

**מתני' המקנא לאשתו, רבי אליעזר אומר: מקנא לה על פי שנים, ומשקה על פי עד אחד או על פי עצמו; רבי יהושע אומר: מקנא לה על פי שנים ומשקה על פי שנים.**

**ביד מקנא לה? אומר לה בפני שנים "אל תדברי עם איש פלוני", ודברה עמו – עדיין היא מותרת לביתה ומותרת לאכול בתרומה.**

**נכנסה עמו לבית הסתר ושהתה עמו כדי טומאה – אסורה לביתה ואסורה לאכול בתרומה. ואם מת – חולצת ולא מתיבמת.**

**גמ' מכדי תנא מניור סליק, מאי תנא דקא תנא סוטה?**

**כדדבי, דתנא, רבי אומר: למה נסמכה פרשת נזיר לפרשת סוטה? לומר לך, שכל הרוצה סוטה בקלוקלה יזיר עצמו מן היין.**

**MISHNA** With regard to one who issues a warning<sup>N</sup> to his wife not to seclude herself with a particular man, so that if she does not heed his warning she will assume the status of a woman suspected by her husband of having been unfaithful [*sota*], **Rabbi Eliezer says: He issues a warning to her based on, i.e., in the presence of, two<sup>H</sup> witnesses for the warning to be effective.** If two witnesses were not present for the warning, she is not a *sota* even if two witnesses saw her seclusion with another man. **And the husband gives the bitter water to her to drink based on the testimony of one witness** who saw the seclusion, **or even based on his own testimony** that he himself saw them secluded together, as Rabbi Eliezer holds that only the warning requires witnesses, not the seclusion. **Rabbi Yehoshua says: He both issues a warning to her based on two witnesses and gives the bitter water to her to drink based on the testimony of two<sup>H</sup> witnesses.**

The mishna asks: **How does he issue a warning to her in an effective manner? If he says to her in the presence of two witnesses: Do not speak with the man called so-and-so,<sup>H</sup> and she nevertheless spoke with him, she is still permitted to her home, i.e., she is permitted to engage in sexual intercourse with her husband, and if she is the wife of a priest she is still permitted to partake of *teruma*.<sup>B</sup>**

However, if after he told her not to speak with so-and-so, **she entered into a secluded place and remained with that man<sup>H</sup> long enough to become defiled, i.e., sufficient time to engage in sexual intercourse, she is forbidden to her home** from that moment until she undergoes the *sota* rite. **And likewise, if she was the wife of a priest she is prohibited from partaking of *teruma*,<sup>H</sup> as she was possibly disqualified by her infidelity, so long as her innocence is not proven by means of the bitter water. And if her husband dies childless before she drinks the bitter water, she perform *halitza* with her late husband's brother and may not enter into levirate marriage,<sup>H</sup> as, if she had been unfaithful, levirate marriage is forbidden.**

**GEMARA** The Gemara questions the placement of this tractate within the mishnaic order of *Nashim*. Now, the *tanna* arose from tractate *Nazir*, which is the tractate preceding *Sota* in the order of the Mishna. **What did he teach in *Nazir* that required that he teach tractate *Sota* immediately afterward, as at first glance there seems to be no connection between this tractate and *Nazir*?**

The Gemara answers: This was done in accordance with the statement of Rabbi Yehuda HaNasi with regard to the sequence of passages in the Torah, as it is taught in a *baraita* that Rabbi Yehuda HaNasi says: **Why is the portion of a nazirite (Numbers, chapter 6) placed adjacent to the portion of a *sota* (Numbers, chapter 5)? This was done to tell you that anyone who sees a *sota* in her disgrace as she undergoes the rite of the bitter water should renounce<sup>N</sup> wine, as wine is one of the causes of sexual transgression, as it loosens inhibitions. For the same reason that the Torah teaches these passages one after the other, Rabbi Yehuda HaNasi arranged these tractates one after the other.**

#### BACKGROUND

To partake of *teruma* – לאכול בתרומה: The Torah bestows twenty-four different awards on priests, who serve the entire community in the Temple and do not receive a portion in Eretz Yisrael. One of these awards is *teruma*, which must be eaten or

used in a state of ritual purity by the priests, who confer that right on other members of their household, including their wives, children, slaves, and animals.

#### NOTES

**One who issues a warning [hamekaneh] – המקנא:** As Rashi and other commentaries note, this term is used based on the language in the verse in this context: "And he warned [*vekinneh*] his wife" (Numbers 5:14). The commentaries, however, differ as to the precise implications of this term, *hamekaneh*, as well as the meaning of the term *vekinneh* used in the verse. Some explain that it is referring to a warning (Rambam's Commentary on the Mishna; *Tosefot HaRosh*). Others explain that it is a term indicating anger and annoyance (see *Tosefot Yom Tov*). In truth, the interpretation of this term is dependent upon the dispute (see 3a) as to whether it is proper for a suspicious husband to issue a warning to his wife.

**Should renounce, etc. – יזיר עצמו וכו':** Some understand that the Gemara is not advising one to actually become a nazirite, as the Gemara in tractate *Nazir* (19a) states that the acceptance of a vow of naziriteship is a sin. Rather, the Gemara means that those who see a *sota* in her disgrace should reduce their consumption of wine (*Be'er Sheva*; see *Tosafot* on *Nazir* 2a).

#### HALAKHA

**He issues a warning to her based on two – מקנא לה על פי שנים:** A man issues a warning to his wife by stating in the presence of two witnesses: Do not seclude yourself with so-and-so (Rambam *Sefer Nashim*, *Hilkhot Sota* 1:1; *Shulhan Arukh*, *Even HaEzer* 178:2).

**And gives to her to drink based on two – ומשקה על פי שנים:** The seclusion described in the verse is where a woman is secluded with the specific man about whom she was warned and there are two witnesses attesting to this seclusion, in accordance with Rabbi Yehoshua's opinion, based on the principle that his opinion is accepted in his disputes with Rabbi Eliezer (Rambam *Sefer Nashim*, *Hilkhot Sota* 1:2; *Shulhan Arukh*, *Even HaEzer* 178:4).

