

**שבת קודש פרשת בשלה | מסכת כתובות דף ע"ב**

**INSIGHTS FROM OUR CHABUROS**

**Feeding the husband non-kosher food**

היכי דמי? אי דידיע, נפרוש. אי דלא ידע, מנע ידע?

**A**mong the cases listed in the Mishnah of where a woman would forfeit her kesubah is where the wife is in violation of the laws of Moshe and the Jews. The example given here in our Gemara is where she feeds her husband food which is halachically unacceptable. The Gemara inquires about the case. If the husband was aware of what was happening, he should have refused to eat it. And if the husband was unaware of what was happening, how would he have found out now in order to divorce her?

Tosafos wonders, what is bothering the Gemara? The case could simply be where she tried to feed him unkosher food, and the husband caught her in the act. Although she failed this time, she should be divorced because we are concerned lest she try it again and be successful in causing her husband to sin.

Tosafos answers that the words of the Mishnah seem to suggest that the wife not only attempted to feed her husband unkosher food, but that she already succeeded (מאכילתו). Rashi seems to also understand that the wife already caused her husband to sin (ד"ה היכי דמי). Nevertheless, the subsequent case of trying to feed him bread which did not have challah taken off does not sound like she already succeeded in her plot. Once again, the Gemara tries to inquire about the circumstances of the case. Now, the question of Tosafos can be asked — let it be dealing in a situation where he caught her in the act!

Rashba answers that if the man caught the wife in the act as she tried to serve him non-kosher food, he would still not be able to divorce her without a kesubah. The woman would always be able to say that she was just trying to tease him, but that she certainly would have alerted him before he actually ate. ר"א, however, writes that the woman could be divorced and lose her kesubah in a case where she even attempts to serve her husband non-kosher food, even if she fails.

Shulchan Aruch rules that a woman can only be divorced in the case where she actually succeeded in having her husband eat from the non-kosher food, but not if she failed in her attempt.

**PARSHA CONNECTION**

**In this week's daf** the גמרא discusses a lady who vowed not to eat meat or drink wine. In פרשת בשלה we read about the Jews complaining because they wanted to eat meat. The possuk (שמות פרק טז פסוק ג) says: ויאמרו אלהם בני ישראל מייתן מותנו בידה: בארץ מצרים בשבתנו על-סיר הבשר באכלנו לחם לשבע כי-הוצאתם אתנו אל-המדבר הזה להמית את-כל-הקהל הזה ברעב: the Bnei Yisroel complained that in מצרים they ate bread to their satisfaction while sitting on a pot of meat. What does it mean "sitting on a pot of meat"? It should have said when we ate meat. Also, how does eating bread relate to meat? The הקדוש quotes חז"ל who explain that they didn't actually eat meat in מצרים. They used to see the Egyptians cook meat and had a strong desire to eat the meat, but the Egyptians did not let them eat any meat. However because it whet their appetite and they could only eat bread, they ate the BREAD with great appetite. This is why it says that they were sitting on the pot, but not actually eating from the pot. It also explains why eating the bread is related to the pot of meat. The חתם סופר interprets this מדרש in a positive light and writes that they were complaining because they were missing an opportunity to refrain from eating non kosher meat, because in מירצנו they were able to fulfill this מצוה and now they were missing this opportunity!

**STORIES OF THE DAF**

**What is a Blemish?**

"כל הפסולין הפוסלין בכהנים פוסלין בנשים..."

**O**nce, a chosson approached the Ohr Somayach, zt"l, with a problem. "Before I got engaged, I was unaware that my prospective kallah was missing two teeth. This really bothers me, and I want to know if I can break off the shidduch without violating the cherem or having to pay damages."

The Ohr Somayach answered, "It seems on the surface as though your claim has some justification, especially in view of the fact that missing teeth do count as a blemish that disqualifies kohanim. And as we all know from Kesuvos 72a, any flaw that disqualifies a kohein also applies to women. But, the fact is that since people have become much weaker physically since the time of Chazal, it is now quite common for women to suffer from tooth decay or to require bridges or dentures. Since this is the case, you cannot claim to be involved in a טעות נזק."

On the other hand, sometimes features that would be considered marks of distinction for men are considered blemishes when found among women.

Once, a chosson approached the Tchebiner Rav, zt"l, with a sensitive question. "When I got engaged, I was told that the kallah was twenty-eight. Recently, I've discovered that she is actually thirty-eight. Do I have the right to break the engagement or not?"

The Tchebiner Rav answered, "In my opinion, you may. We see from the Yerushalmi Kesuvos 7:7 the question of whether a certain form of baldness is considered a blemish among women. The fact that this particular pattern of hair loss is considered especially ornamental for kohanim is irrelevant; among women, it is clearly a flaw. So too, is the factor of age. The distinction of age, while admirable among kohanim, is clearly a liability when considering her ability to have a large family. Therefore, you are within your rights with regards to breaking off the engagement."

