

HALAKHA

What does he do with her – ביצע עושה לה: The husband states before his local court: I warned my wife not to seclude herself with so-and-so, and she then secluded herself with him, and these are the witnesses. She claims that she is undefiled, and I want her to be evaluated by drinking the bitter water. The court then hears the testimony of the witnesses. If their testimony is accepted, the court provides two Torah scholars to accompany the husband and wife on their journey to the Temple, in order to prevent them from engaging in sexual intercourse on the way (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:1).

NOTES

אבל בדרך עד דאיכא – But on the way, unless there are three – שולשה: The commentaries offer several reasons for the requirement that there be an additional man during travel. First, on a long journey it is inevitable that one of them will need to relieve himself and will probably distance himself from the man and woman, so as to have privacy. Second, while in the city, if one man needs to leave for some time, the second man can leave as well, thereby avoiding seclusion with the woman; but on the road there is nowhere for the other man to go. Even if there were a way for the second man to distance himself from the woman, he would not do so out of fear for the woman's safety (*Devar Shaul*).

יש לה עדים במדינת הים!

the case where there are witnesses for her in a country overseas who can testify that she engaged in sexual intercourse, when the bitter water will not evaluate her faithfulness. Therefore, Rabbi Shimon should be concerned that such a dispensation will result in the defamation of the untainted women who drank and were unaffected, as people will view them as guilty women who were not affected because there were witnesses overseas.

לא שכיחא.

The Gemara answers: The case of witnesses in a country overseas is **not common**, and therefore no one will assume that that is the reason why the woman was not affected. By contrast, a woman having merit is common.

מתני' ביצע עושה לה? מוליכה לבית דין שבאותו מקום, ומוסרין לו שני תלמידי חכמים, שמה יבא עליה בדרך. רבי יהודה אומר: בעלה נאמן עליה.

MISHNA The mishna details the procedure for administering the drinking of the bitter water of a *sota*. **What does her husband do with her^d** after she secluded herself with the man about whom she had been warned? **He brings her to the court that is found in that location, and the court provides him with two Torah scholars to accompany him, lest he engage in sexual intercourse with her on the way to the Temple, which is not only prohibited but will also prevent the bitter water from evaluating her. Rabbi Yehuda says: Her husband is trusted with regard to her**, so there is no need to provide scholars to accompany him.

גמ' תרי ואיהו – הא תלתא. לימא מסייע ליה לרב, דאמר רב יהודה אמר רב: לא שנו אלא בעיר, אבל בדרך – עד דאיכא שלשה, שמה יצטרך אחד מהן לנקביו, ונמצא אחד מהן מתייחד עם הערוה!

GEMARA The Gemara assumes that the requirement for there to be two Torah scholars is to avoid the prohibition against a woman being alone with a man. The Gemara notes: **Two additional men and he**, the husband, **are three** people altogether. **Let us say that this mishna supports the opinion of Rav, as Rav Yehuda says that Rav says:** When they taught that it is permitted for a woman to be secluded with two men, **they taught** that this is permitted **only in the town** (see *Kiddushin* 80b). **But on the way**, when traveling, this is not permitted **unless there are threeⁿ** men with the woman. The reason for this stringency is that if there are only two men with her, **perhaps one will need to relieve himself** and will seek privacy, and it will be found that one of them is in seclusion with a woman forbidden to him.

לא, הקא היינו טעמא, כי היכי דליהו עליה סהדי.

The Gemara refutes this assumption: **No, here**, in the case of a *sota*, **this is the reason** why there is a requirement for two scholars, **so that there are two witnesses with regard to her**, i.e., there will be two witnesses to testify in the event that the husband engages in sexual intercourse with her on the way to the Temple. The reason is not to avoid the prohibition against her being alone with a man, as one scholar would suffice for that.

They taught only with regard to men of fit morals – לא שְׁנֵי אֲלָא בְּשִׁרְיָן: A woman should not seclude herself with several men, unless the wife of one of the men is present. The Rema notes that there are those (Rosh) who hold that while in a town, one woman can seclude herself with two men of fit morals during the day, and he adds that most men meet this standard for purposes of this *halakha*. If they are in a field any time of the day or in a town at night, there needs to be a minimum of three men of fit morals. Some authorities permit one man to seclude himself with several women, provided that his profession is one that doesn't bring him into constant contact with women (Rambam *Sefer Kedusha*, *Hilkhot Issurei Bia* 22:8; *Shulhan Arukh*, *Even HaEzer* 22:5).

NOTES

דִּידְעֵי לְאַתְרוּי בִּיה – That they know how to warn him – A warning must include the specification of the prohibition that will be transgressed and its punishment, and therefore not all have the knowledge to give a proper warning (see *Tosafot*).

The mishna teaches that the husband is provided with Torah scholars. The Gemara further comments: **Torah scholars, yes; anyone else, no.** It is specifically Torah scholars who are provided to accompany the husband and wife. **Let us say that this mishna supports another statement of Rav, as Rav Yehuda says that Rav says:** When they taught that it is permitted for a woman to be secluded with two men, **they taught** that this is permitted **only** with regard to men of fit morals.⁴ **But** with regard to those of loose morals, she may not be secluded **even with ten** men. The Gemara adds: **There was an incident and ten men carried out a woman on a bier**, as if she were dead, and engaged in sexual intercourse with her.

