

Was the Sotah Meant to be Innocent?

1) Bamidbar 5:11-31

(יא) וַיְדַבֵּר ה' אֶל-מֹשֶׁה לֵאמֹר: (יב) דַּבֵּר אֶל-בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם אִישׁ אִישׁ כִּי-תִשְׁטֶה אִשְׁתּוֹ וּמַעַלָּה בּוֹ מֵעַל: (יג) וְשָׁכַב אִישׁ אִתָּהּ שֹׁכֶב־זָרַע וְנִעְלַם מֵעֵינֵי אִישָׁהּ וְנִסְתָּרָה וְהִיא נֹטְמָאָה וְעַד אִין בָּהּ וְהוּא לֹא נִתְפָּשָׁה: (יד) וְעָבַר עָלָיו רֹיח־קִנְיָאָה וְקָנָא אֶת-אִשְׁתּוֹ וְהוּא נֹטְמָאָה אוֹ-עָבַר עָלָיו רֹיח־קִנְיָאָה וְקָנָא אֶת-אִשְׁתּוֹ וְהִיא לֹא נֹטְמָאָה: (טו) וְהִבִּיא הָאִישׁ אֶת-אִשְׁתּוֹ אֶל-הַכֹּהֵן וְהִבִּיא אֶת-קַרְבְּנָהּ עָלֶיהָ עֲשִׂירֵת הָאִיפָה קֶמַח שְׁעָרִים לֹא-יִצַק עָלָיו שֶׁמֶן וְלֹא-יִתֵּן עָלָיו לֶבְנָה כִּי-מִנְחַת קִנְיָאָה הִוא מִנְחַת זָכָרוֹן מִזְבַּחַת עֹון: (טז) וְהִקְרִיב אִתָּהּ הַכֹּהֵן וְהִעֲמִדָהּ לִפְנֵי ה': (יז) וְלָקַח הַכֹּהֵן מִיָּם קִדְשִׁים בְּכַל־יַחֲרָשׁ וּמִן-הָעֶפֶר אֲשֶׁר יִהְיֶה בְּקַרְקַע הַמִּשְׁפָּן יִקַּח הַכֹּהֵן וְנָתַן אֶל-הַמַּיִם: (יח) וְהִעֲמִיד הַכֹּהֵן אֶת-הָאִשָּׁה לִפְנֵי ה' וּפָרַע אֶת-רֹאשׁ הָאִשָּׁה וְנָתַן עַל-כַּפֶּיהָ אֶת מִנְחַת הַזָּכָרוֹן מִנְחַת קִנְיָאָה הִוא וּבִגְדֵי הַכֹּהֵן יִהְיוּ מִי הַמָּרִים הַמְאָרְרִים: (יט) וְהִשְׁבִּיעַ אֹתָהּ הַכֹּהֵן וְאָמַר אֶל-הָאִשָּׁה אִם-לֹא שָׁכַב אִישׁ אִתָּךְ וְאִם-לֹא שְׁטִיתַת טְמָאָה תַּחַת אִישׁךָ הַנָּקִי מִמֵּי הַמָּרִים הַמְאָרְרִים הָאֵלֶּה: (כ) וְאִתּוֹ כִּי שְׁטִיתַת תַּחַת אִישׁךָ וְכִי נֹטְמָאתָ וַיִּתֵּן אִישׁ בְּךָ אֶת-שֹׁכֶבְתּוֹ מִבְּלַעֲדֵי אִישׁךָ: (כא) וְהִשְׁבִּיעַ הַכֹּהֵן אֶת-הָאִשָּׁה בַשְּׂבָעַת הָאֵלֶּה וְאָמַר הַכֹּהֵן לָאִשָּׁה יִתֵּן ה' אוֹתָךְ לָאֵלֶּה וְלִשְׂבָעָה בְּתוֹךְ עַמְּךָ בְּתַת ה' אֶת-יָרְכָךְ נִפְלֵת וְאֶת-בִּטְנְךָ צָבָה: (כב) וּבָאוּ הַמַּיִם הַמְאָרְרִים הָאֵלֶּה בְּמַעֲיָד לַצְּבוֹת בָּטָן וְלִגְפַל יָרֵךְ וְאָמַרְהָ הָאִשָּׁה אָמֵן וְאָמֵן: (כג) וְכָתַב אֶת-הָאֵלֶּת הָאֵלֶּה הַכֹּהֵן בְּסֶפֶר וּמָחָה אֶל-מֵי הַמָּרִים: (כד) וְהִשְׁקָה אֶת-הָאִשָּׁה אֶת-מֵי הַמָּרִים הַמְאָרְרִים וּבָאוּ בָּהּ הַמַּיִם הַמְאָרְרִים לְמָרִים: (כה) וְלָקַח הַכֹּהֵן מִיַּד הָאִשָּׁה אֶת מִנְחַת הַקִּנְיָאָה וְהִגִּיף אֶת-הַמִּנְחָה לִפְנֵי ה' וְהִקְרִיב אִתָּהּ אֶל-הַמִּזְבֵּחַ: (כו) וְקִמַּץ הַכֹּהֵן מִן-הַמִּנְחָה אֶת-אֲזַבְרָתָהּ וְהִקְטִיר הַמִּזְבֵּחַ וְאַחַר יִשְׁקָה אֶת-הָאִשָּׁה אֶת-הַמַּיִם: (כז) וְהִשְׁקָה אֶת-הַמַּיִם וְהִיָּתָה אִם-נֹטְמָאָה וְתִמְעַל מֵעַל בְּאִישָׁהּ וּבָאוּ בָּהּ הַמַּיִם הַמְאָרְרִים לְמָרִים וְצָבָתָהּ בַּטְּנָה וְנִפְלָה יָרְכָהּ וְהִיָּתָה הָאִשָּׁה לְאֵלֶּה בְּקָרֵב עֲמָה: (כח) וְאִם-לֹא נֹטְמָאָה הָאִשָּׁה וְסִתְרָה הִוא וְנִקְתָהּ וְנִזְרַעָה זָרַע: (כט) זֹאת תֹּוֹרַת הַקִּנְיָאָה אֲשֶׁר תִּשְׁטֶה אִשָּׁה תַּחַת אִישָׁהּ וְנֹטְמָאָה: (ל) אוֹ אִישׁ אֲשֶׁר תִּעְבֹּר עָלָיו רֹיחַ קִנְיָאָה וְקָנָא אֶת-אִשְׁתּוֹ וְהִעֲמִיד אֶת-הָאִשָּׁה לִפְנֵי ה' וְעָשָׂה לָהּ הַכֹּהֵן אֶת כָּל-הַתּוֹרָה הַזֹּאת: (לא) וְנִקְהָה הָאִישׁ מֵעֹון וְהָאִשָּׁה הִוא תִּשְׂאָ אֶת-עֹנָהּ:

