



OVERVIEW of the Daf

1) Marrying a promiscuous woman

Shmuel and R' Yochanan disagree whether it is preferable to marry a woman of ill repute or the daughter of a woman of ill repute.

R' Yochanan's opinion is unsuccessfully challenged.

The Gemara rules that it is preferable to marry the daughter of a woman of ill repute.

R' Amram inquires whether the same ruling would apply if she was extremely promiscuous.

This inquiry is not resolved.

2) The Beis Din's warning

A Baraisa presents a dispute whether Beis Din can issue a warning that could lead to a woman drinking the bitter waters.

The point of dispute is explained.

3) Sotah laws

A Baraisa records an exposition that equates the man and the woman in the sotah incident.

R' Sheishes, R' Ashi and Mar the son of R' Ashi explain what is derived from this analogy.

הדרן עלך ארוסה

4) MISHNAH: The Mishnah begins with the statement that the water not only tests the woman, but it tests the man as well. Expositions derived from the words **נטמאה ונטמאה** are presented. The Mishnah digresses to present three expositions of R' Akiva made on the day R' Elazar ben Azaryah was appointed Nasi. A final exposition made on that day, from R' Yehoshua ben Hurkanos, is recorded.

5) The bitter waters testing the man

The Gemara begins to clarify which man is tested with the bitter waters. ■

Distinctive INSIGHT

The responsive reading of the Song of the Sea

בו ביום דרש רבי עקיבא ומה תלמוד לומר "לאמר" - מלמד שהיו ישראל עונין שירה אחריו של משה על כל דבר ודבר כקרואין את ההלל

The Gemara (Berachos 28a) notes that whenever we find the term **בו ביום**—"On that day..." the reference is to the day Rabbi Elazar ben Azarya was appointed to serve as president of the Yeshiva. The administrative policy of the study hall regarding acceptance standards was changed, and many new students entered the study hall. With the increased enrollment, many fresh and insightful ideas were discussed and taught. As the Gemara reports, "There was no halacha that was left suspended on that day that was not able to be resolved."

On that day, Rabbi Akiva taught that the introductory remarks to the Song of the Sea indicate that each sentence or stanza of the song was recited by Moshe, and then repeated by the entire nation after him, just as we find by the reciting of Hallel. This is indicated by the word **לאמר**. Rashi explains that throughout the Torah, the word **לאמר** means that the words spoken by Hashem to Moshe were intended to be transmitted to the Jewish people. Here, in reference to the Song of the Sea, this cannot be the case, as these words were not spoken by Hashem to Moshe. This is why Rabbi Akiva teaches that the word **לאמר** comes to tell us that Moshe sang each verse, and each verse was then repeated by the nation.

Maharsha elaborates upon the inquiry of Rabbi Akiva. The Gemara in Yoma (4b) states that whenever someone tells another some information, it is understood that the listener is prohibited to tell anyone else what he was told, unless the speaker tells the listener specifically that he may tell others what he told him. This is derived from the very first verse in Sefer Vayikra, where "Hashem spoke to

(Continued on page 2)

REVIEW and Remember

1. Why are children generally assumed to be eligible for marriage?

2. What halachos are derived from the comparison between the sotah and her husband?

3. What exposition excited R' Yehoshua?

4. How did Moshe and the Jews sing the song following the splitting of the sea?

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HALACHAH Highlight

The number of limbs of a woman

כשם שהמים בודקין אותה כך המים בודקין אותו

Just like the waters test her so too the waters test him

Tosafos¹ cites the Yerushalmi that states that the word **המאריים** whose gematria equals 496 corresponds to the 248 limbs of the woman and the 248 limbs of the man. Commentators² note that the Gemara in Bechoros (45a) states that women have 252 limbs which is inconsistent with this Yerushalmi. It is suggested that although women have 252 limbs as stated in the Gemara in Bechoros, nonetheless, only 248 of those limbs transmit tumah and therefore, only those limbs are referenced by the Yerushalmi.

Shulchan Aruch³ writes that krias shema has 245 words, and there is a preference to say 248 words. Therefore, the shaliach tzibbur should repeat the last three words to bring the final word total to 248. Rema adds that some Poskim write that when a person recites krias shema by himself he should add the words **אל מלך נאמן** so that he will recite a total of 248 words. Rabbeinu Yehudah ben Yakar⁴, the Ramban's rebbi, wondered how women who have 252 limbs will be able to recite krias shema in a way that corresponds to the number of limbs in their body. He points out that the four extra limbs are described as two doors and two door pivots. Since obviously a door pivot will be attached to a door it is only necessary to count the

(Insight. Continued from page 1)

Moshe from the Ohel Moed **לאמר**. This teaches that Hashem spoke to Moshe, and He gave Moshe instructions to tell the laws to the Jews. This suggests that had Moshe not been given clear instructions what to do, he would not have been permitted to share the information he was told and teach it to the nation. However, in case of the Song of the Sea, the verse states, **ויאמרו לאמר**—And they said it, for it to be said.” Because there is no aspect of granting of permission here, Rabbi Akiva is forced to ask, what do we learn from the word **לאמר** in this verse? He then notes that the lesson is that the nation read each verse responsively to Moshe's call. ■

pivots, which lowers the total to 250. Krias Shema without the sentence of **שם כבודך** contains 239 words, of which are included 11 names of Hashem. Each name of Hashem could be counted twice since it represents the name **י-ה-ו-ה** as well as **א-ד-נ-י** and this brings the total to 250.

This issue has relevance regarding the correct way to recite a **מי שברך** for a woman who is ill. The standard wording mentions the 248 limbs, but, as mentioned, women have 252 limbs. Accordingly, some Poskim⁵ write that one should mention her limbs without referencing the number of limbs, whereas others maintain that the language does not have to be adjusted. ■

1. תוס' ד"ה כשם
2. ע' הגהות בן אריה ד"ה רמ"ח
3. שו"ע אור"ח סי' ס"א סע' ג'
4. פירוש ר"י בן יקר להסידור פירוש התפילות והברכות ח"א
5. ע' שו"ת רבבות אפרים ח"ג סי' ר' ■

STORIES Off the Daf

The deaf Sotah

כשם שאילמת לה היתה שותה

One of the foundations of the power of beis din to force a dishonest person to do what is correct is that the halachah in many case demands that one swear that he spoke the truth. Everyone knows that swearing falsely is very serious and carries in its wake very dire punishments.

Once there was a mute person who was accused of failing to pay a large debt. Although he couldn't talk,

he was of sound mind and could communicate intelligibly either by making motions or writing. Someone claimed in beis din that this mute owed him a huge sum. The mute denied it, but admitted to owing the man a pittance. The beis din didn't know what to do. Although the halachah is clear that one who admits to owing part of what is claimed must swear in order to force him to admit if he is lying, how could a mute swear?

This question was put before the Shvus Yaakov, zt"l. "A mute may definitely swear, as we learn from Sotah 27. There the Gemara states that one

may not give a mute sotah the waters of a sotah since the verse says that the woman says 'Amen Amen,' and a mute cannot say the words. One may question why this reason is mentioned. Why isn't the earlier verse, which states that she must swear, enough to teach us that a mute may not drink since she can't swear? It must be, then, that a mute can swear by acquiescing with a nod or in writing. Therefore the only reason why this woman may not drink is because of the lesson that she must say "Amen," and a mute is unable to do this." ■

