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Forestalling Doom: “Apotropaic Intercession” in the Hebrew Bible and the Ancient Near East

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Forestalling Doom: "Apotropaic Intercession" in the Hebrew Bible and the Ancient Near East

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An abstract of

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Abstract

Forestalling Doom:
"Apotropaic Intercession" in the Hebrew Bible and Ancient Near East
By Marian W. Broida

This dissertation studies the direct discourse in selected biblical and ancient Near Eastern texts in order to compare the agency of intercessors attempting to avert divinely decreed doom, or what can be called "apotropaic intercession." Eleven narratives from the Hebrew Bible (including, e.g., Abraham's intercession on behalf of Sodom, and Moses's intercessions after the incident of the golden calf), two *namburbis* (Neo-Assyrian rituals against omens of disaster), and two rituals from Anatolia against unfavorable omens (the rituals of Ḫuwarlu and Papanikri) are analyzed. Using speech act theory, rhetorical criticism, and a definition of magical speech drawn from cognitive science, I distinguish three types of agency in the direct discourse within this corpus: "ritual agency," "magical agency," and "persuasive agency." In some of these texts speakers accomplish their goals by following formulae understood to be effective if properly executed ("ritual agency"). In other cases, certain speech acts purport to accomplish things impossible with ordinary speech, such as transforming figurines into sentient beings ("magical agency"). This magical speech was understood to require divine assistance and sometimes imitated speech of the gods themselves. Finally, in yet other instances, the texts rely on "persuasive agency." This last type is the only kind of human agency evident in the biblical accounts.

The kinds of rhetoric differ among the texts examined. The biblical intercessors typically protest the divine decision, while the ritual texts often use persuasive analogies: speech acts which simultaneously (1) petition the gods to transform the situation and (2) act directly in magical ways. The different kinds of rhetoric reflect different implicit or underlying theologies. The Mesopotamian and Hittite texts present intercessors using speech acts understood to have originated with the gods. The intercessors step into divine roles with the gods' permission and help. The biblical stories, in contrast, eschew the use of magical and ritual agency. Instead, biblical intercessors confront the deity with initiative, courage, and rhetorical skill—traits theoretically available to all humanity—in order to counter doom.

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Preface

This dissertation was inspired in part by reading two scholarly works in light of each other. First was Yohanan Muffs' brilliant essay, "Who Will Stand in the Breach? A Study of Prophetic Intercession." In it he describes the "two-fold role" of the biblical prophet: communicating YHWH's message to the people, but also appealing to God on the people's behalf when the divine message of judgment was too harsh. The second scholar is Francesca Rochberg, who succinctly formulated the relationship between Neo-Assyrian omens of disaster and the rituals designed to avert them: "If x then y, if and only if not z," with x being the sign, y the negative outcome, and z the protective ritual.[1] The similarity I saw in the function between the prophet's appeal to God and the Neo-Assyrian ritual led me to the notion of "apotropaic intercession": intercession against foretold doom.

This dissertation is in many ways a collective project. Emory's Hebrew Bible faculty all provided formative ideas and suggestions. I owe a great debt to my committee for their patient readings, provocative questions, and useful comments: Joel LeMon, Martti Nissinen, David Petersen, and in particular Brent Strawn, my advisor, who at one point dreamed an outline for my project and was only slightly disappointed when I took a different path. William Gilders provided guidance at an early stage, as did David Lambert, who suggested the topic of intercession. Other Emory faculty gave significant support: Billie Jean Collins read two drafts of chapter three, reviewed my translations, and answered endless questions about Hittite. Robert McCauley, Vernon Robbins, and

[1] Francesca Rochberg, *The Heavenly Writing: Divination, Horoscopy, and Astronomy in Mesopotamian Culture* (Cambridge: Cambridge University Press, 2004), 202.

Erik Butler assisted me with cognitive science, rhetorical criticism, and German, respectively. Many outside Emory also responded to requests for information, guidance, or clarification, including Gary Beckman, Beth Davis, Yitzhaq Feder, Sally M. Freedman, Ann Guinan, Anton Hieke, James Hoffmeier, Stefan Maul, Craig Melchert, Scott Noegel, Joachim Quack, Jack Sasson, Rüdiger Schmitt, Jesper Sørensen, and Richard Wilkinson. Along the way I was supported by friends and fellow students at Emory and beyond. My particular thanks go to Erika Fitz, my daily writing buddy; to stalwart proofreaders Gayle Benator, Daniel Geller, and Reed Sutherland; and especially to Ruth Einstein, whose loving and pragmatic support repeatedly staved off doom.

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List of Abbreviations

1. Literature

AB	Anchor Bible
AbB	*Altbabylonische Briefe in Umschrift und Übersetzung*
ABD	*Anchor Bible Dictionary*
AfO	*Archiv für Orientforschung*
AMD	Ancient Magic and Divination
AnOr	Analecta orientalia
AOAT	Alter Orient und Altes Testament
AoF	Altorientalische Forschungen
ArOr	*Archiv Orientální*
BBR	*Beiträge zur Kenntnis der babylonischen Religion*
BDB	Brown, F., S. R. Driver, and C. A. Briggs. *A Hebrew and English Lexicon of the Old Testament*
BibInt	*Biblical Interpretation*
BibOr	Biblica et orientalia
BInS	Biblical Interpretation Series
BMS	*Babylonian Magic and Sorcery*
Bo	Tablets from Bogazköy
BuBR	*Bulletin for Biblical Research*
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CAD	*The Assyrian Dictionary of the Oriental Institute of the University of Chicago.*
CANE	*Civilizations of the Ancient Near East*
CBQ	*Catholic Biblical Quarterly*
CHANE	Culture and History of the Ancient Near East
CHD	*The Hittite Dictionary of the Oriental Institute of the University of Chicago*
ConBOT	Conlectanea biblica: Old Testament Series
COS	*The Context of Scripture*
CTH	Catalogue des textes hittites

CTQ	*Concordia Theological Quarterly*
DBH	Dresdner Beiträge zur Hethitologie
DCH	*Dictionary of Classical Hebrew*
DDD	*Dictionary of Deities and Demons in the Bible*
FAT	Forschungen zum Alten Testament
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
FTL	Forum Theologiae Linguisticae
GDR	Gorgias Dissertations in Religion
GKC	*Gesenius' Hebrew Grammar*
HALOT	*The Hebrew and Aramaic Lexicon of the Old Testament*
HBM	Hebrew Bible Monographs
HKM	*Masat-Höyük'te bulunan civi yazili Hitit tabletleri/Hittite Cuneiform Tablets from Masat-Höyük*
HO	Handbuch der Orientalistik
HPBM 3rd Series	*Hieratic Papyri in the British Museum, 3rd Series*
HSM	Harvard Semitic Monographs
HSS	Harvard Semitic Studies
HThKAT	Herders theologischer Kommentar zum Alten Testament
HTR	*Harvard Theological Review*
HUCA	*Hebrew Union College Annual*
IBC	Interpretation: A Bible Commentary of Teaching and Preaching
IRT	Issues in Religion and Theology
ISBE	*International Standard Bible Encyclopedia*
JAAR	*Journal of the American Academy of Religion*
JANER	*Journal of Ancient Near Eastern Religions*
JANES	*Journal of the Ancient Near Eastern Society of Columbia University*
JAOS	*Journal of the American Oriental Society*
JBL	*Journal of Biblical Literature*
JCS	*Journal of Cuneiform Studies*
JEA	*Journal of Egyptian Archaeology*
JLCRS	Jordan Lectures in Comparative Religion Series

JNES	*Journal of Near Eastern Studies*
JQR	*Jewish Quarterly Review*
JSOTSup	Journal for the Study of the Old Testament: Supplement Series
JSQ	*Jewish Studies Quarterly*
K	Kuyunjik tablets (British Museum)
KAR	*Keilschrifttexte aus Assur religiösen Inhalts*
KBo	*Keilschrifttexte aus Boghazköi*
KUB	*Keilschrifturkunden aus Boghazköi*
KuT	Kuşaklı tablets
LAI	Library of Ancient Israel
LANE	Languages of the Ancient Near East
LHB/OTS	Library of Hebrew Bible/Old Testament Studies
LKA	*Literarische Keilschrifttexte aus Assur*
MTSR	*Method and Theory in the Study of Religion*
NCB	New Century Bible
NICOT	New International Commentary on the Old Testament
NIV	New International Version
NRSV	New Revised Standard Version
OBO	Orbis Biblicus et Orientalis
OBT	Overtures to Biblical Theology
OrNS	*Orientalia* New Series
OTL	Old Testament Library
RA	*Revue d'assyriologie et d'archéologie orientale*
ResQ	*Restoration Quarterly*
RlA	*Reallexikon der Assyriologie*
SAA	State Archives of Assyria
SAAS	State Archives of Assyria Studies
SANE	Sources from the Ancient Near East
SBL	Society of Biblical Literature
SBLABS	Society of Biblical Literature Archaeology and Biblical Studies
SBLANEM	Society of Biblical Literature Ancient Near East Monographs
SBLDS	Society of Biblical Literature Dissertation Series

SBLRBS	Society of Biblical Literature Resources for Biblical Study
SBLSymS	Society of Biblical Literature Symposium Series
SBLWAW	Society of Biblical Literature Writings from the Ancient World
SBLWAWSup	Society of Biblical Literature Writings from the Ancient World Supplement Series
SHR	Studies in the History of Religions (supplement to *Numen*)
SpTU III	*Spätbabylonische Texte aus Uruk*, III
StBot	Studien zu den Boğazköy-Texten
STT	*The Sultantepe Tablets*, I/II
SubBi	Subsidia Biblica
TCS	Texts from Cuneiform Sources
TDOT	*Theological Dictionary of the Old Testament*.
THeth	Texte der Hethiter
TLOT	*Theological Lexicon of the Old Testament*
TWOT	*Theological Wordbook of the Old Testament*
VAT	Vorderasiatisches Museum tablets, Berlin
VT	*Vetus Testamentum*
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
WTH	*Westminster Theological Journal*
ZAH	*Zeitschrift für Althebräistik*
ZAW	*Zeitschrift für die alttestamentliche Wissenschaft*

2. Other

ANE	ancient Near East
esp.	Especially
HB	Hebrew Bible
MT	Masoretic Text
n.	note, footnote
OAkk	Old Akkadian period
OB	Old Babylonian period
obv.	Obverse

repr.	reprint(ed) edition
rev.	reverse or revised
v(v).	verse(s)

CHAPTER 1

INTRODUCTION

The process of discerning and interpreting messages understood to be divine in origin was ubiquitous in the ancient Near East. Frequently such messages predicted destruction of an individual, household, or nation. Yet texts from the ancient Near East (ANE) including the Hebrew Bible (HB) indicate that divine prognostications of doom were not always viewed as irrevocable. In ritual texts and biblical narratives we see humans interceding with the divine realm to ward off foretold doom.[1] The term I use for such activity is "apotropaic intercession." Whether or not these texts reflect real-life intercessory practice, they nonetheless reveal these cultures' perceptions of the human capacity to act—that is, human agency—in opposition to the divine will, sometimes with apparent success. In this dissertation I study the intercessors' direct discourse—oral rites or quoted speech—within these texts to shed light on the cultures' underlying conceptions of human agency and the ways they believed authorized humans could and should use speech to counter the divine will.[2] Although we cannot know that the particular understandings of human and divine agency implicit in these texts reflect universal views within their respective cultures, they are nonetheless indications of belief systems, and I investigate them on that basis.

---

[1] The phenomenon of seeking to overturn divine prognostications of doom was not limited to the ANE. Livy describes Roman rituals to avert the ill effects of unfavorable omens. Cf. Erle Leichty, *The Omen Series Šumma Izbu* (TCS 4; Locust Valley, N.Y.: J. J. Augustin), 15.

[2] According to Webb Keane, religious reforms often arise because of differing views of human agency, particularly as these views are expressed in religious language ("Religious Language," *Annual Review of Anthropology* 26 [1993]: 47-71 [65]).

1.1. Corpora Compared

The texts I study in this dissertation derive from Anatolia in the 2nd millennium B.C.E., Mesopotamia in the 1st millennium B.C.E., and the HB.[3] Because I focus on human intercessory speech, my corpus includes only texts containing some direct discourse to a deity or deities. Texts recorded on amulets are excluded.[4] In Chapter 2 I study two Neo-Assyrian ritual texts: Text 1 against the evil portended by a dog (from KAR 64) and Text 2 against the evil foretold by a wildcat (LKA 112). In Chapter 3 I examine two texts from Anatolia: the Ritual of Ḫuwarlu (Text 3) which fends off evil predicted by augury (CTH 398) and an apotropaic intercessory speech from Text 4, the Ritual of Papanikri (CTH 476). In Chapter 4 I analyze eleven narrative passages from the HB (Texts 5-15): seven stories and four prophetic vision reports.[5] In Chapter 5 I compare

[3] The archaeology of ancient Israel and Judah and the HB itself reveal a diversity of religious practices, many of them condemned by biblical writers and editors. See, for example, Ziony Zevit, *The Religions of Ancient Israel: A Synthesis of Parallactic Approaches* (London: Continuum, 2001); Patrick Miller, *The Religion of Ancient Israel* (LAI; Louisville: Westminster John Knox, 2000), 46-62. My focus is on the biblical writers' presentation of Israelite and Judahite/Judean beliefs and practices regardless of the degree to which it matched reality.

[4] Egypt has been excluded from analysis because of the dearth of apotropaic intercessory texts apart from amulets. Although divinatory texts and techniques have been recovered from pre-Persian period Egypt, they did not reach the large numbers recovered from Mesopotamia or Anatolia. Cf. Alexandra von Lieven, "Divination in Ägypten," *AoF* 26 (1999), 77-126. Amulet texts dating to the 21st and 22nd dynasties were designed to protect against multiple evils, including bad oracles, according to I.E.S. Edwards (*Hieratic Papyri in the British Museum: Fourth Series, Oracular Amuletic Decrees of the Late New Kingdom*, vol. 1 [London: Trustees of the British Museum, 1960]); and cf. Briant Bohleke, "An Oracular Amuletic Decree of Khonsu in the Cleveland Museum of Art," *JEA* 83 (1997): 155-67. Another apotropaic text on a New Kingdom ostracon concerns an unfavorable divine prediction (HPBM 3rd Series, 19, Pl. 8, 8a, cited by Lieven ["Divination," 115]). Part of this inscription appeals to Amun to "Turn to me and save me from those events which you have prophesied." Whether this text was used in an intercessory context is unclear. Egyptian apotropaic intercessory texts, if they existed, have not left a large footprint to date.

[5] My biblical corpus consists of the following: Abraham's dialogue with YHWH about Sodom in Gen 18:23b-32a; Moses's intercessions on behalf of the Israelites in Exod 32:11b-13, 31b-32, and Deut 9:26-29 (all addressing the sin of the golden calf), and Num 14:13b-19 (after the episode of the spies); Moses and Aaron's intercession after Korah's rebellion in Num 16:22; the brief appeals in Ezek 9:8b, 11:13b and Amos 7:2, 5; and David's intercessory prayer after the census in 1 Chr 21:17 (cf. 2 Sam 24:17).

findings and draw conclusions, with particular attention to the ways in which the biblical narratives present a different view of human agency than do the ritual texts.

1.2. Research Questions

The overall goal of this study is to deepen our understanding of the kinds and extent of human agency implicit in the texts I examine in the face of divine threat. More specifically, I seek to investigate how these texts portray the use of speech to protect others from divinely-ordained doom. I consider two general categories of speech: ordinary speech and what I call *causative* speech, understood to affect the physical world or other beings in ways beyond that which is normally possible by speech alone. Because these two kinds of speech differ in purpose and function, my analysis combines two different methods—speech act theory and rhetorical criticism—to characterize the direct discourse. In addition I use a set of categories drawn from cognitive science to understand the ways in which humans were thought to be capable of causative speech.

My research questions include the following:

(1) How well can speech act theory distinguish ordinary from causative speech?

(2) How do the texts compare in their use of ordinary and causative speech? What specific kinds of speech acts are used?

(3) What is the specific aim of the different speech acts? For example, are they intended to affect deities (altering their moods or decisions), the targeted victims (e.g., through purification), or the evil itself (averting it, disposing of it, or rendering it harmless)?

(4) How do the texts compare in their use of rhetoric to persuade the gods? What specific rhetorical strategies are used? What do these tell us about cultural understandings of the deities?

(5) From a cognitive scientific perspective, how are the users of causative speech understood to be authorized, empowered, or otherwise made capable of using it?

(6) Considering evidence within and outside the texts, how effective was apotropaic intercession understood to be within the cultures producing these texts?

(7) Based on the textual analysis, how do the cultures compare in their understandings of human agency, in particular the function of speech in countering or contesting the divine will?

As my study will demonstrate, the differing patterns of speech acts and rhetoric in these texts translate into different understandings of human agency and the relations between humanity and the gods. Whereas the ANE ritual texts portray human intercessors as wielding magical, ritualized, and/or persuasive speech with divine help, intercessors in biblical narratives amass logical arguments and other persuasive techniques to protest the divine plan while minimizing ritual elements. Not all of these variations can be ascribed to the differences in genre between ritual and narrative texts. Rather, these varying approaches reflect the cultures' particular theological understandings of human agency in the face of the divine.

1.3. Definitions

"Intercession with the divine" is defined as the efforts of an individual or individuals to induce a deity or deities to act favorably toward another individual or group, which may or may not include the intercessor. It involves three roles: the

intercessor, the *beneficiary* (person or people on whose behalf the intercessor acts), and the *deity or deities* toward whom the intercession is directed.[6] "Apotropaic intercession" is defined as intercession by an authorized individual or individuals for the purpose of warding off divinely-decreed punishment that has either not yet transpired or not yet fully come to pass.

I define "divination" as the recognition and interpretation of phenomena viewed by the culture as communications from the divine realm. This definition is based on a model whose developers include Anne Marie Kitz. The model incorporates two types of methods frequently distinguished by scholars: (1) those called "'technical/operational/deductive,'" such as extispicy or the examination of oil on water; and (2) methods called "'intuitive,' 'direct' or 'inspired'" including prophecy and dream interpretation.[7] The act of divination in the ANE relies on the assumptions that deities can control material reality, including its creatures, and that they periodically use them to communicate with humans. In Kitz's presentation, divination requires three elements: (1) "material manipulation by the deity"; (2) "the sign produced from such heavenly maneuvering"; and (3) "the interpretation of the sign."[8] The model incorporates both *unsolicited* omens—such as dreams or meteorological phenomena that arise spontaneously and are then interpreted—and *solicited* omens, in which humans request a divine answer to a particular question in a particular medium (e.g., casting lots) and interpret the results according to a set of rules. Since human beings are included among those creatures whose bodies and experiences can be manipulated by gods, prophecy falls

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[6] I adapt some of these terms and definitions from François Rossier, *L'intercession entre les hommes dans la Bible hébraïque: L'intercession entre les hommes aux origines de l'intercession auprès de dieu* (OBO 152; Fribourg: Éditions Universitaires, 1996), 12.
[7] Anne Marie Kitz, "Prophecy as Divination," *CBQ* 65 (2003): 22-42.
[8] Ibid., 27.

within the larger category of divination as a vehicle for divine communication.[9] In addition, prophets and diviners share a role in communicating their experiences or findings, acting as intermediaries or transmitters of divine messages.[10]

In this dissertation, the term "omen" is sometimes used with reference to an item in the omen compendia prevalent in the Mesopotamian sphere of influence. At other times it is used synonymously with "sign" or "portent" to indicate any phenomenon interpreted as a divine message by the relevant culture. The meaning of "omen" should be clear from context. The term "oracle" is used to mean a prophetic utterance, despite its very different use in Hittitology.[11]

"Agency," a core concept for this dissertation, is defined here as the relative ability of an entity to act purposively in affecting its environment. Agency is what distinguishes actions from events—that is, from things that just happen, like papers blowing in a breeze.[12] Agency is always mediated by social structures which both constrain and enable action.[13] All human beings—including slaves—have agency; those with more social power, however, typically have more agency than others because they

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[9] Ibid., 22-33.

[10] Martti Nissinen, "Prophecy and Omen Divination: Two Sides of the Same Coin," in *Divination and Interpretation of Signs in the Ancient World* (ed. A. Annus; Oriental Institute Seminars 6; Chicago: The Oriental Institute of the University of Chicago, 2010), 341-47. Kitz notes that some prophets take on a role similar to diviners in interpreting the message they bear, particularly when it comes in the form of "an act, vision, or dream." Others, for whom the word itself is the sign, do not act as interpreters, but nonetheless present the divine message in oral form ("Prophecy as Divination," 35).

[11] Hittitologists often restrict the term "omen" to unsolicited signs, while solicited signs are termed "oracles." Cf. Gary M. Beckman, "The Tongue is a Bridge: Communication between Humans and Gods in Hittite Anatolia" (*ArOr* 79, 1999): 519-34 (525). This usage conflicts with that of biblical scholars, who typically use "oracle" for divine statements uttered by prophets, many of which are presumably unsolicited.

[12] Donald H. Davidson, "Agency," *Essays on Actions and Events* (Oxford: Clarendon, 1980), 43-61. Originally published in *Agent, Action, and Reason* (ed. Robert Binkley, Richard Bronaugh, and Ausonio Marras; Toronto: University of Toronto Press), 1971.

[13] Cf Laura M. Ahearn, "Language and Agency," *Annual Review of Anthropology* 30 (2001): 109-37; Anthony Giddens, *The Constitution of Society: Outline of the Theory of Structuration* (Berkeley: University of California Press, 1984), 25.

have freer rein.[14] In general I consider human societies to manifest "hierarchies of agency." Such hierarchies of agency depend not only on enduring social status but also on transient access to force, so that in a slave revolt, for example, armed subordinates would have greater agency than their imprisoned master.[15] In the ANE, hierarchies of agency bridged the gap between the human and divine realms, in that the gods were understood to have greater agency than their human servants.[16]

Like agency itself, the imputation of agency is subject to socio-cultural mediation. Attribution of agency varies cross-culturally. This is clear when one considers the distinction between actions and events. What people in some cultures view as events, those in other cultures view as actions of superhuman agents, such as the gods or fate, however personified.[17] In the ANE, thunder, earthquakes, and other natural phenomena were seen as the result of actions by the gods. Deities were also viewed as capable of manipulating animate objects or entities, as described earlier. For this reason, agency as

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[14] Giddens writes, "To be an agent is to be able to deploy (chronically, in the flow of daily life) a range of causal powers, including that of influencing those deployed by others. Action depends upon the capability of the individual to 'make a difference' to a pre-existing state of affairs or course of events. An agent ceases to be such if he or she loses the capability to 'make a difference', that is, to exercise some sort of power." Giddens, *Constitution*, 14.

[15] One way to think of a hierarchy of agency is in terms of who has the ability to issue commands to others. Eystein Dahl distinguishes requests in which "the Addressee is superior in force or authority to the Speaker" (or the two are equal) from commands in which the opposite holds true ("Towards an Account of the Semantics of the PIE Imperative" in *The Indo-European Verb. Proceedings of the Conference of the Society for Indo-European Studies, Los Angeles, 13-15 September 2010* [ed. H. Craig Melchert; Wiesbaden: Reichert, 2012], 19-28 [25], forthcoming).

[16] E.g., in the Hittite kingdom, "the king was…accountable to the Storm God, the divine Chief Executive Officer who had delegated to him his power on earth and whose servant or slave the king frequently calls himself," according to Trevor R. Bryce (*Life and Society in the Hittite World* [Oxford: Oxford University Press, 2002], 18). Georges Roux describes a similar relationship between the Assyrian kings and the god Assur (*Ancient Iraq* [3d ed.; London: Penguin, 1992], 342), while throughout the HB YHWH is presented as having vastly greater agency than any human, with kings as well as others called YHWH's servants. Not only specific gods but all gods would be understood to have greater agency than humans in the polytheistic societies of the ANE, except (theoretically) when human individuals had special access to greater supernatural power, as they might with regard to lower-level supernatural entities such as demons.

[17] Ahearn, "Language and Agency."

defined here is not only a property of humans, but a property that humans in the cultures under investigation attribute to nonhuman entities as well.

Cognitive scientists have studied human attributions of agency.[18] Experimental studies show babies pay more attention to dots on a screen that appear to show goal-directed behavior by "chasing" other dots.[19] This tendency to attribute agency to inanimate objects exhibiting specific behaviors appears to be a feature of the human brain. Cognitive scientists have theorized that our brains are equipped with an "Agent Detection Device" which infers agency and a "Theory of Mind Mechanism" which infers intention when the human perceiver encounters an agent.[20]

Increasingly, cognitive science is revealing the ways in which people learn the fundamental properties of real-world entities and the physical laws of cause and effect. According to a prevalent theory, infants and young children learn different rules and concepts for different domains, arriving at an early understanding of "intuitive biology, intuitive psychology, and intuitive physics."[21] As they learn about these domains,

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[18] Based on such studies, scientists have argued for different understandings of "agents." For example, Alan M. Leslie writes that agents are not necessarily animate entities, a term that carries with it "biological connotations" ("A Theory of Agency," in *Causal Cognition: A Multidisciplinary Debate* [ed. D. Sperber, D. Premack, and A.J. Premack; Oxford: Clarendon, 1995], 121-41). Leslie posits three "classes of real world properties" belonging to agents: (1) "having an internal or renewable source of 'energy'"; (2) pursuing goals, reacting to perceptions, and having the ability to interact with other agents; (3) holding attitudes toward propositions or other cognitive properties (122). Others consider intentionality to be the primary property that humans attribute to agents. Cf. E. Thomas Lawson, foreword to *Minds and Gods: The Cognitive Foundations of Religion* by Todd Tremlin (Oxford: Oxford University Press, 2006), xi-xvii (xv).

[19] Robert N. McCauley and E. Thomas Lawson, *Bringing Ritual to Mind: Psychological Foundations of Cultural Forms* (Cambridge: Cambridge University Press, 2002), 21.

[20] See, for example, Todd Tremlin, *Minds and Gods: The Cognitive Foundations of Religion* (Oxford: Oxford University Press, 2006), 75-86. He notes that even year-old infants recognize agents and make judgments based on other people's reactions, indicating that they have begun to impute intentionality to others. For a related understanding postulating three separate mechanisms see Ilkka E. Pyysiäinen, *Supernatural Agents*: *Why We Believe in Souls, Gods, and Buddhas* (New York: Oxford University Press, 2009), 13.

[21] Tremlin, *Minds and Gods*, 66-67. Many cognitive scientists hold the view that children learn different rules and properties for different domains. The rules governing "intuitive physics" are learned first through observation of the properties of objects, while many aspects of "intuitive biology" and "intuitive

children also learn to recognize what is "counterintuitive"—agents, actions, or objects that break expectations. Some of these counterintuitive entities or actions are quite real: for example, meat-eating plants break the "rules" of naive biology, since carnivorous behavior is not an intuitive property of the basic category "plant."[22] Cultures posit different kinds of entities with counterintuitive properties—gods, semi-divine-beings, or certain magicians, for example—who can control aspects of reality, appear in multiple places at once, or otherwise act in ways contrary to domain-specific expectations.[23] The terms "supernatural" and "magical" are used here with regard to agents, actions, or objects understood by a given culture to have or use powers beyond those available in the natural world. In this dissertation, possession of counterintuitive abilities is called "supernatural agency" or "magical agency" and the gods or semi-divine beings having such abilities are called "supernatural agents."[24] I consider supernatural agency to be an essential property of deities.[25] Cultures may also understand magical agency to be granted to select others through an action (ritual) or object. For example, Elisha inherits Elijah's ability to perform miracles when he receives Elijah's cloak (2 Kgs 2:13-14).

Attributions of supernatural agency, like understandings of ordinary agency, involve assumptions of socio-cultural mediation. Texts from Mesopotamia and Anatolia

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psychology" are learned later. Jesper Sørensen, who supports this approach, calls this the "domain specificity hypothesis." (*A Cognitive Theory of Magic* [Lanham, Md.: AltaMira, 2007], 33).

[22] Ibid., 89.

[23] Although most of the contents of intuitive biology, psychology, and physics are universal, experimental evidence indicates that specific properties attributed to counterintuitive agents are culturally transmitted, as is other specific information about magic's operation. See, for example, Jacqueline D. Woolley, "The Development of Beliefs about Direct Mental-Physical Causality in Imagination, Magic, and Religion" in *Imagining the Impossible: Magical, Scientific, and Religious Thinking in Children* (ed. K.S. Rosengren, C. N. Johnson, and P. L. Harris; Cambridge: Cambridge University Press, 2000), 99-129.

[24] E. Thomas Lawson and Robert N. McCauley call them "superhuman agents" (*Rethinking Religion: Connecting Cognition and Culture* [Cambridge: Cambridge University Press, 1990], 6 and *passim*).

[25] The essential or inalienable properties of a given kind of entity constitute part of what makes up "intuitive biology," according to Tremlin (*Minds and Gods*, 66-67). For example, young children recognize a person without legs as still essentially a person.

depict members of the pantheon as enabled and constrained by divine social structures. For example, Hittite gods are presented as subject to pressure from other gods if they cross certain behavioral lines. When the god Telepinu disappears, the other gods try different approaches to get him to return and fulfill his proper functions.[26] Although divine behavior is not identical to human behavior—otherwise there would be nothing "supernatural" about it—portrayals of divine behavior are subject to anthropomorphic models and human mores.[27] In a biblical example, YHWH is shown as constrained by his own promise when he vows after the flood not to destroy all living beings (Gen 9: 12-17).

"Ritual," a complex topic with numerous avenues of approach, is defined here as a prescribed sequence of human words and/or other actions carried out with the intent of creating a transformation in status.[28] Underlying this definition is Victor Turner's distinction between *ceremonies*, which confirm states of being, and *rituals*, which transform them.[29] Only the latter type of activity is considered here. Ritual acts frequently resemble those used in everyday life for ordinary purposes, but are set off from ordinary acts through "ritualization," a process that often incorporates "formality, fixity, and repetition."[30] These features signal that the ritualized actions have different functions from similar behaviors performed outside of ritual contexts. Rituals as defined here include those creating purely social transformations—secular marriages, for

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[26] Harry A. Hoffner Jr., *Hittite Myths* (2d ed; SBLWAW 2; Atlanta: Scholars Press, 1998), 15-18.
[27] Tremlin notes, "In counterintuitive concepts, properties that, from a cognitive perspective, are actually quite ordinary are matched with the properties that makes them extraordinary" (*Minds and Gods*, 87).
[28] For some of the difficulties involved in defining ritual, see David P. Wright, *Ritual in Narrative: The Dynamics of Feasting, Mourning, and Retaliation Rites in the Ugaritic Tale of Aqhat* (Winona Lake: Eisenbrauns, 2001), 8-13.
[29] Victor W. Turner, *The Forest of Symbols: Aspects of Ndembu Ritual* (Ithaca: Cornell University Press, 1967), 95.
[30] Catherine Bell, *Ritual Theory, Ritual Practice* (New York: Oxford University Press, 1992), ix. Bell's topic is "ritualization"—the process whereby some acts are differentiated from ordinary behavior—rather than ritual itself.

example—and those that create "transformations that transcend constraints of cause and effect operating in the material world."[31] To the extent that they are intended to alter physical reality—or what their users considered to be physical reality—all of the ritual texts studied here are intended to produce the second kind of transformation.[32]

Rituals are typically composed of oral and manual rites.[33] In this dissertation, "oral rite" is used synonymously with "recitation" or "direct discourse" in the context of a ritual text. The latter is defined here as a text in which a ritual is prescribed or described, or both. As the terms suggest, a prescriptive ritual text provides instructions for performing a given ritual, while a descriptive ritual text portrays an ideal or actual ritual performance. Since some ritual descriptions are intended to serve as guidelines for use, a ritual text may fall into both camps.

The term "direct discourse" is used here for reported and/or prescribed speech in narratives and ritual texts. Justification for extending the term to ritual recitations lies in the means for designating speech in different genres of literature in the cultures being studied. In Hittite, the enclitic particle *–wa* (*r*) is used to indicate both oral rites and direct discourse in narrative or epistolary genres.[34] In the Akkadian texts analyzed here, oral rites are often preceded by a marker similar to that used for reported speech in other genres: the phrase to "say as follows" (UR_5.GIM DUG_4.GA). In this formula, UR_5.GIM

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[31] The quoted language comes from the "cognitive task perspective" of ritual employed by Roy E. Gane in *Ritual Dynamic Structure* (Gorgias Dissertations Religion 2; Piscataway, N.J.: Gorgias, 2004), 331.
[32] Purity and impurity are examples of states that were usually considered to have a physical component in the ANE but are considered to be cultural constructs today. See Section 1.4.
[33] The terms "*rites manuels*" and "*rites oraux*" were developed Marcel Mauss (*Sociologie et anthropologie* [4th ed.; Paris: Presses universitaires de France, 1968], 43).
[34] Harry A. Hoffner Jr. and H. Craig Melchert, *A Grammar of the Hittite Language Part 1: Reference Grammar* (LANE 1; Winona Lake: Eisenbrauns 2008), 354-5. In addition, the recitations in the Ritual of Ḫuwarlu are preceded by words meaning "she says as follows."

indicates the adverb *kīam* "thus" or "as follows" and DUG$_4$.GA indicates *qabûm* (to say).[35]

"Culture" is defined as the

> patterns, explicit and implicit, of and for behavior acquired and transmitted by symbols, constituting the distinctive achievements of human groups, including their embodiments in artifacts; the essential core of culture consists of traditional (i.e. historically derived and selected) ideas and especially their attached values; culture systems may, on the one hand, be considered as products of action, and on the other as conditioning elements of further action.[36]

I also use the term "culture" to refer to a group of people exhibiting shared patterns of behavior and ideas.

1.4. Background Beliefs

As a concept, apotropaic intercession is connected to beliefs that were widely shared in the ANE. Two such beliefs were (1) that the deities seek to share information with humanity and (2) that deities ultimately control human fate.[37] Other shared beliefs relate to human sin, which I define, following Mark J. Boda, as "an offense against a divinely ordered norm."[38] (3) In Neo-Assyria, Anatolia, and the HB, sin was depicted in texts as the cause of divine wrath and subject to divine punishment in the form of misfortune—sometimes called the act-consequence sequence or the doctrine of

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[35] Stefan M. Maul, *Zukunftsbewältigung: Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)* (Baghdader Forschungen 18; Mainz am Rhein: Verlag Philipp von Zabern, 1994), 67. At times the words "you say" (*taqabbi,* referring to the ritual practitioner) or "he says" (*iqabbi,* referring to the beneficiary) substitute for the logogram DUG$_4$.GA. Other means of marking direct discourse differ, however. In many Akkadian texts, direct discourse is discernible only through context. In the namburbis, recitations are typically marked off by dividing lines and preceded by the word ÉN, which I translate as "recitation/oral rite."

[36] This classic definition appears in Alfred L. Kroeber and Clyde Kluckhohn, *Culture: A Critical Review of Concepts and Definitions* (New York: Vintage, 1963), 357.

[37] Alternatively, some have argued that the Mesopotamian omens were understood to operate without divine involvement (Ann Guinan, personal communication). For a general discussion of mechanistic vs. anthropomorphic views, see Yitzhaq Feder, "The Mechanics of Retribution in Hittite, Mesopotamian and Ancient Israelite Sources," *JANER* 10 (2010), 119-57.

[38] Mark J. Boda, *A Severe Mercy: Sin and its Remedy in the Old Testament* (Siphrut 1; Winona Lake: Eisenbrauns, 2009), 11.

retribution.[39] Some ANE and biblical texts manifest this particular view more clearly than others, a situation which Yitzhaq Feder describes as a “vacillation between notions of divine agency and depersonalized mechanical processes” by which sin leads to unhappy consequences.[40] The fact that all of the texts in the corpus I investigate include direct discourse to deities—one of my selection criteria—means that all of them present the punishment as the result of divine agency. (4) Finally, in all three cultures, sin is linked to pollution or impurity.[41] These links are not merely metaphorical. Christopher G. Frechette notes that “in the Mesopotamian view, impurity, evil fate, and witchcraft could

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[39] Klaus Koch popularized the latter term although he disputes its universal application in the HB (“Is there a Doctrine of Retribution in the Old Testament?” in *Theodicy in the Old Testament* [ed. J. L. Crenshaw; IRT 4; Philadelphia: Fortress, 1983], 57-87). Koch argues that in many biblical texts, suffering is portrayed as an automatic effect of sin rather than the effect of divine intervention—a view upheld by Mark E. Biddle (*Missing the Mark: Sin and Its Consequences in Biblical Theology* [Nashville: Abingdon, 2005]) and others. Yet many other biblical texts show or describe YHWH directly punishing wrongdoing (e.g., 2 Sam 12, David’s punishment for the Bathsheba affair). Cf. critiques of Koch’s thesis discussed in John G. Gammie, “The Theology of Retribution in the Book of Deuteronomy,” *CBQ* 32 (1970): 1-12, as well as the more nuanced analysis of retribution in Boda, “Severe Mercy.” Mesopotamian evidence of anthropomorphic explanations of the act-consequence sequence includes Old Babylonian incantations (cf. Graham Cunningham, *‘Deliver Me from Evil’: Mesopotamian Incantations 2500-1500 BC,* [Studia Pohl 17; Rome: Pontifical Biblical Institute, 1997, 179). See also Christoph O. Schroeder’s comment about a prayer of Tukulti-Ninurta: “The prayer does not refer to an anonymous world order; it calls for the *agency* of Shamash” (*History, Justice, and the Agency of God: A Hermeneutical and Exegetical Investigation on Isaiah and Psalms* [BInS 52; Leiden: Brill, 2001], 152). Emphasis in original. Divine retribution is portrayed in Anatolia in personal prayers among other texts, e.g., Muršili’s Plague Prayer to the Storm-god of Hatti in Itamar Singer (*Hittite Prayers* [SBLWAW 11; Atlanta: Society of Biblical Literature, 2002], 57-61).

[40] Feder, “Mechanics,” 120. Even when certain texts present the causes and remediation of problems in mechanistic rather than anthropomorphic terms—that is, as automatic consequences of human misdeeds rather than a result of divine punishment—Feder argues that such presentations should at times be viewed “as embedded within a theistic scheme of divine retribution” (Ibid., 137-38; cf. 148-9). Feder finds that mechanistic presentations of suffering from bloodguilt and oath violations are more common in Hittite, Mesopotamian, and biblical ritual texts than in other genres such as myth, a circumstance that he attributes to “the particular set of concerns represented by these [ritual] genres, namely the need to identify and treat, *ipso facto*, the cause of a present ailment” (ibid., 149-50) as well as “the general elliptical tendency of the ritual texts to omit their underlying presuppositions” (ibid., 138). He argues for an increasing tendency toward mechanistic presentations over time, in contrast to those who root mechanistic presentations in earlier conceptions of evil.

[41] Harold W. Attridge, “Pollution, Sin, Atonement, Salvation” in *Religions of the Ancient World: A Guide* (ed. Sarah Iles Johnston; Cambridge: Belknap Press of Harvard University Press, 2004), 71-83.

attach themselves to a person in a concrete way as a miasma."[42] Similar views of the substantiality of impurity appear in Anatolian and biblical texts.[43] The interrelationships between impurity and sin are nonetheless complex in all of these cultures: not every text presents sin as impurity, and not all cases of impurity were thought to derive from sin.[44]

The apotropaic intercessory texts studied here do not contest the underlying systems of belief whereby deities are seen as warning people of impending disaster, nor do they challenge the gods' role of judging or punishing sin (although one deity is sometimes asked to overrule the decision of another). Rather, apotropaic intercession arises from the same cultural conceptions that generated the practices of divination. Apotropaic intercession may have deflected critiques of the doctrine of retribution, in fact, by soothing anxieties generated by particularly horrific or frequent threats.[45]

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[42] Christopher G. Frechette, *Mesopotamian Ritual-prayers of "Hand-lifting" (Akkadian Šuillas): An Investigation of Function in Light of the Idiomatic Meaning of the Rubric* (AOAT 379: Münster: Ugarit-Verlag, 2012), 8.

[43] Billie Jean Collins, "Anatolia," a subsection of "Sin, Pollution, and Purity" in *Religions of the Ancient World: A Guide* (ed. Sarah Iles Johnson; Cambridge: Belknap Press of Harvard University Press, 2004), 504-505. See also Jonathan Klawans, *Impurity and Sin in Ancient Judaism* (Oxford: Oxford University Press, 2000), although Klawans notes that in a few passages such as Isa 1:15-17 impurity is indeed used metaphorically for sin (35).

[44] Klawans argues that in the HB, some causes of impurity—e.g., discharge of bodily fluids—do not reflect human misdeeds (*Impurity and Sin*). Tikva Frymer-Kensky observes that "[T]he idea of pollution was a major theoretical paradigm which enabled Israel to absorb and survive the eventual destruction of the state. It existed alongside, but is not identical to, the better known theoretical explanation of the destruction, the legal paradigm of misdeed and punishment" ("Pollution, Purification, and Purgation in Biblical Israel," in *The Word of the Lord Shall Go Forth* [ed. C. L. Meyers and M. P. O'Connor; Winona Lake: Eisenbrauns, 1983], 399-414 [409]). In Mesopotamia, "[t]he notions of pollution and purity [were] only partially concomitant with the notion of sin," writes Karel van der Toorn in "Mesopotamia," a subsection of "Sin, Pollution, and Purity" in *Religions of the Ancient World: A Guide* (ed. Sarah Iles Johnson; Cambridge: Belknap Press of Harvard University Press, 2004), 499-501 (500). Similarly in Anatolia, sins were understood to cause divine anger "and could manifest themselves in pollution or impurity adhering to an individual," but other causes of impurity included sorcery, breaking taboos, and probably bodily emissions, according to Collins, "Anatolia," 504. Besides pollution and offense, other conceptions of sin in different ANE cultures and periods are suggested by metaphors used to portray it, e.g., weight or debt. See Gary A. Anderson, *Sin: A History* (New Haven: Yale University Press, 2009); Boda, *Severe Mercy*.

[45] One interesting frame of reference for viewing apotropaic intercession is in the context of dealing with risk. Eidinow writes that one of divination's functions is to reduce anxiety by decreasing uncertainty about present actions and future eventualities ("Oracles, Curses," 1-9). When divine communications signal impending disaster, however, divination no longer assuages anxiety but rather raises it. Maul signals the

The beliefs that I have outlined—particularly (2) and (3)—entail another: a belief in divine freedom in the deities' responses to apotropaic intercession. J. J. M. Roberts argues that neither in ANE societies nor in ancient Israel did humans believe they could "really control the divine world."[46] Granted, not all conceptual systems are truly systematic—many discordant conceptions can be held in virtual isolation, so that inconsistent views may be held simultaneously on all sorts of subjects by the same individual or group.[47] Nonetheless, to the extent that apotropaic intercession was seen to "work," it must have done so by persuading its human audience—its users or readers and their circles—that the gods remained in charge even though the danger had been averted. I consider this requirement to be a primary challenge in cultural expressions of apotropaic intercession. As I will show, the apotropaic intercession portrayed in these texts relies on the good graces, permission and/or help of the gods—at times the very same deity who was understood to have issued the disastrous decree.

1.5. Approach to Comparison

This dissertation compares the direct discourse in apotropaic intercessory texts from three different ancient Near Eastern cultures. Apotropaic intercessory texts form an "analytic genre"–that is, they are texts gathered together because they share the particular feature that is the subject of investigation: all depict the process of warding off divinely-

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importance of this notion in his analysis of the namburbis—apotropaic intercessory texts from Neo-Assyria—by titling his book *Zukunftsbewältigung*, "overcoming" or "coping with" the future.

[46] J. J. M. Roberts, "Divine Freedom and Cultic Manipulation in Israel and Mesopotamia," in *Unity and Diversity: Essays in the History, Literature, and Religion of the Ancient Near East* (ed. H. Goedicke and J. J. M. Roberts; Baltimore: Johns Hopkins University Press, 1975), 181-87 (187).

[47] Cf. Michael Cole, *Cultural Psychology: A Once and Future Discipline* (Cambridge: Belknap Press, 1996), 122-24; Esther Eidinow, *Oracles, Curses, and Risk among the Ancient Greeks* (Oxford: Oxford University Press, 2007), 30-31.

predicted doom.[48] This analytic genre bridges the conventional genres of narrative and ritual text. The shared feature that justifies collecting these particular texts is not their function—ritual texts have very different purposes from narratives—but their content: apotropaic intercession that contains direct discourse (either oral rites or quoted speech by the intercessor). The distinction between content and function is important yet potentially confusing, in that the content (apotropaic intercession and specifically the direct discourse within it) can be said to have a particular function of its own.

It is important to underscore that it is texts, not practices, which are being compared; in other words, this dissertation is not an attempt to reconstruct presumed apotropaic intercessory rituals in ancient Israel. Rather, both narratives and ritual texts alike are used as sources for discerning underlying concepts involved in apotropaic intercession, particularly conceptions of human agency and the kinds of human speech that were considered possible and permissible in contesting the divine will. Analysis of texts should not be confused with analysis of practices, as James W. Watts and William Gilders remind us.[49] While the ANE ritual texts most likely do reflect historical practices,[50] the leap from the biblical texts to Israelite or Judean practice is less certain, not simply because of the lengthier history of textual redaction and transmission but also because of the narrative genre. Nonetheless, both types of texts exemplify cultural

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[48] Cf. the discussion of analytic genres in Kenton Sparks, *Ancient Texts for the Study of the Hebrew Bible: A Guide to the Background Literature* (Peabody, Mass.: Hendrickson, 2005), 10-21. For a justification of issue-oriented comparison, see Brent A. Strawn, "Comparative Approaches: History, Theory, and the Image of God," in *Method Matters: Essays on the Interpretation of the Hebrew Bible* (ed. J.M. LeMon and K.H. Richards; SBLRBS 56; Atlanta: Society of Biblical Literature, 2009), 117-42.

[49] James W. Watts, *Ritual and Rhetoric in Leviticus: From Sacrifice to Scripture* (Cambridge: Cambridge University Press, 2007), 27-36; William Gilders, *Blood Ritual in the Hebrew Bible: Meaning and Power* (Baltimore: Johns Hopkins University Press, 2004), 8-9.

[50] Based on evidence both internal and external to the texts themselves. External evidence includes letters from scholars to the Neo-Assyrian kings indicating actual use of the namburbis. In Anatolia, the sheer number of ritual texts with related rites suggests that the rituals analyzed here—or similar ones—were used.

conceptions of the process of apotropaic intercession, including the use of speech. Discerning these cultural conceptions is the dissertation's primary goal.

The comparative component points up similarities as well as contrasts: for example, the use of persuasive analogies in both the Mesopotamian and one of the Hittite texts and their absence in the biblical material. As William W. Hallo wrote years ago, "[C]ontrast can be every bit as illuminating as (positive) comparison. It can silhouette the distinctiveness of a biblical institution or formulation against its Ancient Near Eastern matrix."[51]

Hallo advocates comparing and contrasting texts in terms of their own particular cultural settings—"the geographical, historical, religious, political and literary setting in which [the text] was created and disseminated."[52] In keeping with this approach, this dissertation examines each text in light of other texts and information from the same culture, drawing conclusions about the culture's perceptions of human agency and the use of speech.

Although diachronic issues are not disregarded, the focus of the dissertation is on characterizing examples of apotropaic intercession in the different texts as diverse manifestations of a particular type of instrumental communication. Because my focus is primarily on the speech acts and rhetoric deployed in these texts rather than on any presumed historical practices (particularly with regard to the HB), the preponderance of analysis is synchronic.[53] By analyzing the direct discourse within the texts in their present

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[51] William W. Hallo, "New Moons and Sabbaths: A Case Study in the Contrastive Approach," *HUCA* 48 (1977): 1-18 (2).
[52] William W. Hallo, "Ancient Near Eastern Texts and Their Relevance for Biblical Exegesis," in *COS* 1: xxiii-xxvii.
[53] Reasons for this approach include the texts' different transmission and redaction histories. All the texts studied appear to have been copied from older versions (see Chapters 2-4); the HB, however, has the lengthiest transmission history by far. The possibility of significant changes—intentional or

form (or with modest textual reconstructions), I strive to present a generally synchronic view of how apotropaic intercessory speech was perceived to operate in texts from each culture and what assumptions it portrays about human agency and divine-human relations.

Numerous comparative studies point to the influence that ANE societies had on each others' texts and practices.[54] The point of this dissertation is not to prove literary or cultural dependence, however, but to represent the nature of the direct discourse and the underlying conceptions of agency as clearly as possible. Similarities are not necessarily assumed to represent cultural diffusion, but may rather represent parallel developments given a broad context of similar underlying beliefs.[55] Nor are differences assumed to mean lack of diffusion, since cultural influence may be grounds for dissimilation as well as for imitation.[56] Teasing out whether the concept of apotropaic intercession itself was transmitted or arose independently would be extraordinarily difficult and is beyond this study's scope.

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unintentional—increases with the time period during which new copies of a text are made from old, although the pace of change is unlikely to have been evenly distributed over time as Jeffrey H. Tigay argues in *The Evolution of the Gilgamesh Epic* (Philadelphia: University of Pennsylvania Press, 1982) and in "The Evolution of the Pentateuchal Narratives in the Light of the Evolution of the Gilgamesh Epic," in *Empirical Models for Biblical Criticism* (Philadelphia: University of Pennsylvania Press, 1985), 21-52. In addition, the HB is an anthology whose elements reflect diverse viewpoints, some of them predating others by a millennium.

[54] See for example Beate Pongratz-Leisten, "When the Gods Are Speaking: Toward Defining the Interface between Polytheism and Monotheism," in *Propheten in Mari, Assyrien und Israel* (ed. M. Köckert and M. Nissinen; FRLANT 201; Göttingen: Vandenhoeck & Ruprecht, 2003), 132-68, including the works of scholars she cites. Although Pongratz-Leisten's own methodological lens is oriented toward performance rather than texts, the influences she describes affected texts as well.

[55] Jonathan Z. Smith describes two principal bases for similarity: analogy and homology (*Drudgery Divine: On the Comparison of Early Christianities and the Religion of Late Antiquity* [JLCRS 14; Chicago: University of Chicago Press, 1990), 47-52. Analogous strategies reflect independent approaches that nonetheless resemble each other. Homologous strategies reflect genealogical descent or shared heritage.

[56] John H. Walton, *Ancient Near Eastern Thought and the Old Testament: Introducing the Conceptual World of the Hebrew Bible* (Grand Rapids: Baker Academic, 2006), 27. Walton lists seven attitudes toward another culture's views that can yield textual differences or similarities. The positions run from "totally ignores and presents different views" to "subconscious shared heritage," with such intervening positions as "accurate knowledge resulting in rejection" and "awareness leading to adaptation or transformation."

1.5.1. Issues Related to Cross-Genre Comparison

The cross-genre comparison undertaken in comparing narratives to ritual texts poses the risk of category errors. Therefore it is important both to justify the choice and to point up potential stumbling-blocks and the ways they have been addressed.

The narratives and ritual texts compared here were chosen because they are clear examples of apotropaic intercessory texts in their respective cultures. Although narratives and ritual texts vary considerably in terms of their form and function, both genres represent cultural products. As such they reflect underlying cultural concepts of human-divine relations at the same time as they help shape them.[57] To one degree or another, portrayal of apotropaic intercession in both kinds of texts reflects cultural understandings of humans contesting the divine will, whether or not contestations actually took place in the culture.[58] At a minimum, the presence of these texts gives evidence that the notion of contesting divinely-predicted doom was widespread in the ANE. The focus of the dissertation (human direct discourse) was selected to provide as level a playing field as possible, since represented discourse appears in all of the texts studied, whereas other elements (such as extensive depictions of physical actions, narratorial comments, or lists of ritual materials) do not.

It is nonetheless essential to be alert to the effects of genre on both reported utterances and on the larger context in which these utterances fall. Narrative speech

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[57] Catherine M. Bell writes that "a myth—like a ritual...simultaneously imposes an order, accounts for the origin and nature of that order, and shapes people's dispositions to experience that order in the world around them" (*Ritual: Perspectives and Dimensions* [New York: Oxford University Press, 1997], 21.) Although biblical apotropaic intercessory narratives are not myths, they nonetheless influenced readers' perceptions of Israel's relationship to YHWH. For example, Ps 99:6 mentions divine responsiveness to invocations by Moses, Aaron, and Samuel.

[58] In fact, as noted earlier, extratextual evidence indicates that the namburbis were actually used, and the same is probably true of the Anatolian augur rituals.

follows different generic conventions from ritual speech and serves different purposes. With regard to the particular goals of this dissertation, narrative and ritual texts differ in the following important ways:

(1) Time span: Narratives situate stories in a temporal context and have the potential to indicate what happened before and after the main story events and to telescope time. These characteristics can allow the writers to show whether or not apotropaic intercession was effective. The ritual texts I examine, in contrast, give neither specific instantiations of the events (omens) prompting their performance nor their results.

(2) Divine communication: narratives have the capacity to express divine communication as direct discourse. Since the story-world exists in the imagination, it is possible for deities and humans to engage in conversation without the need for elaborate or indirect means for representing divine speech. The ritual texts I study either omit any divine responses or (in the case of the augur ritual) incorporate divination within the ritual; the ritual then proceeds as if the divinatory outcomes are favorable.

(3) Revelation of divine thought: divine intent can be spelled out in narrative, either by the narrator or as indirect or direct discourse. In the ritual texts, the closest to such revelation of divine thought are claims spoken by ritual participants, which do not occur in the texts I study.

(4) Human action and physical environment: both narrative and ritual texts can recount human actions and setting, either as prescribed steps or descriptions. The format varies, however. Ritual texts examined here prescribe or describe settings, ritual materials, and manual rites. Narratives list ritual materials only when describing an

embedded ritual (in 2 Sam 24:17/1 Chr 21:17). Although narrative has the capacity to describe action and settings in detail, a generic feature of biblical narrative is its focus on dialogue.[59] Few elements of the setting, accoutrements, or physical acts are portrayed.