The LORD spoke to Moses, saying:

Speak to the Israelite people and say to them: If any man's wife has gone astray and broken faith with him in that a man has had carnal relations with her unbeknown to her husband, and she keeps secret the fact that she has defiled herself without being forced, and there is no witness against her—but a fit of jealousy comes over him and he is wrought up about the wife who has defiled herself; or if a fit of jealousy comes over one and he is wrought up about his wife although she has not defiled herself—the man shall bring his wife to the priest. And he shall bring as an offering for her one-tenth of an *ephah* of barley flour. No oil shall be poured upon it and no frankincense shall be laid on it, for it is a meal offering of jealousy, a meal offering of remembrance which recalls wrongdoing. The priest shall bring her forward and have her stand before the LORD. The priest shall take sacral water in an earthen vessel and, taking some of the earth that is on the floor of the Tabernacle, the priest shall put it into the water. After he has made the woman stand before the LORD, the priest shall bare the woman's head and place upon her hands the meal offering of remembrance, which is a meal offering of jealousy. And in the

priest's hands shall be the water of bitterness that induces the spell. The priest shall adjure the woman, saying to her, "If no man has lain with you, if you have not gone astray in defilement while married to your husband, be immune to harm from this water of bitterness that induces the spell. But if you have gone astray while married to your husband and have defiled yourself, if a man other than your husband has had carnal relations with you"—here the priest shall administer the curse of adjuration to the woman, as the priest goes on to say to the woman—"may the LORD make you a curse and an imprecation among your people, as the LORD causes your thigh to sag and your belly to distend; may this water that induces the spell enter your body, causing the belly to distend and the thigh to sag." And the woman shall say, "Amen, amen!" The priest shall put these curses down in writing and rub it off into the water of bitterness. He is to make the woman drink the water of bitterness that induces the spell, so that the spell-inducing water may enter into her to bring on bitterness. Then the priest shall take from the woman's hand the meal offering of jealousy, elevate the meal offering before the LORD, and present it on the altar. The priest shall scoop out of the meal offering a token part of it and turn it into smoke on the altar. Last, he shall make the woman drink the water. Once he has made her drink the water—if she has defiled herself by breaking faith with her husband, the spell-inducing water shall enter into her to bring on bitterness, so that her belly shall distend and her thigh shall sag; and the woman shall become a curse among her people. But if the woman has not defiled herself and is pure, she shall be unharmed and able to retain seed. This is the ritual in cases of jealousy, when a woman goes astray while married to her husband and defiles herself, or when a fit of jealousy comes over a man and he is wrought up over his wife: the woman shall be made to stand before the LORD and the priest shall carry out all this ritual with her. The man shall be clear of guilt; but that woman shall suffer for her guilt.

2) R. Joseph H. Hertz, *The Pentateuch and Haftarahs*, 589

If a husband suspect his wife of unfaithfulness, he may bring her to the Sanctuary for an oath of purgation and the drinking of 'the water of bitterness'. If she is innocent, no injuries result; if guilty, the combined oath and ordeal produce physical effects that proclaim her guilt to the world. This law is the only explicit instance in Scripture of trial by ordeal, an institution that was well-nigh universal in antiquity and a regular feature of Western European life down to the late Middle Ages.

3) Ramban, Bamidbar 5:21

והנה אין בכל משפטי התורה דבר תלוי בנס זולתי הענין הזה, שהוא פלא ונס קבוע שיעשה בישראל בהיותם רובם עושים רצונו של מקום

Behold there is no law in the Torah dependent on a miracle except this matter, which is a fixed wonder and miracle that was done in Israel when most of them were doing the will of Hashem.

4) Mishnah Sotah 1:4-7

היו מעלין אותה לבית דין הגדול שבירושלים, ומאמיין עליה כדרך שמאמיין על עדי נפשות. ואומרים לה, בתי, הרבה יין עושה, הרבה שחוק עושה, הרבה ילדות עושה, הרבה שכנים הרעים

עושים. עשי לשמו הגדול שונכתב בקדשה, שלא ימחה על המים. ואומרים לפניה דברים שאינה כדאי לשומעו, היא וכל משפחת בית אביה:

אם אמרה טמאה אני, שוכרת כתבתה ויוצאת. ואם אמרה טהורה אני, מעלין אותה לשער המזרח שעל פתח שער נקנור, ששם משקין את הסוטות, ומטהרין את היולדות, ומטהרין את המצרעים. וכהן אומז בבגדיה, אם נקרעו נקרעו, אם נפרמו נפרמו, עד שהיא מגלה את לבה, וסותר את שערה. רבי יהודה אומר, אם הנה לבה נאה, לא הנה מגלהו. ואם הנה שערה נאה, לא הנה סותרו:

היתה מתכסה בלבנים, מכסה בשחורים. היו עליה כלי זהב וקטליאות, נזמים וטבעות, מעבירים ממנה כדי לנולה. ואחר כך מביא חבל מצרי וקושרו למעלה מדדיה. וכל הרוצה לראות בא לראות, חוץ מעבדיה ושפחותיה, מפני שלבה גם בהן. וכל הנשים מתרות לראותה, שנאמר (יחזקאל כג) ונגסרו כל הנשים ולא תעשינה כזמתכנה:

במדה שאדם מודד, בה מודדין לו. היא קשטה את עצמה לעברה, המקום נולה. היא גלתה את עצמה לעברה, המקום גלה עליה. בדרך התחילה בעברה תחלה ואחר כך הבטן, לפיכך תלקה הדרך תחלה ואחר כך הבטן. ושאר כל הגוף לא פלט

They bring her up to the great court which is in Jerusalem, and [the judges] solemnly admonish her in the same way that they admonish witnesses in capital cases. And they say to her, “My daughter, much is done by wine does much, much is done by frivolity, much is done by youth, much is done by bad neighbors. For the sake of His great name which is written in holiness do it so that it may not be rubbed out on the water.” And they say to her matters which neither she nor all the family of her father’s house is worthy to hear.

