

From the Rabbi's Desk
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Stories with a Twist [312]

All Agree That He May Stipulate with Her Neither with Regard to Before Becoming Betrothed, nor with Regard to After She Becomes Divorced.

Insights into Mishna Sotah Chapter 2:5 & 6



Background to Our Story

Tractate Sotah



Koren Talmud Bavli, The Noe Edition. Sota. Koren publishers Jerusalem.

Introduction.

Tractate Sota deals primarily with the halakhot associated with a sota, a woman whose husband suspects that she is unfaithful, and warns her not to seclude herself with a specific man. In the event that she secludes herself with that man, she is considered a sota, and it is prohibited for her to remain married to her husband unless she is taken to the Temple and undergoes an evaluation rite in order to determine whether she was in fact unfaithful. This rite includes the offering of a special meal-offering, the taking of an oath, and the drinking of the bitter water of a sota.

Numbers 5:11-31

¹¹ The Lord spoke to Moses, saying: ¹² Speak to the Israelite people and say to them: If any man's wife has gone astray and broken faith with him ¹³ in that a man has had carnal relations with her unbeknown to her husband, and she keeps secret the fact that she has defiled herself without being forced, and there is no witness against her — ¹⁴ but a fit of jealousy comes over him and he is wrought up about the wife who has defiled herself; or if a fit of jealousy comes over one and he is wrought up about his wife although she has not defiled herself — ¹⁵ the man shall bring his wife to the priest. And he shall bring as an offering for her one-tenth of an *ephah* of barley flour. No oil shall be poured upon it and no

frankincense shall be laid on it, for it is a meal offering of jealousy, a meal offering of remembrance which recalls wrongdoing.

¹⁶ The priest shall bring her forward and have her stand before the Lord. ¹⁷ The priest shall take sacral water in an earthen vessel and, taking some of the earth that is on the floor of the Tabernacle, the priest shall put it into the water. ¹⁸ After he has made the woman stand before the Lord, the priest shall bare the woman's head and place upon her hands the meal offering of remembrance, which is a meal offering of jealousy. And in the priest's hands shall be the water of bitterness that induces the spell. ¹⁹ The priest shall adjure the woman, saying to her, "If no man has lain with you, if you have not gone astray in defilement while married to your husband, be immune to harm from this water of bitterness that induces the spell. ²⁰ But if you have gone astray while married to your husband and have defiled yourself, if a man other than your husband has had carnal relations with you" — ²¹ here the priest shall administer the curse of adjuration to the woman, as the priest goes on to say to the woman — "may the Lord make you a curse and an imprecation among your people, as the Lord causes your thigh to sag and your belly to distend; ²² may this water that induces the spell enter your body, causing the belly to distend and the thigh to sag." And the woman shall say, "Amen, amen!"

²³ The priest shall put these curses down in writing and rub it off into the water of bitterness. ²⁴ He is to make the woman drink the water of bitterness that induces the spell, so that the spell-inducing water may enter into her to bring on bitterness. ²⁵ Then the priest shall take from the woman's hand the meal offering of jealousy, elevate the meal offering before the Lord, and present it on the altar. ²⁶ The priest shall scoop out of the meal offering a token part of it and turn it into smoke on the altar. Last, he shall make the woman drink the water.

²⁷ Once he has made her drink the water — if she has defiled herself by breaking faith with her husband, the spell-inducing water shall enter into her to bring on bitterness, so that her belly shall distend and her thigh shall sag; and the woman shall become a curse among her people. ²⁸ But if the woman has not defiled herself and is pure, she shall be unharmed and able to retain seed.

²⁹ This is the ritual in cases of jealousy, when a woman goes astray while married to her husband and defiles herself, ³⁰ or when a fit of jealousy comes over a man and he is wrought up over his wife: the woman shall be made to stand before the Lord and the priest shall carry out all this ritual with her. ³¹ The man shall be clear of guilt; but that woman shall suffer for her guilt.

Halakhic Concepts and Terms



Reference Guide to the Talmud, by Rabbi Adin Even-Israel Steinsaltz. Second Revised Edition. Koren. 2014

Levirate Marriage – ייבום

A man whose brother died without children is obligated by Torah law to marry his deceased brother's widow or perform the rite of halitza (see Deuteronomy 25,5-ro). As long as neither levirate marriage nor halitza has taken place, it is prohibited for her to marry another man. Today, in most Jewish communities the brother-in-law is required to free his brother's widow of her obligation through halitza, and he is not permitted to marry her through levirate marriage.

Betrothal – אירוסין

The first stage of the marriage process. The bond created by betrothal is so strong that, after betrothal a woman requires a divorce before she can marry another man. Similarly, sexual relations with other men are considered adulterous and are punishable by death. At this stage the betrothed couple may not yet live together as man and wife, and most of the couple's mutual obligations do not yet apply.

