



"Rabbinic Rites of the Suspected Adulteress" (Babylonian Talmud, Tractate Sotah, 7a-8b) | "תלמוד בבלי מסכת סוטה דף ז ע"א-דף ח ע"ב"

Text Information

Author | Anonymous

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Introduction to the Text

The Babylonian Talmud ("study, learning") is a roughly 1.8 million-word compendium of Jewish tradition. It was composed orally, from the 3rd century C.E., at rabbinic academies near today's Fallujah and Najaf, the heart of the Sasanian Empire. It is divided by legal topic into tractates. Each tractate synthesizes discussions (Gemara, study-as-"completion") of 3rd-century-and-later rabbis, and is structured as commentary on a c. 200 C.E. rabbinic work, the Mishnah (study-as-"repetition"). The Mishnah, in turn, systematizes rabbinic oral traditions related to the Bible, extending as far back as the Second Temple period (ending 70 C.E.) The Mishnah is arranged into 63 tractates and 6 Orders. Only 36.5 Mishnah tractates have a corresponding Gemara in the Babylonian Talmud. Some Babylonian Gemara was lost but has been reconstructed; other Mishnah tractates may never have been studied as such in Babylonia. There is also a Palestinian Talmud with the same format, redacted mainly in Tiberias and Caesarea, under the Roman/early Byzantine empires (c. 425 C.E.)

The Gemara proceeds by commenting on short quotes (lemmas) from the Mishnah, in linear order. Either the Gemara is anonymous (stam), or it uses oral formulae to cite traditions of early rabbis: the Tannaim ("reciters"), contemporary with the oral tradition of the Mishnah, or the Amoraim ("speakers"), of the 3rd through late 5th centuries. The Gemara also incorporates traditions from other rabbinic works: collections of legal exegesis (midrash halakhah) on Exodus, Leviticus, Numbers, and Deuteronomy, roughly contemporary with the Mishnah; the 3rd-century Tosefta or "Supplement" to the Mishnah; the Palestinian Talmud; 3rd-through-6th-century Palestinian rabbinic works of non-legal exegesis (midrash aggadah), organized around biblical books or framed as homilies on the liturgy; and collections like the Tosefta of loose oral traditions (baraitot, sg. baraita), organized by theme or by attribution to rabbis and their circles. In sum, on the surface, the Babylonian Talmud is a compendium of the 2nd to early 6th centuries. With virtually no exceptions, it only cites Scripture or rabbinic sources, although it absorbs many non-rabbinic and non-Jewish sources that are not cited.

Below the surface and between the lines, however, the Babylonian Talmud is very much a medieval work. Three later phases witnessed substantial changes in its form, content, and its circulation in society. First, scholars now tend to agree that much of the anonymous (stam) material is later than much of the attributed material, dating this layer to the 6th and 7th centuries. It seems to stem from a period when scholars in the academies dramatically rearranged and supplemented the inherited Gemara of the Amoraim: connecting the dots of debates, adding new material, and interpolating independent collections on special topics like dream-interpretation and medicine. If that is indeed when this Talmud acquired its distinctive voice and form, it is hard to recover earlier layers. Indeed, where parallels do exist, especially to sections of the Palestinian Talmud, they often accent the creativity of these later editors. One cannot be sure how long this creative process extended, given the gap between the last named rabbis (early 6th century) and the beginning of the next rabbinic generation, the Geonim ("Geniuses"), whose original works of responsa, annals, philosophy, and other genres begin to appear in the mid-8th century.

Second, the text of this Talmud was gradually stabilized under the Geonim, who directed it to be copied and sent to diaspora communities. Yet it continued to be studied and transmitted orally in their academies until the 11th century. They also conducted text-criticism orally, resulting in variant formulations. Sources were transmitted in parallel versions, reflecting different branches of tradition and methods of study. These Geonic oral traditions were incorporated into the early annals of Talmudic literature, and some of the material—as well as other scholastic material, e.g. rules for assigning provenance to sources and sorting out chains of tradition—made its way back into the Talmud text, in the form of notes, lists, and



glosses. Further varia arose in the course of the Talmud's use as a companion to Geonic literature, where it was a source for works of law, history, customs, etc.