If she said, “I am defiled to you”, she gives him a receipt for her ketubah and goes out [with a get]. But if she says, “I am pure,” they bring her up to the east gate, Nicanor’s gate, where they give women suspected of adultery the water to drink, purify women after childbirth and purify lepers. A priest seizes her clothing if they are torn, then they are torn, and if they become unstitched, then they are unstitched, until he uncovers her bosom, and he undoes [the braids of] her hair. Rabbi Judah says: if her bosom was beautiful he does not uncover it, and if her hair was beautiful he does not undo it.

If she was clothed in white, he clothes her in black. If she wore gold jewelry or necklaces, earrings and finger-rings, they remove them from her in order to make her repulsive. After that [the priest] takes a rope made of twigs and binds it over her breasts. Whoever wishes to look upon her comes to look with the exception of her male and female slaves, since she has no shame in front of them. All of the women are permitted to look upon her, as it is said, “That all women may be taught not to do after your lewdness” (Ezekiel 23:48).

In the measure with which a person metes out to others, they mete out to him. She adorned herself for a sin; the Omnipresent made her repulsive. She exposed herself for a sin; the Omnipresent exposed her. She began the transgression with the thigh and afterwards with the womb; therefore she is punished first in the thigh and afterwards in the womb, nor does all the body escape.

5) R. Yechiel Michel Epstein, *Aruch Hashulchan Even Ha-ezer* 178

ונ"ל דטעמם הוא דוודאי אם ידענו שטמאה היא והולכת למות היינו ממתנינים אבל כאן ספק הוא ויותר קרוב לוודאי שטהורה היא מדהולכת לשתות שהרי בידה שלא לשתות כמ"ש וא"כ למה נמתין כיון שצועקת שהשתייה תברר שטהורה היא

It appears to me that the reason [we don't wait for the pregnant Sotah to give birth] is that if we knew for sure she had sinned and was going to die, we would surely wait. But here it's a matter of doubt, and it's far more likely that she did not sin because she's willing to drink [the bitter waters]. For it's in her power to refuse to drink, as it's written. If so, why wait? She's essentially telling us that the drinking will demonstrate that she did not sin.

6) Herbert Chanan Brichto, "The Case of the Sota and a Reconsideration of Biblical 'Law'," *Hebrew Union College Annual* 46 (1975): 55-70.

Where then is there any trace of trial by ordeal?⁹ In the mundane act of loosening the hair? In a draught of gritty, possibly, inky water? If the potion induces no effect, the woman is unharmed, exonerated, vindicated. If the effect is induced, since when is a verdict of guilty or the execution of sentence regarded as evidence of trial by ordeal? At the risk of laboring the obvious, let us cite the definition of *trial by ordeal* as given in Hasting's *Encyclopedia of Religion and Ethics*: "The method of trying an accused or suspected person by subjecting him to a physical test fraught with danger, such as the plunging of the hand in boiling water, the carrying of hot iron, walking barefoot and blindfolded between red-hot ploughshares and the like, the result in injury, more or less or none, being regarded as the immediate judgement of the Deity." The danger in these physical tests is real and obvious; the danger in the potion is hypothetical—and, at that, explicitly non-existent if the woman is innocent. To look at the

the degree of probability of the eventuation of that punishment. We today, for all our recognition of the psychic phenomenon of the power of suggestion, can appreciate that the effect of the conditional curse would be nil in the case of an innocent addressee and of a low order of probability even in the case of a guilty one.¹² Some such assessment of probability would also have been available to the ancient Israelite. If so, however, our argument seems to culminate in something of a conundrum. A jealous husband, possessing not a scintilla of evidence against his wife, is asked to subject her to a test in which all the cards are stacked in her favor!

