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Brit Millah

A majority of the third *perek* dealt with the law that when interpreting the terms of a *neder* we see what is generally implied by people when they use such terms. The final *Mishnah* in the *perek* mentions that if a person makes a *neder* against gaining benefit from *mulim* (circumcised people), the term would only include Jews, whether or not they were circumcised, as that is what is implied by the term.

This leads the *Mishnah* on to a discussion about the greatness of the *mitzvah* of *brit millah*, illustrating the point with various proofs, e.g. the *mitzvah* overrides *Shabbat*. One such case is as follows:

R' Yishmael said, great is the *mitzvah* of *millah* for thirteen covenants were made over it.

The *Rambam* explains in the *parasha* where *Hashem* instructs *Avraham* in this *mitzvah*, the words “*brit*” (covenant) or “*briti*” (my covenant) are repeated thirteen times.

The *Tosfot Yom Tov* asks a number of questions. Firstly not every instance where the word *brit* is mentioned implied the formulation of a covenant. Furthermore what is *R' Yishmael* adding by saying that thirteen covenants were made through the *brit millah*? Surely, one covenant would be enough to demonstrate its importance!

The *Tosfot Yom Tov* suggest that the mentioning of *brit* thirteen times indicates the power of this *brit* as being equivalent to and as great as the *brit* that was made over the thirteen *midot*. After *Hashem* instructed *Moshe* in the thirteen attributes of mercy (which we recite when we say *slichot*) the *passuk* continues “Behold, I formulate a covenant” (*Shmot* 34:10). The

Gemara (*Rosh Hashanah* 17b) explains that a covenant was formed that whenever *Am Yisrael* prayed and recited these thirteen attributes of mercy, none of the attributes would go unanswered. The *Tosfot Yom Tov* explains, the *Mishnah* is teaching us that the *mitzvah* of *brit millah* is so powerful, like the thirteen attributes of mercy, that it “never goes unanswered”.¹

The *Ben Yehoyada* explains the significance of the number thirteen in a different manner. Thirteen is the numerical equivalent of *echad* (one); he provides two explanation for this. The first is that the *brit* testifies to the oneness of *Hashem*. Other beliefs maintain that there are two separate divinities, one good and the other evil. The *Gemara* (*Sanhedrin* 39a) recounts that consequently a particular sorcerer maintained that the upper half of the body belonged to the good one, while the bottom half, the region of waste, belonged to the evil one. The *brit millah*, a means of spiritual elevation, is performed precisely in the bottom half of the body to reaffirm *Hashem's* Oneness. The second significance of *echad* refers to the oneness or separateness of *Am Yisrael*. The *brit millah* is the *mitzvah* that has kept *Am Yisrael* separate from mixing with the other nations – “*goi echad ba'aretz*” (See *Sanhedrin* 39a).

The *Tifferet Yisrael* also makes reference to the connection between thirteen and *echad* taking a position in between the two explanations just presented. He explains that this *brit millah* resembles a oneness between *Am Yisrael* and *Hashem*. It presents an indelible mark the we are His servants forever.

David Bankier

¹ The *Tosfot Yom Tov* continues to explain that both the thirteen attributes of mercy and the thirteen mentioning of *brit* are divided into two groups – of three and ten. By *brit millah* the split is textual, and by the *midot* the split is the three words that refer to *Hashem* that may not be erased and ten regular words. By *brit millah* the order is the group of ten, then three, while by the *midot*, it is three then ten.

He explains that the grouping of three is more elevated (as by the names of *Hashem* in the *midot*). By *brit millah* the spiritual movement is one of elevation thus the transition from ten to three. Conversely by the attributes of mercy, they are the means of bringing divine mercy down, hence the transition from three to ten.

Revision Questions

נדריים ג' ה' – ד' ז'

- With respect to *nidrei hekdesh*, if one was *noder* a *tallit* after what wording of the *neder* can the *tallit* be redeemed, and when can it not be redeemed? (ג' ה')
- If someone made a *neder* from benefiting from “*yoshvei yabasha*” can he get benefit from “*yordei yam*”? (ג' ו')
- If someone made a *neder* from benefiting from “*ro’ei ha’chamah*” can he get benefit from a blind person? (ג' ו')
- Which people are implied by one who makes a *neder* from gaining benefit from “*sh’churei rosh*”? (ג' ח')
- Explain the debate regarding the term “*noldim*” used in a *neder*. (ג' ט')
- Who is excluded from the term “*olei Yerushalaim*” yet included in the term “*shovtei Shabbat*”? (ג' י')
- Who is included in the term “*zera Avraham*”? (ג' י"א)
- If someone made a *neder* against an *Yisrael* gaining benefit from him, can he continue to do business with an *Yisrael*? (ג' י"א)
- Which *areilim* are not included in the term “*areilim*”? (ג' י"א)
- How many covenants were made over the *brit millah*? (ג' י"א)
- Why does *Rebbi* hold that *brit millah* is important (“*gedolah*”)”? (ג' י"א)
- What is the difference between one that makes a *neder* against gaining benefit from his friend and one that makes a *neder* against gaining food related benefit? (ד' א')
- If a person makes a *neder* preventing any benefit from his friend, can his friend:
 - return his lost object? (ד' ב')
 - teach him *Torah*? (Careful)
 - provide food for his family?
 - provide food for his animals? (ד' ג')
 - visit him if he is unwell?
 - treat him medically?
 - eat at the same table? (ד' ד')
- What is the difference between one the makes a *neder* against gaining benefit from his friend before the *shmittah* year and during the *shmittah* year? (ד' ה')
- If a person makes a *neder* preventing any benefit from his friend can they do business with one another? (ד' ו')
- If a person makes a *neder* preventing any benefit from his friend yet then does not have any food to eat, how can his friend go about providing him with food? (ד' ז')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
17 th December כ"ז כסלו חנוכה ב' Nedarim 4:8-5:1	18 th December כ"ח כסלו חנוכה ג' Nedarim 5:2-3	19 th December כ"ט כסלו חנוכה ד' Nedarim 5:4-5	20 th December ל' כסלו חנוכה ה' Nedarim 5:6-6:1	21 st December א' כסלו חנוכה ו' Nedarim 6:2-3	22 nd December ב' טבת חנוכה ז' Nedarim 6:4-5	23 rd December ג' טבת חנוכה ח' Nedarim 6:6-7