**Do not speak with the man called so-and-so – אל תדברי – עם איש פלוני:** If one says to his wife in the presence of two witnesses: Do not speak with so-and-so, it is not a warning, and she remains permitted to her husband even if she secludes herself with that man (Rambam *Sefer Nashim*, *Hilkhot Sota* 1:4; *Shulhan Arukh*, *Even HaEzer* 178:6).

**She entered into a secluded place and remained with that man, etc. – נכנסה עמו לבית הסתר ושהתה עמו וכו':** If one issued a warning to his wife about secluding herself with a specific man and she secluded herself with him for a sufficient amount of time to engage in sexual intercourse, she is forbidden to her husband unless she is found innocent through the *sota* rite (Rambam *Sefer Nashim*, *Hilkhot Sota* 1:2; *Shulhan Arukh*, *Even HaEzer* 178:4).

**And she is prohibited from partaking of *teruma* – ואסורה – לאכול תרומה:** If two valid witnesses testify that a woman married to a priest was properly warned by her husband, and she subsequently secluded herself with the man about whom she was warned, it is prohibited for her to partake of *teruma* until she drinks the bitter water. If her husband dies before she is able to drink the bitter water, or if she is unable to drink the water for some other reason, she is permanently prohibited from partaking of *teruma*, as she may have committed adultery (Rambam *Sefer Zera'im*, *Hilkhot Terumat* 8:15).

**She performs *halitza* and may not enter into levirate marriage – חולצת ולא מתיבמת:** If a married woman secludes herself with another man after having been warned by her husband, and her husband dies without children before she drinks the bitter water, she performs *halitza* with her husband's brother and may not enter into levirate marriage (Rambam *Sefer Nashim*, *Hilkhot Yibbum* 6:19; *Shulhan Arukh*, *Even HaEzer* 173:11).

When Reish Lakish would introduce – **כִּי הָיָה פֶּתַח רִישׁ – לְקִישִׁי**: The phrase: Would introduce, is often found in aggadic midrash, and it was regularly used to introduce a lecture on a specific topic by use of an aggadic interpretation of a verse that would facilitate a novel approach to that topic. Some explain that Reish Lakish would teach this statement to explain why, as the Gemara will note is the opinion of some *tanna'im*, it is prohibited for a husband to issue a warning to his wife. As the aggadic interpretation explains, a spouse is designated in accordance with one's own behavior, and since the Gemara (28a) notes that the bitter water is ineffective if her husband is guilty of adultery, before issuing a warning to one's wife one should examine one's own behavior. According to this understanding, the conclusion of the Gemara noting a distinction between a first and second match also relates to this issue, as it indicates that there are still occasions when a warning is appropriate (*Yagel Ya'akov*).

As the splitting of the Red Sea – **בְּקָרְעֵית יַם סוּף**: The early commentaries discuss why it is that the Gemara compares matchmaking to the splitting of the sea, rather than the actual exodus from Egypt, which is the subject of the verse quoted in the Gemara. Some explain that the term *bakosharot* in the verse alludes to the splitting of the sea, as it is a contraction of *bebekhi uveshirot*, with crying and singing, referring to the crying of the Egyptians and the singing of the Jews (*Tosefot HaRosh*).

The daughter of so-and-so, etc. – **בֵּת פְּלוֹנִי וְכוּ'**: *Tosafot* infer from this formulation that a Divine Voice issues forth at the time that the man is formed, at which time his future mate might not be born yet, and therefore she is referred to only by her father's name (see *Maharsha*). Other early commentaries explain that the Divine Voice issues forth when the first of the couple is born, regardless of whether it is the male or the female.

This is with regard to a first match, etc. – **הָא בְּזוּג רִאשׁוֹן**: *Tosefot HaRash* explains that the term second match is applicable only if it is a second marriage for both the man and the woman. If either spouse has not yet been married, it is still referred to as a first match. The *Be'er Sheva*, based on the esoterica, explains that the term first match refers to the divinely ordained mate of an individual, whereas the phrase second match refers to one matched with a person based on their actions, and it may be that one will marry only the second match. There is a certain similarity between this explanation and that of the Meiri, who explains that a first match refers to one who marries at a young age, when one is too young to be matched based on his actions, and therefore the mate is ordained by a Divine Voice, while a second match refers to one who marries at an older age, since his conduct can be evaluated to ordain a fitting match.

## LANGUAGE

Match [*zivug*] – **זָוַג**: Although this word as well as several others derived from it are found in ancient Hebrew and in other Semitic languages, it is believed that the original source is the Greek *ζυγόν*, *zugon*, which refers to a team of two oxen, or yoke. It was extended to include any grouping together of two entities, and is used by the Sages with specific emphasis on the joining of a couple in marriage.

## HALAKHA

With regard to defilement one witness is deemed credible – **בְּטוּמְאָה עַד אַחַד מֵהֵימֵן**: If a woman had been warned by her husband, and witnesses testify with regard to the seclusion, then even if only one witness testifies that she engaged in sexual intercourse with the man, she is permanently forbidden to her husband and does not drink the bitter water, but she is divorced without receiving payment of her marriage contract (Rambam *Sefer Nashim*, *Hilkhot Sota* 1:14; *Shulhan Arukh*, *Even HaEzer* 178:14).

וְלִיתִינִי סוּטָה וְהָדָר לִיתִינִי נוֹרָא! אֵינִי דִּתְנָא כְּתוּבָת תְּנָא "הַמְדִיר" תְּנָא נְדָרִים, וְאֵינִי דִּתְנָא נְדָרִים תְּנָא נוֹרָא דְרַמֵּי לְנְדָרִים, וְקָתְנִי סוּטָה כְּדָרְבִּי.

"הַמְקַנָּא" – דִּיעֵבַד אֵין, לְכַתְחִילָה לָא. קַסְבַּר תְּנָא דִּיעֵבַד: אֶסוּר לְקַנָּאוֹת.