Just so! That exactly is the intent and purport of the entire case. And

author knew what he was doing. And the stylistic peculiarities in this passage must be seen in terms of their purpose: to give weight to what might (and all too correctly!) be seen as a transparent charade; to invest with the borrowed dignity of pomp and ceremony a ritual drama in which the tragic figure of the accused wife seems to hold center stage, whereas the cognoscenti in the audience have their attention fixed on the comic (unconsciously clownish) figure of the insanely jealous husband hovering near the wings; to disguise in the panoply of casuistic legal formulation (which piles protases upon apodoses in an order which is sometimes regular, sometimes chiasmic, always convoluted) a hypothetical proposition which is totally lacking in legal force.

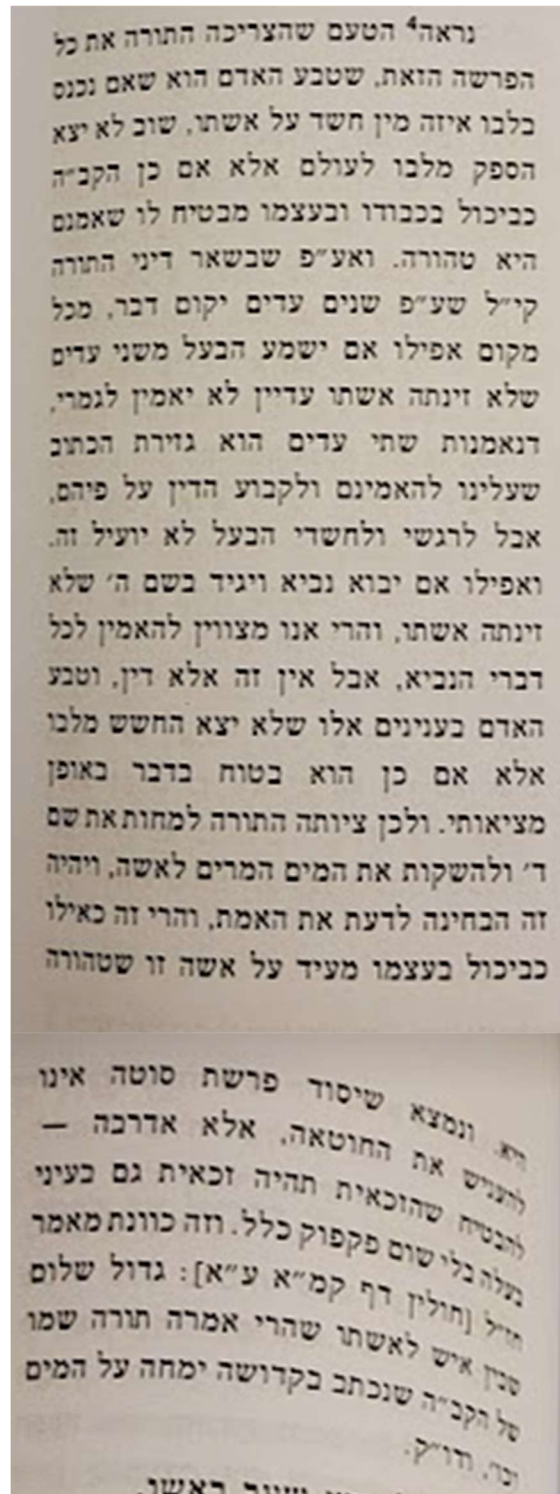
And all to protect the woman as wife in the disadvantaged position determined for her by the mores of ancient Israel's society. While this is not the place for a discussion of the status of women in Israelite society, the few instances of remedial legislation regarding wives,¹³ as also the clear evidence of the widow's helplessness, permit little doubt that for most and in general the condition of wives was subordinate if not subjugated. It requires no stretch of our imagination to evoke the kinds of mistreatment to which a man might have subjected his wife. And if public opinion were then a factor in restraining a husband, it is clear that its voice would have been significantly muted if the husband regarded himself as the aggrieved party. Hence the need for and the intent of Numbers 5: 11-31. Mores had stacked the deck against the wife, the ritual for the suspected *šōtā* is a ploy in her favor—it proposes that the husband “put up or shut up.” How effective it may have been in achieving its object is questionable. The history of its interpretation, whether the Mishnaic distortion of the text for its own purposes or the modern perception of it as a primitive ordeal directed against the woman, would suggest that it probably failed of its purpose. It remains, nevertheless, when properly interpreted, a record of one Scriptural attempt to redress in a small measure a sadly lopsided balance.

