Spitting as Determining Sociopolitical Hierarchy in the Ancient Near East and an Enigmatic Legal Custom in the Miriam Narrative (Num 12:14)

Joseph Fleishman and Yuval Darabi

Bar-Ilan University

Introduction

Numbers 12 tells of the complaint made by Miriam and Aaron against "the Cushite woman he [i.e., Moses] had married" and against Moses' exceptional prophetic status. The complaint meets with acute divine retribution – Miriam is "stricken with *ṣāra ʿat* (scales)". After Moses pleads for Miriam's recovery, God metes out her punishment (Num 12:14):

> וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה וְאָבִיהָ יָרֹק יָרַק בְּפָנֶיהָ הֲלֹא תִכָּלֵם שִׁבְעַת יָמִים תִּסָּגֵר שִׁבְעַת יָמִים מִחוּץ לַמַּחֲנֶה וְאַחַר תֵּאָסֵף.
>
> But the LORD said to Moses, "If her father spat in her face, would she not bear her shame for seven days? Let her be shut out of camp for seven days, and then let her be readmitted."[1]

In his response, God compares Miriam, stricken with *ṣāra ʿat*, to a daughter whose father spits in her face; based on this analogy, He commands that Miriam be segregated from the camp for seven days. As many have noted, this verse reflects actual legal practice known apparently to the Israelites in the time of the author: "The reference here may be to a community practice the legislation for which is not in the Bible."[2] Resorting to analogy with a known

[1] Translations from the Hebrew Bible are adapted from the NJPS with slight changes. Citations of ancient Near Eastern law codes follow Martha T. Roth, *Law Collections from Mesopotamia and Asia Minor,* 2nd edition, SBL-WAW 6 (Atlanta: Society of Biblical Literature, 1997). The abbreviation LHz refers to Wayne Horowitz, Takayoshi Oshima, and Filip Vukosavovic, "Hazor 18: Fragments of a Cuneiform Law Collection from Hazor", *IEJ* 62 (2012): 158–176. Citations of other Assyriological sources follow CAD.

[2] Timothy R. Ashley, *The Book of Numbers*, NICOT (Grand Rapids: Eerdmans, 1993), 228; see also: Jacob Milgrom, *Numbers*, The JPS Torah Commentary (Philadelphia: JPS, 1990), 98; Carolyn Pressler, *The View of Women Found in the Deuteronomic Family Laws*, BZAW 216 (Berlin: de Gruyter, 1993), 65 n. 9. Several scholars have considered the utterance

legal case is reminiscent of the use in biblical narrative of the "juridical parable," where a legal case is brought before a person who then pronounces sentence, thereby condemning himself.[3] The use of the infinitive absolute (יָרֹק יָרֵק) and the precise seven-day span of time further strengthen the impression that this is no arbitrary hyperbole but rather an allusion to an actual custom in ancient Israelite society or part thereof.[4]

The legal custom alluded to in v. 14 involves a daughter whose father has humiliated her by spitting in her face; she would then be confined for seven days. This custom is unknown to us from any other source, biblical or non-biblical, and remains an enigma. In this paper we attempt to shed light on the custom alluded to in the verse and understand its narrative function. We shall endeavor to elucidate the significance of the act of spitting in a person's face and its socio-legal implications, from its occurrences in biblical and extra-biblical sources, through reconstruction of the unknown legal custom glimpsed in Numbers 12:14. In so doing it will also become clear why the narrative of Miriam stricken with *ṣāra ʿat* had need of this legal custom.

---

fragmentary, i.e., missing its opening words: A.R.S. Kennedy, *Leviticus and Numbers*, NCB (Edinburgh: T.C. & E.C. Jack, 1910), 258; Martin Noth, *Numbers: A Commentary*, OTL (London: SCM Press, 1968), 97; John Sturdy, *Numbers*, CBC (Cambridge: Cambridge University Press, 1976), 92; Eryl W. Davies, *Numbers*, NCB (London: M. Pickering, 1995), 125. However, the sentence lacks merely the conditional particle, as in several other biblical cases, e.g., Josh 22:18; Lev 10:19; see Samuel R. Driver, *A Treatise on the Use of the Tenses in Hebrew and Some Syntactical Questions* (Oxford: Clarendon Press, 1892), §155; George B. Gray, *A Critical and Exegetical Commentary on Numbers*, ICC (Edinburgh: T&T Clark, 1903), 128.

[3] See 2 Sam 12:1–14; 2 Sam 14:1–23; 1 Kgs 20:35–43. On the juridical parable, see: Uriel Simon, "The Poor Man's Ewe-Lamb: An Example of a Juridical Parable," *Biblica* 48 (1967): 207–242. For a closely related literary genre, see: Assnat Bartor, "The 'Juridical Dialogue': A Literary-Judicial Pattern," *VT* 53 (2003): 445–464. The extensive scholarly debate on law and narrative should be mentioned in this context. For recent overview and discussion, see: Assnat Bartor, "Law and Narrative," in *The Oxford Handbook of Biblical Law*, ed. Pamela Barmash (New York: Oxford University Press, 2019), 217–231.

[4] For a definition of 'custom,' see: Meir Malul, *Society, Law and Custom in the Land of Israel in Biblical Times and in the Ancient Near Eastern Cultures* (Ramat Gan: Bar-Ilan University Press, 2006), 17–18 (Hebrew).

Spitting as Shaming in Biblical and Post-Biblical Sources

The practice described in Numbers 12 must be understood first and foremost in the context of ancient Near Eastern conceptions of honor and shame. In antiquity, honor was a value of supreme importance, a foundational element of the social order.[5] This is especially true of ancient patriarchal societies, where the institution of family was a vital component of societal structure, and all members of the clan were subservient to the father's authority.[6] The primacy of honor thus functioned to preserve social structure, while at the same time deriving from it. Yet honor and shame were not only moral imperatives; they carried legal force as well. Biblical law demands filial respect and piety (Exod 20:11; Lev 19:3; Deut 5:15).[7] It is forbidden to punish a man found guilty by administering more than forty lashes, the reason being not the excessive physical injury to his person, but the disgrace it would bring upon him: וְנִקְלָה אָחִיךָ לְעֵינֶיךָ, "your brother be degraded before your eyes" (Deut 25:3).[8]

---

[5] J.G. Peristiany, ed., *Honour and Shame: The Values of Mediterranean Society* (London: Weidenfeld and Nicholson, 1966); David D. Gilmore, ed., *Honor and Shame and the Unity of the Mediterranean* (Washington: American Anthropological Association, 1987); Julian A. Pitt-Rivers, *The Fate of Shechem, or: the Politics of Sex: Essays in the Anthropology of the Mediterranean* (Cambridge: Cambridge University Press, 1977); Lyn M. Bechtel, "Shame as a Sanction of Social Control in Biblical Israel: Judicial, Political, and Social Shaming," *JSOT* 49 (1991): 47–76; Zeba A. Crook, "Honor, Shame, and Social Status Revisited," *JBL* 128 (2009): 591–611; Ronald D. Roberts, "Shame," in *Ancient Mediterranean Social World: A Sourcebook*, ed. Zeba A. Crook (Grand Rapids: Eerdmans, 2020), 79–91.