(5) Selective information: Writers or editors of narrative can simply omit aspects of human-divine communication or other features they find awkward or contrary to their theology or other ideological stance. For example, it would be within the editors' power to show apotropaic intercession as uniformly successful if they so desired—a point which could shore up the status of any intercessors in Israelite society. In ritual texts elements that may prove theologically challenging such as the absence of direct access to divine speech are harder to minimize through textual manipulation. Although composers of ritual texts are also selective in what they include, different principles drive their selectivity. Texts may omit routine ritual steps that practitioners take for granted, for instance, in order to squeeze several rituals onto a single tablet.[60] Of course, in all texts—ritual as well as narrative—ideology affects the content, although the writer or editor may be passively transmitting ideological positions (such as gender roles or constructions of authority) rather than consciously articulating them.

(6) Inferences about speakers' intentions by the audience. Narratives and rituals differ in their implied audiences and those audiences' desire and ability to infer speakers' intentions. A narrative's audience willingly imagines itself within the world of the story, mentally reconstructing plot events based on the assumption that characters are

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[59] Robert Alter, *The Art of Biblical Narrative* (New York: Basic Books, 1981), 65.

[60] Potentially such routine steps might have been highly revelatory of underlying theological conceptions had they been included. For example, Stefan Maul concludes that the ritual speech "*asḫuṭ mimma lemnu ša* SU.MU *ana muḫḫika*, etc." which he translates as "[Jegliches Böse] meines Körpers, meines Fleisches und meiner Sehnen habe ich über dich abgespült (…),'" was typically accompanied by the act of pouring water over the beneficiary onto an image of the evil omen (such as a clay figurine) (*Zukunfstbewältigung*, 69). This manual rite illustrates graphically what was meant by the words. Such selectivity may make it harder to understand the theological principles underlying the ritual practice.

individuals with specific goals and intentions (that is, agents).[61] The audience infers many of the characters' thoughts and intentions based on the characters' words and behavior, much as people do with others in real life. Such inferences are central to narratives' effects.[62] In contrast, the implied audiences of most ritual texts are those who wish to learn or remember the steps needed to achieve the ritual's goal. The purpose of the direct discourse is not to give audiences access to the speakers' intentions but to serve an instrumental goal often stated in the text's colophon, introduction, or conclusion. In addition, as Wade T. Wheelock writes, in ritual performance the speaker's attitudes are "put on"—assumed as part of the ritual itself.[63] Jesper Sørensen writes that "actions [including speech] contained in ritual are stipulated and bound by rules, and are therefore not directly motivated and constrained by participants' intentional stance....It is characteristic for ritual action that the same ritual can be performed with very different intentions entertained by participants."[64] Direct discourse in the ritual texts I examine, as in rituals themselves, cannot be assumed to express the intentions of a specific speaker but rather conventional intentions expected of any intercessor or beneficiary in that ritual.[65] At times even conventional intentions of generalized speakers cannot be inferred,

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[61] Richard J. Gerrig, *Experiencing Narrative Worlds: On the Psychological Activities of Reading* (New Haven: Yale University Press, 1993).
[62] Ibid; Peter Stockwell, *Cognitive Poetics: An Introduction* (London: Routledge, 2002).
[63] Wade T. Wheelock, "The Problem of Ritual Language: From Information to Situation," *JAAR* 50 (1982): 49-71.
[64] Jesper Sørensen, "The Problem of Magic — Or How Gibberish Becomes Efficacious Action," *Recherches sémiotiques* 25 (2005): 93-116 (102). Sørensen writes, "The performance of the ritual structure is, of course, informed by intentions (if only to perform the ritual), but these intentions have no impact on the actual actions that constitute the ritual."
[65] Stanley J. Tambiah writes that in ritual, "[s]tereotyped conventions...code not intentions but 'simulations' of intentions" ("A Performative Approach to Ritual" in *Culture, Thought, and Social Action: An Anthropological Perspective* [Cambridge: Harvard University Press, 1985], 123-66 [132]. Originally published in *Proceedings of the British Academy, 1979* 65 [1981]: 113-69).

for example when the speech consists of meaningless syllables.[66] On the other hand, direct discourse in the ritual texts is rarely so obscure; much is close enough to ordinary human discourse that attitudes and intentions can indeed be inferred, even if these correspond to an ideal rather than an actual character or person. Some of the ritual texts incorporate prayer, and prayer, as Patrick D. Miller writes, is essentially persuasion.[67]

To sum up, narratives have several advantages over rituals or ritual texts in terms of revealing understandings of human-divine relations in apotropaic intercession: for example, the reader may be told divine plans; may be told or shown the effects of human language or behavior on divine thought, and may be told the outcome of the intercession. In addition, the intercessor's intentions and goals can be inferred from the speech and behavior as recounted, within the constraints of generic conventions and the reader's familiarity with the cultural context.

With regard to ritual texts, information about perceived efficacy must be garnered indirectly from the language of the ritual portrayal or the text framing it (e.g., the colophon or introduction). This language may imply or predict efficacy without directly stating that a particular instantiation of the ritual was efficacious. Speakers' intentions cannot be as easily inferred, given the stereotypical nature of the speech and the even greater cultural divide between modern readers and the original context. Rather than the speaker's intention, the focus in analyzing ritual speech is on the ways the speech itself is designed to work as persuasion, or if its goal does not appear to be persuasion, the ways in which the speech serves the ritual's stated instrumental goal(s).

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[66] Such strings of meaningless syllables occur occasionally in the namburbis. Richard I. Caplice, "The Akkadian Text Genre Namburbi" (PhD diss., University of Chicago, 1963), 96. None appears in the corpus of ritual texts examined here.

[67] Patrick D. Miller, "Prayer as Persuasion: The Rhetoric and Intention of Prayer," in *Israelite Religion and Biblical Theology: Collected Essays* (JSOTSup 267; Sheffield: Sheffield Academic, 2000).

1.6. Approach to Magic

In the following, I first discuss definitions of magic, then review the theories of Jesper Sørensen that will be used in my analysis, and finally return to the question of the opposition between prayer and magical speech.

1.6.1. Definitions of Magic

Defining "magic" is notoriously difficult. Complicating factors include the tendentious oppositions posed by numerous scholars between magic and religion and between magic and science.[68] A number of features have been posited as *the* crucial criterion for identifying magic. These range from magic's individual focus vs. religion's focus on the collective,[69] to the presumed guaranteed effectiveness of magical words,[70] to an attitude toward the deity as coercive rather than supplicatory.[71] Yuval N. Harari and Daniel O'Keefe argue instead for a "family resemblance" model in defining magic.**[72]** Scott B. Noegel, Rütiger Schmitt, and others argue for an emic approach.[73] Shawna

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[68] Numerous overviews of these battles exist. See, for example, Stanley J. Tambiah, *Magic, Science, Religion, and the Scope of Rationality* (Cambridge: Cambridge University Press, 1990); and Yuval N. Harari, "What is a Magical Text? Methodological Reflections Aimed at Redefining Early Jewish Magic," in *Officina Magica: Essays on the Practice of Magic in Antiquity* (ed. Shaul Shaked; IJS Studies in Judaica 4; Leiden: Brill, 2005),

[69] Cf. the views of Robertson Smith and Emil Durkheim.

[70] Cf. the discussion in Sarah Iles Johnston, "Magic," in *Religions of the Ancient World: A Guide* (ed. S. I. Johnston; Cambridge: Belknap Press of Harvard University Press, 2004), 139-52.

[71] One of the first proponents of this view was Frazer. Cf. the discussions in Henk Versnel, "Some Reflections on the Relationship Magic—Religion," *Numen* 38 (1991): 177-97 and in Fritz Graf, *Magic in the Ancient World* (trans. F. Philip; Cambridge: Harvard University Press, 1997), 222-27.

[72] Daniel O'Keefe, *Stolen Lightning: A Social Theory of Magic* (New York: Continuum, 1982), 10-14; Harari, "Magical Text." The notion of "family resemblance" comes from Wittgenstein (*Philosophical Games*); he argues that certain complex phenomena are best defined according to a group of criteria since no one criterion is present in all exemplars.

[73] Scott B. Noegel, Joel T. Walker and Brannon M. Wheeler, "Introduction" in *Prayer, Magic, and the Stars in the Ancient and Late Antique World* (Magic in History; University Park, Pa.: Pennsylvania State University Press, 2003), 2-17; Rüdiger Schmitt, *Magie im Alten Testament*, (AOAT 313; Münster: Ugarit-Verlag, 2004), 62-66; Johnston, "Magic."

Dolansky and Shaul Shaked claim that scholars "know magic when they see it."[74] This last claim is particularly telling in that recent studies in cognitive science suggest that the essential feature of magic is its lack of correspondence with the intuitive (and universal) understandings of physics, biology, and psychology worlds which develop during early childhood.[75]

Dolansky's recent definition of magic is one of the more promising. Although her definition is specifically tailored to the HB, it is nonetheless, as she observes, "etic, substantive, and flexible enough to be universally applicable."[76] She writes, "Within the HB, magic can be defined as *an act performed by a person (as opposed to theophany or direct acts of God), with or without attribution to God, that has no apparent physical causal connection to the (expected or actual) result.*"[77] The chief flaw in this definition is that it limits ordinary causality to the physical, thereby neglecting the causal effects of persuasion. Lloyd Bitzer aptly describes the force of persuasion in his definition of rhetoric, writing that "rhetoric is a mode of altering reality, not by the direct application of energy to objects, but by the creation of discourse which changes reality through the mediation of thought and action."[78] Speech alters reality through its effects on its listeners. Understanding its workings is a matter of intuitive psychology.

Dolansky's emphasis on the absence of evidence of ordinary causality in magical acts brings her definition close to that of Jesper Sørensen, whose cognitive theory of

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[74] Shawna Dolansky, *Now You See It, Now You Don't: Biblical Perspectives on the Relationship between Magic and Religion* (Winona Lake: Eisenbrauns, 2008), 14; Shaul Shaked, "Peace Be upon You, Exalted Angels: On Hekhalot, Liturgy, and Incantation Bowls, *JSQ* 2 (1995): 197-219 (197).
[75] See, for example, Woolley, "Development of Beliefs"; Karl S. Rosengren and Anne K. Hickling, "Seeing Is Believing: Children's Explanations of Commonplace, Magical, and Extraordinary Transformations," *Child Development* 65 (1994): 1605-26.
[76] Dolansky, *Now You See It*, 14.
[77] Ibid. Emphasis is in the original.
[78] Lloyd Bitzer, "The Rhetorical Situation," *Philosophy and Rhetoric* I (1968): 1-14 (4).

magic bolsters some of the analysis in this dissertation. Sørensen describes magic as representing culturally diverse behavior that is concerned with "changing the state or essence of persons, objects, acts and events through certain special and non-trivial kinds of actions with opaque causal mediation."[79] In other words, the efficacy attributed to magic relies on mystery. Believers in the efficacy of magic accept the existence of some kind of causality, one that originates in a connection to the sacred domain. Sørensen's theory here resonates with that of Robert McCauley and E. Thomas Lawson, who observe, "In religious ritual representations...causal chains terminate; reasons find a final ground. In short, the buck stops with the gods."[80] A key aspect of this divine causality is that it follows mysterious rules that differ from those of the ordinary world. Although Sørensen notes that, "in principle the sacred space can be unfolded, revealing its secrets,"[81] the mechanisms of action within this "divine physics" are not simply a matter of the ordinary intuitive science through which people manipulate the ordinary material and social world. Theologians or even children may learn rules or explanations prevalent in their cultures about supernatural agents or magical actions, but this kind of information is learned differently, at later ages, than the intuitive science grasped during infancy. It is the conflict with that foundational intuitive science that leads observers to call something "magic."

1.6.2. Jesper Sørensen's Cognitive Theory of Magic

Sørensen bases his discussion of magic in a number of cognitive scientific theories and models rather than arguing for a coherent and universal system. The reasons

[79] Sørensen, *Cognitive Theory*, 32. For his views on cultural diversity, see his p. 4.
[80] McCauley and Lawson, *Bringing Ritual to Mind*, 20.
[81] Sørensen, *Cognitive Theory*, 91.

magical rituals are understood to be efficacious, according to Sørensen, lie in mental connections participants make between two mental domains: the "sacred" and the "profane." The first contains concepts and culturally-transmitted knowledge that people view as set apart from ordinary reality and free of some of its constraints, while the second contains mental representations of everyday physical and social experiences, objects, and entities.[82] In the cultures whose texts I analyze, the sacred domain contains representations of one or more supernatural entities, including deities and semi-divine beings.

Sørensen argues that in magical rituals, participants (including ritual performers) view themselves as interacting with elements and rules originating in both the sacred and profane domains—a matter of conceptual blending.[83] The model Sørensen uses for this understanding is based in Mark Turner and Gilles Fauconnier's theory of conceptual blending[84] which in turn derives from Fauconnier's theory of mental spaces.[85] Conceptual blending refers to a cognitive process people use to combine elements from two or more "worlds" or domains. Sørensen explains ritual as occupying a *blended space* constructed of two input *mental spaces*: one comprising elements from the sacred domain and the other comprising elements from the ordinary or profane domain. Ritual participants bring concepts and image-schemata from each domain into the blended space of the ritual.[86] Because aspects of both input spaces are present in participants'

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[82] Ibid., 63-64; cf. 52.
[83] Ibid, 64.
[84] Gilles Fauconnier and Mark Turner, *The Way We Think* (2002); idem, "Conceptual Integration Networks," *Cognitive Science* 22 (1998): 133-87.
[85] Cf. Fauconnier, *Mental Spaces: Aspects of Meaning Construction in Natural Language* (Cambridge: Cambridge University Press, 1994). See Sørensen, *Cognitive Theory*, 54.
[86] Image-schemata are repeated patterns of "human bodily movement, manipulations of objects, and perceptual interactions" that can be "figuratively developed and extended as [structures] around which

conceptions in the ritual context, participants understand themselves, or the ritual itself, as having potential access to powers (which Sørensen terms "magical agency"[87]) beyond those operative in the ordinary world. Participants understand how the ordinary world operates, based on early experiences of physical forces, living beings, and communication among human beings: thus they have a solid sense of causality in the input space from the ordinary domain. What those using magic lack is a corresponding strong grasp of how causality works in the sacred domain. The precise mechanisms linking ritual actions to ritual effects remain mysterious.[88]

Sørensen further argues that magical power can be accessed during the ritual by means of *agents* (ritual practitioners), *objects*, or *actions* (including the act of speech).[89] These categories are selected based on the universal image-schema of an "action representation system" comprising the elements *agent-action-object* which, according to cognitive scientists Lawson and McCauley, underlies understandings of all kinds of actions, ritual acts included.[90] This universal image-schema is central to human understanding of how many things transpire in the world, that is, through agents acting upon entities or objects.

As Sørensen uses it, the term *agent* "refers to the actual agent performing a magical ritual action."[91] *Action* refers to "a pre-specified sequence of motor behavior

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meaning is organized at more abstract levels of cognition." Mark Johnson, *The Body in the Mind: The Bodily Basis of Meaning, Imagination, and Reason* (Chicago: University of Chicago Press, 1987), 2-3.

[87] Sørensen writes that "The actual agent must be distinguished from *magical agency* that refers to the active source of efficacy present in the ritual" (*Cognitive Theory*, 65).

[88] According to Sørensen, given the absence of strong causal explanations, participants seek other, weaker, connections, based on the principles of metonymy (akin to Frazer's principle of contagion) and metaphor (akin to Frazer's principle of similarity). Jesper Sørensen, "Acts That Work: A Cognitive Approach to Ritual Agency," *MTSR* 19 (2007): 281-300.

[89] Sørensen, *Cognitive Theory*, 65-67.

[90] Lawson and McCauley, *Rethinking Religion*, 87-95.

[91] Sørensen, *Cognitive Theory*, 65.

believed to create a specific result by virtue of being a reproduction of a similar sequence of action ascribed to the sacred space."[92] *Objects* are material items that are used during the course of a ritual. Each of these can act as a link connecting the sacred domain to the blended space of the magical ritual.[93] The result, in Sørensen's terminology, is *agent-based*, *action-based*, or *object-based magical agency*, respectively**.** Different cultures tend to attribute primary magical agency to one or more of these bases. In other words, cultures that accept the idea of magical agency see one or more of these bases as "the important element responsible for the transfer of power from the sacred to the blended space."[94] Such a transfer is needed "in order to attain the change of state implied in the magical action."[95] Frequently, however, different types of magical agency combine within a single ritual.

To grasp how these three bases of magical agency differ, consider three examples from folklore. A magic spell (*action*) has primary magical agency if any speaker (*agent*) can utter it with the desired results. Magical mirrors or other *objects* have supernatural agency if they work for anyone. *Agents* have primary magical agency if they create the effects they want mysteriously. Combinations are common in folklore and fiction: for example, certain spells or objects are said to work (or work properly) only for specified magical agents (as in the *Sorcerer's Apprentice*). Rituals likewise commonly involve a combination of bases for magical agency, particularly since anyone leading a supernatural ritual (*action*) will have some degree of supernatural agency attributed to

[92] Ibid., 67.
[93] Ibid.
[94] Ibid., 65.
[95] Ibid.

him or her.[96] Use of special language, or words which must be repeated precisely, suggests that a degree of agency is attributed to the *action* (in this case, the speech) as well; use of specific materials that are central to the ritual suggests that some supernatural agency also resides in the *objects*.

A further distinction Sørensen makes is between essential magical agency, and magical agency that is transmitted through ritual. Agents, objects, and actions may be seen as vehicles for magical power because of a prior ritual (including mythic representations of past events when, say, a god passed this "magical agency" on to them). Or they may have access to magical power as part of their essence. All explanations for magical agency involve connections between the realm of the sacred and the realm of the profane, in Sørensen's terminology. These connections are rooted in the two principles of contagion or similarity, which may be linked to the linguistic notions of metonymy and metaphor, respectively. For example, a magician may be presumed to have power because he is directly descended from magicians of the past—a metonymic connection through his bloodline. As another example, an action may be considered to have magical agency because it mimics an act of the gods—a metaphoric or similarity-based connection with the sacred domain. The latter type of connection is evident in ritual re-enactments of divine speech and action called *historiolae*.[97]

When action-based agency is rooted in speech, words operate more or less as things rather than (or in addition to) being carriers of meaning—in other words, they are

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[96] As Sørensen explains it, this is because "persons are the prototypical wielders of agency in ordinary actions" (Ibid., 65-66).

[97] David Frankfurter defines a *historiola* as "an abbreviated narrative that is incorporated into a magical spell." ("Narrating Power: The Theory and Practice of the Magical *Historiola* in Ritual Spells," in *Ancient Magic and Ritual Power* [ed. M. W. Meyer and P. A. Mirecki; Religions in the Graeco-Roman World 129; Leiden: Brill, 1995], 457-76 [458]).

ascribed conventional effects in context which may be separate from their actual semantics. A classic example is the *vox magica*, a meaningless jumble of syllables. Similar connections between words and the sacred realm are manifested in foreign words, often incomprehensible to some or all ritual participants, or in the requirement to repeat a phrase a specific number of times. One general indicator that a link to the divine realm occurs in the speech is the requirement that the speech be rendered correctly and completely. Evidence that a failed ritual was attributed to an improperly-spoken oral rite is thus a clue that at least some of the ritual's magical agency was based in the speech (the action). Here again, the words' meaning is of secondary importance for the success of the rite; what matters is that the words are said correctly.[98]

The three categories of agent-based, action-based, and object-based magical agency have a great deal of explanatory power. I have altered Sørensen's terminology because I define agency as a property of agents, and find the phrases "agent-based agency," "action-based agency," and "object-based agency" unnecessarily confusing. Unless quoting Sørensen I will say instead that supernatural or magical power is accessed or transmitted primarily through the object, agent, or action (as understood within the culture).[99]

1.6.3. Prayer vs. Incantation

[98] Although Sørensen here specifically refers to magical rites, the use of archaic, nonsensical, or repetitive wording is evident in other sorts of rituals as well, whenever speech is used to produce a conventional effect without reliance on its semantics. These features signal ritualization. For example, the archaic expression "oyez, oyez, oyez" effectively opens a session of the Supreme Court. I discuss ritualized speech further in Section 1.7.

[99] This is an acceptable presentation of Sørensen's concepts, according to Sørensen (personal communication, September 30, 2011).

Broadly speaking, apotropaic intercession involves two types of speech: (1) speech following the rules of intuitive science and (2) speech believed to act directly on some aspect of reality, breaking those rules—for example, addressing inanimate objects with the apparent expectation that they will obey. As noted earlier, I term the first type of speech "ordinary" and the second type "causative." The first type commonly appears in persuasive discourse toward the gods while the second involves magic.[100] More common terms for these kinds of discourse are, respectively, "prayer" and "incantation, charm, or spell."[101] I use the terms "causative" vs. "ordinary" speech instead, for two reasons.[102] First, I wish to avoid the negative connotations and unwarranted assumptions that cling to terms such as "incantation," particularly the assumption that use of such language necessarily constitutes a loss of divine freedom (in other words, the assumption of automatic efficacy). Second, I use these terms in a technical sense, realizing that scholars have repeatedly noted that so-called incantations contain phraseology identical to elements in "prayers."[103] In my usage the terms refer to individual speech acts, whereas

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[100] For the view that prayer is essentially persuasion, see Miller, "Prayer as Persuasion." Along with petitions, prayer typically includes wording intended to motivate the god(s) to accede to the petitioner's desire—praise, lamentation, and so forth. Some distinguish "hymns" (constituting praise) from petitionary prayer, but even if the petition is implicit the praise is nonetheless a rhetorical act with a particular goal. Cf. Singer, *Hittite Prayers*, 2-3.

[101] Whether the users of the ritual texts consciously distinguished between the two types of speech is open to question. At least in Mesopotamia, no generic distinction was made between prayers and incantations: Mesopotamian ritual texts use the logogram ÉN (*šiptu* in Akkadian) to indicate any type of prescribed speech in ritual texts (cf. *CAD* Š3, 89, meaning (d) 1′: "preceding the text of an incantation or prayer"—even though *šiptu* A is defined as "incantation" elsewhere in *CAD* Š3. Caplice writes that utterances in the namburbis indicated by ÉN may appeal to a deity "in an authentically religious spirit" or have "a magical character, even sheer abracadabra" ("Participants," 346). Cf. idem, "The Akkadian Text Genre Namburbi," (PhD diss., University of Chicago, 1963), 159. Alan Lenzi suggests translating *šiptu* as "ritual wording" (in *Reading Akkadian Prayers and Hymns: An Introduction* [SBLANEM 3; Atlanta: Society of Biblical Literature 2011], 16).

[102] I do use the term "incantation" to refer to a text containing causative language when referring to others' work.

[103] Johnston, "Magic"; Graf, *Magic in the Ancient World*, especially Chapter 7 ("Words and Acts"); Nathan Wasserman, *Style and Form in Old-Babylonian Literary Texts* (Cuneiform Monographs 27; Leiden, Brill, 2003), 168-70.

the terms “incantation” or “spell” or “prayer” tend to refer to entire units of discourse or texts.

In the next section I detail my approach to direct discourse in apotropaic intercessory texts.

1.7. Approach to Speech

The dissertation examines the ways in which direct discourse is used in the texts to further the goal of averting divinely-foretold doom. Some of this speech is directed to the gods, while other language (in the ritual texts) is not—it is directed toward *Kultmittel* or semi-divine entities. The direct discourse is analyzed according to two methods: speech act theory and rhetorical analysis, with “rhetoric” understood as the means of gaining the adherence of an audience—in this case, the gods.[104]

I apply speech act theory primarily to distinguish ordinary from causative speech and secondarily to identify the function of each speech act in a systematic way that allows for comparisons. As Wheelock writes, “The theory that informs the analysis of ritual language...must be one that recognizes and is capable of dealing with more than sentence meaning, but with sentence use in an action context as well.”[105]

The purpose of the rhetorical analysis is to gain an understanding of the persuasive techniques believed to be effective in addressing the gods. Because, as Perelman and Olbrechts-Tyteca note, effective persuasion requires knowledge of one’s audience, study of the rhetoric offers a window into these cultures’ views of the gods.[106]

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[104] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 1-10; 26-31. Occasionally I analyze the rhetoric of speech acts addressed to *Kultmittel* in the ritual texts.
[105] Wheelock, “Problem of Ritual Language,” 51.
[106] Ibid., 19-23.

Rhetorical analysis is not as appropriate for purely causative speech because the latter is understood to work through means other than persuasion. I do examine the rhetoric of "hybrid" speech acts, those with both causative and ordinary illocutionary force, as I explain in Section 1.8.

Together, speech act and rhetorical analyses of these texts shed light on cultural understandings of human agency and human-divine relations. Although significantly different, these two methods rely on certain shared perspectives: (1) both treat speech as goal-oriented; (2) both consider the context, including aspects of the environment, the speaker and the listener; and (3) both treat speech as only one aspect of communication.[107] The last is important because the ritual texts include manual rites as well as speech. Direct discourse in apotropaic intercession is the common element in texts that otherwise differ significantly in the degree to which they incorporate action. A chief distinction between the two methods is the unit of analysis. Speech act theory has historically concentrated on single sentences.[108] Rhetorical analysis considers larger units of discourse.

None of the direct discourse I study constitutes actual human speech. Direct discourse in both narrative and ritual texts is adapted to the needs of its respective genre and reflects the genre's stylistic conventions. While direct discourse in narrative may be

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[107] Others who have combined speech act theory and rhetorical criticism are Dale Patrick and Allen M. Scult. See Dale Patrick, *The Rhetoric of Revelation in the Hebrew Bible* (OBT; Minneapolis: Fortress, 1999); Dale Patrick and Allen M. Scult, *Rhetoric and Biblical Interpretation* (JSOTSup 82; Sheffield: Almond, 1990); and Dale Patrick, *The Rendering of God in the Old Testament* (OBT 10; Philadelphia: Fortress, 1981. These works nonetheless concentrate on different aspects of both speech act analysis and rhetorical criticism from this dissertation. They apply speech act analysis to divine speech whereas I apply it to human speech. In addition, they infer the rhetorical effects of the passage on human readers of Scripture, whereas in general I infer the intended rhetorical effects of the direct discourse on the deities.

[108] Cf. John R. Searle, *Speech Acts: An Essay in the Philosophy of Language* (Cambridge: Cambridge University Press, 1969, 17-19. Searle allows for the possibility that a single speech act can be performed by a set of sentences, but addresses this idea only in passing.

more or less naturalistic—one of narrative's functions being mimesis[109]—ritual speech is often intentionally altered (ritualized) specifically in order to set it apart from ordinary speech so as to indicate its special function. In addition to repetition and stereotypy—two of the most common means of ritualization[110]—ritual utterances often exhibit special prosodic features such as rhythm, rhyme, and parallelism. These features are particularly common in causative speech, a subset of ritual speech.[111] Such special marking sets off the distinctive way that causative speech operates. Not all causative speech has these special prosodic features, however.

Below I discuss my approach to speech act theory and rhetorical criticism.

1.7.1. Speech Act Theory

Growing out of studies in the philosophy of language, speech act theory falls within the domain of linguistic pragmatics, "the study of linguistic acts and the context in

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[109] Aristotle, *Poetics*. But specific generic conventions also come into play. One example Alter describes in biblical narrative is the repetition of entire speeches by different characters, with small but significant deviations (*Art of Biblical Narrative,* 97-100).

[110] Rappaport writes, "It is virtually definitive of ritual speech that it is stereotyped and stylized, composed of specified sequences of words that are often archaic, is repeated under particular, usually well-established circumstances, and great stress is often laid upon its precise enunciation" (*Ritual and Religion in the Making of Humanity* [Cambridge Studies in Social and Cultural Anthropology 110; Cambridge: Cambridge University Press, 1999], 151).

[111] For discussions of these features in ANE magical texts as well as others, see for example Henk Versnel, "The Poetics of the Magical Charm: An Essay in the Power of Words," in *Magic and Ritual in the Ancient World* (ed. P. A. Mirecki and M. W. Meyer; Religions in the Graeco-Roman World 141; Leiden: Brill, 2002), 106-158; Niek Veldhuis, "The Poetry of Magic," in *Mesopotamian Magic: Textual, Historical, and Interpretative Perspectives* (ed. I. T. Abusch and K. van der Toorn; AMD 1; Gronigen: Styx, 1999), 35-48; Nathan Wasserman, *Style and Form in Old-Babylonian Literary Texts* (Cuneiform Monographs 27; Leiden: Brill, 2003); Christopher A. Faraone, "The Agonistic Context of Early Greek Binding Spells," in *Magika Hiera: Ancient Greek Magic and Religion* (ed. C. A. Faraone and D. D. Obbink; New York: Oxford University Press, 1991), 3-32; and Fritz Graf, "Prayer in Magical and Religious Ritual," in *Magika Hiera*, 188-213. Literary conventions specific to the period and culture certainly affect these strategies. Nonetheless, causative language shows many cross-cultural commonalties, which appear to depend in part on human cognitive patterns as well as on shared traditions. Cf. Sørensen, *Cognitive Theory*, 89-90.

which they are performed."[112] Its most well-known theorists remain John L. Austin, whose 1955 Harvard lectures "How to Do Things with Words" introduced the terms "performative utterance" and "illocutionary force,"[113] and his student John R. Searle.[114] In the past speech act theory was sometimes credited with enormous methodological potential. For example, Wheelock writes that "within the fields of linguistics and the philosophy of language, there is a growing consensus that the most basic way to talk about linguistic communication is in terms of the theory of speech acts."[115] Today, illocutionary force is more often considered to be one component of meaning, and speech act analysis is seen as one tool within the range of approaches used to characterize written and spoken language.[116] Speech act theory continues to generate new research within the fields of philosophy, linguistics, discourse analysis, and, it might be added, biblical studies.[117]

Austin's key contribution is in developing the notion that utterances *do* things, and do not simply *mean* or *say* things. This concept is best illustrated in sentences such as

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[112] Robert C. Stalnaker, *Context and Content: Essays on Intentionality in Speech and Thought* (Oxford Cognitive Science Series; Oxford: Oxford University Press, 1999), 34.
[113] John L. Austin, *How to Do Things with Words*, (2d ed.; Cambridge: Harvard University Press, 1975).
[114] Searle, *Speech Acts*; idem, *Expression and Meaning: Studies in the Theory of Speech Acts*, (Cambridge.: Cambridge University Press, 1979); John R. Searle and Daniel Vanderveken, *Foundations of Illocutionary Logic* (Cambridge: Cambridge University Press, 1981); John R. Searle, "How Performatives Work," *Linguistics and Philosophy* 12 (1989): 535-58.
[115] Wheelock, "Problem of Ritual Language," 52.
[116] See, for example, Jean-Marc Heimerdinger's summary of the role of speech acts within discourse analysis as applied to biblical studies (*Topic, Focus and Foreground in Ancient Hebrew Narratives* [JSOTSup 295; Sheffield: Sheffield Academic, 1999]), 37-38.
[117] For work on speech act theory within the philosophy of language, see for example Stalnaker (*Context and Content*) and Marina Sbisà ("Speech Act Theory," in *Key Notions for Pragmatics* [ed. J. Verschueren and J.-O. Östman; Handbook of Pragmatics Highlights 1; Amsterdam: John Benjamins, 2009], 229-44. For discourse analysis and biblical studies, see Jean-Mark Heimerdinger (*Topic, Focus and Foreground*). See as well Jim W. Adams, *The Performative Nature and Function of Isaiah 40-55* (LHB/OTS 448; New York: T & T Clark, 2006), especially for applications of speech act theory to biblical studies. Substantial work has been done analyzing speech acts in Semitic languages, with particular attention to performative utterances. F. W. Dobbs-Allsopp reviews this research in "(More) on Performatives in Semitic," *ZAH* 17-20 (2004-2007): 36-81.

"I hereby declare you husband and wife."[118] According to Austin, such "performative utterances" require more than specific words; they also require certain conditions in order to be "felicitous" or successful. For example, they must be uttered by an authorized individual in an appropriate setting.[119] Given appropriate felicity conditions, "the performative actually brings about the relationship between the first-person referent and the second-person referent denoted by the performative verb in the utterance. It does this by virtue of securing 'uptake'—the participants knowing its meaning and accepting it as legitimate, whereupon it becomes true."[120] Austin later labeled a variety of speech acts as "explicit" or "implicit" performatives of various types, ultimately obscuring the distinction between those speech acts whose effects rely primarily on convention, such as the pronouncement of marriage, and others.[121] I will use the clearer taxonomy developed by Searle and refined by Searle and Daniel Vanderveken, in which all such convention-based speech acts share a single classification.[122]

Searle identifies two chief elements in the performance of a speech act: "illocution" and "perlocution."[123] **"**Illocution" describes the act performed by speaking: making a commitment or issuing an order, for example.[124] "Perlocution" is the effect of

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[118] Prior to Austin, E. Koschmider coined the term *Koinzidenzfall* in 1945 for first-person present-tense statements that enact what they describe, according to Werner Mayer, *Untersuchungen zur Formensprache der Babylonischen "Gebetsbeschwörunge*n," (Studia Pohl 5; Rome: Pontifical Biblical Institute, 1976), 183.
[119] Austin, *How to Do Things with Words*, 13-17.
[120] Seth L. Sanders, "Performative Utterances and Divine Language in Ugaritic," *JNES* 63 (2004): 161-81 (169).
[121] Adams, *Performative Nature*, 33-34.
[122] Searle's categories are described in John R. Searle, *Speech Acts*; idem, *Expression and Meaning: Studies in the Theory of Speech Acts*, (Cambridge.: Cambridge University Press, 1979); John R. Searle and Daniel Vanderveken, *Foundations of Illocutionary Logic* (Cambridge: Cambridge University Press, 1981); and John R. Searle, "How Performatives Work," *Linguistics and Philosophy* 12 (1989): 535-58. According to Adams, Searle's taxonomy is now considered standard (*Performative Nature*, 27).
[123] Austin has an additional category, "locution," the act of uttering meaningful words (*How to Do Things with Words*, 95-98). Searle folds "locution" into "illocution."
[124] Ibid., 98-101; cf. Searle and Vanderveken, *Foundations*, 13-14.

the speech act in context—what others do, think, or believe in response.[125] As Stephen C. Levinson writes, perlocution refers to "the bringing about of effects on the audience by means of uttering the sentence." [126] In the case of a marriage ceremony, one perlocutionary effect is a kiss. Most scholarly attention has gone toward illocution, even though as Jacob L. Mey puts it, perlocution is the aspect "that contains the key to the understanding of what people use their illocutionary acts for."[127] In other words, perlocution is the point where rhetoric and speech act theory meet.

Searle distinguishes five kinds of illocutionary acts: the *assertives*, *directives*, *commissives*, *expressives*, and *declaratives* (or *declarations*).[128]

Assertives "commit the speaker (in varying degrees) to something's being the case, to the truth of the expressed proposition."[129] Examples of English verbs typically indicating assertives include *assert*, *claim*, *argue*, *predict*, *confess*, *accuse*, and more.[130]

Directives are "attempts... by the speaker to get the hearer to do something."[131] These range from hints to pleas to commands. Questions are directives whenever they ask for a response from the listener.[132] Directives, like other speech acts, can be indirect. For example, the statement "No one's taken out the garbage," can be both an assertive—making a claim—as well as an indirect directive, if addressed to one's child. Semantics,

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[125] Searle, *Speech Acts*, 25.
[126] Stephen C. Levinson, *Pragmatics* (Cambridge: Cambridge University Press, 1983), 236.
[127] Mey, *Pragmatics*, 113.
[128] Searle, *Expression*, 12-20. *Assertives* are called *representatives* in Searle's earlier work.
[129] Ibid., 12.
[130] Searle and Vanderveken, *Foundations*, 182-83. Assertive speech acts need not include these verbs: that is, an assertive can accuse without containing the word "accuse." Note that the very possibility of identifying "speech act verbs" is a point of contention among speech act theorists. Cf. Mey, *Pragmatics*.
[131] Searle, *Expression*, 13.
[132] "Questions are always directives, for they are attempts to get the hearer to perform a speech act." Searle and Vanderveken, *Foundations*, 199. The authors are referring to those speech acts meant by the English phrase "ask a question." Rhetorical questions may have different kinds of illocutionary force.

context, and syntactic clues—including intonation—determine illocutionary force. One important felicity condition for a directive is the addressee's ability to fulfill it.[133]

Commissives, such as vows and promises, commit the speaker to a future course of action.

Expressives indicate "the speaker's attitude about the state of affairs."[134] A complaint is both assertive and expressive. To Searle and Vanderveken, wishes constitute expressives.[135]

Declaratives share qualities with some of Austin's "explicit performative utterances" which change the world by declaring it changed, like "I declare you husband and wife." As Searle writes, declaratives "make their propositional content true."[136] A chief difference between a declarative and an explicit performative utterance is that the latter requires a first-person statement, according to Searle's more recent work.[137] To Searle, the statement "you're fired" is not a performative utterance, because it is not in first person singular format; but it *is* a declarative. [138]

Searle clarifies his categories by analyzing what he calls the "direction of fit" between word and world. He gives four possibilities:

(1) Word-to-world, which applies to assertives: "In achieving success of fit the propositional content of the illocution fits an independently existing state of affairs."[139]

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[133] Searle, *Expression*, 44.
[134] Searle and Vanderveken, *Foundations*, 58.
[135] Ibid., 59.
[136] Searle, "How Performatives Work," 553.
[137] Searle, "How Performatives Work."
[138] Ibid. Searle explained the variation as an issue of "deep structure," but recent linguists emphasize instead the importance of context in determining the speaker's intention. See Sbisà, "Speech Act Theory." Austin, by the way, does class statements such as "you're fired" as performative utterances, but not explicit ones (*How to Do Things with Words*, 32).
[139] Searle and Vanderveken, *Foundations*, 53.

(2) World-to-word, which applies to directives (e.g., requests and commands) and commissives (promises): "In achieving success of fit the world is altered to fit the propositional content of the illocution."[140] Both directives and commissives aim to change the world to match the word, the directive by affecting another's behavior, the commissive by committing the speaker to make the world conform to the word.

(3) Double direction of fit: "In achieving success of fit the world is altered to fit the propositional content by representing the world as being so altered."[141] Double direction of fit applies to declaratives, which enact what they describe.

(4) Null or empty direction of fit, which applies to expressives. Searle and Vanderveken write, "The point [of expressives] is to express the speaker's attitude about state of affairs represented by the propositional content."[142] Examples include apologies and congratulations.

Searle intentionally oversimplifies in order to make his examples clear.[143] In Searle's simplified schematic, the category of "directive" specifically stipulates that "the hearer is responsible for bringing about the success of fit."[144] Although Searle does not address third-person directives, such as "Have the soldiers bring in the prisoner," presumably the addressee is still responsible for ensuring that the directive is carried out.[145]

Searle allows that the same utterance can have more than one illocutionary point: "It is cold in here" could be a simple assertive or have a second illocutionary point as an

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[140] Ibid., 53.
[141] Ibid., 53-4.
[142] Ibid., 54. Searle and Vanderveken appear to include wishes in this group, calling "if only it would rain" and 'I wish to God it would rain" examples of expressive illocutionary forces (59).
[143] Searle, *Speech Acts*, 33. Cf. Vern S. Poythress, "Canon and Speech Act: Limitations in Speech-Act Theory, with Implications for a Putative Theory of Canonical Speech Acts," *WTJ* 70 (2008): 337–54.
[144] Searle and Vanderveken, *Foundations*, 53.
[145] Cf. Eran Cohen, *The Modal System of Old Babylonian* (HSS; Winona Lake: Eisenbrauns, 2005), 97.

expressive, if it is a complaint.[146] He also indicates that speech acts, including declaratives, can be explicit or indirect: "It is cold in here" could function as a directive, indicating the speaker's desire that the listener shut the window. What determines the nature of the speech act, again, is not only its meaning (semantics) but its context.[147]

The most complex of Searle's categories is the declarative, which involves the "double direction of fit," changing the world even as it declares it changed. Ordinarily, such changes affect only the social world—altering what Searle calls "institutional facts" as opposed to the "brute facts."[148] The successful performance of a declarative, writes Searle, requires "an extra-linguistic institution" giving authorization for the utterance.[149] For example, only authorized individuals in appropriate situations can actually marry people with the words "I now declare you husband and wife." Importantly, Searle argues for an exception to this need for extra-linguistic institutional authorization: the "supernatural declaration." He writes that "when, e.g., God says 'Let there be light' that is a declaration." [150] As I will argue below, when human beings use such causative language, they do in fact require extra-linguistic authorization—or better, empowerment—through a connection to the divine world.

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[146] Searle, *Expression*, 29.
[147] Increasingly students of speech act theory have emphasized the importance of context, as does Dobbs-Allsopp in his review of scholarship on performative utterances in Semitic languages. Dobbs-Allsopp, "(More) on Performatives in Semitic." One aspect of context is the discourse in which the speech act occurs.
[148] Searle, *Speech Acts*, 50-53. Cf. Wheelock's discussion in "Problem of Ritual Language."
[149] Searle, *Expression,* 18. Cf. Searle and Vanderveken, *Foundations*, 56. Austin would consider any such extra-linguistic authorization as one of the conditions making the speech act "felicitous."

[150] Searle, *Expression,* 18. He also argues for a second exception to the need for extra-intuitional authorization: "declarations that concern language itself, as for example, when one says, 'I define, abbreviate, name, call or dub.'"

Searle's theory is not free of problems. Many have disputed his categories and in particular his claim that they are universal to all languages.[151] In addition, the possibility of combined illocutionary forces means that speech acts cannot be categorized with mathematical precision.[152] Ultimately, Searle's taxonomy is best understood as a useful and widely-used method for categorizing the overriding illocutionary force(s) in a given speech act, but not the only possible way to do so.

1.7.1.1. Application of Speech Act Theory to Ritual and Magical Speech

Speech act theory has an uneasy relationship with both ritual and magical speech. Speech act theory has long been applied to ritual discourse: in fact, Austin's first examples of speech acts come from baptisms, marriages, and the like.[153] As I describe later in this section, Stanley J. Tambiah developed the notion of the persuasive analogy as a paradigmatic ritual speech act and described its use in rituals with magical purposes.[154] Tambiah claims that in general, "ritual acts and magical rites are of the 'illocutionary' or 'performative' sort, which simply by virtue of being enacted (under the appropriate conditions) achieve a change of state, or do something effective."[155] Nonetheless,

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[151] See, e.g., Jacob Mey, *Pragmatics: An Introduction* (Oxford: Blackwell, 1993), 109-78. Jim W. Adams advocates keeping both Austin's and Searle's categories in play in order to retain the theoretical possibility of other speech act categories (*Performative Nature*, 29).
[152] Some modern speech act theorists now consider it common for speech acts to have more than one illocutionary point. Ibid., 29-30.
[153] See the discussion in Lawson and McCauley, *Rethinking Religion*, 51-54.
[154] S. J. Tambiah, "Form and Meaning of Magical Acts: A Point of View," in *Modes of Thought: Essays on Thinking in Western and Non-Western Societies*, (ed. R. Horton and R. Finnegan; London: Faber & Faber, 1973), 64-77. For another example of the application of speech act theory to magical speech, see Rebecca Lesses, *Ritual Practices to Gain Power: Angels, Incantations, and Revelation in Early Jewish Mysticism* (Harrisburg, Pa.: Trinity Press International, 1998).
[155] Tambiah, "Form and Meaning," 79. In an earlier essay, "The Magical Power of Words" (*Man* 2/3 [1968]: 175–208), Tambiah appears to consider only rituals' effects on human participants, but in "Form and Meaning" he also describes instrumental ritual goals, such as growing a good crop.

Wheelock argues that a new set of speech acts is required in order to accurately depict ritual speech.[156]

Scholars have used speech act theory in different ways to distinguish magical speech from speech that behaves in ordinary ways (including ordinary declaratives). Searle distinguishes speech that affects "institutional facts" from speech intended to operate on "brute facts." Searle and Vanderveken observe, "There is a rather limited number of things one can do with language. One can, for example, declare war, apologize for one's bad behavior, or assert that the roof is leaking; but one cannot fry an egg, patch a roof leak, or split an atom with words alone"[157]—a distinction of relevance to "nonsupernaturally endowed human beings."[158] As noted above, Searle allows for causative illocutionary force under the rubric of *supernatural declaratives*, into which category he incorporates not only divine speech ("Let there be light!") but blessings and curses.[159] Podemann Sørensen asks whether supernatural speech acts have real illocutionary force. Describing a farmyard spell against mice which begins "I coerce all mice on this farm," he asks, "Does it make any sense to speak of an illocutionary act if

[156] Wheelock, "Problem of Ritual Language." See also the critique by Daniel Patte ("Speech Act Theory and Biblical Exegesis," *Semeia* 41 [1988]: 85-102). Wheelock argues that ritual speech typically lacks the communicative function of ordinary conversation and serves rather to set the ritual stage, presenting participants in predesignated roles. The four ritual speech act types he develops all carry a tinge of the declarative in that they create the ritual context in which they appear, presenting the participants in specific ritual roles. Wheelock makes a good point that ritual use of language differs from ordinary discourse; however, in my view he underestimates the communicative function of much ritual speech which—even though stereotyped—is still designed to persuade the gods. (See Section 1.7.2.3).
[157] Searle and Vanderveken, *Foundations*, 51-52.
[158] Searle, "How Performatives Work," 554.
[159] Searle, *Speech Acts*, 50-53; Searle and Vanderveken, *Foundations*, 209; cf. Searle, "How Performatives Work," 549, 554. Emily M. Ahern offers a related distinction in blessings given by Chinese peasants, which she labels as having "strong illocutionary force" when they are meant to influence the gods and "weak illocutionary force" when they are meant only to express wishes ("The Problem of Efficacy: Strong and Weak Illocutionary Acts" *Man* 2/14 [1979]: 1-17).

the act spoken about is not one that could be accomplished in mere speech?" [160] I take the position that causative speech acts were understood by the cultures using them to have real transformative power, and thus can justifiably be said to have illocutionary force—but that their illocutionary force depends on a felicity condition that most modern readers would contest, that is, supernatural empowerment, requiring a genuine link to the supernatural domain.

The scholar whose approach is closest to mine is Amina Kropp. She has developed a set of magical speech act categories explicitly oriented toward the kinds of speech found in the Latin curse tablets known as *defixiones*.[161] She uses the term "transformative" for such performative utterances to underscore "the speaker's intention, which is to produce directly (or automatically, or without any intermediary) the transformation of the concrete extra-linguistic phenomena specified by the performative verb" even though deities are frequently named.[162]

Like Kropp, I have developed a set of speech acts to categorize speech intended to alter reality (what Searle calls "brute facts") in ways not possible through ordinary language.[163] My definition of causative speech acts, however, does not depend on the notion of automatic efficacy but on the understanding that the speech operates in ways contrary to intuitive science—a subtle but important distinction. My categories are also

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[160] Jørgen Podemann Sørensen, "Efficacy," in *Theorizing Rituals: Issues, Topics, Approaches, Concepts* (ed. J. Kreinath, J. Snoek, and M. Stausberg; SHR 114.1; Leiden: Brill, 2006), 523-31 (526). He writes, "The best answer is probably that this rite is not an illocutionary act, but pretends to be one" (ibid., 527). Podemann Sørensen argues that such utterances operate on the human auditors and users, persuading them of the speech's efficacy because of their resemblance to genuine declaratives.
[161] Amina Kropp, "How Does Magical Language Work? The Spells and *Formulae* of the Latin *defixionum tabellae*" in Magical practice in the Latin West: papers from the international conference held at the University of Zaragoza, 30 Sept.-1 Oct. 2005 (ed. R. L. Gordon and F. Marco Simó; Religions in the Graeco-Roman World 168; Leiden: Brill, 2010), 357-80. She labels her categories the manipulation, committal, request, and curse formulae.
[162] Ibid., 378.
[163] Searle, *Speech Acts*, 50-53; cf. Searle, "How Performatives Work," 549, 554.

designed to correspond more closely to Searle's taxonomy for ordinary speech acts. These categories are intended to be heuristic—not necessarily applicable to all causative language, even from the cultures whose texts are studied here. Table 1 shows how the three types of causative speech acts I have identified compare to Searle's ordinary speech acts.

Table 1. Ordinary and causative illocutionary acts

Speech act categories	Ordinary illocutionary act	Causative illocutionary act
Assertive	Makes a claim or statement, e.g. saying to YHWH, "Alas, this people is guilty of a great sin in making for themselves a god of gold" (Exod 32:31b).	Makes a statement which comes true in ways normally impossible by speech alone, e.g., telling a figurine "You (are) the puppy of the table of the king (and) queen" (CTH 398 i 23b-24). Includes assertives formulated as performative utterances, e.g., "I have assigned you as my substitute" (KAR 64 36a).
Directive	Commands, requests, asks something of someone e.g., saying to YHWH, "Remember your servants, Abraham, Isaac, and Jacob" (Exod 13:13a).	Makes what is commanded/ requested happen via supernatural compulsion, e.g., telling the transformed figurine, "Just as by day you do not allow another person into the house, you are not to allow the sinister sign in on this night (CTH 398 i 24b-26).
Commissive	Promises, e.g., telling the River, "Let me call blessings on you every day!" (KAR 64 line 50) in a context indicating the speaker is making a commitment.	N/A. Theoretically, provides a kind of self-compulsion for promises—but no examples exist in my corpus.
Expressives	Expresses a wish, desire, or attitude, e.g. "May those who witness me proclaim your glory for eternity!" (KAR 64 line 51).	Expresses a wish or desire that comes true, e.g., "Just as these seeds are eradicated, so let the sinister signs and the terrifying birds also be eradicated (CTH 398 i 18-19).*
Declaratives	Causes what is described to take place (only applicable to social world). No examples in this corpus.	N/A

*This speech act is actually hybrid, doubling as an ordinary directive since it is uttered in the presence of a deity (see Sections 1.8 and 3.2.2.1).

All of the causative speech acts have a declarative element: all cause something to happen through the act of speaking.[164] In addition (and by definition), the transformations created by the causative speech acts are not merely social, but involve "brute facts," at least from the cultural standpoint of the users. Because causative speech operates in ways beyond the power of ordinary speech, all causative speech acts require a particular felicity condition: supernatural empowerment or what Jesper Sørensen would call "magical agency."[165] To apply Jesper Sørensen's theory, this empowerment comes from links between the speech (or the speaker) and the powers available in the sacred domain (see Section 1.6.2 above).[166] Other felicity conditions obtain, in general consistent with those Searle or Vanderveken have outlined for the analogous ordinary speech acts. For example, causative directives—like ordinary directives—require a listener who is competent to ensure that the request or command is carried out. This listener, however, is to be understood to be constrained by the speech act in ways beyond mere persuasion. The listener may be a supernatural entity with lesser agency than the speaker, or an inanimate object rendered capable of hearing and obeying through an embedded ritual or through the causative directive itself.

[164] The notion that all ritual speech acts has a declarative element is addressed by Wheelock, "Problem of Ritual Language," although his rationale differs.
[165] Sørensen writes that "In magical rituals, at least one element will be invested with the *magical agency* necessary for the ritual to have any effect, and this agency is constructed by a mapping between the sacred and the profane domain" (*Cognitive Theory*, 65). In the case of magically-effective language, the element is either the speaker or the speech.
[166] Such supernatural empowerment is analogous to the need for institutional authorization which Searle and Vanderveken consider a felicity condition for declaratives—for example, a governmental or ecclesiastical authorization to conduct marriages. To obtain this the speaker must "invok[e] some extralinguistic institution." (*Foundations*, 56).

In addition to my taxonomy for causative speech, I rely on anthropologist Stanley J. Tambiah's notion of the "persuasive analogy," a type of "performative utterance"[167] common to rituals in many cultures.[168] Persuasive analogies have a common formula: (1) a verbal comparison between two elements, focusing on an attribute or capacity present in one of them (the domain) which the speaker wishes to be present in the other (the target); (2) a corresponding manual rite using one or more of the elements and/or demonstrating the action; (3) a final line (expressed in the first, second, or more commonly the third person) expressing the wish or directive that the target element gain this attribute. The verb in the final line typically appears in the jussive, precative or vetitive, or third-person imperative in Hebrew, Akkadian, and Hittite, respectively.[169]

As Tambiah explains it, the analogy involves two sets of elements, here labeled A: B and a: b. While A and a need not be similar, the "vertical relationship" between a and b has something positive in common with the vertical relationship between A and B, as well as something negative and different. The goal is to transfer "the properties of the desired and desirable vertical relation to the other which is in an undesirable condition" or to "convert a potential, not-yet-achieved state into an actualized one."[170] In the Anatolian Ritual of Ḫuwarlu, the following analogy is recited after roasting seeds: "Just as these seeds are eradicated, so let the sinister signs and the terrifying birds also be

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[167] Not all of these "performative utterances" contain first-person statements on the order of "I hereby X..." and thus are not "explicit" in Austin's terms.

[168] Tambiah, "Form and Meaning." Tambiah's term "persuasive analogy" has found broad use among scholars of religion. Another term used is the "effective simile," coined by Delbert R. Hillers in "The Effective Simile in Biblical Literature," in *Studies in Literature from the Ancient Near East* (ed. J. Sasson; New Haven: American Oriental Society, 1984), 181-185. In his study of Graeco-Roman curse tablets, Christopher A. Faraone describes the same entity as a *similia similibus* formula with an appended wish formula expressed in the third person optative ("The Agonistic Context of Early Greek Binding Spells," in *Magika Hiera: Ancient Greek Magic and Religion* [ed. M. W. Meyer and P. A. Mirecki; New York: Oxford University Press, 1991], 3-32).

[169] "Third-person imperative" is not an oxymoron but rather the term used by Hittitologists for indirect commands or wishes.

