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## **“For Moses Had Indeed Married a Cushite Woman”: The LORD’s Prophet Married Well<sup>1</sup>**

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### **Zusammenfassung**

Moderne Wissenschaftler sind lange Zeit von der Annahme ausgegangen, dass es sich bei der Erwähnung der kuschitischen Frau in Numeri 12 um einen unwichtigen Einleitungsvers handelt; als zentral wurde in dieser Erzählung der Wunsch von Miriam und Aaron nach Gleichbehandlung mit Moses gesehen. Frühere Exegeten dieses Textes hingegen konnten einen Zusammenhang zwischen Moses’ kuschitischer Frau und der Auseinandersetzung über die Prophetie aufzeigen. Gott bestätigt sowohl den einzigartigen prophetischen Status von Moses, als auch seine Heirat mit einer fremden Frau. So kann Numeri 12 mit anderen Texten der Tora und des jüdischen Schrifttums verglichen werden, die Esras und Nehemias Strategie „fremde Frauen“ abzulehnen und die Exogamie zu verbieten, ablehnen.

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### **Introduction**

The narrative about the life of Moses in Exodus and Numbers includes information about Moses’ conjugal life that can be compared to other biblical traditions about Israel’s contact with outsiders in general and intermarriage with them in particular. Within the confines of individual books in each section of the *Tanak*, we find an opposition between a) expressions emphasizing the dangers of intermarriage and b) examples of Israelite/Jewish males marrying and/or producing heirs through outsider women.<sup>2</sup> This tension is related to conflict over identity markers and other social and religious issues in texts that certainly came from the Second Temple period.<sup>3</sup> Although tension over intermarriage could have existed among their exilic and pre-exilic predecessors throughout the formation of Israel’s traditions and texts, Second Temple writings such as Ezra, Nehemiah, and Malachi demonstrate that exogamy was both

practiced and resisted during the period in which Jewish scribes produced and preserved authoritative Scriptures, including the Torah/Pentateuch.<sup>4</sup> Most Pentateuchal narratives, including those about Moses' wives, portray the foreign wife as a model of cunning, quick action, and faith in Israel's god, or as a sign of favor and fertility, or both.

Moses' exogamy is significant for several reasons. Biblical and post-biblical Jewish tradition has given Moses a place of preeminence among biblical heroes – over all other mortals, and, in some cases, angels. In the Pentateuch itself, Moses is portrayed as: 1) savior, intercessor, judge, and nurturer of Israel,<sup>5</sup> 2) mediator of Torah to Israel,<sup>6</sup> and 3) uniquely exalted prophet and intimate servant of the LORD.<sup>7</sup> In addition, Moses and his 'foreign' wives are of particular interest because the Torah's proscriptions against Israel's intermarriage with women of Canaan, Ammon, and Moab are placed in Moses' mouth.<sup>8</sup> Moses' wives were not Canaanites, but they were outsiders to Israel. Elsewhere I have treated Zipporah, Moses' Midianite wife, at length. In this article I will focus on Moses' unnamed Cushite wife as she emerges briefly in Numbers 12.<sup>9</sup>

Numbers 12:1) Miriam and Aaron spoke against Moses because of the Cushite woman whom he had married (for he had indeed married a Cushite woman). 2) And they said, "Has the LORD spoken only through Moses? Has he not spoken through us also?" And the LORD heard it.

Moses' Cushite wife is not an active character in the narrative of Numbers 12. She only appears through the voice of the all-knowing narrator in the first verse and quickly disappears when Miriam and Aaron commence to speak. Nevertheless, the Cushite's shadow is cast over the entire passage. Modern scholars have usually concluded that the mention of the Cushite wife is simply a pretext, tangential to the real issue in Numbers 12. For example, Jacob Milgrom comments that v 2 provides "the true reason for Miriam and Aaron's complaint; the previous one [the Cushite wife] was only a pretext. What they were really after was a share in Moses' leadership."<sup>10</sup>

Unlike most modern scholarship on Numbers 12, early Jewish and Christian interpreters of this passage assumed and developed the connection between Moses' marital status and the dispute about prophecy that follows. It is my view that the instincts of ancient exegetes were, in this case, more on target than the modern

commentaries. Thus, I argue here that the information conveyed in v 1 is not a pretext. To the contrary, the storyteller in Numbers wants us to understand that Miriam and Aaron's complaint against Moses was, as the text says, on account of his Cushite wife. I agree with the ancient exegetes that the reasons Miriam and Aaron spoke against Moses are related to each other.<sup>11</sup>

Here we will explore the implications of the juxtaposition of the narrator's *insight* into the cause of Miriam and Aaron's speaking against Moses (his Cushite wife, v 1) with the narrator's *report* of what they said: "Has the Lord spoken only through Moses; has he not spoken through us as well?" (v 2). Miriam and Aaron's complaint against Moses leads to the LORD elevating Moses above all prophets (vv 6-8), by emphasizing the intimacy between Moses and the LORD. Thus, as this account unfolds, Moses' Cushite marriage is affirmed along with his unique prophetic role, which is above the criticism originating from Israel's priestly and prophetic leadership. In order to comprehend the significance of Numbers 12 within its narrative context, it will be helpful to survey Numbers briefly. Then I will focus on Numbers 11-12 to point out that Numbers 12 presents the finale in a series of scenes that affirm the uniqueness of Moses as the transmitter of the LORD's spirit and his most intimate conversation partner. These movements are part of the narrative debate woven into the Torah over prophecy, leadership, and Moses' authority and how these roles are associated with one another.

