

Numbers 5:11-31 contains what has been regarded as either an 'ordeal of jealousy' or a 'rite to establish a child's paternity'¹. The narrative has usually been assigned to P, but, in view of comparative Near Eastern data dealing with ordeals, it certainly reflects a tradition deeply imbedded in the past². It concerns a husband seized by a fit of jealousy who, lacking the proper number of witnesses [cf. Deut. 19:15; Numb. 35:30], brings his wife to the temple and forces her to undergo a divinely-controlled trial³. Preparation for the ritual begins with the husband providing a meal-offering, an act, perhaps, designed to involve him in the proceedings⁴. A priest, perhaps equivalent to the *manzaduḥlu* of the Nuzi ordeals⁵, accompanies the wife before YHWH⁶. Dust⁷ from the tabernacle's floor is then added to the sacred waters⁸ of an earthen

¹ A. Phillips, *Ancient Israel's Criminal Law*, 1970, pp. 147 and 118ff.

² The earliest attestation of river ordeal dates to the time, or slightly later, of Entemena of Lagash (ca. 2460 B. C.) cf., now, D. O. Edzard, *Sumerische Rechtsurkunden des III. Jahrtausends . . .* (Abh. Bayer. Akad. d. Wiss., Phil.-Hist. Kl. NF 67), 1968, No. 98, 99 (pp. 153-160). For the Akkadian evidence, see Driver and Miles, *The Assyrian Laws*, pp. 86-118, *The Babylonian Laws*, 1, pp. 63-65. Most recently, G. Cardascia contributed a good study on this topic to the *W. Eilers Festschrift*, (1967), 19-37.

³ Much interesting and valuable material is contained in the Mishnah, especially *sub. Šotah* 1-6; 9:9. In this paper the translation of H. Danby (Oxford, 1933) has been used.

⁴ It is unclear whether the woman walks into the temple with the offering in hand or the husband presents it to God before submitting it to his wife (v. 18). For the problem, cf. Gray, *Numbers*, p. 50. At any rate, the offering is called *minḥat zikkārōn*, *mazkeret 'āwōn*, 'a meal-offering of remembrance, recording wrongdoing' [NEB: "grain-offering of protestation conveying an imputation of fault"]. See the remarks of *Šotah* 2:1: "[The husband] brought the meal-offering in an Egyptian basket and put it in her hands so as to tire her".

⁵ Von Soden, *Akkad. Handwörterbuch*, 605. Among the early Arabs, a similar role was played by the *Kāhīn*, cf. J. Morgenstern, *HUC Jubilee Volume*, (1875-1925), pp. 116-117.

⁶ *Šotah* 1:5 specifies: "They take her to the Eastern gate which is over against the entrance of the Nicanor gate . . .".

⁷ G. R. Driver's comments on this passage in Syria, 33 (1956), 73-76 do not seem applicable. He quotes a Hittite text (ZA, 45 [1939], 200-201), in which a sick man is given a potion containing "clay from the archive room". Although water ordeal was known to the Hittites (cf. Laroche apud Cardascia, op. cit., 203 on KUB XII:3: iii: 29ff and KBo VIII:42v.9), Driver's example is clearly a 'medical' formula.

His other example, drawn from Ebeling's article in *Orientalia*, 22 (1953), 359-361, belongs to the genre of counter-spells against witches. Perhaps more to the point are the oath-releasing ceremonies mentioning water, *Reiner*, *Šurpu* III:31 (cf. also III:21, 62).

⁸ Drawn from the 'Sea of Bronze' 1K.7:23-26. This, of course, does not go counter to 2 Chr. 4:6; Ex. 30:18-31. In an unpublished Mari text translated by Dossin in *La Divination en Mesopotamie Ancienne*, 1966, p. 79 (partial transliteration in Finet, *Annales du Centre d'Étude des Religions*, Université Libre de Bruxelles, 3 [1969?], 125-126), a palace functionary is said to have offered one ox and six sheep to Dagan. Upon completion of this act, a *muḥḥum-priest* rises and presents Dagan's request for *me-e za-ku-tim*. Since *zukkūm*, in Mari at least, seems to mean "to test for (cultic) purity", it is possible to suggest that the *me-e za-ku-tim*, not unlike the *mayim qedōšim* of Numb. 5:16 was designed to insure a certain degree of cleanliness on the part of the drinker.

vessel. The priest loosens the woman's hair⁹, and places the meal offering between her hands. In his hands, the priest carries a liquid, *mēy hammārim ha-me'ārarim*.

This phrase, *mēy hammārim ha-me'ārarim*, has been rendered something like the following: "the waters of bitterness that causes the curse [JPS]"; "the water of bitterness that induce the spell [*The Torah*]"¹⁰; "the water of bitterness that brings the curse [RSV]"; and, with characteristic bravura, "the water of contention which brings out the truth [NEB]". In view of verse 28, however, it seems unlikely that misfortune was the only effect of the ordeal. On the contrary, the woman who successfully weathered her husband's charges was expected to conceive: certainly a sign of blessing to a Near Eastern wife. Additionally, one fails to see why a bit of dust should embitter the waters¹¹. It is unlikely that the addition of ink (verse 23) could have rendered the waters toxic. Although Israel as well as Egypt produced a potentially harmful ink (*Megillah* 1. 2), Mishnaic rabbis insisted (*Šotah* 2. 4) that the mix be manufactured out of a compound of soot, *gum arabia* and water¹².

