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בס"ד Intro

Today we will בע"ה learn מסכת יבמות of דף ק"ב learn מסכת יבמות the topics we will learn about include; The type of shoe required for Chalitzah

מנעל

A shoe made with soft leather

A shoe made with hard leather.

The Machlokes of מנעל לכתחילה



В

The question whether the primary obligation of Chalitzah is to remove his shoe – OR - to reveal his foot

Whether the primary obligation of Chalitzah is to

REMOVE HIS SHOE

REVEAL HIS FOOT







So let's review

The Mishnah in the previous Daf continues:

חלצה במנעל חליצתה כשרה

A Chalitzah that was performed using a אנעל, a soft shoe, is effective. However,

באנפיליא חליצתה פסולה

A Chalitzah that was performed using a אופיליא, comparable to a sock, is NOT effective.

בסנדל שיש לו עקב כשר

A Chalitzah that was performed using a סנדל, a harder shoe, whose עקב, sole, is intact, is effective. However, ושאין לו עקב פטול

If the sole is missing, the Chalitzah is NOT effective.

2 The Gemara addresses סנדל ומנעל: Regarding רבה ורב יוסף both רבה said in the name of Rav; אם יבא אליהו ויאמר אין חולצין בסנדל אין שומעין לו שכבר נהגו העם בסנדל

If Eliyahu Hanavi were to state that Chalitzah cannot be performed using a סנדל, his statement would NOT be accepted, because it is already customary to use a סנדל.

חלצה במנעל באנפיליא

חליצתה כשרה חליצתה פסולה

Comparable to a sock Soft shoe

בסנדל...

בסנדל...

שיש לו עקב ושאין לו עקב

בשר פסול

The sole is missing The sole is intact

סנדל ומנעל

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Dedicated By: _





3 Regarding מנעל, they have a Machlokes;

אמר רבה אמר רב כהנא אמר רב

אם יבא אליהו ויאמר

חולצין במנעל

שומעין לו

If Eliyahu Hanavi were to state that Chalitzah CAN be performed with a מנעל, his statement would be accepted.

This indicates that until then

מנעל לכתחילה לא

We do not use a מנעל לכתחילה.

Of course, בדיעבד כשרה, as taught in the Mishnah

ורב יוסף אמר רב כהנא אמר רב אם יבא אליהו ויאמר אין חולצין במנעל

ין ווועבין בטונעל

שומעין לו

If Eliyahu Hanavi were to state that Chalitzah CANNOT be performed with a מנעל, his statement would be accepted.

This indicates that until then we do use a מנעל לכתחילה. The Gemara cites a Braisa in which we also find this Machlokes whether we use a מנעל לכתחילה

The reason of the opinion that we do not use a מנעל is a

גזירה דרבנן

משום מנעל מרופט

אי נמי משום חצי מנעל

Because of a torn מנעל, or half a מנעל,

Which is פסול בדיעבד, because it's not considered a shoe at all

This גזירה applies only to a מנעל, which is a made of soft leather, and can be worn even when torn. Therefore, Chazal prohibited the use of any type of מנעל לכתחילה, to prevent one from using a מנעל מרופט.

However, this סנדל does not apply to a סנדל, which is made of hard leather, and cannot be worn when torn.

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The Gemara proceeds to teach 3 rulings of רב יהודה אמר רב , for which it gives a סימן

:התרת יבמה סנדל

אמר רב יהודה אמר רב התרת יבמה לשוק

בשמיטת רוב העקב

Chalitzah is effective in permitting the Yevama to remarry even if she only removed the shoe from the majority of his heel, even though the shoe still covers the rest of his foot.

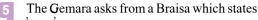












הותרו רצועות מנעל וסנדל

If the laces of the מנעל וסנדל were already untied before the Yevama removed it;

או ששמט רוב הרגל

Or the Yavam removed the shoe from the majority of his foot, and the Yevama removed the shoe from the remaining part of his foot.

חליצתה פסולה

The Chalitzah is NOT effective.

The Gemara points out that it seems that

שמט הוא חליצתה פסולה

It is because HE removed the shoe that the Chalitzah is NOT effective - But,

שמטה היא חליצתה כשרה

If SHE removes the shoe from the majority of his foot, the Chalitzah IS effective.

However, the Braisa uses the term רוב הרגל, which implies

רוב העקב לא

Chalitzah requires the shoe to be removed from the majority of the foot, and removal from the majority of the heel is not sufficient.

The Gemara answers;

לא היינו רוב הרגל היינו רוב העקב ואמאי קרו ליה רוב הרגל דכולא חיילא דכרעא עליה דחיס

Actually, רוב העקב IS sufficient, because רוב העקב is considered רוב הרגל, the majority of the foot, since most of the person's weight is supported by the heel.

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Regarding untying the shoelaces, ר' ינאי elaborates;

בין שהתיר הוא ושמטה היא בין שהתירה היא ושמט הוא

חליצתה פסולה

עד שתתיר היא ותשמיט היא

The Yevamah must do both acts – SHE must untie the laces, AND SHE must remove the shoe. If the Yavam did one of these acts, the Chalitzah is NOT effective.

ר' ינאי asks;

קרעתהו מהו

שרפתהו מהו

If instead of removing the shoe, the Yevama tore or burned the shoe off his foot;

גלויי כרעא בעינן

והאיכא

Is the primary requirement of Chalitzah to REVEAL his foot - which in this case HAS been achieved - therefore, these Chalitzos ARE effective?

