



Daf In Review – Weekly Chazarah

Maseches Sotah, Daf טז – Daf ז

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf טז---24-----

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 isha”, 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 “saris” (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

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- **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).

-----Daf 72-----25-----

- **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.

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- **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.

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MEISU BAALEIHEN 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.

-----Daf 10-----26-----

ME’UBERES CHAVEIRO...

- **R’ Nachman in the name of Rabbah bar Avuha** said, the machlokes about whether we give a woman who can’t have children the waters to drink is only regarding a woman who can’t have children because of age or some type of injury. However, all would agree that an ailunis is never given to drink and does not collect on her kesubah. This is based on the pasuk of “v’niksa v’nizri’ah zarah” – which teaches that only someone for whom it is normal to have children, and not ailunis for whom it is not normal to have children.
 - **Q:** The Gemara quotes a Braisa which clearly says that an ailunis is subject to drinking the mei hamarim!? **A:** **R’ Nachman** would say that it is a machlokes Tanna’im whether an ailunis is excluded from drinking based on the pasuk above. There is a Braisa in which **R’ Shimon ben Elazar** says that the ailunis is never given to drink based on this pasuk, and **R’ Nachman** would follow that view.
 - **Q:** How would the **Rabanan** (who argue on **R’ Shimon ben Elazar**) darshen the pasuk? **A:** They use the pasuk as taught in a Braisa, where **R’ Akiva** says the pasuk teaches that if the sotah was innocent and she was someone incapable of having children, the waters make it that she could then have children. **R’ Yishmael** says this can’t be, because then every woman who could not have children would make herself into a sotah to drink the waters as a cure! Rather, the pasuk means that if she would have painful childbirths, she would then have easier ones. If she had girls, she would then have boys. If she had short children, she would then have tall ones. If she had dark children, she would then have lighter ones.
 - **Q:** The Braisa also said that a woman who may marry a mamzer, who marries a mamzer and becomes a sotah must either drink the waters or forfeit her kesubah. The seems obvious!? **A:** We would have thought that we don’t want her to drink the waters and bring about more mamzeirem into the world. The Braisa therefore teaches that she does drink the waters, since the marriage is a permitted one.
 - **Q:** The Braisa said that the wife of a ger or of a freed slave is given the waters to drink. This seems obvious!? **A:** We would think that the pasuk of “daber ehl Bnei Yisrael” teaches that this only applies to “Bnei Yisrael”, and not to geirem and freed slaves.
 - **Q:** Maybe that assumption is correct and it should only apply to Bnei Yisrael? **A:** The word “v’amarta” is an inclusion and comes to include geirem and freed slaves.

EISHES KOHEN SHOSEH...

- **Q:** This seems obvious!? Why would we think that she should be treated different than any other woman? **A:** The pasuk regarding sotah says “and she was not forced, she will be assur”, which suggests that if she was forced into the act, she would be mutar. Now, the wife of a Kohen is assur to him even if she was forced to be mezaneh. Therefore, we would think that the concept of giving the sotah to drink does not apply to the wife of a Kohen.

UMUTERES L’BAALA

- **Q:** It seems obvious that if she is found to be innocent she is mutar to her husband!? **A:** **R’ Huna** said, the Mishna is referring to the case where she begins to deteriorate after drinking the waters.
 - **Q:** If she begins to deteriorate, that means that she was mezaneh and should therefore be assur to her husband!? **A:** The case is where other parts of her body begin to deteriorate (not her thighs and stomach). We would think this is a sign that she was forced to be mezaneh, and if she is the wife of a

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Kohen she should therefore be assur to him. The Mishna teaches that even in this case she would be mutar to her husband.

EISHES SARIS SHOSEH

- **Q:** This seems obvious!? **A:** We would think the that pasuk of “mibaladei isheich” teaches that the husband must also be capable of full bi’ah (and the saris is not).