The Gemara refutes this assumption: **No, here**, in the case of a *sota*, **this is the reason** why there is a requirement for two scholars, **that they know** how to properly **warn him**ⁿ not to engage in sexual intercourse with her. Therefore, this mishna does not support the opinion of Rav.

S The Gemara now discusses Rabbi Yehuda's statement in the mishna. **Rabbi Yehuda says: Her husband** is trusted with regard to her. **It is taught** in a *baraita* in the *Tosefta* (1:2): **Rabbi Yehuda says: Her husband is trusted due to an *a fortiori* inference: And just as** in the case of a **menstruating woman, who** is prohibited from engaging in sexual intercourse with her husband **by penalty of *karet***, **her husband is nevertheless trusted with regard to her**, as he is permitted to seclude himself with her, so too, with regard to a *sota*, **who** is prohibited from engaging in sexual intercourse with her husband **only by penalty of a prohibition**, is it **not all the more** so that he should be trusted?

And the Rabbis say: That provides support for the contrary opinion, as these considerations lead to the opposite conclusion. **A menstruating woman** is forbidden **by penalty of *karet***. This is a **stringent prohibition for him**, and this is why **he is trusted** not to engage in sexual intercourse with her. By contrast, a *sota* is forbidden to him **only by a prohibition**. This is **not a stringent prohibition to him**, and he is therefore **not trusted** with her.

The Gemara asks: **And does Rabbi Yehuda in fact derive this *halakha* from an *a fortiori* inference?** But Rabbi Yehuda derives it from a verse, as it is taught in a *baraita*: The verse: “**Then shall the man bring his wife to the priest**” (Numbers 5:15), teaches that by Torah law the man alone brings his wife to the Temple, but the Sages said: The court provides him with two Torah scholars to accompany him, **lest he engage in sexual intercourse with her on the way to the Temple**.

The *baraita* records a second opinion. **Rabbi Yosei says: Her husband is trusted with regard to her based on an *a fortiori* inference: And just as a menstruating woman, who** is prohibited from engaging in sexual intercourse with her husband **by penalty of *karet***, and **her husband is nevertheless trusted with regard to her**, then with regard to a *sota*, **who** is prohibited from engaging in sexual intercourse with her husband **by penalty of only a prohibition**, should he **not all the more** so be trusted?

The Sages said to him: **No, if you say that this is true with regard to a menstruating woman**, the reason he is trusted is not due to the severity of the prohibition. Rather, he is trusted **because she** has the ability to become **permitted** to her husband after her menstrual flow has ceased and she has immersed in a ritual bath. **Shall you** also say that this is the case **with regard to a *sota***, who potentially **does not have** the ability to become **permitted** to her husband due to her suspected adultery? **And** proof to the notion that people will more readily commit illicit acts that are permanently prohibited comes from the verse that **states: “Stolen waters are sweet** and bread eaten in secret is pleasing” (Proverbs 9:17). Consequently, there is a concern that the husband will engage in sexual intercourse with his *sota* wife if not accompanied by scholars.

תלמידי חכמים אין, כולי עלמא לא לימא מסייע ליה לאידך דרב. דאמר רב יהודה אמר רב: לא שנו אלא בשירין, אבל פרוצין – אפילו עשרה נמי לא מעשה היה והוציאוה עשרה במטה!

לא. הכא היינו טעמא, דידעי לאתרוי ביה.

רבי יהודה אומר: בעלה וכו'. תנא, רבי יהודה אומר: בעלה נאמן מקל וחומר, ומה נדה שהיא בכרת – בעלה נאמן עליה, סוטה שהיא בלאו – לא כל שכן!

ורבנן? היא הנותנת: נדה דכרת – חמירא ליה ומהימן, סוטה דלאו – לא חמירא ליה ולא מהימן.

ורבי יהודה מקל וחומר מיייתי לה? והא: רבי יהודה מקראי מיייתי לה! דתנא: “והביא האיש את אשתו אל הכהן” – מן התורה האיש מביא את אשתו, אבל אמרו חכמים: מוסרין לו שני תלמידי חכמים, שמא יבא עליה בדרך.

רבי יוסי אומר: בעלה נאמן עליה מקל וחומר, ומה נדה שהיא בכרת – בעלה נאמן עליה, סוטה שהיא בלאו – לא כל שכן!

אמרו לו: לא, אם אמרת בנדה – שכן יש לה היתר, תאמר בסוטה שאין לה היתר? ואומר: “מים גונבים ומתקן” וגו’.

They would bring her up to the Sanhedrin, etc. – מְעַלִּין אוֹתָהּ לְבֵית דִּין הַגָּדוֹל וְכוּ׳: When the husband and wife arrive at the Sanhedrin in Jerusalem, the court threatens her without her husband present, to encourage her to admit her sin. They also offer words of encouragement, such as: My daughter, wine and frivolity cause much immoral behavior. If she admits her sin or says: I will not drink, she is divorced and forfeits her rights to payment of her marriage contract (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:2).

רַבִּי יְהוּדָה אוֹמֵר: מִן הַתּוֹרָה הָאִישׁ מְבִיא אֶת אִשְׁתּוֹ אֶל הַכֹּהֵן, שֶׁנֶּאֱמַר: ״וְהָבִיא הָאִישׁ אֶת אִשְׁתּוֹ״!

