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Intro

Today we will Be"H learn מסכת סוטה of דף כ"ו.

Some of the topics we will learn about today include: אילונית

The Gemara brings a מחלוקת whether a woman inherently incapable of bearing children drinks the bitter waters.

ונקתה ונזרעה זרע

The Gemara brings two interpretations of what the Torah promises a woman who drank the waters and was proven innocent.



В

מתנוונה

The Gemara discusses what physical reaction to the waters is interpreted as a sign of guilt.

על ידי כל עריות מקנין

A husband can warn his wife against secluding with a particular individual, including her relatives. He can also warn her against secluding with

אחוף, an impotent man, and

עובד כוכבים, a non-Jew.

However, he cannot warn her not to seclude herself with קטן וכוי שאינו איש

A minor or an animal;

שכבת זרע פרט לדבר אחר

One can only warn his wife against having actual relations.

ביאה שלא כדרכה, unnatural relations, are included in this category. However,

, any other sort of physical intimacy is not included.









So let's review...

The Gemara earlier brought a מחלוקת regarding איילונית וזקינה ושאינה ראויה לילד

Women who cannot bear children;

The תנא מוא הנא אותות אלא, while רבי אליעזר maintains that שותות, they DO drink.

The Gemara brought an opinion that רבי אליעזר agrees that a איילונית does not drink, because

ונקתה ונזרעה זרע

מי שדרכה להזריע

יצאה זו שאין דרכה להזריע

Only a woman who CAN bear children drinks the waters, and a איילנות is inherently incapable of bearing children.



The Gemara challenges this Halachah from the following אברייתא, which elaborates on many of the Halachos discussed in our Mishnah:

המקנא לארוסתו ולשומרת יבם שלו

אם עד שלא כנסה נסתרה

לא שותה ולא נוטלת כתובתה

If the seclusion was while she was still an ארוסה ושומרת, she does NOT drink the waters. However, if משכנסה נסתרה

או שותה או לא נוטלת כתובה

If the seclusion was AFTER their subsequent marriage she DOES drink, because the warning while she's an ארוסה אבוסה is valid.





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3 The ברייתא continues מעוברת חבירו ומינקת חבירו לא שותות ולא נוטלות כתובה דברי רבי מאיר

שהיה רבי מאיר אומר

לא ישא אדם מעוברת חבירו ומינקת חבירו ואם נשא יוציא ולא יחזיר עולמית

רבי מאיר says that if someone marries an expectant or nursing woman they must get divorced, and may never remarry. Therefore, she is NOT ראויה לאישות, and does not drink

The חכמים disagree and say

יוציא

וכשיגיע זמנו לכנוס יכנוס

Since he may eventually remarry her, she IS ראוי לאישות, and therefore she DOES drink.

However.

מעוברת ומינקת עצמו

או שותה או לא נוטלת כתובתה

If someone warns his wife while she is expecting or nursing, she DOES drink, and we don't exempt her in order to spare her child.

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ברייתא The ברייתא concludes אשת ממזר לממזר ואשת נתין לנתין ואשת נתין לנתין אשת גר ועבד משוחרר ואיילונית

או שותה או לא נוטלת כתובה

All the above women DO drink; and if they choose not to, they forfeit their Kesubah.

The חידוש regarding the wife of a ממזר or נתין is that we don't say

אפושי פסולין לא ליפוש

It is preferable for her not to drink, so that she will be forbidden to him and they will divorce and not continue to have illegitimate children.

Similarly, the wife of a convert or freed slave drinks, even though the words דבר אל בני ישראל would exclude גרים, however, the superfluous phrase ואמרת אליהם includes them.

This איילונית explicitly states that a איילונית DOES drink. How can we say that everyone agrees that she does NOT drink?









5 The Gemara answers

תנאי היא

This ברייתא holds that she does drink; however, רבי שמעון בן אלעזר says

איילונית לא שותה ולא נוטלת כתובה

She does NOT drink, because of the aforementioned reason

ונקתה ונזרעה זרע מי שדרכה להזריע יצאה זו שאין דרכה להזריע

The רבנן of the Braisa on the other hand, utilize this Pasuk to teach us the reward for a woman who is proven innocent:

שאם היתה עקרה נפקדת

דברי רבי עקיבא

According to רבי עקיבא, if she was barren she will bear children. However,

אמר לו ר' ישמעאל

אם כן יסתרו כל העקרות ויפקדו

?וזו הואיל ולא נסתרה הפסידה

רבי ישמעאל argues that it is not plausible that barren women will seclude themselves and thereby merit children, while those who refrain from doing so will remain childless? Therefore, he says

שאם היתה יולדת בצער יולדת בריוח

נקבות יולדת זכרים

קצרים יולדת ארוכים

. שחורים יולדת לבנים

The blessing is that she will experience easier births, and have more desirable children.