### **Survey of Numbers**

The English title "Numbers" (from the early use of the Greek *Arithmoi*)<sup>12</sup> is based upon the two "numberings" it describes – the first at Sinai in chapters 1-4, and the second at Shittim in chapter 26. The second census was taken after a plague kindled by the LORD's anger over Israel's apostasy with Ba'al Peor killed 24,000. *BaMidbar*, "In the Wilderness," the name used in modern Hebrew Bibles, is also an apposite designation for the book. As the story unfolds, the generation of Israel (which fled Egypt and was enrolled in the first census) moved from one wilderness to another, undertook various adventures, and died – in the wilderness. Israel's camp was ordered, community life regulated, leaders selected, complaints heard and handled in various wilderness settings. In Numbers 10:11, the cloud lifted from the tabernacle at Sinai and resettled in the wilderness of Paran, marking not only a change of scene, but also a shift in literary genre from legal material to narrative replete with conflict expressed

through dialogue and violence. This narrative is the context for Numbers 12, the complaint against Moses on account of his Cushite wife.

Motifs found elsewhere in Numbers are reiterated in Numbers 12: Israel's complaints and the LORD's angry responses (Numbers 11 and 25) and the tension between shared leadership and Moses' unique role as the mouthpiece for the LORD (Numbers 7, 11:14-25, 16:1-50). Numbers 12, Miriam and Aaron's complaint at Hazeroth replicates concerns found throughout Numbers about: 1) foreign relations, or good and bad outsiders, 2) domestic relations, or power struggles within an ordered community, and 3) divine relations, i.e., contact between humans and the invisible deity who authorizes their roles and functions by various manifestations of "his will."

Immediately preceding Miriam and Aaron's complaint against Moses, his spirit had rested on the seventy elders at the tent outside of the camp and passed also to Eldad and Medad, who had remained in the camp, leading them all to "prophecy" (Numbers 11).<sup>13</sup>

## Numbers 12

"Miriam and Aaron spoke against Moses on account of his Cushite wife; for he had indeed married a Cushite woman" (Numbers 12:1).

In Numbers 12 Miriam and Aaron, representing prophetic and priestly leadership in Israel, enter the deliberations about prophecy and authority in Israel.<sup>14</sup> I will first point out the parallels between the incidents and concerns described in chapters eleven and twelve, and then return to the problems posed by verses one and two.

11:35b) And while they [the people]<sup>15</sup> were at Hazeroth, 12:1) Miriam and Aaron spoke against Moses on account of the Cushite woman, whom he had married, for he had indeed married a Cushite woman. 2) And they said, "Has the LORD really spoken only with Moses? Has he not also spoken with us? And the LORD heard. 3) Now the man Moses was very humble, more than any man on the face of the earth. 4) And suddenly the LORD said to Moses and to Aaron and to Miriam: "Come out you three to the tent of meeting." And the three of them went out. 5) And the LORD came down in a pillar of a cloud and he stood at the opening of the tent, and he called Aaron and Miriam and they both went out. 6) And he said, "Here, now my words! If your prophet will be

[of] the LORD,<sup>16</sup> I will reveal myself to him in a vision; in a vision; in a dream, I will speak with him. 7) It is not so with my servant, Moses. With my entire house, he is trusted. 8) Mouth to mouth I will speak with him, and visibly and not in riddles, and he will see the likeness of the LORD. Why were you not afraid to speak against my servant Moses? 9) And the anger of the LORD was kindled against them, and he departed. 10) And the cloud turned away from over the tent, and behold, Miriam was leprous, as white as snow. And Aaron turned towards Miriam, and behold she was leprous! 11) And Aaron said to Moses: “I pray, my lord, please do not lay upon us the sin, which we foolishly committed. 12) Do not let her be as one dead who comes forth from his mother's womb and half his flesh is consumed. 13) And Moses cried to the LORD, “Oh God, please heal her, I pray.” 14) And the LORD said to Moses, “But had her father actually spit in her face, would she not be shamed seven days? She shall be shut up seven days outside the camp and after that she may be readmitted.” 15) So Miriam was shut up outside the camp seven days. And the people did not travel until Miriam was readmitted.

Unlike Joshua in Numbers 11, who was jealous and protective *over* Moses' unique prophetic function, Miriam and Aaron are depicted as claiming that Moses was *not* unique – the LORD spoke also through them.<sup>17</sup> The narrator associates their pique about prophesying with Moses' marriage to a Cushite, without making explicit the nature of this connection. Exegetes, ancient and modern alike, have attempted to explain the abrupt shift from Moses' Cushite wife to the siblings comparing their prophetic roles to that of Moses. What seems to be a shift, by the nature of its placement, becomes an association. Some of the early interpreters explain the connection between Moses' Cushite wife and his prophetic role by saying that the LORD required celibacy of Moses. Miriam and Aaron complained out of sympathy for his wife, Zipporah. I have analyzed these interpretations elsewhere.<sup>18</sup> My perspective on the significance of this passage's association of Moses' marriage to a Cushite woman with an affirmation of Moses' unique prophetic role requires a return to the events of chapter 11.

