

1. וכן תעשה לחמרו וכן תעשה לשמלתו וכן תעשה לכל אבדת אחיך אשר תאבד ממנו ומצאתה לא תוכל להתעלם: דברים כבג.
 2. ויאמר אלהים אל אברהם ואתה את בריתי תשמר אתה וזרעך אחריך לדורתם: בראשית יזט.
 3. וכי יגור אתך גר ועשה פסח לה' המול לו כל זכר ואז יקרב לעשתו והיה כאזרח הארץ וכל ערל לא יאכל בו: שמות יב. מח.
 4. המול מול יליד ביתך ומקנת פספן והיתה בריתי בבשרכם לברית עולם: בראשית יז. יג.
 5. ותקח צפרה צר ותקרת את עקלת בנה ותגע לרגליו ותאמר כי חתן דמים אתה לי: שמות ד. כה.

I משנה 2א: interactions in midwifery

- a *Jewish midwife*: should not assist in birth of an עכ"ם, as she is bringing another ע"ז into the world
- i *However*: a ישראלית may have a midwife who is עכ"ם
- ii *ברייתא ר"מ*: maintains that this is also forbidden, as she is suspected of infanticide
- 1 *חכמים*: if there are others present, she won't do so
 - 2 *ר"מ*: nonetheless, she may squeeze the soft part of the skull and kill it – as per midwife's bragged report
 - (a) *חכמים*: that was just an empty boast
- b *Wet nurse*: ישראלית may not nurse עכ"ם; non-ישראלית may nurse a ישראלי baby in the mother's house
- i *ברייתא*: (parallel to above) dispute re: allowing a wet nurse who is עכ"ם to nurse a ישראלי
- 1 *ר"מ*: disallows – as she is suspected of ש"ד
 - 2 *חכמים*: permit, as long as there are others present
 - (a) *ר"מ*: nonetheless, she is suspected of putting poison on the דד (which they don't see)
- ii *Justification*: if we only had 1st dispute – סד"א that חכמים permit because others will see (flip for 2nd dispute – ר"מ)
- iii *Challenge*: ruling that we may act as midwives for עכ"ם for pay
- 1 *Defense (ר' יוסף)*: this is permissible to avoid leading to enmity (by not helping even for pay)
 - 2 *parallel (ר' יוסף)*: it is permissible to assist in birthing of a non-ישראלית on שבת for pay – to avoid enmity
 - (a) *Block (אבני)*: she has a ready excuse – “we only violate שבת for שומרי שבת”
 - 3 *Parallel (רב יוסף)*: it is permissible to nurse one of their babies for pay – משום איבה
 - (a) *Block (אבני)*: if she's single, wants to marry; if married, doesn't want to disgrace herself before her בעל
 - 4 *Parallel (ר"י)*: ruling that we don't “push down” but also don't “help up” עכ"ם (and רועי בהמה דקה) – for pay, permitted - to avoid enmity
 - (a) *Block (אבני)*: he can make an excuse of saving someone else or being summoned to court

II Revisiting ruling of ולא מעלין ולא מורדין

- a אבהו ר' repeated it in presence of יוחנן – ר' סיפא – “but ²מסורות³ ומשומדים⁴ are pushed down”
- b *Challenge (ר' יוחנן)*: applied v. 1 to include משומדים – how can they be on this list? –
- i *Therefore*: he directed him to remove it from this ברייתא
- ii *Challenge*: אבהו ר' could defend by distinguishing between a hedonist (משומד לתאבון) and an ideologue (להכעיס)
- 1 *Answer*: he must hold that a משומד להכעיס is the same as a מין (already included)
 - 2 *Background*: dispute אהא/רבינא ר': all agree that משומד לתאבון = משומד; dispute if להכעיס is משומד or מין
 - (a) *And*: if both are משומד – מין is someone who worships ע"ז outright
 - (b) *Challenge*: ruling that if he ate one prohibited bug, משומד; and that must be להכעיס
 - (i) *Defense*: in that case, it may just be curiosity (taste), not להכעיס
- c *Question*: if we [push them down, isn't לא מעלין obvious?
- i *Answer1 (ר' ששת)*: means that we remove the step from inside – ostensibly to keep animals from coming down
 - ii *Answer2 (רבה ור"י)*: means that we cover it with a rock, ostensibly to let animals walk over
 - iii *Answer3 (רבינא)*: means if there is a ladder, we take it out, supposedly for our own immediate use

² Sectarians

³ Informants to government

⁴ Apostates – probably Jews who were “baptized”

III Circumcision – parallel dispute (ר"מ/חכמים) as cases of midwifery and wet nurse

- a ד"מ we may circumcise them for גיור, but not for medical purposes; they may not circumcise us (ש"ד)
- b חכמים they may circumcise us, as long as there is proper supervision
- i ד"מ nonetheless, he may cut in such a way that makes the baby a ברות שפכה
- ii Challenge: in case of city where there is no ישראלי doctor, just a כותי and עכ"ם
- 1 מילה better the עכ"ם should do
- 2 מילה better the כותי should do the מילה
- (a) Answer: switch the positions in this ברייתא (ר"מ prefers the כותי)
- (i) Challenge: מילה done by עכ"ם – per v. 2
- (b) Rather: don't switch – ר"מ's preference for עכ"ם is when he is מומחה לרבים and won't hurt his reputation
- (i) Per: ר"מ's ruling that we may use a doctor who is מומחה לרבים
- (ii) Challenge: ר"מ disallows a כותי from doing מילה on ישראל, as he does it הר גזים
1. Dissent: ר"מ maintains that there is no requirement of לשמה in מילה (valid)
- (c) Rather: go back to earlier switch (ר"מ prefers כותי, ר"י – עכ"ם)
- (i) Clarification: there are 3 positions here:
1. ר"מ (who is really הנשיא יהודה): requires מילה by a ברית (per v. 2)
2. ר"מ (of preference for עכ"ם over כותי): requires לשמה, per v. 3 (reads v. 4 as "כלשון בני אדם")
3. ד"מ requires that the act be completed properly, regardless of intent – per v. 4 (v. 3 – re: פסח)
- c Dispute: source for invalidity of מילה performed by עכ"ם (evidently, approach of ר"מ adopted)
- i דב v. 2
- ii ד"מ יוחנן v. 4
- iii Split the difference: if the non-Jew was circumcised; v. 4 now allows; v. 2 still invalidates
- 1 Challenge (to יוחנן): ג"א: נדרים – all non-Jews are called "ערלים" and Jews are called "מולים" regardless of whether they are circumcised
- iv Rather: difference is in case of ישראל who is legitimately uncircumcised (brothers died from מילה)
- 1 המול ימול still prevents him as he is not נימול
- 2 זאתה את בריתי... allows, as he is a ברית
- (a) Challenge: such a person is still considered ג"א above
- v Rather: difference is re: validity of woman doing מילה
- 1 זאתה את בריתי...: doesn't apply, as she isn't commanded regarding the בריתא → invalid
- 2 המול ימול applies as she is considered already נימולה (not invalid for those things that an ערל may not do)
- (a) Challenge; all agree that a woman may circumcise, as per v. 5
- (b) Defense: v. 5 may be read as צפורה directing another to perform the מילה
- (i) Or: she began the process and משה completed it