



לע"נ ברוך בענדיט וברכה גרוס ע"ה  
by Mr. & Mrs. Duvy Gross

# *The Hakuk Edition* **English Topics on the Daf**

*Dedicated l'refuah sheleima for Yaakov ben Victoria*

By Rabbi Mordechai Papoff

## ***Yevamos Daf 103***

### **Shoes for Chalitzah and on Yom Kippur**

The Gemara continues its discussion from last daf about "anpilios" (socks). In the first parts of the sugya, it compared and proved its points from halachos of Yom Kippur. Is the comparison true even in the maskana? The final word, from Rava, is that anpilios is kosher for chalitzah if it "protects the foot." Is this the guideline by Yom Kippur as well?

Tosfos already pointed out that there are inconsistencies between the halachos of Yom Kippur and chalitzah shoes. R' Yosi seems to invalidate "kav hakita" for chalitzah, and yet forbids it on Yom Kippur. Our Beraisa permits shoes of "shaam" and yet the very same are permitted on Yom Kippur? It seems that the analogy does not remain in the final psak.

However, the Rosh in Yuma cites our sugya in its earlier stage, that the defining factor of footwear is if it's made from leather or not. He bolsters this from a Yerushalmi. Thus paskens the Rif and Tur (O.C. 614). But the Baal Hamaor objects from the maskana in both Gemaras; anything that protects the foot is forbidden

on Yom Kippur! The Beis Yosef is unsure about Rambam's opinion, who permits on Yom Kippur anything "within which the hardness of the ground may be felt – it feels like one is barefoot." His examples are shaam and guma (a rubbery material). What of wood and other non-leather, stiff items? It is also interesting that the Rambam appears to fabricate his own parameters. Either way, the Beis Yosef paskens like the Rosh and Tur – only leather shoes are forbidden on Yom Kippur.

But the discrepancies between the Gemaras are troubling! Isn't the Baal Hamaor right, that as long as it protects, it should be assur on Yom Kippur?

In Teshuvos Panim Meiros (Vol. 2:28) he endeavors to resolve these issues. Written in the 18th century, he addresses the "recent" invention of shoes composed entirely of material, but stiff enough to include a heel and be comfortable to wear outside. Are they permitted on Yom Kippur? Apparently, they were also worn by Kohanim during Birchos Kohanim, even though they are

not supposed to be wearing shoes. Is that acceptable?

He takes us through the sugyos here and in Yuma. In the maskana, why is kav hakitta forbidden and shaam not? Both protect the foot? Indeed, the Baal Hamaor forbids all protective footwear on Yom Kippur for this reason. What about according to the other Rishonim? And, how does the Baal Hamaor explain the Gemara that they wore shaam shoes on Yom Kippur? It must be, he concludes, that the guidelines are spelled out by the Rambam. If it's so thin or pliable that the ground can still be felt, it is permitted on Yom Kippur. It does not say in the Torah we cannot wear "shoes"; it says we must afflict ourselves. As long as we can feel the ground beneath our feet, it is considered "affliction." That is why kav hakitta is forbidden and shaam is permitted.

On the other hand, chalitzah has a separate set of rules – the Torah calls for "shoes," and our Gemara deliberates what's included in that category. This resolves the conflict Tosfos raises between halachos of chalitzah and Yom Kippur. Only in the earlier stages of the sugya we thought they are comparable, but at this point they may differ.

Returning to his shealah, he paskens that hard-material shoes should not be worn on Yom Kippur, nor by Kohanim in Birchas Kohanim.

On the other hand, Shu"t Maharshag (Vol. 2:110) takes issue with the Panim Meiros and forcefully asserts that we don't

make up our own chumros. When the Rambam offers the reasoning of "feeling the ground," he is not creating a new parameter of the halacha. Leather is forbidden even if it's so thin you feel the ground; wrapping blankets around your feet to provide the ultimate comfort is permitted! The Rambam is merely putting a label on the footwear common in times of Chazal and the concept underlying them. It is not meritorious to concoct new ways of afflicting yourself on Yom Kippur, since it is a Yom Tov with mitzvas oneg. (Perhaps Tishah B'av is different, as Halichos Shlomo [p. 434] records.)

The Shulchan Aruch paskens like the Tur and permits shoes made of fabric – anything but leather. He lists gemi, straw and fabric. The Mishnah Berurah records that some authorities forbid wooden shoes as well. Then he cites the Panim Meiros' opinion which includes any shoe made to measure of the foot and well-protecting. "One cannot censure someone who follows the Shulchan Aruch and the majority of Acharonim who are lenient in this, but if possible, it is correct to be stringent."

Today, we have available a plethora of footwear composed of artificial materials. Contemporary poskim discuss this; Rav Shlomo Zalman Auerbach commented that in our days most people are classified "istanis," delicate, and may be lenient (Halichos Shlomo, Yom Kippur p. 76). Dirshu Mishnah Berurah cites opposing opinions about shoes made of imitation leather; it looks like the real thing, so may be mar'is ha'ayin. Others argue

that they are so common nobody would suspect it is real leather!

Logically, what is the difference between leather and other materials? The Shl"ah explains the blessing we make every morning "Who provided me with all my needs," which Chazal say refers to shoes. How do shoes connote fulfillment of "all my needs"? He answers that Creation is comprised of four levels of existence: inanimate objects, plants, animals and humans. Each category derives sustenance, and dominates, the one under it. Plants grow from the earth, animals eat plants, and people consume animals. The most stark expression of this domination is to flay an animal and make its hide into shoes that you trample underfoot! Thus, we thank Hashem for bestowing upon us the elevated position of being masters over the physical world.

All this is fine the rest of the year, but when it comes to Yom Kippur (and Tishah B'av), it is not appropriate to display this dominance. As our lives are hanging in the balance and we face Heavenly judgment, we must show submissiveness, not power. Only actual leather expresses this! Therefore, any other material is essentially permitted (Halichos Shlomo, Tefillah, pp. 365-366).