AHL YIDEI KOL ARAYOS MIKANIN

- **Q:** This seems obvious!? **A:** We would think that the mention of “v’nitmi’ah” twice in the pasuk teaches that she becomes assur to the husband and the adulterer, and we would say that since in this case she doesn’t *become* assur to the adulterer (because she was already assur to him as one of the arayos) maybe the sotah process will not apply.

CHUTZ MIN HAKATAN...

- This is based on the pasuk that says “ish”, which teaches that if the other “man” is a minor, she does not become a sotah.
- **Q:** What does the Mishna refer to when it says “and one who is not a man”? It can’t come to exclude a man who is impotent, because **Shmuel** says such a man may be the subject of kinuy and stirah!? It can’t come to exclude a goy, because **R’ Hamnuna** says that a goy can be the subject of a kinuy and stirah!? **A: R’ Pappa** said, it comes to exclude an animal and teaches that there is no concept of zenus with an animal, and therefore a warning for a woman not to seclude with an animal is not considered to be a valid warning.
 - **Q:** If an impotent man can be the subject of a kinuy (although he has no zerah), what is meant by the pasuk regarding sotah that says “shichvas zerah”? **A:** A Braisa teaches, as explained by **R’ Sheishes**, that a warning for her not to be mezaneh with a man in an unnatural way is not considered to be a valid warning.
 - **Q: Rava** asked, a bi’ah done in an unnatural way is considered to be a full-fledged bi’ah (learned from the words “mishkivei isha”)!? **A: Rava** said, the Braisa is teaching that a warning not to lie together with another man with their bodies touching is a not valid warning.
 - **Q: Abaye** asked, that is an act of pritzus, but would not be an act that would make her assur to her husband!? **A: Abaye** said, the Braisa is teaching that a warning not to have his eiver even touch her private area is considered not to be a valid warning.
 - **Q:** This makes sense according to the view that such an act is not halachically considered to be bi’ah. That is why a pasuk is needed to teach that such an act does not bring about the laws of sotah. However, according to the view that such an act is considered to be bi’ah, such an act will certainly bring on the laws of sotah!? **A:** The Braisa is teaching that a warning of lying together is not a warning. The Torah had to teach this, because we would think that sotah is about the husband objecting to certain conduct, and since the husband is objecting to this conduct it should make her a sotah. The Torah therefore teaches that this is not so, and she does not become a sotah from this warning.

-----Daf 27-----

- **Shmuel** said, a person should rather marry a woman who is widely rumored to have been mezaneh, rather than marry the daughter of such a woman. The reason is that the first woman does not come from questionable yichus (at worst she is a zonah, who is mutar to marry into Klal Yisrael), whereas the second woman has questionable yichus (her mother may have been mezaneh as a married woman or with an ervah). **R’ Yochanan** said, a person should rather marry the daughter and not the mother (who is rumored to have been mezaneh), because the daughter has a chazaka of kashrus (we say that most bi’ahs of a woman are with her husband and this daughter therefore has a chazaka of kashrus), whereas the woman does not have a chazaka of heter (if she is mezaneh she will become assur to her husband, and because she is rumored to do so, we have to be afraid that she will become assur to her husband).

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- **Q:** A Braisa says that a man may marry a woman who is rumored to be meznaeh. This contradicts **R' Yochanan!**? **A: Rava** said, clearly the Braisa can't be understood as stated, because it would not suggest that a man should l'chatchila go and marry such a woman! Therefore we must change the Braisa to read "if a man marries such a woman he may remain married to her". Once we have to change the Braisa, we should also change it to say "the daughter of a woman rumored to be mezaheh", rather the woman herself.
- The Gemara paskens that a person should rather marry the daughter of such a woman, than the woman herself, because **R' Tachlifa of Eretz Yisrael in the name of R' Avahu** said, the children of a woman who is mezaheh are mutar to marry into Klal Yisrael, since most of her bi'ahs are with her husband.
 - **Q: R' Amram** asked, what if she is rumored to be extremely involved in zenus? Would the children still be mutar to marry into Klal Yisrael? According to the view that a woman only conceives near the time of her period, the children would definitely be assur, because the husband does not know when that time is and could not have been more careful then to make sure that his wife was not mezaheh at that time. The question is according to the view that a woman conceives near the time that she goes to the mikvah. Do we say that since that time is known, the husband can be careful to watch her so that she isn't mezaheh, and therefore any child she has is from him, or not? **A: TEIKU.**