7) Chullin 141a

גדול שלום שבין איש לאשתו שהרי אמרה תורה שמו של הקב"ה שנכתב בקדושה ימחה על המים

So great is peace between a man and his wife that the Torah said that the name of God that's written in holiness shall be erased by the water.

8) R. Yaakov Kamenetsky, *Emes le-Yaakov*, ed. Doniel Neustadt, 2nd edition (1996), 422.



9) R. Avi Shafran, “Understanding the Sotah Ritual,” *My Jewish Learning.com*

So why is the sotah subjected to this ritual?

Well, actually, she isn't subjected. If she chooses to simply dissolve her marriage and forfeit the financial support promised her, the husband is compelled to grant her a divorce and she suffers no other penalty. And therein lies the second key to understanding the strange law of sotah. The ritual is not intended to punish the woman if she is guilty. It is to absolve her if she is innocent, and preserve love and trust in her marriage.

The entire point of the sotah ritual, in other words, is to convince a husband who has every reason to be suspicious of his wife's fidelity, since she secluded herself with another man. God is involved only to convince the husband that his wife is not adulterous. The husband's jealousy will thus dissolve and allow him and his wife to resume their marriage in trust and love. The wife may have still done something wrong, but the husband's worst suspicions have been divinely exploded.

One can imagine the reconciliation that would certainly follow. That is why the talmudic maxim most associated with the sotah law is, “So great is peace between a man and his wife that the Torah commands that the name of the Holy One, Blessed be He, written in sanctity, should be erased onto the [sotah] water.”

10) R. Emanuel Rackman, “The Case of the Sotah in Jewish Law: Ordeal or Psychodrama?” *National Jewish Law Review* 3 (1988): 49-64.

For the above reasons, I submit that many of the rabbis saw in the ritual a sophisticated psychological device—virtually a drama to reconcile a suspicious, jealous husband to his indiscreet, but innocent wife. In

The ritual applied only when the husband had suspicions but no proof. He ordered the wife not to be alone with a particular man and witnesses saw her flouting his will. She was disobedient but there was no proof of adultery. In such a case, how does one reassure a husband who, in his fury, might resort to violence or divorce? The rabbis saw in the biblical mandate a readiness on God's part to let His name be erased for the sake of restoring domestic tranquility by certifying to the woman's innocence, or on rare occasions producing a confession. The woman drank water in which was placed a piece of parchment with verses and God's name among them. Before she drank she was urged, if guilty, not to drink, but to confess and forfeit her *ketubah* and nothing more. There was no criminal punishment based on her confession. If she was innocent she was urged to drink the water and be reconciled to her husband.

Of course, the ritual could only achieve its purpose as long as people believed that it was in fact a means of establishing the truth. In actuality, it required a miracle to punish her as the mixture was medically harmless.⁸⁶ Nothing was ever established from a judicial point of view - if the woman confessed, the court did not punish her. If she drank and noth-

ing happened to her, she was assumed innocent and reconciled to her husband.

I am driven to the conclusion that the *sotah* ritual was a psychological proceeding and not an ordeal. First, because of the accent in talmudic literature on the fact that the rabbis praised God for having permitted His holy name to be used for the purpose of restoring domestic tranquility in a troubled home.⁸⁷ They did not say that God is to be praised because He permitted the use of His name to establish the guilt of a woman. The guilt established by eliciting a confession involved no punishment other than the termination of the marriage and the forfeiture of the *ketubah*.

11) Aaron Twerski, "A Rejoinder to Dr. Norman Lamm," *Jewish Observer* (Summer 1988), 21 n.6.