אָמַר רַב שְׁמוּאֵל בַּר רַב יְצַחְקִי: כִּי הָיָה פֶּתַח רִישׁ לְקִישִׁי בְּסוּטָה, אָמַר הַכִּי: אֵין מְזוּוּגִין לֹא לְאָדָם אִשָּׁה אֶלָּא לְפִי מַעֲשָׂיו, שְׁנָאֵמַר: "כִּי לֹא יִנְחַשׁ שֶׁבֶט הַרְשָׁע עַל גּוֹרֵל הַצְּדִיקִים". אָמַר רַבָּה בַּר בַּר חֲנָה אָמַר רַבִּי יוֹחָנָן: וְקָשִׁין לְזוּגֵן בְּקָרְעֵית יַם סוּף, שְׁנָאֵמַר: "אֵלֶּהִים מוֹשִׁיבֵי יְהִידִים בֵּיתָה מוֹצִיא אֶסְרִים בְּבוֹשְׁרוֹת".

אֵינִי? וְהָא אָמַר רַב יְהוּדָה אָמַר רַב: אֲרַבְעִים יוֹם קוֹדֵם יְצִירַת הַזָּרָה, בַּת קוֹל יוֹצֵאת וְאוֹמֶרֶת: בֵּת פְּלוֹנִי לְפְלוֹנִי, בֵּית פְּלוֹנִי לְפְלוֹנִי, שְׂדֵה פְּלוֹנִי לְפְלוֹנִי! לֹא קָשִׁיא: הָא בְּזוּג רִאשׁוֹן, הָא בְּזוּג שֵׁנִי.

"רַבִּי אֱלִיעֶזֶר אוֹמַר: מְקַנָּא לָהּ עַל פִּי שְׁנַיִם" וכו'. עַד כַּאֲן לֹא פְּלִיגִי אֶלָּא בְּקִינוּי וְסִתְרָה, אֶבְל בְּטוּמְאָה – עַד אַחַד מֵהֵימֵן.

The Gemara asks: **But** if so, **let** him teach tractate *Sota* first and then let him teach tractate *Nazir*, which is the way these topics are ordered in the Torah, and also accords better with the statement of Rabbi Yehuda HaNasi. The Gemara answers: **Since** the *tanna* taught tractate *Ketubot*, and in that tractate he taught a chapter that begins: **One who vows**, in which there are several *mishnayot* concerning vows between husbands and wives, he then taught tractate *Nedarim*, whose subject is the *halakhot* of vows. **And since** he taught tractate *Nedarim*, he then taught tractate *Nazir*, which is similar to tractate *Nedarim* in that one becomes a nazirite by taking a vow. **And** he then teaches tractate *Sota*, in accordance with the statement of Rabbi Yehuda HaNasi.

§ The Gemara begins clarifying the mishna. The mishna states: **One who issues a warning** to his wife. By employing the descriptive phrase: One who issues a warning, and not the prescriptive phrase: One issues a warning, the *tanna* indicates that **after the fact**, yes, it is effective if he issues a warning in this manner, but ideally, **no**, one should not issue a warning to his wife at all *ab initio*. Apparently, **the tanna of our mishna holds** that it is **prohibited to issue a warning** to one's wife *ab initio* in a manner that can cause her to become a *sota*, and all the *halakhot* concerning a *sota* are for one who issued a warning when not obligated to do so.

Rav Shmuel bar Rav Yitzhak says: **When Reish Lakish would introduce<sup>n</sup>** his discussion of the Torah passage of *sota* he would say **this**: **Heaven matches a woman to a man only according to his actions**, as it is stated: "For the rod of wickedness shall not rest upon the lot of the righteous" (Psalms 125:3), indicating that if one has a wicked wife it is due to his own evil conduct. **Rabba bar bar Hana says that Rabbi Yoḥanan says: And it is as difficult to match** a couple together as was the **splitting of the Red Sea<sup>n</sup>**, as it is stated in a verse that speaks of the exodus from Egypt: "God makes the solitary individuals dwell in a house; He brings out prisoners into prosperity [*bakosharot*]" (Psalms 68:7). God takes single individuals and causes them to dwell in a house by properly matching a man to a woman. This is similar to the exodus from Egypt, which culminated in the splitting of the Red Sea, where He released prisoners into prosperity.

The Gemara asks: **Is that so** that a man is matched to a woman according to his actions? **But Rav Yehuda says that Rav says: Forty days before an embryo is formed a Divine Voice issues forth and says: The daughter of so-and-so<sup>n</sup> is destined to marry so-and-so; such and such a house is destined to be inhabited by so-and-so; such and such a field is destined to be farmed by so-and-so.** This clearly states that these matters, including marriage, are decreed for a person even before he is formed. The Gemara answers: This is **not difficult**. This statement that Rav Yehuda says in the name of Rav is **with regard to a first match** [*zivug*],<sup>ML</sup> while this statement of Rabba bar bar Hana in the name of Rabbi Yoḥanan is **with regard to a second match**. A first match is decreed in heaven; a second match is according to one's actions.

§ The Gemara now clarifies the dispute in the mishna. **Rabbi Eliezer says**: The husband must **issue a warning to her based on**, i.e., in the presence of, **two witnesses**, and he gives the bitter water to her to drink based on the testimony of one witness. Rabbi Yehoshua says: He both issues a warning to her based on two witnesses and gives the bitter water to her to drink based on the testimony of two witnesses who saw them secluded together. The Gemara notes: Rabbi Eliezer and Rabbi Yehoshua **disagree only with regard to** the requisite number of witnesses for the **warning and the seclusion**, whether one or two witnesses are required, **but with regard to** the testimony concerning **defilement** after the warning was issued and seclusion had occurred, they agree that even the testimony of **one witness is deemed credible<sup>d</sup>** to establish that the woman actually engaged in sexual intercourse with the man while secluded.

ותנן נמי: עד אֶחָד אוֹמֵר אֲנִי רָאִיתִי  
שְׁנֵי טַמְאָת – לֹא הִיְתָה שׁוֹתָה.

