot* (s.v. *ha'arel*) agree with *Rashi* and explain that this case is not the same as a child younger than eight days old which is the subject of debate in the *Gemara*. The question would be relevant if, for example, one wanted to rub *terumah* oil on the baby. The *Tosfot* explain that that case is debated because a *brit millah* is not relevant for **any** child younger than eight days old. The individual in our case, even though he is not allowed to have a *brit millah* because it will be dangerous to him, since he is older than eight days old, he is defined as an *arel* and therefore everyone would agree that he cannot eat *terumah*.

The *Tosfot* continues that a proof for this position is found in the discussion later in the *Gemara*. The *Gemara* explains that a *tumtum* cannot eat *terumah*. A *tumtum* is an individual whose gender is not clear because their private parts are covered over. Despite the fact they are not obligated to undergo surgery to clarify their gender, the *Gemara* explains that still cannot have *terumah*. In other words, even though they are not obligated to have a *brit millah*, they are still not allowed to eat *terumah*. If a child under eight days old is to be treated the same as any other case where one is not obligated to have a *brit millah*, then the case of a *tumtum*

should have been bought as a proof in the debate regarding whether a *kohen* under the age of eight days can eat *terumah*. The fact that the *Gemara* does not do so, proves that there is a difference between the case of a young child and other cases where one is not allowed or obligated to have a *brit millah* as explained above.

The *Tosfot Yeshanim* however understands that in the case of an *arel she'metu achav*, the individual is completely exempt, much like a newborn boy¹. Since the *Gemara* has a doubt regarding the latter case, and does not cite our *Mishnah* to clarify the debate, our *Mishnah* cannot be referring to case of an *arel she'metu achav*. Instead, he cites *Rabbeinu Tam* who understands that our *Mishnah* is referring to a case of someone who simply refuses to have a *brit millah*.²

Consequently, we find that there is a debate between *Rashi* and *Rabbeinu Tam* whether an *arel she'metu achav* is allowed to eat *terumah*.

The *Kovetz Haarot* (48:19) explains the debate as follows. *Rabbeinu Tam* must understand that in a situation of *pikuach nefesh*, where there is a danger to one's life, there is no *mitzvah* at all. This is not the same as a regular case of *ones* – where one is unable to perform the *mitzvah*. For example, it is obvious that if the person had not had a *brit millah* because they had no access to a knife, then that *kohen* would not be able to eat *terumah*. *Rashi* on the other hand would understand that the case of an *arel she'metu achav* is no different to any other case of *ones*, where, for reasons beyond his control, he is not able to perform the *mitzvah*.

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¹ The *Minchat Chinnuch* (17:14) notes that even after eight days the child is also not obligated to give himself a *brit millah* – he not obligated in any *mitzvot* on a biblical level. One might therefore think that even after eight days, an *arel* child should be able to have *terumah*. The *Minchat Chinnuch* therefore explains that a *katan* is no different than a *gadol* and is part of the world of *mitzvah* like a *gadol*. Just as a *gadol* is not allowed to eat *issurim*, one cannot feed *issurim* to a *katan*. The difference is that the *Torah* does not punish a *katan* since they are not considered *bnei daat*. Nevertheless, the *chiyuv* exists.

² The *Ritvah* suggests that one cannot bring a proof from the case of the *tumtum* (as the *Tosfot* did above) because since surgery could be performed to clarify the gender, the *tumtum* is still somewhat considered in the *parsha* of *mila*. The *Rashba* rejects this argument since if that was the case, an *eved tumtum* would prevent his master from enjoying from the *korban pesach*. The footnotes on the *Ritvah* (18, *Mosad HaRav Kook*) suggests a defence for the *Ritvah* that since that surgery is not obligated, the *eved tumtum* would not prevent the master from eating the *korban pesach*. The *Rashba* however would argue that if the *eved* is considered a *bar millah* it should affect the master whether or not the *chiyuv* for intervention exists.

Revision Questions

יבמות ז': די - ט': ט"ה'

- Which five people prevent a *bat Kohen* from eating *trumah*? (ז': ד')
- If a man had two wives, one of which was the daughter of his brother, and both he and the wife that was his brother's daughter were killed, but we are unsure who died first, what is the law regarding the remaining wife (with respect to *yibum/chalitzah*)? (ז': ד')
- Which people: (ז': ה')
 - "לא פוסלים ולא מאכילים"?
 - "פוסל ומאכיל"?
- Describe a case how a *kohen gadol* can invalidate one from eating *trumah*? (ז': ר')
- Can an *arel* eat *trumah*? (ח': א')
- Can an *arel's* wife eat *trumah*? (ח': א')
- What is a *petzua daka*? (ח': ב')
- What is a *cherut shofcha*? (ח': ב')
- Who can a *petzua daka* and *cherut shofcha* marry? (ח': ב')
- When can one marry a converted: (ח': ג')
 - *Moavi*?
 - *Amoni*?
 - *Mitzri*?
- Which of the above cases is the subject of a debate? (ח': ג')
- What are the two opinions regarding when a *saris* is *choletz*? (ח': ד')
- In what situations does a *saris* invalidate a *yavamah* from marrying a *Kohen*? (ח': ה')
- Can a *bat Yisrael* eat *trumah* if she is married to a *Kohen* who is: (ח': ו')
 - A *saris chamah*?
 - An *androginus*?
- What are the four cases where a woman is permitted to her husband but not the *yabam*? (ט': ט')
- What are the four cases where a woman is not permitted to her husband but permitted to the *yabam*? (ט': ב')
- What are the four cases where a woman is not permitted to either her husband or *yabam*? (ט': ב')
- If one marries one of the *shniyot la'eriyot*: (ג': ט')
 - Is the brother required to perform *yibum*?
 - Are the children *kasher le'kehuna*?
 - Does the wife have a *ketubah*?
- If a *kohen* marries a *chalutzah*, does his wife have *ketubah*? (ז': ט')
- Which of the following can eat *trumah* and which can eat *ma'aser*: (ד': ט')
 - *Bat Yisrael* engaged to a *Kohen*?
 - *Bat Yisrael* engaged to a *Levi*?
 - *Bat Levi* engaged to a *Kohen*?
- If a *bat Yisrael* marries a *Kohen* and has a child, then her husband dies, can she eat *trumah*? (ז': ט')
- If she then marries a *Levi* and has a child, then her husband dies, can she eat *trumah*? Can she eat *ma'aser*? (ז': ט')
- If she then marries an *Yisrael*, can she eat *trumah*? Can she eat *ma'aser*? (ז': ט')
- Regarding the previous question, when would she once again be able to eat *trumah*? (ט': ט')

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Yevamot 9:6-10:1	Yevamot 10:2-3	Yevamot 10:4-5	Yevamot 10:6-7	Yevamot 10:8-9	Yevamot 11:1-2	Yevamot 11:3-4

