The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Wed, May 22 2024 ■ י"ד אייר תשפ"ד
סימן של"א סעיף ה'-ז'

Overview

Siman 331 Seif 5:

A baby that is an אנדרוגינוס, was born during *bein hashemashos*, born circumcised, was born by caesarean section, a gentile woman whose child was born before she converted, who has two foreskins, his *milah* does not override Shabbos.

- Regardless of whether the child was born Friday afternoon or Shabbos afternoon, his circumcision does not override Shabbos and the *milah* is performed on Sunday. There is a disagreement concerning the timing of when *bein hashemashos* begins. If one is uncertain whether the baby was born before or after *bein hashemashos* the *milah* is pushed off to Sunday. (M.B. 14)
- If the baby appears circumcised only when erect, his circumcision overrides Shabbos. (M.B. 15)
- The rationale behind all of these *halachos* is that it is uncertain whether he is obligated in *bris milah* except for the cases of the child born by caesarean section or before his mother converted where the reason is that the mother did not become *temei'ah* as a result of childbirth. (M.B. 18)

Siman 331 Seif 6:

Preparations for the circumcision that could have been done before Shabbos do not override Shabbos. Therefore, if the knife was not brought before Shabbos it may not be brought on Shabbos even if transporting it would only involve violating a Rabbinic prohibition since Chazal stood by their injunctions even in the face of a *kares* prohibition. It is permitted to ask a gentile to perform a *melacha* that is only Rabbinically prohibited but one may not ask a gentile to do something that is Biblically prohibited (See above *siman* 307).

- It involves a *shvus d'shvus* in order to fulfill a *mitzvah*. One may not ask a gentile to transport a child, even if transporting the child is only Rabbinically prohibited since the *milah* could be done in his home. If the child needs to be transported to the location of the knife it is permitted provided he need not be transported through the public domain but it is preferred to transport the knife to the child because if the child is brought to the knife they will have to then transport the child home again. (M.B. 20)
- Rema there cites authorities who allow asking a gentile to perform a Biblically prohibited *melacha* in order to fulfill a *mitzvah*. Although most authorities disagree and *halacha* follows the stringent opinion, one who is lenient regarding *milah* will not lose if there is no alternative and certainly when it comes to transporting items since according to many authorities we do not have public domains nowadays. (M.B. 22)

Siman 331 Seif 7:

If one did not prepare ground cumin before Shabbos, he may not grind it on Shabbos but he may chew it in his teeth. If he did not mix wine and oil before Shabbos to apply to the wound, he may not mix them on Shabbos and instead should apply each one separately.

- Preparations for the *milah* do not override Shabbos and if it cannot be chewed by mouth the *milah* must be pushed off. One may not decide to perform the *milah* to create a circumstance of need since it is better to delay the *milah* than create a circumstance that will then require desecrating Shabbos since the cumin could have been prepared before Shabbos. If one does not realize until after the *milah* that there is no *cumin* it may be transported even though the public domain or ground. (M.B. 24)
- This was what they did for medicinal purposes. (M.B. 25)
- It is prohibited to mix them on a plate. (M.B. 26)

Halacha Highlight

Handling the *milah* knife on Shabbos

Shulchan Aruch Siman 331 Seif 6
אם לא הביא אזמל למילה
If they did not bring the *milah* knife

Shulchan Aruch (סעי' ו') addresses preparations for the performance of *milah* on Shabbos. He rules that procedures that could have been performed before Shabbos may not be performed on Shabbos. Consequently, if the *milah* knife was not brought to the baby before Shabbos it may not be transported to the baby on Shabbos. Even if transporting the knife would only involve violating a Rabbinic prohibition, it may not be done on Shabbos since Chazal stood behind their injunctions even when put up against a *mitzvah* that carries with it the punishment of *kares*. Asking a gentile to perform a preparation for the *milah* is only permitted if one asks the gentile to perform a *melacha* that is Rabbinically prohibited but one may not ask a gentile to perform a *melacha* that is Biblically prohibited.

Concerning the moving of the *milah* knife after the *milah* is completed, Mishnah Berurah (סי"ק י"ט) instructs us to look above in *siman* 307:5. Mishnah Berurah (סי"ק ט"ו) there in the name of Taz writes that it is prohibited to move the knife after the circumcision since people do not use a *milah* knife for any other purpose and thus it is considered *muktzah machmas chisaron kis*. Although at the outset of Shabbos the knife was designated for the purpose of performing the *milah* and articles cannot be *muktzah* for only part of Shabbos, since during the period of *bein hashemashos* the knife had no function, as soon as the *mitzvah* is completed it reverts back to its *muktzah* status. In the name of Magen Avrohom he adds that the *mohel* should not place down the knife until he finds a safe location for it to be stored until after Shabbos. Regarding the custom for the father to hand the knife to the *mohel* to formally appoint him as his agent, Sefer Kores Bris (יו"ד סי' רס"ה ס"ק נ"ה) writes that on Shabbos this should not be done since one should not unnecessarily handle a *milah* knife on Shabbos. Sefer Ikrei Hada"t (עיקרי הד"ט או"ח סי' י"ד ס"ק נ"ב) rules that it is permitted to assist and hand the *mohel* the knife and Rav Elyashiv (אוצר הברית ח"ב פ"ט סי י"א סע' כ"ב) subscribes to the lenient position about this matter.