A convert may judge his fellow convert – יִפְרוֹס הַגּוֹהלּ הָא לְגֹלוֹלֵי הָא. Rashi and most of the early commentators disagree as to when in fact it is permitted for a convert to be appointed as a judge. According to Rashi, a convert is excluded from being a judge for Jews from birth only in capital cases; there are no limitations on a convert to act as a judge in monetary cases, and it is likewise permitted for him to be appointed to other positions of communal authority. The majority of early commentators disagree and posit that there are three different categories. In capital cases a convert is qualified to judge only his fellow converts. In monetary cases a convert whose mother is from Israel is also qualified to judge, and likewise it is permitted for him to be appointed to any authoritative position of leadership. To be appointed king, however, and also to act as a judge for halitza, it is required that one not be a convert at all but that he be the offspring of two Jews from birth (see Meiri). The Rambam states a controversial third opinion prohibiting a convert from being appointed to all positions of authority.

And if the convert’s mother was from Israel – רֶאֶה הָיְתָה שֶׁכְּבָר. The concept of a convert whose mother is from Israel may strike one as odd. After all, if one’s mother is Jewish, then the child is not a convert at all. Some understand that this phrase refers to one whose father is not Jewish and whose mother is, and although he is not actually a convert, he is called: A convert whose mother is from Israel. Others explain that it refers to one whose mother converted while pregnant, and therefore the child is referred to as a convert whose mother is from Israel, as the child was conceived while the mother was a gentile, and born when her mother was already Jewish (see Rashba).

As it is stated: And his name shall be called in Israel – וְנִקְרָא שֶׁכְּבָר. Most of the early commentators had an alternative version of the text that read: With regard to halitza, a convert cannot act as a judge based on the fact that in the Torah the phrase “in Israel” is written twice (see Deuteronomy 25:7, 10). They interpreted their version of the text to mean that the first mention in the verse of “in Israel” comes to teach that halitza is valid even if performed before betrothal, and the second mention of “in Israel” comes to teach that the judges must be from Israel, to the exclusion of converts who were not born in Israel. Rashbi, whose text matches the version published in the Gemara, seems to interpret that “in Israel” indicates within Israel, meaning that he must be a Jew from both sides of his family (Ramban).

The people already have established the practice – בְּכֶרֶךְ שַׁמַּעְתָּם. This idea of following the custom even when the stated halakha might be otherwise is cited in the Jerusalem Talmud with the phrase: A custom cancels the halakha. There are those who misinterpreted this talmudic statement to mean that one could rely upon one’s local custom even when it openly contradicted the halakha. The Meiri explains, however, that this is not the proper understanding of this statement. Customs determine practice only when there is no established halakha otherwise. In any place where there is such a custom, it is prohibited for even the greatest of scholars to abolish it. However, Rabbeinu Tam has already explained the danger of following customs that run counter to halakha. He points out that the Hebrew word for custom, mishag, spelled backward is Gehinnom, the Hebrew term for Gehenna. In other words, following a backward custom that contradicts halakha will actually lead one to Gehenna.

In fact, the logic behind relying upon a custom is based on people’s general tendency to act based on the majority opinion even if the matter was never decisively determined in a house of study (Gilyonei HaShas, citing Yishrei Lev).

By Torah law a convert may judge his fellow convert, as it is stated: “You shall set a king over you, whom the Lord your God shall choose; one from among your brothers you shall set king over you” (Deuteronomy 17:15). The Gemara deduces from the terminology of the phrase “over you,” i.e., when presiding over Jews by birth either as a king, a judge, or any other official, that from here it is where we require that the official must be: “From among your brothers,” meaning a Jew by birth. However, a convert may judge his fellow convert, as the requirement of “one from among your brothers” does not apply when presiding over fellow converts.

And if the convert’s mother was from Israel, he may even pre-side as a judge in a court to adjudicate legal matters involving a native-born Jew. But with regard to halitza, he may not act as a judge unless both his father and his mother were from Israel from birth, as it is stated with regard to halitza: “And his name shall be called in Israel.” The house of the who had his shoe removed (Deuteronomy 25:10), implying that he must be born as a member of the Jewish people from both of his parents.

Rabba said that Rav Kahana said that Rav said: If Elijah the Prophet should come and say: One may perform halitza using a soft leather shoe, the Rabbis would listen to him. But if he says: One may not perform halitza using a hard leather sandal, they would not listen to him, for the people already have established the practice of performing halitza using a sandal.

