

OVERVIEW of the Daf

1) Clarifying R' Akiva's position

It is noted that two Beraisos present different versions of R' Akiva's opinion.

The Gemara answers that there are two versions of R' Akiva's position.

The Gemara inquires whether, according to R' Akiva, a woman who initially refused to drink may change her mind to drink.

The inquiry is left unresolved.

The father of Shmuel teaches that a bitter substance must be added to the bitter waters.

2) MISHNAH: The Mishnah begins with a discussion related to a woman who refuses to drink the bitter waters. A description of what happens to the sotah is presented followed by a discussion of how a woman's merit could delay the full effects of the waters. The Mishnah concludes with a statement of R' Yehoshua related to people who destroy the world.

3) The use of kankantom

R' Yehudah in the name of Shmuel presented a dispute between R' Yishmael and R' Meir concerning the permissibility of adding kankantom to ink used for a Torah to make it permanent.

The point of dispute between R' Yishmael and R' Meir is explained.

A second Baraisa is cited that has different details related to who studies under whom and who prohibited adding kankantom.

The discrepancy regarding who studies under whom is resolved but the discrepancy pertaining to who prohibited adding kankantom is not resolved.

Another Baraisa is cited that presents a dispute regarding when it is prohibited to add kankantom to ink.

R' Yirmiyah explains the point of dispute.

It is suggested that the dispute in this Baraisa parallels a dispute in another Baraisa.

R' Pappa and R' Nachman bar Yitzchok offer different explanations why the two disputes do relate to the same point.

The position of R' Achai bar Yoshiya cited in the Baraisa is unsuccessfully challenged.

4) Identifying the author of the Mishnah

One part of the Mishnah seems to follow R' Shimon whereas the latter part of the Mishnah follows the dissenting position of Rabanan.

R' Chisda asserts that the Mishnah follows R' Akiva who

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Distinctive INSIGHT

The bitter water with the bitter effect

אמר אבוב דשמואל צריך שיתן מר לתוך המים, מאי טעמא דאמר קרא "מי המרי" שמרים כבר

Rashi on Chumash explains that the waters of the sotah are called bitter due to their effect upon the woman. If she is guilty, she will face a "bitter" fate.

Our Gemara gives us a different explanation. The father of Shmuel says that it is necessary to place a bitter-tasting agent in the water, so that when we erase the name of Hashem and place the scrapings in the water, the water will already be bitter from beforehand. In his commentary to this Gemara, Rashi explains that the water is to be bitter due to some additive, and that this description is not due to the fact that it was able to later check the sotah woman and to curse her. At this point in the narrative, the water is in the hands of the Kohen, and the name of Hashem has not yet been erased into it, yet it is already called "bitter" although it is too early for the water to have any power to test the woman and to curse her.

Why is it that Rashi in Chumash does not explain the verse in the same way that the Gemara explains it?

The Taz, in his sefer **דברי דוד** on Rashi, explains that Rashi understood that the Gemara was bothered with the grammar of the verse. The verse states that the water is **מי המרים**—*the bitter water,* when it should have called it **מי מרים**, without the extra letter **ה**, without the definite article "the".

Thus, the Gemara is explaining that there is a lesson to be learned from this extra letter. We learn that there was something extra in the water itself, a bitter agent, which caused the water itself to be bitter. On the other hand, Rashi's commentary on the Chumash is not attempting to explain the seemingly unnecessary letter **ה**, but he rather wants to give the general philosophical reason why the water was called bitter, not how it became bitter. This is why Rashi explains that the water was bitter in regard to its ultimate effect upon the woman if she is guilty, in that her end will be a bitter one. ■

REVIEW and Remember

1. What happens to a sotah who is guilty who drinks the bitter waters?

2. What did R' Meir learn from R' Yishmael and what did he learn from R' Akiva?

3. Is it necessary to write a sotah scroll for a specific woman?

4. Why was it necessary to take the sotah who starts to deteriorate out of the Beis HaMikdash?

HALACHAH Highlight

Euthanasia

אם יש לה זכות היתה תולה לה

If she had merit it would delay the full effects of the bitter waters

Aruch Hashulchan¹ emphasizes that it is prohibited to do something that will hasten the death of a person who is a goses even though he is suffering and would prefer death since the world and everything in it belongs to Hashem and this suffering is an expression of Hashem's will. Tzitz Eliezer² elaborates on this explanation and writes that since it is His Divine Wisdom that decreed that this person should suffer it is not under our authority to enter into His domain and change the Divine decree by taking the life of the גוסס. The perspective that we do not own our bodies or our lives is not only the reason it is prohibited to take the life of someone who is suffering but it is also the reason one is prohibited from injuring himself.

