Theme: Connections between Biblical and Other Ancient Near Eastern Legal Texts  
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Analogous Developments in Aramaic Common Law and in the Biblical Law Collections  
Presenter: Andrew D. Gross  
Institution: Catholic University of America

Scholars over the last century have devoted a great deal of energy to adducing the parallels between the various law collections from Mesopotamia and the law collections found within the Hebrew Bible. Recent scholarship on biblical law, in particular David Wright’s 2009 book Inventing God’s Law, has raised anew certain questions as to the nature of these parallels. Two specific questions Wright’s study raises are: (1) Do these parallels stem more from common legal traditions—meta-traditions shared throughout the ancient Near East—or do they stem more from direct textual influence? (2) What does the answer to the first question suggest about when and how the biblical law collections were compiled? Did these traditions spread from the Old Babylonian Empire into Bronze Age Syria and eventually make their way into ancient Israel? Or did they reach ancient Israel only with the spread of the Neo-Assyrian Empire across the ancient Near East in the 1st millennium? Precisely the same questions have been raised regarding the streams of traditions reflected in legal documents of practice from the ancient Near East. Clear parallels can be adduced between the legal formularies used in Aramaic deeds of sale and those used in cuneiform ones. If we assume a chain of influence here, does that chain run from 2nd millennium Mesopotamia through Bronze Age Syria and eventually into 1st millennium Aramaic common law? Or did these parallel elements only enter the Aramaic tradition with the rise of the great 1st millennium Mesopotamian empires? In this paper, I will examine some of the parallels found in these documents of practice, assess the various arguments regarding their origins, and consider what implications they have for the transmission of legal traditions in the ancient Near East in general.

Taking a (Forensic) Stand  
Presenter: Shalom E. Holtz  
Institution: Yeshiva University

Scholarship on the Hebrew Bible has come to recognize the centrality of courtroom language in many aspects of prayer. This link between law and prayer is especially obvious in the various locutions that describe the petitioners' physical positions. Thus, for example, it has been observed that litigants are said to "stand before" ('-m-d lîpê the judges (e.g. Num 35:12), just as petitioners "stand before" God (e.g., Jer. 15:1). This paper will build on earlier scholarship and consider the specifically forensic valence of this and other locutions containing the verbs for "standing" ('-m-d and y-s?-b/n-s?-b), as well as similar interpretations of verbs for "approaching" (n-g-s and q-r-b), as these terms occur in prayers and descriptions of prayer. It will argue that these descriptions of speakers at prayer are, indeed, part of the broader linguistic network that connects prayers and human courtrooms. To do so, this paper will begin, as others have, by comparing the Hebrew prayer terminology, both in the Bible and in later Hebrew literature, with Hebrew litigation terminology. In addition, it will make a new, extra-biblical argument based on the terminology available from Akkadian lawsuit records.
Contrasting Juridical Conceptions in Ancient Near Eastern Treaties and Covenants

Presenter: Herbert B. Huffmon
Institution: Drew University

The recent publication of several treaties from Tell Leilan, contemporary with earlier published treaties from Mari, emphasizes again some important regional and ideological differences among the presently available second and first millennium treaties. This paper focuses on the presence or absence of two aspects of the treaties: (1) the presence or absence of the historical prologue, and (2) the presence of both blessings and curses or of curses alone. The historical prologue is a feature of the Anatolian-Syrian tradition, which includes the Israelite covenant tradition, but is not clearly found elsewhere. Again, both blessings and curses occur in the Anatolian-Syrian tradition, whereas the Northern Mesopotamian (Mari, Tell Leilan) tradition and the Neo-Assyrian tradition contain curses but no blessings. The Anatolian-Syrian tradition presents a very different juridical understanding, featuring a suzerain who is a benefactor, such that there are mutual benefits. The other two traditions, especially the better-attested Neo-Assyrian tradition, feature a primary emphasis on the power of the suzerain to impose policies on the (citizens and) vassals, primarily regarded as potentially treacherous. One model emphasizes the benefactions of the overlord which call forth affiliation with the overlord’s protection, and so offers both curses and blessings. The Neo-Assyrian model emphasizes a one-sided power relationship backed up by an impressive array of curses. Indeed, many of these curses have close parallels in the Biblical tradition, but the basic ideological connection of ancient Israel seems to be with the earlier Anatolian-Syrian treaty tradition, presenting a historical prologue and both blessings and curses.

