

This month's Daf Digest is dedicated in memory of
Rivka Yenta bas Asher Anshel & Yosef ben Chaim haCohen Weiss on 8 and 14th of Elul
By Mr. and Mrs. Manny Weiss

OVERVIEW of the Daf

1) A kohen's wife who was taken by another man (cont.)

R' Pappa answered from an inference he made from our Mishnah.

2) A woman who claims that her husband divorced her

The Gemara inquires whether a woman who claims that her husband divorced her is believed.

R' Hamnuna attempts to resolve the inquiry from our Mishnah.

Rava rejects this proof and draws the opposite conclusion.

Rav Mesharshiya unsuccessfully challenges Rava's explanation.

An unsuccessful challenge to R' Hamnuna's explanation is presented.

3) Incidents related to one of the Mishnah's cases

The Gemara presents a number of incidents that relate to the Mishnah's case of a woman claiming that she is **טמאה** to her husband and the Gemara's approach that her claim is rejected.

The Gemara asks why Rava, in the fourth incident that was cited, felt the need to quote a verse.

The Gemara answers that although there is a factor that "stolen water is sweeter," nonetheless the adulterer prefers for the husband to be dead.

הדרן עלך ואלו נדרים
וסליקא לה מסכת נדרים

REVIEW and Remember

1. Is a person believed in her claim that her husband divorced her?

2. What is the meaning of the phrase **השמים בניי לבינך**?

3. Is a man fleeing from a house evidence of impropriety?

4. What principle is derived from the verse **כי נאפו ודם בדיהן**?

Distinctive INSIGHT

The stolen water and the secretive bread

מים גנובים ימתקו ולחם סתרים ינעם

Chasam Sofer explains that the yetzer hara gives a sinner the impression that the experience of sin is sweeter than the same sensations when done in a permitted manner. A person who is intent on satisfying his lust or sinful appetite will disregard opportunities for permitted benefits, and he will attempt to indulge in prohibited acts, thinking that they are more pleasurable. The truth is, though, that there is no reason why a permitted act is less enjoyable, other than the influence of the yetzer hara which convinces a person otherwise.

Ben Yehoyada points out that the verse features two references, one to water obtained in a stealthy manner, and the other to secretive breads. The stolen water refers to a married woman, who is not allowed to be married to anyone other than her husband. Her status to a stranger is fully prohibited, as is stealing. An unmarried woman is not yet committed to marry, and she has not promised her hand to a husband. She is also prohibited to any man without first marrying him, but her status in the meantime is not as forbidden as is a married woman. An unmarried woman is what the analogy refers to as "secretive bread," because her level of being prohibited is not so severe as a married woman. While the stolen water is "sweet," the secretive bread is only "pleasant." The greater the level of being prohibited, the greater the degree of pleasure ascribed to its violation.

Chasam Sofer notes further that the verse can be interpreted in terms of one's toil in Torah study. When a Torah scholar pursues knowledge which is attained through abstaining from earthly benefits and by lack of sleep, this achievement can be considered as "stealing" or snatching away these mundane pursuits in order to gain in the realm of Torah. This Torah knowledge is referred to as "stolen water" because its pursuit is done at the expense of a degree of personal deprivation, and by stealing time and effort from one's routine activities. As a result, this Torah is notably enjoyable and worthwhile. ■

HALACHAH Highlight

A get that is obtained by presenting false information

איבעיא להו אמרה לבעלה גרשתי מהו

They inquired: If a woman says to her husband, "You divorced me." What is the halacha?

There was once a man who went to study out of town and before he left he gave his wife some money and a business to run for continued financial support. She was unhappy with her husband and after a couple of years she traveled to where he was learning and claimed that all the money was gone and she wanted a divorce so that she could find a husband who would support her and the children. The husband gave into the pressure and divorced her only to discover some time later that she fabricated the entire story and had hidden away all the money that he had given her as well as the profits she made from his business. Amongst the various issues involved in this incident, the husband inquired whether the get is invalid since he only agreed to divorce her on the basis of the false information that she presented.

Teshuvos Oneg Yom Tov¹ suggested based on our Gemara that the get is valid even though it was given based on false information. Our Gemara wonders whether a

woman is believed to claim that her husband divorced her and R' Hamnuna cited as proof the Mishnah's ruling related to a woman who claims that she is טמאה. Rosh² explains that even according to the enactment that a woman who claims אני טמאה is not believed due to the concern that she is looking to marry someone else but when she claims that he already divorced her she is certainly believed since she would not live the remainder of her life in sin. Oneg Yom Tov notes that it is evident from Rosh that when she falsely claims that she is טמאה and thus obtains a get with false information the get is nonetheless valid. This can be inferred from the fact that this is not considered a case where she would live the rest of her life in sin and if it were true that obtaining a get with false information invalidates the get she would, in fact, be living the rest of her life in sin. The rationale behind this is that even when she presents false information to her husband so that he will divorce her, the get does not become disqualified simply because she lied. If the husband truly intended to divorce her based on the false information she presented he should make that stipulation at the time of the divorce. If he does not make this stipulation it is assumed that the divorce is unconditional. ■

1. שו"ת עונג יום טוב סי' קנ"ד

2. רא"ש פי"א סי' ח' ■

STORIES Off the Daf

Stolen waters

מים גנובים ימתקו

The Chasam Sofer, zt"l, once explained the very end of Meseches Nedarim: "On daf 91, the Gemara brings the verse in Mishlei, 'stolen waters are sweet.' A certain wise woman once said that 'stolen waters' refers to the Torah one learns. If it is snatched from the difficulties and poverty of life then, 'ימתקו' it will sweeten the life of the person who learns it. As the Mishna in Avos says, 'All who fulfilled them in poverty will come to fulfill them in plenty...'"

Who has not heard of the Ketzos Hachoshen? This sefer is one of the seminal works of lomdus in existence. It is so powerful that Rav Shach, zt"l, would advise serious bochurim to learn forty minutes of Ketzos daily to hone their analytical skills. He told those who didn't have the forty minutes to spend two hours each Shabbos immersed in this Torah classic. But few people realize under what conditions Rav Aryeh Leib Hakohen, zt"l, toiled to write his masterpiece.

As a young man, Rav Aryeh Leib was dirt poor. He didn't have any heat in his house. As a matter of fact, his small town was so impoverished that, except for during davening, there was no heat even in shul. So

how was the young scholar to write his masterpiece during the long winter months?

He would sit bundled under his many blankets and write. To be more precise, he would actually write under the covers. It was so cold that he was forced to keep the ink bottle with him under the blankets to ensure that the ink wouldn't freeze. Obviously he had no paper. So he would preserve his thoughts on wooden planks that he had sanded and cleaned meticulously. Despite the crushing cold he would learn the entire day with tremendous diligence, never wasting a moment. Is it any wonder that he merited to write such a classic?

■ מים גנובים ימתקו