V'EILU SHE'BEIS DIN...

- A Braisa says, the pasuk uses the double verbiage of "ish ish" to teach that the wife of a deaf-mute, a shoteh, a shamum (insane man), a man who has travelled overseas, or a man who was in prison, may be warned by Beis Din not to seclude herself with a particular man, and the warning makes her lose her kesubah. We would think that the warning can even make her drink the waters as well. The pasuk therefore says "v'heivi ha'ish es ishto", which teaches that only the husband can bring the sotah to drink. **R' Yose** says, that Beis Din's warning can serve as the basis for this sotah to drink when the husband is freed from prison and then brings her himself.
 - **Q:** What is the machlokes between the **Rabanan** and **R' Yose**? **A:** The **Rabanan** say that the pasuk says "v'kinei...v'heivi", which teaches that the one who gave the warning must bring her to drink, and therefore the husband cannot bring her to drink based on the warning of Beis Din. **R' Yose** does not agree with this requirement.
- A Braisa says, the pasuk of "asher tisteh isha tachas isha" makes a hekesh from the husband to the wife and visa-versa.
 - **Q:** With regard to what halacha is this said? **A: R' Sheishes** said, just as if he were blind the laws of sotah would not apply (based on the pasuk of "v'nelam mei'einei isha"), so too if she was blind the laws of sotah would not apply. **R' Ashi** said, just as if she were lame or missing a hand she would not drink (based on the pasuk of "v'hemid haKohen es ha'isha" and "v'nassan ahl kapeha"), so too if he was lame or missing a hand she would not drink. **Mar bar R' Ashi** said, just as a mute woman does not drink the waters (based on the pasuk of "v'amra ha'isha amen amen"), so too if the husband is mute the woman does not drink the mei sotah.

HADRAN ALACH PEREK ARUSAH!!!

PEREK K'SHEIM SHEHAMAYIM -- PEREK CHAMISHI

MISHNA

- Just as the waters check her they also check him. This is learned from the pasuk that says "uva'u" and "uva'u". Just as she becomes assur to the husband, she also becomes assur to the adulterer. **R' Akiva** said this is based on the word "v'nitma'ah", which could have been written as "nitma'ah". **R' Yehoshua** said that **Zecharya ben Hakatzav** darshened the pasuk this way as well. However, **Rebbi** said that the source is the double mention of the word "nitma'ah" and "v'nitma'ah".
- On that day **R' Akiva** darshened the pasuk that says "v'chol kli cheres asher yipol meihem ehl tocho kol asher b'tocho yitmah" – instead of saying "tamei" the pasuk says "yitmah", which teaches that an earthenware keili

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can make something tamei as a sheini, which then has the power to make something tamei as a shlishi. **R' Yehoshua** said, if only **R' Yochanan ben Zakai** could be alive to have heard this drasha, because **R' Yochanan** would say that the later generations will come to be lenient regarding a shlishi l'tumah since there is no source in a pasuk, and now his talmid, **R' Akiva**, darshened this from a pasuk.