The incidents at Kibroth-hata'avah (ch 11) and Hazeroth (ch 12) are intentionally juxtaposed and hold much in common, with significant differences. As we have seen, both are examples of the Numbers motif about Israel's complaints (heard and punished by the LORD) and the aftermath. In addition, both accounts treat Moses' prophetic

role and raise it above that of other leaders in Israel. The tent of meeting, Moses' regular meeting place with the LORD, and the LORD speaking there also figure prominently in both accounts. In chapter eleven, the LORD ordered Moses to gather seventy elders with him to the tent of meeting outside the camp. Similarly, in chapter twelve, the LORD ordered Moses, Miriam, and Aaron to come out to the tent of meeting. There the seventy (in chapter eleven) and Moses, Miriam, and Aaron (in chapter twelve) encountered the LORD. In both cases, the LORD appeared in the pillar of a cloud.

Nevertheless, there are differences, and these are noteworthy. The seventy elders of Numbers 11 received some of the spirit of Moses leading them to "prophesy." In chapter 12, no prophetic spirit was transferred. Instead, the LORD stood at the entrance to the tent of meeting, called Miriam and Aaron out of the tent (Moses stayed inside), and directly informed them that he speaks to no other prophet besides Moses mouth to mouth. His speaking thus distinguished Moses from all other prophets, including especially Miriam and Aaron. Although the LORD encountered them directly to explain that he spoke to no one but Moses mouth to mouth, he spoke from the midst of a cloud outside of the tent of meeting.

I argue that the LORD's message asserted this: because Moses was entrusted with the LORD's house, encountered the LORD mouth to mouth, and beheld his form, Moses was above *any sort* of criticism from Miriam and Aaron, including against his Cushite wife (v 1). Even though they also claimed prophetic powers, they should have been afraid to speak against Moses on this and any other account. The LORD's declaration that Moses was a unique prophet, more intimate with the LORD than any other, is expressed through an image Howard Eilberg Schwartz considers sensual: "mouth to mouth I will speak with him" (12:8).<sup>19</sup>

When the LORD departed from the tent in anger, the cloud of the LORD left Miriam with scales like snow. Miriam's punishment for her complaint corresponds to the fire and the plagues that befell Israel in chapter 11. Just as Israel cried out to Moses for relief and Moses effectively prayed for them (Numbers 11:2), so also Aaron "prayed" to Moses. Just as the fire abated after Moses' prayer in Numbers 11:2, so Miriam was healed after his prayer in chapter 12. The LORD compared her affliction of *mšr ʿt* to her father spitting in her face – an intense insult soon passing, but with ongoing shame. The LORD insisted she must suffer the shame for seven days.<sup>20</sup> The entire camp waited for her before setting out again, and this incident is recalled in Deuteronomy 24:9. With these points in mind, let us return to the connection between

Moses' Cushite wife (Numbers 12:1 the reason *behind* Miriam and Aaron's complaint) and their words in Numbers 12:2: "Has the LORD spoken only through Moses? Has he not spoken through us also?" What had transpired that led Miriam and Aaron to believe that Moses was privileged above them and that this was unwarranted? Indeed, the Torah makes no record of Aaron used as a spokesman for God. In fact, Exodus 4 makes it clear that Moses was to be as God for him. Moses was to put words in his mouth, and he was to serve as a mouth for Moses, not for the LORD (Exodus 4:14-16). Was it his outsider marriage or the events of chapter 11 when some of Moses' spirit alone passed to the seventy elders? Let us look closely at the first words of this chapter: *wtdbr bmōšh* "and she spoke against Moses." The context indicates that *wtdbr bmōšh* is a complaint – it is "hostile speech." *Dbr b* is used elsewhere in the Bible in this manner (Numbers 12:8; 21:5, 7; Deut 7:20; 28:20; Job 19:18; Ps 50:20; 78:19). However, the same term is used in this passage for prophecy – the LORD speaking to/with/through Moses *and* other prophets. See 12:2, 7, and 8.

Ancient and modern exegetes consistently comment upon the feminine singular form of *wtdbr*, and many claim that this means that Miriam was the initiator of the complaint about Moses' wife. They also observe that the order of Miriam and Aaron then changes to Aaron and Miriam when the subject changes to prophecy. They interpret this to imply that Aaron was guiltier in this aspect of the dispute.<sup>21</sup>

This repetition of *dbr b* smacks of word play. Used both of hostile speech (against), of prophecy (through), and especially of intimate speech between the LORD and Moses (with), *dbr b* is intended to be polyvalent. Miriam and Aaron were chastised for speaking "against" Moses by speaking about the LORD speaking "with/through" Moses alone. In his rebuke of Miriam and Aaron in 12:6-8, the LORD told them that he speaks with (and even against) Moses "mouth to mouth."<sup>22</sup> Not only that, but Moses beheld the form of the LORD.

Looking at the text as it stands, without attempting to determine what the authors of underlying sources "originally" sought to express independently of one another, let us explore what had transpired that led Miriam and Aaron to speak against Moses. Both chapter eleven and the clear statement of Numbers 12:1b provide answers.

