

Jealousy (or Trial by Ordeal)

A D'var Torah on *Parashat Naso* (Num. 4:21 – 7:89)

By Susan Glass

“Naso et-rosh bnei Gershon gam heim....”
“Take a census of the Gershonites, as well....”

As is so often the case, this week's Parashah covers a multitude of matters. It opens with God instructing Moses to take a census of two families of the tribe of Levi, the Gershonites and the Merarites, to determine those who are both subject to and eligible for service in the Tent of Meeting. The next section deals with persons excluded from the camp on the basis of their unclean status. We then move on to the issue of a person who donates gifts or personal possessions to the sanctuary. This verse is immediately followed by the theme of a Jewish woman who is suspected of committing adultery. More of this troubling topic shortly.

Parashat Naso then discusses the topic of the Nazarite, focusing on the vow to abstain from intoxicants and the vow not to permit a razor to pass over his head. Next, God instructs Moses to teach Aaron a special three-part blessing, known as the *Birkat Kohanim*, which Aaron and the priests are to use to bless the people of Israel (May Adonai bless you and keep you; May Adonai deal kindly and graciously with you; May Adonai bestow favor upon you and grant you peace).

We conclude this Parashah with the consecration of the Tabernacle, celebrated for twelve days with gift-giving by all the tribes, enumerated in great detail.

Let's return to the long central section of *Parashat Naso*, dealing with Sotah (the suspected unfaithful wife)¹. It is the only example in Judaism of “trial by ordeal” — a procedure for judging an individual's innocence or guilt by subjecting her to a physical test. This seems very strange to us today, and notwithstanding Rabbi Plaut's historical note² regarding the seemingly pervasive nature of this type of trial in other societies at the time, it still does not sit well with me. It is troublesome that the Torah can prescribe such a primitive procedure as a means of divining truth.

“Adonai said to Moses: Speak to the Israelite people, and tell them: Whenever a man's wife goes astray and breaks faith with him — that is, another man had sexual intercourse with her, and it was hidden from her

¹ Numbers 5:11-31.

² “Ordeals” and “The Ordeal in Jewish Law,” *The Torah – A Modern Commentary*; Edited by W. Gunther Plaut; Union of American Hebrew Congregations; 1981; pp. 1054-1055.

husband, and they were in secret, and she became impure, and there was no witness with her, and she was not raped — and a spirit of jealousy comes over him (the husband), and he becomes jealous of his wife....”³ From the literal words of the text, it seems like the wife’s guilt is assumed and the possibility that the husband’s suspicion is misplaced is almost tossed aside as an afterthought.

A bit more about the ritual: the husband brings his wife to the priest, along with an offering of barley flour, but no oil is to be poured on it and no frankincense laid on it, since it is a meal offering of jealousy, that is, an offering of remembrance to recall the (alleged) wrongdoing. During the ritual, the priest places the husband’s offering upon his wife’s hands (so that she, herself becomes the altar). Might we consider that the husband brings only a make-believe sacrifice, a simulation of a sin offering, although to him it is real enough; perhaps he’s dealing not with his wife’s sin but the memory of his own suspicion of that sin, addressing not his wife’s passions but his own?

Then comes the water of bitterness that induces the spell.⁴ The priest makes her swallow a potion made of water, dirt from the Tabernacle floor, and ink dissolved from the curse written by the priest. 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.⁵ The accused wife is to say “Amen, amen” following the instructions of the priest concerning the drinking of the bitter water, apparently sanctioning her own curse. But even if every husband who subjects his wife to the Sotah ritual has ironclad evidence of her guilt, why would the wife, who knows what she is guilty of (or innocent of), say “Amen, amen” to the priest’s curse?

We see that the ritual requires her cooperation; she could, after all, confess to adultery, accept a divorce, and forgo the ritual. One answer rests in the last verse of this section: “The man will be clear of guilt and the woman will bear her sin.”⁶ What sin does the man become clean of? The Talmud quotes a Baraita⁷ that explains that when the man is clean from sin, the water tests his wife.⁸ If the husband himself has had any prohibited sexual relations,

³ Numbers 5:11-14.

⁴ Numbers 5:18.

⁵ Numbers 5:27-28.

⁶ Numbers 5:31.

⁷ The Aramaic word, “Baraita,” means “external,” so called because these rabbinic teachings were not incorporated into the Mishna of Rabbi Yehuda HaNassi (i.e., they didn’t make the cut). Only those portions of the Baraita that made their way into the Talmud have been preserved.

⁸ Sotah 28a.

then the adulterous wife will not die. If the wife survives the ritual, she has publicly announced either that she is innocent of adultery and her husband has been jealous for no good reason, or that her husband has been misbehaving as well. The more the community suspects her of illicit behavior, the more they will come to suspect her husband of the same offense. For his hypocritical jealousy, the husband is punished measure for measure.

Rabbi Samson Raphael Hirsch explains that the reason a woman is put through a process as difficult as the Sotah ritual is to restore trust in the marriage.⁹ Since the husband suspects his wife, there is no longer trust between them, and a marriage without trust cannot stand. To prove this assertion, Rabbi Hirsch points out that if the husband dies before the woman drinks the bitter waters, she no longer has to go through the process! That shows, according to Rabbi Hirsch, that the Sotah ordeal has less to do with determining her guilt or lack of guilt, and more to do with restoring the trust and peace between the husband and wife. So, if the wife died through the ordeal, the witness saw the gravity of breaking the bond between husband and wife. And if the wife survived the bitter waters, the witness likewise saw the seriousness with which the Torah treats an adulteress, even a suspected one.

According to the Mishnah, the trial of the Sotah was abolished by Rabbi Yochanan ben Zakkai¹⁰ nearly two thousand years ago. Yet, we still read about it, still think about, it and remain troubled by it.

⁹ As mentioned in the Torah Commentary on *Parashat Naso* by Jacob Solomon, Executive Vice President, Greater Miami Jewish Federation; "Between the Fish and the Soup;" Shema Yisrael Torah Network; 2002.

¹⁰ Rabbi Yochanan ben Zakkai was the acknowledged rabbinic leader at the time of the destruction of Jerusalem and the Second Temple by the Romans in 70 C.E.