The previous chapters left us the task of explaining the Mishnah’s repeated violation of taboo, as well as its surprising affinity with the violence and mutilating punishments found in prophetic literature. In this chapter, I claim that Mishnah Sotah is a fantasy of total and unbridled control over the female body, against the backdrop of Foucault’s analysis of the constitutive role of the sovereign’s hold on the body in the establishment of his power.¹

By situating the biblical *sotah* ritual in a new context, the Mishnah subjects it to a thorough remodeling. The crux of the Mishnaic *sotah* ritual is womankind at large, and the core issue that its procedure addresses is seduction, not marriage. The Mishnah restructures the biblical ritual as a sequence of theatrical punishments inspired by prophetic literature, as part of the Tannaitic preoccupation with the dangers women pose and the ways to contain them. The ritual serves as a textual² locus for analyzing and publicizing the threats inherent to womankind and for portraying an ideal, non-seductive woman. This is the context in which the ritual appears in Tannaitic literature, and this is the reason for its restructuring in a period when it could only exist in the house of study. The Tannaitic *sotah* ritual should therefore be read in two different contexts: seduction and sexual ethics, on the one hand, and the rabbinic contemplations of Temple and cult, on the other. In this chapter, I address the former; the latter will be discussed in the Afterword.

The current chapter weaves the insights of the previous readings into their concluding interpretation. Such a move is speculative by its very nature. Its merit depends on its ability to offer a cohesive explanation for as many findings as possible. In the case of Mishnah Sotah, these include its extreme violence, deviation from the Tannaitic punitive ethos, systematic selection of materials (evident in the parallels), its theoretical nature and affinity with prophetic punitive schemes.

¹ See chapter 7, section I.
² See Afterword, below.
Michel Foucault demonstrated how control over the body functioned as the font of sovereignty and an instrument in its establishment, preservation and restoration. The sovereign's power becomes concrete, first and foremost, through its public display on the bodies of subversive subjects. Injuring and even obliterating the subject’s body is the sovereign’s prerogative and his way to restore his undermined authority. The Roman arena, briefly presented in chapter 7, is an example of the way in which the bodies of gladiators and other individuals thrown into the arena become a political site where power meets the masses. The harm to the body, its disfigurement and destruction, are signs of a deeper connection between the law and the body and of the way in which the law controls the bodies of its subjects.

In Foucault’s terms, the possibility of controlling the body, mapping it, quantifying it and making it completely visible is a linchpin of the modern project. These capabilities form some of the essentials of the sciences of man, society and modern life. Giorgio Agamben expands Foucault’s analysis in his *Homo Sacer*, presenting the right to take life as constitutive of the notion of sovereignty. Basing his thesis on Foucault’s (ambiguous and almost completely unexplored) notion of bio-politics, Agamben argues that what Foucault considered the innovation of modernity has been the enduring form of sovereignty in Western culture ever since archaic Rome.

Ostensibly, the model that Tannaitic law introduces is diametrically opposed to Foucault and Agamben’s notion of sovereignty, as it precludes control of the body. The limits rabbinic legislation set to the domination of the bodies of transgressors are demonstrated most clearly in the way in which Tannaitic literature structures capital punishment. Halbertal and Lorberbaum demonstrate that the rabbis upheld the body’s intactness up unto execution. The Tannaim considered the human body sacred, and thus remodeled capital punishment into a “death that leaves no mark” (מיתה אין בה רושם) in which the integrity of the body, not death, marks the boundary that is not to be crossed.

3 Foucault, *Discipline*, part 1. See also above, chapter 7, end of section I.
4 For a brilliant analysis of this phenomenon, see Gunderson, “Arena.”
5 See chapter 4, section I above.