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Sotah Daf 28

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Daf Notes is currently being dedicated to the neshamot of

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Is it the “Vav” or the Word?

The *Gemora* inquires: Is the teaching in our *Mishna* (that the waters test the adulterer as well) from the extra letter “vav” in the word “u’vau” (and the waters shall enter), or is it from the extra word “u’vau”?

The *Gemora* attempts to answer this question from the *Mishna*. The *Mishna* states: Just as she is forbidden to her husband, she is forbidden to the adulterer. This is because it states: “nitma’ah” (become defiled) “v’nitma’ah”. [Just as there it is derived from the prefatory “vav,” so too here it is derived from the “vav”.]

The *Gemora* says that this is still inconclusive, for perhaps this teaching is “nitma’ah,” “nitma’ah” (it is based upon the fact that the word “nitma’ah” was repeated); or is it (like we thought before) “nitma’ah,” “v’nitma’ah” (focusing on the extra “vav” in “v’nitma’ah”)?

The *Gemora* attempts to answer this question from the next part of the *Mishna*. Rebbe says: Since it is written twice: *become defiled; and become defiled*. One teaches us that she is forbidden to the husband and the other teaches us that she is forbidden to the adulterer. This likewise implies that Rabbi Akiva (*who apparently argues on Rebbe*) derives the teaching from the extra “vav”.

The *Gemora* proceeds to explain their argument in the following manner: [The Torah says three times the word “u’vau” regarding *Sotah*.] This equals six teachings (*three words, plus three extra vavs*). One is for the command

regarding her (*that the waters will enter her and cause her to die if she sinned*), and the other is for the command regarding him (the adulterer). Another is referencing (to Israel) the fulfillment (of the curse) regarding her, and the other is referencing the fulfillment regarding him. Another teaches that the information regarding her (that the waters will first afflict her stomach and then her thigh), and the other teaches that information regarding him (*not their thighs first as stated in the curse*). [This information is necessary, in order not to cast an aspersion on the bitter waters.]

According to Rebbe, however, there are only three verses (*as he does not derive anything from the extra “vavs”*). One is for the command; the other is for the fulfillment, and the other is for the information.

The *Gemora* asks: Where, then, does Rebbe know that the teaching that just as the waters test her, so too they test him (the adulterer)?

The *Gemora* answers: He derives it from the following *braisa*: *To cause the stomach to inflate and the thighs to fall*. These verses refer to the stomach and thighs of the adulterer. How do we know this? The verse elsewhere says: And her stomach will inflate and her thighs will fall – behold the stomach and the thigh of the adulteress have already been mentioned; what then do we derive from the verse: *To cause the stomach to inflate and the thighs to fall*? It must be referring to the stomach and thigh of the adulterer.

The *Gemora* asks: What does Rabbi Akiva do with this extra verse?

The *Gemora* answers: He uses it to derive that the Kohen informs her that her stomach will inflate first before her thighs fall. This is necessary, in order that people should not cast aspersions on the bitter waters (that they do not take effect in the correct sequence).

The *Gemora* asks: How does Rebbe respond to this?

The *Gemora* answers: If so, the verse should say: *her stomach* and *her thigh*. Why does it say: *stomach* and *thigh* (without the pronoun)? Derive from here that it is referring to the adulterer.

The *Gemora* asks: Perhaps the entire verse is coming for this alone? [If Rebbe derives from this verse that the adulterer also gets punished, what is his source that the water indeed affects her stomach and then her thigh?]

The *Gemora* answers: If so (that it would only be telling us about the adulterer), the Torah should write (using the male term) *his stomach* and *his thigh*; why does it say: *stomach* and *thigh* (without the pronoun)? Derive from here both lessons (*that the curse applies to the adulterer as well and that it affects the stomach before the thigh*). (28a)

Sotah and Sheretz

The Mishna had stated: Rabbi Yehoshua said: Like so did Zechariah ben HaKatzav expound it.

The *Gemora* cites a *braisa*: It says the word “nitma’ah” three times in the passage of a *Sotah*: *if she had become defiled, become defiled, and and become defiled*; why are they necessary? This teaches us: One (that she is forbidden) to her husband, and one (that she is forbidden) to the adulterer, and one (that she is forbidden) to eat

terumah (even if her father and her husband are *Kohanim*); these are the words of Rabbi Akiva. Rabbi Yishmael says: There is a *kal vachomer* (that she is prohibited to marry a Kohen, and this does not require a verse). If a divorcee, who is permitted to eat *terumah*, is prohibited to marry a *Kohen*, so this one (the *sotah*), who is prohibited to eat *terumah*, should it not certainly be (the halachah) that she is prohibited to marry a *Kohen*! [The *Gemora* later will explain this statement of Rabbi Yishmael, and how he is addressing Rabbi Akiva.]

