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Yevamos Daf 105

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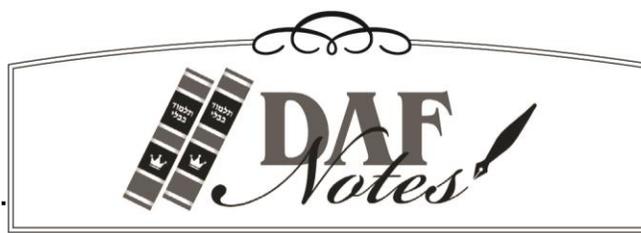
Yevamah spitting in Beis Din

They sent the following ruling to the father of Shmuel: If the *yevamah* spat in *Beis Din*, she must perform the *chalitzah* (though her act was not a part of a formal *chalitzah* ceremony, she forfeits thereby her right ever to be taken in *yibum* by any of the brothers).

This implies that she is rendered unfit for all the brothers; but whose view is this? If it be suggested that it is that of Rabbi Akiva (*who rules that spitting is not a critical component of the chalitzah*) it may be objected: If Rabbi Akiva said that it was not indispensable even where the actual commandment of *chalitzah* is being performed, in which case it could be argued that it could be given the same force as the burning of the sacrificial parts of the offering on the Altar, which is not an essential rite when the portions are not available (*if they got lost or became tamei*), and yet they are essential when they are available (*and the meat may not be eaten until the sacrificial parts are burned*), can Rabbi Akiva, who maintains that the spitting is not essential for the validity of *chalitzah* regard the spitting as a reason for the woman to become thereby unfit for the brothers? Should it be suggested, however, that the opinion is that of Rabbi Elozar who holds that spitting is an essential component to the commandment of *chalitzah*, surely it may be retorted that there are two acts (*the spitting and removal of his shoe*) which jointly effect

permissibility, and any two acts that jointly effect permissibility are ineffective one without the other.

Rather, the view is in agreement with that of Rebbe. For it was taught in the following braisa regarding the two lambs that were offered as a sacrifice on the festival of Shavuos: The lambs sanctify the accompanying bread by slaughtering the animals. If the lambs were slaughtered for their own sake and their blood was thrown for their own sake, the bread is sanctified. If the lambs were not slaughtered for their own sake and their blood was thrown not for their own sake, the bread is not sanctified. Rabbi maintains that if the animals were slaughtered for their own sake but the blood was not thrown for their own sake, the bread receives a status of *kedushas haguf*, physical sanctity with regard to becoming invalid if they are taken outside the Bais HaMikdash and that they can no longer be redeemed. (*Since the blood was thrown without the proper intentions, however, the lambs are deemed regular shelamim, but they are not viewed as the Shavuos communal shelamim. Although one can eat the lambs, the loaves cannot be eaten because the correct service was not performed to them to allow them to be eaten.*) Rabbi Elozar ben Rabbi Shimon, however, maintains that in order for the bread to be sanctified, the lambs must be slaughtered for their own sake and their blood be thrown for their own sake. (*Thus it has been shown that according to Rebbe, where two acts such as proper slaughtering and proper*



sprinkling are required, consecration is partially effected even though the former act alone was properly performed. Similarly, in respect of chalitzah, one of the prescribed acts is sufficient to render the woman unfit for yibum with any of the brothers.) (104b)

Disqualifying the brothers

The *Gemora* stated above that the spitting cannot disqualify the woman for *yibum* with the brothers according to Rabbi Akiva. The *Gemora* challenges this from that which was taught in the following *braisa*: If she removed his shoe, but did not spit or recite the verses, the *chalitzah* is valid. If she spat, but did not remove his shoe or recite the verses, the *chalitzah* is invalid. If she recited the verses, but did not spit or remove his shoe, there is no concern that this is a valid *chalitzah* at all.

Whose opinion is this *braisa* representing? It cannot be following Rabbi Eliezer's opinion, for he specifically said that spitting is an integral component for the *chalitzah* to be valid. It is obvious that this *braisa* is following Rabbi Akiva's opinion, and the *braisa* states that if she spat, but did not remove his shoe or recite the verses, the *chalitzah* is invalid. Doesn't this mean that she is now forbidden to be taken in *yibum* by any of the brothers?

(We must assume that Rabbi Akiva holds that she is Rabbinically forbidden to the brothers.) The *Gemora* asks: What is the difference between spitting and the recital of the verses? Why does Rabbi Akiva rule that she is still permitted to the brothers if she only recited the verses?

The *Gemora* answers: The recital of the verses is performed at the beginning of the *chalitzah* process

and at the end; people will not mix up this case (*when she never removed his shoe*) with a valid *chalitzah* (*because they observed the entire chalitzah*). However, spitting, which is only at the conclusion of the *chalitzah* process, people might become mixed up with a valid *chalitzah*, and permit an actual *chalutzah* to marry the brothers. (104b – 105a)

Prescribed order

Others say that the following was the ruling sent to the father of Shmuel: A *yevamah* who spat, but did not remove the *yavam's* shoe must perform *chalitzah* again. However, she is not required to spit again.