[6] Joseph Fleishman, *Parent and Child in the Ancient Near East and the Bible* (Jerusalem: Magnes, 1999), 9 (Hebrew). See: Avraham Faust, *The Archaeology of Israelite Society in Iron Age II* (Winona Lake: Eisenbrauns, 2012), 2012; Gunnar Lehmann, "Ancient Israel's Social Structure(s)," in *The Ancient Israelite World*, ed. Kyle H. Keimer and George A. Pierce (London: Taylor and Francis, 2020), 209–223; doubts as to the classification of ancient Israelite society as 'patriarchal' notwithstanding, as expressed in Carol L. Meyers, "Was Ancient Israel a Patriarchal Society?," *JBL* 133 (2014): 8–27.

[7] Even if the verb KBD in Biblical Hebrew expresses materiality of executing acts rather than expressing emotion, as is generally accepted among scholars today (David Lambert, "Honor: Hebrew Bible/Old Testament," in *EBR* 12 [Berlin: de Gruyter, 2016], 330–333), it is nevertheless obvious that the acts are profoundly associated with a non-material concept of honor.

[8] David Daube, *Law and Wisdom in the Bible*, ed. Calum M. Carmichael (West Conshohocken: Templeton Press, 2010), 33. Daube places much emphasis on the place of 'shame culture' in Deuteronomic law, attributing this to the connection with wisdom (Daube, *Law and Wisdom*, 32). However, it is our opinion that this is not a unique attribute of Deuteronomy or of wisdom literature.

Spitting as act of shaming appears in four other passages in the Hebrew Bible, as far as we could ascertain, as well as in several post-biblical sources. These passages indicate that spitting in a person's face was a gesture of gross degradation bearing social consequences. Although these sources do not directly shed light on the specific practice of spitting mentioned in Numbers 12, they nevertheless help us understand the precise socio-legal ramifications of the act of spitting, as a first step towards clarifying the custom under discussion.

i. Deuteronomy 25:9–10:

> וְנִגְּשָׁה יְבִמְתּוֹ אֵלָיו לְעֵינֵי הַזְּקֵנִים וְחָלְצָה נַעֲלוֹ מֵעַל רַגְלוֹ וְיָרְקָה בְּפָנָיו וְעָנְתָה וְאָמְרָה כָּכָה יֵעָשֶׂה לָאִישׁ אֲשֶׁר לֹא יִבְנֶה אֶת בֵּית אָחִיו. וְנִקְרָא שְׁמוֹ בְּיִשְׂרָאֵל בֵּית חֲלוּץ הַנָּעַל.
>
> His brother's widow shall go up to him in the presence of the elders, pull the sandal off his foot, spit in his face, and make this declaration: Thus shall be done to the man who will not build up his brother's house! And he shall go in Israel by the name of 'the family of the unsandaled one'.

Under the law of levirate marriage in Deuteronomy 25, a man who refuses to marry the widow of his deceased brother must undergo a public ceremony involving removal of his sandal, spitting in his face, and naming. Examination of the law's details and its literary representation shows that its function is to apply public pressure on the recalcitrant brother-in-law.[9] While the removal of the sandal has excited lively interpretive debate, with some commentators attributing to it an element of shaming, all concur in regarding the spitting as intended to shame the brother of the deceased for refusing to fulfill his duty to the dead.[10] Interestingly, although the institution of

[9] Jeffrey H. Tigay, *Deuteronomy*, The JPS Torah Commentary (Philadelphia: JPS, 1996), 231–234.

[10] Calum M. Carmichael, "A Ceremonial Crux: Removing a Man's Sandal as a Female Gesture of Contempt," *JBL* 96 (1977): 330–331, has suggested that removal of the sandal and spitting symbolize the levir's refusal to impregnate his sister-in-law; the symbolism is based on analogy between foot and sandal and the male and female genitalia, respectively, as well as the physical likeness of saliva and sperm (see also: Richard D. Nelson, *Deuteronomy: A*

levirate marriage seems to have existed in ancient Israel and neighboring cultures from early antiquity, predating the law in Deuteronomy 25,[11] this presentation of the law appears to be unique to Deuteronomy.[12] The public performance of spitting is thus a gesture of shaming intended to dislodge the brother-in-law from his refusal to fulfil his obligation.

ii. Isaiah 50:6

גֵּוִי נָתַתִּי לְמַכִּים וּלְחָיַי לְמֹרְטִים פָּנַי לֹא הִסְתַּרְתִּי מִכְּלִמּוֹת וְרֹק.

> I offered my back to the floggers, and my cheeks to those who tore out my hair; I did not hide my face from insult and spittle.

The above verse is from the third (Isa 50:4-9) of four Servant Songs in Isaiah.[13] Here the speaker is describing the reaction of his audience and the abuse and indignity he suffers at their hands, including flogging, tearing out hairs of his beard, and spitting in his face. The depiction of the speaker's persecution is at the center of this literary unit, resonating also with the previous passage's emphasis on his obedience (v. 5,

---

Commentary, OTL [Louisville: Westminster john Knox Press, 2002], 300). To the best of our knowledge, there have been no other attempts to identify symbolism or special meaning in the act of spitting other than as public degradation. Some scholars also consider removal of the sandal as an act of degradation (Carmichael, "A Ceremonial Crux"; Stephen K. Sherwood, *Leviticus, Numbers, Deuteronomy*, Berit Olam [Collegeville: Liturgical Press, 2002], 271; Jack R. Lundbom, *Deuteronomy: A Commentary* [Grand Rapids: Eerdmans, 2013], 710); others however reject any such significance, regarding instead removal of the sandal as bearing legal significance of severing the bond between levir and sister-in-law (Peter C. Craigie, *The Book of Deuteronomy*, NICOT [Grand Rapids: Eerdmans, 1976], 315; Victor P. Hamilton, "Marriage: Old Testament and Ancient Near East," *ABD* 4: 567; J. Gordon McConville, *Deuteronomy*, AOTC [Leicester: Apollos, 2002], 370; and see the hesitation between the two possibilities in Nelson, *Deuteronomy*, 299–300).