The *braisa* continues: What is the meaning of the two verses: *she had become defiled* and *she had not become defiled* (in the very same verse)? If she was defiled, why would she drink? If she was not defiled, why would we give her to drink? This teaches us that her doubtful state makes her prohibited (*to her husband*).

From here we may derive a law regarding (the possible tumah of a) *sheretz* (*the Torah enumerates eight creeping creatures whose carcasses transmit tumah through contact*). If a *Sotah*, where the Torah does not treat an unintentional case (of adultery) in the same way as an intentional one (for, if she remains permitted to her husband in a case where she committed adultery unintentionally), or an unwilling act like a willing one, but nevertheless, it treats an uncertain case (where we do not know if she committed adultery) like a definite one (and she is prohibited to her husband); then by a *sheretz*, where the Torah treats an unintentional case (of coming into contact with a *sheretz*) in the same way as an intentional one (for, in both cases, the person is deemed *tamei*), and an unwilling case like a willing case, should it not certainly be (the halachah) that an uncertain case (where we do not know if the person came into contact with a *sheretz*) like a definite one (and he should be deemed *tamei* – even in a case of uncertain tumah)!

The *braisa* continues: And from the place where you came from (we can derive a qualification of this law from



sotah): Just as the doubtful situation of *Sotah* (i.e. *the seclusion*) is (halachically deemed a *Sotah*) only in a private domain, so too, by (the doubtful case of) a *sheretz*, it is (ruled stringently) only (when the uncertainty took place) in a private domain.

Additionally, just as (the doubtful situation of) a *Sotah* is something which involves someone who has the intellect to be questioned (whether or not she became defiled), so too, by a *sheretz*, (this situation is ruled stringently) if it involves someone who has the intellect to be questioned. [A person must be involved who could be questioned regarding the fact that he was in a doubtful situation of coming in contact with a *sheretz*, and he can respond that he is unsure.]

And from here they said: If this involves something who has the intellect to be questioned, if the situation happened in a private domain, its possible tumah is ruled to be tamei, and if it happened in a public domain, its possible tumah is ruled to be tahor. And if it involves something who does not have the intellect to be questioned, whether it happened in a private domain or a public domain, its possible tumah is ruled to be tahor. (28a – 28b)

INSIGHTS TO THE DAF

SOTAH'S SECLUSION

The *Gemora* states that the case where a *sotah* is deemed *tamei* is only when the doubt arisen in a private domain. The *Minchas Chinuch* (*mitzvah* 365) poses the following question: The Rambam in *Hilchos Sotah* (1:3) rules that it is possible for a husband to warn his wife against secluding with two men at the same time. If she secludes herself with them, she will become forbidden until she drinks. Why is she forbidden? Since there are three people there (*the woman and the two men*), it should have a status of being a public domain, and she should be permitted!

Incidentally, it is evident from the Rambam that a woman can become a *sotah* even though she did not violate the laws of *yichud* (*a woman being secluded with a man*), for there is no *yichud* in a case of a woman and two men. This can also be proven from the *halacha* that a woman can become a *sotah* when she secludes herself with her father or brother, even though here is no prohibition of *yichud* there as well.

Reb Avi Lebowitz brings another proof to this concept: The *Gemora* in *Brochos* (31b) states that Chanah threatened Hashem that if she doesn't have a child, she will behave in a manner where Elkanah will warn her and she will then seclude herself with that man. After drinking the water and emerging innocent, she would be blessed with children according to Rabbi Akiva, who says that if she was barren, she will be blessed with a child. How could a righteous woman like Chanah put herself in a situation where she would be violating a prohibition of *yichud*? Clearly, it must be possible to accomplish a seclusion that would render a woman a *sotah* even without a *yichud* prohibition! (*There are commentators who discuss various scenarios where a woman can be rendered a sotah from secluding herself with one man even without violating the issur of yichud.*)

DAILY MASHAL

Thighs Fall

The Ba'al HaTurim writes: As the Torah will soon teach, one of the punishments for adultery and a result of drinking the bitter waters prescribed (to verify the status of the suspected woman), was that the legs (thighs) fall off the adulterers. This, the Ba'al HaTurim reveals, was a reason for why the Original Snake, who cohabited with Eve, lost his own legs, which once allowed him to stand up and walk vertically.