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Sotah Daf 26

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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

Aylonis

The *Mishnah* had stated: An *aylonis*, an old lady, and a woman who cannot give birth does not drink and does not collect a *kesuvah* (as one is forbidden to marry them). Rabbi Eliezer says: He can marry another wife who will have children (and therefore stay married to them).

Rav Nachman said in the name of Rabbah bar Avuha: The argument is only with respect of a barren woman and an old woman. However, with respect of an *aylonis*, everyone would agree that she does not drink, nor does she collect her *kesuvah*, for it is written: *Then she shall be innocent and she shall bear seed*. This verse excludes a woman who does not normally bear seed.

The *Gemora* asks from the following *Baraisa*: If one warns his *arusah* or his woman awaiting *yibum*, if she secluded herself before he fully married her, she does not drink, nor does she collect her *kesuvah*. With respect of his friend’s pregnant ex-wife or nursing ex-wife (he either died or divorced her), they do not drink, nor do they collect a *kesuvah*; these are the words of Rabbi Meir. For Rabbi Meir would say: One should not marry a pregnant or nursing woman, and if he did marry her, he must divorce her and he is prohibited from marrying her again. The *Chachamim* say: He must divorce her, but he may remarry her at the appropriate time (after the twenty-four months). The *Baraisa* continues: If a young man marries a barren woman or an old woman, and he does not have a wife or children from before (and therefore hasn’t fulfilled the mitzvah of procreation), she does not drink (because he cannot remain married to her), nor does she collect her *kesuvah*. Rabbi Elozar says: He can marry another wife who will have

children (and therefore he can stay married to them; therefore, she will drink).

The *Baraisa* continues: However, if one warns his *arusah* or his woman awaiting *yibum*, and she secluded herself after he fully married her, she can drink or (if she chooses not to drink) she cannot collect her *kesuvah*. With respect of his own pregnant wife or nursing wife, she can drink (even though the child will die if she is guilty) or (if she chooses not to drink) she cannot collect her *kesuvah*. If a young man marries a barren woman or an old woman, and he has a wife or children from before, she can drink or (if she chooses not to drink) she cannot collect her *kesuvah*. A woman fit to be the wife of a *mamzer* who is married to a *mamzer*, or a woman fit to be the wife of a *Nasin* who is married to a *Nasin*, or the wife of a convert, or the wife of a freed slave, or an *aylonis*, she can drink or (if she chooses not to drink) she cannot collect her *kesuvah*.

This *Baraisa* is a refutation of Rav Nachman, who holds that an *aylonis* does not drink the waters.

Rav Nachman could answer that this is a matter of a *Tannaic* dispute, and he follows the *Tanna* of the following *Baraisa*: Rabbi Shimon ben Elozar says: An *aylonis* does not drink, nor does she collect her *kesuvah*, for it is written: *Then she shall be innocent and she shall bear seed*. This verse excludes a woman who does not normally bear seed.

The *Gemora* asks: What do the *Chachamim* do with the verse: *Then she shall be innocent and she shall bear seed*?

The *Gemora* answers: They need it for that which is learned in the following *Baraisa*: *Then she shall be innocent and she*

shall bear seed. This teaches us that if she was barren, she will be blessed with a child; these are the words of Rabbi Akiva. Rabbi Yishmael asked him: If so, all the barren women will seclude themselves (*and upon emerging innocent after drinking the bitter waters*) and then be blessed with children, and since this one (*a woman who remains loyal to her husband and avoids suspicion*) did not seclude herself, she will lose out (*and remain barren*)! What then is the verse teaching us? It teaches us that if she used to have painful births, she will now give birth with ease; if she gave birth to females, she will now give birth to males; if she used to have short children, she will now have tall children; if she used to give birth to dark-skinned babies, she will now give birth to fair ones. (25b – 26a2)

Mamzer and Mamzeres

The *Baraisa* had stated: A woman fit to be the wife of a *mamzer* who is married to a *mamzer*, she can drink or (*if she chooses not to drink*) she cannot collect her *kesuvah*.

Is this not obvious? - The *Gemora* explains the novelty of this *halachah*: We are not concerned that the drinking of the waters (*if she emerges innocent*) will increase the amount of people who are now disqualified to marry into the Congregation. (26a2)

The *Baraisa* had stated: The wife of a convert, or the wife of a freed slave, or an *aylonis*, can drink, or (*if she chooses not to drink*) she cannot collect her *kesuvah*.

Is this not obvious? - The *Gemora* explains the novelty of this *halachah*: What you might have said was: Speak to the Children of Israel — but not to converts. Therefore, he informs us [that converts are included in the law]. – But maybe this is so? ‘*And you shall say*’ is an inclusion. (26a2 – 26a3)

Wife of a Kohen

The *Mishnah* had stated: The wife of a *Kohen* may drink the bitter waters.

The *Gemora* asks: Isn’t this obvious (*why should she be any different*)?

The *Gemora* answers: It is written regarding the *sotah*: *And she was not seized*. That is when she will be forbidden. But, if she was seized, she will be permitted. The wife of a *Kohen*, however, will be forbidden to the *Kohen* even if she was forced. It is for this reason that we might think that she should not be given to drink. The *Mishnah* teaches us that the wife of a *Kohen* also drinks.