[11] Compare the case of Tamar (Gen 38) and Ruth (Ruth 4). Marriage of a widow to a relative of her late husband is likewise documented in legal texts from Assyria (MAL I §§30, 43), Hatti (HL §193), Nuzi (JEN 441 and elsewhere), and Ugarit (RS 16.44); for a survey of these and other texts, see: Aaron Skaist, "Levirat," *RlA* 6: 605–608; Marten Stol, *Women in the Ancient Near East* (Boston: de Gruyter, 2016), 296–299. As scholars have long noticed, the marked difference between the abovementioned laws and biblical law is that biblical levirate marriage is contingent upon the deceased having no offspring, the purpose of the widow's union with the brother or relative of the deceased being to perpetuate his line (Samuel R. Driver, *A Critical and Exegetical Commentary on Deuteronomy*, ICC [Edinburgh: T&T Clark, 1895], 281; Skaist, "Levirat," 608).

[12] This becomes clearly apparent on comparing the law of levirate marriage in Deuteronomy with the description of a nearly identical legal situation in Ruth 4, where there is not the slightest hint of shaming. See: Michael D. Goulder, "Ruth: A Homily on Deuteronomy 22–25?," in *Of Prophets' Visions and the Wisdom of Sages: Essays in Honour of R. Norman Whybray on his Seventieth Birthday*, ed. Heather A. McKay and David J.A. Clines, JSOTS 162 (Sheffield: JSOT Press, 1993), 307–319.

[13] On the Servant Songs, see, for instance, John L. McKenzie, *Second Isaiah: Introduction, Translation and Notes*, AB (Garden City: Doubleday, 1968), xxxviii–lvi.

וְאָנֹכִי לֹא מָרִיתִי אָחוֹר לֹא נָסוֹגֹתִי, "I did not disobey, I did not run away") and with the following passage's expression of faith in divine deliverance (vv. 7–9). The juxtaposition of "insult" and "spittle" – "I did not hide my face from insult and spittle" – reinforces the link between spitting and shame. In the Septuagint, this link seems to be intensified; the equivalent to מִכְּלִמּוֹת וְרֹק in LXX employs the construct state: ἀπὸ αἰσχύνης ἐμπτυσμάτων, "the shame of spitting" (NETS).[14] While some have understood this as referring to types of legal action taken against the servant,[15] it seems more likely that what is being described is spontaneous rioting;[16] hence, the spitting would constitute expression of societal contempt.

iii. Job 30:10:

תִּעֲבוּנִי רָחֲקוּ מֶנִּי וּמִפָּנַי לֹא חָשְׂכוּ רֹק.

> They abhor me; they keep their distance from me; they do not withhold spittle from my face.

In chapters 29–30 in the book of Job, the suffering protagonist depicts his fall from grandeur. Chapter 29 dwells on his former eminence, when God was at his side and Job enjoyed honor and prestige in his city; by contrast, chapter 30 presents an inverted image, with Job now humiliated by all and sundry. The speaker heightens the impression of his decline from his elevated status by singling out two lower class groups of mockers: the young men (v. 1: וְעַתָּה שָׂחֲקוּ עָלַי צְעִירִים מִמֶּנִּי לְיָמִים, "But now

---

[14] See: Jan L. Koole, *Isaiah 49–55*, HCOT (Kampen: Kok, 1998), 112. It is difficult to determine whether the Greek phrase is a free translation or perhaps reflects a different Hebrew *Vorlage*, such as מִכְּלִמּוֹת רֹק. In LEH, the Greek word ἐμπτυσμάτων of our verse is marked as a neologism.

[15] Whybray understands these to be acts carried out by "Babylonian authorities" who apprehended and tried the servant (R. Norman Whybray, *Isaiah 40–66*, NCB [London: Oliphants, 1975], 150–152). See also Koole, *Isaiah 49–55*, 112–113. Paul observes that flogging and tearing out of hair appear in MAL (§§44, 59) as a punishment of degradation (Shalom M. Paul, *Isaiah 49–66*, Mikra LeYisrael [Tel Aviv: Am Oved, 2008], 316 [Hebrew]).

[16] McKenzie, *Second Isaiah*, 117; Joseph Blenkinsopp, *Isaiah 40–55*, AB (New York: Doubleday, 2002), 321. Koole emphasizes that the other actions mentioned in this verse, including flogging, are first and foremost acts of degradation (Koole, *Isaiah 49–55*, 112). According to Baltzer, who identified the servant of God in Isaiah with Moses, this literary unit can be firmly linked to Numbers 12: in the story of Miriam, Moses is called "servant" of God; he is known for his direct, unmediated discourse with God; he suffers indignities yet refrains from reacting. It is difficult to accept Baltzer's claim that the language of v. 14 does not make it clear who spits on whom, or that the analogy suggests that the daughter spat on her father (Klaus Baltzer, *Deutero-Isaiah: A Commentary on Isaiah 40–55*, Hermeneia [Minneapolis: Fortress Press, 2001], 340–342).

those younger than I derided me") and social outcasts (v. 8–9: בְּנֵי נָבָל גַּם בְּנֵי בְלִי שֵׁם... וְעַתָּה נְגִינָתָם הָיִיתִי, "Scoundrels, nobodies … now I am the butt of their gibes").[17] The image of Job taunted by social outcasts marks the nadir of his fall into dishonor – when even the dregs of society no longer respect him, he is utterly humiliated, even more degraded than them.[18] One of the indignities Job bemoans is people spitting in his face: וּמִפָּנַי לֹא חָשְׂכוּ רֹק, "They did not withhold spittle from my face" (30:10).[19] It follows that spitting at a person in public expresses contempt tinged with class overtones.

iv. Job 17:6:

וְהֹצְגַנִי לִמְשֹׁל עַמִּים וְתֹפֶת לְפָנִים אֶהְיֶה.

> He made me a byword among people; I have become one in whose face people spit.

Modern commentators have long since established that תֹּפֶת means "spit," and that here too, as in chapter 30, Job is describing his degradation by being spat on in public.[20] Greenstein, for instance, translates as follows: "He has set me up as a popular taunt; I have become like spit in the face."[21] According to scientific lexicons, this hapax legomenon derives from the root TWP, corresponding to the common Hebrew root YRQ.[22] The root would seem to be a case of onomatopoeia, simulating the sound

---

[17] On נבל as outcast, see: Wolfgang M.W. Roth, "NBL," *VT* 10 (1960): 394–409.

[18] Norman C. Habel, *The Book of Job: A Commentary*, OTL (Philadelphia: Westminister Press, 1985), 419; James L. Crenshaw, *Reading Job: A Literary and Theological Commentary* (Macon: Smyth & Helwys Publishing, 2011), 129; but see Edward L. Greenstein, *Job: A New Translation* (New Haven: Yale University Press, 2019), 125 n. 30.

