

## **Do not swear falsely by My Name. (19:12)**

Swearing falsely occurs in one of four formats: two referencing the past; either falsely confirming that something occurred, or denying its occurrence; or two referencing the future, either by promising that he will carry out a specific activity, or affirming that he will not. In any event, swearing falsely, using Hashem's Name to validate the oath is a grievous sin from which any decent, G-d-fearing Jew should be repulsed. Having said this, a story which *Horav Yitzchak Zilberstein, Shlita*, heard from *Horav Chaim Kanievsky, Shlita*, which occurred concerning the holy *Maharsha*, comes to mind.

A widow came before the *Maharsha*, weeping over her bitter lot in life. When her husband was lying on his death bed, just hours before his untimely demise, he had said, "I do not want our young children to be raised by a stranger. No one will fill my shoes and take care of these precious children the way that I have done. If it is their sad lot to be deprived of a father, they should at least have a mother whose sole concern and dedication should be for them and not for another husband. Therefore, I ask that you give me your solemn word that you will not remarry." In an attempt to allay her dying husband's emotions shortly before he took his final leave, she agreed to do as he asked. This, however, was insufficient for him: "I want you to take an oath in accordance with *Halachah*, an oath that will be legal and binding. This is the only way that I can relax in these last few hours." The young, soon-to-be-widow made a *Halachically* correct oath.

The husband died, and now his widow was left with a houseful of children. Bereft of a husband who provided emotional and financial support, the woman suffered. True, she had made an oath, but it was under duress. The *Maharsha* mulled over the question and rendered his *p'sak*, decision: the mother was permitted to remarry. He based his ruling on a *Tshuvos HaRitva* who had made his decision after having discussed the question with his own *Rebbe*, the *Rashba*.

The widow remarried, but all did not turn out well. Shortly after her marriage, her deceased husband's soul appeared to her in a dream and demanded to know why she had violated her oath. This continued on for a few nights until the woman became ill. Her illness progressed to the point that she now lay on her own death bed. Seeing what was happening to her, the members of her family immediately went to the *Maharsha* and pleaded with him to put a stop to this apparition, before the orphans would be left bereft of a mother as well.

The *Maharsha* wasted no time. He ran to the woman's home, stood by the entrance to her room, and called out in a loud voice, "*Ribbono Shel Olam!* In Your Torah, You commanded that one should listen to the words of the *chachamim*, Torah Sages, in every generation. You assured us that whoever listens to the words of the Sages will live. This woman followed your dictate. She had a *shaalah*, *halachic* question. She came to me seeking a *halachic* resolution to her situation. I gave her my ruling, which she followed. Now, she is dying! How can You permit Your Torah to be so disputed?"

As soon as the *Maharsha* concluded his short “speech,” the woman opened her eyes and began to move. In the space of a few days, she was returned to health. *Rav* Zilberstein posits that the *Maharsha* relied upon a “leverage” plea, which had previously been submitted by Chanah, mother of Shmuel *HaNavi*. *Chazal* (*Berachos* 31b) relate that, when Chanah came to the conclusion that – despite her fervent prayers – she was not being blessed with a child, she said to Hashem, “*Ribono Shel Olam!* If You see my plight and grant me a child through conventional avenues (in other words, ‘I pray and You listen’), good. Otherwise, I will force the issue and cause You to see (so to speak, I will employ a *halachic* leverage of my situation). I will be alone with a man (but do nothing). This will compel Elkanah, my husband, to have me rendered as a *sotah* (wife who deviated from her marriage and is suspected of committing adultery). I will be forced to drink the *mei ha’marim*, bitter waters, which, if one is guilty causes her death, but, if she is innocent, she will (because she endured humiliation) instead be blessed with a child! I know that this will occur, because Hashem, You will not permit Your Torah to be questioned.” (The Torah writes that if a woman is falsely accused, she will have a child for her troubles.)

Furthermore, *Rav* Zilberstein contends that the widow who followed the *Maharsha’s p’sak* was availed this unusual reaction from the *Maharsha* only because she listened, accepted and followed the word of a Torah sage. Had she acted on her own, violated her oath and married, she would not have been saved. It is obvious that this was a G-d-fearing woman, who not only listened this time to the words of the Sages, but she was a righteous woman who always followed the dictates of our Sages. This is the reason that the *Maharsha’s* dispensation achieved efficacy on her behalf.