- On that day **R' Akiva** darshened – one pasuk says that the cities of the Levi'im included a 2,000 amah perimeter around the city, and another pasuk says it was only 1,000 amos. We must explain this to mean that 1,000 amos of open space was given to them and the 2,000 amos that were measured was for the sake of knowing the techum for Shabbos. **R' Eliezer the son of R' Yose Haglili** says, 1,000 amos was open space and the 2,000 amos refer to the measure of the fields and vineyards that were given to them.
- On that day **R' Akiva** darshened the pasuk of “Az yashir Moshe...vayomru *leimor*” – the word “leimor” teaches that Klal Yisrael responded to Moshe's shira after each phrase, as people say Hallel. **R' Nechemya** says they responded as people saying Shema, not Hallel.
- On that day **R' Yehoshua ben Hurkinas** darshened from pesukim that lyov served Hashem out of love (not fear of punishment). **R' Yehoshua** said, if only **R' Yochanan ben Zakai** could be alive to have heard this, because **R' Yochanan** darshened from a pasuk that lyov only served Hashem out of fear of punishment, not out of love, and now **R' Yochanan's** talmid's talmid darshened that lyov served Hashem out of love.

GEMARA

- **Q:** Who is the “him” that the Mishna says is checked by the waters? It can't mean the husband, because what did he do wrong? It can't mean that if the husband had bi'ah with her after the seclusion the waters would then “check him” as well, because in that case the waters don't even check her (based on the pasuk of “v'nikah ha'ish mei'avon”)!? Rather, the “him” must be the adulterer. However, why doesn't the Mishna use the term “bo'el” as it does later on, instead of using the pronoun of “him”? **A:** The Mishna is referring to the adulterer. In the beginning of the Mishna, where the Mishna begins with the pronoun “her” it also uses the pronoun “him”. Later in the Mishna, when the Mishna uses the term “baal” (husband) it uses the term “boel” to refer to the adulterer.

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SHENE'EMAR UVA'U UVA'U

- **Q:** Is the drasha based on the “vav” of “uva'u” or is it based on the repetition of the entire word “uva'u”? **A:** In the next part of the Mishna it is the same **R' Akiva** who darshens the extra vav of “v'nitma'ah”. It must be that he is darshening the extra vav of “uva'u” as well.
 - **Q:** In that drasha of “v'nitma'ah”, is **R' Akiva** darshening the vav or is he darshening the repetition of the entire word? **A:** From the fact that **Rebbi** argues and says that the drasha is based on the repetition of the word “v'nitma'ah”, we can learn that **R' Akiva** must be darshening the letter vuv.
 - According to **R' Akiva** there are 6 drashos (the word “uva'u” is written 3 times, each time with a vuv, thus allowing for 6 drashos). One drasha teaches the command regarding her and one is for the command regarding the bo'el. One is for the carrying out of the curse regarding her and one is for the carrying out regarding the bo'el. One is to teach the order of the curse for her and one is for the order of the curse regarding the bo'el. According to **Rebbi** (who doesn't darshen the vuv) there are only 3 drashos. The 3 drashos are the same as those darshened for **R' Akiva**, but in each case only regarding the woman, not the bo'el.
 - **Q:** How does **Rebbi** know the concept that just as the waters check her they also check the bo'el? **A:** He learns it as stated in a Braisa. The Braisa says, the pasuk says “latzbos beten v'lanpil yareich” – which refers to what will happen to the bo'el. This can't refer to what will happen to the woman, because regarding her the pasuk says “v'tzavsah vitna v'nafla y'reicha”.
 - **R' Akiva** says the pasuk of “latzbos beten...” teaches that the Kohen tells her that first her stomach will be affected by the waters and then her thighs, and it is important that she is told this so that she will not think the waters are working improperly when her stomach is struck before her thighs. **Rebbi** says, if this is all it is teaching, the pasuk

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should have used the words “bitna” and “y’reicha”. The fact that it uses “beten” and “yareich” also teaches that this will happen to the bo’el as well. Also, don’t say that the words only teach that the bo’el is punished as well, and does not teach that the actual punishment happens first in the stomach, because then the pasuk should have said “bitno” and y’reicho”. The fact that it says “beten” and “yareich” teaches both these concepts.

