

119

MINISTRIES

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Answering Atheists: Understanding the Test for Adultery (Numbers 5:11-31)

Atheists, radical feminists, and other critics of the Bible often claim that the Bible has misogynistic overtones. That is to say, the Bible is strongly prejudiced against women.

It is claimed that the human authors of the Bible regard women as mere property and of lesser value than men. A passage from Numbers 5:11-31 is often given in support of this claim. This is a peculiar passage that describes how to conduct a ritual trial if a man suspects that his wife committed adultery.

The details of this passage raise a lot of questions surrounding the treatment of women in the Bible. Scholar Richard Davidson remarks:

Feminists have often cited this legislation as their coup de grace proving the sexist nature of the OT.

-Dr. Richard Davidson, “Flame of Yahweh: Sexuality in the Old Testament,” p. 353

Feminists complain that this passage promotes forcing a woman to endure a humiliating trial simply to satisfy the jealous rage of her husband, which is triggered by his mere baseless suspicions. Many objections arise from this passage that call into question the ethics of the Bible. This passage also raises an issue concerning abortion, which we will also address in this teaching.

But before we unpack this passage, if you have not yet watched our teaching, [Is the Bible Misogynistic?](#), we recommend starting there. In that teaching, we give a broad overview of the biblical view of women, which sets the foundation for our other teachings in this series.

To begin, here’s a quick summary of Numbers 5:11-31.

- These laws are dealing with two possible situations:
 - A husband suspects his wife of being unfaithful after she had committed adultery. (Numbers 5:12-14a)
 - A husband suspects his wife of being unfaithful even though she had not committed

adultery. (Numbers 5:14b)

- In either case, the husband can bring his wife before the Levitical priest to accuse her. (Numbers 5:15)
- Importantly, the husband has no proof of unfaithfulness:
 - Usually, when it comes to charges of adultery, two witnesses are required in order to legally prosecute (Deuteronomy 17:6-7). This is an extremely unique situation whereby the only basis for the “trial” is the husband’s suspicion.
 - Because there are no witnesses to the alleged adultery, the death penalty, which is the proscribed punishment for such a crime, cannot be carried out.
- Since the husband’s suspicion is not enough to legally prove adultery, it is beyond the jurisdiction of the human court to make a ruling. Therefore, the matter is put into God’s hands, who will Himself either vindicate the woman if she is innocent or enact judgment on the woman if she is guilty:
 - She is required to take an oath before undergoing a divine ritual trial. The oath simply declares that she accepts God’s ruling—that He will vindicate her if she is innocent or curse her if she is guilty. (Numbers 5:19-24)
 - She is required to drink the “water of bitterness”—a mixture of water with some dust from the floor of the tabernacle and parchment fragments. (Numbers 5:17, 23-24)
 - If she is innocent, the water has no affect on her. However, if she is guilty, the water causes her thigh to “fall away” and her body to “swell.” The water causes “bitter pain,” passes into her bowels and makes her abdomen swell. (Numbers 5:21-22, 27)

While this passage might appear problematic on the surface, when we take a closer look, like other laws in the Torah, it is actually designed for the protection of women. Renowned scholar Jacob Milgrom writes:

Ironically, feminists have chosen the worst possible witness [...] her public ordeal was meant not to humiliate her but to protect her, not to punish her but to defend her.

-Jacob Milgrom, “A Husband’s Pride, A Mob’s Prejudice,” *Bible Review* 12.4 (1996): 21

One objection that is often raised is that the basis for this ritual trial is unjust—a man dragging his wife to the priest and then forcing her to undergo a “humiliating” trial. Why? Because the man has paranoid suspicions that his wife is cheating on him? That’s so sexist!

But let’s think this through. First, what would be the alternative? Should unresolved suspicions of adultery just be left alone to fester within the marriage? And if we just leave things unresolved, what’s to stop the man from simply assuming the worst and divorcing his wife, which would put her in a much worse position?