First of all, the juxtaposition of the incidents narrated in chapters 11 and 12 indicates that Miriam and Aaron resented their exclusion from the sanctioning of the seventy men, who were gathered to the tent of meeting to receive some of Moses' spirit. Why was their presence not necessary for such an event at the tent of meeting – did the

LORD speak only through Moses? In contrast to Moses, who wished that all of the LORD's people would prophesy (Numbers 11:29), Miriam and Aaron's statement implies that they saw prophesying as a restricted privilege, but they were missing the benefits they believed Moses was given, and the status that should have had.<sup>23</sup> Indeed, chapter 11 is foundational for their complaint. Nonetheless, the notice that Miriam and Aaron spoke against Moses on account of his Cushite wife requires that we consider Moses' marriage to a Cushite to be of primary relevance for interpreting the text as it stands. It is not simply a pretext for their "real problem."<sup>24</sup> For, as it stands, if there is any "pretext," the words Miriam and Aaron spoke (v 2) would seem the more likely pretext for the real complaint revealed by the narrator (v 1). The LORD, however, addressed what they *said*, and not the narrator's insight. Furthermore, even if we agree that it has all the marks of a later insertion, as Gray suggests, then we must attempt all the more to understand the significance of a redactor-author inserting a Cushite wife as the cause of Miriam and Aaron's complaint.

Before exploring this, I must clarify that, for the redactor, this wife was not Zipporah.<sup>25</sup> The confirmation that the Cushite marriage was no canard, but had in fact occurred, implies that this marriage was a different, separate marriage, not to be connected with the traditions about Moses' marriage to Zipporah. Furthermore, as Gray points out, the explanatory clause (on account of his Cushite wife) and the subsequent redactor confirmation "reasonably implies that the marriage was more recent" than his earlier marriage to Zipporah.<sup>26</sup> Eilberg Schwartz also notes the incongruity of Miriam and Aaron suddenly protesting Moses' marriage to Zipporah at this late point in the narrative.<sup>27</sup>

As noted above, Gray, like Milgrom after him, was certain that the "real" complaint is not about the wife at all. He writes:

[...] we may suspect [the clause's] insertion here is due to an editor, rather than to the author of the main story, for at most the marriage is the occasion, whereas the real cause of the complaint against Moses is the wounded pride of Miriam and Aaron (v.2); and further, the mere assignment of marriage with a foreigner as a ground of offence savours of an age – the age of Ezra – much later than that to which the main narrative of c. 12 belongs. If the latter part of v. 1 be an editorial insertion, the original text ran: "*And Miriam and Aaron spake against Moses, and said, 'Is it only with Moses....'*" Miriam and Aaron

do not call in question Moses' prophetic position or his right to lead, but the uniqueness of his prophetic position and his right to sole leadership. Neither do they suggest by their question that he had done anything to forfeit a position originally held; in other words, the question *has no relation* (my italics) to the occasion mentioned in v. 1b [“on account of his Cushite wife, for he had taken a Cushite wife].

Martin Noth considered the “insertion” found in Numbers 12:1b to be: “... from the point of view of the history of tradition, the primary one, and it is at least probable that it formed the point of contact for a later presentation of the unique ‘prophetic’ significance of Moses.” Noth, like Gray and Milgrom, finds the Cushite wife reproach, “scarcely fundamentally significant.”<sup>28</sup>

I argue, however, that the reference to Moses' Cushite marriage is fundamentally significant regardless of whether or not it is an insertion of any sort. It cannot be minimized on the assumption that it not significant (Noth), or that it is not related to the complaint about prophecy (Gray). The ancient interpreters responded to this text within its context of the preceding and subsequent material as one might expect. In addition, Gray's view that it was inserted “at the age of Ezra [when] the mere assignment of marriage with a foreigner” may be “ground of offence” supports my argument that the Torah provides evidence of disputes over foreign marriage among the Second Temple shapers of these materials.

Here, I offer suggestions as to the significance of its alignment to the material on Moses as the LORD's most intimate confidant. We cannot determine with absolute certainty the timing of insertions or of the combining of traditions in Torah material, but we can analyze the implications of its final form. As this passage stands, an affirmation of Moses' Cushite marriage is part of the exaltation of Moses above Miriam, Aaron, and all prophets in Israel. Although Moses never was above criticism from *the LORD*, as numerous passages in Numbers make clear (e.g., Numbers 20), the received text affirms that the LORD was *not* disturbed by his marriage to the Cushite. Regardless of when the tradition about Moses' Cushite wife originated, I claim that Moses' Cushite marriage is defended in Numbers 12.<sup>29</sup> The LORD angrily bellowed from the cloud that Miriam and Aaron should have feared to speak against Moses, given how closely he was attached to the LORD. Implied is that if the LORD had been displeased with Moses' marriage, he would have told Moses himself. In any case, it was not up to Miriam and Aaron to oppose it. While Noth claimed that the criticism of

Moses' Cushite wife was the contact point for "a later presentation of the unique 'prophetic' significance of Moses" (i.e., that later scribes chose to use the Cushite wife tradition as a platform for the uniqueness of Moses), I say that the obvious result of this move is to affirm Moses' Cushite marriage. Complaints against Moses' exogamy – even by Miriam and Aaron – were punishable by the shame of skin scales and expulsion from the camp. What then, is the Torah teaching here to the receivers of this text in current and subsequent generations?