And Ray Yosef said that Rav Kahana said that Ray said: If Elijah the Prophet should come and say: One may not perform halitza using a soft leather shoe, they would listen to him. But if he says: One may not perform halitza using a hard leather sandal, they would not listen to him, for the people already have established the practice of performing halitza using a sandal.

The Gemara asks: What is the practical difference between these two opinions? Seemingly, they both say the same thing. The Gemara answers: The practical difference between them is with respect to performing halitza with a soft leather shoe ab initio. According to Rabba’s opinion, one may not perform halitza this way ab initio, as Rabbi said that only if Elijah comes and permits it would he be heeded, implying that until Elijah does so one may not perform halitza this way. According to Ray Yosef’s opinion, one may perform halitza with a soft leather shoe until Elijah comes and teaches us otherwise.

The Gemara asks: And according to the one who says that one may even perform halitza with a soft leather shoe ab initio, didn’t we learn in the mishna (10a): If she performed halitza with a soft leather shoe, her halitza is valid, and the past tense wording indicates after the fact, yes, but it is not valid ab initio?

HALAKHA

A convert may judge his fellow convert – יִפְרוֹס הַגּוֹהלּ הָא לְגֹלוֹלֵי הָא. A convert is not qualified to be a judge for halitza, even the halitza of a convert, as only someone whose mother and father are from Israel is qualified to be a judge for halitza (Rambam Sefer Nashim, Hilkhot Tlibum 45; Shulhan Arukh, Even HaEzer 169a and Yoreh De’a 269:11 and Hoshen Mishpat 7:1).
He is a frequent visitor at my table (shulhan). Rabbi Yehuda ben Beteira raised the banner of the importance of Torah learning in ancient Babylonia. Nevertheless, he served in Babylonia, where he imparted his teachings to his contemporaries among the Sages. Rabbi Eliezer said about him: You are a great Sage, and he declared his court a righteous and beautiful court of law.

Even though most of his activity was in Babylonia, Rabbi Yehuda ben Beteira raised the banner of the importance of Eretz Yisrael and opposed any efforts to establish Babylonia as a competing center of Torah learning.

There are very few instances in the Talmud where halakhah is transmitted in his name. This may be because he served in Babylonia, where he imparted his teachings to Sages whose rulings were not recorded.

**NOTES**

Shoe (panta) – הש '|'ף). The term is Aramaic and refers specifically to the leather on the upper part of a shoe.

Straps (arketa) – מ Radeon: This may very well be a variant of the word arketa, a word also found in other sources, meaning shoelace. Others explain that it means the upper part of a shoe that covers the foot. Some of the gemara claim that arketa refers to the part of the shoe that covers the shins.
We tie a strap to it – קַטְרִינַן. The Gemara explicitly mentions later that among the tools of alitza, one may make a strap tied to it must also be from leather. The commentaries explain that it refers here to a torn merupat shoe – מִנְﬠָל מִנְﬠָל. Rabbenu Hananel explains that merupat means unstable, i.e., a shoe that is not at all suitable to be worn due to its size.

Furthermore, we learn from the Gemara that one may make a halitza shoe only from leather and other similar materials, the strap tied to it must also be from leather. The commentaries explain that it refers here to a designated sandal that they would add another strap to tighten it. The Gemara explicitly mentions later that among the tools of the judges was a special sandal designated for halitza, to which they would add another strap to tighten it. The Gemara explic- itly mentions later that among the tools of the judges was a special sandal designated for halitza, to which they would add another strap to tighten it. The Gemara explicitly mentions later that among the tools of the judges was a special sandal designated for halitza, to which they would add another strap to tighten it. The practice of having such a sandal designated for halitza was already recorded by the geonicim, and this custom was maintained throughout the generations.

Thus, we may conclude that the strap that is tied to a torn merupat shoe – מִנְﬠָל מִנְﬠָל, is a torn [merupat] that one may make a strap tied to it – קַטְרִינַן, and not a torn centrally dedicated sandal, as due to its size.

Alternatively, it is a rabbinic decree due to concern that one might perform halitza with a half shoe, as the halitza shoe must cover most of the foot, yet there are some who wear soft leather shoes that cover only half of the foot. Therefore, there is a prohibition against using a soft leather shoe for halitza ab initio for fear that a half shoe might also accidentally be used. No similar fear exists with a hard leather sandal as a half sandal is never worn.