[170] Ibid., 72.

eradicated" (CTH 398 i 17-18). The relationship between "alive" and "eradicated" is transferred from the seeds to the "terrifying birds." As is common with analogies in general, in these examples fewer than four of the elements (A, B, a, b) are explicitly named.[171]

The persuasive analogy is a mainstay of Anatolian and Mesopotamian supernatural rituals, in which its use is called "analogic magic." Yet the persuasive analogy is particularly interesting because all three of its components—the analogy, the accompanying action, and the final line "transferring" an attribute—can also appear in texts made up of solely ordinary speech acts (see Section 1.7.2.1 below for the ways in which analogies present "arguments"). Because these constructions appear in both ordinary and "magical" discourse they have provoked debates about their "literary" or "magical" function in some biblical texts. I will argue in Section 1.8 that many of the persuasive analogies in my texts are hybrid speech acts, manifesting *both* ordinary and causative illocutionary force. In my view it is the hybrid nature of this particular construction which makes it so popular in ancient Near Eastern ritual. Its ambiguity has a purpose: to mask human use of causative speech under the guise of persuasive discourse. As such the form is particularly appropriate for apotropaic intercessory rituals, in which humans challenge divine will while asserting their subordination to the same. I use the term "mystification of agency" to describe the selective use of hybrid speech acts as well

[171] See the structural taxonomies in Giulia Torri, *La similitudine nella magia analogica ittita* (Studia Asiana 2; Rome: Herder 2003) and in David P. Wright, "Analogy in Biblical and Hittite Ritual," in *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testament* (ed. B. Janowski, K. Klaus and G. Wilhelm; OBO 129; Freiburg: Universitätsverlag, 1993), 473-506 and idem, "Ritual Analogy in Psalm 109," *JBL* 113 (1994): 385-404.

as other techniques used in apotropaic intercessory speech that similarly obscure human agency.[172]

1.7.2. Rhetorical Analysis

Lloyd Bitzer writes that "rhetoric is a mode of altering reality, not by the direct application of energy to objects, but by the creation of discourse which changes reality through the mediation of thought and action."[173] The sense of rhetoric as persuasion dates back to Plato and Aristotle.[174] In the context of apotropaic intercession the intercessor's goal is not just to persuade the deities that averting the planned punishment is the right thing to do, but to persuade them to actually avert the punishment.

Because I want to know how direct discourse is used to "alter reality," in Bitzer's words, my use of "rhetorical criticism" or "rhetorical analysis" is closer to that of scholars like Yehoshua Gitay[175] than to that of James Muilenberg and others who use these same terms for what are largely literary and structural studies.[176] My ultimate goal

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[172] The phrase "mystification of agency" is used in discourse analysis to indicate attempts to obscure the identity of the author or other agent. Techniques used in modern journalism and academic writing include passive constructions ("It is believed that"; "the city was bombed") and metonymy ("the view taken in this paper is...") See, for example, Gabriella Rundblad, "Impersonal, General, and Social," *Written Communication* 24 (2007): 250-77; and Kieran A. O'Halloran, "Mystification and Social Agent Absences: A Critical Discourse Analysis Using Evolutionary Psychology," *Journal of Pragmatics* 37 (2005): 1945-64. Sanders describes the use of techniques to deny or minimize the human role in ritual ("Performative Utterances").

[173] Bitzer, "Rhetorical Situation," 4.

[174] George Kennedy, "Introduction" in *Aristotle: On Rhetoric: A Theory of Civil Discourse* (2d ed; New York: Oxford University Press, 2007), 1-25 (8-9).

[175] Yehoshua Gitay, *Prophecy and Persuasion: A Study of Isaiah 40-48* (FTL 14; Bonn: Linguistica Biblica, 1981).

[176] Muilenberg was himself interested in persuasive rhetoric, as is evident in his inaugural address to the Society of Biblical Literature, but his focus was still more on texts' literary qualities than on their persuasive force ("Form Criticism and Beyond," *JBL* 88 [1969], 1-18).

is to infer cultural conceptions underlying the choice of rhetorical (or other verbal) approaches. As Perelman and Olbrechts-Tyteca write:[177]

> Every social circle...is distinguishable in terms of its dominant opinions and...beliefs, on the premises that it takes for granted without hesitation; these views form an integral part of its culture, and an orator wishing to persuade a particular audience must of necessity adapt himself to them. Thus the particular culture of a given audience shows so strongly through the speeches addressed to it that we feel we can rely on them to a considerable extent for our knowledge of the character of past civilizations.

My analysis initially focuses on the ways direct discourse is used to fend off threatened doom—that is, its presumed or intended rhetorical impact on the deities. [178] In the case of the ritual texts, this focus reflects the texts' stated instrumental purpose: averting the evil portended by disastrous omens.[179] The biblical narratives have a different primary aim, however: portraying a specific view of both the deity and humanity to a human audience. In keeping with my goal of discerning the texts' underlying theology, in Chapter 5 I broaden the discussion to consider ways in which all of the texts portray the deities and divine-human relations. This analysis shades into a discussion of the rhetorical impact of the texts on human audiences, particularly in the case of the biblical corpus.

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[177] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 20-21.

[178] In his analysis of persuasion in the lament psalms, David Howard contrasts their "internal rhetorical function" of persuading the deity with the "external rhetorical function" common to sacred texts in general—their function of "persuad[ing] people of certain perceived or revealed truths, to challenge them to act on these truths, that is, to transform lives" ("Psalm 88 and the Rhetoric of Lament," in *My Words are Lovely: Studies in the Rhetoric of the Psalms* [ed. D. M. Howard and R. L. Foster; New York: T & T Clark, 2008], 132-145). In the body of this dissertation I analyze what Howard calls the "internal rhetorical function" of the direct discourse.

[179] This is not to say, as Niek Veldhuis rightly argues, that different practitioners or beneficiaries might not have different understandings (or levels of understanding) about the purpose of a rite (*On Interpreting Mesopotamian Namburbi Rituals* (review of Stefan Maul, *Zukunftsbewältigung Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale*, AfO 42-3 [1995]: 145-54). Such divergent understandings are to be expected, although presumably less so in a more homogeneous society with widely-shared theological assumptions than in the modern world. Yet this presumed polyvalence does not, again, exclude the self-evident claim of the rituals' titles, as well as their depictions in scholarly correspondence, that their primary instrumental purpose is to avert the evil portended by omens.

The rhetorical categories and terms used here are taken from Aristotle and more recent rhetoricians, primarily Chaïm Perelman and L. Olbrechts-Tyteca (see below). In consciously using selected Aristotelian categories to analyze pre-Aristotelian texts, this study follows the lead of scholars like George Kennedy, Carol Lipson, and Roberta Binkley.[180] All these scholars value Aristotelian categories but not their uncritical use.[181]

From Aristotle's work come the *pisteis*, which can be translated as the "means of persuasion" or "modes of proof."[182] Kennedy describes two kinds of *pisteis*: "artistic" and "nonartistic" means of persuasion, the former created by the speaker and the latter citing pre-existing texts such as laws.[183] Strictly speaking, the direct discourse in the ritual texts makes use of nonartistic rather than artistic means of persuasion, since the language is prescribed rather than invented by the speaker and evidences the stereotypy common to ritual speech. Nevertheless, as re-usable and authoritative cultural products, the ritual texts illustrate particularly well the kinds of persuasion considered appropriate for influencing the gods within their respective cultures. Below I describe the ways in which I use Aristotle's terms for the three artistic means of persuasion: *pathos*, *ethos*, and

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[180] George Kennedy, *Comparative Rhetoric*: *An Historical and Cross-Cultural Introduction* (New York: Oxford University Press, 1998); Carol Lipson and Roberta Binkley, eds., *Rhetoric Before and Beyond the Greeks*, 2004.

[181] Recent rhetorical criticism of pre-Aristotelian texts have taken one of two routes: a) attempting to infer persuasive strategies from a culture's works, and to develop analyses around those categories (emic approach); and b) applying western, often Aristotelian, categories, with or without acknowledgment that these may not apply to the culture in question. William Hallo, "The Birth of Rhetoric," in *Rhetoric Before and Beyond the Greeks* (ed. C. Lipson and R.A. Binkley; Albany: State University of New York, 2004), 25-46.

[182] For the translation "means of persuasion," see Kennedy, "Introduction," *Aristotle: On Rhetoric*, 23; For the translation "modes of proof," cf. James Jasinski, *Sourcebook on Rhetoric: Key Concepts in Contemporary Rhetorical Studies* (Thousand Oaks, Ca.: Sage, 2001), 350.

[183] Kennedy points to the Aristotelian and neo-Aristotelian distinction between "artistic" means of persuasion—those strategies that the speaker invents—as opposed to "nonartistic" means "such as a citation of a law that a speaker 'uses'"(*Comparative Rhetoric*, 6; cf. 223, and further examples of nonartistic rhetoric on 121 and 124).

logos. I then describe three rhetorical strategies I apply drawn from the work of Perelman and Olbrechts-Tyteca.

1.7.2.1. *Ethos, Pathos,* and *Logos*

Ethos, according to Aristotle, consists of those aspects of a speaker's character that inspire confidence.[184] Unlike later rhetoricians, Aristotle limits the definition to those aspects of character that are made manifest in the speech—"not merely beliefs that an audience has about the speaker."[185] Kennedy notes that later rhetoricians include within the concept of *ethos* aspects of the speaker's authority that may be known to the audience from other sources than the speech itself.[186] I prefer Aristotle's definition since my analysis is limited to direct discourse. *Ethos* can be demonstrated in narrative or ritual direct discourse by behavior the speaker describes (such as references to making sacrifices) or manifests (such as praise of the god).

Kennedy describes the Aristotelian conception of *pathos* as "the emotion of the hearers aroused by a speech that moved them to accept what the speaker said."[187] Cross-cultural research indicates that people in different societies vary in their perception and expression of emotions, as well as in the situations that prompt them.[188] Yet emotions also draw on the universal architecture of the human brain and nervous system.[189] Human attributes include the desire to help others in need, for example, making descriptions of

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[184] Aristotle, *Rhet*., 1.4.
[185] Ibid. Cf. Jasinski, *Sourcebook*, 229.
[186] Kennedy, *Comparative Rhetoric*, 223.
[187] Ibid., 223.
[188] Batja Mesquita and Janxin Leu, "The Cultural Psychology of Emotion," in *Handbook of Cultural Psychology* (ed. S. Kitayama and D. Cohen; New York: Guilford, 2007), 734-59; Gary Anderson, *A Time to Mourn, a Time to Dance: The Expression of Grief and Joy in Israelite Religion* (University Park, Pa.: Pennsylvania State Press, 1991), 2.
[189] See, for example, Antonio Damasio, *Descartes' Error: Emotion, Reason, and the Human Brain* (New York: Quill, 1994).

distress and direct requests for help important (though culturally and individually conditioned) motivators of action. In analyzing *pathos*, I both look for emotions named in the text and attempt to infer the emotions that particular rhetorical strategies aim to soothe or arouse.

One mechanism for inducing emotion falls outside of most classical depictions of *pathos:* praise. Today praise is a commonly-used reward in behavior modification programs because it is believed to produce positive feelings in the recipient.[190] Numerous studies show that praise can be a highly effective motivator if not perceived as insincere or controlling.[191] In contrast, such manipulative techniques are disparaged as "flattery" (κολακείαν) in classical rhetoric.[192] Praise is presented positively in Aristotle's *On Rhetoric* only in the context of epideictic discourse—speeches, typically on ceremonial occasions, which praise not the listeners but some third party. Aristotle's description of *pathos* in general is limited by 5th century BCE understandings of psychology as well as by his judgment as to what constitutes proper (as opposed to effective) rhetoric. In my discussion of *pathos* I take into account modern psychological understandings of the ways in which appeals to emotion can be used to influence decisions or behavior.[193]

Classically, *logos* has been interpreted to consist of "rational argument or appeals based on reason." In this study, *logos* is considered to be equivalent to argumentation in a

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[190] Jennifer Henderlong and Mark L. Hepper, "The Effects of Praise on Children's Intrinsic Motivation: A Review and Synthesis," *Psychological Bulletin* 128 (2002), 774-95.
[191] Ibid. The authors note a variety of other possible mechanisms by which praise can affect motivation, many of which also involve emotions.
[192] In *Gorgias*, Socrates calls rhetoric "flattery" because of the tendency of its users to manipulate the audience by appeal to easy gratification rather than truth. Plato, *Gorgias* (462c, 464d-465a, 502e-503b).
[193] Fear is another emotion whose contribution to persuasion is treated very differently by Aristotle as compared to modern psychologists and advertising theorists. Aristotle (*Rhet*., 2.13) observes that it can be in a speaker's interest to arouse fear but does not explore the topic. Today, advertisers routinely seek to influence behavior by inducing anxiety or fear. See for example Bernardo J. Carducci, *The Psychology of Personality: Viewpoints, Research, and Applications* (2d ed; Malden, Mass.: John Wiley and Sons, 2009), 569.

broad sense.[194] Within *logos* falls any type of persuasive strategy that forms an "argument." These include traditional quasi-logical approaches as well as nonlogical strategies such as metaphor.[195] As Jost and Hyde note, "Tropes and other nonlogical strategies initially evoke or show forth the world in ways inseparable from, but not reducible to, logical arguments and proofs."[196]

Analogies (a category into which I collapse simile and metaphor) present evocative rather than logical arguments. Analogies are understood to work cognitively by inviting the listener to apply the system of correspondences (or system of "associated commonplaces") taken from the source domain onto an element in the target domain.[197] The listener then reconceptualizes the relationships between elements in the target domain. The need to use his or her imagination draws the listener into the process. This attribute of analogy, as well as the use of concrete, vivid imagery, enhances its persuasive effects.[198]

1.7.2.2. Chaïm Perelman and L. Olbrechts-Tyteca

Much of my rhetorical analysis is based on the work of Chaïm Perelman and L. Olbrechts-Tyteca, who present a theory of argumentation that draws only partially on

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[194] Jasinski, *Sourcebook*, 350.
[195] Nonlogical strategies include metaphors, similes, and analogies, which may work cognitively by opening channels of thought and presenting new cognitive possibilities, as well as increasing the presence and immediacy of the desired result through evocation.
[196] Walter Jost and Michael J. Hyde, "Introduction: Rhetoric and Hermeneutics: Places Along the Way," in *Rhetoric and Hermeneutic in our Time: A Reader* (Yale Studies in Hermeneutics; New Haven: Yale University Press, 1997), 20.
[197] The process of applying a set of correspondences from one domain to the other is called "mapping" in cognitive science. Cf. George P. Lakoff and Mark Turner, *More than Cool Reason: A Field Guide to Poetic Metaphor* (Chicago: University of Chicago Press, 1989), 8. The language of "associated commonplaces" or conventional understandings of a word comes from Max Black, *Models and Metaphors* (Ithaca, N.Y.: Cornell University Press, 1962).
[198] On the importance of vivid presentations of experience, see Raphael Demos, "On Persuasion," *The Journal of Philosophy* (1932): 225-32.

Aristotelian categories. Perelman and Olbrechts-Tyteca highlight three persuasive strategies—*choice*, *presence*, and *communion*—that they claim are responsible for much of the rhetorical effectiveness of Aristotelian figures or other argumentative techniques.[199] *Choice* comes into play when the speaker selects from among multiple possible aspects of a topic those elements or terms that support his or her argument. Choosing to call humans "mortals," for example, highlights the inevitability of death. *Choice* also figures in the interpretation of data, since the interpreter may need to make "a conscious or unconscious choice between several modes of meaning."[200] *Presence* is defined as the "displaying of certain elements on which the speaker wishes to center attention in order that they may occupy the foreground of the hearer's consciousness."[201] Techniques and figures that enhance *presence* include repetition, prolonged exposition, onomatopoeia, and concrete details (including, on occasion, specific numbers), all of which can feed the imagination.[202] Figures whose effectiveness derives from *communion* include allusion and quotation, which emphasize common knowledge between speaker and audience.[203] Other elements of argument that operate by means of *communion* include the presentation of shared truths or assumptions.

Below I describe how I distinguish ordinary speech acts from causative speech acts, and how this process intersects with my rhetorical analysis. In the concluding

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[199] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 171-72. They note that "a given figure...does not always produce the same effect in argumentation." Nor do they claim that *choice*, *presence*, and *communion* are the only strategies by means of which figures of speech function rhetorically.
[200] Ibid., 121.
[201] Ibid., 36. To illustrate the notion of presence, Perelman and Olbrechts-Tyteca recount a story that happens to be particularly apropos in light of the namburbis' purpose: "A king sees an ox on its way to sacrifice. He is moved to pity for it and orders that a sheep be used in its place. He confesses he did so because he could see the ox, but not the sheep" (*New Rhetoric*, 116, n.4, citing a tale retold by Henry Pauthier in *Confucius et Mencius* (Paris: Charpentier, 1862), 230ff. The original work was unavailable to me.
[202] Ibid., 144-47.
[203] Ibid., 177.

portion of this introduction I discuss how the two approaches together can shed light on perceptions of human agency in apotropaic intercessory texts.

1.7.2.3. Application of Rhetorical Analysis to Ritual and Magical Speech

Unlike Jørgen Podemann Sørensen and certain other ritual theorists I am not interested in analyzing ritual speech (only) "from the outside" as Podemann Sørensen would have it, but first and foremost from within. I assume that speech addressed to the gods that appears to "represent" persuasive speech is in fact intended to persuade the gods, although this intention does not prohibit other intended effects on human ritual participants, observers, scribes, or others.[204] I am interested, first, in learning what specific techniques the cultures in question considered effective in persuading the gods. In Chapter 5 I also consider messages for human audiences, focusing on the narratives.

Both Wheelock and Jørgen Podemann Sørensen argue that ritual speech in general is not simple communication with divine addressees but a mimicry or representation of such speech which "situates" either the speaker or the speech in a particular context.[205] Podemann Sørensen in particular disparages the claim that ritual speech actually is meant to address the gods in an apparent effort to falsify any claims for

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[204] Cf. the distinction made by Ahern, "The Problem of Efficacy," discussed in Catherine Bell, *Ritual Theory, Ritual Practice* (New York: Oxford University Press, 1992), 43. Bell critiques certain ritual theorists who focus only on the communicative effects toward other people, not toward divine addressees. Of course ritual speech—or narrative—can have a variety of intended audiences. Nonetheless my focus in the rhetorical analysis throughout most of the dissertation is on the attempts to persuade the gods.

[205] Wheelock uses the term "situating speech" for ritual speech because it characterizes the speaker and other elements of the ritual setting ("Problem of Ritual Language"). Jørgen Podemann Sørensen writes that ritual "situates its own speech beyond the human condition" ("A Theory of Ritual," *Analecta Romana Instituti Danici, Supplementum* 40 [2008]: 13-22, [14]). Cf. Jørgen Podemann Sørensen, "Ritualistics: A New Discipline in the History of Religion," in *The Problem of Ritual: Based on Papers Read at the Symposium on Religious Rites Held at Åbo, Finland, on the 13th-16th of August 1991* (ed. T. Ahlbäck; Stockholm: Almqvist & Wiksell, 1993, 9-25 (19).

a distinction between "magic" and "prayer."[206] To Podemann Sørensen, even if the speakers consider themselves to be addressing the gods, when the ritual is "viewed from outside" there is no actual addressee.[207] All of the speech within rituals serves only to meet the rituals' instrumental goals. He claims that "the logic and meaning of the representations displayed in ritual are not there to inform or persuade, but to work."[208] Elsewhere he puts this even more strongly: "Ritual is communication only in the sense that it represents something; it refers, signifies and makes sense; but it is not designed to inform or persuade any extra-ritual agency. It is designed to work, to act directly on whatever object it has."[209]

Both of these scholars are correct in pointing to differences that sometimes emerge between the way speech is used in ritual and its use in ordinary communication. Like declaratives in general, ritual speech serves to create a transformation based on its conventional use. Such conventional use may indeed be distinct from the words' semantics, as described in Section 1.7.

But ritual speech can also share important attributes with ordinary communication. First, despite the possibility of using speech acts that lack any ordinary meaning (e.g., *voces magicae*), most ritual speech acts do carry meaning. Prayer language, including petitions, praise, and laments, may resemble utterances addressed to human authorities in ritualized or nonritualized contexts—or may vary in stereotypic but

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[206] Podemann Sørensen repeatedly rejects Frazer's distinction between magic and persuasive prayer, writing for example that "[O]ne of the most disastrous consequences of this distinction was that prayer, and sometimes ritual in general, came to be regarded as an act of persuasive communication with superhuman agencies" ("The Rhetoric of Ritual," 155-56).

[207] Jørgen Podemann Sørensen, "The Rhetoric of Ritual," in *Ritualistics: Based on Papers Read at the Symposium on Ritualistics held at Åbo, Finland, on the July 31-August 2, 2002* (ed. T. Ahlbäck; Åbo, Finland: Donner Institute for Research in Religious and Cultural History, 2003), 156.

[208] Ibid., 22.

[209] Ibid., 19.

still comprehensible ways. Declaratives tell us what they are doing even as they do it—the definition of this type of speech act. Speech acts explaining manual rites or describing participants' roles can be understood as attempts to persuade the invoked deities that the required felicity conditions have been met.

I argue that neither the use of speech in a ritual setting nor its instrumentality invalidates it as rhetoric. Speech that appears to be persuasive in intent, that uses identifiable persuasive techniques, and that mimics supplicating speech to human authorities is probably persuasion even if it occurs in a ritual setting.[210] As for instrumentality, this feature is one that ritual speech actually shares with rhetoric (see Section 1.7). As Bitzer points out, rhetoric is specifically intended to serve instrumental goals.[211] In the case of apotropaic intercessory ritual texts, the ultimate goal of the rhetoric is to address the "rhetorical situation": the threat to the beneficiary. In addition, rhetoric shares with ritual speech the capacity to build toward a larger goal by accomplishing subsidiary objectives. Both rhetoric and other ritual (e.g., magical) techniques may be used to accomplish one stage in the ritual process which is necessary for the larger goal of the ritual. Lawson and McCauley as well as Jesper Sørensen describe "embedded rituals" which are obligatory precursors to the desired effect—for example, the sacralization of holy water.[212] There is no reason that persuading a deity could not similarly serve as a required ritual element furthering the larger goal.

[210] It is worth noting that persuasive speech to humans can be highly ritualized, blending convention with intention. For example, F. S. Naiden describes for a four-step supplicatory process attested in classical and ancient Near Eastern sources, including words and gestures: for example, falling at the feet of the human authority while stating that one is doing so (*Ancient Supplication* [Oxford: Oxford University Press, 2006]). Despite the ritualized process, it would be hard to argue that the petitions and arguments given by such human supplicants do not constitute actual attempts to persuade.
[211] Bitzer, "Rhetorical Situation."
[212] Lawson and McCauley, *Rethinking Religion*, 98, 103-104; Sørensen, *Cognitive Theory*, 97.

1.8. Analytic Procedure

In the textual analyses in Chapters 2-4, I classify each speech act (roughly equivalent to a sentence) in the direct discourse as either ordinary speech or causative speech. Causative speech acts break the bounds of intuitive physics, biology, and psychology, much of which is universal. Thus I begin by using common sense—largely based on these intuitive sciences—to distinguish ordinary from causative language. Looking at the apparent goal of the speech act in context, I decide if this goal is something that can normally be accomplished through speech alone or whether it indicates an attempt to alter "brute facts" as understood within the culture. Many such decisions are obvious. In these texts, I classify speech acts as ordinary if they keep within the bounds of what is possible in the ordinary domain of communication. I classify as causative those speech acts whose goal is to (1) transform inanimate objects into animate or sentient entities; (2) transform ordinary entities into entities with supernatural agency; (3) control or manipulate inanimate objects or materials through speech alone, or with speech accompanied by actions that do not exert the necessary kinds of physical force; or (4) compel supernatural entities to follow the speaker's will. (5) Additionally I consider impurity to be a "brute fact" from the perspective of the cultures whose texts I analyze. Speech acts that directly purify (as opposed to seeking divine aid in purification) I consider to be causative. This decision is based on the cultural understanding of impurity as substantial, a type of "brute fact."

Category (4) requires some explanation. As noted in Section 1.3 I assume that the cultures whose texts I study held with a hierarchy of supernatural agency similar to the hierarchy of agency operative in the ordinary human world. Just as kings normally have

greater agency than their servants based on the kings' higher social standing and access to physical force, so semi-divine entities would be understood to have lesser agency than the gods who commanded them. In ritual texts, supernatural entities understood to have less agency than the human speaker—such as many *Kultmittel*—I assume to be subject to compulsion through human causative speech while supernatural entities with greater agency—deities—are assumed not to be subject to such compulsion or manipulation unless the speech act is "backed" with the power of a higher god.[213] An example of such differentiation is found in my analysis of persuasive analogies (see Section 1.7.1.1). When the persuasive analogy is addressed to an entity whose agency is clearly less than the speaker's, I attribute it with causative illocutionary force. When it is uttered in the third person in the presence of an invoked deity, however, I count a persuasive analogy as a hybrid form manifesting both causative and ordinary illocutionary force. For example, the persuasive analogy "Like smoke, may (the evil) climb to heaven!" is a hybrid when uttered in the gods' presumed hearing because it can be understood as both a petition to the gods and as a direct action on the evil. The analogy itself can be understood both as an argument supporting the petition and also as a crucial part of the direct supernatural action.

When necessary, I consider additional evidence for designating a speech act, looking for stereotypy (presence in other transformative rituals) and an array of formal features common in highly-ritualized speech, ranging from alliteration to repetition to particular kinds of rhythmic patterning. These features are considered only as

[213] A manifestation of this kind of divine one-upmanship is the expression, "I adjure you in the name of X!" common in some later magical texts. Adjuration of this sort does not appear in my corpus.

corroborating evidence for classing a speech act as causative, since they can also appear in ordinary ritual speech ("Oyez, oyez, oyez").

Within the broad categories of ordinary and causative illocutionary force, I further classify speech acts according to the specific type of illocutionary force(s) they manifest. For ordinary speech acts I use Searle's five categories: *assertives*, *directives*, *commissives*, *expressives*, or *declaratives*, or as some combination of these. Causative speech acts are classified as either *causative assertives*; *causative directives*; *causative expressives*; or a combination of these. *Causative assertives* are understood to bring into existence what is described or announced, as when an Anatolian ritual practitioner tells a figurine, "You are a dog of the table," then treats the figurine as an entity capable of understanding and obeying. A subset of causative assertives is modeled on first-person explicit performative utterances. These are self-referential: "I have assigned you as my substitute," for example, from KAR 64 line 36a.[214] *Causative directives* are understood to compel the addressee to do as requested or commanded, without the need for persuasion or threat. An example from CTH 398 commands the heavenly staff-bearers to drive off the evil. *Causative expressives* are understood to make the expressed wish or desire come true. In most cases these double as petitions (that is, ordinary directives)—for example, "May [the evil] not come near!" In this case, I consider these speech acts to be hybrid. No *causative commissives* (self-oaths understood to bring the promised punishment against the speaker) occur in the texts. The ordinary category of *declarative* is irrelevant to causative speech acts, since there is an element of the declarative in all causative speech

[214] Searle notes that performative utterances are not at heart assertives, although assertives can be derived from them ("How Performatives Work," 557). His reasoning is not applicable to causative assertives. Self-referential, first person causative performative utterances meet the criteria for causative assertives.

acts: all are understood to bring about what they announce, describe, command, or express.

Following the classification of speech acts, I explore the rhetorical aspects of the direct discourse. I do not attempt rhetorical analysis of purely causative speech as a rule. Perelman and Olbrechts-Tyteca exclude from their analysis instances "in which language is utilized as a direct, magical means of action and not as a means of communication."[215] When ritual speech is particularly abstruse, I provide an explanation of the purpose of the rite as a whole within the context of the ritual, as far as that is possible.

I then look at the evidence for attribution of supernatural agency in direct discourse manifesting some causative illocutionary force, in order to determine if the primary link to the supernatural realm is based in the *agent* or the *action* (speech and/or accompanying manual rites). In other words, is it likely that the speech was understood to be supernaturally effective because it was spoken by someone with supernatural agency, or because the words themselves were magically powerful? Signs that a significant degree of magical agency was attributed to the speech (the aspect of *action* relevant to this study) include:

- specific verbal formulae, such as persuasive analogies
- the presence of *voces magicae* or utterances in archaic or foreign languages[216]
- rhythmic, patterned, or highly concise formulations

[215] Perelman and Olbrechts-Tyteca, *Rhetoric*, 8. Kennedy also chooses to omit magical discourse from rhetorical analysis, although his reasons are more formal: (1) magical speech falls outside the three "species" of public address that Aristotle considered the province of rhetoric (judicial, deliberative, and epideictic), and (2) it re-uses standard formulae rather than "inventing" its own language, one of the criteria which Aristotle established in defining the field of rhetoric (*Comparative Rhetoric*, 14, 222-23). It is interesting that Kennedy does not consider the fundamentally non-persuasive purpose of magical speech in his discussion.

[216] I use the terms "archaic" and "foreign" from the perspective of the producers and users of the ritual.

- the very existence of a script (a prescriptive or descriptive text, especially in multiple copies with identical or very similar wording), suggesting that precise adherence to wording was considered important
- instructions to repeat an utterance a certain number of times
- stereotypy of expressions (use of similar or identical phrases in multiple contexts, within the same or other ritual texts)
- a claim in the ritual text or other literature from the culture that the ritual and/or the wording of oral rites were given by a deity, spoken previously by a deity, or belong to deity.

In contrast, causative speech that lacks such features, is semantically meaningful in context, and yet apparently was expected to operate in non-natural ways is less likely to be the primary basis for magical agency, which, in turn, is thus more likely to be attributed to the speaker.

When relevant, I bring in other texts from the culture as additional evidence that agency is believed to have been delegated to human agents, ritual processes, or particular objects. For example, myths may claim that the deities selected the practitioner or gave special powers to an object used in a rite.

Finally, I look at evidence both within and outside the text (where possible) that the entire ritual as described was considered efficacious.

1.9. Summary

This dissertation explores the kinds of agency attributed to human intercessors in their verbal attempts to ward off divine threats of doom. To this end I compare the direct

discourse in biblical accounts of apotropaic intercession (intercession against foretold doom) with oral rites in Mesopotamian and Anatolian ritual texts averting the evil predicted in omens. Analysis of speech intended to *persuade* a deity is likely to reveal important aspects of the underlying conceptions of those practicing or promoting these intercessory rituals. Analysis of the elements of speech intended to *compel* an entity or control another aspect of reality is also likely to illuminate these underlying concepts and beliefs.

A subsidiary but important goal is to attempt to determine how such communicative acts were understood to function within the culture in which they developed. The notion of intercession to ward off predicted doom implies an understanding of divine threats as revocable or modifiable, and a further understanding that humans can (at least theoretically) affect the outcome.

The fundamental question is not merely how biblical portrayals compare with Mesopotamian, and Anatolian textual representations of this phenomenon, but how these differences and resemblances illuminate the various cultures' underlying conceptions of the relationship between the human and divine realms. In the next chapter, I analyze two namburbis—Neo-Assyrian ritual texts—for this purpose.

CHAPTER 2

APOTROPAIC INTERCESSION IN MESOPOTAMIA

2.1. Introduction

This chapter focuses on the verbal strategies used in apotropaic intercession in two Neo-Assyrian ritual texts of the genre known as *namburbû* (here referred to as "namburbis"). As a genre, the namburbis are intended to fend off the harm that an omen predicted would befall an individual and his or her household. [1] Two types exist: brief namburbis, often lacking recitations, embedded in certain omen series, particularly *šumma ālu*, and longer ritual texts with oral and manual rites, including sacrifice.[2] The texts I analyze belong to the second type. These longer namburbis are directed toward a ritual practitioner (*mašmaššu* or *āšipu*) who guides the targeted individual through the ritual, which therefore qualifes as apotropaic intercession. [3] The namburbis are not the only examples of apotropaic intercessory texts from Mesopotamia.[4] They are selected for

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[1] The namburbis invariably use the masculine gender, but since *amēlu* can indicate "person," I translate as either gender.
[2] The Assyrian name for such texts ("*namburbû*") suggests the original texts immediately followed the omens whose apodoses they were meant to avert, as they do in the omen series. Based on the Sumerogram NAM.BÚR.BI, literally meaning "the loosing of it" or "the undoing of it," the word "*namburbi*" frequently appears in the texts' introductions, conclusions, or colophons. The pronominal suffix originally referred to the apodosis of the preceding omen (or group of omens). Over time, the term came to mean a ritual that averted an omen, even in cases when the namburbi was recorded on its own tablet apart from any omen series. See Stefan M. Maul, *Zukunftsbewältigung: Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)* (Baghdader Forschungen 18; Mainz am Rhein: Verlag Philipp von Zabern, 1994), 11.
[3] On the ritual practitioner, see Richard I. Caplice, "Participants in the Namburbi Rituals," *CBQ* 29 (1967): 40-46. Cynthia Jean argues that the two terms are synonymous, both being used to translate the Sumerogram LÚ.MAŠ.MAŠ (*La magie néo-assyrienne en contexte: Recherches sur le métier d'exorciste et le concept d'āšipūtu* [SAAS 17; Helsinki: Neo-Assyrian Text Corpus Project, 2006], 22-23). In one non-intercessory namburbi (BuBR 11) the ritual practitioner is a *barû* performing a namburbi on his own behalf. Caplice, "Participants," 43.
[4] The most well-known Mesopotamian apotropaic intercessory practice is the substitute king ritual, in which one of the king's subjects was seated on his throne when omens indicated the king was endangered.

analysis here for two reasons: (1) the extensive corpus of these ritual texts allows for the extrapolation of generalities regarding their form; and (2) letters from Neo-Assyrian scholars to the kings Esarhaddon and Assurbanipal provide important evidence about the namburbis' use and function.[5]

Mesopotamian culture provided a fertile ground for apotropaic intercession. Divination was already well-established by the time the first omen series were compiled in the Old Babylonian period, a millennium before the earliest extant Mesopotamian namburbis.[6] Intercession, too, was firmly rooted in the culture. One particular Akkadian term for intercession, *abbūti ṣabātu* ("to act in a fatherly way") illustrates the Mesopotamian view that a primary responsibility of the male head of household was to intercede on his children's behalf. This expectation of intercession extended to metaphorical fathers and children in the larger "households" making up human and divine society.[7] For example, personal deities (the family's or individual's divine "father" and/or "mother") were expected to intercede on behalf of their charges before the high

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The substitute king ritual contains numerous subsidiary ritual elements, among them the performance of a namburbi. Another example of apotropaic intercession is a kettledrum ritual performed on Esarhaddon's behalf by the *kalû* (incantation priests) in response to a celestial omen in 670 B.C.E. (SAA 10:340). Erle Leichty writes that the prayer to the gods of the night was also used to ward off unfavorable omens (*The Omen Series Šumma Izbu* [TCS 4; Locust Valley, N.Y.: J. J. Augustin, 1970], 13. Some Akkadian *šuillas* mention protection from misfortune predicted by eclipses or other omens, although more often they mention existing problems or general requests. Richard I. Caplice, "The Akkadian Text Genre Namburbi" (PhD diss., University of Chicago, 1963), 154, 161; Christopher G. Frechette, *Mesopotamian Ritual-prayers of "Hand-lifting" (Akkadian Šuillas): An Investigation of Function in Light of the Idiomatic Meaning of the Rubric* (AOAT 379; Münster: Ugarit-Verlag, 2012), 148.

[5] See for example SAA 10:10, 42, 56, 67, 148, 201, 202, 240, 277, 381.

[6] Francesca Rochberg dates the earliest written omens to approximately 1800 B.C.E. (*The Heavenly Writing: Divination, Horoscopy, and Astronomy in Mesopotamian Culture* [Cambridge: Cambridge University Press, 2004], 63).

[7] On the household model of society, see J. David Schloen, *The House of the Father as Fact and Symbol: Patrimonialism in Ugarit and the Ancient Near East* (Studies in the Archaeology and History of the Levant 2; Winona Lake: Eisenbrauns, 2001). Schloen describes a view of the cosmos as made up of patriarchal households nested one within the other, writing that "[f]rom the head of the pantheon to the humblest human household, the same substantive pattern was replicated at each level of the hierarchy" (91). Although his focus was the Bronze Age, he describes symbol systems as persisting into later periods.

gods. [8] Images on cylinder seals suggest two primary functions of the intercessor: providing the beneficiary with access to the deity and speaking on the individual's behalf.[9]

Whereas the cylinder seals depict personal deities as intercessors, in the namburbis it is a human who intercedes with the divine on behalf of the threatened individual.[10] These ritual experts apparently functioned interchangeably: what mattered was not their individual identity or relationship with the beneficiary, but their professional competence, a competence that they possessed by virtue of their scholarly training.[11] Using a namburbi text copied for the occasion, the *āšipu* arranged a ritual encounter between the beneficiary and one or more high gods, typically Šamaš, Ea, and/or Marduk-Asalluḫi.[12] Such intercession was not necessarily limited to speaking on behalf of the beneficiary, but also included assisting the beneficiary to speak for him- or

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[8] Thorkild Jacobsen, *Treasures of Darkness: A History of Mesopotamian Religion* (New Haven: Yale University Press, 1976), 158, describes the use of parental language for personal deities. According to Brigitte Groneberg, seal-impressions show that portrayal of the personal god as intercessor with higher gods was most common between 2500 and 1500 B.C.E. ("Eine Einführungsszene in der altbabylonische Literatur: Bemerkungen zum persönliche Gott," in *Keilschriftliche Literaturen: Ausgewählte Vorträge der 32 Rencontre Assyriologique Internationale Münster, 8.–12.7. 1985* [ed. K. Hecker and W. Sommerfeld; Berliner Beiträge zum Vorderen Orient 6; Berlin: Dietrich Reiner, 1986], 93-108). During the OB period, letters written to personal deities asked for intercession with the high gods. See, e.g., AbB 13, 164; AbB 12, 99:1-2; AbB 9, 141:8-9, cited by Karel van der Toorn (*Family Religion in Babylonia, Syria and Israel: Continuity and Change in the Forms of Religious Life* [Studies in the History and Culture of the Ancient Near East 7; Leiden: Brill, 1996], 81).

[9] Images on seals show personal deities accompanying their beneficiaries into the presence of a seated high god, in one of two forms: either leading the beneficiary by the hand or standing behind the beneficiary who faces the high god directly. Groneberg, "Einführungsszene." Cf. J.Nicholas Postgate, *Early Mesopotamia: Society and Economy at the Dawn of History* (London: Routledge, 1992), 132. Some of these seals portray the beneficiary holding his hand over his mouth while the personal deity lifts his hand in greeting, which to Maul indicates that the personal deity is speaking for the beneficiary (*Zukunftsbewältigung*, 68).

[10] Although the namburbis relentlessly use masculine terms for both beneficiary and intercessor, Maul interprets a letter from a Neo-Assyrian scholar (SAA 10:201) to indicate that the beneficiary was Esarhaddon's mother (*Zukunfstbewältigung*, 30 and n.21 that page). The existence of the term *ašiptu* (defined as "woman exorcist" in *CAD*, A2, 431) indicates the possibility of female intercessors. This term is not used in the extant namburbis. Although all named namburbi practitioners are men, few are actually named.

[11] Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge: Harvard University Press, 2007), 54-67.

[12] E.g., SAA 10:255.

herself.[13] Most oral rites were probably spoken first by the intercessor, then repeated by the beneficiary.[14] Because the ritual as a whole constitutes intercession on the beneficiary's behalf, I consider all of its oral rites—no matter whether the speaker is listed as the ritual practitioner or beneficiary—to be intercessory as well.

I analyze the oral rites in two namburbis, chosen because they represent two common forms (one with, and one without, an address to the River) and because they include many of the most typical expressions found in the genre. Text 1 (KAR 64 lines 10-58) fends off the evil portended by dog who howls and yowls in a person's house or urinates on a person.[15] Found in the house of the conjuration-priest in Assur, KAR 64 is a compendium tablet containing more than one namburbi.[16] Several other copies of the ritual I analyze have been discovered whose findspots include Assur and Ḫuzirīna.[17] Text 2, LKA 112, is a namburbi against the evil portended by a wildcat who wails in a person's house. It, too, was found in the house of the conjuration-priest; a duplicate, written in Babylonian, was found in Nineveh.[18] The transliterations used here are adapted from Stefan M. Maul's work.[19] I use the language of intercession in describing the participants in these rituals, referring to the individual conducting the ritual as the

[13] In a number of namburbis, the beneficiary is directed to "speak what is on his mind," presumably in his own words.

[14] Cf. Werner Mayer (*Untersuchungen zur Formensprache der babylonischen Gebetsbeschwörungen* [Studia Pohl 5; Rome: Pontifical Biblical Institute, 1976], 63-65; Maul, *Zukunftsbewältigung*, 67-68, 86. Mayer (p. 65) notes an example in which the officiant is explicitly told to hold the patient's hand and have him repeat an incantation to Marduk (K 163+ = BMS 12). Other namburbis contain alternations between 2nd and 3rd person in a single set of ritual instructions clearly directed toward the intercessor. The use of logograms often renders the intended speaker unclear. Occasionally, however, the distinction is clear, e.g. in the statement, "and I the *āšipu* your servant will praise you" (Maul, *Zukunftsbewältigung*, 60).

[15] Maul, *Zukunftsbewältigung*, 312.

[16] KAR 64 contains another briefer namburbi against the evil of a dog whose sole recitation (in Sumerian) is not analyzed here because it is less typical of the genre.

[17] Ibid.; Erich Ebeling, "Beiträge zur Kenntnis der Beschwörungsserie Namburbi," *RA* 48 (1954): 1-15.

[18] Maul, *Zukunftsbewältigung,* 329. The colophon of LKA 112 indicates that its *Vorlage* was written on a wax tablet (335).

[19] Ibid., 312-20, 332-34.

"intercessor" or occasionally "ritual practitioner" or *ašipu*, and the individual for whom it is performed as the "beneficiary" of the intercession, or occasionally as the "supplicant."

Before my analysis I will provide background information about the namburbis (Section 2.1.1) and review the work of selected scholars who have studied the namburbis' rhetorical or supernatural strategies (Section 2.1.2). I will then examine the speech acts and rhetoric in the namburbis' oral rites (2.2.1 and 2.2.2), the links between the oral rites and supernatural or divine power (2.3), and evidence of the namburbis' perceived effectiveness (2.4). Ultimately, inferences will be drawn from these findings about Mesopotamian conceptions of human agency and the use of speech in contesting divine will (Section 2.5 and Chapter 5).

2.1.1. Background Information on the Namburbis

Apart from two possible namburbis from Ḫattusa,[20] all extant namburbi texts date to the first millennium BCE. Most were found in royal archives at Nineveh and in libraries in Assur and Ḫuzirina (Sultantepe), with NB and LB exemplars from Uruk, Babylon, Sippar, and Ur and a few exemplars from Kalḫu (Nimrud), Tarsus, and Guzāna (Tell Halaf).[21] In the few tablets that record the beneficiary's name or title, the threatened individual is almost always royal.[22] Letters to the kings Esarhaddon and Assurbanipal also indicate that royal scholars performed namburbis on their behalf.

[20] KUB 53.50 and its parallel Bo 3471, in Hittite; and KUB 4.17 in Akkadian. These are discussed in the following chapter.
[21] Maul, *Zukunftsbewältigung,* 157.
[22] Cf. Caplice, "Participants."

Namburbis were apparently used to counter unsolicited omens—unexpected or cataclysmic events understood as divine messages based on omen texts or custom.[23] Most portents in the namburbis consist of encounters with snakes, birds, or other animals, many of them wild animals who have come near human habitations. Other signs include events such as a prince falling off a chariot, the descent of a meteorite into someone's property, or fungus growing on a house wall. The majority of namburbis counter terrestrial omens (hence the inclusion of multiple namburbis in the *šumma ālu*); however, astronomical events often appear among long lists of unfavorable signs in a subgroup of namburbis countering "every evil" (Akkadian *lumun kalama*, Sumerian HUL.DÙ.A.BI)—a type of ritual text here called a "universal namburbi."[24] We know from Mesopotamian scholarly correspondence that astronomical events and earthquakes prompted the performance of a number of universal namburbis.[25]

Maul argues that the animals, plants, or circumstances in the omens do more than signify disaster; they also play an active role in triggering it.[26] In his view, the signifying entity infects its target with impurity—understood as a semi-physical substance—from

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[23] Cf. Ann Guinan, "Erotomancy: Scripting the Erotic," in *Sex and Gender in the Ancient Near East: Proceedings of the 47th Rencontre Assyriologique International* (ed. S. Parpola and R.M. Whiting; Helsinki: Neo-Assyrian Text Corpus Project, 2002), 185-201. Although a few namburbis counter bad extispicy findings, Ulla Susanne Koch persuasively argues that these were meant to counter "the evil portended by technical problems connected with the performance of the divinatory ritual" rather than the evil predicted by the extispicy itself ("Three Strikes and You're Out! A View on Cognitive Theory and the First-Millennium Extispicy Ritual" in *Divination and Interpretation of Signs in the Ancient World* [ed. A. Annus; Oriental Institute Seminars 6; Chicago: Oriental Institute of the University of Chicago, 2010], 43-59 [46-7]).

[24] Cf. *Universalnamburbi* in Maul, *Zukunftsbewältigung*, 22 and *passim.* Many of the evils listed in this kind of namburbis are unknown from namburbis against specific harbingers. Caplice lists several examples: "a grain-ear with two heads," "hearing one's name mysteriously called," or "thunder in the month of Ululu" ("Text Genre," 46).

[25] Letters describe namburbis against celestial events (SAA 10:240) and earthquakes (SAA 10: 56), according to Sally Butler, *Mesopotamian Conceptions of Dreams and Dream Rituals* (Münster: Ugarit-Verlag, 1998), 110-111. Some *šuilla* prayers specifically address eclipses of the moon, one of the few occasions in which such prayers offer specific protection against presaged evil (Caplice, "Text Genre," 161).

[26] Maul, *Zukunftsbewältigung,* 5.

the moment the sign is perceived.[27] Instead of Maul's term *Omenanzeiger* ("omen-indicator" or "omen-signifier"), I use the term "harbinger," which similarly connotes an agent.[28]

Modern understanding of the use of namburbis is complicated by the fact that some of the omens being countered involve behavior that appears to be chosen. Many of these are sexual omens, such as the "portent" of having sex with a goat.[29] When a namburbi wards off evils caused by "an action or omission," Caplice writes, "one might conclude that the distinction between indication and cause was in this particular instance not fully realized by the scribes who wrote these texts."[30] Ann Guinan argues that sexual impulses and ecstasy fell into a liminal category viewed as partially under divine control.[31] A few namburbis have purpose statements indicating goals other than warding off bad omens, such as increasing trade at a tavern, reconciling an estranged couple, or countering misfortune caused by sorcery.[32] Nonetheless, the vast majority of namburbis are clearly meant to ward off portended misfortune.

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[27] Ibid., 7. Maul describes the sign as "das Vorzeichen, das den Keim des zukünftigen Unheils bereits in sich trug und verbreitete und den Menschen schon infiziert hatte"—"the sign that already carried and spread and had infected the man with the kernel of the future evil" (60). In a similar vein, Guinan writes that "[t]he evil that threatens is a physical substance which can be transferred to the bed and rubbed out of existence," referring to a brief apotropaic ritual averting evil by rubbing a woman's face with bedclothes ("Erotomancy," 199).

[28] Merriam-Webster's Collegiate Dictionary, 11th ed., s.v. "harbinger" 2b: "one that presages or foreshadows what is to come." Maul indicates he chose the word "*Omenanzeiger*" because the –er suffix signifies an active role (*Zukunftsbewältigung*, 5).

[29] So Maul describes VAT 13919 and duplicate (*Zukunftsbewältigung*, 415). It is unclear if all such acts ever took place, or if some are included only for completeness according to a system not fully comprehensible today as is the case with the *šumma izbu*. Cf. Leichty, *Omen Series Šumma Izbu*, 20. Leichty finds that most of the abnormal birth omens reflect naturally-occurring birth defects, and surmises that the few impossible portents were late additions.

[30] Caplice, "Text Genre," 48, 49.

[31] Guinan argues that some namburbis provide a means for addressing sexual behavior which traverses lines of social acceptability. At issue is whether the behavior was controlled by the person performing it or whether it was controlled by the gods ("Erotomancy").

[32] Caplice, "Text Genre," 48, 49. Maul claims that the tavern ritual (K 3464 + N 3554) was included among the namburbis because so many namburbis require the beneficiary to divest himself or herself of remaining impurity at taverns, which therefore require special protection (*Zukunftsbewältigung*, 218).

Namburbis of the type I analyze typically have three or more sections: (1) an introduction; (2) a list of instructions for manual rites and one or more oral rites; and (3) a colophon. According to Caplice, if one of these elements is omitted, it is almost always the oral rite.[33] Dividing lines normally separate the introduction, ritual instructions, and oral rites.[34] Both Caplice and Maul outline typical steps in a namburbi, not all of which appear in every text.

Richard Caplice's outline includes:[35]

(1) An introduction with two parts: (a) a citation of an omen text or, more commonly, a description of the sign that would have appeared in the protasis of the relevant omen;[36] (b) a statement of purpose, typically "in order to make that evil pass by, that it may not come close to the person and his or her house."

(2) A list of preparatory acts that include concretizing the evil in some fashion (often by making a clay figurine of the harbinger), preparing the ritual site, and gathering the necessary equipment and offerings.[37]

(3) An appeal to a god or gods that Caplice describes as "juridical in character, made by one who brings legal action against an adversary," i.e., the harbinger.[38] Three gods appear most commonly: Šamaš, the god of justice and highest judge; Ea, credited

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[33] Richard Caplice notes that "texts without prayers are not uncommon, but aside from a group of namburbi prayers inscribed on amulets, the wearing of which was itself a ritual action, we know only two prayers of the namburbi type which are not inscribed with rituals....it is probable that these were excerpted from longer tablets with rituals, and indeed the prayers themselves refer to ritual actions" (*The Akkadian Namburbi Texts: An Introduction* [Sources and Monographs; SANE 1/1; Los Angeles: Undena, 1974], 9).
[34] Relevant to the comprehensiveness of a namburbi-text (if not necessarily to the namburbi itself) is the text's context. Maul argues that brevity was required for namburbis embedded in omen series to maintain the connection between the ritual and preceding omen or omens. Other kinds of combination tablets put together for the liturgist's convenience also could contain abbreviated forms, for example substituting the first few words of an incantation for the full wording or omitting frequently-done steps such as strewing vegetation to prepare the site (*Zukunftsbewältigung,* 62, 163).
[35] Caplice, "Text Genre," 34-37.
[36] Not every harbinger cited is known from an omen series.
[37] Caplice, "Text Genre," 34-35.
[38] Ibid., 36.

with wisdom and magical lore; and Marduk or Asalluḫi—the last a once-separate god of conjuration who became identified with Marduk.[39] The appeal to one or more of these gods frequently asks "that the judge may justly 'judge his case and render his decision.'"[40] Accompanying sacrifices constitute "gifts...which, it was to be hoped, would create for the god a bond of obligation and ensure a benevolent hearing of the case."[41]

(4) The "actual execution of judgement"[42] consisting of rites to "deal magically with the evil portent which is, to the primitive mind, in some sense equivalent to the evil itself."[43] Such processes operate indirectly through a surrogate, or directly through destruction or ritual removal of "baneful power."[44] For example, a malformed newborn animal (an evil omen) is thrown into the river "to keep the evil contained within the object, and by physical removal of the object, to remove the evil associated with it."[45] For valuable objects such as a door, "direct non-destructive rites" are used, such as smearing the object with a mixture of ingredients intended "to isolate by ritual means the portentous object and thus prevent realization of the evil connected with it."[46]

(5) Follow-up and preventive activities, including the disposal of the ritual equipment and the individual's return to ordinary life, frequently wearing an amuletic necklace.

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[39] Ibid., 93-94; Cf. W. Sommerfeld, "Marduk/Philologisch I," in *RlA* 7:360-70.
[40] Caplice, "Text Genre," 93-94.
[41] The Mesopotamian practice of providing food offerings before supplicating the gods represented a sound strategy. A recent study found that meal breaks increased the rates at which Israeli judges granted parole requests. Shai Danziger, Jonathan Levav, and Liora Avnaim-Pesso, "Extraneous Factors in Judicial Decisions," *Proceedings of the National Academy of Sciences* 108 (2011): 6889-6892.
[42] Caplice, "Text Genre," 37.
[43] Ibid., 77.
[44] Ibid., 77-78.
[45] Ibid., 79. Maul writes that throwing the image into the river continues the "juridical metaphor" by representing a trial by ordeal, but this conclusion is overreaching, as noted by Veldhuis, ("Interpreting").
[46] Caplice, "Text Genre," 81.

Maul's six-step breakdown attempts to reconstruct the logic underlying each rite and puts greater emphasis on purification:[47]

> (a) the person affected must placate the anger of the gods who had sent him the omen;[48]
> (b) the person must effect the gods' revision of their decision to give him an evil fate;
> (c) the impurity which the person had acquired through the agency of the omen must be removed;
> (d) the impurity of the person's house and general surroundings must be removed;
> (e) the person must be returned to his normal, "intact" life;
> (f) the person should be provided with permanent protection against the renewed threat of sinister omens.[49]

2.1.2. Selected Research on Oral Rites in the Namburbis

Below I discuss relevant work by Walter Kunstmann, Richard Caplice, Werner Mayer, David P. Wright, and Stefan M. Maul. Here I concentrate primarily on their analyses of either the rhetoric of the recitations or the distinctions they make, if any, between "religious" and "magical" language (or between "prayer" and "incantation").

2.1.2.1. Walter G. Kunstmann

Kunstmann's form-critical work is useful in outlining the structure of the main oral rite in most namburbis and other prayers he calls *Gebetsbeschwörungen* (incantation-

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[47] Maul, *Zukunftsbewältigung*. Caplice, "Text Genre," 65, writes that "purification from evil may be considered one formulation of the namburbis' purpose," but his emphasis is on the legal metaphor. Niek Veldhuis suggests that even Maul's portrayal is over-reliant on the "justice" metaphor, claiming that Maul's rationalization of the steps amounts to after-the-fact rationalization which does not correspond to participants' beliefs ("On Interpreting Mesopotamian Namburbi Rituals," review of Stefan Maul, *Zukunftsbewältigung: Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale*, *AfO* 42-3 [1995]: 145-54). Veldhuis does, however, note that the justice metaphor is present in a good many of the namburbis.

[48] Maul wonders if the animal sacrifice during the namburbi was an atonement rite or merely provided food for the gods (*Zukunftsbewältigung*, 55).