אָמַר לָהּ קַל וְחוֹמֵר בְּרִישָׁא וּפְרִכּוּהּ, וְהָדַר אָמַר לָהּ קְרָא.

רַבִּי יְהוּדָה הֵינּוּ תַנָּא קָמָא! אֵיבָא בִּינֵיהּ: ״אָבֹל אָמְרוּ״.

מתני׳ הֵיוּ מְעַלִּין אוֹתָהּ לְבֵית דִּין הַגָּדוֹל שְׁבִירוּשָׁלַיִם, וּמֵאֵימִין עָלֶיהָ בְּדֶרֶךְ שְׁמַאֲיִמִין עַל עֵדֵי נִפְשׁוֹת.

וְאוֹמֵר לָהּ: בָּתִּי, הֲרִבָּה יַיִן עוֹשָׂה, הֲרִבָּה שְׁחֹק עוֹשָׂה, הֲרִבָּה יִלְדוֹת עוֹשָׂה, הֲרִבָּה שְׂכֵנִים הָרָעִים עוֹשִׂין.

עָשִׂי לְשֵׁמוֹ הַגָּדוֹל שֶׁנִּכְתָּב בַּקְדוּשָׁה שֶׁלֹּא יִמָּחַה עַל הַמֵּים, וְאוֹמֵר לִפְנֵיהֶם בְּדָרִים שְׂאִינֶם כְּדִי לְשׁוּמְעָן הִיא וְכָל מִשְׁפַּחַת בֵּית אָבִיהָ.

The *baraita* quotes a third opinion. Rabbi Yehuda says: By Torah law,^N the man alone brings his wife to the Temple, as is stated: “Then shall the man bring his wife to the priest.” This *baraita* states explicitly that Rabbi Yehuda derives this *halakha* from the verse itself, not from an *a fortiori* inference.

The Gemara answers: Rabbi Yehuda first said to them the *a fortiori* inference, and they refuted it as mentioned above, and he then said to them the derivation from the verse.

The Gemara clarifies: Apparently, the opinion of Rabbi Yehuda is the same as that of the first *tanna* in the *baraita*, who also cites the verse as proof that by Torah law the husband alone brings his wife to the priest. The Gemara explains: The difference between them concerns the following clause: But the Sages said that the court provides him with two Torah scholars to accompany him. The first *tanna* holds that the Sages require two scholars to accompany the husband and wife, while Rabbi Yehuda holds that they do not.

MISHNA The mishna details the next stage of the process. They would bring her up to the Sanhedrin^H that was in Jerusalem, and the judges would threaten her in order that she admit her sin. And this was done in the manner that they would threaten witnesses testifying in cases of capital law.^N In those cases, the judges would explain to the witnesses the gravity of their testimony by stressing the value of human life. Here too, the judges would attempt to convince the woman to admit her sin, to avoid the loss of her life.

And additionally, the judge would say to her: My daughter, wine causes a great deal of immoral behavior, levity causes a great deal of immoral behavior, immaturity causes a great deal of immoral behavior, and bad neighbors cause a great deal of immoral behavior. The judge encouraged her to admit her sin by explaining to her that he understands that there may have been mitigating factors.

The judge then continues: Act for the sake of His great name, so that God’s name, which is written in sanctity, shall not be erased on the water. If the woman admits to having committed adultery, the scroll upon which the name of God is written will not be erased. And additionally, the judge says in her presence matters that are not worthy of being heard by her and all her father’s family,^N in order to encourage her to admit her sin, as the Gemara will explain.

NOTES

רַבִּי יְהוּדָה אוֹמֵר מִן הַתּוֹרָה: Rabbi Yehuda says: By Torah law – The *Tosefot HaRosh* does not include the phrase: By Torah law, in the statement of the leniency stated by Rabbi Yehuda (see *Yagel Ya’akov*). This omission seems to be correct, as Rabbi Yehuda holds that this is the *halakha* also by rabbinic law, not only by Torah law. The version of the text here, which does include this phrase, can be explained according to what is written in the Jerusalem Talmud: Rabbi Yehuda says that despite the logical reasons to the contrary, there is a verse in the Torah teaching that a man is trusted to bring his *sota* wife to the Temple. Others explain that Rabbi Yehuda’s rationale is based on the principle, propounded by the *Taz* among others, that the Sages did not have the ability to prohibit that which is explicitly permitted in the Torah. Therefore, due to the verse cited by Rabbi Yehuda, the Sages could not prohibit the husband alone to bring her despite the compelling reason for the prohibition.

And this was done in the manner that they would threaten witnesses testifying in cases of capital law – וּמֵאֵימִין עָלֶיהָ: *Tosefot Yom Tov* explains that this should not be understood to mean that they threaten her with the same threats used in cases of capital law. Rather, just as the court threatens witnesses testifying in cases of capital law in more explicit terms than they do to those testifying in monetary cases, the *sota* is also extensively threatened. Others explain that since her drinking the bitter water involves possible death for her and her paramour, she is warned exactly as she would be in a case of capital law (*Minḥat Kenaot*).

הִיא וְכָל מִשְׁפַּחַת בֵּית אָבִיהָ – The Meiri explains that this is a figure of speech, indicating that what is said to her would be difficult for her to hear even if her entire family were present to support her. Rambam, in his Commentary on the Mishna, explains simply that her family is presumably with her and they also hear what is being said.