Rav said: If I had not seen my beloved uncle, Rabbi Hiyya, conduct a halitza using a sandal with laces, I would not have conducted halitza with anything other than a sandal of Arabs, which is more tight fitting and snug. The Gemara explains: And with regard to this sandal of ours, i.e., the customary sandal of that day, although it does have a ring [numrata]קַטְרִינַן on top to ensure that it will not fall off the foot easily, we tie a strap to it during halitza in order to make it tighter, so that her halitza will be of the highest standard. The strap is tied on so that the sandal will not come off by itself, to ensure that the yevama will have to untie the strap in order to remove the sandal.

Rather, it is a rabbinic decree due to the concern that one might use a torn soft leather shoe, which may nevertheless be worn if torn due to its softness but is prohibited as it does not cover his foot. No similar concern exists with regard to a torn sandal, as due to its hard exterior it would never be worn if torn, and therefore there is no concern that it will be used for halitza.

It does have a ring – קַטְרִינַן. The ring mentioned in the Gemara is a sort of ring through which a rope can be threaded from a hole on the exterior side of the sandal, enabling it to be tightly fastened to the shoe. Some say that one should tie at least two or three of these knots. The Rema states that the custom is to tie three knots, which are not part of the body of the shoe but rather are created by attaching additional straps to the top of the shoe. Likewise, hooks and loops are sewn onto the exterior part of the shoe on its opposite side for the purpose of fastening the additional straps (Shulhan Arukh, Even HaEzer 169:19 and Seder Halitza 6:1).

Sandal for halitza – מִנְﬠָל מִנְﬠָל. To ensure that all the requirements for a valid halitza sandal are met, it is a long-standing custom for every court that conducts halitza to possess a shoe for this purpose. The shoe is built so that it conforms to all the stringent opinions, thereby guaranteeing that the halitza will be valid according to all opinions.

BACKGROUND

HALAKHA

Sandal for halitza – מִנְﬠָל מִנְﬠָל. To ensure that all the requirements for a valid halitza sandal are met, it is a long-standing custom for every court that conducts halitza to possess a shoe for this purpose. The shoe is built so that it conforms to all the stringent opinions, thereby guaranteeing that the halitza will be valid according to all opinions.

LANGUAGE

Ring [numrata]קַטְרִינַן. Apparently from the Middle Iranian muhr, which in this context means a ring. Due to a phonological shift, the letters were inverted in the Aramaic loanword.

NOTES

A torn (merupat) shoe – מִנְﬠָל מִנְﬠָל. Opinions vary concerning the interpretation of the word merupat. Some say, in accordance with Rashi, that it is torn from above, and completely merupat means that all of the upper leather is torn (see Menit). Rabbenu Hananel explains that merupat means unstable, i.e., a shoe that is not at all suitable to be worn due to its size.

We tie a strap to it – קַטְרִינַן. The Ramban wrote that although generally a strap can be tied from a rope made of any material, because the Gemara (voz8) states that one may make a halitza shoe only from leather and other similar materials, the strap tied to it must also be from leather. The commentaries explain that it refers here to a designated sandal that they would add another strap to tighten it. The Gemara explicitly mentions later that among the tools of the judges was a special sandal designated for halitza, to which they would add another strap to tighten it. The practice of having such a sandal designated for halitza was already recorded by the geonicim, and this custom was maintained throughout the generations.

Ring [numrata]קַטְרִינַן. Apparently from the Middle Iranian muhr, which in this context means a ring. Due to a phonological shift, the letters were inverted in the Aramaic loanword.
The Gemara presents a mnemonic device for the following three halakhot that Rav Yehuda taught in the name of Rav: Hatarat, meaning release of yevama; sandal. This mnemonic serves as a reminder that the release of a yevama is done through removing a sandal. Rav Yehuda said that Rav said: The release of a yevama to enable her marriage to a member of the public occurs when most of the heel is removed from the shoe. Even though the shoe has not been entirely removed, or even removed from most of the yevama’s foot; it is still permitted for her to remarry.

The Gemara raises an objection from the following baraita: If the straps of a soft leather shoe or a hard leather sandal were untied, but not through the actions of the yevama, or if the yevama removed most of his foot from the shoe himself before the yevama completed the removal, her halitza is disqualified.

The Gemara infers: The reason her halitza is disqualified is specifically that he removed most of his foot and she only completed the removal, but had she removed most of the foot from the shoe, then her halitza would be valid. The Gemara continues: If so, yes, only when the yevama removes most of the foot is the halitza valid, but if she removed only most of the heel, it would not be sufficient.

