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Sotah Daf 18

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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

**More Scroll Halachos**

If the *sotah* scroll was written in two columns, it is invalid. For the Merciful One said: [in a scroll, which implies] one scroll, but not two or three scrolls.

If he wrote one letter on the scroll and erased it into the water, and then he wrote another letter and erased that one in the water (*and he continued doing so until he wrote and erased the entire scroll*), it is invalid. For it is written: the Kohen shall perform for her this entire torah. (18a1)

**Inquiries**

Rava inquired: If two scrolls were written for two different *sotahs*, but they were erased into one cup, what is the *halachah*? Do we only require that the writing should be written for her sake? That we have here; or perhaps it is also necessary to have an erasure for her own sake as well?

If you would conclude that it is also necessary to have an erasure for her own sake (in her own personal cup), what would the *halachah* be if the scrolls were erased into two separate cups, but then they were mixed together? Is it valid because the scroll was erased for her own sake into her cup? Or perhaps, it is disqualified, because this one is not drinking her own personal cup, and this one is not drinking her own personal cup!

If you would conclude that this one is not drinking her own personal cup, and this one is not drinking her own

personal cup, what would be if afterwards, they were divided back into two cups? Can we apply the principle of *bereirah* (*that it will be valid as long as each one is drinking from their own personal cup*) or not (*it must be “her cup” from the erasing until the drinking*)?

The *Gemora* leaves this unresolved.

Rava inquired: If the *sotah* was given to drink through a bast or a tube, what is the *halachah*? Is that regarded as a normal way of drinking or not?

The *Gemora* leaves this question unresolved.

Rav Ashi inquired: If the water spilled, but some remained, what is the *halachah*?

The *Gemora* leaves this question unresolved. (18a1 – 18a2)

Rav Zeira said in the name of Rav: Why are two oaths mentioned in connection with a *sotah*? One [was imposed] before [the writing on] the scroll was erased and the other after it was erased. Rava demurred: They are both written [in the Scriptural text] before [the inscription on] the scroll was erased! Rather, said Rava, with one oath a curse was connected and not with the other.

What was the formula of the oath with which a curse was connected? — Rav Amram said in the name of Rav: “I

adjure you that you were not defiled, **for** if you were defiled, [the waters] shall enter you etc.”

Rava asked: [In this wording] the curse and the oath are distinct! Rather, said Rava, [the formula is]: “I adjure you that if you were defiled, [the waters] shall enter you etc.”

Rav Ashi asked: [In this wording] there is a curse but no oath! Rather, said Rav Ashi: [The formula is]: “I adjure you that you were not defiled, **and** if you were defiled, [the waters] shall enter you etc.” (18a2)

### **Mishnah**

(A *sotah* must drink the bitter waters to determine if she strayed from her husband and must confirm by answering “Amen” that she did not commit adultery.) She answers “Amen” twice. Once is with respect of the oath and once is with respect to the curse. She is confirming that she did not commit adultery with this man (*the man that her husband warned her about*), nor with any other man. She is confirming that she did not stray from her husband while she was an *arusah* or a *nesuah*, nor while she was awaiting *yibum* or after the *yavam* married her. “Amen” that she was not defiled, and if she was defiled, the curse shall happen to her. Rabbi Meir says: “Amen” that she was not defiled and “Amen” that she will not defile herself. They both agree that the husband cannot force her to swear that she did not defile herself before she was married to him, nor can he make her swear that she will not defile herself after she is divorced from him. [The *Mishnah* explains this last case:] If after she is divorced, she secludes herself with that man and cohabits with him, and then, the husband remarries her, he cannot make that stipulation (*for even if she would cohabit with him at that time, she would not become forbidden to her husband*). The following is the rule: Any case, where even if she would cohabit with another man, she would not become forbidden to her husband, the husband cannot force her to swear about. (18a3 – 18b1)

### **Awaiting Yibum**

Rav Hamnuna stated: A *yevamah* who is awaiting *yibum*, who has an illicit relationship with another man is prohibited to be married to the *yavam*. (*A letter of divorce will not be required.*)

The *Gemora* proves that this is the correct *halachah* from our *Mishnah* which stated that she is compelled to swear that she did not stray from her husband she was awaiting *yibum* or after the *yavam* married her. Now if you will say like Rav Hamnuna that a *yevamah* who is awaiting *yibum*, who has an illicit relationship with another man is prohibited to be married to the *yavam*, it is understandable why she must take this oath. However, if you will say that she is permitted to the *yavam*, why would she swear like this? The *Mishnah* taught us the following rule: Any case, where even if she would cohabit with another man, she would not become forbidden to her husband, the husband cannot force her to swear about!

They said in *Eretz Yisroel*: The *halachah* is not in accordance with Rav Hamnuna.

The *Gemora* asks: Why then does she swear that she did not defile herself while she was awaiting *yibum* (*if she will not be forbidden to him anyway*)?