The thesis of Rackman's article is that the *mai sotah*—the mixture of water in which the ink from the oath of the *sotah*, including the name of *Hashem*, was dissolved—did not have the miraculous power to kill the guilty *sotah*. Instead, he argues that it was all a psychodrama used either to cause her to confess or to reconcile her with her suspicious husband. Rackman claims that a significant group of the rabbis in the Talmud held this view but "were not free to verbalize why they did not accept the supernatural approach for they feared that public criticism of the supernatural approach would have vitiated the *sotah* ceremony as they perceived it." In other words, the Torah prescribed a psychological hoax and the Talmudists engaged in a conspiracy of silence not to let the cat out of the bag.

Rackman's article is contrary to everything recorded in the Talmud on the topic: in other words, simply blatant *kfirah*. In another note in

Law Review and on numerous other occasions. Isn't it time that you deny him the right to characterize his Torah *Weltanschauung* as yours, and to present himself as a spokesman for Modern Orthodoxy—or Centrism, as you prefer to call it?

12) Peter T. Leeson, “Justice, medieval style: the case that ‘trial by ordeal’ actually worked,” *Boston Globe* (Jan. 30, 2010)

For the better part of a millennium, Europe’s legal systems decided difficult criminal cases in a most peculiar way. When judges were uncertain about an accused criminal’s guilt, they ordered a cauldron of water to be boiled, a ring to be thrown in, and the defendant to plunge in his naked hand and pluck the object out. The defendant’s hand was wrapped in bandages and revisited three days later. If it survived the bubbling cauldron unharmed, the defendant was declared innocent. If it didn’t, he was convicted.

These trials were called “ordeals.” They reached their height between the 9th and 13th centuries, and the methods varied. In one variant, a piece of iron was heated until it was red hot. The defendant picked it up and carried it with her bare hand. In another, the defendant was stripped naked, his hands and feet bound, and he was pushed into a pool of holy water. If the defendant sank, he was acquitted. If he floated, he was condemned.

Modern observers have roundly condemned ordeals for being cruel and arbitrary. Ordeals seem to reflect everything that was wrong with the Dark Ages. They’re an icon of medieval barbarism and backwardness.

But a closer look suggests something very different: The ordeal system worked surprisingly well. It accurately determined who was guilty and who was innocent, sorting genuine criminals from those who had been wrongly accused. Stranger still, the ordeal system suggests that pervasive superstition can be good for society. Medieval legal systems leveraged citizens’ superstitious beliefs through ordeals, making it possible to secure criminal justice where it would have otherwise been impossible to do so. Some superstitions, at least, may evolve and persist for a good reason: They help us accomplish goals we couldn’t otherwise accomplish, or accomplish them more cheaply.

Ordeals were based on a medieval superstition called “iudicium Dei” - the judgment of God. According to this belief, God helped man resolve judicial matters through trials of fire and water. The superstitious “logic” that underlay ordeals was based on divine intervention. God, the thinking went, saved innocent defendants from being burned in hot ordeals and allowed guiltless men to sink in water “over which He hath thundered” in cold ones. The ordeal, then, offered a way for God to render judgment.

How might these trials have worked, without divine intervention? The key insight is that ordeals weren’t just widely practiced. They were widely believed in. It’s this belief - literally, the fear of God - that could have allowed the ordeals to function effectively.

First, consider the reasoning of the defendants. Guilty believers expected God to reveal their guilt by harming them in the ordeal. They anticipated being boiled and convicted. Innocent believers, meanwhile, expected God to protect them in the ordeal. They anticipated escaping unscathed, and being exonerated.

The only defendants who would have been willing to go through with the ordeal were therefore the innocent ones. Guilty defendants would have preferred to avoid the ordeal - by confessing their crimes, settling with their accusers, or fleeing the realm.

The next thing to understand is that clerics administrated ordeals and adjudged their outcomes - and did so under elaborate sets of rules that gave them wide latitude to manipulate the process. Priests knew that only innocent defendants would be willing to plunge their hands in boiling water. So priests could simply rig trials to exonerate defendants who were willing to go through with the ordeal. The rituals around the ordeals gave them plenty of cover to ensure the water wasn't boiling, or the iron wasn't burning, and so on. If rigging failed, a priest could interpret the ordeal's outcome to exculpate the defendant nonetheless ("His arm is healing well!"). ...