The Gemara rejects this question: No, most of the foot is the same as most of the heel, and therefore the inference should be that even if she removed most of the heel from the shoe the halitza is valid. And why do they call it: Most of the foot? Because the whole weight of the leg puts pressure on the heel.

The Gemara comments: This baraita supports Rabbi Yannai, as Rabbi Yannai said: Whether he unties the shoe and she removes it, or whether she unties it and he removes it, her halitza is disqualified unless she both unties it and takes it off. And on the same topic, Rabbi Yannai asked: If she did not remove the sandal, but instead ripped it off him, what is the halitza? If she burned it using coals, what is the halitza? The Gemara presents the real issue in question: Is exposure of the foot the essential act of halitza that we require, through any act of removing that which covers the foot, which exists here? Or perhaps it is removal of the shoe from over the foot that we require, which is lacking here? No answer was found to this question, so the Gemara concludes: The question shall stand unresolved.

Releasing the yevama upon removing the heel – תְּפִלֵי נְשָׁנָה. The yevama sits and unties the shoe straps from the foot and then removes the shoe and places it on the ground. From the moment most of the heel of the yevama has been removed from the shoe, the yevama is considered released from the levirate bond, and it is permitted for her to marry freely (Rambam Sefer Nashim, Hilkhot Yibbum 4:16; Shulhan Arukh, Even HaEzer 169:33).

If the straps of a shoe or sandal were untied – תְּפִלֵי נְשָׁנָה. If the yevama untied the knot and the yevama took off the shoe, or if she untied the straps and he took off the shoe, the halitza is disqualified. The Rambam quotes an opinion, citing the Rosh, that if the yevama can still walk in the shoe while it is untied and subsequently she removes it, the halitza is valid even though she untied the knot (Rambam Sefer Nashim, Hilkhot Yibbum 4:16; Shulhan Arukh, Even HaEzer 169:33).

If she ripped it... if she burned it... חֵילָא. If she burned it using coals, this does not constitute halitza. The halitza is such because Rabbi Yannai’s query was not resolved, and concerning a Torah prohibition one should be stringent with regard to unresolved questions (Rambam Sefer Nashim, Hilkhot Yibbum 4:21; Shulhan Arukh, Even HaEzer 169:36).

HALAKHA
HALAKHA

Two shoes – shoes and his yevama. If the yevama was wearing two shoes and his yevama removed the outer one, then, even if she tore the inner one until his foot was exposed, her halitza is disqualified. The halitza is such because Rabbi Nehemya’s question, according to the version of the text used by the Rambam, was not resolved, and in a case of doubt concerning a Torah law one must be stringent (Rambam Sefer Nashim, Hilkhot Yibbum 4:21; Shuhot Arukh, Even HaEzer 169:37). However, if the yevama removes both shoes her halitza is valid (Rema).

HALAKHA

A yevama who grew up among her husband’s brothers – shoes and his yevama. During halitza the yevama and yevama must have the intention that through the act of halitza the yevama will become permitted to marry a stranger. If they did not both have this intention, the halitza is invalid, meaning that the halitza will disqualify her from performing levirate marriage with any of the brothers, but she will not be free to marry a stranger until a proper halitza is performed. For this reason, if a yevama grew up among her husband’s brothers and it was witnessed that she had once removed the shoe of one of them, it is prohibited for her to enter into levirate marriage with any of them. The concern is that they had intended to perform halitza, and therefore she requires valid halitza to free her. But if it was not witnessed that she removed a shoe from one of her brothers-in-law, the possibility that she might have done so is not taken into consideration, and it is permitted for her to enter into levirate marriage with any of the brothers (Rambam Sefer Nashim, Hilkhot Yibbum 4:21; Shuhot Arukh, Even HaEzer 169:44). This ruling is in accordance with the opinion of Rav and the final version of the text in the Gemara.

NOTES

The reason is that we did not see, etc. – shoes and his yevama. The Gemara presents two versions of the inference drawn from the statement of Rav Yehuda in the name of Rav. The early commentaries dealt with the differences between the two versions, explaining that according to the first version, in any instance where both do not intend to perform halitza, the halitza is completely invalid by Torah law. Nevertheless, if invalid halitza such as this were performed before a convened court, the court would render the couple disqualified to perform levirate marriage, because it appears as if an actual halitza had been performed. In contrast, according to the second version, even were this halitza performed outside of court, at an inappropriate time, or using an unfit shoe, nevertheless it would disqualify the couple from performing levirate marriage afterward, although this type of halitza cannot render the woman permitted to marry strangers (see Tosefot HaRosh, Ramban, and Rashiha).