The *Gemora* answers: The *Mishnah* represents the opinion of Rabbi Akiva, who maintains that *kiddushin* does not take effect with women who are prohibited by a negative prohibition (*like the yevamah marrying someone other than the yavam, and the child born from such a union will be a mamzer*), and therefore she is regarded like an *ervah* (*and if she would cohabit with another man, she will become forbidden to the yavam*). (18b1)

Rabbi Yirmiyah inquires: May a man stipulate regarding his first marriage with her (*he was married to her and then*

divorced her; he remarried her, warned her not to seclude herself and she went against the warning; can he now force her to take an oath that she did not commit adultery during their first marriage)? May he stipulate regarding her (previous) marriage with his brother?

The *Gemora* resolve his inquiry from our *Mishnah*: The following is the rule: Any case, where even if she would cohabit with another man, she would not become forbidden to her husband, the husband cannot force her to swear about. We can infer from the *Mishnah* that in any case where she would indeed become forbidden to him, he could stipulate regarding it (and since in both cases mentioned in Rabbi Yirmiyah's inquiry, the woman would be forbidden to him, he could in fact stipulate regarding it). (18b2)

### **Affecting the Future**

The *Mishnah* had stated: Rabbi Meir says: "Amen" that she was not defiled and "Amen" that she will not defile herself.

It was taught in a *Baraisa*: Rabbi Meir did not mean that if she in the future defiles herself, the water affects her now; but rather, should she later defile herself, the water will gurgle up in her throat and affect her then. (18b2)

Rav Ashi inquired: Can a man make a stipulation with regard to remarriage? [Do we argue] that for the present she is not prohibited to him [and therefore he cannot make a stipulation with her], or that it may happen that he will divorce and remarry her [and therefore can make a stipulation]? — Come and hear from our *Mishnah*: They both agree that the husband cannot force her to swear that she did not defile herself before she was married to him, nor can he make her swear that she will not defile herself after she is divorced from him. [*The Mishnah explains this last case:*] If after she is divorced, she secludes herself with that man and cohabits with him, and

then, the husband remarries her, he cannot make that stipulation (for even if she would cohabit with him at that time, she would not become forbidden to her husband). Implied by this is that if he takes her back and she would become defiled, he can make a stipulation [in respect of this]. Draw that conclusion. (18b2 – 18b3)

### **Drinking Twice**

The *Gemora* cites a *Baraisa*: It is written: *This is the law of jealousies*. This (the plural form "jealousies") teaches us that a woman drinks and can drink again (if after emerging innocent, she violates another warning from her husband, she drinks a second time). Rabbi Yehudah said: "This" teaches us that she does not drink twice.

Rabbi Yehudah said: It once happened that Nechunya the well digger testified before us that a woman can drink a second time. We accepted his testimony as relating to two husbands, but not with respect to one husband.

The Sages, however, declared that a woman does not drink and do so again, whether it be in respect of one husband or two husbands. But for the Tanna Kamma [cited above] it is likewise written: 'This'! And for the latter Rabbis [cited above] it is likewise written 'the law of! — Rava said: In the case of the same husband and the same [possible] adulterer everyone agrees that a woman does not drink and do so again, for it is written: 'This'. In the case of two husbands and two adulterers everyone agrees that a woman drinks and does so again, for it is written: 'the law of. Where they differ is in the case of the same husband and two adulterers, or two husbands and the same paramour. The Tanna Kamma holds that 'the law of' indicates the inclusion of them all, and 'This' indicates the exclusion of the case of the same' husband and the same adulterer. The Rabbis hold that 'This' indicates the exclusion of them all, and 'the law of' indicates the inclusion of the case of two husbands and two adulterers. Rabbi Yehudah holds that 'This' is to

exclude two cases and 'the law of' is to include two cases. 'This' is to exclude two cases, viz., the same husband and the same adulterer, and the same husband and two adulterers; 'the law of' is to include two cases, viz., two husbands and the same adulterer, and two husbands and two adulterers. (18b3 – 19a1)

WE SHALL RETURN TO YOU, HAYAH MEIVI

### DAILY MASHAL

#### ***Benefiting from the Sotah Waters***

Rava inquired: If two scrolls were written for two different *sotahs*, but they were erased into one cup, what is the *halachah*?

If you would conclude that each *sotah* needs her own personal cup, what would the *halachah* be if the scrolls were erased into two separate cups, but then they were mixed together? Is it valid because the scroll was erased into her cup? Or perhaps, it is disqualified, because she is not drinking her own personal cup!

The Steipler Gaon asks: Even if the *halachah* would be that a *sotah* is not obligated to drink from her own personal cup, how would she be permitted to drink from a cup that was mixed together with another *sotah's* water? The water for a *sotah* comes from the *kiyor*, and that water has sanctity and carries with it a *me'ilah* transgression. One is prohibited from benefiting from something that possesses an inherent sanctity. If this woman is indeed innocent, she will give birth to male handsome children. It will emerge that she is deriving pleasure from these holy waters! How can this be allowed?

He answers based upon a *Gemora* below (20a) which states that we place something bitter into the water in order for the scroll to be properly erased. Accordingly, we

can state that one who drinks water with a bitter taste will not be violating the *me'ilah* prohibition, for it would be regarded as drinking in an abnormal manner. This would be Biblically permitted.