The *Mishnah* continued: If the *Kohen’s* wife is found to be innocent, she will be permitted to her husband.

The *Gemora* asks: Isn’t this obvious?

Rav Huna answers: We are dealing with a case where she began to degenerate immediately after drinking the waters.

The *Gemora* asks: She begins to degenerate!? But then the waters have tested her? [If so, isn’t she guilty?]

The *Gemora* answers: She is feeling ill in other limbs (*not in her stomach and thighs*). One might conclude that she did indeed commit adultery, and the fact that the water did not affect her in the usual manner was due to her committing adultery under coercion, and as such, she should be prohibited to the *Kohen*. Therefore, the *Mishnah* informs us that she is permitted to her husband. (26a3)

The *Mishnah* had stated: The wife of a sterile man drinks. This is self-evident! — What you might have said was: ‘*Other than your husband*’ declared the Merciful One, and this man [being a sterile man] does not come within the category [of husband]. Therefore, he informs us [that he is considered to be her husband for the law of the ordeal].

The *Mishnah* had stated: Through [seclusion with] all persons forbidden to her in marriage – a warning can be issued. - This is self-evident! — What you might have said was: The phrase ‘and she became defiled’ occurs twice —

once with respect to the husband and the other with respect to the suspected adulterer — but it only applies when she becomes prohibited [to the suspected adulterer] by this act of adultery; but where she was in any event forbidden to him, conclude that she is not [barred from marrying him]. Therefore, he informs us [that she has to undergo the ordeal although the suspected adulterer was forbidden to her in any case and if guilty she cannot marry her suspected adulterer]. (26a4 – 26b1)

One who is not a Man

The *Mishnah* had stated: One can warn his wife not to seclude herself with any man besides for a minor and one who is not a man.

The Merciful One wrote: *A man*; and not a minor.

The *Gemora* asks: What is the *Mishnah* excluding when it states “one who is not a man”?

It cannot be excluding a warning against secluding herself with an impotent man, for Shmuel said that one can warn his wife against secluding with an impotent man, and such a man would disqualify a woman from eating *terumah*.

The *Gemora* interjects: A warning [against seclusion] can be given in connection with him — this is self-evident! — What you might have said was: *And a man lie with her “a copulation of seed”* declared the Merciful One, and such a person does not come within that category; therefore, he informs us [that seclusion with him does bring the woman within the scope of the law].

The *Gemora* interjects again: And he disqualifies a woman from eating *terumah* — that is self-evident! — What you might have said was: *He shall not profane his seed* declared the Merciful One - one who had ‘seed’ can profane, but one who had no ‘seed’ cannot profane; therefore, he informs us [that he can profane].

It cannot be excluding an idolater, for Rav Hamnuna said that one can warn his wife against secluding with an idolater, and he would disqualify a woman from eating *terumah*.

The *Gemora* interjects: A warning [against seclusion] can be given in connection with him — this is self-evident! — What you might have said was: The phrase ‘and she became defiled’ occurs twice — once with respect to the husband and the other with respect to the suspected adulterer — but it only applies when she becomes prohibited [to the suspected adulterer] by this act of adultery; but where she was in any event forbidden to him, conclude that she is not [warned against seclusion]. Therefore, he informs us [that a warning can be given with respect to a gentile].

The *Gemora* interjects again: And he disqualifies a woman from eating *terumah* — this is self-evident! — What you might have said was: *And if a Kohen's daughter should “be” married to a stranger* declared the Merciful One, i.e., when there was a legal marriage-status, but not when there is no legal marriage-status. Therefore, he informs us [that an idolater] does disqualify her on the basis of that which Rabbi Yochanan expounded, for Rabbi Yochanan said in the name of Rabbi Yishmael: From where is it that an idolater or a slave who cohabited with a Kohen's daughter or Levite's daughter or an Israelite's daughter disqualifies her from eating *terumah*? As it is said: But if a Kohen's daughter should become a widow, or divorced — only in the case of a man where her widowhood or divorce [is legally recognized], thus excluding an idolater or slave where her widowhood or divorce is not [legally recognized].

What, then, [does the phrase ‘and not a man’] exclude? — Rav Pappa said: The *Mishnah* is coming to exclude an animal, for there is no adultery in connection with an animal (*copulating with an animal will not render a single woman into a zonah and a married woman will not become forbidden to her husband*). The *Gemora* cites the Scriptural source for this.



Rava of Parzakaya said to Rav Ashi: From where is the following statement which the Rabbis made derived? Harlotry is not applicable to copulation with an animal. It is written: *You shall not bring the hire of a harlot, or the exchange of a dog (to the House of Hashem)*, and yet we learned in a Baraisa that the hire of a dog and the exchange of a harlot are permitted, because it is written: *Alike, the two of them*; which implies two only but not four. (26b1 – 26b2)

A Copulation of Seed

The *Gemora* had stated that a warning against secluding with an impotent man can render the woman a *sotah*.

The *Gemora* asks: Accordingly, why is written “a copulation of seed” by a *sotah*?