The narratives of Numbers 11 and Numbers 12 are both focused on the question: who was a prophet like Moses? The answer they provide is this: although he claimed to need help "mothering" the people (11:11-15), no other elder, priest, or prophet possessed the measure of the spirit given to Moses or enjoyed a regular intimate audience with the LORD. The elders selected in response to Moses' complaint were of questionable assistance. Because his Cushite wife (as stated at the outset) was the cause of Miriam and Aaron's complaint against Moses, his marriage to her was affirmed by the LORD's reproof of the critics. By implication then, the pedagogical effect of this narrative is that protesters against those who married "foreigners" – especially the priestly and prophetic leaders – are impertinent and should be reprimanded. This applies to those opposed the marriages of male Jews who had been exiled to indigenous women of the land of Persian Yehud, Shecaniah, Ezra, and Nehemiah.

Irmtraud Fischer takes the opposite view, even though she too reads this text in the socio-historical context of conflicting groups of the Persian period. She writes that Moses' "divorce" of Zipporah (Exodus 18:2) is "co-opted" by the group that opposes mixed marriages (redactors who support Ezra-Nehemiah's view). Fischer views Miriam and Aaron as representing the groups that *oppose* divorce of foreign women.<sup>30</sup> These groups must be brought into line with the Ezra group by the word of the LORD, which insists that Moses as a prophet is right to "divorce" his foreign wife. The problem with this perspective is that it assumes that Jewish interpretation of Numbers 12:1-2 (i.e., *Sifre to Numbers*) that Miriam and Aaron spoke against Moses on account of his separation from his Cushite wife is already a given of the canonical text. It assumes that Numbers 12:6-8 is a reaction and judgment of this later interpretation. It also assumes that this wife is Zipporah, which is not an obvious rendering of the passage.<sup>31</sup>

Claudia Camp also draws connections between Numbers and the post-exilic Jewish community that produced the text of Ezra. In *Wise, Strange, and Holy*, Camp posits

that Numbers is a fifth or fourth century B.C.E. composition.<sup>32</sup> She argues that Numbers 12 reflects a move on the part of the redactor to transform the Cushite – Zipporah in her view – into Miriam, to divorce Aaron from his stance with Miriam, and to “marry” Aaron to Moses. Two results of the priest/scribe marriage (Aaron) to the lawgiver (Moses) are to elevated Ezra (priest) and the inscribed text (Scriptures) over the visionary encounters of prophets.<sup>33</sup> Camp claims that Exodus 4 and Numbers 12 collapse the Cushite into Zipporah, Zipporah into Aaron and Miriam, and Miriam into Aaron. Furthermore, the Cushite also becomes Miriam. By her expulsion from the camp, Camp argues, this multifaceted Miriam is separated from Aaron, Moses, and the people. Thus, this estranged figure of Miriam is distanced from the male priestly line. However, this reconstruction presses the text too far.

I agree that Miriam is “exposed” in this manner, but not all females who have taken an active role in the narrative are thus set aside. Miriam’s shame *is contrasted* to the LORD’s affirmation of Moses’ Cushite wife. Each narrative continues its living witness to an aspect of Israel’s founding story and cannot be completely thwarted by other plot movements. The result may be tension in the text, but no function of Zipporah, Miriam, and the Cushite can ever be eliminated. On the other hand, I agree with Camp’s discourse concerning the text’s movement to shame Miriam while leaving to Aaron his priestly dignity as he accepts his place below Moses. Miriam bears the shame for their complaint and her impurity through skin scales is reiterated when she dies in Numbers 20 and there is no water for purification.<sup>34</sup>

Mary Douglas has also written extensively concerning the agenda of the Numbers’ redactor within the post-exilic community of Ezra and Nehemiah. Among Douglas’ relevant points for this discussion is that the editor of Numbers resisted the exclusionary practices of Ezra and Nehemiah in that he insisted that contact with the outsider was not defiling – idolatry was. The purity laws affirm that the same laws apply both to the *ger* and to the Israelite (Numbers 9:14; 15:14-16; 26, 29-30; 19:10; 35:15). Douglas claims that the priests who redacted Numbers (and Leviticus) lost the battle against the ‘pure seed’ party of Ezra and Nehemiah. We cannot assume, however, that Ezra-Nehemiah “won” over the redactors of Numbers. If anything, it was the reverse, but more likely the relationship of text and history was more complex and the text as we have it reflects varying perspectives across several generations.<sup>35</sup>

## Conclusion

For Second Temple Jews, this text reflects a polemic against those who attacked mixed marriages on “ethnic” grounds. The book of Ezra constructed an identity for returned exiles in the land of Yehud by defining a Jew as one who had experienced exile. The narrative there claims that indigenous wives were strange and foreign, to be likened to the expelled Canaanites during the time of Joshua. This is an example of textual (if not social/political) ethnicity construction.<sup>36</sup> According to Numbers 12, however, the “foreign” woman who enters Israel through marriage is not to be expelled simply because the leadership has drawn boundaries to exclude her on the basis of her original location, language, or kinship ties. Numbers 12 provides evidence that the redactors of the Torah supported exogamy. Nonetheless, we have support in the Jewish Scriptures for only a certain kind of exogamy, that in which the wife who enters the community self-defined as “Israel” must adhere to Israel’s god and their distinguishing rituals and customs (see the references to Moses’ other wife Zipporah in Exodus 2, 4, and 18).<sup>37</sup> Numbers 25 and 31 demonstrate that those women who serve as conduits for Israel’s submission to other gods threaten Israel’s survival and must be avoided. The LORD will attack and utterly destroy even his own people for such apostasy.