AMAR R’ YEHOASHUA KACH HAYA DORESH ZECHARYA...

- A Braisa says, the pesukim of sotah mention the word “nitma’ah” 3 times – “ihm nitmi’ah”, “nitma’ah”, and “v’nitma’ah”. **R’ Akiva** says, one teaches that the sotah becomes assur to the husband, one teaches that she becomes assur to the bo’el, and one teaches that she becomes assur to eat terumah (as a sotah she is assur to eat terumah whether married to a Kohen or the daughter of a Kohen). **R’ Yishmael** says, we don’t need a pasuk to teach that this woman would be assur to marry a Kohen, because if a divorcee, who may eat terumah (if she is the daughter of a Kohen and was divorced without children) may not marry a Kohen, then surely a sotah, who may not eat terumah, may not marry a Kohen. The Braisa asks, why in one pasuk does the Torah say “if she did become tamei” and “if she didn’t become tamei” and then mention the drinking of the waters? If she is known to have become tamei there is no reason for her to drink the waters, and if she is known to be innocent, why would we even give her the waters to drink at all? Rather, the pasuk is teaching that as long as she is a safek (we are uncertain whether or not she was mezaneh) she is assur to her husband, etc. From here we can learn regarding the tumah of a sheretz. If regarding a sotah, where the Torah does not treat a shogeg like a meizid, or an oneis like willing, still the Torah treats a safek like a case of certainty (in that she is assur), then surely regarding a sheretz, where shogeg is treated like meizid, and oneis is treated like willing, safek will be treated like a case of certainty and will be tamei. We also learn a further comparison to sotah. Just like sotah takes place in reshus hayachid, so too a safek case of sheretz is only tamei when it takes place in reshus hayachid. Also, just like sotah involved things (i.e. people) who have the ability to be asked regarding the possible tumah, so too sheretz is only tamei when the safek involves something with the ability and intellect to be asked. From here we say that something that has the ability and intellect to be asked and there is a safek tumah in reshus hayachid regarding it, it is deemed tamei. If the safek happens in the reshus harabim, it is deemed tahor. If the thing does not have the ability and intellect to be asked, then a safek regarding it, even in reshus hayachid, will be deemed tahor.
 - **Q: R’ Akiva** made a statement regarding her eating terumah, and **R’ Yishmael** responded regarding her allowance to marry into Kehuna!? Also, how would **R’ Akiva** learn that she is assur to marry into Kehuna? We can’t say that **R’ Akiva** holds that since a safek is considered like a case of certainly tamei by sotah a pasuk is not needed to teach that she can’t marry into Kehuna, because if that is true, there would be no reason to have a pasuk to teach that she is assur to eat terumah either (since if she was for sure tamei she would not be allowed to eat terumah), and yet **R’ Akiva** says a pasuk is necessary to teach that!? **A: R’ Akiva** says there are 4 words that are available for drasha in the pesukim (the 3 mentions of “nitma’ah” and one of which has a “vuv”, which allows for an additional drasha) – one teaches she is assur to the husband, one that she is assur to the bo’el, one that she may not marry into Kehuna, and one that she may not eat terumah. **R’ Yishmael** does not darshen the vuv, and therefore only has 3 available drashos – one to teach that she is assur to the husband, one that she is assur to the bo’el, and one that she is assur to eat terumah. With regard to the issur for her to marry into Kehuna, that is learned from the kal v’chomer.
 - **Q:** Why does **R’ Yishmael** say that the issur of terumah is learned from the pasuk and the issur of Kehuna is learned from the kal v’chomer? Maybe the pasuk teaches the issur of Kehuna which would mean that she is actually mutar to eat terumah!? **A:** He says that just like the issur to her husband and to the bo’el apply even during the life of the husband, so too the third drasha must apply to terumah, which can also apply during the husband’s lifetime. However, the issur of Kehuna can *only* apply after his lifetime (during his lifetime would mean the she was divorced, in which case she would anyway be assur to Kehuna), and therefore is not the halacha that is taught by the pasuk. **R’ Akiva** would either say that we don’t need to compare the issurim to

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those of the husband and the bo'el, or he can say that although the issur to Kehuna may be learned from a kal v'chomer, the Torah went ahead and taught it to us through a pasuk anyway (which is something that is often done in pesukim).