The Gemara asks: Is there really a case like this where people wear one shoe on top of another? The Gemara answers: Yes, for the Sages saw Rav Yehuda, who went out once to the market wearing five pairs of shoes, which were similar to slippers, one on top of another.

Rav Yehuda said another halitza that Rav said: An underage yevama who grew up among her husband’s brothers whenever halitza was performed is permitted to marry one of the brothers through levirate marriage, and we are not concerned about the possibility that during the time she was in the company of her yevamin she removed a sandal from one of them, and thereby she would have already performed halitza. The Gemara infers from this statement: The reason is it is permitted to perform levirate marriage now is specifically that we did not see her remove one of their shoes, but if in fact we did see her do so, we are concerned and treat her as a yevama who already performed halitza and is thereby forbidden to all the brothers.

The Gemara challenges: But isn’t it taught in a baraita: Whether he intended to perform halitza and she did not intend to, or whether she intended to perform halitza and he did not intend to, the halitza is invalid, unless they both intended it as one to perform a proper act of halitza? The Gemara answers: This is what Rav said: Even if we did see that she removed a shoe from one of them, we are not concerned that perhaps they intended to perform halitza.

And there are those who say the inference from Rav’s statement should be made in the opposite manner: The reason it is permitted for her to perform levirate marriage now is specifically that we did not see her remove a shoe from one of the brothers. But if we did see, we would be concerned and would treat her as a yevama who already performed halitza, despite our knowledge that she did not intend to perform halitza. And with regard to that which was taught in the baraita, that intention is required, this applies only as far as validating the act of halitza in order to permit her to marry a stranger. But performing an act of halitza even without intention is sufficient to disqualify her for the brothers, rendering prohibited an act of levirate marriage afterward.
A sandal sewn with flax – תָּחַשׁ: The identity of the taphash is a matter of great controversy that has not been resolved. Some authorities explain that the taphash is a whale of the species Monodon monoceros, commonly known as the narwhal. Narwhals travel in small groups, especially in northern ocean waters, and can grow to 6 m in length. The primary coloring of the narwhal is pale with numerous dark spots; narwhals are the only ocean mammals with spots. A twisted tusk, which was once thought to be the horn of the unicorn, grows out of one side of the narwhal’s mouth and can measure up to 3 m long. It is possible that a group of these creatures approached the Red Sea and were thrown onto the shore or trapped there.

The narwhal’s appearance closely parallels the descriptions of the taphash presented in tractate Shabbat (28a–b), according to which it is also spotted like the telas flamen and has a single horn on its forehead. The Gemara there also details that the Sages were unable to determine the precise nature of the taphash: domesticated or non-domesticated; kosher or non-kosher.

Professor Yehuda Feliks, one of the foremost scholars in the field of nature in the Bible, suggests that the taphash may have been a giraffe, which has many of the characteristics mentioned in various places in the Talmud concerning the taphash: A multicolored hide, a horn-like protrusion on its forehead, and some of the signs that would indicate that it is a kosher animal.

Rav Yehuda also said that Rav said: One may not perform halitza using a sandal that was sewn together with threads made of flax,24 as it is stated: “And I made you shoes of taphash skin” (Ezekiel 16:10), which is the skin of an animal, implying that a shoe is something made entirely of leather. The Gemara challenges: If the source is “taphash,” let us say: A shoe made of taphash skin, yes, it is valid; but if it made of anything else, no. The Gemara rejects this: Because “shoe” and “shoe” are written in the Torah multiple times, this amplifies and includes all types of shoes crafted from leather skins as valid for performing halitza.

The Gemara asks: If the inclusion of the words “shoe” and “shoe” amplifies, then should one include as valid for performing halitza shoes crafted from even any other materials as well, including those not produced from leather at all! The Gemara answers: If so, what purpose does “taphash” serve, as nothing is learned from it? Rather, from the word taphash it is derived that the shoe must be crafted entirely of leather, but all types of leather are included because the word “shoe” is repeated in the Torah numerous times.

Rabbi Elazar asked Rav: What is the status of the following type of sandal used for performing halitza? In a case where it, the shoe itself, is made of leather,36 and the sections that hold its straps [tereisyot],37 are made of hair,38 as they were woven together with goat’s hair, what is the halakha? He said to him: Do we not refer to such a sandal as: “And I made you shoes of taphash”? Since it is crafted from material that comes from an animal it is valid. The Gemara asks: If that is so, i.e., that anything derived from an animal is valid, then even if it is fashioned entirely of hair it should also be valid. The Gemara answers: That would be called a slipper,39 not a shoe.