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6 TI

The Mishnah on דף כ"ד continues discussing which women drink the bitter waters

Zugt di Mishnah

אשת כהן שותה

ומותרת לבעלה

The wife of a Kohen drinks the waters and then becomes permitted to her husband.

פשיטא, this seems to be obvious?

Therefore, the Gemara explains

מתנוונה

If her condition deteriorates, then she is אסורה לבעלה, she's forbidden to her husband, because

הא בדקוה מיא, she was tested and proven guilty!

However, the Mishnah is speaking of

מתנוונה דרך אברים

If the waters affect only certain parts of her body, such as her head, but not her stomach and thighs, she is permitted to her husband, because she is clearly innocent. And the Gemara explains that we might have thought that

Her deterioration proves that she WAS defiled, and הא דלא בדקה מיא כי אורחיה

משום דבאונס זנאי

We could attribute her unusual symptoms and not dying to her having been defiled באונס, against her will, and she's therefore innocent. However, she would nevertheless be forbidden to her husband, because a Kohein is forbidden even to a אנוסה. The Mishnah therefore tells us that she is permitted.

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7

The Mishnah continues

אשת סריס שותה

The wife of a sterile man drinks the waters, and we do NOT infer from the Pasuk מבלעדי אישך that she drinks only if she can conceive by him. Rather, the Pasuk teaches למיקדם שכיבת בעל לבועל

He can only make her drink if they had relations before her seclusion. אשת סרים שותה •

We do NOT infer from the Pasuk

בלבלעדי אישך

that she drinks only if she can conceive by him

Rather, the Pasuk teaches

למיקדם שכיבת בעל לבועל

He can only make her drink

if they had relations before her seclusion

The Mishnah continues ע"י כל עריות מקנין

A husband can warn his wife not to be secluded with any particular person, including her relatives. Although the Pasuk says

נטמאה נטמאה שני פעמים

אחד לבעל ואחד לבועל

Forbidding her to the adulterer as well, and in this case אסורה וקיימא

She was already forbidden to her relative BEFORE the suspected adultery?

The Mishnah teaches us that the Pasuk's intention is NOT to exclude this case, but merely to forbid her to the adulterer where he's not a relative.

ע"י כל עריות מקנין

Although

לטבואה לטבואה – שני פעמים אחד לבעל ואחד לבועל and in this case

אסורה וקיימא

The Pasuk's intention
is NOT to exclude this case,
but merely to forbid her to the adulterer
where he's not a relative







However, the Mishnah adds

A warning not to seclude with a minor is NOT valid, because

איש אמר רחמנא ולא קטן

The word איש excludes a minor. AND

וממי שאינו איש

He cannot warn her against secluding with one who is not

The Gemara explains that this cannot refer to a שחוף, an impotent man, because the ברייתא states explicitly שחוף מקנין על ידו

ופוסל בתרומה

He CAN warn her against secluding with an impotent man, even though the Pasuk says

ושכב איש אותה שכבת זרע

והא לאו בר הכי הוא

And he is not capable of being intimate with her.

Similarly, it cannot refer to an עובד כוכבים, a non-Jew, because the ברייתא states עובד כוכבים מקנין על ידו

ופוסל בתרומה

He can warn her not to seclude with a non-Jew, even though he is forbidden to her anyway.

Rather, the Gemara concludes that אינו איש refers to a בהמה. He cannot warn her against secluding with an animal, because

אין זנות בבהמה

It is not considered having relations.





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10

Having established that one CAN warn against a אחוף, the Gemara now explains that the Pasuk שכבת זרע IS excluding שכבת זרע, another matter, a euphemism for a different immoral activity.

This cannot refer to

קינא לה שלא כדרכה

Warning her against having unnatural relations, because משכבי אשה כתיב

This is considered relations regarding all Halachos.

Rather, it either excludes קינא לה בנשיקה

He warned her against the very beginning stage of a ביאה, according to the opinion that

העראה זו הכנסת עטרה

Only an intermediate stage of ביאה is considered relations. OR, it excludes

קינא לה דרך אברים

He warned her against all physical intimacy, according to the opinion that

העראה זו נשיקה

This beginning stage IS also considered ביאה.

The Gemara explains the need to exclude קינא לה דרך אברים, even though

פריצותא בעלמא היא

It is merely promiscuous behavior, and not actual relations? Nevertheless, we might have thought בקפידא דבעל תליא רחמנא

ובעל הא קא קפיד

The Pasuk makes her status dependent on her husband's objections, and he clearly objected to such behavior; nonetheless, since it is not actual relations, it is not a valid warning.





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