[49] Stefan M. Maul, "How the Babylonians Protected Themselves against Calamities Announced by Omens," in *Mesopotamian Magic: Textual, Historical, and Interpretative Perspectives* (ed. I. T. Abusch and K. van der Toorn; AMD 1; Gronigen: Styx), 1999, 123-29 (124).

prayers).[50] I use his form-critical categories in my analysis. Kunstmann distinguishes three primary elements and six sub-elements:

(1) The address (*Anrede*), which includes

(a) invocation of the god, with epithets (*Anrufung des Gottes, mit Ehrentiteln*) and (b) praise of the god (*Lob des Gottes*);

(2) the petition (*Bitte*), which includes

(c) the complaint (*Klage*),

(d) the transition-formula (*Überleitungsformel*), and

(e) the petition proper; and

(3) the thanksgiving (*Dank*) section, which includes

(f) either thanks or a blessing-formula ("*Dank bzw. Segensformel*.")[51]

Kunstmann argues that in the namburbis the recitations function first as magic, and only secondarily as prayer: "[M]eistens herrscht die Anschauung dass Zaubermittel und –wort ihre magische Wirkung ausüben, auch ohne dass die Gottheit besonders bemüht wird."[52] Kunstmann does not suggest that the namburbis use magic to compel the deities. Rather, he argues that generally in the *Gebetsbeschwörungen* the divine praise reflects a trustful attitude toward the deities.[53]

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[50] Walter G. Kunstmann, *Die babylonische Gebetsbeschwörung* (Leipziger Semitistische Studien 2; Leipzig: J. C. Hinrichs'sche, 1932). He treats the namburbi prayers as "*speziellen Gebetsbeschwörungen*" (incantation-prayers), a subcategory of Akkadian *šuillas*.
[51] Ibid., 7. Other scholars have found different elements, or named them differently. Mayer (*Untersuchungen*, 36) gives a useful chart of the terms used by several other scholars, each of whom describe six elements. Abusch limits the parts of a *šuilla* to three: (a) introduction: hymn (b) body: prayer (c) conclusion: promise of thanksgiving or divine benediction. I. Tzvi Abusch, "The Form and Meaning of a Babylonian Prayer to Marduk," *JAOS* 1983, 8-13.
[52] "The dominant impression is that the magical materials and spells [of the namburbis] execute their magical effects without the god being bothered very much." Kunstmann, *Gebetsbeschwörung*, 7.
[53] Ibid., 12.

2.1.2.2. Richard I. Caplice

Caplice's extensive work includes an analysis of the functions and to a certain extent the strategies of the namburbis' oral and manual rites. [54] Here I describe his analysis of the oral rites. Caplice lists five types of oral rite in the namburbis of the type studied here:[55] (1) the most common type, the "prayer proper" to the high gods, typically Šamaš, Ea, and/or Asalluḫi, which follows Kunstmann's six-part structure; (2) single sentences addressed to a deity which incorporate a petition, which Caplice terms "ejaculations," occurring instead of or in addition to the central prayer; (3) the *Kultmittelbeschwörungen* which address either the harbinger, the evil, or "the personified forces or instruments used to avert the evil;"[56] (4) a set of meaningless syllables (*vox magica*) which he calls "abracadabra;" (5) the instruction to the supplicant to speak what is on his mind.[57]

Caplice describes the namburbis' strategies as "a combination of magical manipulation and appeal to the gods."[58] With regard to both, he argues, the oral rites "invoke power and specify the manual rites performed."[59] Caplice links the "prayer proper" to the offerings, and the other recitations to "apotropaic rites designed to remove

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[54] Caplice's work on the namburbis includes "Text Genre"; *Introduction*; "Namburbi Texts in the British Museum I" *OrNS* 34 (1965): 105-31; "Namburbi Texts in the British Museum II," *OrNS* 36 (1967): 1-38; "Participants"; "Namburbi Texts in the British Museum III," *OrNS* 36 (1967): 273-98; "Namburbi Texts in the British Museum IV," *OrNS* 39 (1970): 111-51, "Namburbi Texts in the British Museum III," *OrNS* 40 (1971): 133-83; and "Further Namburbi Notes," *OrNS* 42 (1973): 508-17.
[55] Caplice, "Text Genre," 94-96; cf. *Introduction*, 12.
[56] Caplice, "Text Genre," 95.
[57] Caplice, *Introduction*, 12.
[58] Caplice, "Text Genre," 16. To Caplice, the "appeal to the gods" constitutes "prayer" or manifestations of "religion" in contrast to "simple statements with magical purpose." Cf. Wright's more neutral list of "motifs" by which ritual practitioners disposed of impurity in Mesopotamia and Hatti, below. In this list, "entreaty and appeasement" constitutes one motif on a par with "analogy," "concretization," and "substitution," all of which would fall into Caplice's category of "magical manipulation" (David P. Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* [SBLDS 101; Atlanta: Scholars Press, 1987], 31-45).
[59] Caplice, *Introduction*, 12.

or avert the impending evil."[60] Regarding the main prayer, Caplice notes that many of the divine epithets serve to "remind [the deity] of his characteristic kindness to the suppliant." Later parts of this prayer inform the deity of the supplicant's problem, distress, and need for help, then express "gratitude and future devotedness."[61] Most other utterances "are more magical than religious in tenor, and…may be termed 'spells' or 'incantations.'"[62] Among the *Kultmittelbeschwörungen*, Caplice distinguishes the prayer to the River found in a number of namburbis, which partakes of the same religious qualities as the prayer to the high gods, from "simple statements with magical purpose" like "the statement that evil has been transferred to an image," which is "expected to effect, by a type of sympathetic magic, the real transference."[63] He points out, however, that there is no evidence that the Mesopotamians themselves distinguished between so-called magical or religious actions.[64]

2.1.2.3. Werner Mayer

Mayer's 1976 form-critical analysis of Akkadian *Gebetsbeschwörungen* builds on Kunstmann's overview; among the texts he analyzes are several dozen prayers he takes from namburbis, including three addressed to the River.[65] While his primary focus is on cataloguing common forms, from time to time he addresses the persuasive effects of

[60] Caplice, "Text Genre," 95; cf. his *Introduction*, 10-11.
[61] Caplice, "Text Genre," 95.
[62] Caplice, *Introduction*, 12.
[63] Caplice, "Text Genre," 96.
[64] Caplice, *Introduction*, 10.
[65] Mayer, *Untersuchungen*, 13-14. Other categories he identifies include *šuillas* and prayers for freedom from misfortune such as illness and sorcery.

these forms on the deities, for example the vow to praise.[66] In general, he sees the *Gebetsbeschwörungen* as attempts to persuade the deity, writing:

> Wenn der Mensch sich mit einem Anliegen an die Gottheit wendet, tut er das in den Formen, in denen sich auch sonst ein Bittsteller an einen Mächtigen wendet, und bedient sich der Mittel, die ihm für diesen Zweck zustatten kommen. 1. Er sucht den Gott dort auf, wo dieser "Audienz" gibt, er drückt in Körperhaltung und Gesten aus, dass er als Hilfesuchender kommt; er spricht den Gott an, bittet ihn um Gehör und um Hilfe für das jeweilige Anliegen. 2. Er begleitet und unterstützt seine Bitte dadurch, dass er dem Gott Gaben (Nahrung, Kleidung usw.) darbringt, die diesen erfreuen, ehren, "erhöhen" und ihn so bereit machen, dem Beter zu willfahren. 3. Wenn der betreffende Ritus es verlangt, stellt er ausserdem bestimmte medizinisch oder magisch wirksame Dinge her (z.B. eine Salbe, ein Amulett, eine Figur) und führt damit die entsprechenden Verrichtungen durch (z.B. Analogiezauber mit den Figuren der Schadensmächte).[67]

Mayer minimizes the presence of magic in the *Gebetsbeschwörungen.*[68] In his introduction he smoothes over distinctions between these texts and "prayer," writing that he uses the term "*Gebetsbeschwörungen*" only to indicate the usual use of these prayers in a ritual context, regardless of the nature of the ritual. He argues that even the Lord's Prayer can be used with magical intent. [69] He does mention the category *Analogiezauber* (analogic magic) in his discussion of two types of analogic clauses, both catalogued under "petition."[70] The second type, which he calls *Analogiezauber* (analogic magic), is based on the form "as b happens to B, so may b(!) happen to A," where B refers to materials (figurines, clods of earth, or water). The first type of analogic cause, which is unnamed, takes the form "as B 'does not return to its place' (i.e., disappear), so may A

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[66] Ibid., 310-15.

[67] "When the man turns to the deity with his concerns, he does it in the forms in which a petitioner turns to a powerful figure, and uses the means that are useful for this goal. (1) He seeks out the deity where the deity is giving an audience; he expresses in posture and gesture that he is coming as a supplicant; he addresses the god, requesting a hearing and help with the relevant concerns. (2) He accompanies and supports his petition by bringing the god gifts (food, clothing, etc.), which will give the god joy, honor, "elevate" him and make him ready to satisfy the petitioner. (3) When the relevant rite demands it, he also produces specific medically or magically effective things (a salve, an amulet, a figurine) and carries out the appropriate performances with them (e.g. analogic magic with the figurine of the evil power)." Ibid., 119.

[68] Cf. Brigitte Groneberg, review of W. Mayer, *Untersuchungen zur Formensprache der babylonischen Gebetsbeschwörungen*, *JNES* 39 (1980): 237-40.

[69] Mayer, *Untersuchungen*, 10-11.

[70] Ibid., 371.

disappear." He does not label type A analogies as "magical" even though half of his examples refer to figurines meant to substitute for the beneficiary. Otherwise he mentions magic only insofar as utterances in the oral rites mention acts or materials that he understands to indicate magical operations.

2.1.2.4. David P. Wright

In his 1987 study, *The Disposal of Impurity*, Wright analyzes a namburbi from KAR 64 (Text 1 here).[71] Unlike the others listed here, Wright's focus is on the "motifs" used to indicate the elimination of impurity in biblical priestly material and various genres of Hittite and Mesopotamian literature.[72] These motifs—better termed "strategies for impurity removal"—include *transfer* (moving the impurity from the affected person or object to something else)[73] and *concretizing* (through which "intangible evils are made symbolically concrete").[74] In the ritual from KAR 64 he finds the motifs of *transfer* of the evil onto a clay image of a dog, *concretizing* the evil (in the same clay image); *substitution* (of the dog image for the beneficiary), *annulment* (turning the evil back onto its cause—although Wright does not specify how this motif is specifically manifested in the ritual); *analogy* (expressed in the utterance "[just as] the figurine will not return to its place, (so) may its evil not come near!"); *entreaty and appeasement* to the River, in asking it to help dispose of the evil; and *prevention* (asking the River not to release the image). Wright's motifs incorporate both oral and manual rites; for example the motif

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[71] Wright, *Disposal of Impurity*, 69-72.
[72] Cf. Billie Jean Collins's use of Wright's material in "The Puppy in Hittite Ritual," *JCS* 42 (1990): 211-26.
[73] Wright, *Disposal of Impurity*, 32-33.
[74] Ibid., 41.

entreaty and appeasement includes verbal appeals and offerings,[75] while the *analogy* motif describes both the verbal analogy and accompanying illustrative nonverbal acts.[76] Wright makes no theoretical distinction between persuasive and magical strategies in his discussion of the motifs themselves. Notably, he omits any discussion of the oral rite to Šamaš (KAR 64 lines 24-33); the deity's role in this namburbi remains unaddressed.

2.1.2.5. Stefan M. Maul

Maul emphasizes the namburbis' internal logic and use in his comprehensive 1994 study of the namburbis, *Zukunftsbewältigung: Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)*. In the worldview Maul portrays, the deities (particularly the personal deities) decide to punish individuals for infractions and manifest their decisions through omens. These decisions, however, are subject to the greater authority of the high gods— Šamaš, Ea, and Asalluḫi—who can be persuaded through a namburbi to reverse the decision.[77] Maul claims that the namburbi's real goal is to achieve reconciliation between the individual and the gods, although much of the ritual is directed toward eliminating the evil that the harbinger has brought in embryonic form, polluting the targeted individual and his or her environs from the moment it appeared.[78]

Maul analyzes the steps by which the namburbis reverse the divine decree, remove and eliminate the evil, and purify and protect the threatened individual. He labels the early part of the ritual *der Rechtsstreit vor Šamaš* (the lawsuit before Šamaš), arguing

[75] Ibid., 38-39.
[76] Ibid., 40-41.
[77] Maul argues that even if the high gods Šamaš, Ea, and Asalluḫi were not the ones who sent the destructive omen to the beneficiary, they allowed it to happen (*Zukunfstbewältigung*, 60).
[78] Ibid., 9.

that the turning-point in the ritual occurs when Šamaš, the judge of *kittu* (law) and *mīšaru* (justice), overturns the prior judgment.[79] While Caplice also discusses the juridical metaphor, Maul goes further in claiming that the early rites represent a trial of the *harbinger* and arguing that the formal indictment consists of the ritual act of raising the harbinger (or figurine thereof) and reciting a particular utterance.[80] Only after this can the later purifying rites be effective, because these steps require the high gods' consent.[81] Maul asserts that the liturgist never used his own power to accomplish a ritual; although he had to perform the ritual flawlessly, its success still stemmed from the deity's favor.[82] To Maul, Ea and Asalluḫi had two roles: first, as members of the judge's staff, and second, as the conjuration-gods whose assent was required for the ritual's—and particularly the incantations'—success. The latter role is the main reason they are invoked.[83] As evidence he cites a text from outside of the namburbi corpus, the *bīt rimki* (bathhouse) ritual in which the liturgist is instructed to claim, *ša Ēa u Asalluḫi īpušū anāku ušanni*, "I repeated what Ea and Asalluḫi did." As further evidence Maul describes the Marduk-Ea-Type (MET) incantations (so named by A. Falkenstein), many of them in

[79] Ibid., 60. Maul argues that Šamaš was present either as a standard or image or in the form of the rising sun (ibid., 61; cf. 9). It is unclear if Maul is claiming that Šamaš was believed to be present even if not invoked.

[80] "(*ina/assu*) *lumun .... palḫāku adrāku u sūtadurāku*," which Maul translates as "*Wegen des Unheiles, das von...(ausgeht), bin ich in Furcht, bin ich in Angst und sehr verängstigt*." "Because of the evil (emanating from X omen), I am afraid, worried, and filled with anxiety." Ibid., 61 and n. 10. This utterance appears in many of the namburbi recitations invoking Šamaš, Ea, and Asalluḫi, but not in all namburbis by any means. Veldhuis critiques Maul for overstepping the evidence in claiming point-for-point dependence of the parts of the namburbi rites on Mesopotamian legal tradition. He finds especially egregious Maul's claim that the act of throwing the image of the harbinger into the river constitutes a trial by river ordeal, as mentioned in the Code of Hammurapi, particularly given the variations offered by different rituals in which the harbinger is carried away by a bird, fish, or boat ("Interpreting," 150-51).

[81] Ibid. Maul also claims that purification rituals were performed before the invoked gods in order to demonstrate that such rituals were done with their knowledge (71).

[82] Ibid., 41.

[83] Ibid., 60-61, 70.

Sumerian, in which the liturgist recites and carries out ritual instructions which, in Mesopotamian mythology, Ea had composed for Marduk.[84]

Most of Maul's interest is non-rhetorical; when he talks about rhetoric it is generally to describe the ritual's effects on the beneficiary. For example, he describes the effects of the ritual utterance *īpuš Ēa ipšur Ēa* (which he understands to mean "Ea made the omens and made the means for overturning them as well") on the beneficiary as auto-suggestion.[85] Many of Maul's astute observations are nonetheless relevant for the purposes of this dissertation, for example when he writes that nowhere in the namburbis is the legitimacy or validity of the three gods' judgment cast in doubt.[86]

2.1.2.6. Summary of Relevant Scholarship

All of the scholars except Wright contrast magic with persuasion in their discussion of the namburbis' oral rites, agreeing that the namburbis manifest a blend of magical and persuasive methods but differing in their views of the balance between these two methods, the categorization of different oral elements as magical or persuasive, and the role they ascribe to the gods in human use of magic or magical speech. Mayer, who reviews only the central prayers (*Gebetsbeschwörungen*), emphasizes their persuasive effects, comparing them to the biblical psalms. Kunstmann, who focuses on the same prayers, considers their ritual use to rely mainly on magic, thereby minimizing the gods' role. The others, who look at the entire ritual, give weight to both magical and non-magical means. Caplice and Maul describe a step-by-step process beginning with juridical language and continuing with magical means for protecting and purifying the

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[84] Ibid., 41. Caplice says much the same ("Text Genre," 93-94).
[85] Maul, *Zukunftsbewältigung*, 41.
[86] Ibid., 60.

beneficiary. The initial oral rite (Caplice's "prayer proper"), in their view, is intended to persuade the gods to reverse the decree. The consensus is that the namburbi participants had license to conduct magic as well as to entreat the gods in their attempts to avert the evil predicted by omens. The gods' role in effectuating the magic is minimized by Kunstmann, emphasized by Maul, and not treated by others. With regard to human agency in magical rites, Maul avers that the namburbi practitioners never act on their own power, but rely on Ea and Marduk-Asalluḫi to ensure that the rites have the desired effect. None of the scholars suggests that this magic includes compelling the gods. Those who address the attitude expressed toward the gods describe it as reverential, "genuinely religious."

Mayer, Maul, and Caplice devote the most attention to persuasive strategies, describing both rhetoric and gifts. Mayer compares the approach to the gods in the namburbis with the protocol due a human authority. None, however, undertakes a detailed rhetorical analysis.

This dissertation fills in some of the analytic gaps. First, in an attempt to discern the blend of persuasion and magic in the namburbis' oral rites, I look at individual speech acts rather than entire oral rites or the namburbis as a whole, distinguishing those speech acts that work via persuasion from those that work via magic and from hybrid speech acts which use both. This detailed analysis provides the basis for my more nuanced claims about the combination of persuasion and magic in the namburbis' oral rites. In addition I analyze the rhetoric in those speech acts with ordinary illocutionary force in an effort to distinguish those rhetorical methods considered effective in persuading the gods, as

opposed to human participants. I use these two methods to discern the namburbis' underlying conceptions of human and divine agency.

2.2. Analysis of Apotropaic Intercessory Speech in Two Namburbis

In this section I analyze the direct discourse in two namburbis: Text 1, averting the evil portended by a dog (KAR 64 lines 10-58), and Text 2, averting the evil portended by a wildcat wailing in a person's house (LKA 112). Translations of these texts are my own. As the following will show, the early utterances in both rituals are ordinary speech acts using *pathos*, *ethos*, and *logos* to persuade the invoked gods to avert the calamity. The discourse then shifts to causative or what I call "hybrid" speech acts—that is, speech acts having both causative and ordinary illocutionary force. These hybrid speech acts—including some persuasive analogies—do double-duty as causative speech and petitions to the gods. In Text 1, the four oral rites evince different combinations of these speech act types, while in Text 2, the sole oral rite begins with ordinary speech and ends with hybrid speech acts. As I will show, the pattern of speech acts and rhetoric supports Maul's argument that the early utterances are attempts to garner divine permission for the later rites, but that even the later utterances are indebted to divine aid. In addition, the pattern of speech acts serves to mask the perception of magical agency on the part of the intercessor, as I describe below.

To avoid lengthy circumlocutions, I sometimes write about the persuasive effects upon the deities as if the gods indeed had the capacity to listen and respond to rhetoric.

2.2.1. Text 1: KAR 64 Lines 10-58

2.2.1.1. Overview of Ritual

Text 1 counteracts the evil portended by a dog that howls in a person's house or urinates on the person. It begins with a statement of the problem and the instructions to repeat the oral rite three times in order to avert the evil. Preparatory instructions follow: the practitioner is to make a clay dog with a horsehair tail, then set up a reed altar on the riverbank and arrange specified offerings of food, drink, and incense. The beneficiary is to kneel, raise the figurine of the dog, and utter the first oral rite to Šamaš. According to the instructions, the intercessor then recites the second oral rite (the instructions read *taqibbi*, "you recite" although the oral rite is composed as if the beneficiary is speaking). The ritual participants then are to "leave Šamaš" (^{d}UTU DU_8). The intercessor speaks the final two rites to the River, addressed as a deity. After the last recitation, the figurine is thrown in the river. The beneficiary is to leave without looking back and enter a tavern, at which point the evil of the portent will be released (DU_8).

2.2.1.2. Speech Act and Rhetorical Analysis of Direct Discourse in Text 1

Below I provide a transcription, translation, speech act analysis and rhetorical analysis of each oral rite in turn.

2.2.1.2.1. Transcription and translation of first oral rite

TRANSCRIPTION:[87]

24 ÉN ^{d}UTU XX AN-*e* KI-*tim* DI.KUD AN.TA.MEŠ *u* KI.TA.MEŠ.

[87] This transcription appears as text A in Maul, *Zukunftsbewältigung*, 316-17. He collates four other versions: KAR 221, STT I 64 (+) STT II 259, DT 169 (bab.), and 82-3-23, 1650.

25 ZÁLAG DINGIR.MEŠ *mur-te-du-ú a-me-lu-ti*

26 *da-a-a-an di-ni šá* DINGIR.MEŠ GAL.MEŠ

27 NIGIN-*ka a-še-'e-ka ina* DINGIR.MEŠ *qí-ba-a ba-lá-ṭi*

28 DINGIR.⸢MEŠ] ⸢*ša*⸣ *it-ti-ka liq-bu-ú* ^{mí}SIG$_5$.MU

29 *á*[*š*$^{!}$-*šu*(*m*)] UR.GI$_7$ *an-nu-ú šá* KÀŠ.MEŠ-šú

30 [*ana muḫḫī-i*]*a iš*$^{!}$-*ti-nu pal-ḫa-ku-ma*

31 [*adrāku*] *u šu-ta-du-ra-ku*

32 [ḪUL] UR.GI$_7$ *an-ni-i šu-ti-qa-an-ni-*[*ma*⸣

33 [*dà-lí*]-*lí-ka lu-ud-lu-u*[*l*]

TRANSLATION:

24a Recitation:[88] Šamaš, king of heaven (and) earth, judge of upper and lower realms

25 light of the gods, ruler of humanity,

26 judge of the cases of the great gods,

27a I turn to you, I seek you out. Among the gods, command (my) life!

28 May the god[s] who are with you speak in my favor!

29 B[ecause of] this dog which has urinated

30 [on m]e, I am afraid,

31 [gloomy], and depressed.[89]

32 Make [the evil] of this dog pass me by,

33 [So that] I may proclai[m] your [glo]ry!

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[88] ÉN (*šiptu* in Akkadian) is often translated as "incantation." I substitute the term "recitation" to avoid pre-judging the speech acts as causative.

[89] The translation "gloomy and depressed" is based on an understanding of the verb *adāru* (in G and Št forms) as related to darkness and gloom, as suggested by Jørgen Læssøe, "A Prayer to Ea, Shamash, and Marduk, from Hama," *Iraq* 18 (1955), 60-67. Læssøe translates the three-part expression as "I...am full of fear, I am gloomy, and I have been cast into gloom" (63). Læssøe's article is cited in *CAD* P, 40 s.v. *palāḫu*. Cf. Michael L. Barré, "A Problematic Line in a Shamash Prayer and Psalm 35:14," *JAOS* 127 (2007): 195-97. Barré notes that the term *adāru* is used for eclipses. Francesca Rochberg discusses the use of emotional language with regard to eclipses in astronomical reports in *The Heavenly Writing*, 17-73. In contrast, Maul and Caplice translate *palḫāku-ma adrāku u šutādurāku* as three variations of the meaning "I am afraid" (*Zukunfstbewältigung*, 61 and *passim*; "Namburbi Texts II," 5).

2.2.1.2.2. Speech act analysis of first oral rite

Table 2. Speech acts in first oral rite of Text 1

Text	Speech act
24b Šamaš, king of heaven (and) earth, judge of upper and lower realms	Ordinary assertive
25 light of the gods, ruler of humanity,	
26 judge of the cases of the great gods,	
27a I turn to you, I seek you out.	
27b Among the gods, command (my) life!	Ordinary directive
28 May the gods who are with you speak in my favor!	Ordinary directive
29 Because of this dog which has urinated	Ordinary expressive
30 on me, I am afraid,	
31 gloomy, and depressed.	
32 Make the evil of this dog pass me by,	Ordinary directive
33 So that I may proclaim your glory!	

In lines 24b-27a, the speaker characterizes the deity and his or her own acts in an ordinary assertive. Insufficient contextual information is available to class it as a declarative, although it resembles one. The speaker describes what he or she is doing even as the words create the action described: the speaker seeks the god (by saying "I seek you out") and turns to the deity for support (by saying "I turn to you"). Mayer lists this speech act under "*Hinwendung zur Gottheit*," a category that includes statements such as "I grasp your hem," and "I fall at your feet."[90] Plausibly, these more dramatic

[90] Mayer, *Untersuchungen*, 120-49.

statements do have a declarative function, which is to indicate a formal act of supplication in which the speaker (or beneficiary) throws himself or herself on the god's mercy.[91] The weaker form, "I turn to you, I seek you out," is more nebulous, thus the classification of "assertive" is easier to justify.

Line 27b, "Among the gods, command (my) life!" is an ordinary directive to Šamaš. As explained in Chapter 1, directives are "attempts… by the speaker to get the hearer to do something." In Neo-Assyrian, imperatives were occasionally addressed to those of higher status than the speaker, as is the case here.[92] Imperatives addressed to those with greater authority normally indicate pleas. Use of the imperative here does not indicate an attempt to compel the god and thus does not represent causative speech.[93]

Line 28, "May the gods who are with you speak in my favor!," is addressed to Šamaš yet seeks to affect the behavior of the other gods "with him"—presumably those in a divine judicial assembly which is not otherwise referred to in this ritual.[94] The verbal form used is *liqbû,* a precative, the function of which is to express either an "indirect command" (a directive) or a "wish," which would fall into the category of expressive.[95]

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[91] F. S. Naiden describes an ancient practice of supplication involving four steps. His examples from the ANE include falling at the feet of the authority being supplicated while stating that one is doing so (*Ancient Supplication* [Oxford: Oxford University Press, 2006]). Naiden limits his topic in general to supplication of human authorities (or "stand-ins" such as altars). Mayer argues that "grasping the hem" can also denote a particular formal relationship between the speaker and human addressee (*Untersuchungen*, 148-49).

[92] Mikko Luukko cites examples of imperatives directed to the king or higher-ranking officials in *Grammatical Variation in Neo-Assyrian* (SAAS 16; Helsinki: University of Helsinki, Neo-Assyrian Text Corpus Project, 2004), 171. In these cases, the use of the imperative toward a human superior clearly does not indicate an attempt at compulsion.

[93] Other magical traditions—for example, the *hekhalot*—do include attempts to compel deities or (more often) semi-divine beings. Cf. Rebecca M. Lesses, *Ritual Practices to Gain Power: Angels, Incantations, and Revelation in Early Jewish Mysticism* (Harrisburg, Pa.: Trinity Press International, 1998). Specific speech acts (typically containing the equivalent of the English words "I adjure you") commonly accompany such attempts, which are often conducted with reference to deities with still higher powers. The simple petitions used here lack these features.

[94] The question of who those other deities might be is beyond the scope of this dissertation.

[95] John Huehnergard, *A Grammar of Akkadian* (2d ed; HSS 45; Winona Lake: Eisenbrauns 2005), 144-45. Cf. Wolfram F. von Soden, *Grundriss der akkadischen Grammatik* (AnOr 47; Rome, Pontifical Biblical Institute 1952), 81.

According to John Huehnergard, context is the determining factor in deciding whether a precative indicates an indirect command or a wish.[96] In the present context, the presence of the preceding directive indicates that the speaker does indeed seek to alter the gods' behavior. This speech act is thus another ordinary directive.[97] Although Searle does not mention requests issued in the third person, they meet his criteria for directives when, as Eran Cohen writes, "The addressee has, or is given, the authority to get things done, or at least the physical ability to pass on the orders."[98] In this case, however, the word "orders" is too strong. Directives can carry different degrees of force ranging from subservient pleas to commands depending, in part, on the relationship between speaker and addressee. Šamaš—already addressed as "Judge of the cases of the great gods"—no doubt has the authority to pass on the directive to the other deities. Whether he has the authority to enforce it depends on the rules governing the divine assembly. Regardless, the speaker lacks the authority to give commands either to Šamaš or the assembly, so that this directive is, again, a plea rather than a command.

In lines 29-31, the speaker says, "Because of this dog which has urinated on me, I am afraid, gloomy, and depressed." This speech act describes the speaker's psychological state—at least the state assumed during the ritual—and thus counts as an expressive. The

[96] Huehnergard, *Grammar of Akkadian*, 144-45. In fact, the distinction between "wish" and "indirect command" is more complex than it would seem on the surface. In letters from Assyrian scholars to the king, the use of the precative appears to be a politeness strategy, implying deference: the writers puts forward their suggestions or desires tentatively, but the context makes it clear that they hope to influence royal behavior. The distinction between "wish" and "indirect command/petition" becomes murkier when the texts are examined from a rhetorical perspective, since expressions of feelings are often used with persuasive intent. For example, laments are commonly used as motivating statements in petitionary prayer.
[97] The distinction between the use of the precative as an indirect directive vs. its use as an expressive can be clarified by noting one of Searle's requirements for "successful" directives: listeners capable of carrying them out. (Whether the listener actually does carry out the directive is a matter of perlocution, not illocution, and does not affect the "success" of the speech act.) Expressives lack this requirement; in fact, they need not have listeners at all. They merely express the speaker's psychological state without any attempt to alter the world, according to Searle. See also the discussion in Section 3.1.4.
[98] Eran Cohen, *The Modal System of Old Babylonian* (HSS 56; Winona Lake: Eisenbrauns, 2005), 97.

words *palḫāku-ma adrāku u šutādurāku* show more signs of ritualization than the prior speech acts: their prosodic features include repetition, end-rhyme, and a rhythmic pattern of two short words followed (after the conjunction) by a longer word. The rhythmic pattern is particularly common in incantations (although not necessarily those from Mesopotamia), according to Henk Versnel.[99] It is therefore tempting to classify the speech act as causative, even though nothing about the words indicates that they cause supernatural transformation. Since ordinary ritual speech can also manifest such prosodic features, the speech act is best classed as an ordinary expressive.

As for the final two lines, Maul's reconstruction joins them with *–ma*, making the speaker's commitment to praise the deity conditional upon divine help: "Make the evil of this dog pass me by, so that I may proclaim your glory!"[100] Lines 32-33 are therefore classed as a single speech act controlled by the main clause, the imperative "Make the evil of this dog pass me by!"—an ordinary directive.

In sum, all speech acts in this oral rite function according to the rules of ordinary speech. We next turn to their persuasive strategies.

2.2.1.2.3. Rhetorical analysis of first oral rite

This oral rite to Šamaš contains the three principal elements Kunstmann describes: (1) praise, including an invocation with divine epithets of praise (lines 24-26); (2) a petition, including the three sub-elements of (2a) turning toward the deity (line 27a),

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[99] Henk S. Versnel, "The Poetics of the Magical Charm: An Essay on the Power of Words" in *Magic and Ritual in the Ancient World* [ed. P. A. Mirecki and M. W. Meyer; Religions in the Graeco-Roman World 141; Leiden, Brill, 2002], 105-58). Cf. Nathan Wasserman, *Style and Form in Old-Babylonian Literary Texts* (Cuneiform Monographs 127; Leiden: Brill, 2003), 105, writing about the particular density of special prosodic features in OB incantations.

[100] Huehnergard writes that when two clauses are linked through the particle *–ma*, "the first clause normally presents the conditions that result in the action of the second clause" (*Grammar of Akkadian*, 50).

(2b) the petition itself (lines 27b-28, as well as an additional petition in the closing on line 32), and (2c) the lament (lines 29-31); and (3) a closing section comprising a praise-vow (lines 32-33).[101] The invocation, praise, and petition form the section of the "prayer proper" of a namburbi most subject to variation in wording and content and conversely, least subject to stereotypy. Within this oral rite can be discerned the interworking of *pathos*, *ethos*, and *logos*. *Pathos* plays on the deity's mood. *Ethos*, or the presentation of the speakers' (intercessor's and/or beneficiary's) positive characteristics, shows them to be people worthy of the deity's attention. *Logos* presents reasons (implicit or explicit) for the deity to do as the speaker asks. In addition, we see the strategies of *presence*, *communion*, and *choice*, also described in Chapter 1.

The first speech act includes three formal elements: invocation ("Šamaš"), praise (epithets such as "light of the gods, ruler of humanity"), and a statement of "turning."[102] I describe their persuasive strategies in turn.

Rhetorically, the invocation simultaneously serves to call or invite the deity to the ritual site,[103] focus the deity's attention on the speaker (whether intercessor, beneficiary, or both), and welcome the deity. Once the deity notices the beneficiary and hears the concern, the threatened individual is no longer an abstraction.[104] Other rhetorical

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[101] According to Kunstmann, the vow to praise constitutes one of two types of conclusions found in the *šuillas* (*Gebetsbeschwörung*, 39-41). Kunstmann does not describe the petition linked to this vow to praise. In contrast, Mayer devotes a lengthy justification for the linkage, discussed below (*Untersuchungen*, 310-49). Mayer notes that in the prayers he analyzes (most of which are not from namburbis), the connecting –*ma* occurs in approximately two-thirds of cases (310-11).

[102] The last is identified as a formal element in the *Gebetsbeschwörungen* by Mayer (*Untersuchungen*).

[103] The site itself is often the place where the omen was seen, that is, the location where the deity was believed to have communicated. In his comments on the namburbi against evil portended by "fire from heaven" (lightning that caused a fire) Maul writes that "the place where the god [Gibil/Gira] struck is best for contacting the god" (*Zukunftsbewältigung,* 119).

[104] One sees this dynamic in biblical passages involving the root צעק or זעק: YHWH acts upon taking note of the victim's outcry. He must in some sense hear or see the victim. Cf. James Kugel, *The God of Old: Inside the Lost World of the Bible* (New York: Free Press, 2003).

elements will work together with this strategy of *presence* as the prayer continues, making it increasingly difficult for the god to ignore the beneficiary's plight.

Praise, in the form of a series of epithets, follows the divine name. Such praise was a matter of convention when heralding kings and deities in Mesopotamia. For example, Paul Y. Hoskisson and Grant M. Boswell note the standard use of lists of honorifics for the king in Sennacherib's *Annals*.[105] Erhard S. Gerstenberger writes that the hymnic address in prayer is first of all correct protocol.[106] Several lines of praise of this sort are routinely applied to deities in the namburbi prayers.[107]

In addition to satisfying protocol, praise could be expected to reduce anger and put the deity in a positive disposition, more amenable to fulfilling the beneficiary's needs. Mesopotamians believed that certain kinds of speech could soothe divine mood, for example terming some of their prayers "laments for appeasing the heart" (ERŠAHUNGA).

Not only the fact of praise, but the content of the praise is significant. Any selection of specific attributes over others uses the technique of *choice.* In order to put the deity into a beneficent mood, the chosen epithets presumably praise attributes that Šamaš was believed to value. In addition, attributes were selected to guide the god toward the desired action. According to Walter Beyerlin and I. Tzvi Abusch, the beneficiary's cause

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[105] Paul Y. Hoskisson and Grant M. Boswell, "Neo-Assyrian Rhetoric" in *Rhetoric before and beyond the Greeks* (ed. C. Lipson and R. Binkley; Albany: State University of New York, 2004), 65-78 (70).

[106] Erhard S. Gerstenberger, *Der bittende Mensch: Bittritual und Klagelied des Einzelnen im Alten Testament* (WMANT 51; Neukirchen-Vluyn: Neukirchener, 1980), 97.

[107] Alan Lenzi argues that praise is far rarer in the DINGIR.ŠÀ.DIB.BA prayers than in the *šuillas* because they are addressed to personal deities as opposed to high gods ("Invoking the God: Interpreting Invocations in Mesopotamian Prayers and Biblical Laments of the Individual," *JBL* 129 [2010], 303-15).

is furthered by praising those qualities the speaker wishes the deity to evince. [108] Citing such qualities plays on the deity's presumed desire to continue garnering praise by manifesting the lauded qualities all the more (the reason that praise is so widely used in behavior modification today).

Two particular themes are evident in the divine attributes singled out for praise in lines 24-26: Šamaš's majesty and his role as supreme judge. Calling the deity not only "king of heaven and earth" (line 24) but "judge of the cases of the great gods" (line 26) acknowledges Šamaš as most powerful of all. The epithets highlight the hierarchical differentiation between deity and speaker as well as among the gods, where Šamaš is the judge of last resort. Šamaš is presented as judging even the high gods—thus the highest judicial authority in the pantheon, although not otherwise the ruler of the gods. The implication of line 26 is that Šamaš's decision cannot be overturned by a higher court.[109] One who pronounces judgment on the other gods' cases has the last word in the judgment of humans as well. Praising Šamaš for his judicial authority does not only enlarge his reputation. Given a successful ritual, having Šamaš's decision be the final word on the matter serves the beneficiary's interests as nothing else can.

Choice is involved not only in the selection of the attributes praised, but in their order (the Aristotelian principle of *arrangement*). Abusch notes that in many *šuillas*, the opening hymn praises the god "first in terms of his/her place within the divine

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[108] W. Beyerlin,"Die tôdā der heilsvergegenwärtigung in den Klageliedern des Einzelnen," *ZAW* 79 (1967): 208-234 (211). Cf. I. Tzvi Abusch, "The Promise to Praise the God in Šuilla Prayers," in *Biblical and Oriental Essays* (ed. I. T. Abusch and A. Gianto; BibOr 48; Rome: Pontifical Biblical Institute 2005), 1-10.
[109] Cf. Maul, *Zukunfstbewältigung*, 61. Claiming that the deity's verdict is final is one way of heralding his authority within the pantheon. Such a claim can function as praise, as evidenced by a letter from a scholar to the king's mother, as translated by Parpola: "[The verdict of the mother of the king, my lord], is as final as that of the gods. What you bless, is blessed; what you curse, is cursed" (SAA 10:17 r. 1-5).

community and then in terms of his/her relationship to earth and the human world."[110] The god's role vis-à-vis humanity "provides the backdrop and jumping-off point for the request for the god to listen to and help the petitioner."[111] This process can be seen in lines 24-25. The hymn is directed to Šamaš in his role as king and judge of both gods and humans. The merismus "heaven and earth" is paralleled by a second merismus, "upper and lower regions," emphasizing Šamaš's all-encompassing rule. The next line maintains the same parallel structure, focusing first on the heavenly realm and then on the earthly, but stresses Šamaš's role as leader and guide of the inhabitants of these domains: gods (in the heavenly realm) and humans (on earth). The cosmic focus thus gives way to a focus on the relationship between the deity and humanity. In line 26, however, the focus returns to the divine realm, as Šamaš is addressed as "judge of the cases of the great gods"[112]—a link to the petitions in line 27b-28: "Among the gods, command (my) life! May the gods who are with you speak in my favor!" Emphasizing the deity's authoritative role among the deities is an appropriate entree to petitions that he use his authority on the beneficiary's behalf.

As for the final line of the initial speech act, the descriptions of the beneficiary's behaviors in line 27a, "I turn to you, I seek you out," carry persuasive force involving both *ethos* and *pathos*. The beneficiary is choosing to turn to Šamaš rather than to another deity. Together with the epithets of praise, these words present the desire to establish a particular relationship between beneficiary and deity, in which the beneficiary relies on the deity for aid. As suggested earlier, this might be the role of supplicant. It might also be the role of potential or actual devotee or adherent, given the vow to praise in the oral

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[110] Abusch, "Promise," 3-4.
[111] Ibid., 4.
[112] Caplice, "Namburbi Texts II," 5.

rite's final line.[113] Abusch likens the gods to chieftains competing for followers, writing that "the praise...declares why one should place one's trust in one leader over another."[114] From the viewpoint of a deity competing for human admirers, adherents show good judgment, a sign of *ethos*. From the perspective of *pathos*, the deity is assumed to be motivated to act in such a way as to keep the devotees' adulation flowing. *Logos* may be involved as well. Presenting the beneficiary (and intercessor) as adherents or at least potentially so also opens a quasi-legal argument to the degree that adherents can make claims on the protection (*abbūtu*) of the gods they worship.

Lines 29-30 express the problem and the beneficiary's emotional response in a straightforward manner: "Because of this dog which has urinated on me, I am afraid, gloomy, and depressed." The threefold predicative construction emphasizes the beneficiary's misery, while the final verb, *šutādurāku,* indicates its chronic nature. It is possible that these three verbs are used to indicate completeness as well for emphasis. The underlying logic may be that if the deity is not motivated to help by the supplicant's fear, he might be moved to help by the other emotions described. The lament is offered here as a reason for the deity to intervene, on the assumption that the listener will respond to the beneficiary's misery, a clear play on *pathos*—in this case, divine compassion.

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[113] Cf. Abusch, "Promise," 8-9; Gary A. Anderson, "The Praise of God as a Cultic Event," in *Priesthood and Cult in Ancient Israel* (ed. G. A. Anderson and S. Olyan; JSOTSup 125; Sheffield: Sheffield Academic, 1991), 15-33. Both cite James Kugel, who wrote with respect to Israelite religion that "[T]o praise God is...a kind of *prise de position*, a formal setting up of the worshiper as subject to God (one might almost say, in the royal sense, as subject of God, dependent, indebted), in every sense a devotee." James L. Kugel, "Topics in the History of the Spirituality of the Psalms," in *Jewish Spirituality* 1: From the Bible through the Middle Ages, ed. by A. Green (World Spirituality 13; New York: Crossroad, 1986), 113-44 (127). Kugel considers such praise as primarily an act of fealty and only secondarily an expression of gratitude.

[114] Abusch, "Promise," 9-10. Focusing on the vow to praise, he considers its *Sitz im Leben* to be "a primitive aristocratic world" and serves as "an invitation...to serve a newly-emergent leader." In later times, he suggests, it serves "the movement of an individual god to eclipse all others and become the most important in the pantheon and eventually the sole god."

The triple expression of distress exhibits rhythm, rhyme, and a pattern of two shorter words (*palḫāku* and *adrāku*) then one longer word (*šutādurāku*).[115] These features draw the listener's notice, which potentially brings attention to their meaning, thereby highlighting the beneficiary's plight.[116] This use of special prosodic features to highlight meaning stands in tension with another use of repetition, rhythm, and rhyme, however, since these also signal ritualization.[117] Highly ritualized and stereotypical language often signals a direct conventional meaning which may, in some cases, extend beyond the semantics of the words themselves.[118] For example, when hearing the words "hear ye, hear ye" (or "oyez, oyez, oyez"), some listeners will notice and try to understand the unusual language, whereas others will recognize the words only as a signal that court is in session. As ritual language, the words *palḫāku-ma adrāku šutādurāku* may serve as an official statement of distress, a particular stage in the protocol of supplicating a god. Maul considers this phrase to be the formal charge (*Anklage*) against the harbinger.[119] Although I consider this an overly precise reading, many namburbis do contain an expression of distress, embedded in a formula such as "Because of the X omen, I feel Y," supporting the idea that such a statement is intended not only to arouse divine compassion but to function as an important element in the petition's or ritual's success.

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[115] The particular rhythmic pattern described is one common in incantations described by Versnel (*Poetics*).

[116] Various psycholinguistic studies indicate that distinctive or unusual words and syntax make greater mental impressions and are more easily remembered. Chris Wyckoff, "Have We Come Full Circle Yet? Closure, Psycholinguistics, and Problems of Recognition with the Inclusio" *JSOT* 30 (2006): 475-505; Edward Greenstein, "How does Parallelism Mean?" in *A Sense of Text: The Art of Language in the Study of Biblical Literature: Papers from a Symposium at the Dropsie College for Hebrew and Cognate Learning, May 11, 1982* (JQR Supplement 1982; Winona Lake: Eisenbrauns, 1983): 41-70.

[117] Catherine Bell, *Ritual Theory, Ritual Practice* (New York: Oxford University Press, 1992), 92.

[118] Cf. Jesper Sørensen's discussion of words as "objects" with a de-emphasis on their semantic meaning (*A Cognitive Theory of Magic*, [Lanham, Md.: AltaMira, 2007], 87-93). This kind of language is very common in causative speech but not necessarily limited to it—it is a feature of ritualized speech in general.

[119] Maul, *Zukunftsbewältigung*, 61.

As for the concluding lines ("Make the evil of this dog pass me by, so that I may proclaim your glory!"), the praise-vow in this prayer is linked to the final petition by means of the suffix *–ma* attached to the petition's final word, *šutiqannī-ma* ("avert from me"). Its meaning thus appears to be either a wish or a promise to praise the deity once the deity has fulfilled the petition. Caplice presents this sense in his translation, "Avert from me the evil of this dog, *that* I may sing your praise!"[120] Abusch notes that a praise-vow "recognizes the existence of a mutual relationship, for the god has judged or championed the supplicant, and thereby has either filled the terms of an already existing relationship or created a new one. In return, the human recipient asserts his thanks and recognition in the form of a statement of allegiance and devotion."[121] In many namburbis, the praise-vow or its following line indicate that the praise is to take place in a public setting, thus elevating the god's status in the eyes of others as well.[122]

2.2.1.2.4. Transcription and translation of second oral rite

TRANSCRIPTION: [123]

36 [*ana pu-u*]*ḫ*[!]*-ia* SUM-ka[124] *ana di-na-ni-ia* SUM-ka

37 [*asḫuṭ mimma lem*]*-nu*[!] *ša* SU.MU *ana muḫ-ḫi-k*[*a*]

38 [*aš-ḫuṭ mi*]*m-a lem-nu*[125] *ša* UZU.MEŠ.MU *ana mu*[*ḫ-ḫi-ka*]

39 [*aš-ḫuṭ mim*]*-ma lem-nu*[126] *ša la-ni*-MU *ana mu*[*ḫ-ḫi-ka*]

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[120] Caplice, "Namburbi Texts II," 6 (emphasis added).
[121] Abusch, "Promise," 8.
[122] Mayer, *Untersuchungen*, 309.
[123] This transcription appears as version A in Maul, *Zukunftsbewältigung*, 317-18, with adaptations as noted. Several words were restored based on variants.
[124] *ana pu-u*]*ḫ*[!]*-ia* SUM appears in version B, KAR 221. Maul gives version A as [SUM]*-ka*[!] (ibid., 317).
[125] [*aš-ḫuṭ mi*]*m-a lem-nu* appears in version B, KAR 221, with similar wording in version C_1, Stt I 64 (with *aš-ḫuṭú*). Maul shows a lacuna in version A (ibid.).

40 [*ašḫuṭ mim*]-*ma lem-nu*[127] *ša* IGI.MU[128] EGIR.MU *ana muḫ-ḫi-k*[*a*]

TRANSLATION:

36 I have assigned you [as] my [substit]ute. I have assigned you as my replacement.

37 [I have sloughed off every evil] of my body onto y[ou].

38 [I have sloughed off e]very evil of my flesh on[to you].

39 [I have sloughed off ev]ery evil of my form on[to you].

40 [I have sloughed off ev]ery evil before m[e] and be[hind me] onto y[ou].[129]

2.2.1.2.5 Speech act analysis of second oral rite

Table 3. Speech acts in second oral rite of Text 1

Text	Speech act
36a I have assigned you [as] my [substit]ute.	Causative assertive
36b I have assigned you as my replacement.	Causative assertive
37 [I have sloughed off every evil] of my body onto y[ou].	Causative assertive
38 [I have sloughed off e]very evil of my flesh on[to you].	Causative assertive
39 [I have sloughed off ev]ery evil of my form on[to you].	Causative assertive
40 [I have sloughed off ev]ery evil before m[e] and be[hind me] onto y[ou].	Causative assertive

[126] [*aš-ḫuṭú mim*]-*ma lem-nu* appears in version C_1, Stt I 64, which gives *as-ḫu-ṭú* consistently whereas versions A and B give *as-ḫuṭ*. I present the verb as *as-ḫuṭ* based on Maul's restorations of version A, line 37 and version B, lines 38-39. Maul shows a lacuna in version A (ibid.).
[127] [*ašḫuṭ mim*]-*ma lem-nu* appears in version B, KAR 221, vs. a lacuna in version A (ibid.).
[128] I have written *ša* IGI.MU based on version A's *šá* IGI].MU and version C_1's *šá* IGI-*i*[*a*] (ibid.).
[129] Maul argues that *ašḫuṭ* should be translated as "washed off," pointing to a variant of the namburbi against a fire caused by lightning, KAR 293 + VAT 10570e ± 83-96, 132-151 KAR 294 + KAR 254 (variant F), beginning with line 137, in which the beneficiary is told to kneel and rinse himself with water over the figurine. Following this, the beneficiary is to recite the oral rite "I have made you a substitute for myself" including the words "*ašḫuṭ mimma lemnu...*" (*Zukunftsbewältigung*, 321 n. 56). Maul attributes the absence of similar instructions here to the routine omission of certain ritual acts in namburbi texts. A similar rite—washing the harmful material from the beneficiary onto the image at his or her feet—was common in Anatolian ritual. Volkert Haas, *Geschichte der hethitischen Religion* (HO: Der nahe und mittlere Osten; Leiden: Brill, 1994), 898.

All speech acts in this oral rite are formed as first-person statements in the preterite and constitute performative utterances.[130] The "I" in these statements refers to the beneficiary, most likely prompted by the intercessor. According to Maul

, these acts were accompanied by a manual rite in which the beneficiary washed himself or herself over the figurine. The speech acts are causative because their purpose is magical: ordinary words alone are incapable of creating a supernatural substitute for the beneficiary and using it as a receptacle for transferred impurity. The presence of features of ritualized speech supports their identification as causative speech acts.

2.2.1.2.6. Rhetorical analysis of second oral rite

The speech acts here have many hallmarks of ritualization: stereotypy—since they appear in a number of namburbis[131]—as well as repetition and other prosodic features. Their syntactic parallelism leads to end-rhyme while the different endings on the parallel statements ("my body," "my flesh," and so forth) lead to a sense of formal completeness. Finally, the use of performative utterances is characteristic of much ritual speech, causative or not.[132]

[130] See John R. Searle, "How Performatives Work," *Linguistics and Philosophy* 12 (1989): 535-58, for his view of the relationship between performative utterances, declaratives, and assertives. Although Austin describes performative utterances as taking the present tense, a number of scholars have argued that other verbal forms are characteristically used for the preterite in different Semitic language. According to Mayer, the preterite is used for certain performative utterances in the OB and OAkk periods (*Untersuchungen*, 192). Given the conservative nature of ritual discourse, it makes sense that such formulations carried over into the NA period. Cf. F. W. Dobbs-Allsopp's review of this research in "(More) on Performatives in Semitic," *ZAH* 17-20 (2004-2007): 36. See also Seth L. Sanders, "Performative Utterances and Divine Language in Ugaritic," *JNES* 63 (2004): 161-81.
[131] And probably other ritual texts.
[132] Roy A. Rappaport notes the particular affinity of the performative utterance for ritual use (*Ritual and Religion in the Making of Humanity* [Cambridge Studies in Social and Cultural Anthropology; Cambridge: Cambridge University Press, 1999], 114-17). See the discussion in Chapter 1.

The speech acts here enact a two-step process: identification of the substitute, and transfer of impurities onto the substitute.[133] Those two steps appear in lines 36 and 37-40 respectively. The causative assertives in lines 36a and 36b turn the image of a dog into a supernaturally-effective substitute. Addressed to the dog figurine, they establish a formal link between the figurine and the beneficiary, making the figurine the official stand-in for the beneficiary.[134] Mayer labels these first-person utterances as possible instances of *Koinzidenzfall*, equivalent to Austin's explicit performative utterances. [135]

The causative assertives in the remaining lines cause the evil to flow from the beneficiary to the substitute.

To function as declaratives, the speech acts must be accepted by their audience as having a particular conventional effect. In this case, the relevant audience is not the figurine (although it is the addressee) but the gods, in whose presence the words are uttered. Only if the gods accept that these words change the status of the figurine will the image be established as an official substitute, able to receive the evil from the beneficiary, the function of the performative utterances in lines 37-40. The convention on whose basis the speech acts "succeed" must precede their use, but the audience of the gods must also witness them for them to take effect.

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[133] Volkert Haas explains this process with regard to Anatolian religion as well (*Geschichte*, 895-98).
[134] The notion of substitution appears in political as well as religious contexts in Mesopotamia. Humans could substitute for other humans, for example providing mandatory military service. In Neo-Assyrian religious rituals, its most dramatic expression was in the substitute king ritual, a lengthy process in which another man was set on the throne for a predetermined period of time, then killed. In such rituals, substitution is more than quasi-legal; the speech act creates an ontological shift in the designated substitute, rendering it capable of taking on the evil born by the beneficiary.
[135] Mayer, *Untersuchungen*, 199.

The third and fourth speech acts in lines 43-51 and 52-55, respectively, are directed to the River on whose banks the concluding part of the ritual ceremony takes place. The River is here addressed as a deity and offered its own sacrifices.[136]

2.2.1.2.7. Transcription and translation of third oral rite

TRANSCRIPTION:[137]

43 ÉN *at-ti* ÍD *ba-na-ta ka-la-*[*m*]*a*

44 ⸤*ana*⸥-⸤*ku*⸥ NENNI A NENNI *ša* DINGIR-*šú* NENNI ^{d}XV-*šú* NENNI-*tum*

45 [UR].GI$_7$ *an-nu-ú* KÀŠ-*šú iš-lu-ḫu-an-ni-ma*

46 ⸢*pal*⸣-*ḫa-ku-ma a-ta-nam-da-ru*

47 G[IM] NU *an-nu-ú ana KI-šú* NU GUR-*rù*

48 ḪUL-*šú- a-a* TE-a [*a-a*] ⸤KU⸥.NU *a-a* DIM$_4$-MÀ

49 *a*$^{!}$-⸢*a*]$^{!}$ KUR-[*an-n*]*i*$^{!}$ ⸢ḪUL⸣ UR.GI$_7$ [*šu*⸥*-a-tú ina* SU.MU *lis-si*

50 ⸢u_4]-[*mi-šam*] *-ma* ⸢*lu*]-[*uk*]-*tar-rab-ka*

51 *a-*⸤*me*]-[*ru*]-*u*-[*a*⸥ *ana*$^{!}$*da-ru-a-ti* [*dà-lí-lí*]-*ki lid-lu-lu*

TRANSLATION:

43 Recitation: You, River, are creator of a[l]l.

44 I am so-and-so son of so-and-so, whose god is so-and-so (and) whose goddess is so-and-so.

45 This [do]g urinated on me

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[136] Evidence elsewhere that the River was understood as divine includes a letter-prayer to the River from Zimri-Lim of Mari (*AEM* 1/1 191 [A.7650]) in which the divine determinative precedes the sign for river. Zimri-Lim calls the River *bēlī*, my lord, and himself, "*waradka*", "your servant." He seeks the River's protection and asks that the River fulfill the sign which the River had previously given him. Georges Dossin, "Les Archives épistolaires du Palais de Mari," *Syria* 19 (1938): 105-26 (125-26). The text number appears in J. J. M. Roberts, "The Mari Prophetic Texts in Transliteration and English Translation" in *The Bible and the Ancient Near East: Collected Essays* (Winona Lake: Eisenbrauns 2002), 157-253 [163]. In other evidence, Maul notes that the River is addressed as a deity in the Code of Hammurapi §2 which deals with the River Ordeal, and also listed among the gods in the *lipšur* litanies (*Zukunftsbewältigung*, 85). See also Fritz Stolz, "River," in *DDD* 707-709. In some texts the River is addressed as masculine, in others as feminine, and in these namburbi utterances as both.