Straps [tereisyot] – תְּרֵיסִיּוֹת: The source of this word is unclear. Some say that it comes from the Greek πυρείς, thureus, meaning shield. This became the Hebrew word tereis, which also has several meanings. Its diminutive form, tereis, means part of a shoe or sandal.

Slipper (karka) – כַּרַכָּה: The image below depicts a shoe from Phrygia, in Asia Minor, that may be the karka mentioned in the Gemara.

NOTES: A sandal sewn with flax – תָּחַשׁ: Rashī interprets this in two ways. According to his first interpretation, this refers to a shoe with a flax lining sewn to it. According to his second interpretation, the various parts of the shoe were sewn together with threads of flax. Most of the early commentators do not accept Rashī’s first interpretation, as even a wooden sandal covered with leather is valid for halitza, and therefore any sandal made completely of leather cannot be disqualified due to a flax lining. Consequently, most of the early commentators accept Rashī’s second explanation. The Tosafot R. Idd challenges the second interpretation based on the Gemara’s case of a sandal whose straps are made of hair, and therefore offers a third interpretation, which he maintains is actually the understanding of Rabbeinu Hananel. This third interpretation is that a sandal sewn with flax refers to a sandal whose sole is made of leather while the part that covers the foot is made of flax. The early halakhic authorities such as the Or Zarua discuss whether such a sandal sewn with flax is completely disqualified, even after the fact, or if it is invalidated only ab initio (see Yan shel Shelomo).

LANGUAGE: Straps [tereisyot] – תְּרֵיסִיּוֹת: The image below depicts Roman shoes of the Senator class and their tereisyot, the lower leather straps that encase the foot.

BACKGROUND: A sandal sewn with flax – תָּחַשׁ: One should not perform halitza using a sandal sewn with flax. Therefore, one should sew such a sandal with leather ab initio, and this is the customary practice. The Rema, based on the opinion of the Ramah, mentions that there are those who invalidate a sandal sewn with flax even after the fact (Rambam Sefer Nashim, Hilḥot Yamim 4:18; Shulḥan Arukh, Even Ha’azem 169:15).

The sections that hold its straps are made of hair – תְּרֵיסִיּוֹת: The Shulḥan Arukh rules that the straps of a sandal used for halitza do not necessarily need to be made of leather, in accordance with Rav’s opinion. The Rema, however, cites others who maintain that the straps must also be made of leather (see Nimmukei Yosef). The common practice was to permit straps made only of leather, or those made of animal hair, as hair also comes from animals, while disqualifying straps of any other material (Rambam Sefer Nashim, Hilḥot Yamim 4:18; Shulḥan Arukh, Even Ha’azem 169:15).

Ilitza – इलितज़ा: The image below depicts a Phrygian shoe, in Asia Minor, that may be the ilitza mentioned in the Gemara.
Rav Kahana said to Shmuel: From where is it known that this phrase: “And she shall remove [halitza] his shoe from on his foot” (Deuteronomy 25:9), means to remove? As it is written: “Then the priest shall command, and they shall take out [halitza] the stones in which the plague is” (Leviticus 14:40), indicating that the word halitza means that they shall remove the stones from their place.

The Gemara asks whether the word halitza can be interpreted differently based upon its apparent meaning in other contexts: But could you say it is a term for strengthening, as it is written: “Arm [hebaletza] men from among you for the army” (Numbers 31:3), meaning that men among you will be strengthened and take up arms to prepare for battle? The Gemara answers: There too, the meaning of the word is referring to taking something from its place, as it means removing people from their houses in order to go out to war.

The Gemara challenges: But isn’t it written: “He delivers [yehaletz] the afflicted by His affliction [be’onya]” (Job 36:15)? This indicates that the afflicted one becomes stronger due to his affliction, as, if the intention was to deliver him from his affliction, it should have said: From His affliction, rather than “by His affliction.” The Gemara answers that the verse should be interpreted as follows: Be’onya, in other words, as reward for his suffering from affliction, He shall deliver him from the judgment of Gehenna, as is understood from the term be’onya, through the reward due to his affliction.

The Gemara challenges further: But with regard to that it is written: “The angel of the Lord encamps around those who fear Him and delivers them [vayehaletzem]” (Psalms 34:9), doesn’t vayehaletzem rather mean: He shall strengthen them? The Gemara answers: The verse means: As a reward for those that fear Him, He shall deliver them from the judgment of Gehenna. Therefore, the Gemara interprets vayehaletzem as “delivers them,” not as: Strengthens them.