Gate of Nicanor – שַׁעַר נִקְנֹר: The Gate of Nicanor is well known for the beauty of its copper doors, as well as for the miracles that occurred while the doors were being transported by ship from Egypt. This gate stood at the main entrance to the Temple, and it was the site of rituals that had to be performed as close to the Temple as possible without being inside the Temple.



Gate of Nicanor

If after the judge's warning she says: I am defiled, she writes a receipt indicating that she has no claims on her husband with regard to the sum written in her marriage contract, as a woman who admits to adultery forfeits her right to this payment. And she is then divorced from her husband.

But if after the warning she maintains her innocence and says: I am pure, they bring her up to the Eastern Gate,^{NH} which is at the opening of the Gate of Nicanor,^B because three rites were performed there: They give the *sota* women the bitter water to drink,^N and they purify women who have given birth (see Leviticus 12:6–8), and they purify the lepers^H (see Leviticus 14:10–20).

The mishna continues describing the *sota* rite. And the priest grabs hold^N of her clothing^H and pulls them, unconcerned about what happens to the clothing. If the clothes are torn,^N so they are torn; if the stitches come apart, so they come apart. And he pulls her clothing until he reveals her heart, i.e., her chest. And then he unbraids her hair. Rabbi Yehuda says: If her heart was attractive he would not reveal it, and if her hair was attractive he would not unbraid it.

If she was dressed in white^H garments, he would now cover her with black garments. If she was wearing gold adornments,

אִם אָמְרָה טְמֵאָה אֲנִי, שׁוֹבֶרֶת כְּתוּבָתָהּ וְיוֹצֵאתָ.

וְאִם אָמְרָה טְהוֹרָה אֲנִי, מַעֲלִין אוֹתָהּ לְשַׁעַר הַמְּזוֹרָח שְׁעַל פֶּתַח שַׁעַר נִקְנֹר, שְׁשָׁם מִשְׁקִין אֶת הַסּוֹטוֹת וּמְטַהְרִין אֶת הַיּוֹלְדוֹת וּמְטַהְרִין אֶת הַמְּצוּרִעִין.

וְכֵהֵן אוֹחִז בְּבִגְדֶיהָ, אִם נִקְרְעוּ נִקְרְעוּ, וְאִם נִפְרְמוּ נִפְרְמוּ, עַד שֶׁהוּא מְגַלֶּה אֶת לִבָּהּ, וְסוֹתֵר אֶת שְׁעָרָהּ. רַבִּי יְהוּדָה אוֹמֵר: אִם הָיָה לִבָּהּ נָאֶה לֹא הָיָה מְגַלְהוּ, וְאִם הָיָה שְׁעָרָהּ נָאֶה לֹא הָיָה סוֹתֵר.

הִיתָה מְתַכֶּסֶה בְּלִבָּנֶים, מְכַסֶּה בְּשָׁחֳרִים. הָיָה עָלֶיהָ כְּלִי זָהָב

NOTES

To the Eastern Gate, etc. – לְשַׁעַר הַמְּזוֹרָח וְכו': This language is somewhat difficult as two different gates are mentioned, and there are several versions of the text of the mishna. According to Rashi, she is first brought up to the Eastern Gate, which is the outer gate of the women's courtyard, and then she is lead to Gate of Nicanor, which is the gate to the Israelite courtyard. Alternatively, the *Kaftor VaFeraḥ* explains that the Eastern Gate is the Gate of Nicanor.

Because there they give the *sota* women to drink – שְׁשָׁם מִשְׁקִין: The reason lepers and women who have given birth are purified at the Eastern Gate is obvious, as they are still impure and cannot enter further into the Temple. However, the reason the *sota* drinks there is not clear. It has been proposed that because her hair is uncovered and her clothes torn, it would be disgraceful and improper to bring her into the Temple itself (*Minḥa Hareva*).

HALAKHA

They bring her up to the Eastern Gate – מַעֲלִין אוֹתָהּ לְשַׁעַר הַמְּזוֹרָח: If the woman insists that she was faithful, she is brought to the Eastern Gate of the Temple courtyard, where she is led to and fro in order to fatigue her, so that she will admit her sin. If she continues to maintain her innocence, she is led to the outside of the Eastern Gate, where she remains standing until the next stage of the process (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:3–4).

And they purify the lepers – וּמְטַהְרִין אֶת הַמְּצוּרִעִין: During the purification process of a leper, he stands outside the Israelite courtyard, in front of the eastern entrance, at the lintel of the Gate of Nicanor, facing west. This is where all those who have not yet brought an atonement offering to complete the purification

And the priest grabs hold – וְכֵהֵן אוֹחִז: The *Tosefta* (1:7) states that this priest was chosen by drawing lots, and any priest who is chosen, even the High Priest, is obligated to perform the task.