Third, from the 11th century to the advent of printing, Talmud commentary flourished in Iberia, North Africa, and the Rhineland. The Talmud was incorporated into an encyclopedia, the *Arukh* of Nathan ben Jehkhiel of Rome (d. 1106), and became the basis for legal codes by, e.g., Alfasi (d. 1103) and Maimonides (d. 1204). In these new settings, the text continued to mutate: for example, marginal glosses or comments were incorporated into local versions. The Talmud remained a formative canon for new literatures and was remolded in light of their exegetical, homiletical, and jurisprudential aims. It remained bound to both oral and scribal contexts. Extract, gloss, paraphrase, commentary, and anthology shaped the transmission of the text, no less than study of whole tractates of Gemara. Not until printers standardized and democratized access to the text was "the" Babylonian Talmud a stand-alone canon. Even in prints, it remained encircled by a garland of medieval varia and commentaries.

The Talmud's medieval quality comes through particularly well in translation, because one cannot even present the text without supplying explanations in notes and brackets. These explanations reflect either parallel rabbinic traditions or medieval commentators in the margins of printed editions: foremost among them, Rashi (an acronym for "Rabbi Shlomo Yitshaqi of Troyes, d. 1105.)

Introduction to the Source

This selection of the Babylonian Talmud is from the tractate on the rite of a woman suspected of adultery (sotah). In the Bible, the rite already forms a well-scripted literary unit at Numbers 5:11-31. The rabbis' commentaries on it, the tractates Sotah, are located in the Order of Women (Nashim) in the Mishnah, Tosefta, and both the Palestinian and Babylonian Talmuds. In the latter works, the Gemara, reflecting oral debates in the Amoraic and later academies, forms thematically distinct but not explicitly divided blocs of argumentation (sugyot, sg. sugya.)

This selection is comprised of two loosely connected sugyot, Parts I and II in the translation. Each sugya covers one stage in the priestly rite of sotah, as reimagined by the Mishnah. Part I covers the inquisition of the sotah by the judges of the High Court in Jerusalem. It stipulates what is to occur if this elicits a confession of adultery from her: her marriage is dissolved, and she forfeits any rights under her marriage-contract. That possibility was not envisioned by Numbers. Rather than allow that a wife might say, "I am defiled" (Mishnah Sotah 1:5), in Numbers, the husband's "spirit of jealousy" automatically triggers the rite (even if "the spirit of jealousy come upon him, and he be jealous of his wife, and she be not defiled," Num. 5:14 KJV, emphasis added.) Part I is thus devoted to exploring this alternative rabbinic scenario: the priest, or a member of the court, might force a confession out of the woman—either by warning that she will violate the sanctity of the divine name when it is dissolved in water during the rite, or by inspiring her with confessions of the biblical patriarchs. Unlike in Numbers and other early rabbinic sources, the sotah is generally presumed guilty in the Mishnah. Forced confession is presented as one way to redress the social consequences of her guilt.

But confession would halt the rest of the ritual. That option is not the focus of either the Mishnah or the Gemara. Rather, Mishnah 1:5-1:6 and its Gemara (Part II) each present new rabbinic versions of the rite, focusing on the exposure and degradation to which a sotah will be subjected if she does not confess. These are among the most violent scenes in rabbinic reimaginings of the ritual. It is hard not to read them as partly motivated by a misogynistic desire to humiliate the sotah and make an example of her for other women; even as men are said to take a prurient interest in her exposed body. Although this ritual was likely never practiced in the rabbinic period—a fragment from the Cairo Genizah suggests, at most, that it may have become a new kind of magical rite—its discourse remains troubling.

All three aspects of the textual tradition—variants, parallels, and commentaries—affect the reading that one selects for any location, and therefore, both the translation and the interpretation offered. In this translation, only textual cruxes in the Mishnah (cited at the beginning) are presented in the notes as it would be prohibitively long and complex to do so for the Gemara as well. This offers the English reader a sample of the issues which arise in presenting a rabbinic text. For biblical verses, the translation uses the King James Version and its verse-divisions, with modifications as noted.



About this Edition

The selection appears on folia 7a-8b in the standard edition of reference, Vilna: Widow & Brothers Romm, 3rd ed., 1880-1886. a: recto; b: verso. It has been translated into many languages, including English. Tractate Sotah has 48 folia; numbering begins with 2. In the Vilna edition, the text is surrounded by references to parallels and biblical verses; textual variants from other witnesses; and commentaries, including Rashi's, which is a source for many choices in the translation and in the bracketed comments. The original text is also that of the Vilna edition. Textual variants in the notes to both the original and the translation are drawn from the critical edition of the Babylonian Talmud Tractate Sotah. Avraham Liss, ed. Jerusalem: Institute for the Complete Israeli Talmud. 2 vols. 1977.