[19] It has been claimed that this is not a case of spitting in the face, since Job's revilers keep their distance from him; however, when Job first encounters them face-to-face, they spit in his direction (David J.A. Clines, *Job 21–37*, WBC [Dallas: Word Books, 2006], 948). Given the pronounced connection between spitting and the face in the texts enumerated above and in what follows, the traditional reading is more likely, making this another case of spitting in the face.

[20] Pre-modern commentators suggested several interpretations, such as: a) drum; b) Gehenna, i.e., the blazing flames of hell; c) sire and master (see, e.g., the commentaries of Rashi, Ibn Ezra, and Joseph Qimhi).

[21] See Greenstein, *Job*, 75 n. 39; Samuel R. Driver and George B. Gray, *A Critical and Exegetical Commentary on the Book of Job*, ICC (Edinburgh: T&T Clark, 1921), 112.

[22] BDB, p. 1064; HALOT, s.v. TWP. The word might be associated with the site of the cult worship Tophet in the Valley of Hinnom, near Jerusalem (2 Kgs 23:10; Jer 7:31–32 and elsewhere). It may be surmised that the word functions as a derogatory designation, similar to the component "בֹּשֶׁת" (from the root BWŠ) found in several theophoric biblical names. See: TDOT, s.v. "תֹּפֶת," p. 754–755.

produced by spitting; below we present Greek, Egyptian, and Ugaritic sources employing similar roots, seemingly without any genetic linguistic relationship among them.[23] The tentative recognition of this root as onomatopoeia has aided us in making several interpretive decisions regarding the sources discussed below. In this verse, then, as in Job 30:10, public degradation is effected by people spitting in Job's face.

Matthew 26:67:

> Τότε ἐνέπτυσαν εἰς τὸ πρόσωπον αὐτοῦ καὶ ἐκολάφισαν αὐτόν οἱ δὲ ἐράπισαν
>
> Then they spit in his face and struck him with their fists. Others slapped him. (NIV)

Likewise, Matthew 27:30:

> καὶ ἐμπτύσαντες εἰς αὐτὸν ἔλαβον τὸν κάλαμον ἔτυπτον τὴν κεφαλὴν αὐτοῦ
>
> They spit on him and took the staff and struck him on the head again and again. (NIV)

The two passages recount how Jesus was delivered by Judas, first to the Jewish crowd and then to the Romans. In this depiction culminating in the crucifixion scene, Jesus is abused by the Jews, then by the Roman soldiers. It is noteworthy that the author describes Jews and soldiers alike as spitting on Jesus and hitting him, thus equating the two abusive groups. Here too, as in Isaiah 50, we are not dealing with an act of any formal significance. Sentence has already been passed and is about to be carried out; what we have here is rioting of the vulgar mob.[24]

Mishnah Bava Kama 8:6:

---

[23] Compare verbs for spitting in the following languages: Aramaic – TPP; Ugaritic – wpṭ; Arabic - نفث; Egyptian – tf; Greek - πτύω; Latin – sputo; so too in more distant languages such as Aklan (the Philippines) – tupea; Tamil – tuppu, and more. The onomatopoeia of the Ugaritic root and of its Hebrew equivalent was recognized by Mitchell J. Dahood, "Hebrew-Ugaritic Lexicography XII," *Biblica* 55 (1974): 381–393. Given that this is a case of onomatopoeia, it seems unnecessary to seek shared etymology. Dahood further proposed identifying this root in Ps 71:7, emending כְּמוֹפֵת הָיִיתִי לְרַבִּים to כְּתוֹפֵת הָיִיתִי לְרַבִּים (Dahood, "Lexicography," 391, contra his commentary on Psalms: Mitchell J. Dahood, *Psalms 51–100*, AB [Garden City: Doubleday, 1968], 173).

[24] See Donald A. Hagner, *Matthew 14–28*, WBC (Dallas: Word Books, 1995), 802, 831; Ulrich Luz, *Matthew 21–28*, Hermeneia (Minneapolis: Fortress Press, 2005), 448, 515; and especially Richard T. France, *The Gospel of Matthew*, NICNT (Grand Rapids: Eerdmans, 2007), 1015–1031, 1060–1062.

הַמַּכֶּה לַחֲבֵרוֹ, נוֹתֵן לוֹ סֶלַע. רַבִּי יְהוּדָה אוֹמֵר מִשּׁוּם רַבִּי יוֹסֵי הַגְּלִילִי, מָנֶה. סְטָרוֹ, נוֹתֵן לוֹ מָאתַיִם זוּז. לְאַחַר יָדוֹ, נוֹתֵן לוֹ אַרְבַּע מֵאוֹת זוּז. צָרַם בְּאָזְנוֹ, תָּלַשׁ בִּשְׂעָרוֹ, **רָקַק וְהִגִּיעַ בּוֹ רָקּוֹ**, הֶעֱבִיר טַלִּיתוֹ מִמֶּנּוּ, פָּרַע רֹאשׁ הָאִשָּׁה בַּשּׁוּק, נוֹתֵן אַרְבַּע מֵאוֹת זוּז.

> One who strikes another must give him a *sela*. Rabbi Yehuda says in the name of Rabbi Yosei HaGelili that he must give him one hundred dinars. If he slapped another on the cheek, he must give him two hundred dinars. If he slapped him on the cheek with the back of his hand [which is more degrading than a slap with the palm], he must give him four hundred dinars. If he pulled his ear, or pulled out his hair, or *spat on him and his spittle reached him*, or if he removed the other's cloak from him, or if he uncovered the head of a woman in the marketplace, in all of these cases, he must give the injured party four hundred dinars.

This mishnah follows the legal principle holding that contumely is punishable in the same way as actions causing physical injury (dignitary tort; Lat: *iniuria*). This principle is found already in Mesopotamian legal literature, at least as early as the Old Babylonian period (LE §42; LH §§202–205; LHz §4), whence presumably it reached Greece (XII Tablets, VIII, 2–4; Attic Nights 20.1.13).[25] It is possible that the same legal principle was upheld in ancient Israel, though not documented as such in the Hebrew Bible. From the Mishnah we learn that spitting was considered *iniuria* (the earlier sources do not mention spitting), where it is listed among the serious transgressions in this category. The Mishnah is therefore the earliest source from which it can be derived that the act of spitting can lead to legal consequences.