[137] This transcription appears as version A in Maul, *Zukunftsbewältigung*, 318.

46 so that I am afraid and depressed[138]

47-48a Ju[st as] this image cannot return to its place

48b May its evil not approach! [May it not] come near! May it not press upon (me)!

49 [May it not] reach [me]! May the evil of [this dog

move away from my person!

50 E][very day] let [me c]all blessings on you!

51 May those who w[itness me] proclaim your [glory] for eternity!

2.2.1.2.8. Speech act analysis of third oral rite

Table 4. Speech acts in third oral rite of Text 1

Text	Speech act
43b You, River, are creator of all.	Ordinary assertive
44 I am so-and-so son of so-and-so, whose god is so-and-so (and) whose goddess is so-and-so.	Ordinary assertive
45 This dog urinated on me	Ordinary expressive
46 so that I am afraid and depressed.	
47-48a Just as this image cannot return to its place	Hybrid: Causative expressive/ordinary directive
48bα May its evil not approach!	
48bβ May it not come near!	Hybrid: Causative expressive/ordinary directive
48bγ May it not press upon (me)!	Hybrid: Causative expressive/ordinary directive
49a May it not reach me!	Hybrid: Causative expressive/ordinary directive
49b May the evil of this dog move away from my person!	Hybrid: Causative expressive/ordinary directive
50 Every day let me call blessings on you!	Ordinary commissive
51 May those who witness me proclaim your glory for eternity!	Ordinary expressive

[138] I interpret this as a 1cs Gtn perfect of *adāru.* See the note in Section 2.2.1.2.1.

The first two speech acts characterize the addressee (the River) and the speaker(s) in ordinary ways, hence are ordinary assertives. The third speech act, in lines 45-46, contains two clauses joined by *–ma*. The ordinary expressive "I am afraid and depressed" takes precedence in characterizing the utterance.

The speech acts in 47-49a are more complex. They are formulated in the vetitive, a grammatical form used to express wishes—that is, statements of desire or expressives.[139] Uttered in the presence of a competent listener, however, a wish-statement could be an indirect directive—either plea or command, depending on the force with which it is uttered and the power-relations between speaker and listener.[140] Theoretically the speech acts in 47-49b could be categorized as either expressives or directives. The decision depends on whether they are understood as primarily expressing the desire or wish of the speaker (expressives), or as directives (petitions or commands) to another agent.

Arguably, the speech acts formulated with vetitives in lines 47-49a function as a petition to the River since they are embedded in an oral rite addressed to that entity.[141] The River is presented with the problem at the beginning and given good wishes at the end. The intervening speech acts should also be understood as not only addressed to the River, but seeking its help— otherwise why express gratitude at the end, in the form of

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[139] Huehnergard, *Grammar*, 147. Unlike the case with the precative, Huehnergard does not give the option of an "indirect command" for vetitives; rather, he writes that it is "less forceful than the Prohibitive" which is used for negative commands and prohibitions. Von Soden writes that the vetitive indicates a negative wish which—even if very urgent—still falls short of a formal prohibition (*Grundriss*, 106).

[140] Cf. 2 Sam 23:15/1 Chr 11:17, in which David states his desire for water and his men gp to great risk to obtain it for him.

[141] In Maul's view, the River's role is to enforce the judgment against the harbinger made by the high gods in the earlier part of the ritual, acting as the site for an ordeal confirming the harbinger's guilt (*Zukunftsbewältigung*, 85-86).

wishes for its praise?[142] Since the River is addressed with courtesy, as a deity (note the epithet, "Creator of all"), the words should be understood as a petition rather than a command: it is being asked, not compelled, to carry the evil away from the beneficiary.[143] These speech acts should therefore be considered as ordinary directives—were it not for another factor complicating this view.

The complication arises from the formulation of the speech acts in 47-49b as a persuasive analogy: "Just as this image cannot return to its place, may its evil not approach! May it not come near! May it not press upon me! May it not reach me!" As a rule in Mesopotamian ritual texts persuasive analogies are understood to have direct effects on reality and thus have causative illocutionary force. In this persuasive analogy, an attribute of the clay figurine (its inability to "return to its place," presumably the clay deposit from which it originated) is transferred to the evil concretized in the image, so that it, too, cannot return to "its place" (the human from which it was removed in the previous oral rite).[144] Accompanying the words is a gesture: throwing the image into the river. From this perspective, the speech acts are causative expressives: the act of uttering the analogy, along with the corresponding action, makes the "wish come true."

This double understanding of these speech acts has a significant effect: to diffuse perceptions of agency for the supernatural act. Is it the words and actions undertaken by

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[142] Claus Westermann argues that praise and promised praise function as expressions of gratitude both in biblical and Mesopotamian psalms, and that Akkadian, like biblical Hebrew, lacked a specific word for thanks (*Praise and Lament in the Psalms* [trans. K.R. Crim and R. N. Soulen; Atlanta: John Knox], 1981, 25-30, 39).

[143] Chaïm Perelman and Lucie Olbrechts-Tyteca write, "When actual force is lacking or when one does not consider using it, the imperative assumes the tone of a prayer" (*The New Rhetoric: A Treatise on Argumentation* [trans. J. Wilkinson and P. Weaver; Notre Dame: University of Notre Dame Press, 1969], 158).

[144] Another, similar namburbi prayer to the River asks that its banks receive "all my sins" in line 23 of Caplice's reconstruction ("Namburbi Texts IV," 138). In Anatolian tradition, clay deposits are understood to be part of the domain of the underworld deity and to be particularly common in riverbanks. See Section 3.2.1.

the ritual participants that cause the evil to vanish into the distance? Or is it the agency of the River, who kindly accedes to human petition? The wording of the speech acts appears to intentionally obscure the agency. As noted in Section 1.7.1, the mystification of agency through the use of hybrid speech acts appears over and over in ANE rituals.

The same two ways of understanding the speech acts in 47-49a apply to the following one, in 49b: "May the evil of this dog move away from my person!" This verb in this speech act appears in the precative rather than the vetitive, but nonetheless the utterance can be classified as both an ordinary directive (a plea to the River) and a causative expressive (the "wish" sense of the precative, in keeping with the expressives in the previous speech act). While the prior analogy compared the figurine's inability to "return to its place" to that of the evil, this speech act expresses the wish that the evil move away. For this reason I class it as a separate speech act. The persuasive analogy may have continued in the visual realm, as the speaker watches the image bob along in the current ("move away from me") and expresses the desire that the evil do the same.[145]

As for the remainder of this oral rite, the statement in line 50 which I have translated "Every day let me call blessings on you!" indicates a promise to praise the River (a commissive) although as Mayer writes, it can also be understood as a wish (expressive).[146] The final speech act in line 51, "May those who witness me proclaim your glory for eternity!" is clearly an ordinary expressive; the speaker is expressing a wish with regard to the future behavior of those who observe his praise. Such statements

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[145] See David Wright, "Analogy in Biblical and Hittite Ritual," in *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testament* (ed. B. Janowski, K. Koch, and G. Wilhelm; OBO 129; Freiburg: Universitätsverlag, 1993, 473-506 (485).

[146] Mayer, *Untersuchungen*, 311-12. He writes that these two senses of the precative are closer in Akkadian than are the corresponding German translations.

are conventionally referred to as "praise-vow" when expressed in the first person and "praise-wish" when referring to others.

2.2.1.2.9. Rhetorical analysis of third oral rite

This oral rite resembles the first (and many similar oral rites in other namburbis) in its structure and content. The self-identification of the speaker by name, patronym, and personal deities is common in the main oral rite to the high god or gods in other namburbis. Other common elements include invocation and praise, lament and petitions, and the closing. The opening and closing are gestures of courtesy, the first by way of introduction, conveying *presence*, the last by way of appreciative farewell. The utterances in between, in lines 47-49b, reflect the process of the ritual acts. Their hybrid illocutionary force is described above.

Overall this oral rite expresses respect, misery, and dependence but less intensely than the earlier prayer to Šamaš. The praise is briefer, with a sole but significant epithet: "Creator of all" (*banāta kalama*). This epithet may represent hyperbole, but it likely reflects a different creation tradition from that expressed in the *Enuma Eliš*.[147] The lament contains six words rather than ten. The use of the vetitive and the precative in the petitions indicate deference as is appropriate to a deity, but convey less intensity than the imperative and precative indirect commands in the prayer to Šamaš. On the other hand, the closing is slightly more elaborate: it expresses a praise-vow as well as a praise-wish.

[147] So it is listed by Lawrence W. King (*The Seven Tablets of Creation, or, The Babylonian and Assyrian Legends Concerning the Creation of the World and of Mankind* [Luzac's Semitic Text and Translation Series 12-13; London: Luzac, 1902], 128-29). Maul also gives a variant of the text, which appears in several namburbis (*Zukunftsbewältigung*, 86; cf. n.23).

Unlike the first oral rite, the promise to praise is not made conditional on the River's fulfillment of the speaker's desires.[148]

The indirect reference to a clay deposit may have some particular meaning for the River, since clay is often taken from riverbanks, but this is conjectural. If a special connection is understood between the river deity and clay deposits, then the statement "like this image, may [the evil] not return to its place" is specific to the river. [149]

2.2.1.2.10. Transcription and translation of fourth oral rite

TRANSCRIPTION:[150]

52 ÉN UR.GI$_7$ *šú-a-tú šu*-[*ri-di*] *ina* ABZU

53 *l*[*a*] [*tu*⌟*-ma-aš-š*[*a*$^{!?}$*-r*] *i- šú šu-ri-d*[*i*]$^{!}$*-šú* ABZU-*ki*

54 *us-*˹*ḫi*] ḪU[L] UR.GI$_7$ *šá zu-um-ri-ia*

55 *ṣa-a-a-ḫa-*˹*a*˺$^{!}$-[*ti*] TI.LA *qí-šam*

TRANSLATION:

52 Recitation: Take that dog [down] into the deep!

53 [Do] n[ot] let it [go]! Take it dow[n] into your deep!

54 Remo[ve] the evi[l] of the dog from my body

55 [You] bestow delights; grant me health!

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[148] Mayer writes that the connecting –*ma* is present in this formula in about two-thirds of the *Gebetsbeschwörungen* (*Untersuchungen*, 312).

[149] In other namburbis, the last line of this persuasive analogy more often appears with reference to the tamarisk. I will discuss this line in the context of a tamarisk analogy in my discussion of the wildcat namburbi, below.

[150] This transcription appears as version A in Maul, *Zukunftsbewältigung*, 319.

2.2.1.2.11. Speech act analysis of fourth oral rite

Table 5. Speech acts in fourth oral rite of Text 1

Text	Speech act
52b Take that dog down into the deep!	Ordinary directive
53a Do not let it go!	Ordinary directive
53b Take it down into your deep!	Ordinary directive
54 Remove the evil of the dog from my body	Ordinary directive
55a You bestow delights!	Ordinary assertive
55b Grant me health!	Ordinary directive

None of the speech acts move beyond the bounds of ordinary persuasive speech. All are ordinary directives presented in the second person, other than one ordinary assertive characterizing the addressee.

2.2.1.2.12. Rhetorical analysis of fourth oral rite

This final oral rite, appearing directly after the previous one, serves another (although related) goal. The prior oral rite asked the River to move the evil far from the beneficiary, while this one asks the River to keep it well away, in the Apsu (the realm of Ea), and to grant the beneficiary health and happiness in its stead. Tacked on as it is to the previous oral rite, it lacks the invocation and praise, lament, and praise-wish or praise-vow. Rather, it contains forceful petitions in the imperative and durative, including a final imperative petition for the beneficiary's well-being. This oral rite is directed more toward the emotional needs of the beneficiary than to persuading the River. The closing of the namburbi recitations presents a wish for the beneficiary's well-being rather than praising

the River and promising more praise. It thus ends on a note of blessing for the beneficiary, implying a successful end to the ritual itself.

2.2.1.2.13. Text 1 analysis: summary and conclusions

The first recitation in Text 1 is a formal appeal to Šamaš in his role as head of a divine judicial council to reverse the decree of disaster. Using the techniques of persuasion—praise, a formal complaint of misery, and a conditional promise to praise the god—it sets the stage for the rites that follow. The second oral rite is wholly different: all of its speech acts are causative. Formulated as performative utterances, a kind of declarative, they rely on the acceptance of the gods for their effects. Only if the gods acknowledge the felicity of the speech acts will the evil be transferred from the beneficiary to the substitute. Thus the success of this portion of the ritual depends on the success of the first recitation.

The next two oral rites are addressed to the River. Just as the second rite depended on the success of the first, these two rites depend on the successful completion of the previous two. The first of these begins and ends with ordinary persuasive speech addressed to the River. The intervening speech acts—a persuasive analogy followed by variations on its final line—are hybrids, functioning as both ordinary directives to the River and also as causative expressives. The result is a mystification of agency, in which the gods are asked to do what the speakers' words are simultaneously accomplishing. Following this, the River is promised praise, as if it were responsible for the rite's positive effects. The final oral rite is wholly ordinary. It cements the notion that the evil is

irredeemably gone and seeks the River's blessing for the beneficiary—an indication that the ritual is assumed to have reached a successful end.

Overall, the rites present the beneficiary as supplicating first Šamaš, then the River, as the intercessor guides him or her through a series of steps intended to gain the gods' approval for steps the intercessor himself is taking to remove the danger. Following the first and last recitations, the respective gods are thanked for their help. Throughout, the gods are presented as being wholly in charge, while the intercessor's own role in the process is masked. This mystification of agency can itself be seen as a rhetorical act: the gods are begged and praised for their assistance even though the intercessor is doing at least some of the work.

2.2.2. Text 2: LKA 112

Below I discuss elements of the direct discourse in LKA 112. This ritual text was chosen because it incorporates common language absent in Text 1.

2.2.2.1. Overview of Ritual

According to its introduction, LKA 112 counteracts the evil portended by a wildcat that has been continually yowling within a person's house.[151] It contains only one oral rite with prescribed language (l 5-r.5). The namburbi opens with an introduction stating the ritual's purpose. A relatively brief set of ritual instructions directs the intercessor to prepare holy water under the stars, fashion and color a clay image of the wildcat, set up portable altars for Ea and Marduk, and arrange offerings of bread, beer,

[151] The first part of many lines has been reconstructed by Maul; these lines are in general highly stereotyped.

and various other edibles, along with a censer of juniper. The intercessor is to have the beneficiary stand on a carpet of garden plants. The beneficiary is then to raise the image of the wildcat. Either the intercessor or the beneficiary, or both, are to recite the oral rite—the instruction to speak is written logographically so the speaker is unclear. Afterwards the beneficiary is to lay the image on the ground and receive purification with the censor, a torch, and holy water. Kneeling, the beneficiary is to speak what is on his mind. The intercessor then throws the "wildcat" (presumably the image thereof) into the river. The beneficiary is to go directly home, avoiding the path used in arriving. The instructions end with the statement "then the misfortune will not approach him so long as he lives."

2.2.2.2. Speech Act and Rhetorical Analysis

2.2.2.2.1. Transcription and translation of the prescribed oral rite

TRANSCRIPTION:[152]

15 [^{d}]*É-a u* ^{d}AMAR.UTU DINGIR.MEŠ *re-em-n*[*u*$^{??}$*-t*]*i*

16 [*pa*]*-ṭi-ru ka-s*[*e*]*-e* [*za-qí-p*]*u en-ši*

17 [*r*]*a-i-m*[*u*] ˹*a-me-lu-ti*

18 [^{din}]^{gir} *É-a u* ^{dr}AMAR.UTU *ina* u_4*-me an-né-e*

19 [*in*]*a*$^{!}$ *di-ni-ia i-ziz-za-nim-ma*

20 [*d*]*i-ni di-na* EŠ.BAR*-a-a pu-ur-sa*

21 [Ḫ]UL *mu-ra-še-e an-né-e*

22 [*ša i*]*na* É.MU *i-bak-ku*⌟*-u i-dam-mu-mu*⌟

23 [*ur-r*]*a u mu-šá* MUD*-ni u lu-ú ḫi-ṭi-t*[*ú*]

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[152] The following transcription is adapted from Maul, *Zukunftsbewältigung*, 333-34. He presents a second version (83-1-18, 447) which breaks off after line 16.

24 [*šá* DINGIR].[MU⸥ ⸤*u*⸥ ⸤*lu*⸥-⸤*ú*⸥ *ḫi-ṭi*⸣-*tú šá* ^{d}XV.MU

25 [^{d}*É-a u* ^{d}] ⸤AMAR⸥.⸢UTU⸣ DINGIR.MEŠ *šu-pu-ti*

26 [*lumun idāti* G]ISKIM.MEŠ ḪUL.MEŠ

27 [*šá ina bītīya*[153] GÁL(.MEŠ)]-⸤*a šu-ti-qa-an-ni-ma*

28 [*a-a* T]E-*a a-a* KU.NU

r. 1 [*ai isniqa ai*] KUR-*an-ni*

r. 2 [*lībir nāra li-ba*]*l-kit* KUR-*a*

r. 3 [*lissi šār* (1.)DANNA] *ina* SU.MU

r. 4 [*kīma qutri li-te*]*l*$^{!}$-*li* AN-*e*

r. 5 [*kīma bīni* ZI-*ḫ*]*i ana* KI-*šú a-a* GUR

TRANSLATION

15 Ea and Marduk, compassion[ate] gods

16 [who f]ree the bound, [who stand] the weak upright

17 [w]ho lov[e] humanity—

18 Ea and Marduk, on this day

19 Stand beside me [i]n my trial!

20 Judge my [c]ase, decide my verdict!

21 The [e]vil of this wildcat

22 [which] wails (and) whines [i]n my house

23 [da]y and night, frightens me. Whether (due to) an offens[e]

24 [against my⸥ [god] ⸤or⸥ an offense against my goddess,

25 [Ea] and Marduk, resplendent gods,

26 The [evil of signs (and) evil p]ortents

27 [which exist in my house], make (it) pass me by!

28 [May (the evil) not a]pproach! May it not come near!

r.1 [May it not press upon (me)! May it not] reach me!

r.2 [May it cross the river! May it go] over the mountain!

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[153] Maul spells this *bītīja* (ibid., 334).

r.3 [May it be 3600 miles] away from my person!

r.4 [Like smoke may it c]limb to heaven!

r.5 [Like an uproo]ted [tamarisk] may it not return to its place!

2.2.2.2.2. Speech act analysis

Table 6. Speech acts in the oral rite of Text 2

Text	Speech act
15 Ea and Marduk, compassionate gods	Ordinary directive
16 who free the bound, who stand the weak upright	
17 who love humanity—	
18 Ea and Marduk, on this day	
19 Stand beside me in my trial!	
20 Judge my case, decide my verdict!	Ordinary directive
21 The evil of this wildcat	Ordinary expressive
22 which wails (and) whines in my house	
23a day and night, frightens me.	
23b Whether (due to) an offense	Ordinary directive
24 against my god or an offense against my goddess,	
25 Ea and Marduk, resplendent gods,	
26 the evil of signs (and) evil portents	
27 which exist in my house make (it) pass me by!	
28a May (the evil) not approach!	Hybrid: Causative expressive/ordinary directive
28b may it not come near!	Hybrid: Causative expressive/ordinary directive
r.1a May it not press upon (me)!	Hybrid: Causative expressive/ordinary directive
r.1b May it not reach me!	Hybrid: Causative expressive/ordinary directive

r.2a May it cross the river!	Hybrid: Causative expressive/ordinary directive
r.2b May it go over the mountain!	Hybrid: Causative expressive/ordinary directive
r.3 May it be 3600 miles away from my person!	Hybrid: Causative expressive/ordinary directive
r.4 Like smoke may it climb to heaven!	Hybrid: Causative expressive/ordinary directive
r.5 Like an uprooted tamarisk may it not return to its place!	Hybrid: Causative expressive/ordinary directive

Lines 15-27 are formulated as ordinary directives and an expressive, all of them meaningful in context. Nonetheless a phrase in line 26, *lumun idāti ittāti lemnēti*, has prosodic features suggestive of causative or other highly-ritualized speech (see Section 2.2.2.2.3 below). This line, like the remaining speech acts, appears in many namburbis. Although this particular phrase is embedded in an ordinary directive to the high gods, the speech acts that follow carry hybrid illocutionary force. Phrased as ordinary petitions or wish-statements addressed to the gods, they also exert causative force. The speech acts with vetitives in line 28 are variations on those appearing in a persuasive analogy in the first utterance to the river in Text 1 lines 48-49, where they were identified as hybrid causative expressives/ordinary directives. The persuasive analogies in lines r.4-r.5, accompanied by ritual acts such as kneeling on a bed of tamarisk and other greens in the presence of smoking censers, are hybrids by definition since they are uttered in the third person in the presence of invoked gods (see Section 1.8). Again, these are hybrid causative expressives/ordinary directives. The intervening speech acts are formulated with the precative, like the final clauses of the persuasive analogies in lines r.4-r.5. It is reasonable to class them the same way. As supporting evidence for their causative nature, many of the speech acts in lines 28-r.5 (as well as the phrase *lumun idāti ittāti lemnēti*)

exhibit a high density of features commonly identified in incantations, some of which are discussed in the following section.

2.2.2.2.3. Rhetorical analysis

After the invocation and praise, the oral rite moves into a petition ("Judge my case, decide my verdict!") and lament ("The evil of this wildcat which wails (and) whines in my house day and night, frightens me"). The following elements may be discerned in this prayer: invocation and praise (15-17), several petitions (18-20, 25-r.5), lament (21-23a), and a statement regarding the possible reasons for the problem (23b-24) associated with the prayer's later petitions. Missing from this particular oral rite are other common features evident in some but not all namburbi utterances: self-introduction by the beneficiary, depictions of the beneficiary's actions, and a closing section with praise-vow or praise-wish.

Unlike Text 1, this rite is addressed to Ea and Marduk, whom Maul calls the gods of conjuration.[154] The opening of the prayer with its epithets of praise (15-17) sets the groundwork for the remainder by voicing shared assumptions, a strategy advocated by Perelman and Olbrechts-Tyteca in order to increase *communion* and thus the likelihood that the audience (here, the gods) will accept the speaker's argument—in this case, the petition.[155] From the outset the prayer (hence the speaker) uses the strategy of *choice*, selecting those shared assumptions that will advance the beneficiary's cause, and elaborating on them in several related epithets, thereby increasing their *presence*. The introduction thus uses the strategies of *communion*, *choice*, and *presence* to remind the

[154] Maul, *Zukunftsbewältigung,* 41.
[155] Perelman and Olbrechts-Tyteca, *New Rhetoric,* 51.

deities of general understandings of divine qualities, particularly those qualities that the liturgist wants to enhance.

The themes in the praise portion, as well as the ordering or *arrangement* of those themes, are designed to persuade the gods into assuming the desired role of helpers. In this prayer, the epithets stress the gods' mercy (line 15), kind actions (line 16), and love of humanity (line 17). The theme of justice, often present in prayers to Šamaš—the divine judge—is absent. The progression of epithets moves from a general quality, mercy, to behavior exemplifying that quality, directed toward the helpless—the bound and the weak—who can do little on their own behalf, and finally to another general quality, the gods' love for humans, who are now identified with the helpless. In the process, the gods have been rhetorically moved into a relationship with humanity. The first two lines in the triad appear to be setting the stage for a deductive syllogism or enthymeme, one of the key devices in Aristotelian rhetoric and among the approaches Perelman and Olbrechts-Tyteca term "quasi-logical." The first axiom pronounces the gods as merciful; the second asserts that (these) merciful gods help the helpless. The syllogism's expected conclusion (that the gods will now help the present helpless beneficiary) is omitted. Instead, through its parallel structure, the prayer implies a link between "helpless" and "human," in the process adding a word of *pathos*—love. The verb "love" is in parallel with the two prior participles ("who free" the bound and "who stand (the weak) upright"), implying action. Just as the gods show their mercy by freeing the bound and raising up the weak, they can show their love by helping those whom they love. Gods who accept the first premise—namely, that they are merciful—may thus be drawn to accept that their natural role is to help the powerless human before them—particularly a human they love. All these

maneuvers fall within the realm of ordinary persuasion: the gods are free to make the final decision themselves.

Pathos is invoked by another mechanism mentioned earlier: praise, intended to render the deity peaceable and gracious. Contented gods are more likely to cast a favorable eye on the petition. In addition, the beneficiary and intercessor are enacting the roles proper to humanity in praising the gods. Not only that, but those praying and praising the deities use words that emphasize the vast gulf in power between the mighty deities and helpless humanity. By praising in this manner, the beneficiary is demonstrating his piety and manifesting *ethos*.

The structure of the second part of the prayer consists of petition, lament, and petition. Lines 18-20, the first pair of petitions, express the beneficiary's desire for a hearing. The language here is legal.[156] Two roles are depicted: that of advocate and that of judge. The gods are asked first to be advocates for the beneficiary. Support of the beneficiary may be natural to them given their roles in Mesopotamian tradition as those who assist humanity with ritual.[157] Ea, after all, is the one reported to have given the specialists known as *ašipū* their craft.[158] Only after the gods have been asked to serve as advocates are they asked to be judges. By this time, they may be motivated to judge on the beneficiary's behalf.

Between the first petition and the later petitions comes the lament which specifies the problem—the presence and behavior of the wildcat—as well as the beneficiary's

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[156] Veldhuis has been appropriately critical of Maul's insistence on the ubiquity of the trial metaphor in namburbis ("Interpreting"). Yet here, as in many namburbis, the metaphor is clearly manifest, even if Maul overstates its presence or importance elsewhere.
[157] Note Enki's role as humanity's helper in the Gilgameš epic, when the other gods have decided to send the flood.
[158] A. Falkenstein, *Die Haupttypen der sumerischen Beschwörung : literarisch Untersucht* (Liepzig: Zentralantiquariat der DDR, 1968).

reaction: "The evil of this wildcat, which wails (and) whines in my house day and night, frightens me" (22-23). This description is unusually evocative. The presence and persistence of the wildcat is enhanced by the onomatopoeic effect of the word for "whining" or "moaning," *idammumu* (G durative of *damāmu*); by the use of the durative, with its present-future nuance; and by the following words, "day and night," a merismus meaning "continually." As Maul indicates, it is not the cat *per se* that is the problem, but the evil it portends, which will last until the namburbi—so the beneficiary's response of continuing fear is reasonable.[159]

The second set of petitions (lines 23b-end) uses highly stereotyped elements. All but lines 23b-24 appear in numerous namburbis. This expression, "Whether (due to) an offense against my god or an offense against my goddess," refers to the act—known or unknown—responsible for the deities' anger and threatened punishment. Sin and guilt are rarely mentioned in the namburbis.[160] By avoiding reference to human offenses, the namburbi speeches engage in what Perelman and Olbrechts-Tyteca call "a deliberate suppression of presence."[161] Instead, the rhetoric emphasizes the beneficiary's meritorious piety, suffering, and trust in the gods.

After the reference to human offense comes a new invocation, again to Ea and Marduk, identified as "resplendent" (line 25). A petition in the imperative follows, asking that they remove the evil of the signs and evil portents (*lumun idāti ittāti lemnēti*) from the supplicant's house (lines 26-27). This Akkadian phrase forms a concisely-formulated,

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[159] Letters from Assyrian scholars indicate days might pass between omen and namburbi to allow for preparation of the ritual tablet and materials and to await a propitious date. Maul, *Zukunftsbewältigung*, 94.
[160] Mayer notes that these topics play only a minor role in the *Gebetsbeschwörungen* in general *(Untersuchungen*, 111). Maul notes only a few namburbis which explicitly hold angry personal deities responsible for sending the harbingers of evil (*Zukunftsbewältigung*, 8).
[161] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 118.

chiastic, rhythmic sequence with alliteration, rhyme and near-rhyme (*idāti*/*lemnēti*). Wasserman finds rhyme and a density of other stylistic devices to be particularly common in OB incantations—specifically in those lines intended to create the actual transformation.[162] The vetitive provides a less desperate tone than the imperative, but the repetition creates a different kind of sense of urgency. The anaphora makes the repetition more prominent (increasing *presence*), and adds a certain breathless quality.

Lines r.2-r.5 contain a variety of standard analogies. As described in Section 1.7.2.1, analogies present arguments. In the example in line r.4, the naturalness or inevitability of an action or description in the source domain is evoked through imagery (the rising and dissipation of smoke, for example), with the implication that these qualities apply equally to the corresponding element in the target domain (the distancing and disappearance of evil). The very vividness of the depictions can render them highly persuasive, via the strategy of *presence*. The similes in the final two lines (r.4 and r.5) point to elements in the environment, as noted earlier: smoke rising from the censer and the tamarisk on which the beneficiary kneels. Any such illustrations or related manual rites involving elements or actions from the source domain increase the *presence* of the corresponding imagined effect on elements or actions in the target domain, thereby strengthening their persuasive impact on the gods to whom the discourse is addressed. Prior to these final similes are a number of metaphors, such as line r.2a, "may it (the evil) cross the river!," with the phrase "crossing the river" being a conventional Mesopotamian

[162] Wasserman, *Style*, 162-73, 181-2. Apart from rhyme and analogies, the stylistic devices he studies differ from those analyzed here.

metaphor for moving beyond the ordinary realm of human habitation.[163] Like the similes in r.4-r.5, the metaphors in lines r.2-r.3 make use of the strategy of *presence* and the human cognitive tendency to transfer attributes and relationships from one domain to another.[164]

All the metaphors and similes in these verses express in different kinds of imagery the idea of enormous distance between the evil and the beneficiary's body. In a sense, multiple and various compelling reasons are layered into a single argument.[165] The piling-up of details, even diverse ones, adds to the sense of *presence*.[166] The perceived difficulty, even impossibility, of the evil's return mounts with each disparate example. "Across the river" and "across the mountains" are far-away locations, perhaps never experienced by the beneficiary. The next image, the distance of 3600 miles, is hyperbolic: as the product of 60^2, it is a significant number in the Akkadian sexagesimal counting system and an enormous one. The vividness provided by this precision added to the exaggerated amount creates a sense of vastness.[167] The following image, of smoke rising to heaven, suggests a vast distance in another direction: upwards. The specific distance in the previous metaphor gives way to a sense of insuperable distance, the distance from earth to heaven, from human realm to the supernatural domain, unreachable to any but the gods.[168] The final image, of the uprooted plant that cannot return to its place, evokes a

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[163] Maul, *Zukunftsbewältigung*, 91. Maul does not connect the "river" in these metaphors with the River into which the harbinger is thrown. Instead, he considers the area "across the river and across the mountains" to represent a no-man's land inhabited by demons outside of Mesopotamia proper (ibid).
[164] For the human proclivity for analogic thinking ranging from metaphor to parable, see Mark Turner, *The Literary Mind* (New York: Oxford University Press, 1996).
[165] A technique Perelman and Olbrechts-Tyteca describe as "interaction by convergence" (*New Rhetoric*, 471-74).
[166] Ibid., 145.
[167] Perelman and Olbrechts-Tyteca write that "the more specific the terms, the sharper the image they conjure up" (ibid., 147)—another technique enhancing *presence*.
[168] Cf. the simile in Ps 103:11.

sense of incompatibility: of contradiction, frank impossibility. An uprooted plant cannot survive; in particular, according to Maul, the tamarisk was known to Mesopotamians for its inability to re-root itself.[169] This accepted truth from the world of lived experience adds to the persuasive force of this collection of analogies, the final vivid example among many analogies expressing similar themes.

The persuasive techniques noted above apply to the ways in which lines 28-r.5 work as petitions. The sense of *presence* produced by the repeated yet varied analogies is one way in which this part of the oral rite is meant to induce its addressees, Ea and Marduk, to remove the evil from the beneficiary and keep it distant. In addition to the vivid images and repetition, the special prosody of these verses—the tight semantic and syntactic parallelism with anaphora—adds to their persuasive impact by drawing additional attention to them, thereby potentially heightening their meaning. But as my speech act analysis indicates, the very same utterances act in another way altogether. As causative expressives they are capable of transforming reality in hoped-for ways simply by their being spoken by the correct person in the correct (ritual) context. The causative nature of the speech acts is supported by a number of features, some of which have to do with meaning and others with form.

(1) With regard to the *meaning* of these lines, they are intended to avert the evil portended and embodied by the harbinger, to move it far away, and to prevent it from returning to its original target, the beneficiary (already infected with the "germ" of evil, according to Maul). With regard to meaning, we might note, first, the metaphors of crossing the river and mountain in line r.2a, leaving the domain of Mesopotamian culture

[169] Maul, *Zukunfstbewältigung*, 64.

for a wasteland understood to be the habitation of demons.[170] Versnel notes that depictions of "foreignness" are common in metaphors in Greco-Roman and medieval charms and incantations. Although many have argued that charms take their metaphors and other analogies from nature, Versnel points out that the source domain of the metaphor is frequently nature's "unnatural" aspects: the foreign, the liminal, the dangerous, and the weird.[171] References to crossing the borders of the river and the mountains, boundaries of the realm understood as safe and habitable, partake of this unnatural quality. In fact, all the metaphors in lines 4.2-4.5 contain some aspect of unnaturalness or liminality: the smoke curling upward from earth to sky, the extreme distance of 3600 miles, the impossibility of an uprooted plant re-rooting itself.

In addition, Versnel points out that incantations use metaphors alienated from nature in yet another way: by presenting the negation of the normal. "One refers to things that cannot happen in nature: 'just as a mule does not propagate, a cock drinks but does not urinate, an ant has no blood, so let my sickness disappear.'"[172] The final, capstone line of the sequence of metaphors in this namburbi contains a negation: the notion of a plant's return to the site from which it was removed, a notion raised and discarded as impossible. Like the plant, the evil cannot possibly return.

The array of images drawn from various incompatible domains is another common feature of incantations and charms, as Versnel points out. It would be difficult to map the route to be taken by the evil in this namburbi: is it heading west, across the

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[170] Ibid., 90-91.
[171] Versnel, *Poetics*, 149.
[172] Ibid., 150. Elsewhere Versnel calls this form an *adunaton*, "a type of analogy that derives its effect from the projection of an 'impossibility' of the material onto the abilities of the target" ("Ritual Dynamics: The Contributions of Analogy, Simile and Free Association," in *Ritual and Communication in the Graeco-Roman World* [ed. E. Stavrianopoulou; Kernos 16; Liège, Belgium: Centre international d'étude de la réligion grecque, 2006], 317-27). He cites an example: "Let my adversary's actions be fruitless, just as this paper will never come to flourish (come to bloom)."

Tigris or Euphrates, north over the Zagros Mountains, or up to heaven? And if heading so far and wide, how could it still be rooted, then uprooted from the earth? The very incompatibility of these analogies adds to their weirdness, their sense of liminality. As Tambiah notes and Veldhuis reminds us, "redundant imagery is a known feature of magic." [173] It is also a technique used in rhetoric.[174]

(2) As for the *form* of these lines, we have already reviewed the common use in incantations of repetition, concision, persuasive analogies, and strings of words with patterned variation in form or sound. The form, tone, and degree of stereotypy in these final lines is quite different from those of verses 15-25, which are intended only to persuade the gods. As was the case with the phrase *palḫāku adrāku-ma šutādurāku* in Text 1 (see Section 2.2.1.2.3), the function of these special prosodic features to draw attention to the meaning of an expression stands in tension with their function at signaling a special use for the words that stands apart from their semantics. When these speech acts are understood as causative, their intended target is not the gods, but the aspect of the immediate situation that the ritual participants wish to change: here, the concretized "evil." The words exert their effects not through persuasion, but by means of a mysterious process—a "black box," so to speak. Stereotypy and special rhythms (indicators of ritualization) mark this special use of language and stand in tension to the words' use as meaningful signifiers. Words used causatively need not be meaningful at all. The very mysteriousness of this process is part of its nature: the words do not work according to the laws of ordinary communication.

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[173] Veldhuis ("Interpreting"), 150, referring to S.J. Tambiah, *Culture, Thought, and Social Action: An Anthropological Perspective* (Cambridge: Harvard University Press, 1985).
[174] Perelman and Olbrechts-Tyteca note that repeating a number of stories about a subject increases its *presence*, even if the information is contradictory (*Rhetoric*, 144).

2.2.2.2.4. Text 2 analysis: summary and conclusions

As was the case in text 1, we see a marked shift in the kinds of speech acts over the course of the rite. The single oral rite in text 2 with prescribed language moves from clear-cut ordinary speech aimed at persuading the deities, to a borderline utterance in line 26 (the highly-patterned, stereotypical expression *lumun idāti ittāti lemnēti*) to the hybrid causative expressives/ordinary directives in the second portion, which continue to implore the gods to distance the evil from the beneficiary while simultaneously using causative illocutionary force to make the speaker's "wishes come true." The switch from persuasion to hybrid speech implies that the early part of the ritual is understood to have been effective. No speech act is solely causative; all causative speech acts double as ordinary directives, appearing in the guise of persuasion. Once again, this mystification of agency credits the gods even as the intercessor accomplishes the task of removing the evil with causative speech.

Using an appeal to both *pathos* and *logos*, this oral rite begins by painting the gods Ea and Marduk as humanity's active helpers, in hopes that they will take on the role of advocating for the beneficiary in his trial and sympathetically judging his case. In contrast to the gods' resplendence, the beneficiary is depicted as terrified and guilty of an unstated offense against his or her personal gods. It is from this position of humility that the intercessor and/or beneficiary repeatedly petition the gods to fulfill the beneficiary's wish to avert the evil. A string of metaphors makes the notion of preventing the evil's return seem vivid and natural. The piling-up of imagery from multiple domains adds to

the *presence* of the desired conclusion. The final analogy to a plant that cannot be re-rooted vividly demonstrates the impossibility of the evil's return.

2.3. Analysis of the Links to the Supernatural

The speech act analysis shows the existence of causative or hybrid speech in both namburbis. As described in Section 1.7.1.1, causative speech requires a connection with the divine domain. According to Sørensen, this connection can occur through the words themselves, when they are understood to have been given by the gods. Alternatively, the ritual practitioner can have his or her own special connection with the divine, allowing him or her to do supernatural things with words.[175] Evidence indicates that the primary connection between the human and divine realms shown in these and other namburbis was based in the words themselves, and secondarily in the role of the *ašipu*. In other words, the oral rites were understood to work mainly because of the supernatural power of the rites, rather than the supernatural power of the practitioner. As both Maul and Rütiger Schmitt note, the *āšipu* can be viewed as stepping into Ea's role during the rites, channeling supernatural agency.[176] This process did not depend on the *ašipu*'s possessing

[175] As described in Section 1.6.2, Sørensen's cognitive scientific approach allows for three ways in which magical rituals are understood to be efficacious: a link with the divine through the agent (ritual practitioner), the action (oral and manual rites), or an object. Since this dissertation is focused on speech, only the first and second possibilities are relevant. Nonetheless some of the ritual items used in namburbis were understood to have their own connections to the supernatural domain. Among them is the tamarisk, mentioned in persuasive analogies in many namburbis, typically in the phrase, "like a tamarisk, may (the evil) not return to its (original) place!" Maul thinks that this line refers to the tamarisks strewn at the ritual site, on which the beneficiary kneels for purification (*Zukunftsbewältigung*, 65). The tamarisk's link with the divine is evidenced in ritual utterances from earlier periods in Mesopotamia which credit the gods with giving the tamarisk its purifying power. Enki is specifically associated with its root. Cf. Text 30 in Cunningham's *'Deliver Me,'* 27.

[176] Maul, *Zukunftsbewältigung*, 41; Rütiger Schmitt, *Magie in Alten Testament* (AOAT 313; Münster: Ugarit-Verlag 2004), 74. Maul notes that Falkenstein's Marduk-Ea Typ rituals, whose oral rites Cunningham describes as "divine dialogues," have the practitioner embody the god. Explicit *historiolae* are not found in the namburbis.

a pre-existing or essential connection to the divine realm, but rather the *ašipu*'s authorized participation in the blended space of the ritual.

One piece of evidence that the supernatural connection lying behind causative speech is in the speech itself lies in the attention given to precise performance. Instructions are quite specific: certain oral rites are to be repeated three or seven times and accompanied by particular acts or gestures.[177] As Sørensen argues, this kind of precision, as well as the use of special language, indicates that at least a degree of supernatural power (or as he puts it, "magical agency") inheres in the speech itself. The speech is being used as a "sort of material object" required for ritual efficacy, rather than (merely) as a communication.[178] Stereotypy and special prosodic features such as alliteration provide further evidence for the use of speech as a tool.[179]

Additional evidence for a special power integral to the oral rites lies in Mesopotamian traditions exemplified in the *Marduk-Ea Typ* (MET) ritual texts identified by Falkenstein.[180] These texts portray dialogues in Sumerian and later Akkadian in which Marduk/Asalluḫi asks his father Ea/Enki how to heal a human beset by demons or illness. Later exemplars present the practitioner re-enacting the gods' speech and presumably their ritual acts as well, for example purifying the patient with water.[181] Such *historiolae*, which continued to be produced in the Neo-Assyrian period,[182] give powerful evidence

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[177] Concern with precision is also evident in certain letters from Assyrian scholars described in the following section.
[178] Sørensen, *Cognitive Theory*, 67-68, 87-93.
[179] Ibid., 69.
[180] Falkenstein, *Haupttypen*, 53-70.
[181] Cunningham describes similar rituals involving other gods dating back at least to the pre-Sargonic period (*'Deliver Me'*). Beginning in the Neo-Sumerian period, the speakers in these dialogues were Enki (later Ea) and his son Asalluḫi, two of the three primary deities appealed to in the namburbis.
[182] Ibid., 69-72.

that the Neo-Assyrians understood rituals to have been used by the gods themselves for the benefit of humanity, and to have been passed on for human use.[183]

In addition, Sumerian recitations in a few namburbis end with the phrase "Word of Enki and Asalluḫi," ("inim ^{d}En-ki-ke$_{4}$ ù ^{d}Assal-lú-ḫi"), for example those in K 2999 + Sm 810 lines 39 and p 80-7-19 lines 20′-21′).[184] Cunningham describes similar or somewhat longer formulas in use from 2500-1500 B.C.E., writing that they serve "to legitimate the incantations by establishing their associations with the divine."[185]

Kimberley C. Patton's notion of *divine reflexivity* helps explain the use of the *historiolae* and attribution of speech acts to the gods. Patton defines divine reflexivity as "the ritual performance by a deity of an action known as belonging to the sphere of that deity's human cultic worship," using the symbols and accoutrements particular to that specific god.[186] Patton finds her point of departure in Greek painted vases from the fifth century B.C.E. depicting Zeus and other deities sacrificing or otherwise worshiping.[187] Textual representations of ritualizing gods appear in many cultures as well, including Sanskrit Vedic, Zoroastrian, and Norse literature, the Talmud, and the Qur'an. Patton's central argument is that gods are not depicted as "worshiping exactly as mortals do—that

[183] Claus Ambos claims that "this idea...can be found in exorcistic and healing rituals" ("Types of Ritual Failure and Mistakes in Ritual in Cuneiform Sources" in *When Rituals Go Wrong: Mistakes, Failure and the Dynamics of Ritual* [ed. U. Hüsken; Numen 115; Leiden, Brill, 2007], 26).
[184] Maul, *Zukunftsbewältigung*, 238, 280.
[185] Cunningham, '*Deliver Me*,' 83. He describes examples from his corpus on pages 31-32, 57, 83-85, 118-20, 169.
[186] Kimberley C. Patton, *Religion of the Gods: Ritual, Paradox, and Reflexivity* (Oxford: Oxford University Press, 2009), 13.
[187] Ibid., 7, 178.

is, they are not worshiping something or someone else."[188] Rather, such images represent the idea that "ritual has its source in divine agency and action."[189]

A more ambiguous indicator of a divine connection between the ritual and the gods is the statement *īpuš Ēa ipšur Ēa* (which can be translated as "Ea did it, Ea undid it"). This line appears in several namburbis as well as scholarly letters to the king.[190] As Erica Reiner, Maul, and Graham Cunningham understand it, the expression affirms Ea's role in producing both the problem (the threat or danger) and its solution (the namburbi).[191] Ea's rituals protect against divine decrees decided and communicated by the gods. Evidence that Ea and Marduk were understood to have given rituals to humanity supports this understanding. Therefore, to a large degree, it is the divinely-given instructions—that is, the action—which links the human ritual to the divine realm.

Caplice, however, suggests an alternative understanding of *īpuš Ēa ipšur Ēa*: "Ea performed (the incantation), Ea undid (the evil)."[192] If this understanding is correct, then use of this expression during a namburbi indeed suggests that the god was understood to act through the *ašipu*—exactly as suggested by Maul and Schmitt. Embodying a god

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[188] Ibid., 176.
[189] Ibid., 158. Rüdiger Schmitt presents a similar notion when he speaks of the gods "prefiguring" ANE rituals, writing "[I]m Ritual selbst schlüpft der Beschwörungspriester in die Rolle des Asalluḫi und realisiert das kosmisch präfigurierte Tun" (*Magie im Alten Testament*, 74). "In the ritual itself the conjuration-priest slips into the role of Asalluḫi and implements the cosmically-prefigured action."
[190] This line is the sole utterance in a namburbi averting the evil of fungus found on the outside of the north wall of a person's house (lines 28-45 in K 157 + K 2788) and appears in other namburbis against the evil portended by fungus, as well as in a Universal Namburbi (LKA 120, lines 75 and 85). In addition it appears in the royal purification ritual *bīt rimki*. and is cited in a letter from the scholar Balasî to the king (SAA 10:56 r. 9). Cf. Maul, *Zukunftsbewältigung*, 83 n.130, 355-59.
[191] So it is interpreted by Erica Reiner ("Astral Magic in Babylonia," *Transactions of the American Philosophical Society* 2/85 [1995]: i-150 [82]); by Maul (*Zukunftsbewältigung*, 82-3); and by Cunningham (*'Deliver Me,'* 38). Maul points out the two meanings of *epēšu*: "to do," or "to carry out magical manipulations" (*Zukunfstbewältigung*, 83 n. 129).
[192] Caplice, *Introduction*, 18. The idea that Ea might have "performed the incantation" has some support in LKA 109:16-17 and LKA 111:7-10, in which "the gods Ea, Šamaš, and Marduk (Asalluḫi) are said to 'perform apotropaic rituals wherever there are portentous happenings and signs,' and the sun god is extolled as the one 'who averts the (bad) signs and portents by means of *namburbi* rituals.'" Rochberg, *Heavenly Writings*, 201.

would certainly lead to a perception of supernatural empowerment invested in the human agent.[193] But if this embodiment was understood to occur, it must have been time-limited and dependent on the *ašipu*'s role rather than his or her identity. It was the *ašipu*'s skill and credentials which make stepping into the role possible, rather than an essential or long-lasting connection to the divine.[194] Letters from Assyrian scholars provide evidence for the interchangeability of the ritual practitioners.[195] Even though Maul considers the *āšipu* to embody Ea in the namburbis, he writes that the practitioner had no power on his or her own—it all came from the gods.[196] The explanation with the greater evidence is that the words, not the intercessor, provided the strongest link to the sacred domain.

To sum up the argument to this point: it is primarily the supernatural rites rather than a special supernatural quality of the human agents (ritual practitioners) which give the namburbis' causative speech its most significant supernatural empowerment. The rites were understood to have supernatural power because they were given by the gods. To be effective, the oral rites had to be uttered by the correct, institutionally-empowered individual in the correct setting, but they did not require that this individual be a supernatural agent. Although, as Sørensen writes, all ritual leaders are attributed a certain degree of supernatural agency, the primary reason the agent could utter supernaturally-effective language was that the gods were understood to have provided it.

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[193] As noted in Chapter 1, Sørensen also claims that a degree of supernatural "agency" is attributed to any leader of a religious ritual involving supernatural forces (*Cognitive Theory*, 65-66).
[194] The possibility exists that some more direct connection between the *āšipu* or *mašmaššu* and the gods was understood in Mesopotamian tradition. Cunningham describes an epithet of the goddess Ningirim as the *mašmaššu*-priestess of the gods in two pre-Sargonic incantations (*'Deliver Me,'* 14). The possibility also exists of an investiture ritual that granted the *āšipu* a direct connection with supernatural powers.
[195] E.g., SAA 10:55, in which the scholar-writers asks that "somebody" perform rituals. See also SAA 10:240, 290.
[196] Maul, *Zukunftsbewältigung*, 60, 181.

2.4. Analysis of Evidence for Presumed Efficacy

The question of efficacy has implications for the understanding of human agency in apotropaic intercession. Several points of evidence indicate that the namburbis were understood to be efficacious, barring errors in performance.[197] Several of these lie in the rituals themselves. First, their very structure implies efficacy. Texts typically begin with the ritual's purpose: to release the evil of the specific harbinger from the person and his or her house. This opening is matched to the text's standard closing: "then the evil of (the specific harbinger) will be released."[198] Second, the progress of the ritual implies the assumption that prior steps had worked, as described in Sections 2.2.1.2.13 and 2.2.2.2.4. Only if the dog figurine had absorbed the impurities from the beneficiary would it make sense to throw it in the river, in Text 1. Only if the evil is averted in Text 2 does it make sense to plead that it not return. Each step of these rituals builds on the assumed success of the previous stages.

Other tokens within the rituals suggest a general assumption of effectiveness. Maul describes the affirming effects of nonverbal signals during the ritual, such as cutting the hem of the garment of a figurine acting as substitute for the beneficiary, or breaking a pot.[199] Both, he notes, carried great meaning in Mesopotamian legal practice, signifying divorce or freedom from slavery, respectively. To Maul, instructions to use such potent

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[197] Ambos, "Ritual Failure." Evidence for concern with namburbi performance appears in letters from Assyrian scholars to the king, such as the complaint from one scholar about the capabilities of another team of ritual practitioners (SAA 290). The letter-writer questions whether a ritual conducted by the other scholar and his son, working alone, would be performed properly or not (*šalmi lā šalmi*).

[198] See, for example, the namburbis in Maul, *Zukunftsbewältigung*, 283:9 and 292:31. In addition, Robert Biggs argues that a form in ŠÀ.ZI.GA rituals reflects a scribal convention indicating the ritual's successful completion. He finds this form in two examples of namburbis collated by Maul (292:31 and 448:29). He describes the form as consisting of a logogram of a verb, plus *–ma* followed by NAM.BUR.BI. Robert D. Biggs, review of S. Maul, *Zukunfstbewältigung*, *JNES* 58 (1999): 146-48.

[199] Maul, *Zukunfstbewältigung*, 75, 82-3.

gestures indicate that namburbis must have been understood as never failing.[200] He interprets the statement *īpuš Ēa ipšur Ēa* to suggest efficacy as well, writing that it signals the beneficiary's recognition that he has been released from divine judgment, which has now been turned back onto the harbinger.[201]

With regard to Mesopotamian understandings, however, skeptical literature such as The Righteous Sufferer indicates that ritual and appeals to the gods were not considered invariably effective. An even more skeptical stance is presented by a line from the wisdom dialogue, "Do not sacrifice, master, do not sacrifice. You will train your god to follow you around like a dog."[202] J. J. M. Roberts argues that expressions of confidence within the rituals themselves do not offset what must have been the Mesopotamians' experience that rituals sometimes failed.[203] In a similar vein, Feder argues that professional ritual performers took a problem-solving approach, reflected in the ritual texts' apparent assumptions of efficacy.[204] Yet other ANE texts indicate that

[200] Ibid., 75. He does not address the issue of improperly-conducted rituals.
[201] Ibid. Overall, Maul claims that divine goodwill and ritual success was assumed: that at the end of the namburbis, participants assumed that the decree had been corrected (*Zukunftsbewältigung*, 70).
[202] Lines 59-60 from "The Dialogue of Pessimism," as translated in Benjamin R. Foster, *Before the Muses: An Anthology of Akkadian Literature* (3d ed.; Bethesda: CDL Press, 2005), 925.
[203] J. J. M. Roberts, "Divine Freedom and Cultic Manipulation in Israel and Mesopotamia, in *Unity and Diversity: Essays in the History, Literature, and Religion of the Ancient Near East* (ed. H. Goedike and J. J. M. Roberts; Baltimore: Johns Hopkins University Press (1975): 186. He writes, "The empirical experience of the Mesopotamians...must have made it clear that even the most meticulous performance of incantations and rituals could not guarantee with mechanical certainty the desired end. Those rituals which end with a positive statement that the desired blessing will be achieved do not really alter this fact. They simply state the expectations of the specialist, presumably based on prior experience, and no doubt, like the optimistic prognostications of modern physicians, these expectations were often disappointed" (186). Roberts is here arguing against the notion that Mesopotamian rituals were perceived as automatically efficacious, bypassing divine will.
[204] Yitzhaq Feder, "The Mechanics of Retribution in Hittite, Mesopotamian and Ancient Israelite Sources," *JANER* 10 (2010): 119-57. He writes that "the pronounced tendency towards mechanization in divinatory and ritual texts can be attributed to the particular set of concerns represented by these genres, namely the need to identify and treat, *ipso facto*, the cause of a present ailment" (149-50). Cf. 136-37, 153.

"the mechanistic conception should be understood as part of a broader theistic world-view."[205]

Yet the circumstances surrounding apotropaic intercession suggest a greater sense of optimism was called for. Whereas correctly-performed rituals used to treat a pre-existing problem can be easily falsified if the problem does not resolve, the namburbis were meant to ward off problems that had not yet occurred. Disaster of one type or another might still fall; but the chances of this would seem far slimmer than the persistence of a current problem. Namburbis, thus, might be cases where success was more readily assured than with other rituals. With no external check on efficacy, the professional view of their usefulness would be more likely to be maintained.