If the clothes are torn, etc. – אִם נִקְרְעוּ וְכו': The Gemara uses two terms to describe the ripping of the clothing, *keria* and *ferima*, which are translated in the text as tearing and the forcing apart of stitches respectively, in line with Rabbeinu Ḥananel's explanation of the Gemara. In the context of this Gemara, however, a number of other explanations are given in the commentaries. Rashi explains that *keria* is ripping one large tear, while *ferima* means tearing into small pieces. The Meiri and Rambam's Commentary on the Mishna explain that *keria* is ripping one large tear in the front of the garment and *ferima* is causing several small tears on the side of the garment. Others explain that *keria* is a vertical tear and *ferima* is a lateral tear (*Tosefot Yom Tov*).

process stand at the time they are being purified, and there a *sota* drinks the bitter water (Rambam *Sefer Korbanot*, *Hilkhot Meḥusrei Kappara* 4:2).

The priest grabs hold of her clothing – כֵּהֵן אוֹחִז בְּבִגְדֶיהָ: After God's name is erased into the water, the priest, chosen by lot (*Mishne LaMelekh*), grabs hold of the clothing of the *sota* and pulls them off until he exposes her chest, and he uncovers and unbraids her hair (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:1).

If she was dressed in white – הִיתָה מְתַכֶּסֶה בְּלִבָּנֶים: If she was dressed in white garments, she would put on black garments. If the black clothing enhances her appearance, she is clothed in garments that cause her to appear unattractive (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:4).

LANGUAGE

Chokers [katliyyot] – קטליאות: The source of this word is the Latin catella, referring to a chain that is hung around the neck.

BACKGROUND

Egyptian rope – חבל מצרי: This is a coarse rope that is generally fashioned of peels of willow leaves or palm fibers. Some explain that it is a rope that is brought from Egypt (Tosefot Yom Tov).

Dry poison – סם יבש: Most medicines and poisons that are put on the skin do not act until they penetrate into the blood stream. If the skin is unbroken and free from wounds they will remain on the surface and have no effect. In a similar manner, the bitter water will have no effect on a woman who is free from sin.

NOTES

And the Gemara raises a contradiction – ורמינהו: The commentaries note that this is not the standard usage of this term, as there is no contradiction between the mishna and the Tosefta, as the Tosefta merely adds that the sota is also encouraged to drink (Keren Ora). Others add one could even infer this halakha from the wording of the mishna, as it says that the court warns the sota as witnesses are warned in cases of capital law, where the witnesses are warned that they must testify if they know the truth (Torat HaKenaot).

וְקַטְלִיאוֹת נָמִים וְטִבְעוֹת, מַעֲבִירִין מִמֶּנָּה בְּדִי לְנוֹלָהּ. וְאַחֵר כִּךְ מֵבִיא חֶבֶל מִצְרִי וְקוֹשְׁרוֹ לְמַעַל הַמְּדֻדִּיהָ.

וְכָל הַרוֹצֶה לְרְאוֹת בָּא לְרְאוֹת, חוּץ מִעֲבָדֶיהָ וּשְׁפָחוֹתֶיהָ, מִפְּנֵי שְׁלֵבָהּ גַּם בָּהֶן. וְכָל הַנָּשִׁים מוֹתֵרוֹת לְרְאוֹתָהּ, שֶׁנֶּאֱמָר: "וְנוֹסְרוּ כָּל הַנָּשִׁים וְלֹא תַעֲשִׂינָה כְּזִמְתְּכָנָה".

גַּם מִנְהֵי מִלִּי? אָמַר רַבִּי חִיָּיא בְּרַם דְּאָמַר רַבִּי יוֹסִי בְּרַבִּי חֲנִנָּא: אֲתֵיָא "תּוֹרָה", "תּוֹרָה". בְּתֵיב הָכָא: "וַעֲשֶׂה לָּהּ הַכֶּהֱן אֶת כָּל הַתּוֹרָה", וּבְתֵיב הָתֵם: "עַל פִּי הַתּוֹרָה אֲשֶׁר יוֹרֵד", מִה לְהַלֵּן בְּשִׁבְעִים וְאַחַד, אֵף כָּאֵן בְּשִׁבְעִים וְאַחַד.

וּמֵאֵימִין עָלֶיהָ וכו'. וּרְמִינָהּ: בְּדֹרֶךְ שְׂמֵאֵימִין עָלֶיהָ שְׁלֹא תִשְׁתֶּה כִּךְ מֵאֵימִין עָלֶיהָ שֶׁתִּשְׁתֶּה. אוֹמְרִים לָהּ: בְּתֵיב, אִם בְּרוּ לָךְ הַדָּבָר שֶׁתִּשְׁתֶּה אֶת, עֲמָדִי עַל בּוֹרֵיךְ וּשְׁתִּי, לִפִּי שֶׁאֵין מִים הֶמְרִים דּוֹמִין אֶלָּא לָסֵם יָבֵשׁ שֶׁמוֹנֵחַ עַל בָּשָׂר חִי, אִם יֵשׁ שָׁם מִכָּה מַחֲלֵחַל וְיוֹרֵד. אֵין שָׁם מִכָּה אֵינוֹ מוֹעִיל כְּלוּם!

לֹא קָשִׁיָא: כָּאֵן קוֹדֵם שֶׁנִּמְחָקָה מִגִּילָהּ, כָּאֵן לְאַחֵר שֶׁנִּמְחָקָה מִגִּילָהּ.

or chokers [katliyyot],^L or nose rings, or finger rings,^H they removed them from her in order to render her unattractive. And afterward the priest would bring an Egyptian rope^{BH} fashioned from palm fibers, and he would tie it above her breasts.