Further Reading

Few studies, especially in English, focus on the Babylonian Gemara of this tractate, as opposed to earlier rabbinic versions of the sotah rite, or synchronic theories of its role in Judaism writ large. As for the rabbinic interpretations of the sotah in general, scholars have advanced feminist critiques; ventured apologetic interpretations; and offered nuanced textual and cultural analyses of its early evolution among the Roman-era Tannaim. A comparable statement about the significance of these sugyot for gender, sex, and sensuality in later rabbinic culture in Sasanian Iran, where this Talmud was produced, would weigh such options against the backdrop of a literary analysis, towards which this translation is but a step.

Destro, Adriana. *The Law of Jealousy: Anthropology of Sotah*. Brown Judaic Studies, 2020 [1989].

- Chapter 4 includes our text in a holistic view of the rabbinic ritual, from the Mishnah through Maimonides. Applies structural-functionalist theory in arguing for the essential unity of the rite in all its phases (jealousy; confession; ordeal; sacrifice; purification) so as to maintain the ideal social order.

Ebner, David. "The Composition and Structure of Mishnah Sotah." PhD Diss., Yeshiva University, 1980.

- Rigorous analysis of the text of the ritual in the Mishnah (chapters 1-6), focusing on editorial decisions and their basic principles; relation to parallels (especially the Tosefta); and chronology.

Grushcow, Lisa. *Writing the Wayward Wife: Rabbinic Interpretations of Sotah*. Brill, 2006.

- Chronologically organized overview of interpretations of the rite in rabbinic and other ancient sources with helpful appendices, including annotated translations of a variety of primary sources.

Hasan-Rokem, Galit. *Tales of the Neighborhood: Narrative Dialogues in Late Antiquity*. U of California P, 2003.

- Chapter 3 examines a Palestinian rabbinic parallel to the earlier Palestinian Gemara of our text that is not, however, preserved in the Babylonian Talmud. This parallel contains a complex story that is read as an internal critique of the rabbinic sotah ritual.

ben Maimon, Moses. *The Code of Maimonides. Book Four: The Book of Women*. Translated from the Hebrew by Isaac Klein. Yale UP, 1972.

- Maimonides' code of Jewish law offers a new rendition of the rite based on his implicit interpretation of the Babylonian Gemara.

Rosen-Zvi, Ishay. *The Mishnaic Sotah Ritual: Temple, Gender, and Midrash*. Translated by Orr Scharf. Brill, 2012.

- Combines philological and cultural perspectives in a careful study of the Tannaitic phase of the rite. Uses the Gemara to clarify this earlier literature, but also shows how it diverges.

Zornberg, Avivah Gottlieb. *Bewilderments: Reflections on the Book of Numbers*. Random House, 2015.

- Both popular and erudite commentary guided by midrash and psychoanalysis. Chapter 2 ventures an original interpretation of the rabbinic rite in light of later Jewish commentaries and another legal narrative concerning women in Numbers, the Daughters of Tselofhad (Num. 26-27).



"Rabbinic Rites of the Suspected Adulteress" | "תלמוד בבלי מסכת סוטה דף ז ע"א-דף ח ע"ב"

Mishnah:

They would take her up to the High Court in Jerusalem and admonish her in the same way that they admonish witnesses in capital cases. And he¹ says to her, "My daughter, much wine, much levity, much childishness, and many bad neighbors cause [sin]. Cause [rather] this [confession] for² His great Name, written in holiness, that it may not be blotted out by the waters."

And he tells her of things that one³ should not hear, [neither she] nor any relation of her father's house.

If she said, "I am defiled," she writes a receipt for her marriage-contract and she is released. But if she said, "I am pure," they take her up to the Eastern Gate,⁴ at the entry-way of the Niqanor Gate, where they give the sotah [bitter waters] to drink, and purify a [recently] delivered woman, and purify those with skin-affliction.

And a⁵ priest seizes her clothes—if they are torn, they are torn; if they are ripped, they are ripped—until he exposes her chest, and he uncovers her hair [and unbraids it].

