



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Sotah Daf Chuf Daled

PEREK ARUSAH -- PEREK REVI'I

MISHNA

- An arusah and a shomeres yavam are not given to drink the mei hamarim (i.e. if they are warned and then seclude with the other man, they become assur to the arus or the yavam, as the case may be, but are not given the waters to drink), therefore they become assur to the arus or yavam, and are not entitled to collect their kesubah. This is based on the pasuk of "asher tisteh es isha tachas ishah", which excludes the case of arusa and shomeres yavam.
- A widow married to a Kohen Gadol, a divorcee or chalutza that is married to a regular Kohen, a mamzeres or nesina who is married to a Yisrael, or a Yisraelis who is married to a nasin or mamzer, are all not given the waters to drink and are not entitled to collect their kesubah (although they do become assur to their husbands).
- These women don't drink the waters and are not entitled to collect their kesubah: a woman who admits guilt, a woman regarding who there are witnesses that she was mezaneh, and a woman who refuses to drink the mei hamarim.
- If the husband refuses to let the woman drink the waters, or if the husband had bi'ah with her after the seclusion, she is not given to drink, but she does collect her kesubah.
- If the husband of a sotah died before the woman drank the waters, **B"S** say she collects her kesubah and does not drink the waters, and **B"H** say that she can either drink and collect her kesubah, or can choose not to collect her kesubah (and since she cannot drink because her husband has died, she cannot collect her kesubah).
- If a man marries a woman who was pregnant from her previous husband, or was still nursing a baby from her previous husband (it is assur to marry a woman in such a situation until the baby is 2 years old) and she becomes a sotah, **R' Meir** says she does not drink or collect her kesubah (she is no different than the previous cases of a man married to a woman he was assur to marry), and the **Chachomim** say that he is allowed to separate from her and get back with her when the child is 2 years old, so they are not considered as truly assur in this sense, and therefore she can be given the waters to drink.
- If a woman is an "ailunis" (a condition from birth which causes that a woman can't have children) or an older woman (passed child bearing age), or she is a woman who cannot have children (from a condition that occurred after birth) and she becomes a sotah, she is not given to drink and does not collect her kesubah (the husband was assur to marry her, based on his obligation to have children). **R' Eliezer** says, since he can marry another woman as well and can have children with her, the ailunis or older woman is not assur to him, and therefore she may be given the waters to drink.
- All other women must either drink the waters or not collect their kesubos.
- The wife of a Kohen may be given the waters to drink, and if she is found innocent she remains mutar to her husband. The wife of a "sariss" (man who cannot have children) is given the waters to drink.
- A warning can be issued to a woman even if the suspected man is any of the arayos, except that a warning where the subject of the warning is a minor, or one who is not a man, is not a valid warning.
- The following women can be warned by Beis Din (instead of the husband): a woman whose husband became a deaf-mute, or became a shoteh, or was imprisoned. This warning will not accomplish to give her the waters to drink, but will make her ineligible to collect her kesubah. **R'**

Yose says this warning could even accomplish to give her the waters to drink, because when he is released from prison he can then take her to drink the waters based on the warning of Beis Din.

GEMARA

- **Q:** The Mishna says that an arusa and shomeres yavam are not given to drink. This suggests that she can be warned and this warning and seclusion will make her assur to her husband. How do we know this? **A:** A Braisa says we learn this from the pasuk of “daber ehl Bnei Yisrael v’amarta aleihem”. The extra words of “v’amarta aleihem” come to include an arusa and a shomeres yavam into the concept of kinuy.
- Our Mishna that says the arusa and shomeres yavam don’t drink follows the view of **R’ Yonason** from a Braisa. The Braisa says, that **R’ Yoshiya** says the pasuk of “tachas isheich” teach that an arusah does not drink the mei hamarim, but a shomeres yavam does drink based on the extra word in the pasuk of “ish ish”. **R’ Yonason** says “tachas isheich” teaches that a shomeres yavam does not drink the mei hamarim, and the pasuk of “asher tisteh es isha tachas ishah” teaches that an arusa does not drink the mei hamarim.
 - **R’ Yonason** holds that the bond with an arusah is a stronger bond (since it is based on his own kiddushin), and therefore the Torah is to be understood as excluding a shomeres yavam before it excludes an arusah. **R’ Yoshiya** holds that the bond of a shomeres yavam is stronger (since she does not need chuppah to become fully married) and therefore it is an arusah that is excluded by the Torah.
 - **Q:** How does **R’ Yonason** darshen the words “ish ish”? **A:** He says it teaches that the wife of a deaf-mute, of a shoteh and of a totally insane man, is given to drink the mei hamarim.
 - **Q:** How does **R’ Yoshiya** darshen the words of “tachas ishah”? **A:** He uses this to compare the woman to the man, and the man to the woman, regarding some halachos of sotah (which will be further explained in the Gemara to come).
 - **Q:** Why is a pasuk needed to teach that an arusah is not given to drink the mei hamarim? **R’ Acha bar Chanina** taught a Braisa that the words “mibaladei isheich” teach that a woman only drinks the mei hamarim if she had bi’ah with her husband before ever having bi’ah with the adulterer. If so, an arusah cannot be given the mei hamarim to drink!? **A: Rami bar Chama** said, the pasuk is needed for the case where an arusah had bi’ah with her husband while still living in her father’s house (while still in eirusin).
 - **Q:** The parallel case of shomeres yavam would have to be where the yavam had bi’ah with her before doing yibum. That makes no sense, because any bi’ah between yavam and yevama effectuates a full yibum, as **Rav** says, that even a bi’ah without intent for yibum creates a yibum!? **A:** The pasuk that excludes the shomeres yavam even in this case is needed according to **Shmuel**, who says that she only becomes his wife regarding some things if the bi’ah was done without intent for yibum, and she would not become his full-fledged wife until he does a bi’ah with intent for yibum.
 - **Q:** Maybe we can say that **Rav** hold like **R’ Yoshiya** (which is why a yevama may drink the waters) and **Shmuel** holds like **R’ Yonason** (which is why she does not drink the waters)? **A: Rav** can say that he even holds like **R’ Yonason**, for the reason that a pasuk is needed to say that she does *not* drink is exactly because she becomes a full-fledged wife with any bi’ah, and without the pasuk we would therefore think that she *does* drink the waters! **Shmuel** can say that he even holds like **R’ Oshiya**. From the fact that a pasuk is needed to teach that she *does* drink, it must be that she does not become his wife (because if she did a pasuk would not be necessary).