In fact, not having this law in place could leave the door open for abuse. For instance, a husband could simply falsely accuse his wife of adultery, destroy her reputation, and then get rid of her through divorce—again, putting her in a much worse position.

In reality, this law actually provides protection for the vulnerable party in this scenario, which is the woman. Even though the Torah certainly gives no legal warrant to divorce one’s wife on the basis of suspicion alone without evidence, that wouldn’t stop a jealous or malicious husband from going beyond the Torah and divorcing his wife anyway. And a human court could make a bad decision by granting such a divorce. It happens all the time. It was happening in the first century—we see that some of the

religious leaders argued that men could divorce their wives for literally any reason (Matthew 19:3). The Mishnah gives a few of the reasons that some rabbis taught warranted divorce:

Bet Shammai says: a man should not divorce his wife unless he has found her guilty of some unseemly conduct, as it says, “Because he has found some unseemly thing in her.” Bet Hillel says [that he may divorce her] **even if she has merely burnt his dish**, since it says, “Because he has found some unseemly thing in her.” Rabbi Akiva says, [he may divorce her] **even if he finds another woman more beautiful than she is**, as it says, “it cometh to pass, if she find no favour in his eyes.

-m.Gittin 9.10

Based on these legal disputes surrounding the issue of divorce, and the extremely liberal legal interpretations of some religious leaders, it’s easy to see how a husband’s suspicions could easily qualify as proper warrant for divorce in a human court—even though such a basis for divorce would be invalid in the eyes of God as we learn from Yeshua (Matthew 19:4-9).

Thus, the ritual trial outlined in Numbers 5 actually serves to protect the woman. Rather than leave her fate in the hands of her husband, the Torah requires mediation in order to resolve the issue.

In addition, it gives the family an opportunity to clear the wife’s name if she is innocent. Indeed, it’s unreasonable to assume that the husband is just being paranoid. As scholar Victor H. Matthews points out:

It seems unlikely that these suspicions are simply another ploy, as in Deuteronomy 22:13-14, for a man to set aside a wife who does not please him. More likely, there have been accusations made to him privately and rumor (represented by the statement in vv. 12-13) is beginning to bring public shame on his household.

-Matthews, Levinson, and Frymer-Kensky, “Gender and Law in the Hebrew Bible,” 103-104

So it’s more likely that the husband’s suspicions are aroused due to private accusations against his wife and rumors circling within the community. The husband can then choose to bring his wife before a third-party mediator—that is, the Levitical priest—in order to resolve the matter, clear his wife’s name if she is innocent, and restore shalom within the community. This law provides a much better situation than simply leaving the wife’s fate in the hands of a jealous husband.

Furthermore, if she were innocent, the wife would likely *want* to go through the trial. It’s an opportunity to clear her name of malicious rumors within the community and restore peace in her home. The “water of bitterness” itself is harmless—it’s just dusty water. She simply pledges an oath of innocence and drinks it, and then when nothing happens, she’s fully exonerated. The only reason she would have to be concerned is if she’s guilty, in which case God will supernaturally give a sign that serves as her judgment.

This law goes even further to extend mercy to the woman *even if she is guilty*. Adultery is punishable by death (Leviticus 20:10), yet the woman proven guilty in Numbers 5 is not to be condemned to capital punishment. The sentencing is completely taken out of human hands, and God Himself punishes her with a supernatural sign. Neither the husband nor the community has a right to impose additional legal penalties. As Milgrom writes:

[The trial] provides the priestly legislator with an accepted practice by which he could remove the sentencing and punishing of an unapprehended adulteress from human hands and thereby guarantee that she would not be put to death.