The Gemara comments: **And we learned also** in another mishna (31a) that if a **single witness** says: **I saw that she was defiled**, then **she would not drink** the bitter water, as the testimony is accepted, and her husband must divorce her and she forfeits payment of her marriage contract. Therefore, there is no need to perform the *sota* rite.

מִדְּאֻרֵי יִתָּא מִנְלָן דְּמַהִימֵן עַד אֶחָד?  
דְּתַנּוּ רַבְנֵי: "וְעַד אֶין בָּהּ" – בְּשֵׁנִים  
הַכְּתוּב מְדַבֵּר.

The Gemara asks: **By Torah law, from where do we derive that one witness is deemed credible** with regard to testifying that a *sota* engaged in sexual intercourse? The Gemara answers: **As the Sages taught** in reference to the verse describing the circumstances in which a woman defiled through an act of adultery becomes forbidden to her husband, which states: "And a man lie with her carnally and it be hid from the eyes of her husband, she being defiled secretly, **and there is no witness [ed] against her**" (Numbers 5:13), **the verse is speaking of a lack of two witnesses**. When the verse refers to the lack of an *ed*, written in the singular, it actually indicates that there are not two witnesses against her, but only one, as the *baraita* will now explain.

אוֹ אֵינּוּ אֶלְא אֶפִּילוּ בְּאֶחָד? תְּלִמוּד  
לוֹמֵר: "לֹא יָקוּם עַד אֶחָד בְּאִישׁ".

The *baraita* continues and asks: **Or perhaps the verse is referring only** to a case where there was not **even one** witness to the act of sexual intercourse, as the singular usage of the word *ed* would seem to indicate? The *baraita* now proves that elsewhere the word *ed* is used to indicate two witnesses, as **the verse states**: "**One witness [ed] shall not rise up against a man** for any iniquity or any sin that he sins; by the mouth of two witnesses or by the mouth of three witnesses shall a matter be established" (Deuteronomy 19:15).

## Perek I

### Daf 2 Amud b

מִמִּשְׁמַע שְׁנֵאֲמַר: "לֹא יָקוּם עַד  
בְּאִישׁ", אֵינִי יוֹדֵעַ שֶׁהוּא אֶחָד? מַה  
תְּלִמוּד לוֹמֵר "אֶחָד"? זֶה בְּנֵה אָב: כָּל  
מְקוֹם שְׁנֵאֲמַר "עַד", הֲרֵי כָּאֵן שְׁנֵימָּס,  
עַד שֶׁיִּפְרוֹט לָךְ הַכְּתוּב "אֶחָד".

The *baraita* infers a general principle from this verse by asking: **By inference from that which is stated** in the verse, even with the omission of the word "one": "**A witness shall not rise up against a man**" (Deuteronomy 19:15), **do I not know that it is referring to one witness**, as the term "rise up [*yakum*]" is written in the singular form? **What is the meaning when the verse states explicitly**: "**One witness**," since it is obviously referring to only one witness? The *baraita* answers: **This established a paradigm**: that **every place** where the word "**witness [ed]**" is stated in the Torah without specifying a number, **there are two witnesses here, unless the verse specifies** that it is referring to only one witness by writing the word "**one**."

וְאָמַר רַחֲמֵנָּא: תְּרִי לִית בָּהּ אֶלְא חַד,  
וְהִיא לֹא נִתְפְּשָׁה – אֶסְוֶיהָ.

The *baraita* returns to discuss the verse concerning a *sota*. **And the Merciful One states**: "There is no witness [*ed*] against her" (Numbers 5:13), which therefore means that **there are not two witnesses** to the sexual intercourse that could testify **with regard to her**; **rather**, there is only **one** witness. The *baraita* completes its interpretation: Further in the verse it states: "**And she was not taken**," indicating that the verse is referring to a case in which it is known that the woman had not been raped. This knowledge is based on the testimony of only one witness, as the verse had already stated that there were not two witnesses, and since one witness saw her willingly engage in sexual intercourse with another man, **she is forbidden**.



אֶלָּא טַעֲמָא דְּכַתִּיב: "לֹא יָקוּם יֵד אֶחָד בְּאִישׁ", הָא לֹא הָכִי הוּא אֲמִינָא יֵד דְּסוּטָה חַד הוּא. וְאִי אֶפְּלוּ חַד לִיבָא, אֶלָּא בְּמֵאִי מִיתְּסָרָא?

איצטריך, סלקא דעתך אמינא: "עד אין בה" - אין נאמן בה.

אין נאמן בה? ואלא מאי בעי?

עד דאיבא תרי, לישתוק קרא מיניה, דאתיא "דבר" "דבר" מממון, ואנא ידענא, מידי דהיה אכל עדיות שבתורה!

איצטריך, סלקא דעתך אמינא: סוטה שאני, דרגלים לדבר, שהרי קינא לה ונסתרה, ליתיהמן בה עד אחד.

ומי מצית אמרת דאין נאמן בה ושריא? והא מדכתוב "והיא לא נתפשה", מכלל דאסורה!

The Gemara questions this reasoning: **But** this would seem to indicate that **the only reason** to interpret the verse concerning a *sota* as referring to a case where there is only one witness is **that it is written** in the other verse: "**One witness shall not rise up against a man**" (Deuteronomy 19:15), indicating that any unspecified usage of the word *ed* in the Torah refers to two witnesses, **but** were it **not** for **this** inference, **I would say** that when the term **witness** is employed in the verse **concerning a *sota*** it is referring to **one** witness. However, this would mean that the woman is forbidden to her husband even if there is not even one witness who saw the alleged sexual intercourse, **and if there is not even one** witness to testify, **then with what testimony does she become forbidden** to her husband? Obviously, even without another verse, it must be understood that the verse is indicating that there are not two witnesses but there is one, or else there would be no testimony to her actions.

The Gemara answers: It was **necessary** to infer the interpretation of the verse concerning the *sota* from the other verse mentioning one witness. Otherwise it might **enter your mind to say** that the verse here that states: "**There is no witness against her,**" means that a single witness testifying about the sexual intercourse is **not deemed credible with regard to her** under any circumstances, and the testimony of one witness is not accepted in the case of a *sota*.