Betrothal - קידושין

The act by which a woman becomes betrothed to a man. In principle there are three ways of betrothing a woman: with money or with its equivalent, e.g. a ring, which the bridegroom gives to the bride; with a document in which he attests that he is betrothing the woman; by sexual intercourse. The third method, though legal, was prohibited by the Sages to prevent licentiousness.

All three methods require that the act of betrothal be performed willingly by both the man and the woman. After the couple is betrothed, it is prohibited for the woman to engage in sexual relations with any other man like a married woman.

The betrothed couple may not live together until the marriage ceremony beneath the wedding canopy is performed and the marriage blessings are recited. For many generations betrothal and marriage have been performed together on the same occasion, in order to prevent many halakhic and practical complications.

Marriage - נישואין

The second stage of the marriage process, following betrothal. Marriage is effected by having the bride and groom come under the bridal canopy, and it immediately confers both the privileges and the responsibilities associated with marriage upon the newlywed couple.

The Text: Mishna Sotah Chapter 2:5 & 6

עַל מַה הִיא אוֹמֶרֶת אָמֵן אָמֵן. אָמֵן עַל הָאֵלֶּה, אָמֵן עַל הַשְּׁבוּעָה. אָמֵן מֵאִישׁ זֶה, אָמֵן מֵאִישׁ אֲחֵר. אָמֵן שֶׁלֹּא שָׁטְיִיתִי אַרוּסָה וְנִשְׁוֹאָה וְשׁוֹמֶרֶת יָבָם וְכְנוּסָה, אָמֵן שֶׁלֹּא נִטְמַאתִי. וְאִם נִטְמַאתִי, יָבֹאוּ בִּי. רַבִּי מֵאִיר אוֹמֵר, אָמֵן שֶׁלֹּא נִטְמַאתִי, אָמֵן שֶׁלֹּא אֶטְמָא:

הַכֹּל שְׁוִיךְ שְׂאִינוּ מִתְּנֶה עִמָּה לֹא עַל קֶדֶם שֶׁתִּתְאַרֵס וְלֹא עַל מֵאֲחֵר שֶׁתִּתְגַּרֵשׁ. נִסְתַּרְהָ לְאַחֵר וְנִטְמַאת וְאַחֵר כִּפְּרֵי הַחַיִּיזוּרָה, לֹא הִיָּה מִתְּנֶה עִמָּה. זֶה הַכֹּל, כֹּל שֶׁתִּבְעַל וְלֹא הִיָּתָה אֶסוּרָה לוֹ, לֹא הִיָּה מִתְּנֶה עִמָּה:

With regard to what does she say: "Amen, amen" (Number 5:22), twice, as recorded in the verse?

The mishna explains that it includes the following: Amen on the curse, as she accepts the curse upon herself if she is guilty, and amen on the oath, as she declares that she is not defiled. She states: Amen if I committed adultery with this man about whom I was warned, amen if I committed adultery with another man. Amen that I did not stray when I was betrothed nor after I was married, nor as a widow waiting for my *yavam* to perform levirate marriage, since a woman at that stage is prohibited from engaging in sexual intercourse with any men, nor when married through levirate marriage to the *yavam*; amen that I did not become defiled, and if I did become defiled, may all these curses come upon me.

Rabbi Meir says that “amen, amen” means: Amen that I did not become defiled in the past, amen that I will not become defiled in the future.

All agree that he [the husband] may stipulate with her through this oath neither with regard to what she did before becoming betrothed to him, nor with regard to what she will do after she becomes divorced from him.

Similarly, if a husband divorced his wife, and while divorced she secluded herself with another man and became defiled, and afterward her husband took her back and remarried her, and he then warned her about a specific man, and she secluded herself, and she is now about to drink the water of the *sota*, he cannot stipulate with her that she take an oath that she did not become defiled during the period in which she was divorced. This is because her husband would become forbidden to her only if she had married another man after being divorced, not if she merely committed an act of promiscuity.

This is the principle: In every case where if she would engage in sexual intercourse with someone else she would not become forbidden to her husband due to this act, he may not stipulate with her that her oath include that act. The oath can include only cases in which she would be rendered forbidden to him.



Explaining the Story - What is going on in our story? (Explain the sequence of events)

Comprehension and Analysis Questions

? What do the Sages include in the double “Amen” of the Sotah?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Answer 4 _____

? What does Rabbi Meir add to the above list? **Bonus ?** What do you think is Rabbi Meir’s logic?

? "All agree that he may stipulate with her through this oath neither with regard to what she did before becoming betrothed to him, nor with regard to what she will do after she becomes divorced from him." Why not?

? "This is the principle: In every case where if she would engage in sexual intercourse with someone else she would not become forbidden to her husband due to this act, he may not stipulate with her that her oath include that act." What do you think is the Sages' logic here? What is their implicit advice to the husband?

"The Twist" – Or the Lessons We Can Learn from This Text

! Give yourself a break! Stop being a control freak and you and the people around you will be happier!