[25] On these cases, with special reference to provisions concerning a slap to the cheek, see: Raymond Westbrook, "The Nature and Origins of the Twelve Tablets," *ZSS* 105 (1988): 74–121; Samuel Greengus, "Filling Gaps: Laws Found in Babylonia and in the Mishnah but Absent in the Hebrew Bible," *Ma'arav* 7 (1991): 152–155; Martha T. Roth, "Mesopotamian Legal Traditions and the Laws of Hammurabi," *Chicago-Kent Law Review* 71 (1995): 24–37; Yuval Darabi, "Continuity and Innovation in the Laws of Hazor," *IOS Annual* 24 (2024): 62–78.

Spitting as Determining Sociopolitical Hierarchy in Extra-Biblical Sources

In our view, more specific significance can be established for the performance of spitting in the face, by examining occurrences of such acts in sources from the cultures of the ancient Near East: Egypt, Ugarit, and Assyria. From these sources it becomes apparent that spitting, besides being an act of shaming in general, carries additional sociopolitical weight, especially for determining social and formal hierarchical relations, even leading in some cases to banishment from society.

Although these sources pertain to political hierarchy, rather than familial (as is the case in Num 12:14), it seems erroneous not to link these two domains; copious evidence shows that familial and political relations were closely affiliated in the ancient Near East. Suffice it to mention routine reference to a king, or a superior in general, as 'father' and to a subordinate as 'son' in contracts, correspondence, and treaties.[26] Indeed, the father was the head of the *bêt āb*, the father's household, which constituted a small social unit; a ruler's preeminent position in the state was analogous to that of a father in his *bêt āb*.[27]

Before turning to supporting sources, we must recall a more basic insight emerging from extra-biblical texts mentioning spit, notably from Mesopotamia and Egypt: in antiquity magical powers were attributed to saliva. In several mythological texts, saliva is a central component in the creation: Egyptian texts recount how deities were created from saliva, and in Mesopotamian myth saliva figures prominently in the creation of man.[28] Saliva is referenced mostly in writings about medicine or magic, and figures in

[26] See, e.g, Amanda H. Podany, *Brotherhood of Kings: How International Relations Shaped the Ancient Near East* (Oxford: Oxford University Press, 2010), 28–34 and *passim*.

[27] See, e.g., Hermann Spieckermann, "Father, Fathers, Fatherhood: The Ancient Near East and Hebrew Bible/Old Testament," in *EBR* 8 (Berlin: de Gruyter, 2014), 951–954.

[28] The Akkadian myth of Atra-Hasīs recounts how the Igigi deities spit (lit., "cast saliva": *ru'tam iddū elu ṭiṭṭi*, tablet I line 234) on clay that was subsequently fashioned into a human by the goddess Mami. On recurrence of this theme in later sources, see: Daniel Frayer-Griggs, "Spittle, Clay, and Creation in John 9:6 and Some Dead Sea Scrolls," *JBL* 132 (2013): 659–670.

witchcraft as well as in its antidotes.[29] Some scholars hold that the magical potency of spitting is "uprooted" in the Hebrew Bible because of de-mythologization.[30] Be that as it may, the conception of spitting as degradation is clearly discernible in extra-biblical sources as well. It is to these that we now turn.

Egyptian Sources

Two Egyptian sources are of interest in shedding light on spitting as event.[31] In both texts, the speaker, a holder of office, wishes to bolster his loyalty to his superiors and stress his own suitability to hold office. He achieves this with a brief self-portrait in which he notes, inter alia, "I was not spat in the eyes/face." The first of the two texts is a dedicatory inscription by the servant Merer of Edfu, dated to the First Intermediate Period (22nd–21st centuries BCE). The speaker is a priest appointed by the king to supervise sacrificial worship:

> I was the priest for slaughtering and offering in two temples on behalf of the ruler. I offered for thirteen rulers without a mishap ever befalling me. I was not robbed, *I was not spat in the eyes*, owing to the worth of my speech, the competence of my counsel, and the bending of my arm.[32]

---

[29] See: Markham J. Geller, *Healing Magic and Evil Demons: Canonical Udug-Hul Incantations* (Berlin: de Gruyter, 2016), 479 n. 172; Robert K. Ritner, *The Mechanics of Ancient Egyptian Magical Practice* (Chicago: The Oriental Institute of the University of Chicago, 1993), 74–91.

[30] Milgrom, *Numbers*, 98: "In the ancient Near East, magical powers are attributed to spittle… In the Bible, however, this magical background has been uprooted: All spitting, whether part of a ritual or not, is simply a matter of humiliation."

[31] The relevance of the following two sources to the present discussion was introduced into scholarship by Stefan Bojowald, "Das Bespucken des Gesichtes als Zeichen der Verachtung: Zu einem literarischen Motiv in den aramäischen Achikar-Sprüchen und seinen ägyptischen Parallelen," *UF* 44 (2013): 17–22.

[32] Miriam Lichtheim, *AEL* 1: *The Old and Middle Kingdoms* (Berkeley: University of California Press, 1973), 83, lines 2–4; and 88 n. 2. For a differing reading which regards this clause as active rather than passive, see: Jaroslav Černý, "The Stela of Merer in Cracoq," *JEA* 47 (1961): 6. For further discussion, see Karl Jansen-Winkeln, "Bemerkungen zur Stele des Merer in Krakau," *JEA* 74 (1988): 204–207; Rune Nyord, "Spittle, Lies, and Regeneration: Some Religious Expressions on a Stela from the First Intermediate Period," *Göttinger Miszellen* 197 (2003): 73–91.

The speaker notes the fact that he was not spat in the eyes apparently as evidence of his unsullied social standing, hence, as worthy of the appointment and the trust of the king.

Another text, from the Middle Kingdom (20th–18th centuries BCE), comes from the famous tale of Sinuhe, considered the most highly developed literary composition of ancient Egypt. On one of his journeys, Sinuhe appears before the ruler of Retjenu, who inquires at the hero's motive for his visit. To this Sinuhe replies as follows:

> …I spoke in half-truths: "When I returned from the expedition to the land of the Tjemeh, it was reported to me and my heart grew faint. It carried me away on the path of flight, though I had not been talked about; *no one had spat in my face*; I had not heard a reproach; my name had not been heard in the mouth of the herald. I do not know what brought me to this country; it is as if planned by god."[33]

Sinuhe stresses that he did not flee Egypt due to any slur to his reputation or opprobrium for any misdeed on his part, *nor had anyone spat in his face*. Hence, spitting in his face would have been sufficient cause for him to fall into disfavor in Egypt and be forced into exile. A spitting event is thus fatal to the subject's social position, so much so that he is ostracized and banished from society.

On the basis of these two Egyptian sources, we suggest that spitting in a person's face, besides being a gesture of shaming in general, is particularly associated with determining social and political hierarchy, and casts doubts as to the elevated status of a holder of office.