The Gemara questions this analysis: What would be the logic in interpreting the verse as indicating that a single witness is **not deemed credible with regard to her**? **But** if that is the interpretation, **what** does the verse **require** in order for a *sota* to be rendered forbidden?

The Gemara explains its question: If the verse is understood as indicating that a woman isn't forbidden **until there are two witnesses** to testify to her infidelity, then **let the verse be silent from** any mention of witnesses, as the requirement for two witnesses in matters of sexual impropriety is **derived** by means of a verbal analogy **from** the word "**matter**" written with regard to forbidden relations, and the word "**matter**" written with regard to **monetary matters**. The verbal analogy by which it is learned that two witnesses are required is as follows: A verse concerning forbidden relations states: "Because he has found some unseemly matter about her" (Deuteronomy 24:1), and a verse concerning monetary matters states: "By the mouth of two witnesses or by the mouth of three witnesses shall a matter be established" (Deuteronomy 19:15). **And I would know** that the requirement that two witnesses testify applies in the case of a *sota*, **just as it does in all** other matters of **testimony in the Torah**.

The Gemara answers: It was **necessary** that the verse be stated in the case of a *sota* as well, for it might **enter your mind to say** that testimony concerning a *sota* is **different** from other testimony, and even testimony of one witness would be sufficient **because** there is a **basis for** anticipating **the matter**. **Since** the husband issued a **warning to her** about this particular man **and she** then **secluded** herself with him, perhaps even **one witness should be deemed credible with regard to her**. Therefore, the verse informs us that one witness is not deemed credible to render her forbidden to her husband.

The Gemara asks another question concerning its earlier analysis: **But how can you think to say** that the verse would be stating that one witness is **not deemed credible with regard to her** having engaged in sexual intercourse **and she** would remain **permitted** to her husband? **But from** the continuation of the same verse, from the fact **that it is written**: "**And she was not taken,**" which indicates that the verse is referring to a case where she was not raped, one concludes **by inference** that the verse is referring to a woman **who** becomes **forbidden** to her husband for engaging in consensual adulterous sexual intercourse.

With regard to it but not with regard to the warning – **בְּהָ וְלֹא בְּקִינֵי**: In the Jerusalem Talmud it is explained that this dispute is related to another dispute. Rabbi Eliezer's opinion is in accordance with the opinion of Beit Shammai (*Gittin* 90a) that one may not divorce his wife unless she committed adultery. As such, it must be that he can have her drink the bitter water to clarify her status even if there is only one witness with regard to the seclusion. Otherwise, the husband would remain without any options, as he may neither divorce her nor continue living with her. By contrast, Rabbi Yehoshua's opinion is in accordance with the opinion of Beit Hillel (*Gittin* 90a) that one can divorce his wife if he finds any fault in her. Therefore, if there is testimony of one witness that she secluded herself, he has the option to divorce her, and it is not necessary to perform the *sota* rite.

With regard to it but not with regard to the seclusion, etc. – **בְּהָ וְלֹא בְּקִינֵיהָ וְכוּ'**: In the Jerusalem Talmud it is explained that the dispute with regard to the number of witnesses is predicated upon alternative interpretations of the verse: "He has found some unseemly matter [*davar*] about her" (Deuteronomy 24:1). Everyone agrees that the expression "he has found" refers to having found out by means of the testimony of witnesses. The dispute concerns the meaning of the expression "an unseemly matter." According to Rabbi Yehoshua, it refers to having found out through witnesses about the unseemly matter of his wife secluding herself with another man. By contrast, Rabbi Eliezer interprets the word "matter [*davar*]" as related to the similar word *dibbur*, meaning speech. Consequently, he interprets that the actual speaking involved in the *sota* process must be found through witness testimony. Therefore, only the warning, not the seclusion, must be testified about by two witnesses.

The Gemara answers: Nevertheless, it still was necessary to teach the principle derived from the other verse that the term "*ed*" is referring to two witnesses even in the context of a *sota*, as it might enter your mind to say that the verse should be understood to mean that one witness is not deemed credible with regard to her, and she remains permitted until there are two witnesses who testify to the sexual intercourse, and with the testimony of two witnesses as well, it is only when she was not seized and forced to cohabit with the man. Therefore, to refute this possible interpretation, the *baraita* teaches us that "*ed*" always refers to two witnesses unless stated otherwise. Therefore, the phrase in the verse concerning a *sota* that says: "There is no witness [*ed*] against her," means that there were not two witnesses, but if there was only one witness he is deemed credible.

The mishna teaches that Rabbi Yehoshua says: He both issues a warning to her based on two witnesses, and he gives the bitter water to her to drink based on the testimony of two witnesses who saw her secluded. The Gemara asks: What is the reasoning of Rabbi Yehoshua? The Gemara answers: The verse states: "And there is no witness [*ed*] against her [*bah*]" (Numbers 5:13), which was explained to mean there were not two witnesses, but only one, who testified concerning her defilement. Rabbi Yehoshua derives from the term *bah*, which could also be understood as: With regard to it, that in this matter of defilement one witness suffices, but not with regard to the warning. Additionally, he derives: With regard to it, but not with regard to the seclusion. Therefore, there must be two witnesses to testify about both the warning and the seclusion.

The Gemara now explains Rabbi Eliezer's opinion. And Rabbi Eliezer says that the only derivation to be learned is: With regard to it, but not with regard to the warning.<sup>n</sup> Therefore, the warning, unlike the defilement, requires two witnesses. The seclusion is not contrasted with the defilement, and, like the defilement, requires only one.

The Gemara questions Rabbi Eliezer's opinion: But why not say that one should also derive: With regard to it, but not with regard to the seclusion,<sup>n</sup> as does Rabbi Yehoshua? The Gemara answers: Rabbi Eliezer does not accept that derivation, as seclusion is juxtaposed to defilement by the verse, as it is written: "And she was defiled secretly" (Numbers 5:13), and the term "secretly" is referring to seclusion. Therefore, the same *halakha* should apply to both.