And anyone who desires to watch^H her may come to watch, except for her slaves and maidservants,^H who are not permitted to watch because her heart is emboldened by them, as seeing one's slaves reinforces one's feeling of pride, and their presence may cause her to maintain her innocence. And all of the women^H are permitted to watch her, as it is stated: "Thus will I cause lewdness to cease out of the land, that all women may be taught not to do after your lewdness" (Ezekiel 23:48).

GEMARA The Gemara asks concerning the halakha that the sota is brought before the Sanhedrin: From where are these matters derived? Rabbi Hiyya bar Gamda says that Rabbi Yosei, son of Rabbi Hanina, says: This is derived by means of a verbal analogy between the words "tora" and "tora." It is written here, with regard to a sota: "And the priest shall execute upon her all this law [tora]" (Numbers 5:30), and it is written there, with regard to a rebellious Elder, who must go to the place chosen by God and follow the ruling of the Sanhedrin: "According to the law [tora] that they shall teach you" (Deuteronomy 17:11). Just as there the verse is referring to what occurs in the presence of the Sanhedrin of seventy-one judges, so too here, with regard to a sota, the verse is referring to what occurs in the presence of the Sanhedrin of seventy-one judges.

S The mishna teaches: And they threaten her in order that she admit her sin, to obviate the need to erase God's name. And the Gemara raises a contradiction^N from that which was taught in a baraita in the Tosefta (1:6): In the same manner that they threaten her so that she will not drink, so too, they threaten her so that she will drink,^H as they say to her: My daughter, if the matter is clear to you that you are pure, arise for the sake of your clear position and drink. If you are innocent you have nothing to fear, because the bitter water is similar only to a dry poison^B placed on the flesh. If there is a wound there, the poison will penetrate and enter the blood stream, but if there is no wound there, it does not have any effect. This teaches that the woman is warned not to drink if she is guilty, but if she is not guilty she is encouraged to drink. There is no mention of the latter in the mishna.

The Gemara answers: This is not difficult. Here the mishna is referring to before the scroll was erased, and at that point the woman is warned only not to drink if she is guilty, so that the name of God will not be erased. There the baraita is referring to after the scroll was erased. Then she is warned that if she is innocent she should drink because if she now refuses to drink, it will turn out that the scroll was erased for no purpose.

HALAKHA

Nose rings or finger rings, etc. – נָמִים וְטִבְעוֹת וכו': All the jewelry of the sota is removed in preparation for her drinking (Rambam Sefer Nashim, Hilkhot Sota 3:4).

Would bring an Egyptian rope – מֵבִיא חֶבֶל מִצְרִי: The priest brings an Egyptian rope after he has uncovered her hair and torn her clothes. If an Egyptian rope is not available, he brings a rope of any kind and ties it above her chest so that her clothes won't fall off (Rambam Sefer Nashim, Hilkhot Sota 3:11).

Anyone who desires to watch – כָּל הַרוֹצֶה לְרְאוֹת: Anyone who desires to watch the sota rite may do so (Rambam Sefer Nashim, Hilkhot Sota 3:5).

Except for her slaves and maidservants – מִעֲבָדֶיהָ וּשְׁפָחוֹתֶיהָ: The slaves and maidservants of a sota are not permitted to be present during the sota rite, as their presence may embolden her to falsely maintain her innocence (Rambam Sefer Nashim, Hilkhot Sota 3:6).

And all of the women, etc. – וְכָל הַנָּשִׁים וכו': All the women present in the Temple when a sota is given to drink are obligated to watch (Rambam Sefer Nashim, Hilkhot Sota 3:5).

They threaten her so that she will drink – מֵאֵימִין עָלֶיהָ שֶׁתִּשְׁתֶּה: A sota is encouraged to drink. The judges tell her that if she is innocent she need not worry because the bitter water harms only those who sinned (Rambam Sefer Nashim, Hilkhot Sota 4:5).

And the judge says in her presence, etc. – ואמר – לפניה וכו': When the *sota* is brought before the court, they tell her: Great and important people were overcome by their desires and transgressed. They recount to her the episodes of Judah and Tamar, Reuben and Bilhah, and Amnon and Tamar, as written in the Bible, without interpretation. This is in order to encourage her to admit her sin (Rambam *Sefer Nashim*, *Hilkhot Sota* 3:2).

The mishna teaches: And the judge says in her presence^h matters that are not worthy of being heard by her and all her father's family in order to encourage her to admit her sin. The Gemara cites a *baraita* that details what was said. The Sages taught in a *baraita*: The judge says in her presence words of homiletical interpretation and mentions incidents that happened to previous generations that are recorded in the early prophetic writings.ⁿ For example, they expound the following verse: "That wise men told and did not hide from their fathers" (Job 15:18); this teaches that even during the time of the forefathers, there were people who admitted their sins despite the shame they incurred.

For example, Judah admitted that he sinned with Tamar and was not embarrassed to do so, and what was his end? He inherited the life of the World-to-Come. Reuben admitted that he lay with his father's concubine Bilhah and was not embarrassed, and what was his end? He too inherited the life of the World-to-Come. The Gemara asks: And what is their reward? The Gemara interjects: What is their reward? Their reward was clearly as we say, that they inherited the life of the World-to-Come. The Gemara clarifies: Rather, the second question was: What is their reward in this world? The Gemara answers by citing the next verse in the book of Job: "To them alone the land was given, and no stranger passed among them" (Job 15:19). Judah was given the kingship, and Reuben inherited a portion of land in the Transjordan before the other tribes.

