

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah describes the beginning of the procedure of bringing a sotah to the Beis Hamikdash and presents a dispute whether her husband is trusted to be in seclusion with her.

2) Yichud while traveling

It is suggested that the Mishnah's ruling that two people must accompany the couple to Yerushalayim supports Rav's ruling that while traveling three men are necessary to avoid the prohibition against yichud.

This inference is rejected.

It is suggested that the Mishnah's requirement that two Torah scholars accompany the couple to Yerushalayim supports another yichud-related ruling of Rav.

This inference is also rejected.

3) The dispute between R' Yehudah and Rabanan

A Baraisa presents the rationale behind R' Yehudah's position in the Mishnah.

The rationale behind Rabanan's position is explained.

It is noted that in another Baraisa R' Yehudah explains his position from an exposition.

The Gemara explains that initially he presented a kal v'chomer and when that was rejected he suggested the exposition.

The Gemara identifies the point of dispute between R' Yehudah and Rabanan, in the second Baraisa.

4) **MISHNAH:** The Mishnah continues its description of the procedure for administering the bitter waters.

5) Clarifying the Mishnah

The Gemara identifies the source that requires bringing the sotah before a Beis Din of seventy-one.

A contradiction between our Mishnah and a Baraisa pertaining to whether a sotah is ever encouraged to drink the bitter waters is noted.

The contradiction is resolved.

A Baraisa is cited that elaborates on the "matters" that were said to the sotah that she is not deserving to hear.

The source for the Baraisa's reference to Reuven's confession is identified.

The reason it was necessary for Reuven to confess publicly is explained.

6) Receipts

It seems that one could infer from the Mishnah that it is appropriate to write receipts.

Abaye rejects the inference.

Rava rejects Abaye's explanation and offers his own rejection of the inference from the Mishnah. ■

Distinctive INSIGHT

The value of restoring peace to a couple's home

ראובן הודה ולא בוש

Rambam (Hilchos Sotah 3:2) writes that to make it easier for a sotah to admit her guilt we tell her the simple version of the story of Reuven and his father's concubine. Kesef Mishnah (ibid.) explains that Rambam is referring to the pasuk (Breishis 35:22) that states **וילך ראובן וישכב את בילה** And Reuven went and lay with Bilhah, his father's concubine. Even though Reuven did not sin, as the Gemara Shabbos (55b) states, "Whoever declares that Reuven sinned is mistaken," nonetheless, in order to make the sotah feel more comfortable to admit her guilt we misrepresent Reuven's behavior.

Rema (Teshuvos Rema, #11) adds that the Mishnah in masseches Megilla rules that the incident of Reuven is read publicly but not translated. The reason, Rashi (ibid.) explains is that we are concerned that people will misunderstand the incident and it could cause people to think negatively of Reuven. Accordingly, Rema expresses astonishment that it should be permitted to incorrectly vilify **מוציא שם רע** Reuven (whom Chazal exonerate in Shabbos 55b) in order to save an adulteress woman from drinking the bitter waters and dying. Rather the reason for this practice is to prevent the name of Hashem from being erased unnecessarily.

Rema follows this line of reasoning another step and demonstrates that it is permitted to be **מוציא שם רע** in order to make peace. What is the logic behind this conclusion? The Gemara in Makos (11a) teaches that the reason it is permitted to erase Hashem's name for a sotah is to restore peace to the couple's relationship. If we combine the two aforementioned concepts the result is that restoring peace in a couple's home is more important than the prohibition against erasing Hashem's name. It is permitted to be **מוציא שם רע** to avoid erasing Hashem's name. Thus we see that it is permitted to be **מוציא שם רע** in order to restore peace to a family's home. ■

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לע"נ מרת רבקה בת ר' שרגא פייטל ע"ה

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HALACHAH Highlight

Publicizing one's sins

והאמר ר' ששת חציף עלי דמפריט חטאי

Didn't R' Sheishes say, "I consider one who specifies his sins [publicly] to be ill-mannered."

Our Gemara teaches that it is permitted for a person to publicly confess his sins in order to relieve others from being suspected of wrongdoing. The Gemara in Yoma (86b) gives two other circumstances when it is permitted and appropriate for a person to publicize his transgression, the first is when the sin was well known and the second is when the sin was between man and his fellow man rather than when it was a sin between man and Hashem.

There was once a person who stole money and wanted to return the money to repent for his sin. He was embarrassed to identify himself as a thief so he asked Rav Moshe Feinstein whether he is obligated to identify himself and explain that he is sending money that he stole. Rav Feinstein¹ answered that if the victim is unaware that the theft even occurred the thief may return the money in a way that the victim will keep the money without any explanation of why it was sent or who sent it. If, however, the victim is aware that he had money stolen from him and knows who stole it, it is appropriate for the thief to identify himself if it is possible that the victim may think that someone else is sending him money. If the victim knows that money was stolen but does

REVIEW and Remember

1. Why is it necessary to send two Torah scholars to accompany a sotah and her husband to Yerushalayim?

2. Why did Beis Din attempt to frighten the Sotah?

3. What was the reward for Yehudah and Reuven for confessing their guilt?

4. Is it appropriate for a person to publicly admit his transgressions?

not know who stole it, the thief should identify himself so that he could ask forgiveness for the suffering he caused the victim. This is based on the Gemara that teaches that it is appropriate for a person to publicize his transgressions against his fellow man. If the thief finds identifying himself too difficult he may rely on Rashi's² opinion who maintains that the only necessity to identify oneself is to obtain forgiveness. Accordingly, if one writes a letter asking forgiveness, even without identifying himself he may rely on the assumption that the recipient will forgive him even though he did not identify himself as the thief. ■

1. שו"ת אג"מ חו"מ ה"א סעי' פ"ח
2. רש"י לגמ' יומא פו: ד"ה עבירות שבין אדם לחבירו ■

STORIES Off the Daf

Admitting an Error

יהודה הודה ולא בוש

Today's daf discusses the greatness of admitting that one has erred.

Rav Ya'akov Ades, shlit"a, the Rosh Yeshivah of Kol Ya'akov, once recounted the following:

Rav Shlomo Zalman Auerbach, zt"l, related that the administrators of Kol Torah requested that he give a shiur to determine if he was worthy of becoming the Rosh Yeshivah. As he was giving his first shiur, Rav Yonah Marzbach, zt"l, one of the Roshei Yeshivah, asked him a very penetrating question on the very

foundation of his argument. Although Rav Auerbach immediately thought of three ways to answer his question, in his heart he felt that perhaps Rav Marzbach was right and his underlying premise really was faulty. So he simply said, "I was mistaken," and sat down.

When he went home and his wife asked him how it went, he replied simply, "I tripped up."

Rav Shlomo Zalman concluded, "Until this day, the administrators never informed me whether my shiur was considered a success or not..."

Years later, Rav Yonah Marzbach also recounted the very same incident. "The moment he publicly admitted his mistake I decided that he should be our Rosh Yeshivah. Someone who is able to

say, "I was wrong," in a public shiur before the Yeshivah, during his very first shiur yet, deserves to be our Rosh Yeshivah. This is the exactly the kind of person we were looking for!"

On a different occasion they asked Rav Chaim Brisker, zt"l, if a certain very erudite scholar was eligible for a certain prestigious position. To their surprise, Rav Chaim immediately responded that he was not. When asked why this man was not qualified, Rav Chaim explained, "In order to be worthy of being a Rosh Yeshivah or the like one must be willing to step down from a shiur if mistaken. It is true that your candidate is very erudite, but I don't believe he has the character to step down if mistaken. So this position is not for him..." ■