The Gemara challenges further: But with regard to that which is written: “And the Lord will guide you, and satisfy your soul in drought, and make your bones strong [yalitza]” (Isaiah 58:11), and Rabbi Elazar said regarding that verse: This is the greatest of blessings, and Rava said it means: Strengthening of bones. This seems to indicate that the root of the word halitza is referring to strengthening. The Gemara answers: Yes, it has this connotation, and it has this connotation, i.e., the root h-l-tz sometimes connotes removal and sometimes connotes strengthening. But here, only one meaning is possible, as, if it enters your mind that halitza here connotes strengthening, then let the Merciful One write in the Torah: She shall strengthen [haletza] his shoe on his foot [beraglo], indicating that she should tighten the shoe on his foot, rather than stating: “From on his foot [me’al raglo],” which indicates that she is removing something from his foot.

The Gemara responds: If the Merciful One had written in the Torah: On his foot [beraglo], I would have said she must strengthen and tighten the shoe on his foot, yes, but on his calf, no, and if his foot were amputated she may no longer perform halitza. Therefore, the Merciful One writes in the Torah: “From on his foot [me’al raglo],” to teach that she may strengthen the shoe even on his calf, which is part of the leg, or regel, above the foot. The Gemara answers: If so, and halitza really means strengthening, let the Merciful One write in the Torah: She shall strengthen his shoe on the upper part of his foot [bemal raglo], indicating that the shoe can also be tightened on the area of the calf. What then is the meaning of “from on his foot [me’al raglo],” which is written in the verse? Learn from here that in this context the word halitza clearly indicates removal, meaning that the mitzva of halitza is for the yerama to remove the shoe of the yavam and not to tighten it on his foot.

This is the greatest of blessings – The Maharsha explains that the Gemara here is stating that even though this chapter in Isaiah lists eleven different blessings, beginning with the verse “Your light shall rise in darkness,” and your darkness shall be as the afternoon” (Isaiah 58:10), still, this blessing of strengthening the body is the greatest of all the blessings listed there.
The one who collects the funds of shekels donated to the Temple from the chamber, etc. — Ḥilkhot Shekalim 1:1. The man who collects the money from the Temple chamber may not enter there wearing a garment in which something may be hidden, nor may he wear shoes, sandals, phylacteries, or an amulet, in order to ensure that others will not come to suspect him of stealing from the consecrated money (Rambam Sefer Zemanim, Ḥilkhot Shekalim 2:10).

One may not enter the courtyard wearing a shoe — Yeivamot 3:1. One must conduct oneself with honor and reverence in the Temple, and therefore he may not enter the Temple Mount while wearing sandals or shoes, nor with a staff, nor with a sack of money (Rambam Sefer Avoda, Ḥilkhot Beit HaBehiya 7:2).

Shoes on Yom Kippur — Yeivamot 3:2. It is prohibited on Yom Kippur to wear shoes or sandals made of leather. Even a prosthetic that is covered with leather although its body is made of wood is prohibited. But it is permitted to go out into the public domain wearing shoes of rubber, straw, or fabric (Rambam Sefer Zemanim, Ḥilkhot Shevitot Asor 3:7; Shutim Arukh, Orach Hayyim 642). This ruling is in accordance with Rava’s opinion and in accordance with Rav Huna’s practice.

Parenthetical to this discussion, the Gemara relates: A certain heretic said to Rabban Gamliel: You, the children of Israel, are a nation whose Master removed [halitza] Himself from them, for God has left you in much the same way in which a yavam would perform halitza with his yevama, as it is written: “With their flocks and with their herds they shall go to seek the Lord, but they shall not find Him. He has removed [halitza] Himself from them [meitem],” (Hoshea 5:6). The heretic tried to use this verse as scriptural support that God has performed halitza with the Jewish people.

He, Rabban Gamliel, said to him: Imbecile, does it say: He performed halitza to them [lahem]? Rather, it says “halitza from them [meitem],” meaning it is as if they, the Jewish people, performed halitza on Him. But if a yevama had her shoe removed by her yevamin, does this have any significance? Here too, the meaning of the verse is that the nation of Israel abandoned God by removing themselves from Him, and this abandonment has no significance.

