



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

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Yevamos Daf 105

Can a gidemes (amputee) do chalitza? Levi was asked. He didn't know, so went to the Beis Hamedrash and was told that she could. "It doesn't say she has to do chalitza with her hand." How should she do it? Rashi says with her teeth.

What about other mitzvos usually does with the hand, such as taking the lulav and writing Sifrei Torah? Can an amputee use his mouth in those cases also?

On daf 102a, Tosfos quotes a Yerushalmi describing the chalitza process, detailing which parts are to be done with each hand. "She unties the laces with her right, grasps the shoe with her left, removes the heel with her right and pulls with her left. Thus, the untying and chalitza are done with the right." Tosfos comments that we have not found anywhere that using the left hand is invalid. The only mention of right and left is regarding the yavam's foot, on daf 104. Indeed, a gidemes uses her teeth; this implies that using the left hand is not passul.

On the other hand, Tosfos in Chullin 20a is not so quick to dismiss the

Yerushalmi. Perhaps a left hand is worse than teeth! The sugya there is of a melika, the beheading of bird-korbonos with the thumbnail, which was done in an abnormal fashion. The Gemara mentions the case of doing it with a tooth, animal or human. Tosfos asks how a tooth could work as melika, when even a left hand is invalid? And answers that a left hand may be passul but a tooth kosher, like we find by chalitza, that the left hand is invalid but a gidemes uses her teeth! With this idea, Tosfos reconciles the Yerushalmi with our Gemara. Then he vacillates that maybe even the Yerushalmi means only that it is preferred to do it with the right but b'dieved the left works too. If so, perhaps teeth are indeed inferior to even a left hand.

This is relevant to a yevama who has no right hand but a left one. Is it better for her to do chalitza with her teeth, or there's no difference between her left hand and her teeth? Why should the left be any worse than teeth?

Kovetz Shiurim (Pesachim 16) explains that in numerous sugyos in Shas, the Gemara seeks to clarify: When there is

a qualification of a rule, is the excluded case precise, or is the qualification the defining factor? For example, by melika, when Chazal say it must be done with the right hand and not the left, does that exclude also teeth? Or maybe “right hand” comes only to exclude the opposite hand, the left, as may be implied by the language of the Gemara?

So too with regards to chalitza. When the Yerushalmi says it should be done with the right hand, is that excluding only the left, or even teeth? If it means only the left hand, there is no contradiction to our Gemara that a gidemes uses teeth. And if so, we should generally require chalitza to be done with the right, and a yevama without a right hand should not use her left. But if the Yerushalmi intended to exclude also teeth, then it is not aligning with the Bavli, and we follow the Bavli over Yerushalmi. Tosfos on daf 102 seems to assume this; thus, in psak halacha there would be no preference of teeth over left hands.

As an aside, Rav Chaim Kanievsky zt”l says he doesn’t know the source for the Yerushalmi requiring the right hand for chalitza.

Practically, all the poskim say a yevama should use her right hand. If she used her left, b’dieved it is valid (Rema on Seif 30; Perush on Seder Chalitza, note 70).

What about shaking the lulav and esrog? The Shulchan Aruch says (O.C. 651:4) if one does not have a hand, he should take it in [the crook of] his arm.

What if a person has only a left hand? Or no arms at all?

The Mishnah Berurah cites differing opinions about grasping them in his mouth. (How is it possible? In Seif 12 the Shulchan Aruch says that the four species may be taken one after the other...) As for the left hand, most poskim hold that although the minim should be taken in the right hand, the obligation is fulfilled even if taken in the left. The Mishnah Berurah (ibid. 19), however, notes that some hold one is not yotzei (and a regular righty should take them again, without a beracha). So, for an right-amputee, it would depend on the two ways of understanding the qualification, as before.

Finally, may a sofer writes tefillin and Sifrei Torah with his left hand or his mouth? Once again, the halacha is that he must use his right hand; a lefty uses his left. However, even those written by a righty who used his left are “possul – if it’s possible to obtain others written with one’s right hand” (O.C. 32:5). What if someone has no hands? The poskim cite the Ram”a MiPano that writing with the mouth is not valid. He says he heard of a sofer who wrote with his mouth and nobody objected, but he asserts that it is possul. It is not considered “derech kesiva” at all, and some authorities hold that midioraisa they must be written with the right hand. The Mishnah Berurah notes that the Magen Avraham holds like this and does not allow such tefillin whatsoever, but other poskim equate it with a righty using his left hand.