Ugaritic Texts: The Baal Cycle

The above suggestion about the Egyptian sources accords nicely with the act of spitting as it appears in the Ugaritic Baal cycle, which narrates the war

[33] Lichtheim, *AEL* 1, 225, lines 37–43. See also: Alan H. Gardiner, *Notes on the Story of Sinuhe* (Paris: Librairie Honoré Champion, 1916), 31; Nyord, "Spittle, Lies, and Regeneration," 74–75; Bojowald, "Bespucken des Gesichtes," 19–20.

waged by Baal against Yamm, the sea god, over primacy in the pantheon. The myth begins as El, first among the gods and Baal's father, deposes the latter from his kingship in favor of Yamm, thereby sparking bitter rivalry between Baal and Yamm. Spitting is one of the acts Yamm performs against Baal in the council of the gods:[34]

The Baal Cycle, tablet IV, col. 3, ll. 12–14:

qm.ydd.wyqlṣn
yqm.wywpṯn
btk/p[ḫ]r.bn.'ilm.
He rose, stood and abased me
He stood up and spat on me
Amid the ass[em]bly of the children of El

Tablet IV, col. 6, ll. 12–13:

[m]dd.'il ym
[ ]qlṣn.wpṯm
The beloved of El, Yamm…
… abased me, and spat …

The reading of the revelant word *wywpṯn*/*wpṯm* as "spitting" was first proposed by Albright, based on the Arabic verb نفث, and his interpretation was accepted unquestioningly by scholars until the 1990s, and is still widely held today.[35] In 1992 this reading was challenged by Renfroe, who claimed that the meaning of the verb is "to insult, to disgrace"; consequently, he proposed to identify it with the Akkadian verb *wapāšu*, and this has been accepted by some

[34] Text and translation taken from: Mark S. Smith and Wayne T. Pitard, *The Ugaritic Baal Cycle*, SVT 114 (Leiden: Brill, 2009).

[35] William F. Albright, "The North-Canaanite Poems of Al'êyân Ba'al and the 'Gracious Gods'," *JPOS* 14 (1934): 119 n. 76; Marvin H. Pope, "A Note on Ugaritic ndd-ydd," *JCS* 1 (1947): 341 n. 29; Dahood, "Lexicography," 390–391; Mark S. Smith, "A Potpourri of Popery: Marginalia from the Life and Notes of Marvin H. Pope," *UF* 30 (1998): 655; Holger Gzella, "Some Penciled Notes on Ugaritic Lexicography," *BiOr* 64 (2007): 561; Smith and Pitard, *The Ugaritic Baal Cycle*, 473; Gregorio del Olmo Lete and Joaquin Sanmartin, *A Dictionary of the Ugaritic Language in the Alphabetic Tradition*, 3rd ed., HdO 112 (Leiden: Brill, 2015), 929–930.

scholars.[36] In our opinion, however, the first reading is the correct one, based on cognates of this verb in many other languages, coupled with the recognition that it is an onomatopoeic root (see above).

By spitting at Baal, Yamm demonstrates that he outranks his rival and is superior to him as king of the gods; the act ultimately leads to Baal's banishment from the palace. As Ayali-Darshan has shown, extensive parts of the Baal cycle are imbued with the ambience of a royal court, complete with such elements as courtiers, royal banquets, the dispatching of messengers, etc.[37] There are thus grounds for regarding the performance of spitting in this story as an act with concrete political significance, modeled after the power struggles in a royal court. As a result of the event, the subject is effectively demoted from his previous political and social status, which could eventually lead to his banishment from the palace.

An Assyrian Source: Teumman-Dunānu Epigraphs Text A

Curiously, spitting as shaming goes practically unmentioned in cuneiform texts. However, one significant attestation, along with the occurrences discussed above, does strengthen our suggestion that the act of spitting should be regarded as performative for ordering the social hierarchy, especially for securing one's political position. In the Assyrian royal inscriptions known as the Teumman-Dunānu cycle, Ashurbanipal recounts how he quashed the rebellion plotted against him by Teumman, king of Elam.[38] In the summer of

---

[36] Fred Renfroe, *Arabic-Ugaritic Lexical Studies* (Münster: Ugarit-Verlag, 1992), 156–157; Josef Tropper, *Ugaritische Grammatik*, AOAT 273 (Münster: Ugarit-Verlag, 2000), 548; Andrew R. Burlingame, "Ugaritic Emotion Terms," in *The Routledge Handbook of Emotions in the Ancient Near East*, ed. Karen Sonik and Ulrike Steinert (London: Routledge, 2023), 208, 220 n. 56. Compare *AHw*, 1459.

[37] Noga Ayali-Darshan, *The Storm-God and the Sea: The Origin, Versions, and Diffusion of a Myth Throughout the Ancient Near East* (Tübingen: Mohr Siebeck, 2020), 76–106.

[38] The story is known to us from various historical sources. See: Grant Frame, *Babylonia 689–627 BC: A Political History* (Istanbul: Nederlands Historisch-Archaelogisch Instituut te Istanbul, 1992), 121–123; Davide Nadali, "Ashurbanipal against Elam: Figurative Patterns and Architectural Location of the Elamite Wars," *Historiae* 4 (2007): 57–91; Davide Nadali, "The Battle of Til-Tuba in the South-West Palace: Context and Iconography," in *I am Ashurbanipal: King of the World, King of Assyria*, ed. Garth Brereton (New York: Thames & Hudson, 2018), 234–243; Ronnie Goldstein and Elnathan Weissert, "The Battle of Til-Tuba Cycle and The

653 BCE, in the first decade of Ashurbanipal's reign, Teumman, king of Elam, seized the opportunity to revolt while Ashurbanipal was away on a military campaign in the west with the better part of his troops. Teumman conquered territories in Babylonia (ruled at the time by Ashurbanipal's brother Šamaš-šuma-ukīn). Ashurbanipal was forced to return to Babylonia, where he took harsh measures to quell the uprising. One act documented in several written and iconographic sources is the decapitation of Teumman, whose head was then borne to Ashurbanipal's palace to hang there in a tree. In inscription 161, Ashurbanipal describes one of the acts he performed on the severed head – he spit on it:[39]

> [*qaqqad Teumman šar Elamti ina qu*]*ppê matnāt bunnannîšu*
> [*ubattiqma ad*]*di ru'tu elēnuššu*
> [*The (decapitated) head of Teumman, the king of the land Elam: I cut through*] the tendons of his face [*with a kn*]*ife* [*and* s]pat upon it.