Rabbi Yehudah says: If her chest was attractive, he wouldn't expose it, and if her hair was attractive, he wouldn't uncover [it]⁶ [and unbraids it].

7b

If she was dressed in white, he dresses her in black; if she had on⁷ gold jewelry, chokers, nose-rings, rings: they take them off her in order to sully⁸ her. After that, [the priest] takes a reed⁹ rope and ties it above her breasts.

And everyone who wants to gaze may come,¹⁰ except male slaves and maidservants, for she is shameless¹¹ before them. And all women¹² are permitted¹³ to see her,

as it is said: *that all women may be taught not to do after your lewdness.*

[Ezek. 23:48]

[I.a.]

Gemara:

Where are these matters [They take her up to the High Court... to be derived] from [in

מתני'

מתני' היו מעלין אותה לבית דין הגדול שבירושלים ומאיימין עליה בדרך שמאיימין על עדי נפשות

ואומר לה בתי הרבה יין עושה הרבה שחוק עושה הרבה ילדות עושה הרבה שכנים הרעים עושי¹

עשי לשמו הגדול שנכתב בקדושה שלא ימחה על המים³

לשומען היא וכל משפחת בית כואומר לפניה דברים שאינם כדי אביה

אם אמרה טמאה אני שוברת כתובתה ויוצאת ואם אמרה טהורה שעל פתח שער נקנור ששם משקיף אני מעלין אותה לשער המזרח את הסוטות ומטהרין את היולדות ומטהרין את המצורעין

אוחז בבגדיה אם נקרעו נקרעו ואם נפרמו נפרמו עד שהואכוכהן מגלה את לבה וסותר את שערה

רבי יהודה אומר אם היה לבה נאה לא היה מגלהו ואם היה כשערה נאה לא היה סותר

עליה כלי זהבאמתכסה בלבנים מכסה בשחורים היהאיתה וקטליאות נזמים וטבעות מעבירין ממנה כדי לנוולה וקושרו למעלה מדדיהאחר כך מביא חבל מצרי

לראות חוץ מעבדיה ושפחותיה מפני שלבהכול הרוצה לראות בא לראותהנשים מותרותאכלגס בהן

שנאמר ונוסרו כל הנשים ולא תעשינה כזמתכנה

[I.a.]

גמ'

מנהגי מילי א"ר חייא בר גמדא א"ר יוסי בר' חנינא אתיא תורה תורה



Scripture]? –R. Hiyya bar Gamda said that R. Yosi bar Haninah said, "It is brought from [an analogy between two instances of] 'Torah' and 'Torah'. Here it is written, 'the priest shall execute upon her [the sotah] all this Torah' [Num. 5:30], and there it is written, 'According to the sentence of the Torah which they shalt teach thee' [Deut. 17:11]. Just as the latter is about [the High Court of] seventy-one [judges], here, too, it is about [the High Court of] seventy-one [judges].

And admonish her etc. And we counterpose the two [sources to raise a contradiction, i.e. this mishnah with the following baraita]: Just as they admonish her not to drink, so do they admonish her to drink. They tell her, "My daughter, if the matter is quite clear to you that you are pure, then rest assured in your clarity and drink, as the bitter waters may be likened to nothing more than a dry ointment spread upon living skin: if there is a wound there, it pierces and goes in. If there is no wound, it brings about nothing at all."

[The apparent contradiction between that baraita and the mishnah] is not difficult [to resolve]: There [in the mishnah] it was before the scroll is dissolved [that she was admonished not to drink so as not to profane God's name]; here [in the baraita], it is after the scroll is dissolved [that she was admonished to drink, lest an innocent sotah refrain due to her fear – Rashi.]

[I.b]

And he tells her etc.

Our rabbis taught [in a baraita]: He tells her of things of lore and deeds that transpired in the early Writings, for instance, Which wise men have told from their fathers, and not hid it [Job 15:18]: Judah confessed and was not ashamed. What end did he come to? He inherited the life of the world to come. Reuben confessed and was not ashamed. What end did he come to? He inherited the life of the world to come. And what was their reward?

– What was their reward?! It's just as we are saying, [the life of the world to come—isn't that enough]?!
–But [the question was], "What was their reward in this world?"

–"Unto whom alone the earth was given, and no stranger passed among them." [Job 15:19.]