The Gemara asks: But the warning is also juxtaposed to defilement, as it is written: "And he warned his wife, and she had become defiled" (Numbers 5:14) and the same *halakha* should apply to both. The Gemara answers: The Merciful One excluded at least one of the two by use of the expression *bah*, which teaches that in one matter other than defilement, two witnesses are required.

The Gemara asks: And what did you see to determine that the exclusion from the *halakha* of one witness sufficing is with regard to the warning? Perhaps the exclusion from the *halakha* of one witness sufficing is with regard to the seclusion. The Gemara answers: It stands to reason that it is preferable to compare seclusion to defilement, as testimony with regard to seclusion forbids her to her husband just as testimony with regard to defilement does.

The Gemara rejects this reasoning: On the contrary, it is preferable to compare the warning to the defilement, as it is the main cause of her becoming forbidden. Seclusion alone, absent a warning, would not cause her to be forbidden to her husband.

The Gemara counters: If there is no seclusion, is there any significance to the warning? The warning results in a prohibition only after the warned woman secludes herself with the man. The Gemara counters: And if there is no warning, what effectiveness does seclusion have? Both the warning and the seclusion are required for her to be forbidden.

אֵינְךָ מְשַׁמֵּעַ לָן. קָא מְשַׁמֵּעַ לָן. הִיא דְלֹא נִתְפָּשָׂה. קָא מְשַׁמֵּעַ לָן.

רַבִּי יְהוֹשֻׁעַ אוֹמֵר: מִקְנֵא לָהּ עַל פִּי שְׁנַיִם וְכוּ'. מֵאֵי טַעְמָא דְרַבִּי יְהוֹשֻׁעַ? אָמַר קָרָא: "בְּהָ", בְּהָ – וְלֹא בְּקִינֵי, בְּהָ – וְלֹא בְּקִינֵיהָ.

וְרַבִּי אֱלִיעֶזֶר אוֹמֵר: בְּהָ – וְלֹא בְּקִינֵי.

וְאֵימָא: בְּהָ – וְלֹא בְּקִינֵיהָ! סְתִירָה אֵיתִקְשׁ לְטוּמְאָהּ, דְּכִתְיִב: "וְנִסְתָּרָה וְהִיא נִסְתָּרָה".

קִינֵי נִמִּי אֵיתִקְשׁ לְטוּמְאָהּ, דְּכִתְיִב: "וְקִנְיָא אֶת אִשְׁתּוֹ וְהִיא נִסְתָּרָה"! הָא מִיַּעַט רַחֲמֵנָא "בְּהָ".

וְיֵמָּה רְאִיתָ? מִסְתַּבְּרָא סְתִירָה עֲדִיפָא, שְׁכֵן אוֹסְרֵיהּ כְּטוּמְאָהּ.

אֲדַרְבֵּיהּ, קִינֵי עֲדִיף, שְׁכֵן עֵיקַר גָּרַם לָהּ!

אֵי לֹא סְתִירָה, קִינֵי מִי אֵיכָא? וְאֵי לֹא קִינֵי, סְתִירָה מֵאֵי אַהֲנִי?

There is no end to the matter – אין לדבר סוף – The commentaries differ as to the nature of this claim. Some explain that enabling the performance of the *sota* rite based on the husband's word alone will call into question the efficacy of the rite, as it will be performed many times when the woman has not in fact committed adultery (*Tosefot HaRash*). Others explain that the Rabbis wish to avoid the needless erasure of the name of God, as erasing a scroll containing the name of God is a stage of the rite (*Torat HaKenaot*).

In the Jerusalem Talmud it is explained that the dispute between Rabbi Yosei, son of Rabbi Yehuda, and the Rabbis with regard to whether she is given to drink the bitter waters based on the husband's word alone is dependent upon a different dispute, i.e., whether a husband can issue a warning to his wife not to seclude herself with those with whom she is ordinarily permitted to be secluded, such as her father or brother. Rabbi Yosei, son of Rabbi Yehuda, holds that one may not issue a warning to his wife with regard to these men. Therefore, even if the husband can issue a warning based on his own word, the *sota* rite will be performed only rarely, as it is not common for a woman to seclude herself in a prohibited manner. By contrast, the Rabbis hold that one can issue a warning to his wife with regard to these men. Since it is likely that she will then seclude herself with them, as they are her close relatives, they are concerned that the *sota* rite will be performed frequently when she has not committed adultery, as above.

אָפּילוּ הָכִי סְתִירָה עֲדִיפָא, דְּאִתְחַלְתָּא דְּטוּמְאָה הִיא.

מִתְנִינֵי דְלָא בִי הָאֵי תְנָא; דְּתַנְיָא, רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה אֹמֵר מִשּׁוּם רַבִּי אֱלִיעֶזֶר: הַמְקַנָּא לְאִשְׁתּוֹ, מְקַנָּא עַל פִּי עַד אַחַד אוֹ עַל פִּי עַצְמוֹ, וּמִשְׁקָה לָהּ עַל פִּי שְׁנַיִם. הַשְּׂבִיבוּ חֻקֵּימִים: לְדַבְרֵי רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, אֵין לְדַבֵּר סוּף.

מַאי טַעְמָא דְרַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה? אָמַר קְרָא: "בָּה", בָּה – וְלֹא בְּסִתְרָהּ.

וְאִימָא: בָּה – וְלֹא בְּקִינוּי! קִינוּי אִיתְקַשׁ לְטוּמְאָה, דְּכַתִּיב: "וְקָנָא אֶת אִשְׁתּוֹ וְהִיא נִטְמָאָה".

סְתִירָה נְמִי אִיתְקַשׁ לְטוּמְאָה, דְּכַתִּיב: "וְנִסְתְּרָה וְהִיא נִטְמָאָה"! הֵוּא, לְכַמָּה שִׁיעוּר סְתִירָה – כְּדֵי טוּמְאָה, הוּא דְאִתָּא.