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- The Braisa quoted earlier learned from sotah that a safek tumah in the reshus hayachid is only tamei if the thing involved in the safek is a person who can be asked regarding the situation. **R' Gidal in the name of Rav** learns this from a different source. He says, one pasuk says that korbon meat that is tamei may not be eaten, which suggests that if it is a safek of tumah it may be eaten. Another pasuk says that only a tahor person may eat the meat, which suggests that if he is a safek tamei he may not eat the meat. He explains that the difference in the pesukim is that in the first case there is no person involved to ask, and in the second case there is. From here we see that if there is a person involved the safek is deemed tamei and if there is no person involved the safek is deemed tahor.
 - We need to learn this concept from both sotah and the case of **R' Gidal in the name of Rav**, because from **R' Gidal's** source we would apply the rule whether the safek takes place in the reshus hayachid or the reshus harabim, and from sotah we would say that it is only tamei when the tamei item *and* the item becoming tamei are both people. Therefore, both these sources are necessary.

BO BAYOM DARASH R' AKIVA V'CHOL KLI CHERES...

- **Q:** According to **R' Yochanan ben Zakai** who doesn't have a basis in a pasuk to teach the halacha of a shlishi of tumah, how does he know that terumah can become a shlishi of tumah? **A: R' Yehuda in the name of Rav** said, he had no basis from a pasuk, but he learned the halacha based on a kal v'chomer. If a person who is a "tevul yom", who is mutar to eat maser sheini, is passul to eat terumah, then a sheini of tumah, which would be assur if it was maaser sheini, would surely make terumah assur as a shlishi!
 - **Q:** We can ask on the kal v'chomer, that maybe the case of tevul yom is more stringent in that the person is actually an av hatumah!? **A:** The kal v'chomer should be based on a tevul yom who had become tamei to a sheretz, where the tevul yom is therefore only a rishon, not an av.
 - **Q:** We can ask, that maybe this case is more stringent, because people and keilim have the ability to be an av hatumah, whereas food can never be an av hatumah, and maybe that is why it cannot make terumah passul!? **A:** That can't be correct, because an earthenware keili can never become an av hatumah, and yet it can make terumah passul.
 - **Q:** Maybe an earthenware keili is more stringent, because it can make something tamei just by having it enter its airspace, without actually coming into contact with the keili itself!? **A:** The case of tevul yom doesn't have that quality and yet it can make terumah passul. The common characteristic between the two is that they both are not problematic for maaser sheini and yet they make terumah passul, so certainly, a sheini l'tumah, which would be problematic for maaser sheini, should certainly make terumah passul.
 - **R' Yochanan ben Zakai** was concerned that a later generation would come along and say that tevul yom and an earthenware keili each have a stringency of their own, and that is why they can make terumah passul, but a sheini l'tumah cannot. He held this is not a refutation of the kal v'chomer, because he held that a kal v'chomer cannot be refuted with such a question.
- A Braisa says, **R' Yose** asked, how do we know that a revi'i of tumah makes kodesh passul? He says it is based on a kal v'chomer. If a mechusar kippurim, who is mutar to eat terumah, is passul to eat kodesh, then a shlishi of tumah, which would be passul as terumah, will certainly make revi'i of tumah in the case of kodesh. We learn that a shlishi of tumah makes kodesh passul from a pasuk, and we learn the concept of revi'i from a kal v'chomer.
 - **Q:** Where in the pasuk do we learn that a shilishi is tamei for purposes of kodesh? **A:** The pasuk says that the meat of kodesh that touches anything tamei may not be eaten. Now, the pasuk seems to be

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discussing where the meat touched something that itself was a sheini, and we see that if kodesh became a shlishi it may not be eaten. The concept that when kodesh becomes a revi'i it may not be eaten is then learned from the kal v'chomer.