The *Gemora* records an incident: A *yevamah* came before Rabbi Ami, while Rabbi Abba bar Mammal was sitting in his presence. She spat prior to removing the *yavam's* shoe. Arrange the *chalitzah* for her, said Rabbi Ammi to him, and conclude her business. Rabbi Abba said to him: But surely, spitting is a requirement! Rabbi Ammi answered: She has spat indeed. Rabbi Abba asks: But let her spit again; what could be the objection? Rabbi Ammi responded: The issue might be disastrous; for should you rule that she is to spit again, people might assume that her first spitting was ineffective and thus a proper *chalutzah* also would be permitted to marry the brothers. The *Gemora* asks: But is it not necessary that the various parts of the *chalitzah* should follow in the prescribed order? The *Gemora* answers: The order of the performances is not essential. Rabbi Abba thought at the time that Rabbi Ammi was merely pushing him off. When, however, he went out he carefully considered the point and discovered that it was taught: Whether drawing off the shoe preceded the spitting or whether spitting preceded the drawing off, the action performed is valid. (105a)

House of Eli

Levi once went out to visit the villages. The villagers asked of him: May a woman whose hand was amputated perform *chalitzah*? What is the halacha where a *yevamah* spat blood? It is stated [Daniel 10:21]: *However, I will tell you that which is inscribed in the Writing of Truth.* Does this then imply that there exists a divine Writing that is not truthful? He was unable to answer. When he came and asked these questions at the Beis Medrash, they answered him: Does it say: *And she shall remove his shoe with her hand?* Does it say: *And spit spittle?* Regarding the last question; there is actually no difficulty. The former refers to a divine decree that was accompanied by an oath, whereas the latter refers to one that was not accompanied by an oath. This is in accordance with a statement of Rav Shmuel bar Ammi. For Rav Shmuel bar Ammi stated in the name of Rabbi Yochanan: How do we know that a decree cannot be overturned if it is accompanied with an oath? It is from the Scriptural text [Shmuel I, 3:14]: *Therefore I have sworn unto the House of Eli, that the iniquity of Eli's house shall never be atoned with a sacrifice nor with a flour-offering.*

Rabbah said: It will not be atoned with a sacrifice nor with a flour-offering, but it can be atoned with the words of the Torah.

Abaye said: It will not be atoned with a sacrifice nor with a flour-offering, but it can be atoned with acts of kindness.

Rabbah and Abaye both descended from the House of Eli. Rabbah, who studied Torah, lived for forty years. Abaye, who studied Torah and engaged in acts of kindness, lived for sixty years.

The Rabbis taught in a braisa: There was a certain family in Yerushalayim whose members would die at the age of eighteen. When they came and informed Rabbi Yochanan ben Zakkai of this, he said to them: Perhaps you are descendants of the family of Eli concerning whom it is written the following [Shmuel I, 2:33]: *And all those raised in your house shall die young men.* Go and engage in the study of the Torah, and you will live. They went and engaged in the study of the Torah and lived. They were consequently called "The family of Yochanan" after him. (105a)

Overtuning a decree

It was said in the name of Rav that even a decree against a community that has been sealed may be overturned through repentance.

The *Gemora* asks: Is Hashem always available to overturn decrees?

The *Gemora* answers: Yes! Hashem is available for an individual only during the Ten days between Rosh Hashanah and *Yom Kippur*, whereas, He is always available for a community. (105a)

Abdan and Rabbi Yishmael the son of Rabbi Yosi

The *Mishna* had stated that the *chalitzah* of a minor is invalid.

Rav Yehudah said in the name of Rav: This is the opinion of Rabbi Meir, who compares the *yavam* to the *yevamah*; just as the *yavam* must be an adult, so too, the *yevamah* is required to be an adult. The Chachamim, however, disagree.

The *Gemora* asks: Who is the Chachamim: The *Gemora* answers: It is Rabbi Yosi, for Rabbi Chiya and Rabbi Shimon bar Rebbe were once sitting together. One of them began the discussion with the following statement: One who prays should direct his eyes downward (*towards Eretz Yisroel*) as it is written [Melachim I, 9:3]: *And My eyes and My heart shall be there all the days. (This verse indicates that the Shechinah is always in Eretz Yisroel even after the destruction of the Beis Hamikdosh.)* The other one said: One who prays should direct his eyes upward (towards Heaven) as it is written [Eichah 3:41]: *Let us lift our hearts with our hands to God in Heaven.* Meanwhile, Rabbi Yishmael the son of Rabbi Yosi came before them and asked them: What subject are you in the midst of discussing? They responded: We are discussing prayer. Rabbi Yishmael the son of Rabbi Yosi said to them: My father, Rabbi Yosi said: One who prays should direct his eyes downward and his heart upward, in order to fulfill the two verses.

