

Parshat Tazriah 5779

The sedra opens with an account of a woman giving birth to a male child and in the third passuk states that the baby should have a bris on the eighth day. However, the Sefer Hachinuch does not list the mitzvah of milah here, but rather in Lech Lecha and there he tells us that the mitzvah is repeated in Tazria. He states that "many precepts are also repeated in numerous places in the Torah and all for necessary purposes as our sages of blessed memory explained them". But he does not explain further.

Nechama Leibowitz refers to Toldos Yitzchak of Yitzchak Karo who asks why milah is placed in Tazria, given that the Torah wants to repeat the mitzvah. He states that bris milah is "holy and pure" and yet it is placed in the Sedra dealing with tumah. As he phrases it, how can you put a Cohen in the middle of a cemetery?

His answer is that man was created to serve Hashem. Soon after creating him he put him in Gan Eden and gave him commands about the trees there. Similarly here, the Parsha talks about giving birth to a male and then gives a command for that male, i.e. milah, as he was born in order to perform mitzvos. The first and primary mitzvah is that of milah as when he has his bris, his parents accept the yoke of heaven on his behalf and he is designated to serve Hashem by acceptance of the mitzvos and by performing them.

Thus, in the same way as the first mitzvah given to Adam Ha'rishon is given right after his creation, similarly, after we are told of the bringing of a new male being into the world, we are informed of the first mitzvah in his life, to inform us that he was only put into the world to serve Hashem.

But what is the purpose of the repetition of the mitzvah? The Chizkuni says that the reason for the repetition in our sedra is to teach that that milah on the eighth day overrides the negative mitzvah of causing a bruise and must take place on Shabbos.

The Or Hachaim adopts a similar position and refers to the Gemara in Shabbos 123b - the Torah says "u'vayom" - and on the day - which implies, even on Shabbos. He then asks why this aspect was not mentioned in Lech Lecha and suggests that perhaps it was not relevant there, as Avraham was actually

commanded about a bris by Hashem, but not so Shabbos, which although he may have kept because of his own understanding but the actual commandment was only given later to Bnei Yisroel.

The Rishonim ask why did the rabbis not make a decree that a bris cannot be done on Shabbos, perhaps the mohel or somebody connected to the bris, might carry the knife for the bris in the public domain, a distance of four amos and transgress the prohibition of carrying? After all such gezeiras were made in connection with shofar, lulav and megillah.

Tosafos in Megillah daf 4b state that milah is much stricter than these other mitzvos, as were it is not to be done then, the person would be cut off from 13 covenants.

Furthermore, only an expert would perform milah because of the inherent danger of the operation. Presumably the expert is assumed to be careful himself and there is no risk of a non-expert carrying the instrument to him to ask how to perform a bris.

The Ran gives the reason that Milah is a melacha from the Torah and yet the Torah explicitly permits it, as explained by the Chizkuni and Or Hachayim, a gezeira is therefore not appropriate.

In a similar vein, the Taz says that there is no gezeira, because we derive the fat that a bris can be done on Shabbos from the Torah itself, from the word "Bayom." and therefore the Rabbis cannot make a gezeirah on something specifically prescribed in the Torah.

Another source writes that there is no gezeira because milah is not a mitzvah that people in general are obligated in; only on mitzvos which universally apply, did the rabbis make such a decree.

Yet another reason is that, the Rabbis would only make a decree concerning the object of a mitzvah; a shofar, a lulav and a Megillah. The knife used in a bris is used to facilitate the mitzvah but is not a mitzvah object itself. If they were to make such a decree, they would have to forbid the use of knives generally, in case they could come to be used for a bris.