- **Q: R' Yochanan** said, I don't understand the reasoning of **R' Yose**, because he says that anything that can make terumah passul can make kodesh into a revi'i. However, we know that although a tevil yom can make terumah passul, it does not have the ability to make kodesh into a revi'i, as we see is the shitah of the **Rabanan** in a Braisa!? **A: R' Pappa** said, it may be that **R' Yose** holds like **Abba Shaul** in the Braisa, who argues with the **Rabanan**, and says that a tevil yom can make kodesh into a revi'i of tumah.
 - **Q:** It can't be that he holds like **Abba Shaul**, because if he did, he should learn a kal v'chomer that a shlishi create a revi'i from the case of food that was touched by a tevil yom! The tevil yom himself is mutar to eat maaser sheini, yet the food he touches can create a revi'i of tumah, so a shlishi, which is created by a sheini which itself would make maaser passul, can certainly make kodesh into a revi'i! You can't try and refute this kal v'chomer by saying that a tevil yom is different in that he is essentially an av hatumah, because this refutation stands when the kal v'chomer is made based on a mechusar kippurim as well, and yet the refutation was not asked there! The reason this kal v'chomer was not said must be because he holds like the **Rabanan**, who say that the food cannot make kodesh into a revi'i. And, as said originally, if he holds like the **Rabanan**, **R' Yochanan** found it difficult to understand his reasoning.

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- **R' Assi in the name of Rav (or Rabba ben Issi in the name of Rav)** said, **R' Meir, R' Yose, R' Yehoshua, R' Elazar, and R' Eliezer** all say that chullin cannot become tamei as a shlishi (which argues on **R' Akiva** in our Mishna).
 - **R' Meir** – as we see in a Mishna that a person who is tamei D'Rabanan (who is given the status of a sheini) can make terumah a shlishi and kodesh a revi'i, but does not make chullin or maaser sheini tamei. Even the **Rabanan** who argue with **R' Meir** only argue and say that this person should not eat maaser, but would agree that if he touches maaser it would not become tamei as a shlishi.
 - **R' Yose** – as we see that he learned a kal v'chomer that terumah can make kodesh tamei one degree more than terumah itself can become, and therefore kodesh could become a revi'i. If chullin could become a shlishi, then terumah would be able to become a revi'i, which would be able to make kodesh into a chamishi. It must be that he holds that chullin cannot become a shlishi.
 - **R' Yehoshua** – as we see in a Mishna that he says that a person who eats food that is a rishon or a sheini, he himself becomes a sheini. If he eats a shlishi, he is considered to be a sheini for kodesh but not for terumah. He then explains that since it is assur to eat terumah or kodesh that is tamei, "eating food that is a shlishi" is only possible if someone accepted to eat his chullin on the level of terumah. Based on this explanation, it must be that he holds that regular chullin can never get to the level of a shlishi, which is why he needs to give the example of chullin kept on the level of terumah.
 - **R' Elazar** – who clearly says in a Braisa that food that is a rishon can only make chullin into a sheini of tumah, and no further.
 - **R' Eliezer** – as he says in a Mishna, that if a dough becomes tamei before its challah is removed, a new dough must be made, a piece is removed from the new dough (to be used as challah for the tamei dough), a small piece of dough less than the size of an egg (so that it cannot transfer the tumah further) is then attached to the tamei dough and its other side is attached to the piece of the new dough that is to be used as challah for the tamei dough (challah must be taken from dough that is attached to what it is being taken for). He then removes that piece of new dough that is attached to the "bridge" (the small piece of dough used to attach the two pieces of dough) and declares it to be challah. The **Rabanan** argue and say this should not be done. A Braisa adds that the bridge may even be the size of an egg (in which case it has the ability to transfer tumah as well). Assuming that the tamei dough is a rishon, and that dough which will become challah does not yet have the status of terumah until it is declared as challah, we see that although the bridge becomes a sheini, it cannot make the new dough into a shlishi, because he must hold that chullin cannot be made into a shlishi!