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<sup>1</sup> This study is an adaptation and revision of material found in my book *Early Jewish and Christian Memories of Moses’ Wives: Exogamist Marriage and Ethnic Identity* (Lewiston, NY: Edwin Mellen Press, 2005).

<sup>2</sup> Marriage stories and laws appear often enough in each section of the Bible – and with enough variation – to signify the redactors’ interest in and conflict over this issue. Exodus 34 and Deuteronomy 7 repeat prohibitions against marrying women of the seven nations; Deuteronomy 23 prohibits Ammon and Moab from “entering the congregation of the LORD” for ten generations. Deuteronomy also legislates the procedures by which foreign captive women might be married (21:10-14). Exogamy is condemned in connection with Solomon (1 Kings 11, Nehemiah 13). In the Former Prophets, Rahab and her family were absorbed into Israel (without a marriage narrative). David, Solomon, and Ahab marry foreign wives (only the latter two are censured for this). In the Writings, the Moabite Ruth marries into a Judahite family and Esther marries a Persian king. Canonical texts such as Ezra, Nehemiah, and

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Malachi, indicate the early Second Temple controversy over marriage and intermarriage.

<sup>3</sup> Jeremiah 24:1; 29:2-6; 41:5-10; 44:17-21; Lamentations 5:4-13, 21; Zechariah 7:1; Psalms 44, and 74; Ezekiel 8:14; 9:9; 11:15; 33:2; and 33:24 testify to the conflict concerning and among the *golah* (exiled) Jews and those who were left to inhabit the land by the Babylonians (or their descendents). Isaiah 65:3-5 is postexilic but provides evidence of mystery religions beginning in exile, which cause controversy among the returning Jews.

<sup>4</sup> Ezra 9-10, Nehemiah 13:23-31, and Malachi 1-2 depict this conflict among the returned Jews. Subsequent Jewish literature such as *Jubilees*, 4QMMT, and rabbinic texts confirm that disputes over proper marriage partners, which were associated with different understandings of Israel, continued into the Hellenistic and Roman periods. For the author of *Jubilees*, intermarriage resulted in defilement, impurity, and must be absolutely banned. A man who gave his daughter to a Gentile was to be executed (*Jub.* 30.11-16). Cana Werman notes that the composers of *Jubilees*, the Temple Scroll, “The Eighteen Measures,” and the Forbidden Targum in the Mishnah (m. *Megillah* 4.9) concur in their blanket prohibition of intermarriage, dissenting from the mitigated view of the Sages in this regard. The latter banned marriage with anyone who had not abandoned idolatry (*Midrash Tannaim* Deut 21:13, *Sifre* Deut 213-14), while other Jewish writers whom Werman cites placed no impediment on intermarriage (“*Jubilees* 30: Building a Paradigm for the Ban on Intermarriage,” *HTR* 90:1 [1997], 1-22).

<sup>5</sup> See Numbers 11:12.

<sup>6</sup> Exodus 19:3; Leviticus and Numbers *passim*; Deuteronomy 5.

<sup>7</sup> Numbers 12:6-8 establishes Moses as the prophet most intimate with the LORD. The Torah division of *Tanak* concludes by saying: “Never since has there arisen a prophet in Israel like Moses, whom the LORD knew face to face. He was unequalled for all the signs and wonders that the LORD sent him to perform in the land of Egypt, against Pharaoh and all his servants and his entire land, and for all the terrifying displays of power that Moses performed in the sight of all Israel” (Deuteronomy 34.10-12 NRSV).

<sup>8</sup> Through Moses, the LORD directs Israel to settle in Canaan, where they would encounter other women and other gods (Deuteronomy 7:2-3; Exodus 34:11-15), and restricts Ammonites and Moabites from entering the assembly of the LORD (Deuteronomy 23.3).

<sup>9</sup> Karen Winslow, *Early Jewish and Christian Memories of Moses' Wives: Exogamist Marriage and Ethnic Identity* (Lewiston, NY: Edwin Mellen Press, 2005, 1-89); *Ibid.* "Ethnicity, Exogamy, and Zipporah," in *Women in Judaism: A Multidisciplinary Journal*, Summer, 2006, Vol. 4:1. See also Ilana Pardes, "Zipporah and the Struggle for Deliverance," in *Countertraditions in the Bible: A Feminist Approach* (Cambridge: Harvard University Press, 1992, 79-97); Naomi Kolton-Fromm, "Zipporah's Complaint: Moses is not Conscientious in the Deed! Exegetical Traditions of Moses' Celibacy," in *The Ways that Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages* (Tübingen: Mohr Siebeck, 2003).

<sup>10</sup> *The JPS Torah Commentary: Numbers* (Philadelphia: JPS, 1990), 94. See also George B. Gray, *A Critical and Exegetical Commentary on Numbers* (Edinburgh: T & T Clark, 1903, 1965), 121-2; and Baruch Levine, *Numbers 1-20: A New Translation with Introduction and Commentary*, 328; and Martin Noth, *History of Pentateuchal Traditions* (Englewood Cliffs, 1972), 127, and *Numbers: A Commentary* (Philadelphia, 1968), 93-98.