The *Gemora* answers: It is needed for that which was taught in a Baraisa: “A copulation of seed” - it excludes another thing.

What is “another thing”? - Rav Sheishes explains: The verse excludes a case where he warned his wife not to engage in an unnatural cohabitation.

Rava said to him: But the verse “the copulations of a woman” includes a case of unnatural cohabitation as well?

Rather, Rava says that the verse teaches us that one who warns his wife not to engage in bodily contact with another man does not render her a *sotah*.

Abaye said to him: This is not cohabiting! It is merely lewdness (and it is obvious that such behavior will not render her a *sotah*)!

Rather, Abaye that the verse teaches us that one who warns his wife not to engage in genital contact with another man does not render her a *sotah*.

The *Gemora* asks: This is understandable according to the one who maintains that partial cohabitation is to be

understood as insertion of the corona, but genital contact is not regarded as anything, and consequently, the verse is intended to exclude genital contact. But according to the one who holds that partial cohabitation is to be understood as genital contact, what is there to say (*she certainly should be rendered a sotah*)?

The *Gemora* answers: The verse teaches us that one who warns his wife not to engage in bodily contact with another man does not render her a *sotah*. This is necessary (even though it is not regarded as cohabitation), for we might have thought that becoming a *sotah* is dependent on the objection of the husband, and since he is obviously objecting to this behavior, perhaps she would be rendered a *sotah*; the Torah teaches us that this is not the case. (26b3 – 26b4)

INSIGHTS TO THE DAF

Scheming Woman

The *Gemora* cites a *Baraisa*: It is written: *Then she shall be innocent and she shall bear seed*. This teaches us that if she was barren, she will be blessed with a child; these are the words of Rabbi Akiva. Rabbi Yishmael asked him: If so, all the barren women will seclude themselves (and upon emerging innocent after drinking the bitter waters) and then be blessed with children, and since this one (a woman who remains loyal to her husband and avoids suspicion) did not seclude herself, she will lose out (and remain barren)! What then is the verse teaching us? It teaches us that if she used to have painful births, she will now give birth with ease; if she gave birth to females, she will now give birth to males; if she used to have short children, she will now have tall children; if she used to give birth to dark-skinned babies, she will now give birth to fair ones.

Tosfos asks: Can't we ask the same question on Rabbi Yishmael as he asked on Rabbi Akiva? A woman who was suffering severe childbirth pains would seclude herself, and after drinking the bitter waters, she will give birth “pain-free”!

Tosfos HaRosh answers that these blessings are not as great as that of a barren woman giving birth. A woman would not go to such lengths (*secluding herself with another man*) just to receive these blessings.

The Haflaah in Panim Yafos answers that a woman who was used to painful childbirths will not seclude herself with another man, for she will be afraid that her husband will rather divorce her than have her degraded in *Beis Din*. A barren woman, however, is not concerned that her husband might divorce her, for after ten years without children, he will anyway divorce her. She therefore has nothing to lose by secluding herself.

The Minchas Kenaos answers by asking the following question: While it is understandable that the woman might employ such a scheme, but where will she find a man to go along with her? An ordinary man will not want to transgress the prohibition of secluding with a married woman. It is illogical to assume that she will seclude herself with a wicked man, for he will want to cohabit with her, and her intention is only to be blessed with children from her husband.

We are compelled to say like the Sifri states that if the husband never had children, he will also be blessed with children. Accordingly, she will find a barren man to seclude with, for he also wants to have a child.

This concern is only according to Rabbi Akiva, who maintains that the barren women will be blessed with children. Accordingly, it can be extended to a man as well. However, according to Rabbi Yishmael, who holds that the blessing is in regards to pain-free child birth, this is only applicable to the woman, and not the man.

DAILY MASHAL

Blessing for a Child

The Gemora relates the blessing that would occur to the suspected sotah after she has been proven innocent: If she used to have painful births, she will now give birth with ease;

if she gave birth to females, she will now give birth to males; if she used to have short children, she will now have tall children; if she used to give birth to dark-skinned babies, she will now give birth to fair ones.

The Chidushei HaRim (Gerer Rebbe) had a Beis HaMidrash room in which he studied with Talmidim, and as time went by, the room seemed to grow smaller, rather than larger. The Rebbe did not wish to expand the room because he had been told it would take a few days to complete, and he did not wish to “waste” time that they could have used to study. However, the size of the room continued to be a problem until finally, the Rebbe said that if someone could do the expansion work and complete it all in one day, the Rebbe would be extremely pleased. One of the Chasidim, a sharp fellow named Yakel immediately approached one of the construction people in Warsaw (who was childless) and suggested to him that he had an opportunity, if he fulfilled the Rebbe’s request (to expand the Beis HaMidrash in one day), to have his prayers answered. The construction man (who was not a Chasid at all) accepted the job, and began assembling men and materials for the big day. When the job was completed in one day, as the Rebbe had requested, Yakel told the Rebbe, whose face shone from happiness, that the successful job would cost the Rebbe a blessing for the construction man. The Rebbe smiled, complimented Yakel on his effective methods of win-win diplomacy and gave a successful blessing.