The Gemara questions the source for Reuben's admission. Granted, with regard to Judah we have found a source that he admitted his sin with Tamar, as it is written: "And Judah acknowledged them and said: She is more righteous than I" (Genesis 38:26). Judah admitted that he was the one who had impregnated Tamar. But from where do we derive that Reuben admitted his sin?

The Gemara answers: It is as Rabbi Shmuel bar Nahmani says that Rabbi Yohanan says: What is the meaning of that which is written concerning Reuben and Judah in Moses' blessing of the tribes at the end of his life: "Let Reuben live and not die in that his men become few" (Deuteronomy 33:6), and immediately afterward, in the following verse, it is stated: "And this for Judah, and he said: Hear, Lord, the voice of Judah, and bring him in unto his people; his hands shall contend for him, and You shall be a help against his adversaries" (Deuteronomy 33:7). What is the connection between the blessing of Reuben and that of Judah, juxtaposed with the conjunction "and"?

Rabbi Yohanan says: All those years that the Jewish people were in the desert, the bones of Judah, which the Jewish people took with them from Egypt along with the bones of his brothers, were rolling around in the coffin, until Moses arose and asked for compassion on Judah's behalf. Moses said before God: Master of the Universe, who served as the impetus for Reuben that he admit his sin, through which he merited a blessing and was not excluded from the count of the twelve sons of Jacob (see Genesis 35:22)? It was Judah,ⁿ as Reuben saw him confess his sin, and thereby did the same. Moses continues in the next verse: "And this for Judah," as if to say: Is this Judah's reward for serving as an example of confessing to one's sins, that his bones roll around?

NOTES

The Rambam adds that at least some of these stories are told as they are written in the Torah, without the exposition of the Sages, whose interpretations often minimized the severity of the sins, e.g., the priests explain that Reuben only moved his father's bed out of the tent of Bilhah. Apparently, the Rambam understood the mishna's statement: They say matters that she is not worthy of hearing, as meaning that they tell her stories from the Bible in a way in which it is not proper to be heard, i.e., without the rabbinic interpretation. This is especially notable

when one takes into consideration that some of these episodes were not translated into Aramaic, the vernacular, when they were publicly taught, as were all other verses (see *Megilla* 25a).

Who served as the impetus for Reuben that he admit his sin, Judah – יהודה – יהודה: Although the Sages teach that Reuben fasted and repented to atone for his sin even before the incident with Judah and Tamar, he did not admit his sin in public until he saw Judah do so.

"ואמר לפניה" וכו'. תנו רבנן: אומר לפניה דברים של הגדה ומעשים שאירעו בבתובים הראשונים, כגון: "אשר חכמים יגידו ולא כחדו מאבותם".

יהודה הודה ולא בוש, מה היה סופו? נחל חיי העולם הבא. ראובן הודה ולא בוש, מה היה סופו? נחל חיי העולם הבא. ומה שכתב? מה שכתב? כדקא אמרינן! אלא מה שכתב בעולם הזה? "להם לבדם נתנה הארץ ולא עבר זר בתוכם".

בשלמא ביהודה אשבחן דאודי, דכתיב: "ויבר יהודה ואמר צדקה ממני". אלא ראובן מנלן דאודי?

דאמר רבי שמואל בר נחמני אמר רבי יוחנן, מאי דכתיב: "יחי ראובן ואל ימות. וזאת ליהודה"?

כל אותן שנים שהיו ישראל במדבר, היו עצמותיו של יהודה מגולגלין בארון, עד שעמד משה ובקש עליו רחמים. אמר לפניו: רבונו של עולם, מי גרם לראובן שהודה – יהודה, "וזאת ליהודה"?

And incidents that happened that are in the early writings, etc. – המעשים שאירעו בבתובים הראשונים וכו' – Rashi and the Meiri explain this phrase to mean that the priests cite examples of people who admitted their sins. However, the Rambam explains that the priests cite instances where great people sinned in sexual matters, e.g., Judah and Tamar, Reuben and Bilhah, David and Bathsheba, and Amnon and Tamar. This is to encourage the *sota* to come to terms with her actions if she is guilty so that she will confess.

Sockets [*shafa*] – שָׁפָא: There are those who hold that the source of this word is the Greek σῦψ, *sipue*, meaning a jar, bin, or box.

מִיד "שָׁמַע ה' קוֹל יְהוּדָה!" עַל אֵיבָרֶיהָ לְשָׁפָא. וְלֹא הָיָה קָא מַעֲיִלִין לִיהָ לְמַתִּיבְתָּא דְרָקִיעָא – "וְאֵל עֲמוֹ תְּבִיאֵנוּ". וְלֹא הָיָה קָא יָדַע מִשְׁקַל וּמִטָּרַח בְּשִׁמְעָתָא בְּהַדֵּי רַבָּנִין – "יָדִיו רַב לוֹ". לֹא הָיָה קָא סָלְקָא לִיהָ שִׁמְעָתָא אֲלִיבָא דְהִלְכְתָּא – "וְעִזּוֹר מִצָּרָיו תִּהְיֶה".