The Gemara analyzes the phrase used in the mishna that discusses the types of shoes that can be used for halitza. It was taught in the mishna that if he was wearing a soft shoe [anpileya] made of cloth for halitza, her halitza is invalid. The Gemara explains: That is to say that an anpileya is not considered a shoe.

And we also learned similarly in a mishna (Shekalim 1:1): The one who collects the funds of shekels donated to the Temple from the chamber and puts them it into baskets in order to be used may not enter to collect the funds wearing a garment [parGED] that is cuffed [haFAT] nor wearing an anpileya, and needless to say that he may not enter wearing a shoe or a sandal, because one may not enter the Temple courtyard wearing a shoe or a sandal. It is prohibited for the one collecting funds from the chamber to enter the chamber wearing a garment or footwear in which money could be hidden, lest people come to suspect that he hid in them funds collected from the chamber. In any case, the wording of the mishna indicates that an anpileya is not considered a type of shoe, since it is permitted to enter the Temple wearing an anpileya when there is no reason for suspicion, unlike a shoe or sandal, which can never be worn in the Temple.

And the Gemara raises a contradiction from a baraita concerning what footwear is permitted on Yom Kippur, which seems to indicate otherwise: The halakha is the same for a soft leather shoe, and a hard leather sandal, and an anpileya, as one may not walk in them from one house to another, nor from one bed to another on Yom Kippur due to the prohibition against wearing shoes, indicating that at least as far as Yom Kippur is concerned, an anpileya is considered a shoe.

NOTES

A certain heretic said, etc. — Yeivamot 3:1-2. These heretics, some of whom were Christians or at least lived as Christians, knew the Bible and sought to prove from various verses that after the destruction of the Second Temple there was no longer any chance that Israel would recover. Consequently, the heretic wishes to prove that the people of Israel in exile, often compared by the prophets to a woman whose husband has left her, has no hope of reconciliation; she is like a widow whose yavam performed halitza with her and is therefore unable to take her back (see Maharsha). Rabban Gamliel responded by saying that it is not God Who abandoned the Jewish people but they who abandoned Him, and He is anxiously awaiting their return.

LANGUAGE

Garment [parGED] — דיסן: From the Greek παραγώγος, paragous, meaning a garment adorned with trimmings of crimson.

Cuffed [haFAT] — מפו: Some commentaries state that a heilot is the double fold at the hem of a garment. The Arukh interprets it to mean a kind of sleeve. It was prohibited for one collecting donations to the Temple to wear a garment with this type of sleeve for fear that it would lead to accusations of theft.
Abaye said: There, with regard to Yom Kippur, it is referring to an anpileya that has cushioning, and this is forbidden due to the pleasure that one derives from cushioned footwear on a day when people are commanded to afflict themselves. Rava said to him: But it is footwear that is not considered to be shoes forbidden on Yom Kippur due to the pleasure one derives from wearing them? But Rabba bar Rav Huna would wrap a scarf on his feet and go out on Yom Kippur so his feet would not be injured, implying that there is no prohibition against wearing something comfortable on one’s foot, as long as it is not defined as a shoe. Rather, Rava said: This is not difficult. Here, when they said that an anpileya has the status of a shoe, it is referring to an anpileya made of leather. There, when they do not consider it a shoe, it is referring to an anpileya made of cloth.

The Gemara adds: And so too, it is reasonable to distinguish in this manner, as, if you do not say so, it is difficult to reconcile the seeming contradiction between one statement about Yom Kippur and another statement about Yom Kippur. As it is taught in a baraita: A person shall not walk while wearing sliders [kordakisin] within his house on Yom Kippur, but he may walk while wearing an anpileya within his house. This would imply that wearing an anpileya is permitted, but the baraita quoted above taught that it is prohibited. Rather, must one not conclude from here that there, where it indicates that an anpileya is forbidden, it is referring to an anpileya made of leather, as they are considered like a shoe, and there, where an anpileya is permitted, it is referring to an anpileya made of cloth? The Gemara concludes: Indeed, learn from here that it is so.

It is taught in a baraita in accordance with the opinion of Rava: If she performed halitza using a shoe whose seams were opened up, which still covered most of the foot; or if she performed halitza with a sandal whose sole was partially opened that still held most of the foot; or if she performed halitza with a sandal made of cork [sha’aim], or of fibers from a tree; or with a pros-thetic foot of an amputee; or with a felt shoe [muk]; or with a leg blanket that an amputee makes for his feet as a covering in which to put the stumps of his legs, which is not an actual shoe; or with a leather anpileya; and likewise, a woman who performs halitza with her yavam when he is an adult man,

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