כתיב הכא ועשה לה הכהן את כל התורה וכתיב התם
על פי התורה אשר יורוך מה להלן בשבעים ואחד אף כאן
בשבעים ואחד

ומאיימין עליה וכו' ורמינהו בדרך שמאיימין עליה שלא
תשתה כך מאיימין עליה שתשתה אומרים לה בתי אם
ברור לך הדבר שטהורה את עמדי על בורייך ושתי לפי שאין
מים המרים דומין אלא לסם יבש שמונח על בשר חי אם יש
שם מכה מחלחל ויורד אין שם מכה אינו מועיל כלום

לא קשיא כאן קודם שנמחקה מגילה כאן לאחר
שנמחקה

[I.b]

ואומר לפניה וכו'

ת"ר אומר לפניה דברים של הגדה ומעשים שאירעו
בכתובים הראשונים כגון אשר חכמים יגידו ולא כחדו
מאבותם יהודה הודה ולא בוש מה היה סופו נחל חיי
העולם הבא ראובן הודה ולא בוש מה היה סופו נחל
חיי העולם הבא ומה שכרן

מה שכרן כדקא אמרינן

אלא מה שכרן בעולם הזה

להם לבדם נתנה הארץ ולא עבר זר בתוכם



– That is suitable for Judah, we do find that he confesses, for it is written, And Judah acknowledged them, and said, She hath been more righteous than I. [Gen. 38:26.] But Reuben, from where do we [know] that he confesses?

–For R. Shmuel bar Nahmani said that R. Yohanan said:

Why is it written, "Let Reuben live, and not die [...]. And this is [the blessing] of Judah"? [Deut. 33:6-7. Why is this the only blessing of the tribes which begins And this, indicating some connection between the blessing of Reuben and the blessing of Judah?- Rashi]. All those years that Israel were in the wilderness, Judah's bones were rolling in the coffin, until Moses arose and begged for mercy for him. He said before Him, "Lord of the universe, who caused Reuben to confess? Judah! Yet this is [the so-called blessing] of Judah?!" Right away "The Lord heard the voice of Judah..." [Deut. 33:7, modified.] Each limb went into its socket. But they still would not bring him up to the academy of the firmament [so Moses continued] 'bring him unto his people' [Deut. 33:7]. And [when he arrived] he still did not know [the art of] dialectic in the oral tradition among those teachers of ours, [so Moses continued] 'let his hands [i.e. his ability] be sufficient [rav, pun on "a rabbi"] for him' [Deut. 33:7]. He still could not establish the tradition according to the law, [so Moses said] 'and be thou an help unto him from his enemies' [Deut. 33:7. This entire paragraph = Babylonian Talmud tractate Makkot 11b].

– That is suitable [to show] that Judah confesses: it was so that Tamar would not be burnt. But Reuben, why did he [have to] confess? After all, Rav Sheshet has said, 'To me, (a son of Israel) one who confesses his sins in detail is scandalous!'

–It was so that his brothers would not be suspected.

[I.c]

If she said, "I am defiled" etc. [she writes a receipt for her marriage-contract and she is released].

בשלמא ביהודה אשכחן דאודי דכתיב ויכר יהודה
ויאמר צדקה ממני אלא ראובן מנלן דאודי

דא"ר שמואל בר נחמני אמר ר' יוחנן מאי
דכתיב יחי ראובן ואל ימות וזאת ליהודה
כל אותן שנים שהיו ישראל במדבר היו
עצמותיו של יהודה מגולגלין בארון עד
שעמד משה ובקש עליו רחמים אמר לפניו
רבש"ע מי גרם לראובן שהודה יהודה וזאת
ליהודה מיד שמע ה' קול יהודה על איבריה
לשפא ולא הוה קא מעיילין ליה למתיבתא
דרקיעא ואל עמו תביאנו ולא הוה קא ידע
משקל ומטרח בשמעתא בהדי רבנן ידי רב
לו לא הוה קא סלקא ליה שמעתא אליבא
דהילכתא ועזר מצריו תהיה

בשלמא יהודה דאודי כי היכי דלא תישרף תמר
אלא ראובן למה ליה דאודי והאמר רב ששת חציף
עלי (בר ישראל) דמפריט חטאיה

כי היכי דלא ליחשדו אחוהי

[I.c]

אם אמרה טמאה אני וכו'