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Law and (Dis)Order in the Ancient Near East: Proceedings of the 59th Rencontre Assyriologique Internationale Held at Ghent, Belgium, 15-19 July 2013

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This handsomely produced proceedings of the 2013 Rencontre Assyriologique Internationale in Ghent successfully reflects the main title and theme of the conference, with many of the contributions dealing with legalities and law codes (although lamentably lacking a subject index). This review will comment on those essays more relevant to biblical studies, which happen to comprise a reasonably substantial part of the volume (see the end of the review for a complete list of contents).

Working chronologically from earliest periods, S. Garfinkle's concise overview of Ur-III law and commerce (ch. 8) comes to a counterintuitive conclusion that may surprise scholars working in later periods. According to Garfinkle's cogent argument, a promisory oath in the king's name was more legally binding or authoritative than either witness statements or documentation on tablets, reflecting closer ties between commerce and royal patronage. Biblical scholars may wish to take note of this.

Remaining in the late third and early second millennia, S. Démare-Lafont's treatment of "unjust laws" (ch. 5) within legal codes raises some important questions regarding economic imbalances caused by periodic *mīšarum* and *andurārum* edicts to cancel debts, usually thought to reflect progressive tools for achieving social equality. The harm caused to debtors and what measures were taken to counteract it is well documented in the article, but it also raises questions regarding

how biblical Sabbatical and Jubilee Year debt forgiveness could have functioned in practice, if it ever did.

A comparative study of the *lex talionis* in Babylonian and biblical law from S. Jacobs (ch. 12) takes the view that Akkadian *kî* and Biblical Hebrew *k'šr* (both meaning “like” or “as”) reflect “qualitative” and “quantitative equivalent contribution” in legal codes, and the argument is well illustrated by examples from the Codex Hammurabi and Middle Assyrian laws, as well as from biblical passages. Nevertheless, the thorny conundrum of whether biblical writers could have been familiar with Akkadian legal writings is raised but not successfully resolved.

Several of the relevant papers deal with more literary themes. N. Anor (ch. 1) reassesses the widely held view that Akkadian omens reflect “divine laws” organized by the sun-god Šamaš, responsible for cosmic justice. The associated *namburbi*-rituals and incantations designed to annul bad omens are also seen as “an appeal to the sun god against a former verdict” (1). Anor successfully counters this rather simplistic view by pointing out the complexity of omen procedures, which not only included the *bārû*-seer’s role in carrying out extispicy but also required the *āšipu*-conjurer to calculate the results of collected signs in order to arrive at a prediction. Certainly by the first millennium, divination texts focused on the complicated mechanisms of determining potential future events rather than on the role of any divinities behind the results. The problem of how to foretell the future was a universal problem shared by ancient Israelites as well.

D. Bodi offers new insights into biblical texts (ch. 3) by comparing them with Akkadian myths emphasizing the taboo against disturbing divine sleep, with particular reference to the Atrahasis Epic, in which Enlil brought the flood as a response to humans making too much noise. Bodi argues that Akkadian *rigmu* “noise” also conveys the idea of complaint and social disorder, reinforcing the tensions described in Akkadian creation epics. Nevertheless, there is an unresolved contradiction among these arguments, since the taboo of violating the “sacredness” of divine sleep has to be seen against the opposite tradition (also in the Bible) that a divinity never sleeps when watching over humankind.

D. Shebata pieces together the plot of the Anzû myth (ch. 20) and its cosmic framework, since the Anzû-storm bird was first introduced by Enlil to water the parched earth, but after stealing the tablets of destinies Anzû as criminal had to be subdued by the rather anodyne god Ninurta, who was dominated by his mother. The novelty of Shebata’s presentation is in the clarity of her explanation of relevant iconography, showing the close relationship between text and glyptic images. Nevertheless, an unresolved puzzle remains: whether the early positive view of water-providing Anzû followed by the negative view of Anzû’s theft may reflect ecological changes within Mesopotamia over time, as rain-based agriculture gave way to highly organized irrigation in which storms and even rain could at times be more destructive to the landscape than beneficial.

This leaves the longest and most problematic essay in the volume, on marriage law within Akkadian codices, by J. Scurlock (ch. 19), which is both highly discerning and speculative. The essay richly embellishes Scurlock's arguments with florid colloquial prose, such as referring to Mesopotamian couples as "living in sin" or "shacking up" or stating that if something "does not look like a duck," "quack like a duck," or swim, "it is not a duck" (259). The serious contribution is the manner in which Scurlock effectively challenges all of the standard approaches to marriage law by showing that classic works such as Driver and Miles used English law as their main frame of reference, while eminent scholars such as Koschaker and Cug relied upon Germanic or Roman law as the bases for evaluating the status of women and marital property within Babylonian and Assyrian codes of law. Having successfully debunked these previous studies, Scurlock then explains major divergences between Babylonian and Assyrian marriage law in codices, with illustrative charts showing how dowry and "bride-price" payments were distributed between contracting parties. She also explains the specific features of *erribu*-marriage involving the husband joining the wife's family, as well as the advantages and disadvantages of levirate marriage, both of which placed the woman at the center of the marital arrangements. All of this is informative and valuable. Nevertheless, there are some serious flaws and omissions in Scurlock's approach that appear to have escaped peer review. First, the discussion is based almost predominantly upon law codes, which present theoretical or hypothetical examples of marriage law, without giving due regard to actual marriage documents or to writs of divorce. Second, the legal codes cover a large chronological span from late third millennium to mid-first millennium BCE, from both Assyria and Babylonia, during which lengthy period the status of women fluctuated, depending upon numerous social and economic factors and changes in attitudes. Third, while analogies are drawn from Turkish and Islamic marriage law, other relevant sources are hardly taken into account, such as marriage documents from Elephantine papyri (briefly mentioned on 251) and marriage practices recorded in the Babylonian Talmud, many ultimately based upon earlier Babylonian models, such as payments of *melog* dowry-property (Akkadian *mulūgu*). These sources clearly show that bride-price payments were no longer paid when the marriage was concluded but were considered as a lien on the husband's estate in case of divorce or his death. These remarks are not intended to detract from the force of Scurlock's arguments that a fresh approach is required for Mesopotamian marriage law, but a treatment based primarily on Old Babylonian, Middle Assyrian, and Neo-Babylonian law codes cannot provide a coherent picture of the status of women within and outside of marriage.

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