Driver connects *mārim* with Hebrew *mārāh*, 'to be rebellious', and produces a translation that is reflected in the NEB passage quoted above¹³. But it would probably be more fruitful to relate *mārim* to Ugaritic **mrr* which, in many passage parallels **brk* 'to bless'. As one example, 2 Aqht 1:35-37 is offered: "Ybrk/[dni] mt rpi. ymr. gzi/ [mt h]rnm, He blesses Danel, Man of Rpi, blesses the hero, man of Hrnmy". Other Ugaritic instances can be gathered from Gordon's UT, # 1659. For this reasons, the phrase *mēy hammārim ha-me'ārarim* should be considered as a *merismus*, consisting of 'waters that bless' and 'waters that curse', hence 'waters of judgement'.

An interesting example of this doubled-edged function of a potion; that of punishing the sexually guilty while blessing the innocent is related in Pausanias VII: 25:13. The Greek traveller comes to Aegae, a city on the Crathis river in Achaion, and speaks of an Earth priestess who drank bull's blood before she entered the cave to prophesize. Unchaste, the priestess could expect instant death. If 'virtuous' ("before her election [she] must not have had intercourse with more than one man") she will be inspired. Pausanias himself thinks this practice to be

⁹ A symbol of guilelessness? (cf. *J. Morgenstern*, *Rites of Birth . . . Among the Semites*, (1966), 100, 233⁸⁰. To contrast the priest's hair (Lev. 21:10; 10:6)? (cf. *Šotah* 3. 8).

A curious New Testament incident is reported in Luke 7:36-50. A woman of easy virtue [*sic*] approaches Christ while banqueting. She untangles her hair [implied] and wipes Jesus' feet which had been moistened by her tears. Her sins were instantly forgiven (cf. John 12:1-2; Mark 14:3-9; Matt. 26:6-13). On the basis of Numbers 5:11ff, is it possible that Luke was offering evidence to strengthen Christ's claim as ultimate judge?

¹⁰ See also *E. Speiser*, *Oriental and Biblical Studies*, p. 108.

¹¹ Noted also by *G. R. Driver*, *Syria*, 33 (1956), p. 73.

¹² See also *Lucas, Harris*, *Ancient-Egyptian Materials and Industry*⁴, pp. 362-363.

¹³ *Syria*, 33 (1956), p. 73.

an ordeal, while Pliny (Nat. Hist. 28:147), who reports the same event, does not¹⁴.

The remaining description of the ordeal sheds further light on the juridical quality of the potion. The accused receives instruction from the priest, is given an oath, and accepts its consequences by stating: Amen. The oath was worded as follows: "May YHWH give you among your people, as a curse and an imprecation in giving you a 'thigh that falls' and a 'belly which swells'¹⁵. May these 'waters that curse' sink into your innards in order to 'swell the belly and drop your thigh'". Note that in this verse (22) only this primitive quality of the 'waters of judgement' is mentioned in an oath that carries threats of dire consequences.

Once the oath, with its emphasis on the 'waters which curse', was written on a parchment, its potency was transferred by dissolving the ink into the liquid. Again, note how the balance is restored, so to speak, when the priest "blotts [the ink] into the 'waters that bless'". This choice of words cannot be accidental.

With these powerful elements effectively counter-balanced, the priest gives the woman to drink from the 'waters of judgement' with the result that the "'waters that curse' entered her (in order) to bring blessing". This is, admittedly, an unsatisfactory translation of *ûbâ'û bāh hammayim ha-me'ārārim lemārim* (v. 24). But if credence is given to this rendering it would imply the ritual aims, primarily, to judge on the innocence – not the guilt – of an accused, and, in so doing, clear her of wrongdoings. In other words, the judged is presumed innocent and is given, though imbibing the drink, the opportunity to vindicate herself.

The woman's meal-offering is then taken by the priest, waved before YHWH, and partially burnt on the altar. Additional draughts are then taken before signs of the lady's guilt or innocence begin to appear¹⁶. In the case of the former, the expected unwelcome symptoms become evidence. Otherwise, the ordeal ends happily with the blameless wife cleared and rendered able to conceive.

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¹⁴ See further the discussion of J. Frazer in his commentary on Pausanias' *Description of Greece*, V, (1898), pp. 175–176.

¹⁵ No one can claim a universally accepted diagnosis on the basis of the scriptural indications. See Gray, Numbers, 53–54. Some render 'miscarriage', understanding 'thigh' as a euphemism for 'genitals'. (NEB; Driver, Syria 33 [1956], 73ff). Others accept Josephus' (Ant. III:xi:6) suggestion that the descriptions fits the symptoms of dropsy (edema). In this, they might be supported by Akkadian texts which speak of this disease as one sent to perjurers by Ea (cf. CAD A/1, 144).

One may be forgiven for introducing yet another suggestion which has been reached through conversations with neighborly medical practitioners. Should 'thigh' be taken as a euphemism for 'genitals', the Biblical description fits a varicose disorder known as thrombophlebitis. The causes of this disease are many; often a sharp blow either on the body or on the psyche may produce blood clots that lead to complications. But especially during pregnancy, the unlucky sufferer would find swelling around the vulva and belly, sometimes even accompanied by edema in the legs. In acute cases, thrombophlebitis can lead to death. Consult R. C. Benson, Handbook of Obstetrics and Gynecology, 1964, 92–93.

¹⁶ *Šotah* 3. 4 wonders about the lapse in time before the ordeal took effect.