

“And they (the Kohanim) shall not take/marry a woman divorced by her husband.” (21:7)

It seems like a clearly stated halachah – a Kohen may not marry a divorced woman. Horav Shneur Kotler, z.l., related the following story which was cited by Rabbi Pesach Krohn. It is a classic that demonstrates the sincerity of a simple Jew and the depth of understanding a rav or posek, halachic arbiter, must have of both the subject and the petitioner who asks the question. Horav Chaim Ozer Grodzenski, z.l., the preeminent gadol hador, leading Torah scholar and leader of Pre-World War II Europe, was once giving a shiur, lecture, to a group of young men in his home, when a man came running in and interrupted. “Rebbe,” he asked, “ich bin a Kohen; meg ich nemen a gerushah?”, “I am a Kohen; may I take a divorced woman?”

The students were understandably disturbed by this interruption. How does someone have the chutzpah, audacity, to disturb Rav Chaim Ozer’s shiur for such an elementary question? The Torah clearly states in no uncertain terms that a Kohen may not marry a divorced woman. What aspect of the prohibition did he not understand?

Rav Chaim Ozer looked up at the man, thought for a moment, and responded: “Ya, ihr mekt nemen a gerushah” , “Yes, you may take a divorced woman.” The students were shocked at this response. How could the great sage render such a decision that clearly contradicted the Torah? Yet, Rav Chaim Ozer continued with the shiur as if nothing had occurred. His students, however, were confused. They could not understand how their rebbe could dispense such a psak, decision. Rav Chaim Ozer noticed that he was giving a shiur to a group of students whose bodies were present, but whose minds were definitely elsewhere. He said to them, “You are probably wondering about my psak. Let me put your minds at rest. Did you notice the man’s boots and riding gear? If you did, you would realize that this sincere, simple man is a baal agalah, wagon driver. In his mind, he retained that he had once heard that a Kohen may not “take” – that is, marry – a divorced woman. He understood the word “take” literally and, consequently, would not take a divorced woman as a passenger in his wagon. I am certain that a divorced woman wanted a ride someplace, and he was concerned about “taking” her because of her status. He feared violating a prohibition of the Torah.”

The students, albeit faithful to their great rebbe, had a difficult time reconciling this explanation with reality. They decided to go outside to see if Rav Chaim’s hypothesis was true. Sure enough, they went outside to discover that Rav Chaim had made a brilliant deduction. A woman whom they knew to be divorced was preparing to board the wagon with her packages, because the simple, but pious, wagon driver had finally been permitted to take her as a passenger.

Horav Shneur Kotler supplemented this incredible story with the following addendum. “When a rav deals with his people, he must see beyond the question and examine the questioner. More often than not, the situation is more complex than it seems. One’s response is invariably dependent on

a number of particular circumstances. A sheilah, religious query, is hardly ever as uncomplicated as it seems. We may add that the personality of the questioner must also be a factor in the halachic quotient. People present questions from their own perspectives, in the manner in which they want to be answered. A sagacious rav will penetrate the psyche of the questioner and perceive the question he is really asking.