"הַשְּׂבִיבוּ חֻקֵּימִים: לְדַבְרֵי רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, אֵין לְדַבֵּר סוּף". מַאי נִהוּ? דְּזַמְנִין דְּלֹא קָנִי וְאָמַר "קָנִי".

הָא לְמִשְׁנֵינוּ יֵשׁ לְדַבֵּר סוּף? זַמְנִין דְּלֹא אִיסְתְּרָה וְאָמַר "אִיסְתְּרָה"!

אָמַר רַב יִצְחָק בַּר יוֹסֵף אָמַר רַבִּי יוֹחָנָן: אַף לְדַבְרֵי רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, אֵין לְדַבֵּר סוּף.

The Gemara concludes: Even so, it is preferable to compare the seclusion to the defilement, as the seclusion is the beginning of defilement. Therefore, just as the testimony of one witness suffices with regard to the defilement, the testimony of one witness suffices with regard to the seclusion.

The Gemara comments: The mishna is not in accordance with the opinion of this *tanna*, who presents a different version of Rabbi Eliezer's opinion, as it is taught in a *baraita* (*Tosefta* 1:1) that Rabbi Yosei, son of Rabbi Yehuda, says in the name of Rabbi Eliezer: One who issues a warning to his wife issues a warning based on one witness or based on his own testimony, and he gives the bitter water to her to drink based on the testimony of two witnesses who saw her secluded. The *baraita* further states that the Rabbis responded: According to the statement of Rabbi Yosei, son of Rabbi Yehuda, as to Rabbi Eliezer's opinion that one need not issue a warning in the presence of two witnesses, there is no end to the matter,<sup>n</sup> as the Gemara will explain.

The Gemara explains: What is the reasoning of Rabbi Yosei, son of Rabbi Yehuda? The verse states: "*Bah*," from which he infers that one witness suffices to testify with regard to it, i.e., the defilement, but not with regard to seclusion, as above.

The Gemara asks: But why not say that one should also derive: With regard to it, but not with regard to the warning? The Gemara answers: The warning is juxtaposed to defilement, as it is written: "And he warned his wife, and she had become defiled" (Numbers 5:14), and the same *halakha* should apply to both.

The Gemara counters this argument: Seclusion is also juxtaposed in the verse to defilement, as it is written: "And she was defiled secretly" (Numbers 5:13). Therefore, the same *halakha* should apply to both. The Gemara responds: That verse is coming to teach how much is the measure of seclusion, i.e., the amount of time that the man and woman must be secluded together for it to be defined as seclusion, which, as the comparison indicates, is the amount of time sufficient for defilement.

The Gemara continues to clarify the *baraita*. The Rabbis responded: According to the statement of Rabbi Yosei, son of Rabbi Yehuda, as to Rabbi Eliezer's opinion, there is no end to the matter. The Gemara asks: What is the meaning of: There is no end to the matter? The Gemara answers: It is that there may be times when the husband did not warn his wife but after hearing of her seclusion with another man says: I warned her, which will be sufficient to render her forbidden to him until she drinks.

The Gemara is puzzled by this logic: But according to our mishna, does the matter in fact have an end? Rabbi Eliezer states in the mishna that a woman must drink the bitter water based upon her husband's own statement that she secluded herself with the man about whom he had warned her. There too, one could ask whether there may be times when she did not seclude herself with the other man and where her husband says: She secluded herself, thereby rendering her forbidden to him until she drinks the bitter water. If so, why do the Rabbis take issue only with the version of Rabbi Eliezer's opinion as presented by Rabbi Yosei, son of Rabbi Yehuda, and not with the version recorded in the mishna?

Rav Yitzhak bar Yosef says that Rabbi Yohanan says: The Rabbis in the *baraita* meant to state that even according to the statement of Rabbi Yosei, son of Rabbi Yehuda, there is no end to the matter. The Rabbis wished to say that even according to his version of Rabbi Eliezer's opinion, the husband can cause her to drink if he were to lie. The same is obviously true for the mishna.



In the present – **בְּיָמֵינוּ הַזֶּה**: Seemingly, this concern should have applied even in the time when the Temple was standing, as the *sota* rite would not have been performed to satisfy an individual opinion. Some explain that during the time of the Temple, the uncertainty can be resolved in the event that the husband repeats his warning before witnesses, thereby enabling the *sota* rite to be performed. Once it is performed, it will also clarify whether she committed adultery the first time (*Tosefot Yom Tov*). Others explain that the expression should be read: Even in the present, indicating that in Temple times one should certainly not tell his wife not to seclude herself with a particular man, as it may lead to an improper performance of the *sota* rite. And even in the present, when this concern is not in effect, one should not warn his wife, as it may cause her to become forbidden to him (*Maharit*).

Perhaps we maintain, etc. – **דִּילְמָא קַיִימָא לְוֹכוּ**: The commentaries differ as to whether or not the Gemara is asserting definitively that the *halakha* is in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, even though his opinion is cited only in a *baraita* that contradicts a mishna, and additionally, the *halakha* usually is in accordance with the opinion of Rabbi Yehoshua in his disputes with Rabbi Eliezer (see *Tosefot HaRosh*; *Maharik*; *Rashash*).

### HALAKHA

A man should not say to his wife, etc. – **לֹא לִימָא אִינִישׁ**: A man should not say to his wife, even in private: Do not seclude yourself with so-and-so, as the *halakha* may be in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, that if the woman would then seclude herself with that man, she would become forbidden to her husband forever, since the *sota* rite cannot be performed. Some say that this prohibition is not by Torah law (*Rashba*), and others say that it is a prohibition only for those who want to fulfill their moral obligation to Heaven (*Arukh HaShulhan*). The *Rema* holds that if a husband does issue such a warning he should immediately retract it.

If, after warning her, the husband himself sees his wife in seclusion with that man, she is forbidden to her husband and he must divorce her. However, he is obligated to pay the value of her marriage contract (*Rambam Sefer Nashim, Hilkhot Ishut 24:25; Shulhan Arukh, Even HaEzer 115:9, 178:7*).