<sup>11</sup> Another example of such narrator control is found at Genesis 22:1 where the narrator of the *Akedah* tradition assured the reader – from the outset – that the LORD's demand for Abraham to sacrifice his son was a test. Initial information provided by the narrator to the reader controls the significance of the unfolding plot.

<sup>12</sup> Gray, *Commentary on Numbers*, xxi.

<sup>13</sup> Gray's commentary (*A Critical and Exegetical Commentary on Numbers*) provides the traditional source analysis of this section – chapters 10:29-12:16. It is JE, with the main evidence pointing to J. He describes the present narrative of Numbers 11 about the lust for flesh as "encumbered" with "foreign matter," i.e., the selection of elders and their prophesying (101). Gray believes that Numbers 11:11-17 "falls excellently into place after Exodus 33:1-3 where Yahweh bids Moses lead the people to Canaan, but refuses Himself to go with them. They appear to have been transferred here by the editor who united the stories of the quails and the elders" (107). JE continues through Numbers 12:16 with further endorsement of Moses' unique prophetic status (52). History of tradition analyses generate my questions about the significance of the redactor's the final product.

<sup>14</sup> Miriam is called a prophet in Exodus 15:20 and Aaron is repeatedly depicted as the high priest throughout Exodus – Deuteronomy.

<sup>15</sup> Numbers 11:35a.

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<sup>16</sup> The Hebrew text literally says, “If your prophet will be the LORD.”

<sup>17</sup> Noth interprets v 2 as implying that the LORD unjustly speaks only to Moses, as in “why does he not – or should he not – speak through us as well?” (*Numbers*, 95-97). Miriam is called a prophet and Aaron's (not Moses') sister in Exodus 15:20.

<sup>18</sup> Philo of Alexandria (Egypt) wrote that Moses, once he became a prophet, abandoned sexual intercourse (*De vita Moses* 2, 14 [68]). This may be an innovation on his part (it is consistent with his views on sexuality and prophecy). On the other hand, he may have known of this tradition through sources that lie behind the Jewish traditions that tie this post-biblical tradition to Numbers 12. Philo does not name Zipporah or refer to any wife – only that Moses purified his body “from all connection with women.” Other Jewish interpretations transmit the tradition that Moses separated from his wife. *Sifre to Numbers* identifies the Cushite wife as Zipporah, *Tg. Onq.* claims that she was exceptionally beautiful, and *Tg. Ps-J.* pictures her as bereft of sexual relations, as a result of Moses' prophetic status. In *Tg. Onq.*, the distanced wife is beautiful, but she is not identified as Zipporah. In *Tg. Ps-J.*, the distanced wife is the queen of Cush, a marriage tradition that Josephus transmits in *Ant.* 2.10.1. In *Tg. Neof.*, the Cushite wife is Zipporah, and she is exceptionally beautiful, but Moses does not separate from her. See Winslow, *Moses' Wives*, 169-196, 266-297.

<sup>19</sup> *God's Phallus: And Other Problems for Men and Monotheism* (Boston: Beacon, 1994), 265-7. Schwartz writes that Moses' humility as expressed in v. 3 puts Moses in the position of the LORD's wife – “Moses is the humblest of all men because he submits completely to God.” His intimacy with God competes with intimacy with his Cushite wife and this is the connection between v.1 and the rest of the passage. The early rabbis also believed Miriam and Aaron were protesting on his wife's behalf. They did not go quite as far as Prof. Schwartz, however, to suggest that Moses was feminized into God's wife.

<sup>20</sup> Compare Leviticus 13-14 on the rituals for the persons and houses with suspected skin diseases. Leviticus 14:1-8 describes the cleansed “leper” who comes in from outside the camp, but must live outside his/her tent for seven days. Deuteronomy 25:9 refers to the curse of spitting in the face of the one who refuse to marry his brother's widow.

<sup>21</sup> Cf. Exodus 15:1, Judges 5:1, and Esther 9:29 where singular verbs are used with plural subjects that include a single significant producer of a song or festival (Moses, Deborah, Esther respectively).

<sup>22</sup> See for example, Numbers 20:12, where the LORD's speech to Moses is also somewhat hostile.

<sup>23</sup> The statement: "Does not the LORD speak also with/through us?" implies that they believed the LORD did speak with/through them. We know the tradition that Miriam was a prophet from Exodus 15:20. The response of the LORD to their complaint suggests that he agreed that he spoke to prophets (them?) in visions and dreams, but not mouth to mouth, in full view, as he did with Moses. If one followed Noth's view that their complaint was that the LORD spoke only through Moses, that Moses was God's only prophet, then this in itself is the privileging of Moses over them – the subject of their complaint. Their "Does not the LORD speak also with/through us?" can be the mark of an interrogative rhetorical question that expects a negative answer as in Genesis 4:9, 18:17, Numbers 11:23, Deuteronomy 4:33 etc. However, the point of the passage is to make a distinction from the normal sort of prophet through whom the LORD speaks and Moses. So it seems more likely that Miriam and Aaron were claiming that the LORD also spoke through them, rather than demanding that he do so.