Although the line is reconstructed for the most part, the context makes it clear that the act is performed on the head and face of Teumman. Let us note the description of the spitting event: while the word "saliva" (*ru'tu*) is quite legible, the verb *nadû* is reconstructed in part, as a most reasonable reading.[40] Based on this reconstruction, the act is described as one of casting saliva. Given the Mesopotamian attitude to saliva, it is possible to suggest that we are dealing with a magical imprecation against the rebellious Teumman. At the same time, however, it seems also to be a public humiliation, part of Ashurbanipal's efforts to stamp out the rebellion and reverse its course. Therefore, we propose, in light of the examples discussed above, that spitting in a person's face performatively determined social and political hierarchical relations – for the

---

Documentary Evidence," in *I am Ashurbanipal: King of the World, King of Assyria*, ed. Garth Brereton (New York: Thames & Hudson, 2018), 244–273. The rebellion and its aftermath are presented in detail, besides in the myth cycle, also in the reliefs in room 33 of the Southwest Palace at Nineveh.

[39] Ashurbanipal 161, col. i. ll. 2'–3'. From http://oracc.museum.upenn.edu/rinap/rinap5/pager.

[40] See the examples given in *CAD* R, c.v. "ru'tu," 436–437.

perpetrator, by securing his political superiority, and vice versa, for the recipient.

The Proverbs of Ahiqar

The final source we cite in support of our approach comes from the Proverbs of Ahiqar, an Aramaic work of wisdom literature, thought to have been composed in Assyria. It comprises a narrative framework and proverbs in the tradition of didactic wisdom literature, similar in content and style to the book of Proverbs and to Egyptian and Mesopotamian writings. The proverbs deal with various themes relating to proper conduct in the world. In lines 132–134 (col. 9, ll. 47–49), Ahiqar warns his audience against telling falsehoods, for a liar, even if he attains a lofty position, will ultimately be exposed – and deposed in disgrace. Fall from favor is expressed by the image of spitting (line 133):[41]

[אף הן מן] קדמן כרסאא לכדבא יחיט ועל אחר[ן י]הנשגון כדבתה וירוקן באנפוהי

> [Moreover, if in]itially the throne is set up for the liar, then fina[lly] they [shall] perceive his lies and spit in his face.

This source, then, together with those discussed above, strengthens the impression that spitting often functioned as more than gesture of shaming; it also carried specific social class implications, and was employed to demote the person subjected to spitting from his social and official status.

Numbers 12:14: A Father Spitting in his Daughter's Face

Except for the spitting in the law of *halitza*, all the sources reviewed above conceive of spitting as having formal social implications, though not as a legal act. In two sources only is spitting performed as part of a legal act: in the law

[41] Citation and translation from Bezalel Porten and Ada Yardeni, *Textbook of Aramaic Documents from Ancient Egypt*, vol. 3: *Literature, Accounts, Lists* (Jerusalem: Hebrew University of Jerusalem, 1993), 42–43. See also: Michael Wiegl, *Die aramäischen Achikar-Sprüche aus Elephantine und die alttestamentliche Weisheitsliteratur*, BZAW 399 (Berlin: de Gruyter, 2010), 305–308; Seth A. Bledsoe, *The Wisdom of the Aramaic Book of Ahiqar: Unravelling a Discourse of Uncertainty and Distress*, SJSJ 199 (Leiden: Brill, 2022), 194–196.

of *halitza* and in the unknown practice alluded to in Numbers 12:14. Let us now turn to examine the legal practice in Numbers.

The information that can be culled from the description in Numbers 12:14 is meager, as it is not written law but incidental testimony to an existing social custom. We can nevertheless outline the following general picture: in the case of a father spitting in his daughter's face, presumably because of something she did to him, it was customary for her to be isolated from society for a period of seven days, due to the disgrace.[42] The parent-child relationship is a hierarchical one; performance of spitting, as understood in the present article, would be intended to restore correct hierarchical relations between father and daughter. In this light, it becomes clear that the daughter's transgression, for which she is "punished" by being spat on and isolated, must have been that of undermining familial hierarchy. We have no way of knowing if this custom was implemented following specific acts on the daughter's part, such as declaring "You are not my father!"[43] or for any misbehavior deemed by the father as necessitating the bolstering of his parental authority.

It can also be concluded that this custom was not enforced by external authorities, such as a tribunal, but was rather general custom: the rhetorical introduction of the daughter's seclusion – "would she not bear her shame for seven days?!" – is understood to mean that the daughter would have isolated of her own accord. This reading is supported by the context: God does not spell out for Moses that Miriam must be secluded outside the camp; rather, he explains why this is the right thing to do, given the similarity to the case of a father spitting in his daughter's face. The verbs in the verse appear in the reflexive *niphal* stem: תִּכָּלֵם, "bear her shame"; תִּסָּגֵר, "let her be shut out"; תֵּאָסֵף, "let her be readmitted" – indicating that these actions are carried out by the daughter/Miriam without coercion.

---

[42] Note the use of the infinite absolute preceding the finite verb, יָרֹק יָרַק, emphasizing the intentionality underlying the father's act of spitting (S. David Sperling, "Miriam, Aaron and Moses: Sibling Rivalry," *HUCA* 70/71 [1999–2000]: 44 n. 39).

[43] The case is well-documented in Mesopotamian legal texts; see Fleishman, *Parent and Child*, 184–199.

It is noteworthy that familial relations, although taking place within the confines of the home, bear societal interest in this case, and their violation leads to temporary exclusion from society.

Numbers 12:14 in the Context of the Story of Miriam

If our understanding is correct, it illuminates the narrative need for this unknown legal practice. Thus, the main purpose of Numbers 12:1–16 is to underscore Moses's prophetic uniqueness and superiority. The narrative achieves this by introducing a 'quasi-rebellion' against Moses, thereby providing literary opportunity to emphasize his prophetic quality, even to the detriment of other prophets.[44] In this narrative, Miriam and Aaron cast aspersions on Moses's exceptional prophetic powers, hence, on his authority. Moses is no better than they are, they protest: "Has the LORD spoken only through Moses?! Has He not spoken through us as well?!" (v. 3).[45] Moses, being "a very humble man, more so than any other man on earth" (v. 4), remains silent; God himself must intervene on his behalf. In the eyes of God, a serious offense has been committed; there follows a divine speech extolling Moses's prophetic uniqueness:

> Hear these My words: When a prophet of the LORD arises among you, I make Myself known to him in a vision, I speak with him in a dream. Not so with My servant Moses; he is trusted throughout My household. With him I speak mouth to mouth, plainly and not in riddles, and he beholds the likeness of the

[44] In accordance with the other wilderness traditions and with the immediately preceding chapter 11, in particular. See: David Jobling, *The Sense of Biblical Narrative: Structural Analyses in the Hebrew Bible*, JSOTS 39 (Sheffield: JSOT Press, 1986), 32–65; Baruch A. Levine, *Numbers 1–20*, AB (New York: Doubleday, 1993), 338–343.