או דלמא חליצה בעינן

וליכא

OR, the primary requirement of Chalitzah is to REMOVE the shoe - which in this case has NOT been achieved - therefore, these Chalitzos are NOT effective?

תיקו

The question remains unresolved.

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קרבי נחמיה poses the same question in reverse, in a different situation:

שני מנעלים זה על גב זה

The Yavam is wearing two shoes, one above the other.

The Gemara explains

דשלפתיה לעילאי וקאי תתאי

Removing the outer shoe, while the inner shoe remains, is not a question - It's certainly Posul, because the Pasuk states;

וחלצה נעלו מעל רגלו

She removes his shoe from above his foot ולא מעל דמעל

The outer shoe is above the inner shoe, which is above his foot.









The question is: דקרעתיה לעילאי ושלפתיה לתתאי

וקאי עלאי

She tore the outer shoe, and removed the inner shoe entirely, while the outer shoe remained on his foot. חליצה בעינן

והא איכא

Is the primary requirement of Chalitzah to REMOVE the shoe - which in this case HAS been achieved - therefore. this Chalitzah IS effective?

או דלמא גלויי כרעא בעינו

וליכא

OR, the primary requirement of Chalitzah is to REVEAL his foot - which in this case has NOT been achieved therefore, this Chalitzah is NOT effective?

The Gemara next cites the second teaching of רב יהודה אמר

אמר רב יהודה אמר רב

יבמה שהגדילה בין האחין

מותרת לינשא לאחד מן האחין

A Yevama who grew up with the brothers, the Yevamim, is permitted for Yibum.

ואין חוששין שמא חלצה סנדל לאחד מהן

We are not concerned that she may have once removed one of the brother's shoes, which would be an inadvertent Chalitzah.

The Gemara points out;

הא חזינן חיישינן

This implies that if we know that she once did remove his shoe, although there were no intentions for Chalitzah, the Chalitzah is effective, and she is then forbidden to marry any one of the brothers, because of

כיון שלא בנה

שוב לא יבנה

Once one brother did Chalitzah with one of the Yevamos, neither he nor his brothers may marry the Yevamah or any of the other wives.

The Gemara asks from a Braisa which states בין שנתכוון הוא ולא נתכוונה היא בין שנתכוונה היא ולא נתכוון הוא חליצתה פסולה

עד שיתכוונו שניהם כאחד

Both must have intention for the purpose of Chalitzah. If so, even חזינן לא חיישינן

The question is; She tore the outer shoe, תיה לעילאי and removed the inner shoe entirely, לפתיה לתתאי while the outer shoe remained וקאי עלאי חליצה או דלמא גלויי כרעא בעינן בעינן וליכא והא איכא











The Gemara offers two answers

אין חוששין means אע"ג דחזינן אין חוששין שמא כוונו

Even if she was seen removing his shoe, there is no concern that they had intentions for Chalitzah. Therefore, she is permitted for Yibum.

הני מילי לאישתרויי לעלמא

is only required for the Chalitzah to be effective in allowing the Yevama to remarry. However, לאחין מיפסלא

A Chalitzah even without כוונה IS effective in disqualifying her for Yibum.

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The third teaching of בי יהודה אמר רב; אמר רב יהודה אמר רב סנדל התפור בפשתן אין חולצין בו שנאמר ואנעלך תחש This teaches that the shoe of Chalitzah must be of leather. ========





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The Gemara continues with רב כהנא explaining that the word Chalitzah means מישלף, to remove, as the Pasuk states:

וחלצו את האבנים אשר בהן הנגע

They shall remove the stones with the $\mathfrak U$. So too, the Pasuk

וחלצה נעלו מעל רגלו

Means that she shall remove his shoe from his foot:

ואימא זרוזי היא

The Gemara cites several Pesukim in which the word חליצה means to prepare and support - which in our case would mean to put the shoe onto his foot - and concludes; משמע הכי ומשמע הכי ומשמע הכי

The word Chalitzah can take on both meanings. However, the words מעל רגלו mean FROM his foot. Therefore, וחלצה נעלו מעל רגלו

Must mean that she shall REMOVE his shoe from his foot



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The Gemara continues explaining the Mishnah which taught;

באנפיליא חליצתה פסולה

A Chalitzah that was performed using a אנפיליא, comparable to a sock, is NOT effective, because it's not considered a shoe.

The Gemara cites a Braisa regarding יום כיפור; אחד מנעל וסנדל ואנפיליא לא יטייל בהן

One may not walk in a אנפיליא on Yom Kippur.

Apparently, it IS considered a shoe?

אמר רבא לא קשיא

כאן באנפיליא של עור

כאן באנפיליא של בגד

It depends whether it's made of leather or cloth.









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The Gemara then cites a Braisa which discusses many Halachos of Chalitzah, among which it teaches; חלצה בקב הקיטע חליצתה כשרה

A wooden foot of an amputee is valid for Chalitzah according to רבי מאיר who considers it a shoe as he rules; אוני אינצא בקב שלו amputee may wear it on Shabbos. Rebbe Meir holds that the shoe of Chalitzah does not have to be leather. However, he agrees that אנפיליא של בגד is NOT valid for Chalitzah, because,

האי מגין והאי לא מגין

The קב הקיטע protects the foot, but a אנפיליא של does not protect the foot.

The Gemara in the next Daf continues to explain the Mishnah.





