

## I. A BITTER EXPERIENCE

TEXT: 5:12-31

The topic of *sota* (the complex ritual concerning an alleged adulteress) is not a popular subject for discussion. At first glance it appears not only primitive and horrific, but also distastefully reminiscent of medieval witch hunts. Most teachers and preachers choose to skip this topic and discuss other more "acceptable" matters (like "nazir", see last year's study).

But, of course, no topic in the Torah is irrelevant -- and certainly not ethically or morally distasteful. It becomes a challenge (and duty) of contemporary commentators to convey the relevant values inherent in the remarkable case of *sota* -- a challenge that Rav Hirsch meets successfully in his commentary. We will study his remarks and discover surprising insights into the Jewish conception of marriage dynamics.

Rather than review the complex details in the abstract, I'll create a contemporary hypothetical situation and use the illustrative case for analysis.

A married woman is working in a downtown office. She becomes quite friendly with a male co-worker and the two spend much time together, socially. Soon, the husband believes that their social relationship violates his "exclusive rights" in his marriage.<sup>1</sup> So -- in the presence of two witnesses -- he forbids his wife to be alone with this man.

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<sup>1</sup> The key term describing this reaction is "*kinah*" (v.14), usually translated as "jealousy." SRH, however, defines it differently. He associates the root *kuf-nun-aleph* with *kuf-nun-heh*, meaning "to acquire the rights to something or lay claim to something that belongs to you." For example, God is called "*El kand*" in relation to His people, Yisrael. It is not that God is "jealous" (such a negative emotion cannot be ascribed to God), but rather, He "asserts His claim over the exclusive relationship" of Him and the B' nai Yisrael. Similarly, the husband *asserts his claim to the exclusivity* of the marital relationship. Also SRH notes that the text describes the feeling of "*kinah*" overcoming him. This indicates, says Hirsch, that we are not dealing with a case of a paranoid husband who invents these suspicious thoughts, but rather the feeling "comes to him" from external, realistic sources of information.

She ignores his warning. A few days later, the wife and her co-worker are seen entering a nearby hotel during lunchtime. Two witnesses observe them registering at the desk and entering a hotel room together. That's it ...end of story. [If the story continued with even one witness barging in the room to find them in an adulterous union, the marriage would be dissolved legally. This is *not* the case of *sota*].

Now let's review the situation. There were two separate, witnessed events: First, the husband explicitly forbade his wife to be alone with this man and second, the wife and her companion were, in fact, secluded together. There is no witness to an adulterous act.

Next, the husband confronts his wife with the witnessed report of her hotel foray. She admits to entering the hotel room with him, but insists that they did not engage in an adulterous union. Now what should the husband think? She ignored his warning; can he trust her statement? What happens to the marital relationship?

At this point -- if this was a TV soap opera -- the couple would either (a) continue with an unhappy marriage of "convenience" (so as not to disrupt their lives), sleep in separate bedrooms and maintain a "cold war" truce; (b) the husband would seek an affair, to even the score, resulting in mutual unfaithfulness; or (c) they both would agree to accept each other's extra-marital affairs, with mutual expectation of future infidelity.

Not surprisingly, none of these alternatives are acceptable to the Torah. The Torah sees two possible actions at this point. Either one or both partners can decide to dissolve the marriage immediately, regardless of the guilt or innocence of the wife, or they both can choose to re-establish a trusting marital relationship, based on the husband's acceptance of his wife's claim to innocence.

But how can she prove her innocence? Can her husband be expected to trust her word and harbor no lingering doubts? What are they to do if there are no witnesses to what went on behind the hotel room doors? This appears to be an insoluble dilemma and a doomed marriage.

However -- there was a witness: Omnipresent God. The proof of the wife's innocence can only be attested to by God, Himself. This is the case of *sota*!

In other words, the case of *sota* presented in the Torah, applies to a situation in which both partners want to re-establish a trusting relationship and continue the marriage. Realistically, however, in order to effect this reconciliation, the husband's genuine doubt has to be dispelled. This can only be done by the "testimony" of the Divine Witness. Therefore, the *sota* ceremony is *designed to prove innocence* and reconcile the marriage -- not to prove guilt!

Before we take a look at the symbolic ceremony, it's important to establish a framework within which to understand the ritual. Through the Torah's use of specific terminology throughout the chapter, Rav Hirsch finds the thematic context. In v.12, the wife's apparent disloyalty to the marriage is termed "*m'elah*." This word was just used in v.6 (and is found in many other places) in describing a social crime as an act of disloyalty against God. Similarly, the terms used for her "innocence" or her "guilt" are "*ta'hor*" (spiritual purity) and "*tamei*" (spiritual impurity), respectively. All three terms relate to the dimension of "*k'dusha*", a state of holiness or sanctity, despite the fact that we are dealing with a *social crime*. This is quite understandable, says Hirsch, since "marriage" in Jewish life is called "*k'dushin*." The marriage relationship is not only a social contract, but also a sanctified partnership. Marital infidelity, therefore, is not only a social crime, but also a spiritual crime against the sanctity of a mutually covenanted relationship.