<sup>24</sup> As noted above, Milgrom says that "the true reason for Miriam and Aaron's complaint; the previous one [the Cushite wife] was only a pretext. What they were really after was a share in Moses' leadership" (see note 9, 94).

<sup>25</sup> Whether this Cushite was Zipporah divides the early interpreters of this passage. Many grappled at length with this brief mention of Moses' Cushite wife, some of them developing elaborate accounts of Moses' mission and romance in Ethiopia (Artapanus and Josephus), and others insisting that the Cushite was Zipporah (e.g. *Sifre to Numbers*). The Greek version does not indicate that the Cushite wife is the Zipporah of Exodus as Demetrius, Ezekiel, and the authors of *Sifre to Numbers*, *Targum Neofiti*, and the Fragmentary Targums would have it.

<sup>26</sup> *A Critical and Exegetical Commentary on Numbers*, 121-2.

<sup>27</sup> *God's Phallus*, 266. In my view, however, a redactor may have reasons for doing so.

<sup>28</sup> *Numbers: A Commentary*, 94.

<sup>29</sup> For further expansion of this perspective, see Karen Winslow, "Mixed Marriage in Torah Narratives," and idem "Moses' Cushite Marriage: Torah, Artapanus, and Josephus," in *Mixed Marriages Intermarriage and Group Identity in the Second Temple Period*, ed. by Christian Frevel: *Series: Library of Hebrew Bible/Old Testament Studies*, Volume: 547 (New York: T & T Clark International), chapters 7 and 14 respectively, forthcoming, 2011.

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<sup>30</sup> The text of Ezra says that Ezra and Shecaniah want these wives and their children *expelled* (Ezra 10:3). If divorced, they would remain members of the community and free to remarry other Jewish men.

<sup>31</sup> Irmtraud Fischer, "The Authority of Miriam: A Feminist Rereading of Numbers 12 Prompted by Jewish Interpretation," in *A Feminist Companion to Exodus-Deuteronomy*; Second Series, ed. by Athalya Brenner (Sheffield: Sheffield Academic Press, 2000), 159-173, n. 136.

<sup>32</sup> Claudia Camp, *Wise, Strange, and Holy: The Strange Woman and the Making of the Bible* (Sheffield: Sheffield Academic Press, 2000).

<sup>33</sup> *Ibid.*, 227-278, especially 276.

<sup>34</sup> See also Rita Burns, *Has the Lord Indeed Spoken Only Through Moses? A Study of the Biblical Portrait of Miriam* (Atlanta: Scholars Press, 1987); Phyllis Trible, "Bringing Miriam Out of the Shadows," *BR* 5, no. 1 (Feb. 1989), 13-34; and Naomi Graetz, "Miriam: Guilty or Not?" *Judaism* 40 (Spring 1991), 184-192.

<sup>35</sup> See *In the Wilderness: The Doctrine of Defilement in the Book of Numbers* JSOTSup, 158 (Sheffield: Sheffield Academic Press, 1993, *passim*, esp. 40-41; 157-161). For a critique of her work, see Camp (*Wise, Strange*, 216-9).

<sup>36</sup> The literature on the formation of ethnicity includes the classic by Anthony Smith: *The Ethnic Origins of Nations* (Oxford: Blackwell, 1986). Smith theorizes that ethnic groups are built upon shared memories of a common history that separates them from others especially in times of crisis (14) and upon the recognition of the importance of narrative in the social construction of reality. Thus, religious literature both creates and sustains a social world view essential for a group's self understanding – their "national and ethnic self consciousness" (15). Theodore Mullen, in *Ethnic Myths and Pentateuchal Foundations*, Semeia Studies (Atlanta: Scholars Press, 1997) argues that the formation of the Pentateuch is directly related to the construction of a "distinctive Judahite ethnic identity that was recreated during the Second Temple period [...] traditions were re-applied to the community of the restoration in an effort to forge an enduring identity" (12). For further exploration of Israel's ethnicity construction in texts and history, see Mark Brett, "Politics of Identity: Reading Genesis in the Persian Period," in *Australian Biblical Review* (47, 1999): 1-15; Kenton Sparks, *Ethnicity and Identity in Ancient Israel: Prolegomena to the Study of Ethnic Sentiments and Their Expression in the Hebrew Bible* (Winona Lake: Eisenbrauns, 1998), esp. 1-16; E. T. Mullen, *Narrative History and Ethnic Boundaries: The Deuteronomistic Historian and*

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*the Creation of Israelite National Identity*, SBLSS (Atlanta: Scholars Press), 1993; Cheryl A. Rubenberg, "Ethnicity, Elitism, and the State of Israel," in *The Primordial Challenge: Ethnicity in the Contemporary World* (ed. John F. Stack Jr.; New York: Greenwood Press, 1986), 161-84; Mark Brett, *Ethnicity and the Bible* (Leiden, 1996); and Peter Machinist, "Outsiders or Insiders: The Biblical View of Emergent Israel and Its Contexts" in *The Other in Jewish Thought and History: Constructions of Jewish Culture and Identity* (ed. Laurence Silberstein and Robert Cohn; New York: NYU, 1994) 74-90.

<sup>37</sup> The story of Tamar who preserves Judah's line in Genesis 38, of Rahab who makes a confession of faith in the LORD in Joshuah 2, and the book of Ruth are also instructive in this regard.

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