

MUSSAR The Humble FROM THE DAF Tefillah

The Gemara tells us that Yitzchok's tefillah was answered over Rivka's the tefillah of a Tzadik ben Tzaddik is greater than the tefillah of Tzadik ben rasha?

How can we understand this Gemara? Hashem listens to the tefillah of every person even that of a rasha! What difference should it be who their parents are?

Rav Wolbe (Shiuri Chumash) explains that somebody whose parents are Tzadikkim is given an extra נסיון גאון. However, the Baal Teshuva is not faced with such a נסיון. Rav Wolbe explains further that tefillah is a mitzah that can only be accomplished with הכנאה (the opposite of גאון). Therefore, if the Tzadik Ben Tzadik is able to be מכניע himself for tefillah, then he has accomplished more than the baal teshuva to whom הכנאה comes more naturally.

This natural הכנאה in the baal teshuva helps him take giant steps when he first begins his journey.

Before one davens, think for a moment how great, powerful and vast Hashem is. Then recognize how small we are compared to Him. With that feeling of הכנאה, May Hashem answer our Tefillos!

POINT TO PONDER

The Gemara brings a reference to the הלכה that a man who is married for ten years and is childless should divorce his wife, from the story of אברהם who took הגר after 10 years. The Torah tells us that שרה urged him to take הגר, which is why he did it, so how do we see that אברהם wouldn't have waited longer if שרה didn't say anything?

Response to last week's Point to Ponder:

The Gemara tells a story about Rav's wife always doing the opposite of what he asked her to do. When his son was old enough to realize what was happening he started telling her the opposite of what his father requested, and this way, when she did the opposite his father got what he really wanted. Rav realized what was going on and told him to stop lying to his mother. Rashi says that although he didn't want his son to continue, he started doing the same thing himself. Why would it be okay for him to lie, if it wasn't inappropriate for his son?

When בר חייא changed his father's request and told his mother something different, it was an explicit lie. For example if his mother said "what does your father want to eat" and he said barley knowing that his father said rice, that is שקר. However if רב himself had said to his wife that he wants barley, knowing that she will give him rice instead, he is not lying. He is merely using a different word to communicate his true intent. (Knowing that she will do the opposite). (see יהוידע).

REVIEW AND REMEMBER

1. Why was Avrohom permitted to remain married to Sarah after so many years without children?
2. What physical deformity did Avrohom and Sarah share?
3. How many occurrences of an event constitutes a chazakah?
4. What causes a woman's husbands to die?

HALACHA Compelling an HIGHLIGHT Infertile Couple to Divorce

רבנן נשא אשה ושהה עמה עשר שנים ולא ילדה יוציא ויתן תנו כתובה

The Rabbis taught: If a man married a woman and remained with her for ten years without children he must divorce her and pay her kesuba

Rabbeinu Yitzchok bar Sheishes¹, the Rivash, wrote that even in his time it was not customary to force men to marry in order to fulfill the mitzvah of וברו פרו. Furthermore, men without children who decided to marry women incapable of having children due to age or illness were allowed to marry, even though according to the letter of the law we should protest their choice. Similarly, it is not customary to force a couple who have been married ten years and do not have children to divorce in order to fulfill the mitzvah of וברו פרו.

Teshuvos Pnei Yehoshua² writes that although the custom וברו פרו is not to actively force a man to fulfill the mitzvah of there are times that the principle will play an active role in the decision of Beis Din. For example, if a couple were to come to Beis Din to mediate a particular dispute the approach Beis Din normally takes is to re-establish peace between the couple to avoid divorce. If, however, the couple that comes should technically divorce due to וברו פרו considerations, not only should Beis Din not attempt to reconcile the two sides but they should make an effort to assure that the couple does divorce.

Rav Avrohom Dovid Whorman³, the Ezer M'kudash, echoes the same idea. He initially presents a rationale why, nowadays, we no longer force a couple to divorce so that the mitzvah of וברו פרו could be fulfilled. The reason is that there is a double safek - ספק ספקא. Firstly, it is uncertain whether the cause of their infertility is due to factors related to the husband or due to factors related to the wife. It is also not certain that the couple would listen if informed that they must divorce. There is also the possible factor of living outside of Eretz Yisroel and the issue of the prohibition against divorcing one's first wife⁴. For these reasons and others it is understandable that generally a couple is not advised to divorce even if they are infertile. However, if there are existing troubles the dayan should certainly not make an effort that the couple should reconcile, and a strong effort should be made to assure that they do not reconcile, and that they divorce.

1. שו"ת ריב"ש סי' ט"ו
2. שו"ת פני יהושע אה"ע סי' מ"א
3. עזר מקודש לסי' א' סע' ג
4. ע' ברש"י ד"ה מקץ ורא"ש סוגייתנו שו"ת חכם צבי סי' מ"א

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For more points to ponder by Rabbi Yechiel Grunhaus, or insights by Rabbi Gutterman, please visit our website, dafaweek.org, or download the app. To share an insight from your Chabura please email info@dafaweek.org

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