In the meantime, Rebbe entered the Beis Medrash. Those who were nimble got into their places quickly. Rabbi Yishmael the son of Rabbi Yosi, however, owing to his heaviness could only move to his place with slow steps. Who is this man, cried Abdan out to him, who strides over the heads of the holy people (*to get to his place after everyone was already seated*)? Rabbi Yishmael the son of Rabbi Yosi replied: I am Yishmael the son of Rabbi Yosi who has come to learn Torah from Rebbe. Abdan asked him: Are you fit to learn Torah from Rebbe? Rabbi Yishmael the son of Rabbi Yosi replied: Was Moshe worthy of learning Torah from the lips of the Almighty? Abdan asked him: Are you Moshe indeed? Rabbi Yishmael the son of Rabbi Yosi replied: Is then your Master God?

While this was proceeding, a *yevamah* came before Rebbe. Rebbe said to Abdan: Go out and have her examined if she is an adult. After the latter went out, Rabbi Yishmael the son of Rabbi Yosi said to Rebbe: Thus said my father, Rabbi Yosi: It is written “a man” regarding *chalitzah*, but as to a woman, even if she is only a minor, her *chalitzah* is valid. Rebbe called out to Abdan: Come back; you don’t have to arrange for any examination; the elder sage has already given his decision on the subject.

Abdan now came back stepping slowly, when Rabbi Yishmael the son of Rabbi Yosi said to him: He of whom the holy people is in need may well stride over the heads of the holy people; but how dare he of whom the holy people has no need stride over the heads of the holy people? Rebbe said to Abdan: Remain in your place.

It was taught in a braisa: At that instant Abdan became stricken with *tzaraas*, his two sons were drowned and his two daughters-in-law performed *mi’un*. Rav Nachman bar Yitzchak proclaimed: Blessed is the Merciful one, Who has put Abdan to shame in this world, and not in the World to come. (105b)

INSIGHTS TO THE DAF

EYES DOWNWARD AND HEART UPWARD

Rabbi Chiya and Rabbi Shimon bar Rebbe were sitting together. One of them began the discussion with the following statement: One who prays should direct his eyes downward (*towards Eretz Yisroel*) as it is written [Melachim I, 9:3]: *And My eyes and My heart shall be there all the days. (This verse indicates that the Shechinah is always in Eretz Yisroel even after the*



destruction of the Beis Hamikdosh.) The other one said: One who prays should direct his eyes upward (towards Heaven) as it is written [Eichah 3:41]: *Let us lift our hearts with our hands to God in Heaven.* Meanwhile, Rabbi Yishmael the son of Rabbi Yosi came before them and asked them: What subject are you in the midst of discussing? They responded: We are discussing prayer. Rabbi Yishmael the son of Rabbi Yosi said to them: My father, Rabbi Yosi said: One who prays should direct his eyes downward and his heart upward, in order to fulfill the two verses.

The Shalah Hakodosh asks: There are seemingly two verses in Tehillim that contradict one another. One verse states that we should serve Hashem with fear. Another verse states that we should serve Hashem with happiness. How can this be reconciled?

He explains based upon our *Gemora*. One who prays should direct his eyes downward and his heart upward. "His eyes" is referring to the lowliness of man. A person is required to come to the realization during prayer that he is standing before the King of all kings. He should recount his transgressions, and thus be filled with fear and trepidation. This is what Dovid Hamelech meant when he said: *Serve Hashem with fear.* Afterwards, a person should pay attention and recognize in the Greatness of the Creator and in His ability, and that He is the cause for all matter. This would lead a person to serve Hashem with joy.

A person's eyes should be directed downward during prayer, symbolizing fear, and his heart should be directed upward, symbolizing happiness.

DAILY MASHAL

PAYING FOR MATERIALISTIC ESSENTIALS

Rabbi Chiya and Rabbi Shimon bar Rebbe were sitting together. One of them began the discussion with the following statement: One who prays should direct his eyes downward (*towards Eretz Yisroel*) as it is written [Melachim I, 9:3]: *And My eyes and My heart shall be there all the days.* (*This verse indicates that the Shechinah is always in Eretz Yisroel even after the destruction of the Beis Hamikdosh.*) The other one said: One who prays should direct his eyes upward (towards Heaven) as it is written [Eichah 3:41]: *Let us lift our hearts with our hands to God in Heaven.* Meanwhile, Rabbi Yishmael the son of Rabbi Yosi came before them and asked them: What subject are you in the midst of discussing? They responded: We are discussing prayer. Rabbi Yishmael the son of Rabbi Yosi said to them: My father, Rabbi Yosi said: One who prays should direct his eyes downward and his heart upward, in order to fulfill the two verses.

The Chidah explains: When a person is praying for materialistic essentials, such as health, sustenance and life, his intentions should not be for the sake of living in this world. Rather, he should pray to Hashem for his needs only because that through sustenance and health, he will be able to serve Hashem better. This is the explanation of our *Gemora*. One should direct his eyes downward to ask for all his earthly needs; however, his heart should be directed upward. He should realize that he is beseeching Hashem for life, health and sustenance only for the sake of Heaven.