בְּשִׁלְמָא יְהוּדָה דְאֹדִי, כִּי הֵיכִי דְלָא תִישְׁרֹף תָּמָר. אֲלֵא רָאוּבֵן לָמַד לִיהָ דְאֹדִי? וְהָאֵמַר רַב שֶׁשֶׁת: חֲצִיף עָלֵי דְמַפְרִיט חֲטָאִיָּה! כִּי הֵיכִי דְלָא לִיחֲשָׁדוּ אַחֵוּהִי.

"אִם אָמְרָה טְמֵאָה אָנִי" וכו'. שְׁמַעְתָּ מִינָּה: כּוֹתְבִין שׁוֹבֵר!

אָמַר אַבְיִי, תִּנִּי: מְקַרְעַת. אָמַר לִיהָ רַבָּא: וְהָא שׁוֹבֵרַת קִתְּנִי! אֲלֵא אָמַר רַבָּא: בְּמָקוֹם שְׂאִין כּוֹתְבִין כְּתוּבָה עֲסָקִין.

"וְאִם אָמְרָה טְהוֹרָה אָנִי, מַעֲלִין אוֹתָהּ לְשַׁעֲרֵי מִזְרָח." מַעֲלִין אוֹתָהּ?

Immediately after Moses prayed, the verse states: "Hear, Lord, the voice of Judah" (Deuteronomy 33:7). His bones then entered their sockets [*shafa*],¹ and his skeleton was reassembled. But the angels still did not elevate him into the heavenly study hall. Moses then prayed: "And bring him in unto his people" (Deuteronomy 33:7), i.e., those in the heavenly study hall. This prayer was accepted, but he still did not know how to deliberate in Torah matters with the heavenly sages. Moses then prayed: "His hands shall contend for him" (Deuteronomy 33:7), meaning that he should have the ability to contend with them in study. But still he was unable to draw conclusions from his discussion in accordance with the *halakha*. Moses then prayed: "And You shall be a help against his adversaries" (Genesis 33:7).

The Gemara discusses the propriety of admitting one's sins in public. Granted, with regard to Judah, it was proper that he admitted his sin in public, as he did so in order that Tamar not be burned innocently. But why did Reuben admit his sin in public? But didn't Rav Sheshet say: I consider one who specifies his sins in public to be brazen,^{NH} as one who does so indicates that he is not embarrassed by his actions? The Gemara answers: The reason he admitted his sin in public was in order that his brothers should not be suspected of having committed the deed.

§ The mishna teaches: If after the judge's warning she says: I am defiled, she writes a receipt for her marriage contract. The Gemara comments: You can learn from this mishna that one writes a receipt to serve as proof that a debt has been paid rather than tearing the promissory note. This matter is the subject of a dispute between the *tanna'im* in tractate *Bava Batra* (170b).

Abaye said: Teach in the mishna differently. Rather than understanding that she writes a receipt, explain it to mean: She tears^N her marriage contract. Rava said to him: But the mishna teaches explicitly that she writes a receipt. Rather, to explain the mishna, Rava said: We are dealing with a place in which they do not write a marriage contract, as they rely on the rabbinical ordinance that all wives are entitled to the sum of a standard marriage contract upon divorce or being widowed, even if no marriage contract has been written. Because there is no marriage contract to tear, a receipt is written so that the man can prove that he no longer has a monetary obligation. However, generally, it is possible that the document would be torn, and no proof can be adduced from this mishna.

§ The mishna teaches: But if after the warning she maintains her innocence and says: I am pure, they would bring her up to the Eastern Gate. The Gemara asks: Would they bring her up?

NOTES

I consider one who specifies his sins in public to be brazen – חֲצִיף עָלֵי דְמַפְרִיט חֲטָאִיָּה: The *Tosefot HaRosh* (*Berakhot* 34b) explains that there is a distinction between a transgression done in public, for which one should confess in public in order to add shame as an element of one's repentance, and a transgression done in private, for which a public admission could be interpreted as a brazen statement that one is not embarrassed by his actions. The *Iyyun Ya'akov* notes that based on the same principle, those condemned to death are told to publicly admit to their sins, for

once one has been judged and their sins are now a matter of public record, it is proper to atone publicly.

Teach she tears – תִּנִּי מְקַרְעַת: While the term *shoveret*, in the context of documents of monetary obligations, means to write a receipt, Abaye suggests that it should be understood here in line with its more global meaning of breaking. According to this explanation, the mishna would mean that the marriage contract itself is broken, i.e., physically torn (*Shita Mekubbetzet*).

HALAKHA

I consider one who specifies his sins in public to be brazen – חֲצִיף עָלֵי דְמַפְרִיט חֲטָאִיָּה: It is proper that one who repents should admit the details of his sin not only before God, but in public. When is this principle applicable? Only with regard to transgressions against one's fellow man; but with regard to transgressions against God it is an act of brazenness to publicly divulge one's transgressions. According to the *Ra'avad* and others, if his trans-

gression against God was public knowledge, it is proper that he admit to it in public so as to publicize his repentance. Public confessions that are said by a congregation in unison are not subject to this principle, and may be said in any case (Rambam *Sefer HaMadda*, *Hilkhot Teshuva* 2:5; *Shulhan Arukh*, *Orah Hayyim* 607:2, and in the comment of Rema; see *Magen Avraham* and *Taz* there).