This approach rejects the notion of euthanasia and one who assists in taking the life of a person who is ill or helps the patient take his own life is considered a murderer (והעושה כן לרוצח נפשות יחשב לאיש ההוא). This perspective was clearly expressed by R' Chanina ben Tradyon in the Gemara Avodah Zarah (18a). As R' Chanina ben Tradyon was being burned alive his students advised him to open his mouth to hasten his death and he refused stating that he preferred to die by the hands of Hashem rather than do something to hasten his own death.

This opposition to euthanasia applies even when continued life involves suffering without any hope for recovery. This

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follows R' Shimon for one halacha and Rabanan for another.

5) Removing the sotah from the Beis Hamikdash

The Gemara questions the necessity to remove the sotah for fear that she will die.

Abaye asserts that it is a concern that she will become a nidah.

This explanation is unsuccessfully challenged.

6) Identifying the author of the Mishnah

The Gemara declares that the Mishnah that writes that a woman's merit may delay her punishment for up to three years seemingly does not follow any of the three opinions that discuss the matter.

The Baraisa that records those opinions is cited. ■

principle can be inferred from our Mishnah. The Mishnah states that a sotah's merit has the capacity to delay the sotah's death. Rabbi explains that during the time her merit is protecting her she will continuously deteriorate until she eventually dies. This clearly demonstrates that continued life, even one that includes painful suffering with no hope for recovery, requires merit and has immeasurable value. The rationale behind this approach is that life under all conditions is a gift of infinite value from Hashem and even a small fraction of life is priceless. For that reason we cannot make a calculation to say that death is greater than life to permit the act of euthanasia. ■

1. ערוה"ש יו"ד סי' של"ט סי' א'

2. רמת רחל סי' כ"ט הנדפס בשו"ת צי"א סוף ח"ה" ■

STORIES Off the Daf

A protective merit

אם יש לה זכות היתה תולה לה

Rav Shlomo Zalman Auerbach, zt"l, taught that if a person has a great zechus to his credit, even if he is otherwise spiritually bankrupt, his merit remains.

A certain young man was slated to marry a kosher bas Yisrael when tragedy struck. In Israel, marriage between Jews is completely under the jurisdiction of the official Rabbinical courts. When the Rabbanut checked into the young man's lineage, they found to their horror that he was a mamzer. His mother was completely up front about this fact, and the Rabba-

nut naturally forbade the marriage. The nonreligious couple was incensed. A well connected couple, they soon got the secular government involved. The government's answer was to pressure a certain well known Rav to "quickly find a heter."

This Rav wrote a long tract permitting the couple to marry. When Rav El'yashiv, shlit"a, saw this tract he declared that it didn't comply with valid halachic process and resigned from the Rabbinic court.

All the gedolim signed an absolute repudiation of this Rav, absolutely invalidating any psak he gave.

The one and only time that Rav Shlomo Zalman Auerbach attended a meeting of the Moetzes Gedolei HaTorah was regarding this issue. When many people

who were pained by this terrible counterfeiting of halachah tore kriah publicly, Rav Shlomo Zalman Auerbach joined them.

Despite all this, whenever this man's name and infamous deeds came up in conversation, Rav Shlomo Zalman would make to sure to remind those present of this man's great merits. "We must not forget that it is only due to this man that the Israeli army is kosher at all."

On today's daf we find that even if a woman was guilty of adultery, the sotah waters would not immediately work if she had a zechus. Let us not forget this poignant lesson: Let's refrain from allowing the negative to obscure the positive! ■