Rearranging the Curses and Gods in Esarhaddon’s Succession Treaty

Presenter: Spencer L. Allen
Institution: John Brown University

According to D. J. Wiseman, the arrangement of divine names in the curse section of Esarhaddon’s Succession Treaty (SAA 2 6:414–465) defied his expectations after the first five names. The sequential arrangement of the remaining divine names can be explained, however, in light of the curses associated with each god and in light of lists of divine names found in other Assyrian documents. Moshe Weinfeld observed that the sequence of the five curses found in SAA 2 6:419-430 resembles that found in Deuteronomy 28:26-33 and proposed that these two texts shared a common Neo-Assyrian curse tradition. Aside from the Deuteronomist’s expected elimination of Mesopotamian divine names from the curses, the most notable difference between these two texts is the placement of the curse against the transgressors’ corpses in their respective arrangements. In Deut 28:26, the corpse curse is the first of five curses, but in SAA 2 6:425-427, it is the third. Jeffrey Tigay surmises that the biblical author rearranged these curses in order to impose a chiastic structure on the curses in vv. 23-42 as he had done previously in vv. 3-13. This paper argues for the opposite of the above scenario: one in which the author of SAA 2 6 modified the traditional arrangement of curses. He did this so that the divine names Sin and Šamaš would precede Ninurta. As a result of this rearrangement, SAA 2 6’s presentation of the curses and their corresponding gods in ll. 419-430 conforms to the expected divine hierarchy attested in other Assyrian documents and elsewhere in SAA 2 6 (i.e., high gods, warrior gods, and goddesses). This suggested rearrangement also provides a key that prevented Wiseman from unlocking the connection between the first five divine names in this curse list with Venus, Jupiter, and the remaining ten divine names.

Deuteronomy 27:11–28:68 as Ritual Oath Text

Presenter: Melissa Ramos
Institution: University of California–Los Angeles

While parallels between Deuteronomy 28 and Neo-Assyrian treaty texts, such as the VTE, have long been recognized, this paper presents a study of the influence of the magical texts of Maqû and Šurpu upon Deuteronomy 27-28. Parallels between these two magic texts and Deuteronomy 27-28 include: parallel
terminology of oath and curse; thematic, linguistic, and structural parallels among the curse formulae; parallels in ritual performance and setting; and parallels in cosmological framework. Both Maqlû and Šurpu employ parallel semantic terms to refer to a binding oath enacted by ritual ceremony and enforced by divine power. The dire consequences for violating such an oath are enumerated in lengthy curse formulae both in Maqlû and Šurpu and Deuteronomy 27-28. Indeed, these curse formulae of the two magic texts share many semantic parallels with Deuteronomy 28. Not only are parallel themes evident among these three texts, but also parallel linguistic structural elements are presented between Šurpu Tablets II and III and Deuteronomy 27:15-26. Finally, the ritual setting of Maqlû on Mt. Zabban is explored as a parallel to Mounts Ebal and Gerizim in Deuteronomy 27. The proposal is also presented that Maqlû and Šurpu exemplify a genre of text here titled “ritual oath text” which originated in magical incantatory practices and spread into religio-political texts such as the VTE and Deuteronomy 27-28. The “ritual oath text” is a genre of text whose distinguishing features are: specialized oath terminology, lengthy curse formulae, oral performance in a ritual setting, and a cosmological framework in which divine power enforces a ritual oath. Indeed, these parallels suggest that Neo-Assyrian ritual oath texts such as Maqlû and Šurpu may have shaped Deuteronomy 27-28 as much or more than the VTE.