In fact, correspondence between Neo-Assyrian scholars and their kings indicate just such a sense of confidence in the namburbis' utility.[206] Assyrian scholar Balasî cites the expression *īpuš Ēa ipšur Ēa* in a letter reassuring the king that a namburbi will resolve a threat: "'Ea has done, Ea has undone.' He who caused the earthquake has also created the apotropaic ritual against it."[207] True, the scholars had a vested interest in presenting their work as effective. Nevertheless, their views appear to have been shared by Esarhaddon and Assurbanipal. The latter stored an abundance of namburbi texts in his library.

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[205] Ibid., 149.

[206] For example, in SAA 10:240, the scholar Marduk-šākin-šumi writes to the king after performing a universal namburbi and other rituals, "I have opened my fists (and) prayed to the gods: all is well, the gods have blessed the king, my lord, and his sons." In SAA 10:352, the scholar Mār-Ištar informs the king that a variety of rituals including multiple namburbis have been performed perfectly (*ú-sa-li-mu e-tap-šu*), including the execution and burial of the substitute king, so that the real king, freed from danger, could be happy. Translations by Simo Parpola.

[207] SAA 10:56, as translated by Simo Parpola.

2.5. Summary and Conclusions

In my analysis of the utterances in the two namburbi texts, I first classified their speech acts, then examined the rhetorical strategies used to persuade the deities to avert the evil or protect the individual. I next looked at the links to the supernatural which gave the causative speech acts their illocutionary force. Finally, I analyzed evidence of namburbis' perceived efficacy within the scholarly and royal community.

Speech acts can have ordinary or causative illocutionary force, or both (hybrid). In order to distinguish causative from ordinary speech I examined the content and form of the words, their context within the oral rite, and their presence in other rituals. Based on their content, speech acts are provisionally classed as ordinary if they keep within the bounds of what is possible in the domain of communication. Speech acts are classed as causative if they seem intended to transform objects, entities, or the beneficiary in ways that are not possible through speech alone, overstepping the causal bounds that distinguish the domain of intentional communication from the domain of the physical world.[208] Additional evidence for designating a speech act as causative consists of stereotypy (presence in other transformative rituals) and an array of formal features common in highly-ritualized speech, ranging from alliteration to repetition to particular kinds of rhythmic patterning. In general these features are considered only as corroborating evidence for classing a speech act as causative because they can occur in ordinary ritual discourse as well. I consider one device, however, the persuasive analogy, as carrying causative illocutionary force when used in ritual contexts with an apparent

[208] In the case of most speech acts, the mediating comprehension and will belong to the addressee. In the case of ordinary declaratives such as performative utterances, the status of the addressee changes as much or more through the communal understanding of the words' significance as through the addressee's. (A boat or baby is christened through language it does not understand, but is christened nonetheless.)

intent to transform an entity, object, or situation directly. Typically it also carries ordinary illocutionary force, when the language and context of the final “wish” line—the line that expresses what the analogy is to accomplish—makes sense as an ordinary petition in context. I also consider as causative (or hybrid) those speech acts whose wording appears in the “wish” line of a persuasive analogy in another ritual from that culture. In Text 2, I class as hybrid those speech acts that are sandwiched between other hybrid speech acts and which resemble them.

In the namburbis studied here, ordinary speech acts predominate. Their purpose is to persuade the invoked gods or the divinized River to avert the threat and protect the beneficiary by removing the evil or impurity and providing blessings. Embedded in the ordinary speech, and sometimes doubling as ordinary speech in their illocutionary force, are causative speech acts. These serve to establish a substitute, transfer the impurity onto it, and avert the evil (the last associated with the physical act of disposing of the substitute).

In both namburbis, ordinary speech acts precede causative or hybrid speech. In Text 1, the first speech, addressed to Šamaš, consists entirely of ordinary persuasive speech acts while the second, in Šamaš’s presence, is wholly causative. The third and fourth oral rites are addressed to the River. In the third oral rite, causative speech acts are framed by and double as ordinary speech acts. The final address again is pure persuasion. In Text 2, the sole oral rite moves from ordinary speech to the Ea and Marduk to a borderline utterance—*lumun idāti i*

ttāti lemnēti—which looks like causative speech but acts as ordinary speech. If Maul’s theory is accurate, it acts as a formal indictment of the harbinger, a ritual function

which could explain the density of prosodic features without the need to call the speech act causative. The final speech acts are all hybrid—causative speech in the guise of ordinary persuasion. The more clearly persuasive elements—those resembling supplications from lower-ranking to higher-ranking humans—occur first, followed by language that continues to *sound* persuasive—phrased as precatives and vetitives that could be viewed as addressing the gods—but which also has causative illocutionary force.

What the analysis of the namburbis' speech acts suggests is that the ordinary speech directed at the deities or the River paves the way for the causative speech. The shift to causative or causative/ordinary speech acts suggests that the persuasive approaches in evidence in the hymnic introduction and petitions are assumed to have worked, and the human participants now take advantage of that agreement to enact the decision through causative (or hybrid) speech and action. Only after appealing to the gods for help do the ritual participants take oral and physical actions to rid the beneficiary of impurity and to toss the image representing the danger into the river. Maul argues for a differentiation between the early part of the namburbi ritual, in which the ritual practitioner and beneficiary enact a trial before the high gods, and the following part, in which the practitioner uses an "eine ältere Schicht der Ritualpraxis" including magical contact- and transfer-rites to rid the beneficiary of impurity.[209] The gods are nonetheless involved in this second part, according to Maul. As noted earlier, he claims that Ea and

[209] "An older layer of ritual praxis." Maul, *Zukunftsbewältigung*, 72.

Marduk/Asalluḫi not only help in the judicial procedures but also ensure the effectiveness of the magical elements.[210]

Baruch Levine offers a general description of ancient Near Eastern magic that fits this speech act pattern, writing that the magician must first attract the gods' attention through sacrifice, and then present the petition, before the gods will authorize magical acts.[211] He argues, "It must be understood that magic was under the control of the gods; it was effective only if and when it was authorized by one or another god."[212]

In terms of rhetoric, the namburbis' speeches present a picture of the beneficiary and the deities meant to persuade the gods to rectify the problem. Among the three oral rites formulated as *Gebetsbeschwörungen* (the first and third rites in Text 1, to Šamaš and the River respectively, and the sole rite in Text 2, addressed to Ea and Marduk), the hymnic portions of the initial or sole oral rite depict the deities as powerful, the beneficiary as distraught and in need of help. Only when this relationship is clear, and the beneficiary's distress has been described, does the intercessor utter the words whose causative illocutionary force enacts a transformation. General rhetorical strategies toward the deities in these oral rites include praise, petition, statements of distress as a result of the evil omen, and promises to praise the deities. In one case the promise is explicitly

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[210] Although Maul concentrates on Ea and Asalluḫi, other gods are sometimes credited with the active process of averting an evil. In SAA 10:347 a scholar tells the king that "[The gods] Bēl and Nabû can make a portent pass by, and they will make it bypass the king, my lord" (translation by Parpola).

[211] Baruch A. Levine, *Numbers 21-36: A New Translation with Introduction and Commentary* (AB 4A; New York: Doubleday, 2000), 162.

[212] Ibid. The shift in the nature of the speech acts from ordinary to causative (or hybrid) over the course of a ritual or oral rite is not unique to ancient Near Eastern ritual. In an analysis of a Taoist healing ritual from Taipei, John L. McCreery argues that the ritual practitioner uses different kinds of speech in different rites, negotiating with the demons possessing his patient, invoking the gods, and then using powerful language to consecrate a substitute, for example (John L. McCreery, "Negotiating with Demons: The Uses of Magical Language," *American Ethnologist* 22 [1995]:144-64). Similar conclusions are reached by Hilaire Kallendorf in "The Rhetoric of Exorcism," *Rhetorica: A Journal of the History of Rhetoric* 23 (2005): 209-37. Kallendorf finds that the exorcist uses a combination of persuasion and coercion in exorcising the demon, although he considers all the elements under the rubric of rhetoric.

conditional upon the god's fulfillment of the beneficiary's desire. Along with logical and analogic arguments we find appeals to *pathos*, including the strategic use of praise to soften the divine mood and bring forward those qualities the beneficiary hopes to see enacted. We also see representation of the speaker(s) as potential or actual devotees as well as supplicants, a use of *ethos* which implies that the gods desire followers who praise them. The beneficiary's sin or offense is not stressed, although it is mentioned in Text 2 ("Whether it is because of an offense against my god or an offense against my goddess") suggesting that the beneficiary does not know what he or she did wrong.[213] Interestingly, divine anger is not explicitly mentioned in the namburbis treated here, nor is it common in the namburbis generally.[214] More common themes vary with the divine addressee: Šamaš is commonly presented as leader and judge of gods and humans, as in Text 1; Ea and Marduk are lauded both for their judicial roles and for their love and kindness toward human beings; and the River is called the "Creator of all." A significant proportion of the language from the early parts of the namburbis comes from the court or makes use of the metaphor of a trial.

Two points are worth dwelling on. First is what I call the "mystification of agency" in these oral rites. The second is a shift in how the problem of evil is conceptualized, a shift that is linked to the use of ordinary vs. causative speech.

By mystification of agency, I refer to efforts apparent in the language of the namburbis to hide their own supernatural acts by presenting causative power as mere persuasion (see Section 1.7.1). The users of the namburbis were faced with a challenging situation: they were attempting to alter divine will while retaining their view of the gods

[213] The vagueness is likely intentional, in order to allow for the ritual text's re-use.

[214] An uncommon explicit reference to angry personal deities appears in SpTU III 80 line 30 (Maul, *Zukunftsbewältigung*, 251).

as all-powerful entities able to control every aspect of human fate. In the early parts of the namburbis, the oral rites rely on persuasion, asking a higher divine judge (or judges) to overrule those deities who decreed the disaster (in Text 2, these are identified as the beneficiary's personal gods). But shortly thereafter the utterances take another tack: the most stereotypical parts of the namburbi oral rites contain causative speech in the form of persuasive analogies and related language: speech that by its very nature seeks to transform the situation directly. Here the oral rites give evidence of two techniques used to present this causative language as effective at altering divine will, without challenging the ultimate authority of the gods.

One way, the most basic way, is to represent the causative speech as the work of high gods: that is, Ea and Asalluḫi/Marduk. As Maul points out and my own analysis supports, the oral rites in the namburbis are associated with power emanating from the gods, in particular Ea. The practitioner is linked to the divine realm primarily by virtue of enacting the ritual, not through any supernatural agency of his or her own. In some namburbis, words in particular are (sometimes explicitly) represented as belonging to the gods, as when a Sumerian oral rite ends, "(This is the) word of Ea and Asalluḫi." This statement legitimates the power of the words, but does something else as well: it minimizes the speaker's own claim to supernatural power. It presents the speaker as having authorized access to divine language powerful enough to offset divinely-decreed evil. It does not address the possibility of the intercessor having supernatural power of his or her own but implies that he or she does not.

The other approach in "mystifying the agency" is to use language that is intentionally vague with regard to the identity of the agent who is to transform reality.

The technique used here is to present causative language as if it were mere persuasion through hybrid speech acts. The speaker does more than assert that the gods are responsible for the supernatural language; the speaker uses forms of causative speech that double as the wish-statements and petitions used in ordinary persuasive speech. The persuasive analogy presents a kind of argument for the gods to accede to the beneficiary's stated wish. Its final line is presented in the precative or vetitive, the former being common to both the language of authoritative command and to the obsequious pleas of the subservient. The gods themselves use precatives in their own supernatural rituals: in a neo-Sumerian ritual text, a *historiola* protects a person from a venomous bite. Enki ends his ritual utterance with a "precative request directed towards the desired result."[215]

Are the human users of these precatives and vetitives modeling themselves on the voice of divine authority or the language of the supplicant? I would argue that they are actually doing *both*. By using powerful causative speech modeled on that of the gods, they risk challenging the view of the gods as more powerful than they; but by using language that doubles as pleading, they affirm divine superiority even as they act to subvert divine decrees. In these hybrid speech acts, the intercessor thus uses *both* ordinary and causative language, in each case endeavoring to show himself or herself as dependent on the gods even while attempting to overturn divine will.

The second point worth dwelling on is the primary metaphor by which the threat is portrayed in different parts of the ritual speech: either as divinely-decreed punishment, or as impurity. As noted early in Chapter 1, these two kinds of language correspond to two different conceptions of sin in the ANE: as offense or as impurity. Although the distinction is not absolute, in general the threat is referred to as a decree that needs to be

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[215] Cunningham, '*Deliver Me*,' 80.

changed—an issue of justice—in the early part of the namburbi rite or rites. This is the portion of the namburbi rites using ordinary speech acts. The second understanding of the threat as concretized "evil" or impurity tends to be used in later parts of the namburbi, those portions using speech that is wholly or partially causative. Maul alludes to this distinction when he writes about the "older layer of ritual praxis" that takes place after the gods have rendered their decision in the beneficiary's favor.[216]

These different perspectives on the problem to be resolved appear to correspond to the different roles of the gods. With regard to texts from the Sargonid period, Cunningham writes:

> A broad distinction can be suggested between the roles in incantations of deities with juridical associations, that is primarily Utu, and deities with aqueous associations, that is Enki, Nanše and Ningirim. In the case of the former it is envisaged that suffering in the sense of divine punishment of transgression will be avoided or released through a legal acquittal, in the case of the latter through the use of purification.[217]

These two understandings of the threat correspond to two different understandings of human agency. When conceived of as a divine decree, the evil was thought to be alterable only by the gods acting directly—a situation requiring the use of human persuasion. When the evil was understood as a physical substance or as concretized in an image, however, it was subject to human direct action which made use of ritual language and acts provided to humanity by the gods. In no small part this appears to be linked to Ea's role as the one who transmitted ritual to humanity, the *bēl šipti*.[218] Faced with impurity as opposed to a divine decree, the *āšipu* assumed the authority to act according to guidelines traditionally viewed as emanating from the gods, taking on the role of Ea. Faced with the judicial tribunal, however, all the *āšipu* could do was to bring the

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[216] Maul, *Zukunftsbewältigung*, 72.
[217] Cunningham, '*Deliver Me*,' 54. He adds that "this distinction is not absolute" (ibid.).
[218] Weidner, "Enki (Ea)" in *RlA* 2: 374-81; H. D. Galter, "Aya," in *DDD* (1999): 125-27.

beneficiary face-to-face with the judges and speak on the beneficiary's behalf (or assist the beneficiary to speak). Here the *ašipu*'s intercessory role more closely resembles that of the personal deity depicted in the 2nd-millennium seals.

Thus two models of intercession, both based on the role of gods, are enacted in the namburbi rites. One is based on persuasion, using ordinary language to avert the threat understood as the judgment of the gods under Šamaš's command. The other is based on magic, following Ea's model in using causative language to eliminate the impurity and concretized evil. Not only the cause but also the polluting effects of the problem are handled in this two-pronged approach. Given a successful ritual performance, the beneficiary could return to his or her daily life with a sense of peace.

In the following chapter we see some similar processes at work in apotropaic intercessory texts from Anatolia.

CHAPTER 3

APOTROPAIC INTERCESSION IN ANATOLIA

3.1. Introduction

In this chapter I illustrate two divergent approaches to apotropaic intercession in Anatolia by analyzing the direct discourse in two ritual texts. I begin with Text 3, the Ritual of Ḫuwarlu (CTH 398), which counters evil portended by unfavorable augury (divination by observation of bird behavior). I then analyze more briefly the primary recitation in Text 4, the Ritual of Papanikri (CTH 476), which averts the evil omen of a broken birth stool.[1] Text 3 relies heavily on persuasive analogies as well as speech associated with other magical transformative rites. The use of persuasive analogies follows the mythic precedent of the goddess of magic. As is the case in Mesopotamia, the persuasive analogies both petition and magically influence the gods. In contrast, Text 4 asks the offended god to accept sacrifices as compensation for the offense, an approach modeled on juridical speech. As I will show, both rituals use ordinary speech acts, but whereas these make up 100% of the direct discourse in the recitation from Text 4, they make up only 19% of the undamaged parts of Text 3. All the rites I analyze in Text 3 contain either causative or hybrid speech acts.

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[1] CTH 476 (the Ritual of Papanikri, KBo 5.1) is intended for use if a birth stool breaks shortly before the infant arrives, an unfavorable unsolicited omen. Cf. Gary M. Beckman, *Hittite Birth Rituals* (2d rev. ed; StBoT 29; Wiesbaden: Harrassowitz, 1983), 116-123; Yitzhaq Feder, "A Levantine Tradition: The Kizzuwatnean Blood Rite and the Biblical Sin Offering" in *Pax Hethitica: Studies on the Hittites and their Neighbours* (ed. Y. Cohen, A. Gilan, J. Miller; StBot 51; Weisbaden: Harrassowitz , 2010), 101-114; Alice Mouton, *Les rituels de naissance Kizzuwatniens: un exemple de rite de passage en Anatolie Hittite* (Études d'archéologie et d'histoire ancienne; Paris: de Boccard, 2008); Rita Strauss, *Reinigungsrituale aus Kizzuwatna: Ein Beitrag zur Erforschung hethitischer Ritualtradition und Kulturgeschichte* (Berlin: de Gruyter, 2006), 20, 284-309.

As was the case in Mesopotamia, apotropaic intercession in Anatolia took place in a culture steeped in divinatory traditions. Numerous Hittite texts testify to divination techniques including extispicy, transmitted from Mesopotamia by the Hurrians, and what are most likely indigenous techniques including symbol, bird, and snake oracles.[2] Most divination reports from Ḫattuša record instances of solicited divination, especially requests for divine explanations for misfortune,[3] which was viewed as the result of divine action by an angry deity.[4] Divine help was also solicited for decision-making, particularly with regard to military campaigns.[5] Unsolicited omens were culturally significant as well.[6] They included astronomical signs and spontaneous meaningful dreams.[7] The Hittite court diviners commonly double-checked the results of all omens with an alternative divinatory technique.[8]

In the face of suffering or an evil omen, the diviners would ask a series of yes-no questions to identify the particular entity (typically a god) who had willed the misfortune, the reason for the god's anger, and the best means of pacifying the deity.[9] The primary

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[2] Richard Beal, "Hittite Oracles," in *Magic and Divination in the Ancient World* (ed. L. J. Ciraolo and J. L. Seidel; AMD 2; Boston: Brill, 2002), 57-81; Alfonso Archi, "Transmission of Recitative Literature by the Hittites," *AoF* 34 (2007): 153-203.

[3] Beal, "Hittite Oracles," 58. Cf. Billie Jean Collins, "Divine Wrath and Divine Mercy of the Hittite and Hurrian Deities" in *Divine Wrath and Divine Mercy in the World of Antiquity* (ed. R.G. Kratz and H. Spieckermann; *FAT* 2/33; Tübingen: Mors Siebeck, 2008), 67-77.

[4] According to Daliah Bawanypeck, all misfortune was understood to derive from the deities; demonic powers and sorcery were believed to create impurity which excited divine wrath (Bawanypeck, *Die Rituale Der Auguren* [THeth 25; Heidelberg: Winter, 2005], 11-12). Cf. a similar explanation in Strauss, *Reinigungsrituale*, 18.

[5] Annelies Kammenhuber, *Orakelpraxis, Träume und Vorzeichenschau bei den Hethitern* (THeth 7; Heidelberg: Winter, 1976), 9, 106.

[6] As mentioned in Section 1.2, Hittitologists often restrict the term "omen" to unsolicited signs, while solicited signs are termed "oracles." Cf. Gary M. Beckman, "The Tongue is a Bridge: Communication between Humans and Gods in Hittite Anatolia" (*ArOr* 79, 1999): 519-34 (525). This usage conflicts with that of biblical scholars, who typically use "oracle" for divine statements uttered by prophets, many of which are presumably unsolicited. I use the term "omen" for both solicited and unsolicited signs.

[7] O.R. Gurney, "The Babylonians and Hittites" in *Oracles and Divination* (ed. M. Loewe and C. Blacker; Boulder: Shambhala, 1981), 142-73.

[8] Beal, "Hittite Oracles," 80-81.

[9] Ibid.; Collins, "Divine Wrath, " 77.

cause of divine wrath was considered to be human *waštul*, generally translated as "sin." In general, sinful acts or omissions had less to do with misdeeds against other people than they did with impurity or failure to serve the gods adequately.[10] Breaking an oath or a treaty, however, could bring down the vengeance of the oath-gods or divine witnesses, respectively, providing avenues whereby ethical violations against other people also resulted in divine rage. Murder was also believed to evoke the anger and punishment of the gods.[11]

In addition to divination, ritual had a major place in Anatolian societies. Aside from those pertaining to festivals, most ritual texts in the Hittite archives were meant to resolve or ward off individual or societal problems like personal illness or plague.[12] These magical rituals generally had as a major goal the removal of impurity resulting from divine anger.[13] Purification was accomplished through specific techniques including persuasive analogies, cleansing with water, dough, bread, or other purifying materials, making the beneficiary pass through a gate, or cutting yarn bound around the patient. Another common approach to purification was to transfer impurities onto substitutes, often animals.[14] Waving the animal over the beneficiary facilitated the transfer.[15]

Among the ritual texts in the Hittite archives appear a small number of texts depicting apotropaic intercession. The most famous apotropaic intercessory texts are the

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[10] Harry A. Hoffner Jr., "Religions of the Biblical World: Asia Minor," *ISBE* 4:79-85.

[11] Yitzhaq Feder, "The Mechanics of Retribution in Hittite, Mesopotamian and Ancient Israelite Sources," *JANER* 10 (2010): 119-57.

[12] Ahmet Ünal provides a comprehensive list of reasons for the performance of rituals in "The Role of Magic in the Ancient Anatolian Religions according to the Cuneiform Texts from Boğazköy-Ḫattuša" in *Essays on Anatolian Studies in the Second Millennium B.C.* (ed. T. Mikasanomiya; Wiesbaden: Harrassowitz, 1988), 52-85.

[13] Piotr Taracha (*Religions of Second Millennium Anatolia* [DBH 27; Wiesbaden: Harrassowitz, 2009], *Religions*, 152. Divine anger was a common cause of impurity, but not the only one.

[14] We see a biblical example of this process in the scapegoat ritual (Lev 16:20-22). Cf. David P. Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* (SBLDS 101; Atlanta: Scholars Press, 1987), 15-31.

[15] Ibid., 152-54.

substitute king rituals, based on Mesopotamian models, some of which are meant to ward off the danger to the king predicted by astronomical omens.[16] A fragment of another ritual text (CTH 463) seeks to fend off misfortunes mainly presaged by animals. The omens in it bear a strong similarity to those in the *šumma ālu* and also indicate Mesopotamian influence.[17]

Rather than analyzing texts with strong Mesopotamian influence, for this chapter I chose as the main text a ritual response to an unfavorable outcome from augury, a type of divination probably indigenous to Anatolia where it was practiced from at least the Middle Hittite period on.[18] Augury consisted of observation of bird behavior in a delimited field by specialists identified in the texts as [LÚ]MUŠEN.DÙ and [LÚ]IGI.MUŠEN.[19] Augury reports record yes-no questions followed by the augur's observations of the entrance, presence, and behavior of different kinds of birds within

[16] Cf. Hans Martin Kümmel, *Ersatzrituale für den hethitischen König* (StBoT 3; Wiesbaden: Harrassowitz, 1967).

[17] KUB 53.50 with duplicate Bo 3471, published and analyzed by Birgit Christiansen in *Die Ritualtradition der Ambazzi: eine philologische Bearbeitung und entstehungsgeschichtliche Analyse der Ritualtexte CTH 391, CTH 429 und CTH 463* (StBoT 48; Wiesbaden: Harrassowitz, 2006), 288-307. Only the first few lines of the ritual (a list of materia magica) are preserved. None of the Hittite omens is identical with those in the later Mesopotamian *šumma ālu*. Stefan Maul considers this Hittite text to be one of the first two namburbis, both found in Ḫattuša, which he claims were based on unknown Babylonian *Vorlagen* (*Zukunftsbewältigung,* 159). Christensen, in contrast, considers CTH 463 to be the work of Anatolian scholars who gathered Mesopotamian-influenced omens and appended an Anatolian ritual. The other text from Ḫattuša which Maul identifies as an early namburbi is the Akkadian ritual text KUB 4.17 (Maul, *Zunkunftsbewältigung*, 102-106, 159). Contra Maul, however, Daniel Schwemer persuasively argues that this text is not a namburbi: it responds to illness rather than an omen (*Akkadische Rituale aus Hattuša: die Sammeltafel KBo XXXVI 29 und verwandte Fragmente* [THeth 23; Heidelberg: Winter, 1998], 148). One more possible example of apotropaic intercessory ritual is KBo 23.8 obv. 9-12, a prescription for a ritual prompted by the sight of an "evil bird" (i-da-a-lu-un MUŠEN-in). Giulia Torri suggests the text portrays a ritual "to be performed in an emergency" when a bad omen is seen on a journey without a ritual practitioner available to perform the central rites ("Emergency").

[18] Beal, "Hittite Oracles," 65. Unlike extispicy, augury records lack any trace of foreign influence, according to Alfonso Archi ("L'ornitomanzia ittita, *SMEA* 16 [1975]: 119-80 [121]).

[19] According to Kammenhuber (*Orakelpraxis*, 130, 201), one other Sumerogram, [LÚ]IGI.DÙ, represents a common scribal error. Bird augury is to be distinguished from *ḪURRI*-bird oracles, which were performed by a different type of practitioner and lacked descriptions of flight. Beal describes one augury text showing a field divided by two pairs of diagonal lines (*Hittite Oracles*). The period of observation likely was delimited as well. Kitz notes that ritually restricting the time of observation is one of the approaches used to distinguish divine messages from background activity. Anne Marie Kitz, "Prophecy as Divination," *CBQ* 65 (2003): 22-42 (27).

various parts of the field of view. The answer to each question was interpreted as favorable or unfavorable. Augury was used both for initial divination and to confirm omens of different types.[20]

In Text 3, the Ritual of Ḫuwarlu, an augur and a ritual practitioner known as an Old Woman are described as conducting rites to ward off a particularly disastrous augury result endangering the royal household. The Ritual of Ḫuwarlu is one of a group of texts describing rituals in which augurs participated, often in company with a female practitioner with the title ^{SAL}ŠU.GI, "Old Woman."[21] Of the seven such texts edited by Daliah Bawanypeck, CTH 398 most clearly focuses on protecting the beneficiary (in this case, the king and queen) from an evil omen.[22] The context for the ritual is given in CTH 398 i 1-2 (§1), as reconstructed by Bawanypeck: "[Ḫ]uwarlu the augur (speaks) [as follows]: "When [terrifying bi]rds (are present)."[23] "Terrifying birds" refers to a bad augury outcome, as indicated by the instruction to make clay figurines of each of the birds that were observed.[24] Further evidence that the ritual focuses on the omen are the repeated references to fending off or eliminating "terrifying birds"[25] and the "evil"

[20] Beal, "Hittite Oracles," 80-81. An example of the use of augury to confirm a prior unsolicited (dream) omen is reported in a Middle Hittite letter from Kuşaklı, KuT 50: 180-87, cited by Annette Zgoll (*Traum und Welterleben im antiken Mesopotamien: Traumtheorie und Traumpraxis im 3.-1. Jahrtausend v. Chr. als Horizont einer Kulturgeschichte des Träumens* [Münster: Ugarit-Verlag, 2006], 367).
[21] Bawanypeck, *Rituale*, 187, 210, 221, 234-35, 250. These practitioners had important roles in the Hittite temple and court, according to Taracha (*Religions*, 151).
[22] Ibid., 160. Of the other six ritual texts she studies, two rituals in CTH 425 are directed against plague, one (CTH 433.3) is intended to bring a positive omen, one (the first ritual of Anniwiyani, CTH 393-1) to restore sexual potency, although its purpose is disputed; and one to call upon a tutelary deity (the second ritual of Anniwiyani, CTH 393-2). Daliah Bawanypeck "Die Rituale der hethitischen Auguren. Zur Bedeutung ihrer Tätigkeit für das Köningshaus und zu den Traditionen ihrer Rituale" in *Offizielle Religion, Lokale Kulte und Individuelle Religiosität: Akten des Religionsgeschichtlichen Symposiums* "*Kleinasien und angrenzende Gebiete vom Beginn des 2. bis zur Mitte des 1. Jahrtausends v. Chr*." (ed. M. Hutter and S. Hutter-Braunsar; AOAT 318; Münster: Ugarit-Verlag, 2004), 31-46 (32-33).
[23] In Bawanypeck's translation: [Folgendermaßen (spricht) Ḫ]uwarlu, der Augur: Wenn [schreckliche] [Vö]gel (vorhanden sind). *Rituale,* 23.
[24] Ibid., 158-59. Bawanypeck cites another text, CTH 382, which connects the phrase "evil bird" to augury.
[25] *ḫatugauš* MUŠEN$^{ḪI.A}$ in CTH 398 i 16, 18 and *ḫatugaēš wattaēš* in ii 32.

(*idālu)* or "sinister" (*kallar*) "word" (*uttar*/*uddar* or the Sumerogram INIM)[26] with "word" being a standard term for "sign."[27] Most of the ritual steps are directed against this sinister sign: warding it off, removing it from the bodies of the royal family and palace, and disposing of it. The text does not allude to any calamities, either present or foretold. The problem it addresses is the omen itself.[28]

In addition to the Ritual of Ḫuwarlu, I discuss more briefly part of a ritual response to a damaged birth stool, an unsolicited omen (Text 4). The recitations in this ritual text differ significantly from those in the Ritual of Ḫuwarlu and demonstrate another approach to Anatolian apotropaic intercession.

Although Texts 3 and 4 exist only in Hittite, the rituals themselves most likely originated in Arzawa and Kizzuwatna respectively. Both Arzawa, in western Anatolia, and Kizzuwatna, in the south, had significant Luwian populations.[29] Many of the rituals found in texts in the Hittite royal archives originated in neighboring societies. Gary M. Beckman writes that these texts were collected in order to "provide the king with the fruits of wisdom of the entire population."[30] Plausibly, the regions from which the texts were collected were considered to have especially effective rituals for certain problems.[31] Evidence from extant versions indicates that individual redactors sometimes fused rituals

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[26] In §3, 15; §4, 18; §5, 26; §9, 51; §11, 60; §13, 67, 68, 70; §14 8-9, 11; §15 18, 19-20, 23; §24, 7.
[27] Billie Jean Collins, personal communication.
[28] Cf. Bawanypeck, *Rituale*, 297.
[29] Manfred Hutter, "Aspects of Luwian Religion," in *The Luwians* (ed. H. Melchert; HO 68; Boston: Brill, 2003), 211-80 (214). The Kizzuwatnean rituals (a group to which Text 4 belongs) had more Hurrian/Mesopotamian influence than those from other parts of Anatolia. Taracha, *Religions*, 150.
[30] Beckman, "Tongue," 523.
[31] Mouton, *Rituels*, 20.

or inserted elements believed to be particularly effective.[32] According to Bawanypeck the ritual texts were kept in the archives as guides to performance.[33]

The Ritual of Ḫuwarlu exists in two incomplete copies. The most complete version appears on KBo 4.2 i-iii 39.[34] This text is missing about one-half to two-thirds of its final column.[35] A partial version, KBo 9.126, duplicates lines ii 49-62 of this text, none of which contains direct discourse.[36] KBo 4.2 was copied in the New Hittite period based on an older ritual.[37]

The Ritual of Papanikri is known from a single edition, KBo 5.1, dating to the 13th century B.C.E., but is probably based on a Middle Hittite *Vorlage*.[38] Evidence suggests that it was translated into Hittite from another language, probably Luwian or Hurrian.[39] The text is well-preserved.

3.1.1. Background Information on Anatolian Religions

Anatolia was home to multiple religious traditions of different origins during the second millennium BCE which continued to develop over time. [40] Records from the

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[32] Giulia Torri, "Subject Shifting in Hittite Magical Rituals," in *Tabularia Hethaeorum: Hethitologische Beiträge* (ed. D. Groddek and M. Zorman; Dresdner Beiträge zur Hethitologie 25; Wiesbaden: Harrassowitz, 2007), 671-80. Torri writes that "the presence of analogous spells in rituals and prayers can be explained by the belief that some spoken and written expressions were more efficacious than others" (672).
[33] Bawanypeck, *Rituale*, 16. See Jared L. Miller's similar conclusions with regard to other rituals from Kizzuwatna (*Studies in the Origins, Development and Interpretation of the Kizzuwatna Rituals* [StBoT 46; Wiesbaden: Harrassowitz, 2004], 530). Miller suggests that such texts were also used "as reference material in the creation of further compositions" (531) which could have resulted in new performances.
[34] The final part of the tablet contains an unrelated ritual on behalf of King Muršili. Bawanypeck, *Rituale*, 21.
[35] Ibid.
[36] Ibid.
[37] Ibid., 49. She bases her determination on linguistic grounds.
[38] Strauss, *Reinigungsrituale,* 284, 286; Beckman*, Birth Rituals*, 116.
[39] Mouton, R*ituels*, 21.
[40] Taracha, *Religions*, 34. Groups inhabiting Anatolia included the indigenous Hattians to the north and the Hittites and Luwians in the middle and southern areas (Ibid., 25-35).

Assyrian trading colony period early in the second millennium show the worship of gods of Luwian, Hittite, and Hattian extraction in the region of Kaneš.[41] Hattian influence, strongest in the north-central region, formed the basis of the state cult during the Hittite Old Kingdom period.[42] Most extant written records reflect official Hittite religion, itself an amalgam of traditions from a variety of cultures.[43]

According to Piotr Taracha, the most significant religious shift in second-millennium Anatolia occurred with the transition from the Old Hittite period to the Empire period when a Kizzuwatnean dynasty much influenced by Mesopotamia took over the Hittite throne.[44] After this transition, Taracha writes, "as in Mesopotamia, relations with the gods were perceived in legal terms." One manifestation of this transformation was a change in prayers. In the Old Hittite period, prayers (typically entreaties of a type known in Hittite as *mugawar*) took the form of "magical incantations" often embedded in Hittite (and occasionally Luwian and Hattian) ritual texts.[45] After the shift, a new type of prayer arose—royal personal prayer relying heavily on juridical-style pleading known as *arkuwar* (cognate with "argumentation").[46] As I will argue below, the main recitation in the Ritual of Papanikri also relies on *arkuwar*.

Jörg Klinger identifies a group of elements evident in most Anatolian ritual texts from the oldest records in the Hittite archives at Ḫattuša (14th century B.C.E.) to those

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[41] Ibid., 27.
[42] Ibid.., 34-35.
[43] Whether the two texts I analyze should be considered to represent "official Hittite religion" is not wholly clear. Both are attributed to practitioners from regions outside of Hatti proper—Arzawa and Kizzuwatna. The types of practitioners named in Text 3, the Old Woman and augurs, were active at the Hittite court. Plausibly rituals of Kizzuwatnean origin would have become more prominent after the rise of a Kizzuwatnean dynasty in Ḫattuša during the Empire period. Cf. Taracha, *Religions*, 82-83.
[44] Ibid., 35, 80-83.
[45] Ibid., 141-42.
[46] Ibid., 81, 142.

dating to the period just before the end of the Hittite empire (just after 1200 B.C.E).[47] Many of these, including Text 3, contain rituals that originated in earlier periods, while some (also including Text 3) contain rituals originating outside of the Hittite heartland. The elements identified by Klinger include:

(1) attribution of the ritual to a named ritual specialist

(2) description of the situation prompting the ritual, often formulated as a statement in the first or third person, "When X occurs, I do (or s/he does) as follows."

(3) a list of items needed for the ritual

(4) invocation of a deity or deities whose assistance is requested or for whom the ritual practitioner acts as representative

(5) an assortment of stock ritual acts, whose selection and arrangement bears the individual stamp of its composer.[48] These acts all draw on a few principles by which they were expected to have magical efficacy. For example, most ritual texts contain a substitution rite, in which a substitute is identified for the ritual beneficiary or for an object. Frequently the substitute is a figurine. The substitute is connected to the beneficiary by means of physical contact, a verbal analogy, or both.

[47] J. Klinger, "Reinungsriten und Abwehrzauber: Funktion und Rolle magischer Rituale bei den Hethitern," in *Die Hethiter und ihr Reich: Das Volk der 1000 Götter* (ed. A. Baykal-Seeher and H. Willinghöfer; Stuttgart: Theiss, 2002), 146-49.

[48] Marie-ClaudeTrémouille describes these as belonging to a common Anatolian popular culture of magic in the 2nd millennium BCE ("Les rituels magiques hittites: aspects formels et techniques," in *La Magie: Actes du colloque international de Montpellier 25-27 Mars 1999* [ed. A. M. Moreau and J.-C. Turpin; Montpellier: Université Paul Valéry, 2001], 77-94). Taracha, however, considers some of these techniques to originate in specific cultures (*Religions*).

(6) acts intended to remove impurity from the beneficiary, commonly through washing, wiping, or similar physical acts, or by having the beneficiary pass through a gate

(7) disposal of the substitute, now rendered impure, by means such as burial or releasing it downriver in a small boat

(8) additional purifying activities

(9) sacrifices to the gods, blessings, and/or prayers.

A number of relevant theological premises common to religions in Anatolia have been identified based on textual analysis. Hittite ritual texts portray humans and deities working together to resolve a problem, typically one affecting humans.[49] According to Volkert Haas, humans and deities were seen as interdependent, with the gods controlling human fate, yet dependent on humans' sacrificial offerings.[50] Haas writes that "Deutlich tritt die Wechselseitigkeit zwischen den göttlichen und menschlichen magischen Handlungen...in den viele Beschwörungsritualen zutage, in welchen der Akteur des Rituals gemeinsam mit der zuständigen Gottheit agiert."[51] A number of scholars argue that the gods were seen as vital to rituals' success.[52] Alice Mouton, noting how often gods were invoked in purification rites, argues that purification required divine consent, "car ce sont eux [the gods] qui agissent à travers l'intervention du practicien."[53] As an example of divine-human cooperation she cites CTH 409, in which the practitioner

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[49] Such rituals should be understood as not only expressing religious premises but as constructing them.

[50] Volkert Haas, *Geschichte der hethitischen Religion* (HO: Der nahe und mittlere Osten; Leiden: Brill, 1994), 36. See also Beckman, "Tongue"; Trevor R. Bryce, *Life and Society in the Hittite World* (Oxford: Oxford University Press, 2002), 139-41.

[51] Haas, *Geschichte*, 876. "Clearly the mutuality between divine and human magical acts...comes out in the many conjuration-rituals in which the ritual's actor acts jointly with the relevant deity."

[52] See, for example, Rüdiger Schmitt, *Magie im Alten Testament* (AOAT 313; Münster: Ugarit-Verlag, 2004), 83-87.

[53] "Because it is they who act through the practitioner." Alice Mouton, "Reinheit (Pureté), B. Bei den Heithitern," *RlA* 11:300. Cf. Klinger, "Reinungsriten," 148.

purifying the ritual patron recites "O Ḫannaḫanna of the riverbank! See, you are the one who scrubs and purifies the twelve parts of the body from uncleanness with your own hand."[54] According to Taracha, in 2nd-millennium Anatolia, "invoking the gods to come on the scene conditioned efficacy" of the rites.[55]

The story of "The Disappearance of Telepinu," based in old Anatolian tradition, exemplifies divine-human cooperation.[56] It begins when the god becomes angry and storms off, distressing both gods and humans.[57] The deities as well as a character called a "mortal" or "man of the Storm God" perform rites that ultimately diminish Telepinu's anger and result in his return. The goddess of magic Kamrušepa plays a significant role, using persuasive analogies and gifts of food.

The "Disappearance of Telepinu" is a *historiola* in which divine agents are played by human ritual practitioners who "channel" divine power in the process.[58] This story, and similar ones about other deities, were re-enacted in *mugawar* rites to "induce the return of deities who have ceased to perform their crucial functions."[59] When the myth is re-enacted, ritual practitioners mimic divine techniques in the blended space of the ritual

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[54] The translation is taken from *CHD* P, 105, s.v. *papratar* d 5′.

[55] Taracha, *Religions*, 155. Jörg Klinger observes that no human practitioners claim to effect a positive transformation through their own power ("Reinungsriten," 148). We also see evidence of ritual practitioners attributing ritual speech to the gods in a legitimation formula similar to those in Mesopotamia. One appears just after a persuasive analogy in the ritual of Ḫantitaššu (KBo 9.14 obv. ii 24-2): "These are not my [words]. They are the words of the Sun God and of Kamrušepa. [Let] them [be] the conjurations of mankind." Giulia Torri, "Common Literary Patterns in Hittite Magical Rituals and Prayers," *Or* 72 (2003): 216-22 (218).

[56] Taracha, *Religions*, 156.

[57] According to Taracha, this story "derived from an early Anatolian tradition," but surviving copies show Luwian and Syro-Mesopotamian influences (*Religions*, 156). Similar stories exist for several different Anatolian deities.

[58] Taracha, *Religions*, 156. He writes that "[L]inking myth with ritual should be seen as the most important feature of early Anatolian magic. Mythical recitations and spells brought the gods onto the stage, engaging them in the ritual as guarantors of its effectiveness" (76).

[59] H. Craig Melchert, "Hittite Talliye/a- 'to Draw, Allure'," in *Pax Hethitica Studies on the Hittites and their Neighbours* (ed. Y. Cohen, A. Gilan, J. L. Miller; StBot 51; Wiesbaden: Harrassowitz, 2010), 226-32 (226). According to Taracha, these deities were understood to have left in rage caused by a state of impurity (*Religions*, 155).

setting (see Section 1.6.2). In Sørensen's terms, use of magically-powerful speech acts believed to originate with the goddess constitute *action-based magical agency*.

Kamrušepa's ritualizing acts generally accord with Patton's presentation of *divine reflexivity* (see Section 2.3). Like Patton's examples of ritualizing gods, Kamrušepa is shown acting as a goddess, not as a human: she herself provides the motive source behind the oral rites, rather than "channeling" another deity. The text demonstrates "a kind of intensification and ultimacy to the ritual portrayed as performed by a deity," as Patton writes.[60] Kamrušepa, called by Taracha "the divine counterpart of the Anatolian Old Woman,"[61] does not ask for divine help in her own speech, but engages in ritual acts in ways befitting a goddess. Although Kamrušepa entreats Telepinu to return and presents him with offerings, she is certainly not worshiping him. Based on the notion of divine reflexivity, Kamrušepa's magical speech acts, including persuasive analogies, are best understood as actions that are efficacious through her own supernatural power: causative, not hybrid. Kamrušepa's use of causative language fits her identity as the goddess of magic.

Anatolian understandings of magic have also been adduced by scholars from their readings of ritual texts. For more than half a century, scholars have argued that in Anatolia "magic" was not viewed as *compelling* the deities, but rather as profoundly influencing them. Albrecht Götze writes "Der Schritt von der magischen Beeinflussung zum magischen Zwang ist nur klein, characteristischerweise ist er bei den Hethitern

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[60] Ibid., 177.

[61] Although Anatolia, unlike Mesopotamia, lacked a tradition that the gods authored ritual texts, the goddess of magic Kamrušepa was nonetheless understood to have originated certain healing rituals. Taracha, *Religions*, 114-15.

niemals gemacht worden."[62] Recent scholars are generally in accord. In an article on Hittite practices, for example, Gabriella Frantz-Szabó defines magic as "a reasoned system of techniques for *influencing* the gods and other supernatural powers."[63] Billie Jean Collins calls magical rituals a "form of communication with the divine world."[64]

3.1.1.1. The Persuasive Analogy in Texts from Anatolia

The persuasive analogy is so prevalent in Hittite ritual texts that it warrants a separate note. Giulia Torri presents the most extensive treatment of persuasive analogies in Hittite texts.[65] Basing her analysis on Tambiah's work, she considers these analogies to be speech acts that—together with appropriate manual rites—were believed to exert effects on reality by transferring an attribute from one entity to another.[66] She identifies several uses for these analogies in ritual texts, including directly annulling the evil or attracting the deity's protection toward the patient.[67] Torri gives the basic form of the simile as a proportion with four elements: just as A is to B, so C is to D, although she

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[62] Albrecht Götze, *Kleinasien* (*Kulturgeschichte des Alten Orients.* Handbuch der Altertumswissenschaft III, part 1, vol. 3, section 3. Munich: C.H. Beck, 1957), 142. "The step from magical influence to magical coercion is short, but characteristically never taken by the Hittites." Not everyone agrees that we can know for sure, however. David H. Engelhard denies that we can know whether Hittites believed that the *mugawar* rite could compel the gods or simply make it easy and tempting for them to comply. In his view, beliefs probably varied ("Hittite Magical Practices: An Analysis" [Ph.D. diss., Brandeis University, 1970], 109-10).
[63] Gabriella Frantz-Szabó, "Hittite Witchcraft, Magic, and Divination," in *CANE*, vol. 3 (ed. Jack Sasson; New York: Scribner, 1995), 2007-19 [2007]. Emphasis on "influencing" added. Bryce affirms her definition in his book on Hittite life (*Life and Society*, 208) and notes vis-à-vis disease, "Doctors and incantation priests and performers of rituals could for all their skills achieve nothing in the face of a wrathful or uncooperative deity" (ibid., 173).
[64] Billie Jean Collins, *The Hittites and their World* (SBLABS 7; Atlanta, SBL, 2007), 181.
[65] Giulia Torri, *La similitudine nella magia analogica ittita* (Studia Asiana 2; Rome: Herder, 2003). Others who have studied this topic include David P. Wright, "Analogy in Biblical and Hittite Ritual," in *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testamen*t (ed. B. Janowski, K. Koch, and G. Wilhelm; OBO 129; Freiburg: Universitätsverlag, 1993), 473-506; idem, "Ritual Analogy in Psalm 109," *JBL* 113 (1994): 385-404; Haas, *Geschichte*, 892-93; idem, *Die hethitische Literatur: Texte, Stilistik, Motive* (Berlin: de Gruyter, 2008), 298-310.
[66] Torri, *Similitudine*, 6.
[67] Ibid.

observes that in practice, these elements are often elided or reversed.[68] Torri observes that the use of analogies in incantations is informed by the "collective imagination"[69]—that is, conventional understandings of the ways that elements in the source domain function in real life. The analogic use of these elements—representing common natural processes or human activities—results in the transfer of the targeted attribute. Torri writes that the incantations work by "persuasion" but her focus, like that of many Western analysts of magic, is on the persuasion of the human listener.[70]

Beckman has described the crucial role speech played in Anatolian ritual, citing the Hittite proverb, "The tongue is a bridge," which in his words "succinctly expresses the function of human language in spanning the gap between men and women and their divine masters."[71] Although not all manual rites require an oral rite, the vast majority of Hittite ritual texts contain recitations.[72] Beckman proposes an intriguing explanation for the mechanism of action of persuasive analogies from the perspective of the Hittites that takes into account both the analogies' magical and persuasive effects. His example comes from the Disappearance of Telepinu in which Kamrušepa (played by a practitioner) induces the god's return through a series of persuasive analogies comparing his anger to kindling, malt, and other items. In her analogies, Kamrušepa shows how these materials are rendered null, for example saying, "Just as they burned these sticks of brushwood, may the anger, wrath, sin and sullenness of Telepinu likewise burn up."[73] Beckman writes that the incantation is vital to the success of the rite. The persuasive analogy,

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[68] Ibid.
[69] Ibid., 23.
[70] Torri, *Similitudine*, 18-19.
[71] Beckman, "Tongue," 525.
[72] Ibid., 524.
[73] This translation is not Beckman's but comes from Harry A. Hoffner Jr., *Hittite Myths* (2d ed; SBLWAW; Atlanta: Scholars Press, 1990), 16.

Beckman claims, “manipulates [Telepinu] through its rhetoric.” “Once Telepinu has conceded the identification of the kindling and the malt with his own wrath, he is compelled by the logic and power of the practitioner’s words to countenance the parallel destruction or nullification of his negative emotion.”[74] Beckman does not address the mode of action of other persuasive analogies that are not so obviously directed at a specific deity, however: for example, the analogy from Text 3, “Just as this soap cleans soiled clothes and whitens them so may it clean the body of the king, queen (and) princes (and) the palace.” Should this analogy also be understood to operate by manipulating a deity or deities into effecting the desired transformation? Such an explanation would certainly underscore the divine role in rituals. It is not clear, however, whether Beckman intended his explanation to cover all instances of persuasive analogies or only those in which the attributes of a specific god form one of the elements in the analogy. Despite its incomplete elaboration, Beckman’s theory is valuable because it captures an essential quality of persuasive analogies as I understand them: the combination of causative illocutionary force with an ordinary directive to a god or gods.

3.1.1.2. Summary and Conclusions

From the discussion above emerge several points critical to my analysis.

(1) More than one type of direct discourse appears in religious literature from Anatolia. Most ritual texts contain magical speech, in particular persuasive analogies. The Hittite Empire period saw the rise of a new non-magical type of direct discourse in personal prayers, known in Hittite as *arkuwar* or argumentation. I will demonstrate that *arkuwar* also appears in Text 4.

[74] Beckman, “Tongue,” 524.

(2) According to a number of scholars, magic was understood to be a force wielded by both gods and humans. In line with the concept of divine reflexivity, humans understood their own use of magic to be based on divine models. For example, persuasive analogies, a common technique used by ritual practitioners, were modeled by the goddess of magic, Kamrušepa, in the Disappearance of Telepinu. When directed at the gods, magic was understood to strongly influence but not to compel them. In other words, the gods were understood as retaining divine freedom when they are the target of magical acts, including spoken ones.

(3) Beckman understands at least some persuasive analogies to be a kind of magical speech that works at least in part by "manipulating [the gods] through rhetoric." According to Beckman, once Telepinu accepts the validity of the comparison within a persuasive analogy, the god has no alternative to compliance. To extrapolate from Beckman, the persuasive analogy can be considered to be a rhetorical technique especially compelling to the gods—a *literal* "compelling argument" once the god accepts its premises. Beckman does not clarify whether he considers this explanation to hold for all persuasive analogies, or only for those addressing the qualities of a specific god. What is key, however, is that Beckman understands Kamrušepa's persuasive analogy to work because of the "logic and power of the practitioner's words."[75] If "logic" is understood to be the persuasive force of ordinary speech, and "power" indicates the causative nature of Kamrušepa's speech acts, then Beckman's understanding bolsters the notion that persuasive analogies combine both ordinary and causative illocutionary force.

(4) Many scholars understand that divine cooperation was considered essential to ritual efficacy. Numerous examples exist in which deities were invoked at the outset of a

[75] Beckman, "Tongue," 524.

ritual and thanked at its end. A number of ritual texts are *historiolae* in which human practitioners "channel" a deity, sometimes claiming that the deity, rather than the ritual practitioner, is performing the rites. As I will argue, in both Texts 3 and 4 the efficacy of the oral rites depends on divine assistance, although the methods of garnering this assistance differ.

3.1.2. A Note on Hittite Grammar: The Third-Person Imperative

Grammarians of Hittite use a term that can seem oxymoronic to those unfamiliar with certain branches of linguistics: the "third-person imperative." The term refers to a modal form found in ancient Indo-European languages. Understanding the usage of the Hittite third-person imperative is important because most of the oral rites analyzed in this chapter end with it.

Before discussing the third-person imperative further we need to clarify the term "wish." Jo Willmott notes that wishes have always posed a problem for speech act theorists: Searle wavered on whether to classify them as expressives or directives. Later theorists disagreed on which of these choices to accept, with one scholar, Risselada, even claiming that "wishes constitute a transitional type between the two categories."[76] Willmott herself argues that wishes can be distinguished from indirect (third-party) directives based on two criteria. (1) Indirect directives differ from wishes in that wishes need not have an addressee or an agent; rather, the speaker may be "just wishing for the fulfillment of a certain event." (2) "In directives, the speaker has some control over the

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[76] Jo Willmott, *The Moods of Homeric Greek* (Cambridge Classical Studies: Cambridge: Cambridge University Press, 2007), 134.

addressee or agent, while in wishes he again does not."[77] In my own speech act analysis I give more weight to Willmott's first criterion. As noted in Sections 2.2.1.2.2 and 2.2.1.2.8, wishes uttered by lower-status individuals to higher-status addressees can function pragmatically as indirect (deferential) petitions—a rhetorical ploy emphasizing the addressee's free will.[78] Because this power differential is a factor in apotropaic intercession, I see the need to consider context in determining whether what appears to be the statement of a wish is actually a deferential directive, in which the speaker is attempting to persuade a second party (thereby exerting a degree of control). In contrast, I accept Willmott's first criterion as valid for my texts. Without an addressee or agent, a speech act using a third-person imperative is a wish, and classed as an ordinary or causative expressive. The two can nonetheless be difficult to distinguish on occasion. Typical of many indirect directives is the obscurity of the actual agent and/or the second-person addressee, who may at times be one and the same entity. Knowledge of the context is required to identify the implied parties, and even this may not suffice if one party or both is intentionally left vague.

In their Hittite grammar, Harry A. Hoffner Jr. and H. Craig Melchert appear to limit the use of the Hittite third-person imperative to what I would call indirect directives, as follows:[79]

> The third-person forms are employed when the speaker expresses to a second party the wish that a third party may perform some action. Occasionally, there is either the implied seeking of the consent of the second party for the third party to do this or the implication that the second party joins the speaker in this wish.

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[77] Ibid., 126.
[78] Willmott explains the use of the optative in Homeric Greek prayer as just such a politeness strategy (*Moods,* 130). See also D. M. Goldstein, review of Jo Willmott, *The Moods of Homeric Greek*, *Bryn Mawr Classical Review*, n.p. [cited 19 January 2012]. Online: http://bmcr.brynmawr.edu/2009/2009-01-29.html.
[79] Harry A. Hoffner Jr. and H. Craig Melchert, *A Grammar of the Hittite Language Part 1: Reference Grammar* (Languages of the Ancient Near East; Winona Lake, Ind.: Eisenbrauns 2008), 314.