-Jacob Milgrom, "A Husband's Pride, A Mob's Prejudice," *Bible Review* 12.4 (1996): 21

Now let's consider another objection. Feminists and other critics have often referred to this ritual trial as a "trial by ordeal." A trial by ordeal was a judicial practice whereby a verdict was reached via subjecting the accused to a painful or dangerous test. Wendy Alsup gives a great summary:

The Salem witch trials in colonial Massachusetts made Trial by Ordeal famous. Such trials have a long history in many cultures throughout the world. There were various types of trials—trials by fire, trials by burning oil, trials by hot water, trials by cold water, trials by drinking acid, and trials by combat. Most medieval Trials by Ordeal had a common theme, that the gods would protect an innocent person from being harmed. Throw someone tied up into a cold river, and if he was innocent, he'd miraculously float to the top. Force a woman to walk across hot coals, and if she was not burned (or her burns healed quickly), she was innocent of the accusations against her. Religious leaders believed the miraculous intervention of the gods would keep a person safe in a situation meant to harm them. That's how most ancient trials by ordeal worked.

-Wendy Alsup, "Is Numbers 5 Good for Women?" www.theologyforwomen.org

While the situation in Numbers 5 can technically be classified as a trial by ordeal, such a classification is somewhat misleading. The trial in Numbers 5 cannot really be compared to other, obviously problematic trials of ordeal since there is one major difference: The Trial of Numbers 5 presumes innocence until guilt is proven.

For instance, in his book, *Flame of Yahweh*, Richard Davidson describes the differences between the trial of Numbers 5 and its parallels in other ancient near eastern law codes:

For example, in the Code of Hammurabi, the trial of jealousy included the command for the woman to "throw herself into the sacred river." If she sank, she was guilty, and if she survived, she was innocent. Whereas the "water of bitterness/revelation" required a miracle in order to condemn the woman in the biblical legislation, being thrown into the life-threatening river required a miracle in order for the woman to be regarded as innocent in the Mesopotamian version. The biblical law of the suspected adulteress thus presumed innocence until proven guilty, whereas the Mesopotamian counterpart presumed guilt until proven innocent.

-Dr. Richard Davidson, "Flame of Yahweh: Sexuality in the Old Testament," pp. 352-353

Other trials by ordeal required the accused to survive something inherently dangerous in order to prove their innocence. The trial of Numbers 5, however, is naturally harmless. The "water of bitterness" that the suspected adulteress had to drink was literally just dusty water. It probably didn't taste very good, but the concoction was harmless in itself. If she was innocent, she had nothing to worry about, and she likely would *want* to go through the trial if it meant being exonerated within the community. If she were guilty, she'd be deserving of punishment. But the only way that harm could come upon the woman was by a supernatural miracle if she was guilty.

Now let's quickly address another topic. This passage raises another objection to biblical ethics in regard to abortion. Some skeptics, and even liberal so-called Christians, will insist that the woman in this passage is pregnant and that the concoction she is made to drink causes her to miscarry. In other words, it is said that the priest essentially performs an abortion on the woman through having her drink the waters of bitterness. It is believed that the liquid somehow causes the fetus to discharge from the woman's womb. Thus, some will insist, the Bible actually sanctions abortion.

Unfortunately, some English translations might lend support to this objection. In the oath that the woman is required to agree to, the priest says the following:

Numbers 5:21-22, NASB

“The Lord [YHWH] make you a curse and an oath among your people by the Lord's [YHWH's] making your thigh waste away and your abdomen swell; and this water that brings a curse shall go into your stomach, and make your abdomen swell and your thigh waste away.” And the woman shall say, “Amen. Amen.”

But this is what the NIV says:

Numbers 5:21-22, NIV

“May the Lord [YHWH] cause you to become a curse among your people when he makes your womb miscarry and your abdomen swell. May this water that brings a curse enter your body so that your abdomen swells or your womb miscarries.” Then the woman is to say, “Amen. So be it.”

The Hebrew word translated “miscarry” in the NIV is *naphal*, which means to fall. The word “womb” is *yarek*, which means thigh or side. The NIV translation is unique among all other major English translations in this regard. It's the only translation that indicates a miscarriage occurring here, which is clearly a mistranslation. All other translations say “thigh fall away,” “thigh rot,” etc.

