

## OVERVIEW of the Daf

### 1) Rumors (cont.)

The Gemara rules that in a case of a rumor that said that a woman was engaged to one man and then she accepted kiddushin from another man that she may marry either man.

2) **MISHNAH:** Beis Shammai, Beis Hillel and R' Akiva offer opinions as to what constitutes grounds for divorce.

### 3) Clarifying the dispute of the Mishnah

A Beraisa presents a more elaborate explanation of the dispute between Beis Shammai and Beis Hillel.

The Gemara explains the point of dispute between Beis Shammai and R' Akiva.

### 4) Divorce

Rava taught R' Pappa that if a man divorces his wife without any specific reason, the divorce is nevertheless valid.

Rava cited a verse in Mishlei that speaks negatively of a person who allows his wife to continue to attend to him even after he decided to divorce her.

A Beraisa describes different levels of tolerance that people have concerning their wives.

R' Yehudah and R' Yochanan offer different explanations for a verse in Malachai that relates to divorce.

The Gemara declares that their interpretations do not conflict and one interpretation refers to a first marriage whereas the second interpretation refers to a second marriage.

A related statement of R' Elazar is cited that describes the tragedy of divorcing one's first wife. ■

הדרן עלך המגרש  
 וסליקא לה מסכת גיטין

## Gemara GEM

*Even the altar sheds tears when one divorces his first wife*  
 כל המגרש אשתו ראשונה אפילו מזבח מוריד עליו דמעות

**R**ebbe Elazar teaches that the tragedy of someone who divorces his first wife is expressed in terms of even the altar shedding tears for him. Several explanations are given by the Achronim to explain the connection between a divorce and the altar.

Sefer Lיקוטי בתר ליקוטי cites the עוללות אפרים who notes that in the paragraph of the Torah which commands that there be a twice-daily Tamid offering on the altar (Bamidbar 28:1-8), every letter of the alef-Beis is represented, with the exception of the letters 'ג' and 'ט'. These are the two letters which spell the word "גט." Although many offerings are brought throughout the year, the mainstay of the altar is the twice-daily Tamid. The absence of the letters which spell the word גט is an indication that the altar despises divorce. The concept is based upon the fact that "God formed the man of soil of the earth" (Bereshis 2:7) because earth is what makes up the altar itself. "An altar of earth you shall make for Me." (Shemos 20:21) Rashi to Bereshis 2:7 explains that the design was with the hope that an altar would be used to atone for man's sins.

Now, the original man was created with a dual face, consisting of features of both man and woman. Even though they were later separated, when a couple reunites they restore this aspect of the original creation. When this bond is maintained, the altar is also restored to its fullest state. However, when a man and woman sever their bond, the altar itself suffers a certain degree of becoming disassembled. ■

## REVIEW and Remember

1. According to Beis Hillel, what are legitimate grounds for divorce?  
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2. According to R' Akiva, what are legitimate grounds for divorce?  
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3. What is intended by the Torah's reference to the second husband as אחר?  
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4. What are the two interpretations for the verse "כי שנה שלח"  
 "שלח"?  
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## HALACHAH Highlight

### *Bathing at a mixed beach for medical purposes*

ורוחצת עם בני אדם

*And she bathes with other men*

Rav Ovadiah Yosef<sup>1</sup> was asked whether it is permitted for a man to bathe at a mixed beach when he is doing so for medical reasons. He cites our Gemara that teaches that an evil person is one who allows his wife to bathe together with other men. The Gemara expresses astonishment that the Beraisa would refer to women bathing with men. The Gemara answers that the Beraisa means that she is bathing where other men are bathing. Rashi<sup>2</sup> explains that the Gemara's astonishment was that a woman who bathes together with other men lays a foundation (רגלים לדבר) to the fact that she is a *zonah* and she would be prohibited to her husband. Tosafos<sup>3</sup> explains that the Gemara's astonishment is that even an evil person would not tolerate his wife bathing with other men and thus the Beraisa could not refer to such a case. Although the Gemara only discusses the status of a woman who would bathe with men, nonetheless, notes Rav Yosef, it is clear that a man who bathes with women is also not free of sin

and it is an activity that is prohibited.

One could suggest, however, a possible rationale to permit a man to go to a mixed beach if it is for medical reasons. The Gemara Bava Basra (57b) discusses the permissibility of a man to walk past a river where women are laundering clothing and concludes that when an alternative path is not available it is permitted to walk on a path past the river. Accordingly, it could be asserted that if a person needs to bathe for medical reasons and a separate beach is not readily available it should be permitted. Rav Ovadiah Yosef, however, explains that the two cases are not parallel. The Gemara in Bava Basra permits a person without an alternative path to travel on that path even though it passes past the river but it does not permit the man to go into the river with the women who are laundering clothing where he is likely to see a woman every where he turns. Although there are authorities that maintain that when the bathing is necessary for medical reasons and the man is confident that he will not be led to improper thoughts it is permitted, Rav Ovadiah Yosef disagreed with this position claiming that it is not possible for a person to be certain that he will not have improper thoughts under such conditions and thus he should adopt a strict approach. ■

1. שו"ת יחווה דעת ח"ה סי' ס"ג. ■

## STORIES Off the Daf

### *She burned his food...*

"הקדיחה תבשילו..."

Rav Yosef Chaim Sonnefeld, zt"l, was known for his great piety no less than his penetrating insight. Once his daughter complained to him, "I have heard that a man may divorce his wife even if she burns his dinner. Is that fair? The poor woman has a hard day, she inadvertently burns her husband's food, and she is divorced?"

Her father replied, "Although it is true that the Gemara in Gittin 90 states that the husband can send his wife away even if she burns his food,

this actually is for the wife's benefit... If she is married to such a maniac that he is willing to divorce his wife over such a trivial matter, the sooner she is rid of him the better it will be for her. It is impossible to live with such an angry person."

The Chasam Sofer, zt"l, explained the matter differently. "Although Rashi learns the words "הקדיחה תבשילו" to mean that she burned his food, the Rambam and Ibn Ezra both imply differently. They learn that this means that her temperament is not suited to his. We find this used in a similar manner when referring to a student who acts inappropriately in public, causing a scandal.<sup>1</sup>

"Similarly, even if the wife is gen-

uinely good in her own way but she simply can't seem to work together with her husband according to his personal characteristics, if the two of them cannot merge and act harmoniously, he can divorce her. They are not required to continually clash due to incompatibility of temperament.

The Chasam Sofer added, "In this context, the meaning of "ערות דבר" is 'an embarrassing thing'. According to Rashi, this refers to her having burned his food; according to the Rambam and Ibn Ezra, the embarrassment stems from her personality and habits constantly conflicting with his own."<sup>2</sup> ■

1. חכמת חיים, עמוד תל"ז

2. חתם סופר בחידושים כאן