When no second party exists, they write, a different form can be used.[80]

Independently, however, H. Craig Melchert maintains that the Hittite third-person imperative, like the Akkadian precative or Hebrew jussive, has dual usages: "wish" or "indirect directive."[81] As an indirect directive, it may be used in cases where the speaker has at least some degree of control over addressee and/or agent. In vassal treaties the king uses third-person imperatives to state the vassal's obligations—an example of directives in which the speaker has the intention and power to compel the addressee to enforce the speaker's desire. In prayers the third-person imperative expresses desires to the gods in the third person without the implication that the speaker can dictate the gods' behavior. Prayers nonetheless offer evidence that the speaker hopes to influence it.[82]

In addition to its function as an indirect directive, according to Melchert, the Hittite third-person imperative appears in some situations where it better suits my definition of a wish, in that no addressee is intended.[83] The example he gives is a greeting formula from Hittite letters, "May all be well with X!"[84] Ordinarily this wish is immediately followed by a request that the gods keep the recipient well. For example, HKM 31 begins: "Thus speaks Mār-ešrē: Say to Uzzū, my dear brother: May all be well

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[80] That is, "the present tense and the . . . optative particle *man*" (Hoffner and Melchert, *Grammar*, 314). This grammatical formulation does not occur in the texts discussed here.
[81] H. Craig Melchert, personal communication, 2/11/12. In another source, Melchert writes that Hittite third-person imperatives are more properly called jussives ("Anatolian Languages" in *Morphologies of Asia and Africa vol.2* [ed. A. S. Kaye; Winona Lake, Ind.: Eisenbrauns, 2007], 755-73 [766]).
[82] Carol F. Justus writes that in Hittite prayers, "Second person petitions addressed the deity directly, while third person petitions were less direct, indeed wishes before the deity" ("Mood Correspondences in Older Indo-European Prayer Petitions," *General Linguistics* 33 [1993]: 129-62 [152]). Justus here accepts Willmott's second distinction between directive and wish: the ability to control the outcome. Nonetheless I argue that the act of praying suggests the human desire to persuade the gods. See Patrick D. Miller, "Prayer as Persuasion," in *Israelite Religion and Biblical Theology: Collected Essays* (JSOTSup 267; Sheffield: Sheffield Academic, 2000), 337-44.
[83] H. Craig Melchert, personal communication, 2/11/12.
[84] This formula appears in several examples in Harry A. Hoffner Jr., *Letters from the Hittite Kingdom* (SBLWAW 15; Atlanta: SBL, 2009), including 35b (HKM 36: 37-41); 37b (HKM 31: 20-24); 39b (HKM 33: 34-39); 89 (Or. 90/800: 1-9); 89b (Or. 90/800: r. 1-5).

with you. And may the gods lovingly protect you."[85] The second "wish" is an indirect directive requesting something of the gods. But the first wish, "May all be well with you," is an ordinary expressive, having no addressee or agent.

As I interpret them, ordinary speech acts containing third-person imperatives carry the illocutionary force of directives when an addressee is present, and expressives (wishes) when no addressee exists. In cases in which the third-person imperative is used by humans in a ritual context, I look for evidence of the understanding that deities are listening. Third-person imperatives can also carry the illocutionary force of causative directives or causative expressives, depending again on the existence of addressees and agents. Yet the discussion in *A Grammar of the Hittite Language* suggests that the "default" interpretation of Hittite third-person imperatives should be that of indirect directive. Even the examples of expressives from epistolary greetings indicate that wishes are often embedded in contexts in which deities are understood to be overseeing the results. Thus, compared to the Akkadian precative, the Hittite third-person imperative may suggest an addressee more often or more strongly.

3.2. Apotropaic Intercessory Speech in Text 3: Ritual of Ḫuwarlu (CTH 398)

Below I analyze the primary text in this chapter, a ritual replete with magical techniques including multiple oral rites.

3.2.1. Overview of Ritual with Transliteration and Translation of Oral Rites

CTH 398 begins with a statement of purpose ("When terrifying birds are present") referring only to the presence of the signs. Clearly, however, the ritual is specifically

[85] Hoffner, *Letters,* 157.

aimed at protecting the royal family and palace. Because the well-being of the land was closely bound to that of the king, the ritual had great significance. The king served as the primary intermediary between the people and the gods, and good relations between king and deities was considered crucial for societal well-being.[86]

The text of the ritual generally follows a model used since the early Hittite Empire.[87] After the statement of purpose comes a list of preparatory ritual acts, including preparing the figurines and gathering ritual ingredients. No invocation appears in the expected position, however.[88] Instead, the list of ritual supplies ends with directions to roast a variety of seeds. The augur and Old Woman (a ritual practitioner) then recite the first oral rite in §3 (CTH 398 i 13-18), acknowledging the arrival of the heavenly staff-bearers (LÚ$^{\text{MEŠ GIŠ}}$GIDRU, that is “men of the stick” or “men of the scepter”). These are most likely heavenly analogues of court heralds.[89]

TRANSLITERATION OF FIRST ORAL RITE (CTH 398 i 13-18, §3)

13 *nu* $^{\text{LÚ}}$MUŠEN.DÙ $^{\text{MUNUS}}$ŠU.GI-ya *ki-iš-ša-an me-mi-ya-an-zi*

14 *ka·a-ša-wa-an-na-aš* ˹*pé*˺*-i-e-er* DINGIR$^{\text{MEŠ}}$ *ne-pí-ša-az* LÚ$^{\text{MEŠ GIŠ}}$GIDRU

15 *it-tén-wa-kán IŠ-TU* É.GAL^{LIM} *kal-la-ar* INIM-*tar pa-ra-a šu-u-wa-at-tén*

16 *nu-wa i-it-tén* ˹*ḫa-tu*˺*-ga·uš* MUŠEN$^{\text{ḪI.A}}$ *ki·iš·ta*$^{!}$*-nu-ut-te-en*

17 *nu-kán ke-e* NUMEN$^{\text{[ḪI.]˹A˺}}$ *ma-aḫ-ḫa-an ki-iš-ta-ri kal-la-a-ra-ya>ra-ya<-kán*

18 *ud-da-a-ar ḫa-tu-ga-ú-ša* MUŠEN$^{\text{ḪI.A}}$ *QA-TAM-MA ki-iš-ta-ru*

[86] Beckman, “Tongue,” 522.

[87] Taracha, *Religions*, 152.

[88] Bawanypeck mentions calling, attracting, and sacrificing to the gods as the step following the list of ritual supplies among the augur ritual texts in general (*Rituale*, 152). She does not address the lack of an invocation in this particular text.

[89] In Bawanypeck’s translation, “Herold.”

TRANSLATION:

13 The augur and Old Woman say as follows:

14 "The gods have now sent us the staff-bearers from heaven.

15 Go! Push the sinister sign from the palace!

16 Go! Eradicate the terrifying birds!

17 Just as these seed[s] are eradicated,

18 so let the sinister signs and the terrifying birds also be eradicated."

Baked goods are placed in a basket under the royal bed and a puppy is fashioned from tallow and set on the palace door-bolt. The figurine is to remain on the door-bolt throughout the night, while the Old Woman and royal couple sleep in the palace and impurities drain from the royal couple into ritual materials under the bed. The Old Woman then recites the second oral rite in §5 (CTH 398 i lines 23b-26). The phrase "puppy of the table" refers to an animal that waits for scraps and (as the following line indicates) also serves as a watchdog.[90]

TRANSLITERATION OF SECOND ORAL RITE (CTH 398 i 23b-26, §5)

23b *nu ki-iš-ša-an me-ma-i zi-ik-wa-az*

24 *ŠA* LUGAL MUNUS.LUGAL ^{GIŠ}BANŠUR-*aš* UR.TUR *nu-wa-kán* U_4^{KAM}-*az ma-aḫ-ḫa-an*

25 *da-ma-a-in an-tu-uḫ-ša-an pár-na-aš an-da Ú-UL tar-na-ši*

26 *ke-e-ti-ma-wa-kán* GE_6-*an-ti kal-la-a-ar ut-tar an-da le-e tar-na-at-ti*

[90] Billie Jean Collins, "The Puppy in Hittite Ritual," *JCS* 42 (1990): 221-26.

TRANSLATION:

23 She says as follows: “You (are)

24 the puppy of the table of the king (and) queen. Just as by day

25 you do not allow another person into the house,

26 you are not to allow the sinister sign in on this night.

Following the speech to the puppy figurine are a series of manual rites that are intended to absorb evil from the bodies of the royal couple during the night.[91] In the first of these rites, fabric strips are tied around the royal couple’s bodies, the door bolt, and elsewhere in the palace, then snipped apart and added to the basket—another purifying technique. The same body parts and palace locations are then re-tied with red wool. The Old Woman and a real dog sleep in the palace (as presumably do the king and queen). In the morning, the Old Woman cuts the wool and adds it to the basket. She presses a ball of mashed soap-plant against the king and queen and parts of the palace, reciting the third oral rite.

TRANSLITERATION OF THIRD ORAL RITE (CTH 398 i 44b-46, §8)

44b *me-mi-iš-ki-iz-zi-ma ki-iš-ša-an ka-a-aš-wa* GIM-*an*

45 *ḫa-a-aš* GAD$^{\text{ḪI.A}}$ *iš-ku-na-an-ta*$^{!}$ *pár-ku-nu-uz-zi nu-wa-ra-at ḫar-ki-e-eš-zi*

46 *ŠA* LUGAL MUNUS.LUGAL DUMU$^{\text{MEŠ}}$.LUGAL NÌ-TE-*aš-ši-iš* É$^{\text{ḪI.A}}$ LUGAL *QA-TAM-MA par-ku-nu-ud-du*

[91] Bawanypeck, *Rituale*, 160-65. These rites use substances such as wool and bread, conventionally used in Anatolian rituals.

TRANSLATION

44b She proceeds to say as follows: "Just as

45 this soap cleans soiled clothes and whitens them

46 so may it clean the body of the king, queen (and) princes (and) the palace."

The ball of soap is laid in the basket. The Old Woman then presses a ball of riverbank-clay to the bodies of the royal couple and parts of the palace, reciting the fourth oral rite (CTH 398 i 50-54, §9). Riverbank clay was associated with the mother-goddess Ḫannaḫanna, the riverbank being one of her provinces.[92] In CTH 409, the Ritual of the River, the ritual practitioner stands in for the goddess and rubs the beneficiary with clay for purification.[93] The "dark earth" is a term for the underworld and is frequently named as a receptacle for disposal of impurity in Anatolian rites.

TRANSLITERATION OF FOURTH ORAL RITE (CTH 398 i 50-54, §9)

50 *me-mi-iš-ki-iz-zi-ma ki-iš-ša-an ku-it-wa-kán ku-it* DINGIR^{MEŠ}

51 *I-NA* É^{TIM} *kal-la-ar ut-tar* EGIR-*an uš-kán-zi nu-wa-ra-at-za* É^{TIM}

52 DUMU.LÚ.U$_{19}$.LU-*ya Ú-UL tar*-AḪ/UḪ-*zi na-at-za ka-a-aš wa-ap-pu-wa-aš* IM-*aš*

53 *tar-aḫ-ḫa-an ḫar-zi na-at-za* EGIR-*pa wa-ap-pu-i pé-e-da-ú*

54 *na-at-za da-an-ku-i-iš* KI-*aš tar-ḫu-du*

92 Haas, *Geschichte*, 434.

93 Volkert Haas and Daliah Bawanypeck, *Materia Magica et Medica Hethitica: Ein Beitrag zur Heilkunde im Alten Orient*, vol. 1 (Berlin: de Gruyter, 2003), 173-74.

TRANSLATION

50 She proceeds to say as follows: "Whatever sinister sign the gods

51 observe near the palace, neither palace

52 nor human can conquer it. The clay of the riverbank

53 has conquered it. Let it carry it back to the river bank.

54 Let the dark earth conquer it."

A similar rite is performed with a ball of dough, accompanied with the fifth oral rite in §11: (CTH 398 i 58-60). Dough was understood to absorb impurity.[94]

TRANSLITERATION OF FIFTH ORAL RITE (CTH 398 i 58-60, §11)

58 *me-mi-iš-ki-iz-zi-ma kiš-an ḫal-ki-iš-wa ma-aḫ-ḫa-an* NAM.LÚ.U_{19}.LU GU_4 UDU

59 *ḫu-i-ta-ar-ra ḫu-u-ma-an ḫu-iš-nu-uš-ki-iz-zi* LUGAL MUNUS.LUGAL *ki-i-ya*

60 É-*ir ka-a-aš ḫal-ki-iš kal-la-ri-it ud-da-na-az QA-TAM-MA ḫu-iš-nu-ud-du*

TRANSLATION

58 She proceeds to say as follows: "Just as grain sustains humans, cows, sheep,

59 and all wild animals, so may this grain sustain the king (and) queen

60 (and) the palace, from the sinister sign."

All ritual remnants having been put into the basket, the Old Woman swings the basket three times over the royal couple and within the palace, reciting the sixth oral rite in §13 (CTH 398 i 66-70). According to Haas, this swinging is an "identification rite" or

[94] Bawanypeck, *Rituale*, 167.

"contact rite" which connects the animal or substance being swung with the beneficiary.[95]

TRANSLITERATION OF SIXTH ORAL RITE (CTH 398 i 66-70, §13)

66 *ka-a-ša-wa ŠA* $^{\text{D}}$IM LÚ$^{\text{MEŠ}}$ $^{\text{GIŠ}}$GIDRU *u-wa-an-te-eš nu-wa-kán ku-it ku-it*

67 *kal-la-ar i-da-a-lu ut-tar ke-e-da-ni* É-*ri an-da*

68 *nu-wa-ra-at-kán pa-ra-a šu-u-wa-an-du nu-wa-kán i-da-a-lu ud-da-a-ar*

69 *pa-ra-a pé-e-da-an-du nu-wa-az* $^{\text{GIŠ}}$*tu-u-ri-in ku-wa-an-na-na-aš da-an-du*

70 *nu-wa-kán kal-la-ar ut-tar pa-ra-a šu-u-wa-an-du*

TRANSLATION

66 "The staff-bearers of the Weather-god have come. Whatever

67 sinister evil sign (is) within the house

68 may they push it out! The evil signs

69 may they carry off! May they take a copper spear

70 and may they push out the sinister sign!"

The Old Woman then takes out the donkey-figurine and swings the live puppy over the king and queen. A recitation accompanies the act, in this case the seventh oral rite in §14 (CTH 398 ii 8b-13a). Opinions are divided as to whether the "donkey" in lines 8b-10b refers metaphorically to this puppy, or to a donkey figurine. Wright and Collins

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[95] Haas, *Geschichte*, 894.

have both interpreted the "donkey" as a metaphor for the puppy.[96] In contrast, Bawanypeck argues persuasively that a broken portion of the first tablet refers to preparation of a donkey figurine. She notes that the use of live donkeys or donkey figurines is known from other rituals, whereas nowhere else are puppies used as stand-ins for donkeys (*Rituale*, 156-57).[97]

TRANSLITERATION OF SEVENTH ORAL RITE (CTH 398 ii 8b-13a, §14)

8 *me-mi-iš-ki-iz-zi A-NA* LUGAL MUNUS.LUGAL-*wa-kán ku-it* [*ku-it kal-la-ar*]

9 *ut-tar* NÍ.TE-*ši an-da I-NA* É^{TI}-*ya-wa nu k*⸢*ā*⸣[*aš* ANŠE$^{?}$]

10 ^{UZU}UR-*za šal-li-iš* ŠÀ-*ŠU-wa šal-li nam-ma-wa-ra-aš* ANŠE-*aš kar-pí-ya-*[*zi*]

11 *nu-wa-ra-at-za tar-aḫ-ḫa-an ḫar-zi nu-wa-kán i-da-a-lu* <*ut-tar*> *ka*[*l-la-ar*]

12 *pé-e-da-a-ú nu-wa-ra-at ku-wa-pí* DINGIR^{MEŠ} *lam-ni-ya-an*

13a *ḫar-kán-zi nu-wa-ra-at a-pí-ya ar-nu-ud-du*

TRANSLATION

8 She proceeds to say to the king (and) queen: "What[ever sinister]

9 sign (is) in his body (namely, that of the king and queen) and in the palace, this donkey

10 its penis (is) large; its heart (is) large. Further, the donkey will lif[t] them (i.e., the e[vil] sign or signs).

11 It has conquered them. The evil <sign>, the sin[ister sign]

12 let it carry away, and where the gods have commanded

[96] Collins, "Puppy," 217; David P. Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* (SBLDS 101; Atlanta: Scholars Press, 1987), 59.
[97] Bawanypeck, *Rituale*, 156-57.

13a there let it transport it!"[98]

The Old Woman then speaks to the tallow puppy in §15 (CTH 398 ii 18-23).

TRANSLITERATION OF EIGHTH ORAL RITE (CTH 398 ii 18-23, §15)

18 GE$_6$-*az-wa-kán ma-aḫ-ḫa-an I-NA* É^{TIM} *kal-la-ar ut-tar an-da*

19 *Ú-UL tar-na-aš ki-nu-na-wa-kán ku-e kal-la-ar i-da-a-lu*

20 *ud-da-a-ar* LÚ^{MEŠ} ^{GIŠ}GIDRU *ŠA* DINGIR^{MEŠ} *pa-ra-a pé-ner*^{er}

21 *nu-wa-ra-at* EGIR-*pa I-NA* É^{TIM} *le-e tar-na-ši*

22 *nu-wa-aš-ma-aš ku-wa-pí* DINGIR^{MEŠ} *ku-e-da-ni lam-ni-e-er nu-wa ki-e*

23 *kal-la-ar ut-tar a-pí-ya pa-id-du*

TRANSLATION

17b [from §14] She says as follows:

18 "Just as by night, into the house a sinister sign

19 you do not allow, now (regarding the)[99] sinister evil

20 signs the staff-bearers of the gods drove away

21 you are not to allow it back into the house.

22 Where the gods commanded

23 there let this sinister sign go!"

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[98] Bawanypeck indicates that the donkey serves as a substitute for the royal couple, bearing the impurity into the wilderness (cf. the biblical scapegoat rite). Ibid., 170.

[99] Literally, "what."

Everything is brought outside, with the augur holding the tallow puppy. The augurs are instructed to watch the oracle-bird to see if it flies upward from a favorable location. Bawanypeck argues that this sighting serves to confirm that the deities who once indicated their disapproval through a calamitous sign now are reconciling with the beneficiaries.[100] If the sign is positive, the ritual practitioners go to uncultivated land, and the used ritual supplies and offerings are scattered. The ninth oral rite is recited in §16 (CTH 398 ii 31b-35). [101] It refers to the Heptad, a group of seven supernatural entities associated with a deity.[102] According to Bawanypeck, this particular Heptad is associated with the Plague-god Yarri, although Yarri is not directly mentioned.[103] Horses and dogs accompany Yarri in other rituals.[104]

TRANSLITERATION OF NINTH ORAL RITE (CTH 398 ii 31b-35, §16)

31b *ki-i*[*š-ša-an me-ma·i*]

32 *ku-i-e-eš-wa ḫa-tu-ga-e-eš wa-at-ta-e-eš nu-wa-aš*-[

33 *A-NA* ANŠE.KUR.RA$^{\text{ḪI.A}}$ *im-mi-úl A-NA* UR.GI$_7$$^{\text{ḪI.A}}$-*ma wa-g*[*e-eš-šar*]

34 *ú-tum-me-en nu-wa-*˹*ra*˺-*at-za a-pí-ya da-an-du n*[*u* $^{\text{D}}$IMIN.IMIN.BI]

35 *A-NA* DINGIR$^{\textit{LIM}}$ KASKAL-*ši ar-ḫa* ˹*ar-ta*˺-*ru* [X]

TRANSLATION

31b He [says] as [follows]:

[100] Bawanypeck, *Rituale*, 172.
[101] Unlike the 2nd-8th oral rites, Bawanypeck attributes this recitation to the augur based on similar passages in other rituals. Ibid., 31 n. 98.
[102] Haas, *Geschichte*, 481-87.
[103] Bawanypeck, *Rituale*, 173-4.
[104] Ibid.; Richard Beal, "Hittite Military Rituals," in *Ancient Magic and Ritual Power* (ed. M. W. Meyer and P. A. Mirecki; Religions in the Graeco-Roman World 129; Leiden: Brill, 1995), 63-76.

32 These terrifying birds, and he/she [

33 a feed-mixture for horses and a sn[ack] for dogs

34 we have brought. Let them take it there! [Heptad,

35 stand away from the path of the god [ ]!"

Here the Heptad are told to move off the path to allow positive contact between the god (not identified) and the royal couple.[105]

The remaining sections of the tablet are broken, with the recitations too fragmentary for analysis.[106] As reconstructed by Bawanypeck, the ritual continues with burial of the ritual materials and the sacrifice of a goat, which Bawanypeck believes is an offering to the Heptad.[107] Another contact- and transfer-rite follows in which a live puppy is swung over the royal couple and cut in half, upon which an unnamed chthonic god—possibly linked to the Heptad—is invited to eat and drink and probably asked to allow a favorable bird oracle for the king and queen. Three hawthorn gates are erected and hung with materials understood to absorb impurity. After the tallow dog is addressed once more, the royal couple and Old Woman pass through the gates to release them of any remaining dangerous impurity. The Old Woman invokes deities, including the sun-god, asking them not to let unfavorable signs approach the royal couple. In the final section, the royal couple washes in the river. Then a final augury determines the timing of the

[105] Bawanypeck, *Ritua*le, 174.

[106] Fragmentary oral rites occur in §18, §22, §24, §25, §26, and §27. A line in §22 invites a deity to quench its thirst, a line in §24 instructs the puppy not to let the evil sign back in, while fragments in §25 and §26 refer to the Sun-god and address the gods as a group. §27 contains a speech by the Old Woman in which she describes previous ritual acts.

[107] Bawanypeck, *Rituale*, 175.

thanksgiving sacrifice. At that time the sun-god and other deities receive offerings while the Old Woman or augur review aloud the ritual acts that have been performed.

3.2.2. Speech Act and Rhetorical Analysis of Text 3

The following sections, 3.2.2.1 and 3.2.2.2, first examine the speech acts in all the oral rites, then the rhetoric.

3.2.2.1. Speech Act Analysis of Text 3

In this section, the speech acts in each oral rite are examined in turn.

3.2.2.1.1. First oral rite (CTH 398 i 13-18, §3)

Table 7. Speech acts in first oral rite of Text 3

Text	Speech act
13 The augur and Old Woman say as follows:	N/A
14 "The gods have now sent us the staff-bearers from heaven.	Ordinary assertive
15 Go! Push the sinister sign from the palace!	Causative directive
16 Go! Eradicate the terrifying birds!	Causative directive
17 Just as these seeds are eradicated, 18 so let the sinister signs and the terrifying birds also be eradicated."	Hybrid: Causative expressive/ordinary directive

The first speech act appears intended to acknowledge heavenly staff-bearers rather than to create them, and thus acts as an ordinary assertive. It paves the way for two causative directives addressed to the staff-bearers. Analogous to low-level officials in the earthly realm, these particular entities are tools sent by the gods to do a job and have been

made available for the ritual practitioners to command. The absence of a greeting or deferential language supports the conclusion that the directives in lines 15-16 are orders, not petitions. My assumption throughout this dissertation is that commands (as opposed to petitions) to supernatural entities are causative. As with all causative speech, the illocutionary force of such commands requires some form of supernatural empowerment.

The persuasive analogy in lines 17-18 is a hybrid form. It is first of all a causative expressive in that it is intended to create a new reality—the eradication of the evil omen—by stating the wish that the omen be eradicated, using the same kind of speech act that Kamrušepa used in the myth/*historiola* of the Disappearance of Telepinu. Whether this particular persuasive analogy should be understood to exert a kind of super-rhetorical force on the gods, or whether its "magic" should be understood to work more directly, is unclear (see Sections 3.1.1.1 and 3.1.1.2). Regardless, the formula of the analogy can be seen as the motive force making the wish-statement supernaturally effective. At the same time, the third-person imperative functions as an indirect petition to the gods—an ordinary directive. Although no invocation is extant for the opening part of the ritual text, the interested attention of the gods can be understood by the reference to their assistance in line 14, "The gods have now sent us the staff-bearers from heaven."

3.2.2.1.2. Second oral rite (CTH 398 i 23b-26, §5)

Table 8. Speech acts in second oral rite of Text 3

Text	Speech act
23a She says as follows:	N/A
23b "You (are)	Causative assertive
24 the puppy of the table of the king (and) queen.	
24b Just as by day	Causative directive
25 you do not allow another person into the house,	
26 you are not to allow the sinister sign in on this night.	

This oral rite begins with a causative assertive that transforms the dog figurine by giving it attributes of a real dog, a "dog of the table." The second speech act is a persuasive analogy using the second person imperative—thus it is a clear-cut directive. Since the transformed dog-figurine still has less supernatural agency than the speaker, the speech act is a causative directive: it compels the addressee to obey. The speaker has thus created a supernatural tool preventing further evil omens from encroaching on the palace.

Although both speech acts in the oral rite are causative, the first is in service to the second. The first speech act provides the tallow dog with the sentience so that it can fulfill the causative imperative that ends the persuasive analogy. Only after the figurine has been transformed into a "dog of the table," able to receive commands, is the persuasive analogy addressed to it.

3.2.2.1.3. Third oral rite (CTH 398 i 44b-46, §8)

Table 9. Speech acts in third oral rite of Text 3

Text	Speech Act
44b She proceeds to say as follows:	
44c “Just as	Hybrid: Causative expressive/ordinary directive
45 this soap cleans soiled clothes and whitens them	
46 so may it clean the body of the king, queen (and) princes (and) the palace.”	

Like the persuasive analogy in the first oral rite, this is a hybrid speech act. The expression of a wish following a persuasive analogy is a causative expressive, while its use in a ritual with divine auditors makes it an indirect ordinary directive.

3.2.2.1.4. Fourth oral rite (CTH 398 i 50-54, §9)

Table 10. Speech acts in fourth oral rite of Text 3

Text	Speech act
50a She proceeds to say as follows:	
50b Whatever sinister sign the gods	Ordinary assertive
51 observe near the palace, neither palace	
52a nor human can conquer it.	
52b The clay of the riverbank	Ordinary assertive
53a has conquered it.	
53b Let it carry it back to the river bank.	Hybrid: Causative directive/ordinary directive
54 Let the dark earth conquer it.	Hybrid: Causative expressive/ordinary directive

The first two speech acts are ordinary assertives. The first claims that human beings—even royal ones—lack the agency to conquer the evil sign. The content of this speech act—the claim that humans lack sufficient supernatural agency—argues against any attribution of causative power to the words, although they are presumably important for ritual efficacy.[108] The second speech act refers to the manual rite of rubbing the royal bodies and parts of the palace with balls of clay from the riverbank. If it were not for the previous speech act, one could argue that the statement "the clay of the riverbank has conquered it" together with the linked manual rite was a causative assertive, that is, expected to conquer the evil by declaring it conquered. Together, however, the two speech acts attribute the agency to the clay itself and thus are classed as ordinary.

According to Bawanypeck, the "it" in line 53 ("Let it carry it back to the river bank") refers to the animated donkey figurine that will be assigned the formal task of carrying away the impure ritual remains later, in §14. The "donkey" is a *Kultmittel*, a supernatural ritual tool which has been brought to the ritual for this purpose. The speech act can be considered an indirect command to a lower-status supernatural entity, thus a causative directive. The use of an indirect command implies the existence of another agent to ensure that the donkey will act as desired. In context, this "other agent" is understood to be the gods, giving the entire speech act the additional illocutionary force of an ordinary directive.

The final speech act, in line 54, refers once again to the conquering ability of the clay of the riverbank. External evidence indicates that this speech act carries causative illocutionary force: it is the last line in an oral rite uttered by the goddess Kamrušepa in

[108] This perception is heightened by the similarity of the main clause to one in CTH 457.1 iv 7-10, in Hoffner, *Hittite Myths*, 33: "The cloud will not overcome the illness." The latter is part of an oral rite in a *historiola*. See further below.

"the spell of the fire," part of a *historiola* embedded in a healing ritual.[109] According to the principle of divine reflexivity, Kamrušepa herself is not petitioning anyone else but speaking in her divine role as the goddess of magic, uttering a self-fulfilling wish.[110] When uttered by a human practitioner in a ritual context, however, the same speech act is a hybrid. It carries causative force by virtue of its imitation of divine speech. But because the speaker is not herself divine but merely "channeling" divine power, it also carries ordinary illocutionary force in the form of an appeal to the goddess or perhaps another deity who is capable of enacting the change. In its present context it is thus a causative expressive/ordinary directive.

3.2.2.1.5. Fifth oral rite (CTH 398 i 58-60, §11)

Table 11. Speech acts in fifth oral rite of Text 3

Text	Speech act
58 She proceeds to say as follows:	N/A
58b "Just as grain sustains humans, cows, sheep,	Hybrid: Causative expressive/ordinary directive
59 and all wild animals, so may this grain sustain the king (and) queen	
60 (and) the palace, from the sinister sign."	

[109] Ibid. In Hoffner's translation, the rite reads: "'And let the illness of his head become a mist, and let it ascend to heaven. Let the Dark Earth lift his illness with the hand. The cloud will not overcome the illness. Up above, let heaven overcome it. Below, let the Dark Earth overcome it.' This is the spell of the fire." Lines similar to CTH 398 i 54 appear in other ritual texts, e.g. the Ritual of Ālli, KUB 24.9 ii. See Billie Jean Collins, "Necromancy, Fertility and the Dark Earth: The Use of Ritual Pits in Hittite Cult" in *Magic and Ritual in the Ancient World* (ed. P. A. Mirecki and M. W. Meyer; Religions in the Graeco-Roman World 141; Leiden: Brill, 2002) 224-41.

[110] It is not clear that in the context of the Ritual of Ḫuwarlu the words necessarily should be understood as Kamrušepa's, although this is possible. But they clearly carry causative force because they originate in the divine realm.

As a persuasive analogy using a third-person imperative (*ḫuišnuddu*), this speech act is once again a hybrid. It is supernaturally-effective in its own right as well as serving as an appeal to the listening gods.

3.2.2.1.6. Sixth oral rite (CTH 398 i 66-70, §13)

Table 12. Speech acts in sixth oral rite of Text 3

Text	Speech act
66a "The staff-bearers of the Weather-god have come.	Ordinary assertive
66b Whatever	Hybrid: Causative directive/ordinary directive
67 sinister evil sign (is) within the house	
68a may they push it out!	
68b The evil signs	Hybrid: Causative directive/ordinary directive
69a may they carry off!	
69b May they take a copper spear	Hybrid: Causative directive/ordinary directive
70 and may they push out the sinister sign!"	

Like the similar statement in §3 (CTH 398 i 14), "The gods have now sent us the staff-bearers from heaven," the first speech act is an ordinary assertive. The following three speech acts use third-person imperatives to express indirect commands to the staff-bearers to carry out the task of driving off the evil sign. I consider these speech acts to be hybrids. On the one hand, these commands are causative directives: commands to supernatural agents of lesser agency than the Old Woman, using authoritative language. On the other hand, the gods (to whom the staff-bearers ordinarily report) act as implied addressees and agents who ensure the cooperation of their servants. As hybrids, the last

three speech acts are also appeals for divine help, thus carrying the illocutionary force of ordinary directives in addition to the illocutionary force of causative directives.

3.2.2.1.7. Seventh oral rite (CTH 398 ii 8b-13a, §14)

Table 13. Speech acts in seventh oral rite of Text 3

Text	Speech act
8a She proceeds to say to the king (and) queen:	N/A
8b “Whatever sinister	Causative assertive
9 sign (is) in his body (namely, that of the king and queen) and in the palace, this donkey	
10a its penis (is) large; its heart (is) large.	
10b Further, the donkey will lift them (i.e., the evil sign or signs).	Causative assertive
11a It has conquered them.	Causative assertive
11b The evil <sign>, the sin[ister sign]	Hybrid: Causative directive/ordinary directive
12a let it carry away,	
12b and where the gods have commanded	Hybrid: Causative expressive/ordinary directive
13a let it transport it there!”	

As noted in Section 3.2.1, lines 8b-10b refer to the donkey. The first two speech acts are causative assertives since their purpose is to transform a donkey figurine into a supernatural entity conventionally believed to carry away impurity. In line 10b, the assertive that the donkey will lift the evil signs could be theoretically considered as predictive (in which case it would be ordinary) but is better associated with the supernatural process of transformation. The speech act indicates what the donkey is to accomplish even as it creates the capacity of the donkey to perform what is described.

Line 11a is less clear. It may indicate that the process of loading on the impurity is complete, rendering it complete while declaring it to be so. Or it may acknowledge that the donkey has overpowered the impurities, enabling it to take them on its back. In this case as well, the speech act would create the circumstance it describes. In either case it is a causative assertive. The following two speech acts use third-person imperatives to command a lower-status supernatural entity (the animated figurine) to perform supernatural tasks, making them causative directives. Their formulation in the third-person imperative in the presence of the gods gives them the illocutionary force of ordinary directives as well, as petitions to the gods.

3.2.2.1.8. Eighth oral rite (CTH 398 ii 17b-23, §15)

Table 14. Speech acts in eighth oral rite of Text 3

Text	Speech act
17b [from §14] She says as follows:	N/A
18 "Just as by night, into the house a sinister sign	Causative directive
19 you do not allow, now (regarding the) sinister evil	
20 signs the staff-bearers of the gods drove away	
21 you are not to allow it back into the house.	
22 Where the gods commanded	Hybrid: Causative expressive/ordinary directive
23 let this sinister sign go there!"	

As indicated earlier, a persuasive analogy directly addressed to a supernatural entity with lesser agency constitutes a causative directive, the situation in the first speech act. The second speech act is hybrid. The speaker here could be addressing the sign

although she has not done this before. Alternatively she could be expressing the wish that "the gods' will be done," which seems more likely in context. In the context of a divine command, the speaker is best understood as not merely supporting divine will but as enforcing it with a causative expressive. The same speech act also serves as an indirect petition to the deities to ensure that the sinister sign goes to its assigned disposal site.

3.2.2.1.9. Ninth oral rite (CTH 398 ii 31b-35, §16)

Table 15. Speech acts in ninth oral rite of Text 3

Text	Speech act
31b He says as follows:	N/A
32 These terrifying birds, and he/she [	unclassifiable
33 a feed-mixture for horses and a sn[ack] for dogs	Causative assertive
34a we have brought.	
34b Let them take it there!	Causative directive/ordinary directive
34c [Heptad],	Ordinary directive
35 stand away from the path of the god [ ]!"	

Line 32, being broken, is unclassifiable. The speech act in lines 33-34a is a causative assertive that describes, and thereby transforms, the ritual's waste products into food appropriate for horses and dogs. Although the referents in line 34b are not entirely clear, presumably the augur instructs the animals (via a third-person directive) to take the morsels to a specific site for eating. As an indirect command to low-status supernatural entities, the speech act is a causative directive. The use of the third-person imperative here implies the existence of a divine audience and agent—possibly the Heptad—who

will oversee the animals' act.[111] The speech act doubles as a petition to these deities, creating a hybrid speech act. The speaker follows this speech act with an indirect directive to the Heptad (line 34c as reconstructed, and line 35). The relative agency of the speaker and the Heptad is ambiguous: the offerings here are for the animals rather than the Heptad, but the later offering of a goat may be intended for the Heptad (see Section 3.2.1). Despite the absence of deferential or courteous wording in the final speech act, I read it as a petition to supernatural entities with higher status than the speaker, making it an ordinary directive. If the Heptad is of lower agency than the speaker, the speech act would be causative.

3.2.2.2. Rhetorical Analysis of Text 3

In this section I analyze the oral rites with an eye toward their use of persuasive techniques directed toward the gods, although on occasion I focus on other aspects of their content. The oral rites comprising this ritual do not constitute a sustained argument but resemble a set of beads on a string. Each supports a specific manual rite or rites whose performance results in the purification of the beneficiaries and their environs, the disposal of the evil, and ultimately the reconciliation of the royal couple with the gods. Each recitation has its own coherent form, in which preliminary material builds to a final imperative (in the second- or third-person) indicating the desired outcome of the rite. In the following, I do not try to analyze the rhetorical impact of each speech act, since many are abstruse and may reflect underlying magical conventions of which we know little.

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[111] As described in Section 3.2.1, the Heptad are seven supernatural entities associated with a god. This particular Heptad is probably linked to the plague-god Yarri.

The most consistent rhetorical device in the build-up to the imperative is the analogy, which appears in five of the nine oral rites I study. Each persuasive analogy (that is, the analogy itself plus the final imperative) appears at the end of the respective oral rite. Beckman points to the validity of the comparison (at least in divine eyes) as an important component of its rhetoric (see Section 3.1.1.1, 3.1.1.2).[112] As discussed in Section 1.7.2.1, metaphors and other analogies exert rhetorical force through their vividness (which enhances *presence*) and by opening up new cognitive avenues, forming a kind of argument.

3.2.2.2.1. First oral rite (CTH 398 i 13-18, §3)

This oral rite moves from a descriptive statement, to two commands, to a verbal analogy. The first speech act acknowledges the presence of staff-bearers sent by the gods, apparently without a prior request from the ritual participants. By claiming that the gods sent the staff-bearers, the text announces the deities' support of the ritual's overall goal of protecting the royal family from the sinister sign. Such a statement might also increase divine investment in the proceedings, so that the gods could be assured that their efforts were successful. The two commands to the staff-bearers lack any deferential language, suggesting that the staff-bearers are acting as servants and ritual tools.

The fourth speech act (lines 17-18) is a persuasive analogy: "Just as these seeds are eradicated, so let the sinister signs and the terrifying birds also be eradicated." The seeds had already been roasted and doused with water as part of the ritual preparations. Within this speech act, the vivid analogy and the accompanying manual rite increase the

[112] As earlier noted, in Beckman's examples the analogies are intended to alter the emotions of a specific god, and it is that god who is bound by the persuasive analogy. Whether or not he intended his analysis to extend to all persuasive analogies in Hittite religious texts is unclear.

presence of the final petition. The verbal root *kištanu-* ("be eradicated") ties the persuasive analogy to the previous command to the staff-bearers to eradicate the evil, while the reference to the seeds ties the analogy to the preceding manual rite. The persuasive analogy thus acts as a summative statement, drawing together thematic threads in the oral and manual rite, as well as summarizing the ritual's overall goal of eradicating the evil sign.

Because of the summative nature of the final speech act, the rite's rhetorical effectiveness—that is, its success in persuading the gods--largely depends on the acceptability of the connection between the eradication of the seeds and the terrifying birds. Perelman and Olbrechts-Tyteca write that assertions about reality, whether presented as "facts, truths, or presumptions,"[113] must seem "sufficiently secure to allow the unfolding of the argument."[114]

> [T]he meaning attributed to the connection...to what justifies the "therefore," will vary according to what the speaker says, and also according to the hearer's opinion on the subject. If the speaker claims that such a connection is compelling, the effect of the argument can be strengthened by it. It can, however, be weakened by this very claim, from the moment the hearer finds it inadequately founded and rejects it.[115]

The naturalness and thus the acceptability of such analogies rely on conventional understandings of the nature of their elements[116] some of which may be hidden or oblique.[117] If to modern ears the connection between eradication of seeds and the

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[113] Chaïm Perelman and Lucie Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation* (trans. J. Wilkinson and P. Weaver; Notre Dame: University of Notre Dame Press, 1969), 262.
[114] Ibid., 261.
[115] Ibid., 263.
[116] Max Black, *Models and Metaphors: Studies in Language and Philosophy* (Ithaca: Cornell University, 1962), 40-41.
[117] Wright, "Analogy," esp. 487-88.

terrifying birds (that is, the evil omen) seems obscure, we should note that analogies connecting seeds with evil to be eradicated appear in other ritual texts from Anatolia.[118]

3.2.2.2.2. Second oral rite (CTH 398 i 23b-26, §5)

The Old Woman speaks commandingly to the figurine, as one would to a real dog. The dog's obedience can be understood from both ordinary and supernatural perspectives. Not only are real-world dogs expected to obey, but this one serves as a ritual tool—a *Kultmittel*—whose obedience to its maker or user is presumed.[119] In addition, the persuasive analogy exerts its own supernatural influence on the figurine. The persuasive analogy is meant to transform the "dog of the table" into a dog capable of guarding against supernatural evil—something no ordinary dog could be expected to do. As Sørensen writes, it is common for an embedded ritual to "project magical agency" to an element or entity that is then used in the main part of the ritual.[120] Such an embedded ritual is transformative, "changing some or all ontological assumptions ascribed to the element."[121] Many persuasive analogies are intended to transfer an attribute from one entity to another using the supernatural means of similarity. Here, the same entity—the dog—inhabits both the source and target domains. The ordinary canine ability to ward off strangers is transformed within the blended space of the ritual (see Section 1.6.2.) into the supernatural ability to ward off the sinister sign. This transformation is an extension of a

[118] Bawanypeck notes similar oral rites appear in another augur ritual, CTH 425, and in CTH 391, The Ritual of Ambazzi (*Rituale*, 159-60).
[119] The staff-bearers in the first oral rite similarly are presented as having both supernatural and mundane reasons for obedience. The heavenly staff-bearers were sent by the deities for a specific purpose, and thus have a similar status as tools, in addition to the expected obedience of servants in general.
[120] Jesper Sørensen, *A Cognitive Theory of Magic* (Lanham, Md.: AltaMira), 97.
[121] Ibid. In this case, only some ontological assumptions are transformed. The dog is still understood as obedient and protective against the threats to the family feeding it.

natural ability. By presenting the dog's new role as an extension of its ordinary behavior as watchdog, the speaker makes the role seem easy and natural.

3.2.2.2.3. Third oral rite (CTH 398 i 44b-46, §8)

In this persuasive analogy, the Old Woman asks that the soap she is rubbing on the royal couple and areas in the palace cleanse them of supernatural evil. As with other persuasive analogies, the magical agency appears in the combination of oral and manual rites. Soap is a natural cleaning agent. The analogy between physical cleansing and supernatural purification is a natural and common one in the ancient world.[122] The "compelling argument" of the analogy is meant to gain divine assistance through magical means allowing the supernatural cleansing to take place. The manual demonstration increases the *presence* of the comparison and appeal.

3.2.2.2.4. Fourth oral rite (CTH 398 i 50-54, §9)

This speech accompanies and explains the ritual practitioner's act of rubbing the royal bodies and parts of the palace with balls of clay. The initial claim that neither human nor palace can conquer the sinister sign serves to emphasize the power of the riverbank clay in the following statement, "The clay of the riverbank has conquered it."

The second and fourth speech acts pose a challenge to modern comprehension in that the clay is said to have "conquered" the sign in lines 52b-53a, whereas a later line (54) reads, "Let the dark earth conquer it." The "dark earth" is a term for the underworld, where most impurity is sent for disposal in Anatolian ritual. The conundrum generated by the different tenses is most easily resolved by considering that the speech act in lines 52b-

[122] See Wright, "Analogy," 487.

53a refers to a different point in the ritual from the speech act in line 54. Thus two different "conquests" can be inferred. The earlier speech act refers to the clay balls used to absorb evil from the bodies of the king and queen and portions of the palace. The latter act refers to the process of disposal of the materials used to soak up impurity (presumably including the same clay balls). According to Bawanypeck's analysis, the materials that have absorbed impurities during this ritual will be carried to the riverbank for burial.[123]

Following the first two speech acts, both explanatory, appear two third-person imperatives, building to a rhetorical climax in the final word, the third-person imperative *tarḫudu* ("let it conquer!")

3.2.2.2.5. Fifth oral rite (CTH 398 i 58-60, §11)

This recitation accompanies a manual rite in which the Old Woman presses a ball of dough to the royal couple and locations in the palace, in the same way that she earlier used balls of soap and then clay. Here the verbal analogy has to do with grain's life-giving and -sustaining properties, in contrast to the dark forces alluded to in the previous rite. The verbal analogy addresses the grain's role in maintaining the life and well-being of the threatened couple in the face of danger. The analogy makes the argument that grain, as used in the ritual, is able to sustain life not only through ordinary nourishment, but in the face of supernatural evil—an extension of its ordinary role into a supernatural domain. The logic of this transformation persuades the gods to empower it.

[123] Bawanypeck, *Rituale*, 167, 174. She points to the fragmentary text in §17 and §18 to indicate that the materials are to be buried in the earth beside a river, indicating uncultivated land. In §16, the ritual instructions indicate that the polluted materials will be deposited in open country, as indicated by augury (Cf. Bawanypeck, *Rituale*, 172).

Like the oral rite in §8, this oral rite consists of a solitary persuasive analogy. It nonetheless builds to a rhetorical climax—the causative statement at the end—in the manner of all persuasive analogies. As Perelman and Olbrechts-Tyteca write, "an impression of reality is...conveyed by piling up all the conditions preceding an act."[124] As in other persuasive analogies incorporating manual rites, the application of dough to the beneficiaries' bodies makes it the fulfillment of the conditions particularly vivid. As a result, the ritual practitioners "get the idea of [fulfilling the petition]" into the addressees' consciousness, making its fulfillment seem natural and almost inevitable.[125]

3.2.2.2.6. Sixth oral rite (CTH 398 i 66-70, §13)

Once again the staff-bearers are acknowledged without praise or greeting, then directed to push out the evil. Rather than commanding them directly with a second-person imperative, as before, the Old Woman now uses a third-person imperative—a hybrid speech act combining causative force with a petition to the gods. Most likely these are the gods to whose service the staff-bearers belong and who presumably sent them to drive out the evil.[126] The gods have the authority to command their behavior.

With regard to both rhetoric and causative speech, this oral rite builds to a climax: an initial ordinary assertive gives rise to three hybrid speech acts. Even within the last three lines, the climax builds. The new detail of the copper spear in the last speech act

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[124] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 145.
[125] Ibid.
[126] CTH398 i 13 and ii 20 these figures are called the "staff-bearers of the gods," whereas this oral rite (line 66) calls them the "staff-bearers of the Weather-god." It can be assumed that these lines refer to the same staff-bearers. Cf. Bawanypeck, *Rituale*, 168.

increases the *presence* of the staff-bearers as well as heightening perceptions of their power.[127]

3.2.2.2.7. Seventh oral rite (CTH 398 ii 8b-13a, §14)

The ritual has passed beyond the goal of purifying the royal couple and palace from the evil and now addresses the subsequent issue of disposing of the evil that has been removed, a subject that was anticipated in §9 (i 53b). Lines 8-11a characterize the donkey as having a large penis and heart, words that according to Bawanypeck constitute praise for its life-force and fertility, qualities that make it an excellent substitute for the royal family. The statement is directed not at the donkey but at the demonic powers who will be receiving it as a substitute. The words "where the gods have commanded" in line 12b (and cf. line 22 in the eighth oral rite) indicate that augury is to be performed to determine the site for depositing the evil.[128] By consulting with the gods, the augurs confirm their support for the manner of the impurity's disposal.

The rite moves from preparing and justifying the appropriateness of the donkey for its ultimate task, to compelling it to carry out that task. The rite ends with two instances of the third-person imperative verb. The penultimate speech act speaks of sending off the impurity-laden donkey, while the final speech act refers to the goal of the oral rite—the final removal of the impurities—and provides its rhetorical climax. The use

[127] The rhyme in the last two lines is likely to be the unintended result of using the same verb form. Although Haas has identified rhyme as an occasional literary technique in Hittite (Haas, *hethitische Literatur*, 298-310), rhyming couplets are certainly not as common in Hittite ritual texts as in OB texts, where they typically end oral rites (Nathan Wassermann *Style and Form in Old-Babylonian Literary Texts* [Cuneiform Monographs 27; Boston: Brill, 2003], 169). No other rhyming couplets occur in the well-preserved parts of this text.

[128] Bawanypeck, *Rituale*, 172. The ritual instructions following the eighth oral rite indicate that the augurs are to engage in divination—specifically, augury—before the ritual materials are brought to unoccupied land for disposal. The technical term *tarwiyalli* in the ritual instructions indicates an area or dividing line within the field of bird observation. Cf. Beal, "Hittite Oracles."

of the third-person imperative in final position adds both closure and supernatural force, while the reference to the deities in the last line adds the weight of divine authority and implies that the deities are in support of the ritual. Whether the donkey is actually to be sent off at the end of this rite is unclear, given the content of §15 (see below).

3.2.2.2.8. Eighth oral rite (CTH 398 ii 17b-23, §15)

The Old Woman addresses the tallow puppy once again, this time telling it to keep away the sinister sign that the staff-bearers drove out. The persuasive analogy formally resembles the earlier one in §5 but this time serves only to adjust the dog's instructions: it is now to prevent re-entry of the evil sign rather than warding off its initial approach. To this persuasive analogy is added a causative expressive/ordinary directive that does not involve the puppy at all, but seems intended to indicate where the sign is to go once driven away from the palace. As in the previous oral rite, the mention of the gods in the last line adds a sense of finality and suggests that divine agency is working in favor of the ritual participants in removing the sinister sign.

3.2.2.2.9. Ninth oral rite (CTH 398 ii 31b-35, §16)

The purpose of this oral rite is to persuade the Heptad to remove themselves from the deity's path, leaving it clear for the god to approach the royal couple.[129] The use of ritual remains as an offering to the animals does double-duty—it disposes of the materials and it bribes the animals and thus the demonic Heptad.[130] Although the referents in line 34b are unclear, the animals are possibly being directed to consume the ritual remains at

[129] Bawanypeck refers to several other rituals in which similar actions are described, including another ritual of the augurs. Ibid., 172-73. Cf. Beal, "Hittite Military Rituals."
[130] Bawanypeck, *Rituale,* 174.

the disposal site indicated by the gods.[131] The preliminary speech acts build to the rite's conclusion. A clear path between deity and the royal couple foreshadows the rites of propitiation and reconciliation which occur in the final, badly damaged segments of the ritual text.

3.2.2.3. Text 3 Analysis: Summary and Conclusions

The goal of the Ritual of Ḫuwarlu is to protect the beneficiaries from the evil sign, but the rites analyzed here are virtually all directed toward warding off, removing, and disposing of impurity. It is unclear if this impurity preceded and explained divine anger or resulted from the sign itself. Regardless, the impurity must be eliminated before humans and gods can be reconciled.

The recitations combine ordinary, causative, and hybrid speech acts. Four of the five ordinary speech acts are assertives. These set the stage for causative or hybrid speech, for example by announcing the presence and role of the divinely-sent staff-bearers. The remaining ordinary speech act, which concludes the ninth oral rite, is a directive (petition) to the Heptad. No ordinary commissives, declaratives, or expressives occur.

The nine causative speech acts appear in two types: assertives and directives. Four of the five causative assertives transform inanimate objects, giving them supernatural roles: turning a tallow figurine into a *Kultmittel*, for example, or transforming ritual waste products into food for the plague-god's horses and dogs. The remaining causative assertive makes the claim that the donkey has conquered the evil sign or signs, possibly

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[131] Immediately after this speech appears the instruction to dig in the earth, which to Bawanypeck indicates the disposal of the ritual materials (*Rituale*, 174).

by carrying them all on its back. The four causative directives command ritual tools (the staff-bearers and the tallow puppy) using second-person imperatives. Two of these are persuasive analogies.

The twelve hybrids make up the largest subset of speech acts. Six are causative directives/ordinary directives and six are causative expressives/ordinary directives. All use a third-person imperative and all combine a causative speech act with an ordinary petition to a god or gods. The causative directives/ordinary directives have clear agents, either the donkey figurine or the staff-bearers. The causative expressives/ordinary directives, half of which are persuasive analogies, lack clear agents. As in Mesopotamian literature, hybrid speech acts serve to mystify agency. Those using them both mimic divine speech acts (for example, Kamrušepa's speeches in the Disappearance of Telepinu and other ritual texts) and simultaneously petition the gods.

Rather than ordinary argumentation, we see analogic *logos* in the form of persuasive analogies and petitions in the form of hybrid third-person imperatives. *Pathos* is absent. Extrapolating from Beckman's proposal (see Section 3.1.1.1), the persuasive analogies can be understood to put pressure on the addressee (such as the tallow dog) or the listening gods to comply with the directives ending the rites. With regards to the deities, this pressure can be understood as something more than persuasion but less than compulsion. The specialists who conducted rituals apparently accepted that the gods were best persuaded by the *logos* of analogy, based on the use of persuasive analogies by deities in *historiolae* such as the Disappearance of Telepinu. The use of causative language, mimicking divine speech, adds magical force but stops short of compulsion, because according to Anatolian beliefs human could not compel the gods.

This ritual text incorporates two instances of augury, according to Bawanypeck's reconstruction: the first to ascertain the location to deposit impurities and the second to discern the timing of sacrifice. The use of augury provides a way for humans and gods to "converse," providing feedback to the intercessors about the success of their intervention.

3.3. Apotropaic Intercessory Speech in Text 4: Ritual of Papanikri (CTH 476) i 41-47 (§10)

Not all apotropaic intercession in Anatolia follows the model of the Ritual of Ḫuwarlu. A very different approach to verbal intercession appears in the Ritual of Papanikri (CTH 476).

3.3.1. Overview of Relevant Portions of Text 4

The ritual in CTH 476 is attributed to a *patili*-priest[132] named Papanikri. The number of expensive offerings and other details suggest that the ritual was originally intended for the Kizzuwatnean royal family.[133] Its purpose is to ward off the evil predicted by a damaged birth stool, as indicated by both the introduction and the colophon. According to Mouton, the broken birth stool testifies to the impure state of the woman about to give birth.[134] Mouton argues further that the impurity was sent by the gods to punish the woman for some offense.[135] The main purpose of this ritual, like the

[132] These priests performed purifications, according to *CHD*, "LÚ*patili*-," P: 245-46. Taracha translates the term as "incantation-priest," noting that these practitioners belonged to Hurrian-Kizzuwatnean traditions (*Religions*, 151).
[133] Mouton, *Rituels*, 22-23, 38-39. Not only are numerous expensive offerings prescribed, but references to "masculine gods of the village" suggest the ritual had social significance beyond the immediate family.
[134] Ibid., 108.
[135] Ibid., 67, 94.

one in Text 3, is to eliminate the impurity and reconcile the woman with the gods. Many of the rites, however, relate to purification and protection of the newborn.[136]

The ritual is described as lasting several days but contains only four prescribed recitations. The first is an instruction given by the *patili*-priest to the woman to enquire of the gods concerning the omen (CTH 476 i 15-17). If one of the gods is angry at her she is to make him an offering. Two other oral rites consist of the single word "health!"(CTH 476 iii 47 and iv 26). Below I analyze the remaining recitation, spoken by a *patili*-priest (CTH 476 i 41-47, §10) who addresses first the woman and then the angered deity. It follows a series of manual rites in which two sets of sheep and birds are offered to the gods. The following transliteration is adapted from Yitzhaq Feder. [137]

41 *ma-a-an-wa* AMA-*KA na-aš-ma A-BU-KA ap-pé-ez-zi-az*

42 *ku-it-ki wa-aš-ta-nu-wa-an ḫar-kán-zi na-aš-ma-wa zi-ik*

43 *ka-a pa-ra-a ḫa-an-da-an-ni na-aš-ma za-aš-ḫi-it ku-it-ki*

44 *wa-aš-ta-nu-wa-an ḫar-ta nu ḫar-na-a-uš ḫu-u-ni-ik-ta-at*

45 $^{\text{GIŠ}}$GAG$^{\text{ḪI.A}}$ *-ma-wa du-wa-ar-na-ad-da-at ki-nu-na-wa*

46 *ka-a-ša* DINGIR-*LUM* 2 *ta-a-an šar-ni-ik-ta*

47 *nu BE-EL* SÍSKUR *pár-ku-iš nam-ma e-eš-du.*

The following translation is adapted from Feder's.[138]

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[136] Beckman, *Birth Rituals*, 123, referring to the use of a lamb in purification rites and the pounding of a stick into the wall.