[45] A vexing difficulty is the complaint of Miriam and Aaron about "the Cushite wife" of Moses (v. 1) and its relation to the rest of the narrative. See, for example: Gray, *Numbers*, 120–122; Sturdy, *Numbers*, 88–90; Bernard P. Robinson, "The Jealousy of Miriam: A Note on Num 12," *ZAW* 101 (1989): 428–432; Anthony Abela, "Shaming Miriam, Moses' Sister, in Num 12,1–16: Focus on the Narrative's Exposition in vv. 1–2," in *The Books of Leviticus and Numbers*, ed. Thomas Römer (Leuven: Peeters, 2008), 521–534.

> LORD. How then did you not shrink from speaking against My servant Moses! (vv. 6–8).[46]

The speech ends in a reprimand: "Still incensed with them, the LORD departed" (v. 9), and Miriam is stricken with *ṣāraʿat* (v. 10). Aaron then beseeches Moses to help Miriam, thereby acknowledging Moses' authority and superior prophetic status.[47]

The same point is made by the allusion to the unknown legal custom: Miriam has declared that she is as good as Moses and is thereupon stricken with *ṣāraʿat.* She is compared to a daughter who has failed to acknowledge her father's authority, and, consequently, is spat upon. We are not dealing with mere shaming; rather, this is a performative act which directly affects the ordering of societal rank and the acknowledgment of power vested in authority figures. Drawing the attention of the biblical reader to this custom (the biblical author assumes his reader's familiarity with it) perfectly accords with the narrative's aim and development.

Moreover, the analogy between Miriam's *ṣāraʿat* and the custom of spitting helps clarify the nature of *ṣāraʿat* in our narrative. The Priestly laws of *ṣāraʿat* are detailed in Leviticus 13–14, where, similarly to Num 12, the person stricken with *ṣāraʿat* is required to be shut out of the camp for a period (or periods) of seven days. In Lev 13–14 we find the Priestly purity-impurity discourse: *ṣāraʿat* is perceived as impure, and a person is cleansed of it through the mediation of the priests. Conversely, it seems that the essence of Miriam's *ṣāraʿat* and the reason for her banishment from the camp is not impurity but shame, in light of the analogy to the custom of spitting: "would

---

[46] Note, however, that this very speech on prophecy addressed to Aaron and Miriam is itself couched in plain language, not riddles; "apparently, the need of the author to impart his ideological message overrode the demands of literary consistency" (Sperling, "Sibling Rivalry," 54).

[47] Although it is not made explicit in the narrative, most commentators maintain that Miriam was cured of the *ṣāraʿat* immediately after Moses's prayer, and not consequent to her seclusion: Noth, *Numbers*, 97; Sturdy, *Numbers*, 92; Milgrom, *Numbers*, 98; John Van Seters, *The Life of Moses: The Yahwist as Historian in Exodus-Numbers* (Kampen: Kok Pharos, 1994), 239. But see George W. Coats and Rolf P. Knierim, *Numbers*, FOTL (Grand Rapids: Eerdmans, 2005), 181.

she not bear her shame for seven days?". Accordingly, the seclusion for a period of seven days is not ritualistic as in Lev 13–14.[48] We may surmise, with Levine, that the custom of sending one who is afflicted with *ṣāraʿat* out of the camp "was undoubtedly ancient,"[49] and was given differing explanations in our sources.

The presentation of *ṣāraʿat* in Numbers 12 accords with its presentation in other biblical narratives, especially 2 Sam 3:29 (David's curse of Joab) and 2 Kgs 5 (Naaman's *ṣāraʿat* which later passes on to Gehazi). In these narratives, *ṣāraʿat* is presented as a divine punishment for denying or undermining authority: in 2 Sam 3, David curses Joab and his house with *ṣāraʿat* following Joab's murder of Abner, an action done while consciously and intentionally violating the orders of David his king. In 2 Kgs 5, Gehazi is punished with *ṣāraʿat* for undermining the actions of his lord, Elisha. Additionally, in 2 Kgs 5, Naaman comes to Elisha to be cured of his *ṣāraʿat* and to "learn that there is a prophet in Israel" (v. 8). In a similar way, Aaron addressing Moses in supplication affirms, as stated above, his prophetic uniqueness.[50]

Conclusion

In this article we have attempted an elucidation of the enigmatic legal custom glimpsed in Numbers 12:14, namely, if a father spits in his daughter's face, she is to be secluded for a period of seven days. We have tried to show that this verse reflects an actual legal custom practiced in biblical Israel, at least in the author's lifetime. We have endeavored to give an overview of the various ancient sources mentioning spitting in one's face: from ancient Israel (biblical and post-biblical), Egypt, Ugarit, and Mesopotamia (with reference to shameful spitting; medical or magical spitting was not included in the

[48] See: Joel S. Baden and Candida R. Moss, "The Origin and Interpretation of *ṣāraʿat* in Leviticus 13–14," *JBL* 130 (2011): 643–662; *contra* Coats and Knierim, *Numbers*, 181 and others.
[49] Levine, *Numbers 1–20*, 333.
[50] See further in Yair Zakovitch, *Every High Official* (Tel Aviv: Am Oved, 1986), 142–145 (Hebrew); Sperling, "Sibling Rivalry," 48–49.

discussion). This overview, valuable independently of the question of Num 12:14, has led us to conclude that shameful spitting served in the ancient Near East as means of determining sociopolitical hierarchy. This basic general concept seems to lay the ground for understanding the specific custom alluded to in Num 12:14, which deals with restoring correct hierarchy in the family.

Additionally, this facet of spitting, although general, illuminates the narrative's resorting to this legal custom. Numbers 12 tells of Miriam and Aaron's complaint against Moses, with its implicit doubts as to his superior prophetic status. In this they undermine his authority and upset the correct hierarchy. God intervenes in Moses's favor: he severely reproaches Miriam and Aaron, afflicts Miriam with *ṣāraʿat,* and compares the situation to a father spitting in his daughter's face. This (ostensibly redundant) legal analogy adheres to the narrative's intent: to address the question of correct hierarchy and re-establish the superior status of Moses.

The analogy also helps us better assess the nature of *ṣāraʿat* in this narrative. Unlike Lev 13–14, the physical condition is not perceived as impure but, rather, as shameful, thus corresponding to the perception of *ṣāraʿat* in other biblical narratives.