## HALACHA HIGHLIGHT

Breaking a shiduch because of looks

כל המומין הפוסלין בכהנים פוסלין בנשים

*Any blemish that disqualifies a kohen disqualifies a woman*

There was once a young man who wanted to break off his shidduch when he found out that his future father-in-law was not as financially secure as he thought. In an effort to find a reason to break the shidduch without having to pay a fine imposed on one who breaks a shidduch, he claimed that it was due to the kallah's long nose. Since a long nose is a blemish that disqualifies a kohen from serving in the Beis Hamikdash, it should also be grounds to break the shidduch. The Chavos Yair<sup>1</sup> wrote that he cannot break the shidduch unless her nose is long enough that people laugh at her. The reason is that since the groom did not stipulate anything related to her nose, we assume he is like the majority of people who do not find a slightly large nose to be grounds to break a shidduch. However, his claim to the contrary leaves some doubt about the matter, consequently, the monetary matters will be governed by the principle of הרואה עליו הראיה—the one who wants to collect bears the burden of proof. Therefore, the groom cannot be fined for breaking the shidduch but if the kallah's father has property that belongs to the groom he may hold onto it as payment of the fine that he feels is deserved since the groom broke the shidduch.

The Shvus Yaakov<sup>2</sup> was asked about breaking off a shidduch with a bride who had an extra-large lower lip. Shvus Yaakov responded that the groom is certainly allowed to break the shidduch without a fine. The rationale is that anytime a groom discovers that his bride has a blemish that would disqualify a kohen from serving in the Beis Hamidash he is allowed to claim that had he known about her blemish he never would have agreed to the shidduch. The Torah Temimah<sup>3</sup> notes that our Gemara indicates that a woman who has the opposite of a positive trait is considered blemished; thus a woman with a deep voice is considered to possess a wound. Therefore, since the verse refers to a woman's beauty as significant

(ומראך נאוה) one could assert that if a groom wants to break a shidduch with the claim that the bride is ugly his claim should be accepted. He hesitates about issuing a practical ruling about the matter since there is no objective standard that could be followed to declare that a person is ugly.

1. ש"ת חות יאיר סי' ר"ב.

2. ש"ת שבות יעקב ח"א סי' ק"ד.

3. תורה תמימה שיר השירים פ"ב הע' קמ"ח.

## MUSSAR FROM THE DAF

Chessed Shel Emes

לביית האבל מאי נועל בפניה איכא? תנא: למחר היא מתה ואין כל בריה סופדה

*To a house of mourning, what locking of a door in front of her is there? He taught: In the future she too will die, and no person will eulogize her or take care of her.*

The Mishna taught us that a woman whose husband made a neder to assure her from going to a Bais Avel can receive a get and kesuba immediately. The Gemara explains the reason is because people will hold back from doing chessed for her when she dies. The Gemara goes on to explain that just as one eulogizes another, buries another etc and is involved in all the inyanai hames, one is repaid back in the same way so that when they die, people will do the same to them. Why specifically here do Chazal tell us that every chessed we do will be paid back? Aren't these inyanim that are termed Chessed shel emes? So why do Chazal seemingly try to create a personal incentive for us to do this type of chessed.

The Maharal in Chidushai Agados gives a fascinating explanation to this Chazal. He explains that when a person is involved in this type of chessed shel emes, he immediately connects to Hashem at a very elevated level. As a person is resembling Hashem through giving without any ulterior motive, he is able to create a strong attachment to Hashem. And thus as the person is so davuk to Hashem, Hashem will surely pay this person back in the same way that he took care of another. The Maharal goes further and explains that specifically we see this so clearly when doing chessed with a Mes, which was met with midas hadin. Hashem uses the midas hadin to repay the person back directly for taking care of the mes (מדה כנגד מדה). To the extent that this person went above and beyond to help another in such an altruistic fashion, Hashem will pay this person back in the same way and make sure that this person is paid back. So we see that the Gemarah is not telling all sorts of reasons we should do chessed for a mes. Rather according to the Maharal, the Gemarah is teaching us a reality that the chessed done for a mes, is fully paid back from Hashem in response to the chessed that the person did with the mes. Sometimes we need extra encouragement to do chessed in these areas. Remembering this reality, can help motivate us to do what we know we need to do.

## POINT TO PONDER

**The Mishna says** "אלו יוצאות שלא בכתובה וכו'" does the משנה mean even if she did one of these things only once? Does the husband have to give her a warning?

### Response to last week's Point to Ponder:

The gemara says that according to שמואל even if the husband was סתם we wait because he may find a פתח and undo the נדר. If this is a valid consideration, why don't we say the same if a lady made a נדר which her husband was מוקיים. Rather than saying that הוא נתן אצבע בין שיניה and therefore he must give a גט, we should wait and see if she can find a פתח?

נדר על לא ארחץ writes that the case of ארחץ is one whereby she made a נדר, meaning that if she violates the תנאי, then the נדר is triggered. The בית דין explains that a נדר על תנאי can't be undone BEFORE the תנאי triggers the נדר. Therefore in this case where she made a נדר על תנאי she can't go now to a חכם to try and find a פתח because it wasn't yet triggered. At the same time she doesn't want to trigger the נדר for fear that a חכם will not be able to help her, according to שמואל that is the case in the משנה. (See also הפלאה).