## II. THE SOLUTION (get the pun?)

Now then, we've determined that the case of *sota* involves a couple who, instead of divorcing because of suspected infidelity, wishes to re-establish a trusting, marital relationship. The only way that the husband's doubt can be dispelled, absolutely, is by means of the *sota* ceremony. They travel to the Sanctuary and appear before the *kohane* (not the court, because this is not a legal case).

The husband brings a offering for his wife (notice how they both participate in the ritual so as to show mutual effort towards reconciliation) consisting of barley flour, without the usual oil and incense. Barley, in contrast to wheat or rye, is used, typically, for *animal* food. The absence of oil and incense reflect the absence of "joy" and "well-being" in the symbolism of *korbanot*. So taken together, this symbolic offering declares the following message: *Marital infidelity is an expression of one's base nature and brings neither joy nor satisfaction to anyone, including God.*

Next, the kohane takes some "sanctified water" from the Sanctuary washbasin (which was used to wash the hands and feet of the kohanim in preparation for their service) and pours it into an earthen vessel. Then the kohane takes some earth from the Temple floor (actually, from under a specially designed, movable marble floor-tile) and places it in the water (v.17).

The symbolism expressed by this ritual is the following, according to Rav Hirsch:

The human body (earthen vessel<sup>2</sup>) contains the creative capacity for reproduction and motherhood (the "earth" from under the tile represents the productive capacity of "mother-earth"). Furthermore, the sexual side of human nature is not "evil" or "sinful" (the earth is taken from the *Sanctuary* floor). But the sexual capacity must be infused, simultaneously, with sanctity (*sanctified* water, which prepares for the service of God). The entire procedure, therefore, proclaims that marital infidelity turns the sanctity of marital sexuality into "bitter, curse-bringing waters (v.18)".

The next procedure involves the "loosening" of the wife's hair (v.18, and of her dress, at the neck, according to the Talmud). This is a visual expression of her "immodest" behavior. She appears, now in public, as a married woman appears only within her chambers.

One might ask why she should be shamed in this way; after all, she may be entirely innocent of adultery. But remember that there are two separate issues here. The first is that -- by the testimony of two witnesses -- she

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<sup>2</sup> The human being was shaped from the "dust of the earth" - thus an earthen vessel is symbolic of the human body.

*intentionally* behaved immodestly as a married woman, even against the expressed wish of her husband. For that blatant disregard for marital propriety, she is symbolically "shamed." But the second issue of alleged infidelity has not yet been addressed -- she may be, indeed, entirely innocent of that crime.

Next, in vv.19-22, the kohane verbally presents the two possible consequences of the "sota test" and the woman responds "amen, amen" in affirmation. The terms are written on parchment, which is placed in the clay jar such that the writing dissolves in the water (v.23). Thus, when she drinks, she will be *incorporating*, literally, the terms of the test. The korban is offered and she drinks the water solution. If she is innocent, the potion has no effect; the marriage will be reconciled and she will continue to bear children (or if she was barren, will become fertile) -- God, Himself, has testified to her fidelity, removing all doubt from the husband's mind. If she had, indeed, "forfeited her purity", God will cause her reproductive organs to rupture, with fatal consequences.

Lest we think that the Torah tolerates a double standard of morality, we need to delve into more of the halachik and aggadic detail in order to gain a full appreciation of this ritual and its symbolic message. Since there is no parallel ritual for a husband who is suspected of sexual misbehavior by his wife -- the Torah appends a verse to the end of the chapter (v.31): "*If the husband is free from guilt, then the wife has to bear her guilt*". The gemara explains that the decision of the "water" concerning the wife will *only* occur if the husband, himself, has not been guilty of sexual misbehavior since adolescence!

Also, if one looks at v.22, the masculine form is used to describe the dire consequences of the *sota* drink, if the woman should prove guilty. According to the gemara, the change of gender in the wording indicates that the *same* fatal consequences that occur to the woman, occur simultaneously to her adulterous partner, wherever he may be. Says Hirsch: "*God's laws of morality do not, in any way, grant men greater license for sexual misbehavior than they do for women*".

Our sages were remarkably sensitive to those cases which would, most likely, not result in a reconciled marriage. So they legislated that such

marriages be dissolved without the *sota* ritual. For example, if either partner was physically handicapped or if either partner was sterile, such circumstances may have contributed to the marital stress which led to impropriety and to a future vulnerability to an "affair," and the marriage should be dissolved. Similarly, if the wife already had a "scandalous reputation" in the community, the couple is divorced rather than reconciled.

The *sota* ceremony is designed for a woman who is presumed faithful, except for her husband's doubt in this particular situation. It is a ceremony designed to *reconcile a trusting couple*, not to force the continuance of an irreconcilable marriage.

As a closing thought, a number of commentators remark that the case of *sota* has two unique characteristics. It is the only case where God, Himself, intervenes miraculously in a case of social law. Second, God allows His Name to be erased (it is dissolved in the water), which otherwise is prohibited in the Torah. Remarks Hirsch: "*It shows the presence of God in every Jewish marriage relationship; the faithfulness of husband and wife to each other is the special object of God's attention....*"