The Gemara notes: The phrase even according to the statement of Rabbi Yosei, son of Rabbi Yehuda, indicates it is a lesser novelty to say that there is no end to the matter according to him, and it is not necessary to say that the same would be true according to the opinion of Rabbi Eliezer cited in our mishna. The Gemara asks: On the contrary, according to the opinion of Rabbi Eliezer cited in our mishna, there is a legitimate basis of suspicion with regard to the woman, as there are witnesses who saw the husband issue a warning to her, and therefore, it is understandable that the testimony of the husband may be relied upon when he testifies that she secluded herself with another man. By contrast, there, according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, there is no legitimate basis to prohibit her to him, since there are no witnesses that she had been warned by her husband at all. Therefore, it may be that the Rabbis took issue only with the version of Rabbi Eliezer's opinion presented by Rabbi Yosei, son of Rabbi Yehuda.

The Gemara clarifies the statement of Rabbi Yoḥanan: Rather, if it was stated, it was stated like this: Rav Yitzhak bar Yosef says that Rabbi Yoḥanan says that the Rabbis said: According to the statement of Rabbi Yosei, son of Rabbi Yehuda, who is not concerned that accepting the testimony of one person with regard to the warning will enable false claims by the husband, even according to the opinion of Rabbi Eliezer cited in our mishna there is no end to the matter, since the concern there is less severe, as there is no legitimate basis to render her forbidden to her husband.

Rav Ḥanina of Sura says: In the present<sup>n</sup> a man should not say to his wife:<sup>h</sup> Do not seclude yourself with so-and-so. The reason is that perhaps we maintain<sup>n</sup> that the *halakha* is in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, who says that a warning is effective even based on his own testimony, and if she were then to seclude herself with that man she would be required to drink the bitter water to render herself permitted to her husband, and since today the bitter water of a *sota* is not used to evaluate her fidelity and permit her to her husband, he will end up forbidding her to himself with an irrevocable prohibition.

Reish Lakish says: What is the meaning of the term: Warning [*kinnui*]?<sup>l</sup> It means a matter that causes anger [*kina*] between her and others, as other men will not understand why she does not wish to be friendly with them any longer. The Gemara comments: Apparently, he holds that a warning is effective based on the husband's own testimony, and therefore everyone else will not know that her husband issued a warning to her, and they will say: What is this matter happening before us that she separates herself from us, and they will come to act in anger with her.

And Rav Yeimar bar Rabbi Shelemya says in the name of Abaye: The term *kinnui* means a matter that causes anger between him and her, i.e., between husband and wife. The Gemara comments: Apparently, he holds that a warning is effective based on the testimony of two witnesses. And since there are two witnesses, everyone knows that he issued a warning to her. Therefore, the warning does not cause anger between her and others. And the husband is he who will come to act in anger with her, as they will have mutual antagonism toward each other.

### LANGUAGE

אָף לְדַבְּרֵי רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, וְלֹא מִיבִיעֵינָא לְמִשְׁנַתֵּינוּ? אֲדַרְבֵּהּ, לְמִשְׁנַתֵּינוּ אִיכָא עֵיקָר, הֲתָם לִיכָא עֵיקָר!

אֲלָא אִי אִיתְמַר הֲכִי אִיתְמַר, אָמַר רַב יִצְחָק בַּר יוֹסֵף אָמַר רַבִּי יוֹחָנָן: לְדַבְּרֵי רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, אָף לְמִשְׁנַתֵּינוּ אִין לְדַבְּרֵי סוּף.

אָמַר רַב חֲנִינָא מְסוּרָא: לֹא לִימָא אִינִישׁ לְאִיתְתִּיחָה בְּזִמְנָא הַזֶּה לֹא תִסְתְּרֵי בְּהַדְרֵי פְּלוּנִי. דִּילְמָא קַיִימָא לְוֹכוּ בְּרַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, דְאָמַר: קִינּוּי עַל פִּי עֲצָמוּ, וּמִיִּסְתְּתֵרָא, וְלִיכָא הָאִידְנָא מִי סוּטָה לְמִיבְדָּקָהּ, וְקָאֶסַר לָהּ עֵילוּיָהּ אִיסוּרָא דְלַעוּלָם.

אָמַר רִישׁ לְקִישׁ: מַה לְשׁוֹן קִינּוּי? דְבַר הַמְטִיל קְנָאָה בֵּינָה לְבֵין אַחֵרִים. אֲלָמָא קְסָבַר: קִינּוּי עַל פִּי עֲצָמוּ, וְכוּלִי עֲלָמָא לֹא יְדַעֵי דְקַנְיָ לָהּ, וְאָמְרֵי: מַאי דְקָמָא דְקָא בְּדִלְהָ? וְאָתוּ לְמִיעֵבַד קְנָאָה בְּהַדְרָה.

וְרַב יֵימַר בַּר רַבִּי שְׁלֵמְיָא מְשַׁמִּיָּה דְאַבְיֵי אָמַר: דְבַר הַמְטִיל קְנָאָה בֵּינוּ לְבֵינָה. אֲלָמָא קְסָבַר: קִינּוּי עַל פִּי שְׁנַיִם עֵדִים, וְכוּלִי עֲלָמָא יְדַעֵי דְקַנְיָ לָהּ, וְאִיהוּ הוּא דְאֵתֵי לְמִיעֵבַד קְנָאָה בְּהַדְרָה.

Warning [*kinnui*] – קִינּוּי: The root of this word has several different meanings. It is generally followed by the preposition: Of [*beh*], and generally means a strong desire for an item or some character trait belonging to another, i.e., jealousy. At other times, it is followed by the preposition: For [*le*]. In those contexts, it indicates a positive expression of love and suggests anger over another's causing injury or loss to someone or something one holds dear. It is possible that both meanings are related in

that they both indicate an arousal of strong feelings and anger caused by others. As used with regard to *sota*, *kinnui* carries the second meaning. Yet, as explained in the Gemara, the word also indicates a warning and threat to one's wife, as he cautions her to stay away from another man. This idea is also reflected in the verse: "He will stir up jealousy [*kina*] as a man of war" (Isaiah 42:13).