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- **Q:** Maybe we can say that **R' Eliezer and the Rabanan** argue as follows: **R' Eliezer** holds that chullin cannot become a shlishi and the **Rabanan** say that it can become a shlishi (which is why they don't allow this method to be used)? **A:** **R' Mari the son of R' Kahana** said, it may be that all agree that chullin cannot be made into a shlishi. The machlokes may be that **R' Eliezer** holds that chullin dough from which challah will be taken does not get the status of challah (i.e. terumah) until the challah is declared as challah, at which time that challah gets the status of challah, and therefore in this case the dough cannot become a shlishi. The **Rabanan** hold that chullin dough from which challah will be taken is already given the status of challah (i.e. terumah) and therefore it can already become a shlishi. **A2:** It may be that all agree that this dough is not yet given the status of challah, and that chullin cannot be made into a shlishi. They may be arguing in whether it is mutar to cause even chullin to become tamei in Eretz Yisrael. **R' Eliezer** says it is allowed, and that is why that bridge may be used even though it is becoming tamei, and the **Rabanan** say we may not do so, and therefore say that we cannot use the method of attaching tahor dough to the tamei dough.

BO BAYOM DARASH R' AKIVA...

- The machlokes between **R' Akiva and R' Yose Haglili** is that **R' Akiva** holds that the halachos of techum are D'Oraisa (and can be referred to in a pasuk), whereas **R' Yose Haglili** says they are D'Rabanan (and therefore can't be the subject of the pasuk).
- A Braisa says, **R' Akiva** says, when the Yidden exited the Yam Suf they began to sing shira as adults sing Hallel (the chazzan would read the entire paragraph and people would always answer by saying the initial phrase of "Halelukah"). Meaning, Moshe said "ashira LaShem" and the Yidden then said "ashira LaShem". Moshe then said "ki ga'oh ga'ah" and the Yidden responded with "ashira LaShem". **R' Eliezer the son of R' Yose Haglili** says that the Yidden responded as children saying Hallel (they repeat the phrases that they hear). Meaning, Moshe said "ashira LaShem" and the Yidden then said "ashira LaShem". Moshe then said "ki ga'oh ga'ah" and the Yidden responded with "ki ga'oh ga'ah". **R' Nechemya** said, the Yidden responded as people respond to the chazzan by Shema (he begins the paragraph and they all then say it along with him).
 - **Q:** What is the base of the machlokes? **A:** **R' Akiva** says that the word "leimor" means that they kept going back and repeating that first phrase. **R' Eliezer the son of R' Yose Haglili** says "leimor" refers to the repetition of each phrase said by Moshe. **R' Nechemya** says that "vayomru" teaches that they all said the shira together, and "leimor" tells us that Moshe began the shira.
- A Braisa says, **R' Yose Haglili** darshened a pasuk to teach that when the Yidden came out of the Yam they wanted to say shira. Not only did the adults sing, but even the baby on its mother's lap and the baby nursing from its mother, when they saw the Shechina they lifted their heads and stopped nursing and said "Zeh Keili V'anveihu". **R' Meir** says, we learn from the pasuk ("mimkor Yisrael") that even a fetus in the womb sang shira by the Yam.
 - **Q:** The fetus in the womb could not have seen the Shechina, so how could it have said "Zeh Keili V'anveihu"? **A:** **R' Tanchum** said, a miracle happened and their mothers' stomachs became like clear glass and they were able to see out.