But what exactly does this curse entail? Well, the language used of the body swelling and the thigh rotting is ambiguous. Timothy R. Ashley writes:

The rendering of the second punishment has been much debated. Most modern English translations agree on a rendering something like “a fallen thigh and a swollen belly” [...] Since the blessing connected with the innocent woman is the ability to bear children, most commentators connect the curse with the stoppage of child-bearing. The word thigh (*yarek*), in addition to its literal meaning of the upper part of the leg, seems to be used euphemistically of the seat of procreative power in men, due perhaps to the thigh's proximity to the sexual organs. This passage is the only place where such a usage is found for a female. A fallen thigh, therefore, seems to indicate the falling or atrophying of the sexual organ so as to make childbearing impossible.

-Timothy R. Ashley, “The Book of Numbers: The New International Commentary on the Old Testament”

Scholar Roy Gane observes:

Her “thigh” will drop (?) and her belly will swell (?) (5:21-22, 27). The former, in which “thigh” apparently connotes reproductive organs (cf. Gen 24:2, 9), can be taken to imply sterility and

may refer to a prolapsed uterus.

-Roy Gane, "The NIV Application Commentary: Leviticus, Numbers"

There is a consensus among scholars that, whatever the physical manifestation this curse takes, the result is barrenness. And this seems to be clearly indicated in the text itself since the woman is reassured that she will continue to be able to bear children if she is innocent (Numbers 5:28).

There is nothing in the text that even hints that a fetus is killed as part of this curse. A couple of reasons can be given in support of this conclusion.

First, nowhere in the text is there any indication that the woman is even pregnant. That idea is simply read into the text by skeptics, but it's a completely baseless assumption. This fact alone is enough to dismiss the idea that this passage is describing an abortion, but there's more.

Second, there is nothing inherent in the "waters of bitterness" that would affect the woman's body or cause a miscarriage. And this is further proven by the fact that it has no effect on her if she is innocent.

However, even if we grant the baseless assumptions of the skeptic and say, contrary to the evidence, that this passage indicates a miscarriage, that still wouldn't prove that the Bible sanctions abortion.

Again, the water itself cannot cause miscarriage to occur. It's God who supernaturally intervenes and delivers the curse upon the woman if she is guilty. So even if we assume—again, contrary to the evidence—that this entails the killing of an unborn child, God is the righteous judge who has the power over life and death. If He determines that it is right to take a life, that's His prerogative.

This, of course, raises additional philosophical questions about God's goodness in light of the fact that He takes innocent life. We deal with some of these issues in our teaching, "**Does God Command Genocide in the Bible.**"

But putting that aside for now, the point is this: Even if the skeptic is correct in his baseless assumptions, this passage still does not give any right for *people* to end the life of an unborn baby. God has the right to take life, we don't. Thus, not in any way does this passage sanction abortion.

In conclusion, far from being an example of the mistreatment of women, the "Test for Adultery" in Numbers 5:11-31 demonstrates God's utmost care for the protection of women. It protected women from the unpredictable reaction of a jealous husband by requiring mediation. It provided a way to resolve suspicions within the marriage that could destroy a family if left unresolved. It provided a way for a woman to clear her name and put to rest malicious rumors within the community. It even extends mercy to a woman who is guilty of adultery by not demanding she be put to death for her crimes or be subjected to any additional penalties imposed by the human court. Moreover, contrary to the claims of some skeptics, nothing in the passage gives even the slightest hint of an endorsement of abortion. Once again, in every passage, Scripture reminds us of the utmost wisdom, justice, and mercy of God.

We pray you have been blessed by this teaching.

Remember, continue to test everything.

Shalom!

For more on this and other teachings, please visit us at www.testeverything.net

Shalom, and may Yahweh bless you in walking in the whole Word of God.

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