



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

Sotah Daf Chuf Hey

- **Q:** If a woman is “overes ahl das” (she violates the accepted code of tznius by going with uncovered hair, inappropriately speaking to men, etc., and the halacha is that she loses her kesubah), does she have to be warned before losing her kesubah, to give her a chance to do teshuva, or not? **A:** Our Mishna said that an arusah is not given the mei hamarim to drink, but is subject to being warned. This warning seems to accomplish nothing more than to make her lose her kesubah, and we see that in order to do so a warning must be issued first!
 - **Abaye** said, this is no proof. It may be that the warning is needed to make her assur to her husband, but with regard to losing her kesubah, that is something that may be able to be done even without a warning. **R' Pappa** said, the Mishna is no proof, because she may lose her kesubah without a warning, and the warning may be needed for a case where she is warned as an arusah and secludes herself with the adulterer when she is a nesuah, in which case she *is* given the mei hamarim to drink.
 - **Q: Rava** said, maybe we can answer the question (whether a woman who is “overes ahl das” needs to be warned before losing her kesubah) from the next part of the Mishna. The Mishna says that an almanah married to a Kohen Gadol (and lists other marriages which are assur to have taken place) who becomes a sotah does not drink the waters. This suggests that she is subject to being warned. The warning seems to only be needed to make her lose her kesubah, because she is assur to her husband even without being a sotah, and therefore does not need a warning to become assur to him!? **A: R' Yehuda MiDiskarta** said, this is no proof. It may be that the warning is needed to make the adulterer forever assur to this woman just as her husband is forever assur to her.
 - **A: R' Chanina** from Sura said, we can bring a proof from the end of our Mishna. The Mishna lists women who are subject to being warned by Beis Din. The Mishna explicitly says this warning cannot make her drink the mei hamarim, rather it is issued to make her lose her kesubah. We clearly see that a warning is needed before making such a woman lose her kesubah.
 - The others did not bring this as a proof, because it can be said that this case is different in that in these cases the woman has no fear of her husband at all. Maybe that is why she must be warned. However, it may be that in a more typical case a warning would not be needed.
- **Q:** If a woman is overes ahl das, but her husband wants to remain married to her, may he do so or not? Do we say that it is up to the husband's decision not be bothered by her conduct or do we say that since most people would be bothered, he may not remain married to her? **A:** The end of the Mishna gave the cases where Beis Din issues a warning in place of the husband. Now, if a man may typically remain married to a wife who is overes ahl das, then by Beis Din issuing a warning it puts him into a situation where his wife will now become assur to him, so how can Beis Din do something that the husband may have not wanted to do? It must be that even without the warning he is assur to remain married to her! **A:** This is no proof. It may be that Beis Din issues this warning even though it now makes her assur, because most people would want Beis Din to do so.
- **Q:** If a husband warns his wife not to seclude with a particular man, and he then cancels that warning, is the cancellation effective? **A:** The end of the Mishna said that there are times when Beis Din issues a warning. If a husband can cancel a warning, that would mean that Beis Din is doing something that is subject to being cancelled by the husband, which is not something that Beis Din would do!

- This is no proof, because most people agree with the conduct of Beis Din and would not cancel something that Beis Din did.
- **Q:** Maybe we can bring a proof from a Mishna we learned earlier. The Mishna said that we send two talmidei chachomim to accompany the couple to Yerushalayim to prevent them from having bi'ah. Now, if a husband can cancel his warning, why can't we let him cancel the warning and have bi'ah with her? From the fact that we need to make sure they don't have bi'ah we can learn that any cancellation would not be effective and that is why we must prevent a bi'ah from taking place. **A:** It may be that the reason two talmidei chachomim are sent is so that if the husband will have bi'ah with her they are there to teach him that he must first cancel the warning before he has bi'ah with her.
- **A:** We can bring a clear proof from a Braisa. The Braisa says that **R' Yoshiya** said he was told by **Ze'ira** that a husband who cancels his warning, the warning is deemed cancelled.
- There is a machlokes between **R' Acha and Ravina** – one says that the cancellation must take place before the seclusion, and the other says that it can even take place after the seclusion.
 - The Gemara says it is more logical to say that it must be cancelled *before* the seclusion takes place. We have learned a Braisa in which **R' Yose** said that we do not need to send escorts along with the couple to prevent a bi'ah from taking place, because if a man is believed not to have bi'ah with his wife when she is a nidah (which is more stringent), then he is surely believed regarding sotah (which is only a lav). The **Rabanan** said to him, the husband is believed by niddah because there will be a time when she will become mutar to him, but he is not believed regarding sotah, because there is no time that she will become mutar to him. Now, if the warning can be cancelled after the seclusion, there most definitely can be a time when she becomes mutar to him (i.e. when he cancels the warning)!? It must be that the warning cannot be canceled after the seclusion.

MEISU BAALIEHEN AHD SHELO SHASU B"S...

- **Q:** What is the basis of the machlokes between **B"S** (who say that she does not lose her kesubah) and **B"H** (who say that she does)? **A:** **B"S** hold that a document of collection is considered as already collected, and therefore, if the heirs of the husband want to deny what she has "already collected" the burden of proof is on them. **B"H** hold that a document of collection is not considered as if it is already collected, and therefore, the burden of proof for collection is on her.