[137] Feder, "Levantine Tradition." Three changes were made: $^{\text{GIŠ}}$GAG$^{\text{ḪI.A}}$ in line 45, DINGIR-*LUM* in line 46, and *ta-a-an* in line 46. These readings, which I consider more accurate, were taken from Strauss, *Reinigungsrituale*, 288.

[138] Feder, "Levantine Tradition."

"If your mother or father have sinned *of late*, or you have just committed some sin as a consequence of divine intervention or through a dream, and the birth stool was damaged or the pegs were broken, O divinity, she has for her part made compensation[139] two times. Let the ritual patron be pure again!"[140]

3.3.2. Speech Act and Rhetorical Analysis of Text 4

Table 16. Speech acts in main oral rite in Text 4

Text	Speech act
41-46 If your mother or father have sinned of late, or you have just committed some sin as a consequence of divine intervention or through a dream, and the birth stool was damaged or the pegs were broken, O divinity, she has for her part made compensation two times.	Ordinary assertive
47 Let the ritual patron be pure again!	Ordinary directive

There are only two speech acts in this oral rite. The first, a complex sentence, is an ordinary assertive. The second is an ordinary directive petitioning the deities. Nothing in the ritual context suggests that either speech act is imbued with causative illocutionary force. Unlike the causative and hybrid speech acts in the Ritual of Ḫuwarlu they do not transform inanimate objects into animate ones, command ritual tools to take supernatural actions, or contain persuasive analogies.

[139] Feder translates this word "atonement" rather than "compensation" but *šarni*(*n*)*k* in *CHD* is translated as "to compensate, make/pay compensation for, replace, make restitution for, make up for, make good (claims)." The article explains that "when the gods were offended by human actions, they required compensation for their injuries and levied punitive fines...Bribes to judges and legitimate propitiatory gifts to the gods shared the same term. In battles the gods acted as judges and rendered decisions by giving the victory to the side in the right. For this reason, we do not propose to use a different translation for *šarnink-* or *šarnikzil* when it occurs in a religious context... as opposed to a purely juridical one.... *CHD*, *Š* 2:286. Mouton uses the French word "*payer*" (*Rituels*, 103).

[140] Feder translates line 47 as "Then the ritual patron shall be pure again," placing it outside of the quotation. I follow Strauss and Mouton in understanding it to be part of the recitation itself. The use of the 3rd-person imperative in this position follows the pattern established in the Ritual of Ḫuwarlu. Cf. Strauss's translation (*Reinigungsrituale*, 297): "(Deshalb) möge der Ritualmandant wieder frei (von Unreinheit) sein!" In English: "(Therefore) let the ritual beneficiary be once more free (from impurity)!" See also Mouton (*Rituels*, 103), "que la commanditaire du rituel soit de nouveau pure!"

Rhetorically, this recitation shares some features with Text 3. The structure of this recitation is similar to most of those in the preceding ritual: it begins with preparatory information and ends with a third-person imperative stating the ritual's goal. Also like the oral rites in Text 3 it makes no appeal to *pathos*: we see no praise, lament, or vows to praise.

In most ways, however, the rhetoric of Text 4 differs dramatically from that of Text 3. The ritual practitioner addresses first the pregnant woman then the deity, explaining that the beneficiary has already made double compensation for her own or her parents' sins, treated here according to the metaphor of debt. This part of the direct discourse emphasizes the beneficiary's *ethos* and presents the full compensation as a logical reason for the deity to comply with the final directive. The *logos* of analogy, so prevalent in Text 3, is absent. Instead, the deity is addressed in a straightforward fashion and provided a logical reason to comply with the final petition. By changing the beneficiary's status from "owing compensation" to "having made compensation," the text aims to persuade the god or gods to change her status from "impure" to "pure." By arguing that she has made double the required compensation, the speaker aims to persuade the addressee to accept her compensation as adequate and acceptable for the sin.

As I argue, the text provides an example of *arkuwar* within a ritual text. Singer describes *arkuwar* as "a juridical term, referring to the presentation of a plea, an argumentation, or defense against an accusation."[141] *Arkuwar* can include "confession of or exculpation from guilt, the presentation of mitigating circumstances, and the inveigling of the divine judges with flattery (hymns) and presents (vows)."[142] Unlike juridical

[141] Itamar Singer, *Hittite Prayers* (SBLWAW 11; Leiden: Brill, 2002), 5.
[142] Ibid.

proceedings, however, it lacks a verdict.[143] The term, cognate with the Latin *argumentum*, is normally applied to part of a prayer or to a type of prayer during the Empire Period or sometimes used to denote prayer in general, indicating the common application of a juridical metaphor to human-divine relations.[144] Ritual utterances are not identical with prayers, although Singer argues for a degree of overlap in practice[145] and Torri points to instances of shared language and motifs based in common scribal and religious cultures.[146] I nonetheless identify the rhetoric in this recitation as *arkuwar* based on the similarity of its contents to sections of clear-cut *arkuwar* in Empire-period personal prayers such as Muršili II's prayers to end the plague afflicting his country.

In CTH 378.I, commonly known as the first of Muršili's plague prayers, King Muršili observes that he confirmed via divination the plague's cause: a sin committed by his father, who broke his oath of allegiance when he killed a prior ruler, Tudḫaliya.[147] Muršili brings up the point in order to argue that he himself has already ritually expiated the crime and that further restitution to the gods is being made. In another of his plague prayers, CTH 378.II, Muršili argues that the Hittite capital, Ḫattuša, had already compensated for the sin twenty times.[148] The verb he uses for "compensating" is *šarni*(*n*)*k*-.[149] Feder describes this term as "based in the terminology of tort law."[150] Other prayers identified as *arkuwar* similarly argue that compensation has already been made,

[143] Ibid.
[144] Ibid.
[145] According to Singer, oral rites in ritual texts typically include some amount of divine invocation or praise, while those texts identified by scholars as prayers would normally have been spoken in a sacrificial context, which may or may not be described in the text. Ibid., 2-4, 12-13.
[146] Giulia Torri, "Common Literary Patterns."
[147] Singer, *Hittite Prayers*, 61-64. Muršili's "second" plague prayer also mentions his father's sin.
[148] Singer, *Hittite Prayers*, 60.
[149] R. Lebrun, *Hymnes et Prières Hittites* (Homo Religiosus 4; Louvain-la-Neuve, Belgium: Centre d'histoire des religions, 1980), 209.
[150] Yitzhaq Feder, "The Mechanics of Retribution in Hittites, Mesopotamian, and Ancient Israelite Sources," *JANER* 10 (2010): 119-57 (137).

including Ḫattušili's "Prayer of Exculpation to the Sun-goddess of Arinna" (CTH 383) and Puduhepa's "Prayer to the Sun-goddess of Arinna and her Circle for the Well-being of Ḫattušili (CTH 384).[151]

In several ways, Muršili's argument resembles that of the *patili*-priest in Text 4. One of the two possible reasons the priest proposes for the god's rage in Text 4 is a sin by the woman's parents. Additionally, the priest uses the verb *šarni*(*n*)*k*- to indicate compensation, and like Muršili claims that more than adequate compensation has already been made ("twice" in Text 4 compared to "twenty times" in CTH 378.II).

This use of a*rkuwar* notwithstanding, the Ritual of Papanikri is replete with magical manual rites. On the first day of the ritual, for example, a lamb is dressed in small garments as a substitute for the infant.[152] Nonetheless the direct discourse is wholly ordinary. As in the namburbis discussed in Chapter 2, the juridical metaphor for sin is linked to this use of ordinary speech acts, in which the language and penalties resemble those used in Hittite courts.

3.4. Analysis of Links to the Supernatural

In the Ritual of Ḫuwarlu, supernatural power is primarily accessed through both *agent* and *action*, the latter referring to both the direct discourse and the manual rites. As Sørensen points out, anyone leading a supernatural ritual is automatically attributed with a certain amount of magical agency merely by fulfilling the role.[153] The Old Woman's regular performance of rites associated with Kamrušepa would naturally lead to such attribution. The augur, as well, would be attributed with a degree of supernatural agency

[151] Singer, *Hittite Prayers*, 100, 105.
[152] Mouton, *Rituels*, 54.
[153] Sørensen, *Cognitive Theory*, 181-84.

because of his role as communicator of divine messages and his performance of supernatural acts in rituals such as this one. No evidence is available to me as to whether the practitioners' supernatural agency was considered intrinsic (an essential quality), or bestowed on them temporarily or permanently through special rites.

Not only the agents, but also the ritual acts in Text 3 served as means for accessing supernatural power, resulting in what Sørensen calls action-based magical agency. Many of the speech acts uttered by the Old Woman—in particular the persuasive analogies—have clear links to the divine realm. Persuasive analogies were spoken by deities in *historiolae* such as the Disappearance of Telepinu. The formal structuring of persuasive analogies is consistent with their use as a means of accessing magical power. Nonverbal rites also reflect magical agency. Trémouille writes that such practices represent "une culture magico-populaire commune à tous les gens qui habitaient l'Anatolie au IIe millénaire av. J.-C."[154]

In addition, some of the objects and materials were understood to have special supernatural power, in particular the clay in §9 (ii 50b-53a), with its connection to the underworld and the goddess Ḫannaḫanna.

In the Ritual of Papanikri, as noted above, the *patili*-priest engages in magical manual rites but not causative speech. Some magical agency naturally inheres in the agent, who has the capacity to address the deities and the knowledge and authority to perform rites that have action-based magical agency, such as substitution rites. In contrast to the Text 3, however, the oral rites in Text 4 do not themselves manifest links to the supernatural.

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[154] "A culture of popular magic common to all people inhabiting Anatolia in the 2nd millennium B.C.E." Trémouille, "Rituels magiques," 84.

3.5. Analysis of Evidence for Presumed Efficacy

Apotropaic intercession falls into a different category from interventions impelled by the onset of calamity. As I noted in the previous chapter, one might expect a higher confidence of success in a ritual intended to ward off danger compared to one that must remove an existing misfortune, since the mere absence of change in the case of the former would imply success.

Although Hittite rituals rarely make specific claims of efficacy, the Ritual of Ḫuwarlu nonetheless builds an impression of effectiveness in the progression of its steps. Certain oral rites refer to earlier ones. For example, in §15, the speaker claims that the gods' staff-bearers depicted in §3 have indeed pushed away the evil, indicating the assumption that this speech act (and a similar one in §13) were effective. Similarly, in §5 the puppy figurine is commanded to keep out a supernatural evil, and in two further oral rites told to keep the evil from returning (§15 and §24). The most telling piece of evidence of assumed efficacy is in §16, in which the augurs are instructed to watch for a sign indicating where to deposit the impurities. Bawanypeck claims that this new oracle also indicates successful reconciliation with the gods, since the sign the augurs are to watch for is a positive one.[155] In her view, this ritual step presages the successful accomplishment of the ritual's goals. Notably, nothing is said about what is supposed to take place if no such sign appears. Would another sign, particularly a negative one, indicate ritual failure? We lack any evidence for alternative rites prepared for such a circumstance.

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[155] Bawanypeck, *Rituale*, 172, 179.

The Ritual of Papanikri also shows evidence of presumed efficacy in the progression of its rites from those addressing the woman's sin and impurity to those protecting the baby. In addition, as Feder writes, "the use of the idiom of compensation hints at a more mechanistic conception by which the ensuing threats can be averted."[156] Nonetheless, such a viewpoint does not itself exclude the view that the gods were nonetheless in charge, as Feder notes, writing, "It is not unlikely that the ritualists merely "bracketed out" remote causes (the gods) in order to focus on more immediate causes, perceived in accordance with the modes of thought ingrained by their occupation."[157]

On the other hand, Muršili's plague prayers attest to Hittite beliefs that the gods need not respond positively to every ritual. These prayers recount the king's fruitless efforts to appease the gods who had brought years of plague to his country, including his multiple acts of compensation and other deeds in accord with oracular instructions.[158] The tone is one of protest but reveals no skepticism. Rather, the king's prayers indicate his continued efforts to end the plague by appealing to the gods.

It is in the nature of ritual practitioners to proceed as if their efforts have value—in other words, to construct and carry out rituals with the assumption that success is reasonably assured if ritual steps are carried out correctly. Such confidence, however, does not entail a belief that the ritual in any way "coerces" the deities.

3.6. Summary and Conclusions

In this chapter I analyzed two very different approaches to apotropaic intercession in the direct discourse of two ritual texts, CTH 398 (the Ritual of Ḫuwarlu) and CTH 476

[156] Feder, "Mechanics of Retribution," 137.
[157] Ibid., 138.
[158] Singer, *Hittite Prayers*, 56-66, especially the "second" plague prayer (CTH 378.II), 57-61.

(the Ritual of Papanikri). In both cases, angry gods were understood to have sent the evil omens to the ritual patrons. The techniques used to rid the individuals of their danger rely on the help of the gods, although not necessarily the same gods who caused the problem.

The direct discourse in both texts is similar in that all of their oral rites end with an imperative, generally in the third person. The final line provides the climax of each respective oral rite, stating its desired effect, with the preceding lines generally providing motivations (including analogies) or explanations of the manual rites. In the portions of the Ritual of Ḫuwarlu that are not too damaged for analysis, eight out of nine of these final lines are either hybrid or causative. In contrast, the final line of the main oral rite in the Ritual of Papanikri carries ordinary illocutionary force. Both the exceptional line in Text 3 (CTH 398 ii 34c-35) and the final line in the main rite in Text 4 are ordinary directives addressed to deities in the second or the third person, respectively. This pattern reflects the role of the ritual specialist in creating, commanding, or soliciting actions fulfilling the ritual's goals.

The persuasive analogy has a special place in Hittite magical rituals such as Text 3. By using persuasive analogies, humans both attempt to persuade the listeners (including gods) to accede to their petitions, and imitate the gods' own mythic speech acts. The mythic tradition found in the *historiola* of the Disappearance of Telepinu shows the goddess of magic, Kamrušepa, using persuasive analogies, reflecting what Patton calls divine reflexivity: "cultic behavior appropriate to the sphere of the individual deity and which thus is ascribed to his or her agency."[159] As in Mesopotamia, use of hybrid speech acts mystifies the agency behind the desired transformations through the use of a multivalent modal form. When the Old Woman uses magical speech acts containing

[159] Patton, *Religion of the Gods*, 171.

third-person imperatives, her words simultaneously carry the illocutionary force of petitions to the gods. In fact, the use of the third-person imperative in Hittite appears to imply the existence of an addressee more strongly than does the Akkadian precative. It is unclear whether this grammatical difference entails a stronger perception of the gods as agents of change in Anatolian magical ritual compared to the namburbis.

In contrast to Text 3, Text 4's use of third-person imperatives results in no ambiguity. The rite uses solely ordinary discourse (argumentation or *arkuwar*) in an attempt to persuade the gods. The use of *arkuwar* reflects a view of the gods as subject to persuasive techniques like those used in human legal disputes, rather than special techniques such as persuasive analogies. That such a view was prevalent during the Empire period is corroborated by KUB 13.4 i 21, as translated by Trevor R. Bryce: "Are the desires of gods and men different? In no way! Do their natures differ? In no way!"[160] Ironically, the use of human-style persuasive techniques toward the gods actually enlarges the perceived gap in agency. The ordinary petition ending the rite in Text 4 relies solely on the gods to restore the beneficiary's purity.

The two apotropaic intercessory rituals analyzed in this chapter are intended to remove impurity, whether that impurity is viewed as a tangible force emanating from the sign itself or a result of divine anger to which the sign points. Purification of the beneficiaries is a necessary step prior to reconciling humans and gods. Many of the oral rites I analyzed in the Ritual of Ḫuwarlu (Text 3) aim at purification. In that ritual, causative or hybrid speech acts and magical actions work to remove, transfer, and dispose of the impurity or "terrible birds." Text 4, the Ritual of Papanikri, also has the goal of purification, but no causative or hybrid speech is used to eliminate it. Rather, the direct

[160] Bryce, *Life and Society*, 139. See also Taracha, *Religions*, 80.

discourse focuses on the possible offenses of the woman or her parents and compensation for these sins, reflecting a practice from human jurisprudence. We thus find a contrast. When juridical metaphors for sin appear, the direct discourse uses ordinary language. When the problem is articulated as concretized "evil" ("terrible birds" and so forth), however, the direct discourse uses causative or hybrid speech acts. The same pattern is found in the namburbis.

Neither Text 3 nor Text 4 contains claims of ritual efficacy, although the assumption that these rituals generally work can be inferred from the orderly presentation of ritual steps. Feder notes that the problem-solving nature of ritual texts contributes toward a presentation of divine retribution as mechanistic and resolvable through ritual means.[161] Yet the frequent references to the gods in both texts, including the use of augury in Text 3, indicate a worldview in which the threat to the beneficiary originates with the gods while its resolution relies on divine assistance.

In sum, then, the two Anatolian rituals address the gods with two different kinds of rhetoric: both the ordinary logic of the Ritual of Papanikri's *arkuwar*, and the *logos* of analogy in the Ritual of Ḫuwarlu. *Arkuwar* is taken from human jurisprudence; the verbal persuasive techniques are used by humans to persuade other humans. In the Ritual of Papanikri, the culminating speech act serves only as a petition. In contrast, the culminating speech acts in the Ritual of Ḫuwarlu both mimic and petition the divine. In both cases, the analysis of the direct discourse indicates that the rituals cannot be successful without divine aid: either to accede to a petition, or to empower (as well as to accede to) hybrid or causative language.

[161] Feder, "Mechanics of Retribution."

This reliance on the deity for apotropaic intercession is explicit in biblical portrayals of apotropaic intercession, as we will see in the next chapter.

CHAPTER 4

APOTROPAIC INTERCESSION IN THE HEBREW BIBLE

4.1. Introduction

In this chapter I analyze the examples of apotropaic intercession in the HB that contain direct discourse. As I will show, the intercessory speech acts lack causative illocutionary force entirely. For the most part the speeches take the form of prose prayer, even in the exceptional case linked to ritual—the story of David and the census (1 Chr 21:17). Instead, intercessors use appeals to *pathos*, *logos*, and occasionally *ethos* to persuade YHWH that his plans would subvert his own interests, be inconsistent with his nature or his promise to the patriarchs, and/or cost him the people whom he loves. The emphasis on divine injustice in many of these speeches stands in sharp contrast to the comparative material. In the final chapter I will demonstrate how the biblical presentation of apotropaic intercession reflects a very different understanding of divine-human relations than we see in the ritual texts.

4.1.1. Selection of the Corpus

The corpus of biblical texts analyzed here includes only passages in which (1) an appeal by an authorized intercessor (2) contains direct discourse (3) which is directed to the deity and (4) which follows and responds to a clear divine promise or prediction of punishment, however presented.

The biblical corpus consists of the following: Abraham's dialogue with YHWH about Sodom in Gen 18:23b-32a—the only case in which the intercessor speaks more

than once; Moses's intercessions on behalf of the Israelites in Exod 32:11b-13, 31b-32, and Deut 9:26-29 (all addressing the sin of the golden calf), and Num 14:13b-19 (after the episode of the spies); Moses and Aaron's intercession after Korah's rebellion in Num 16:22; the brief appeals in Ezek 9:8b, 11:13b and Amos 7:2, 5; and David's intercessory prayer after the census in 1 Chr 21:17 (cf. 2 Sam 24:17).[1] In all cases except 1 Chr 21:17, intercession takes place before the punishment begins. I include the last because the intercession responds to the looming threat to Jerusalem, which is as yet unharmed.

Excluded from the corpus studied here are texts lacking one of the four following criteria:

(1) I exclude Jonah 1:14-15 because the group of sailors prays on its own behalf without an authorized intercessor. Moreover, they pray not for protection from the initial divine threat, but that their direct action will not result in further punishment.

(2) I exclude texts lacking direct discourse: Moses's intercessions for Pharaoh (Exod 8:8, 26; 9:33; 10:18); Moses's appeals to God after the golden calf incident as described in Deut 9:18-19, 20;10:10, and Ps 106:23; Samuel's outcry on behalf of Saul in 1 Sam 15:11b; David's intercession for his infant in 2 Sam 12:16; the king of Nineveh's intercession on behalf of his land and people in Jonah 3:5-10; and Job's intercession for his friends in Job 42:8-10. Also excluded is Gen 20:17, in which Abraham's intercession is not narrated, and which moreover contains confusion about the specific threat to Abimelech.

(3) I exclude from my systematic analysis Num 17:11 (Moses's instructions to Aaron to use incense after YHWH threatens destruction) and Jonah 1:12 (Jonah's

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[1] To avoid repetition I included only one version of David's apotropaic intercession after the census. I chose the Chronicles version because it incorporates the entirety of the speech in 2 Samuel 24:17 (with minor changes) but includes two more clauses. Neither clause substantially alters the rhetorical analysis.

instructions to the sailors to throw him overboard into the stormy sea), because the narrated speech is directed toward humans rather than YHWH. For Num 17:11, see the excursus at the end of Section 4.2.10.

(4) Finally, I exclude from the corpus of texts studied here those acts of intercession lacking clear prior predictions of punishment.[2]

4.1.2. Background Information: Divination, Intercession, Apotropaic Intercession

4.1.2.1. Divination

Biblical texts assume the validity of several forms of divination by which YHWH makes his decisions known. The primary forms approved by the biblical authors are

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[2] I therefore omit Moses's intercession in Exod 33:12, 15-16, presented a second time in Exod 34:9, because of the textual distance between the threat in Exod 33:2-3 (that YHWH will not accompany the people personally) and Moses's appeals. I omit Deut 21:7-8, a ritual prescription following discovery of a corpse with no identified killer, because the corpse is evidence of a crime, not a divine message in itself. I exclude Hezekiah's intercession in 2 Kgs 19:2-7 (= Isa 37:2-7) because the story lacks an explicit threat of doom from God; rather the threat to which Hezekiah responds is presented as coming from the Assyrians, regardless of how the Deuteronomists might have interpreted its ultimate causation. I also exclude Isa 6:11, which Franz Hesse calls a *verhalten* (restrained) intercession (*Die Fürbitte im Alten Testament* [Erlangen, 1951], 44) based on its formal similarities to clearer intercessory speeches (cf. Ezek 9:8). Henning Graf Reventlow considers it intercessory as well (*Gebet im Alten Testament* [Stuttgart: Kohlhammer, 1986], 250). The issue with Isa 6:11 is that the speech—although intercessory—does not directly or conclusively respond to a divine prediction of punishment, but rather to an instruction to make the people more susceptible to punishment. Finally, I omit Hab 1-2 (dialogue and woe oracles) because only through a very specific strategy of reading can Habakkuk's speech be considered a response to an omen. This reading of Hab 1:5-2:20 requires understanding 1:5-11 as an omen of doom for Israel, in which YHWH announces the Chaldeans' arrival prior to their actual coming, and viewing 1:12-17 as Habakkuk's apotropaic response, with 2:1 announcing his plan to await another oracle. This is essentially the reading advocated by Francis I. Andersen (*Habakkuk: A New Translation with Introduction and Commentary* [AB 25; New York: Doubleday, 2001], 16), although others differ. For example, Dennis R. Bratcher considers vv. 5-11 to be a continuation of Habakkuk's complaint ("The Theological Message of Habakkuk: A Literary-Rhetorical Analysis" [Ph.D. diss., Union Theological Seminary, 1984], 68). The greatest problem with Andersen's view is that 1:12-17 reads more like a complaint against a current or past evil than against threatened doom. Dona Dykes notes the difficulty of "the placement of a prophecy announcing the coming of the Chaldeans in the midst of a section already describing their cruelties" ("Diversity and Unity in Habakkuk" [Ph.D. diss., Vanderbilt University, 1976], 6, 8). Verse 17 in particular refers to the continual destruction by the foe as if it were a known entity, whereas the oracle implies in v. 5 that the deed being foretold is beyond belief. Also, as Andersen admits, the woe oracles in 2:6b-20 "make more sense if they are directed against Babylon after Judah has suffered deeply from its cruelty" (*Habakkuk*, 16).

prophecy, priestly lots (Urim and Thummim and/or use of the ephod), visions, and dreams, while disapproved forms include necromancy (1 Sam 28:3-19) and the consultation of unorthodox diviners and false prophets.[3] Both solicited and unsolicited forms of divination are attested, with prophecy falling into both categories. In the HB, prophecy is primarily portrayed as the oral transmission of information that the prophet receives from YHWH.[4]

The biblical presentation of prophecy is tied to the view of retribution as an active process by the deity, as discussed in Section 1.4. Judgment oracles link actual or threatened misfortune with divine punishment for human offense. Amos 3:6b renders explicit the claim of active divine responsibility for calamity: "Will there be misfortune in a town if YHWH did not produce it?" The following verse makes equally explicit the prophet's access to the divine decree prior to its implementation: "Indeed, my lord YHWH does not produce an event without revealing his secret (סוד) to his servants the prophets." The word דבר, here translated "event," can equally mean "word" or "decree," the divine action that commands the misfortune and, in the absence of a divine change of

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[3] Patrick D. Miller, *The Religion of Ancient Israel* (LAI; Louisville: Westminster John Knox, 2000), 54. In addition, YHWH is sometimes shown as transmitting his messages in other ways, as in Joshua 7, in which YHWH gives instructions for ascertaining the culprit, and Judg 7:10-15, in which Gideon overhears a Midianite soldier narrate a dream.

[4] Occasionally the HB describes the act of putting prophecy into writing, e.g. Isa 8:1-2. Controversy exists about the degree to which ancient Israelite or biblical prophecy was originally spoken. For example, see Robert C. Culley, "Orality and Writtenness in the Prophetic Texts," and Philip R. Davies, "'Pen of iron, point of diamond' (Jer 17:1): Prophecy as Writing," both in *Writings and Speech in Israelite and Ancient Near Eastern Prophecy* (ed. E. Ben Zvi and M. H. Floyd; SBLSymS 10; Atlanta: SBL, 2000), 45-64 and 65-82 respectively. Clearly by the time of Ezekiel prophecy was increasingly text-focused. See Joachim Schaper, "The Death of the Prophet: The Transition from the Spoken to the Written Word of God in the Book of Ezekiel," in *Prophets, Prophecy, and Prophetic Texts in Second Temple Judaism* (ed. M. H. Floyd and R. D. Haak; LHB/OTS 427; New York: T & T Clark, 2006), 63-79. Again, the focus in this dissertation is on textual presentation rather than reconstruction of Israelite practices.

heart, ultimately produces it. The word סוֹד, "secret" or "scheme," links the prophet's foreknowledge with secret discussions in the divine council.[5]

Those engaged in divination are typically presented as having a special relationship with YHWH whereby they gain access to his decrees. Priests, authorized to use the Urim and Thummim, are associated with the divine through a hereditary institution (Lev 7:36; 8). Moses, Samuel, and some prophets are explicitly authorized as messengers by YHWH (Exodus 3, 1 Sam 3:2-14, Isa 6:1-9, and Jer 1:4-5, for example) and/or shown as attending the divine council (e.g., in Jer 23:21-22; 1 Kgs 22:19). Moses is the paradigmatic messenger of YHWH, the first person tasked to speak YHWH's message to the people and the first to use a sign to confirm the verity of his message.[6] Compared to the later prophets, Num 12:6-8 describes Moses's intimacy with YHWH as unsurpassed:[7]

> Hear my words: When you will have prophets, I YHWH will make myself known to them in a vision; I will speak to them in a dream. Not so my servant Moses. In my entire household, he is most reliable. Mouth to mouth I speak to him, in actual appearance, not in a riddle; he beholds a manifestation of YHWH.

Baruch A. Levine writes, "Moses' uniqueness lies in the fact that God speaks to him directly, 'mouth to mouth' or 'face to face.' There is nothing intervening between God and Moses in the transmission of God's voice."[8] But in fact, Moses is not the only figure portrayed as communicating directly with YHWH. YHWH is shown speaking

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[5] *HALOT*, סוֹד, 1:745. Cf. Jer 23:18, 22; Job 15:8. Substantial evidence—both biblical and comparative—suggests that biblical prophets were understood as participating in the divine council. See Martti Nissinen, "Prophets in the Divine Council," in *Kein Land für sich allein: Studien zum Kulturkontakt in Kanaan, Israel/Palästina und Ebirnâri* (ed. U. Hübner and E. A. Knauf; OBO 186; Göttingen: Vandenhoeck & Ruprecht, 2002), 4-19.

[6] Such confirmatory signs are shown as originating with YHWH in Exod 4:1-9, when YHWH instructs Moses to turn his rod into a snake and perform other miracles to convince the Israelites that Moses's predictions came from YHWH. Such signs form an element in many prophetic encounters, as when Isaiah predicts the birth of Immanuel in Isa 7:11-16.

[7] Cf. Exod 33:11; 34:10.

[8] Baruch A. Levine, *Numbers 1-20: A New Translation with Introduction and Commentary* (AB 4; New York: Doubleday, 1993), 341.

directly to the intercessor (Moses, Moses and Aaron, or Abraham) in all of the texts from the Torah. Outside of the Torah, all intercessory direct discourse in response to decrees of doom occurs in response to visions (Amos 7:2, 5; Ezek 9:8, 11:13, and 1 Chr 17), fitting the pattern described in Num 12:6-8.[9]

4.1.2.2. Intercession

Intercession with human authorities appears repeatedly in biblical narratives. Occasionally intercessors request special boons for the beneficiary (as when Bath-Sheba passes on Adonijah's request for Abishag in 1 Kgs 2:13-21) but most intercession aims to alleviate problems or avert threats. Certain commonalities exist between portrayals of intercession with YHWH and with human authorities. Intercessors in both contexts tend to have emotional bonds with the authority: Bath-Sheba and Esther are asked to intercede with their royal husbands (1 Kgs 2:13-18; Esther 4:8),[10] while those shown interceding with YHWH are frequently his chosen (including Moses, Samuel, select prophets, and select kings).[11] Moreover, just as in apotropaic intercession, intercessors often seek to prevent violent behavior by the very authority they supplicate (e.g., 1 Sam 19:4-5, Jonathan's plea to Saul on David's behalf; and 1 Sam 25:23-31, Abigail's intercession

[9] William S. Morrow suggests that "Israel's storytellers gradually constricted the record of divine encounter from a broad popular base to include only prophets in monarchical times" (*Protest against God: The Eclipse of a Biblical Tradition* [HBM 4; Sheffield: Sheffield Phoenix, 2006], 27-28. His claim depends on the assumption that the relevant stories in the Torah preceded the stories in the other biblical books.
[10] Akkadian divine wives Ištar and Tašmetu were similarly believed to intercede with their divine spouses in Akkadian literature. See Martti Nissinen, "Akkadian Rituals and Poetry of Divine Love" in *Mythology and Mythologies: Methodological Approaches to Intercultural Influences* (ed. R. M. Whiting; Melammu Symposia 2; Helsinki: Neo-Assyrian Text Corpus, 2001), 93-136.
[11] Note that in the version of Moses's intercession in Ps 106:23, Moses is called "his chosen" (בחירו). Not all intercessors are shown as specifically chosen even through hereditary links to a previous favorite. For example, city elders are officially-designated intercessors in Deut 21:1-9.

with David on behalf of Nabal).[12] Finally, intercessors with human authorities typically appeal to *pathos* and *logos* and sometimes *ethos* as well—strategies that appear in apotropaic intercession, as I will demonstrate.[13] François Rossier argues that such mundane acts of intercession in the HB form the theological basis for depictions of intercession with the divine.[14]

Intercession with YHWH is only one of several processes that sometimes lead YHWH to mitigate or retract his plans for disastrous punishment. Sometimes direct prayer by those targeted is shown to be effective, for example Hezekiah's petition in 2 Kgs 20:1-6 (= Isa 38:1-6). Repentance is shown to be particularly effective in Jonah 3:5-10, when the Ninevites pray and change their ways. Another approach shown to work on occasion is the removal of sinners from Israel's midst. We see this approach in Num 25:6-8 when Phineas spears the Israelite man and foreign woman together in order to protect the larger community. Verse 8b narrates the results: "The plague against the Israelites was brought to a halt"—virtually the same wording that appears in 1 Chronicles 21:22b after David's successful apotropaic intercession.[15]

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[12] One of François Rossier's principal points (*L'intercession entre les hommes dans la Bible hébraïque: L'intercession entre les hommes aux origines de l'intercession auprès de Dieu* [OBO 152; Fribourg: Éditions Universitaires, 1996]).
[13] Cf. Judah's intercession with Joseph on behalf of Benjamin (Gen 44:18-34).
[14] Rossier, *L'intercession*.
[15] Similar direct human actions to purge sinners from the community appear in Joshua 7, Jonah 1:15, and Exod 32:26-29. In the first two instances, the sinner is identified by divination; in Joshua 7, YHWH does the slaying while in Jonah 1:15, humans undertake it at Jonah's instigation. In Exod 32:26-29, the Levites self-select as avengers at the order of Moses, who channels divine instructions to slaughter, apparently indiscriminately, although some traditions infer selective killing. For example, Rashi cites Exod 22:19, "One who sacrifices to the gods will be utterly destroyed (חרם)," based on the Mekhilta (Abraham Ben Isaiah and Benjamin Sharfman, eds., *The Pentateuch and Rashi's Commentary: A Linear Translation into English: Exodus* [Brooklyn: S. S. & R. Publishing, 1950], 411). In the last instance, such direct action follows and precedes apotropaic intercession, at least canonically, but needs to be considered separately.

Evidence suggests that intercession was considered an important prophetic role, at least in some Israelite traditions.[16] Of all the prophets, Jeremiah most clearly claims intercession as a prophetic task, for example in Jer 27:18.[17] Prophets sometimes ask YHWH to remove existing problems (e.g., in 1 Kgs 17:21) but more often engage in apotropaic intercession. Since prophets are often depicted as the first to receive news of the threat (see Amos 3:7), they are in an ideal role to intercede.

4.1.3. Selected Research on Biblical Intercession

The work of several authors is particularly relevant to the topic at hand. In what follows, I take up studies by Franz Hesse, Yochanan Muffs, Patrick D. Miller, and Michael Widmer.

4.1.3.1. Franz Hesse

In his 1951 revised dissertation, Franz Hesse performed the first comprehensive analysis of intercession with God in the HB.[18] Hesse takes an evolutionary approach, distinguishing the "religious magic" of pre-prophetic times from later, more developed forms of intercession. Hesse argues that according to an early understanding, God's

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[16] Evidence includes Gen 20:7, in which Abraham is called a prophet just prior to being asked to intercede and Jer 27:18, in which Jeremiah spells out the expectation that true prophets will intercede. Cf. Ezek 13:5, 22:30-31, in which YHWH judges or laments the absence of an intercessor, presumably a prophet. See Gerhard von Rad, "Die falschen Propheten," *ZAW* 51 (1933): 109-20; Reventlow, *Gebet*, 229; Yochanan Muffs, "Who Will Stand in the Breach? A Study of Prophetic Intercession," in *Love and Joy: Law, Language and Religion in Ancient Israel* (New York: Jewish Theological Seminary of America, 1992), 9-48; and Patrick D. Miller, "Prayer for Others," in *They Cried to the Lord: The Form and Theology of Biblical Prayer* (Minneapolis: Fortress, 1994), 262-80. According to Jonathan Stökl, intercession was not considered a prophetic role elsewhere in the ANE (*Prophecy in the Ancient Near East* [CHANE 56; Leiden: Brill, 2012], 215–16). As Stökl notes, however, ANE prophets speaking in the name of a deity sometimes claimed that the deity had interceded within the context of the divine council. See also Nissinen, "Prophets and the Divine Council," 9-13.

[17] Samuel Balentine, "The Prophet as Intercessor: A Reassessment," *JBL* 103 (1994): 161-73.

[18] Hesse, *Fürbitte*.

wrath, once triggered by sin, could be averted only through intercession: hence God's suggestion to Abimelech that Abraham would intercede for him in Gen 20:7. These pre-monarchic intercessors (so-called "Men of God") were endowed with intercessory ability by the deity and their utterances were brief and incantation-like (*beschwörend*). In this early intercession the beneficiary bore no responsibility for making the intercession effective—it was all up to the "Man of God."[19] Over time, Hesse claims, Israelites came to believe less and less in the effectiveness of incantation-like ("magical-primitive")[20] intercession; intercessory speeches became longer and more focused on persuasion.[21] Beginning with Samuel, part of intercession's success was attributed to moral factors—the people had to change their behavior to be worthy of salvation. Hesse asserts that both Hosea and Isaiah believed that those who had repented needed no intercession, while for those who had not repented, intercession was impossible.[22] Jeremiah, on the other hand, viewed intercession as a prophetic responsibility.

4.1.3.2. Yochanan Muffs

Yochanan Muffs' influential essay, "Who Will Stand in the Breach? A Study of Prophetic Intercession," emphasizes the dual role of the prophet.[23] According to Muffs, the prophet is not only the messenger of divine judgment but also "an independent advocate to the heavenly court who attempts to rescind the evil decree by means of the

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[19] Hesse notes, e.g., that Miriam needs to do nothing for Moses's intercession to be effective in Num 12:13 (ibid., 26).
[20] Ibid., 38.
[21] Hesse counts Abraham's intercession in Genesis 18 as among these later texts (ibid., 30). Abraham is not acting as a magically-endowed "Man of God" here; his power to intercede derives from his piety.
[22] Ibid., 123-25; cf. 44.
[23] Muffs, "Who Will Stand?"

only instruments at his disposal, prayer and intercession."[24] Muffs makes several specific arguments in this essay: (1) he identifies the interjection אהה (for example, in Ezek 9:8) as a sign of prophetic protest at harsh judgments; (2) like Hesse, he emphasizes God's dependence on intercession to control divine anger, even when seemingly forbidding it; (3) and he distinguishes three ways by which YHWH controls the expression of his anger: (a) The first is to eke out punishment gradually, over generations, an approach indicated by the words נשׂא עון ("bearing the sin") as in Num 14:18.[25] (b) The second divine approach is to transfer punishment to another in the same lifetime, as when David's child by Bathsheba dies for his sins of adultery and murder (2 Sam 12:13-15), an approach Muffs claims is designated by the Hiphil of עבר.[26] (c) In the third approach, YHWH "simply decides not to get angry."[27] Interconnected with these three approaches is Muffs' proposed three-stage model of Israelite religious development.[28] In the first, earliest stage, sin "has an objective quality" that mandates punishment of the sinner, no matter what. In the second, transitional stage, justice requires punishment while mercy impels forgiveness. This paradox can lead to the "doctrine of delayed punishment": deferral of punishment to later generations if the sinner repents.[29] In the final stage, given the sinner's repentance, "the sin no longer exists."[30] Thus Muffs, like Hesse, provides an

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[24] Ibid., 9.
[25] Although the notion of punishment deferred to future generations is certainly prevalent in much of the HB, I support Gary A. Anderson's simpler claim that נשׂא עון and similar expressions can mean to "take away the sin" without the added nuance that Muffs suggests of "bearing it over time" (*Sin: A History* [New Haven: Yale University Press, 2009], 17-21). See Section 4.2.1.2. below.
[26] The Hiphil of עבר also appears in 2 Sam 24:10. There it does not appear to take on the meaning Muffs ascribes to it.
[27] Muffs, "Who Will Stand?" 41-43.
[28] Ibid., 16-19.
[29] Ibid., 20.
[30] Ibid., 17.

evolutionary view of biblical intercession, albeit without reference to the notion of "magic."

4.1.3.3. Patrick D. Miller

Defining intercession as "prayer on behalf of others," Patrick D. Miller sees its fundamental purpose, like that of all prayer, as persuading God.[31] Like Muffs and Hesse, Miller argues that the HB portrays intercessory prayer as "expected by God and incorporated into the divine activity."[32] Miller claims that such prayer depends on three types of implicit or explicit reasons: (1) those referring to God's nature and character (his justice, fidelity, and so on); (2) those referring to the petitioner's situation; and (3) those referring to the relationship between the petitioner and God—a relationship characterized by God's response to his people's distress.[33]

4.1.3.4. Michael Widmer

In *Moses, God, and the Dynamics of Intercessory Prayer*, Michael Widmer provides a detailed exegesis of Moses's intercessions both at Sinai (Exod 32:10-14, 32:30-34, 33:12-23, 34:8-9) and at Kadesh (Num 14:13-19), in a synchronic reading of the biblical texts.[34] He follows Muffs in several regards, including Moses's two-fold role

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[31] I rely primarily on three of Patrick D. Miller's works: *Cried*, especially the essay "'Intercession for the Transgressors': Prayer for Others" (262-80); and two essays "Prayer as Persuasion: The Rhetoric and Intention of Prayer," and "Prayer and Divine Action." The two essays are reprinted in Patrick D. Miller, *Israelite Religion and Biblical Theology: Collected Essays* (Sheffield: Sheffield Academic, 2000), 337-44 and 445-69, respectively.
[32] Miller, "Prayer as Divine Action," 452.
[33] Miller, *Cried*, 116.
[34] Michael Widmer, *Moses, God, and the Dynamics of Intercessory Prayer* (FAT 2/8; Tübingen: Mohr Siebeck, 2004).

as both "mouth of YHWH and advocate of the people."[35] Holding that YHWH sought "to elicit Moses' intercession through confrontational language," in Exod 32:7-10,[36] Widmer argues that Moses assists God in fulfilling God's deeper purpose, the promise to Israel, in Moses's first prayer at Sinai (Exod 32:11-13). Widmer argues that the synchronic reading of the HB shows an evolution in understandings of intercession. To Widmer, Exod 20:5-6 presents divine anger as an uncontrollable force. The divine attributes in Exod 34:6-7 constitute a redefinition of YHWH's nature, placing mercy before divine zeal in punishment, and depicting divine wrath as "circumstantial and temporary" and capable of being restrained.[37]

4.1.3.5. Conclusions Regarding Selected Research on Biblical Intercession

The scholars reviewed agree that intercession was considered to be an integral part of divine-human communication in the religion of Israel as portrayed in the HB, a function that was expected by the deity and important to the divine-human relations. Hesse, Muffs, and Widmer up to a point all agree that in early Israelite understandings, divine anger was granted a near-autonomous status requiring specific action to deflect or expunge it, whereas later biblical theology emphasized repentance instead of, or in addition to, intercession. Prophets were accorded a specific role in persuading the deity to avert planned punishment, both by warding off divine anger through speeches (whether "incantation-like" or persuasive), and in prompting repentance and changed behavior among those targeted.

[35] Ibid., 330 n.1.
[36] Ibid., 331.
[37] Ibid., 337-38.

Nonetheless, the simplistic evolutionary schema proposed by Hesse requires revision, as does the three-stage model more tentatively offered by Muffs. Erik Aurelius challenges the chain of development proposed by Hesse, arguing that the tradition of Moses as intercessor depends on Amos 7.[38] Whereas the relative age of Moses's and Amos' intercessory texts is open to question,[39] Aurelius' emphasis on literary tradition appropriately counters Hesse's too-easy ordering of texts and theological ideas. Moreover, scholars such as Joel S. Kaminsky and Yitzhaq Feder question the assumption that more "magical" conceptions of sin, divine wrath, and expiation really disappeared over time.[40]

It is likely that multiple theological understandings of the role and effectiveness of different types of intercession coexisted.[41] In this dissertation, no attempts will be made to establish the group responsible for a given view, although others' conclusions on this subject are occasionally cited. Rather, the speech acts and rhetoric of each text will be examined individually to discern the theological understandings undergirding it in a synchronic reading of the text.

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[38] Erik Aurelius, *Der Fürbitter Israels: Eine Studie zum Mosebild im Alten Testament*, [ConBOT 27; Stockholm: Almqvist & Wiksell, 1988], 203.

[39] Lena-Sofia Tiemeyer, "Ezekiel: A Compromised Prophet in Reduced Circumstances" in *Constructs of Prophecy in the Former and Latter Prophets and Other Texts* (ed. L. L. Grabbe and M. Nissinen; SBLANEM 4; Atlanta: SBL, 2011), 175-95 (185-86).

[40] Both Joel S. Kaminsky and Yitzhaq Feder argue that deuteronomic views of bloodguilt and holiness reflect continued acceptance of views that scholars such as Hesse argue were rendered outmoded by the prophets. Examples include the view that bloodguilt automatically brings on communal punishment, that divine wrath is uncontrollable once evoked, and that sins against divine holiness endanger the entire nation. Joel S. Kaminsky, *Corporate Responsibility in the Hebrew Bible* (JSOTSup 196; Sheffield: Sheffield Academic, 1995), esp. 65-66; Yitzhaq Feder, *Blood Expiation in Hittite and Biblical Ritual: Origins, Context, and Meaning* (SBLWAWSup 2; Boston: Brill, 2011).

[41] Feder argues that certain theological views reflect social roles; those charged with conducting rituals to resolve problems, for example, are more likely to present the problem in mechanistic terms ("The Mechanics of Retribution in Hittite, Mesopotamian and Ancient Israelite Sources," *JANER* [2010]: 119-57).

4.2. Analysis of Direct Discourse in Apotropaic Intercessory Texts 5-15

In the following, each text is analyzed in turn.

4.2.1. Text 5: Gen 18:23b-32a

[23] ויגשׁ אברהם ויאמר האף תספה צדיק עם־רשׁע [24] אולי ישׁ חמשׁים צדיקם בתוך העיר האף תספה ולא־תשׂא למקום למען חמשׁים הצדיקם אשׁר בקרבה [25] חללה לך מעשׂת כדבר הזה להמית צדיק עם־רשׁע והיה כצדיק כרשׁע חללה לך השׁפט כל־הארץ לא יעשׂה משׁפט [26] ויאמר יהוה אם־אמצא בסדם חמשׁים צדיקם בתוך העיר ונשׂאתי לכל־המקום בעבורם [27] ויען אברהם ויאמר הנה־נא הואלתי לדבר אל־אדני ואנכי עפר ואפר[28] אולי יחסרון חמשׁים הצדיקם חמשׁה התשׁחית בחמשׁה את־כל־העיר ויאמר לא אשׁחית אם־אמצא שׁם ארבעים וחמשׁה [29] ויסף עוד לדבר אליו ויאמר אולי ימצאון שׁם ארבעים ויאמר לא אעשׂה בעבור הארבעים [30] ויאמר אל־נא יחר לאדני ואדברה אולי ימצאון שׁם שׁלשׁים ויאמר לא אעשׂה אם־אמצא שׁם שׁלשׁים [31] ויאמר הנה־נא הואלתי לדבר אל־אדני אולי ימצאון שׁם עשׂרים ויאמר לא אשׁחית בעבור העשׂרים [32] ויאמר אל־נא יחר לאדני ואדברה אך־הפעם אולי ימצאון שׁם עשׂרה ויאמר לא אשׁחית בעבור העשׂרה

In the English translation, Abraham's speech acts appear in italics.

[23] Abraham approached and said, *"Will you indeed sweep away the innocent along with the guilty?* [24] *Perhaps there are fifty innocent people in the city. Would you indeed sweep them away and not forgive the place for the sake of the fifty innocent people within it?* [25] *Far be it from you from doing such a deed—killing the innocent along with the guilty, so that what happens to the innocent happens to the guilty. Far be it from you! Shall the judge of all the earth not act justly?"* [26] YHWH said, "If I find in Sodom fifty innocent people within the city, I will forgive the entire place for their sake." [27] Abraham went on to say, *"I am determined to speak to my Lord although I am mere dust and ashes.* [28] *Perhaps the fifty innocent people will be short five. Would you destroy the entire city on*

account of the five?" He said, "I will not destroy it if I find forty-five there." [29] He continued to speak to him. He said, *"Perhaps forty will be found there."* He said, "I will not act, on account of the forty." [30] He said, *"Please, let my Lord not be angry so that I may speak. Perhaps thirty will be found there."* He said, "I will not act if I find thirty there." [31] He said, *"I am determined to speak to my Lord. Perhaps twenty will be found there."* He said, "I will not destroy it on account of the twenty." [32] He said, *"Please, let my Lord not be angry so that I may speak once more. Perhaps ten will be found there."* He said, "I will not destroy it on account of the ten."[42]

4.2.1.1. Speech Act Analysis

Table 17. Speech acts in Text 5

Verse	Text	Speech act
Gen 18:23a	Abraham approached and said:	N/A
Gen 18:23b	Will you indeed sweep away the innocent along with the guilty?	Expressive/directive
Gen 18:24a	Perhaps there are fifty innocent people in the city.	Assertive
Gen 18:24b	Would you indeed sweep them away and not forgive the place for the sake of the fifty innocent people within it?	Expressive/directive
Gen 18:25a	Far be it from you from doing such a deed—killing the innocent along with the guilty, so that what happens to the innocent happens to the guilty.	Expressive
Gen 18:25bα	Far be it from you!	Expressive
Gen 18:25c	Shall the judge of all the earth not act justly?	Expressive/directive
Gen 18:27b	I am determined to speak to my Lord even though I am mere dust and ashes.	Expressive

[42] All translations from the HB are the author's unless otherwise noted.

Table 17 continued

Verse	Text	Speech act
Gen 18:28aα	Perhaps the fifty innocent people will be short five.	Assertive
Gen 18:28aβ	Would you destroy the entire city on account of the five?	Expressive/directive
Gen 18:29aβ	Perhaps forty will be found there.	Assertive
Gen 18:30aα	Please, let my Lord not be angry so that I may speak.	Directive
Gen 18:30aβ	Perhaps thirty will be found there.	Assertive
Gen 18:31aα	I am determined to speak to my Lord.	Expressive
Gen 18:31aβ	Perhaps twenty will be found there.	Assertive
Gen 18:32aα	Please, let my Lord not be angry so that I may speak once more.	Directive
Gen 18:32 aβ	Perhaps ten will be found there.	Assertive

As in all texts analyzed in this chapter, all of the intercessor's speech acts are ordinary. Three speech acts in this text carry simple expressive illocutionary force: two outcries, "Far be it from you!" (18:25a, 25bα) and Abraham's statement that he is determined to speak despite difficulties (Gen 18:31aα, 32aβ).[43] Three constitute expressive/directives, discussed below. The rest of the appeal intermingles hypothetical situations—presented in assertives—with requests to speak (directives).[44]

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[43] I consider Abraham's use of the term הואל in vv 27, 31 to express his attitude, thus having the illocutionary force of an expressive. The usual meaning of הואל is "to decide, be prepared to" (*HALOT* 1:381) or to "undertake willingly" (R. H. Alexander, יָאַל, *TWOT* 1:357; BDB 383-84). The verb, which occurs only in the Hiphil, "stresses the voluntary act of the individual's will to engage in a given enterprise, not what may have brought him to that decision" (Alexander, יָאַל *TWOT* 1:357). Arvid S. Kapelrud writes that "the meaning varies with the situation. …The most frequent use suggests that the verb refers to a beginning that is not easy, a beginning made difficult by a sense of modesty, politeness, or some other obstacle. But this meaning can be extended to 'undertake' or 'decide to do' something" (*TDOT* 5:357-58 [358]). Kapelrud offers a possible translation of Gen 18:27, 31 as "Only with difficulty have I decided to speak" (358) as well as "I have taken upon myself to speak" (357).

[44] Both Gen 18:30aα and 18:32aα contain a single directive in two clauses with the second dependent clause expressing the purpose of the first. Generally, a modal form preceded by a *waw*-conjunction following another modal form is to be considered a dependent clause expressing the purpose of the first

The three expressive/directives appear in Abraham's opening question and in 18:24b, 28aβ. Each conveys his angst and outrage (expressive illocutionary force) as well as his indirect petition that YHWH forgive the cities (directive illocutionary force).[45] These speech acts fall into a category I call "complaining questions," a conventional biblical form common in narrative direct discourse and in psalms.[46] Complaining or accusing questions carry two illocutionary forces (expressive and directive) as an essential part of their meaning.[47] Even though Abraham's emotion pervades his entire speech, I do not list "expressive" as an *additional* illocutionary force in any other speech acts because expression of emotion is less central to their meaning.[48]

4.2.1.2. Rhetorical Analysis

This pericope falls among those texts in which YHWH offers an opening for intercession. Beforehand, YHWH muses over whether to inform Abraham of his plans, praising Abraham's role as keeper of YHWH's way—the way of righteousness and justice (Gen 18:17-19). YHWH then announces in Abraham's presence, "How great is the outcry from Sodom and Gomorrah, and how very serious their sin! I will go down to

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volitive. Choon-Leong Seow, *A Grammar for Biblical Hebrew*, rev. ed. (Nashville: Abingdon, 1995), 243-244. Cf. Bruce K. Waltke and Michael P. O'Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake: Eisenbrauns, 1990), 575; Ronald J. Williams, *Williams' Hebrew Syntax*, 3d ed. (rev. and exp. by J.C. Beckman; Toronto: University of Toronto Press, 2007), 77, 185. As explained earlier (see Section 1.5.1), Searle considers non-rhetorical questions to be directives because they seek something from the addressee.

[45] Miller describes Abraham's opening questions as indirect petitions (*Cried*, 337). On indirect speech acts see John R. Searle and Daniel Vanderveken, *Foundations of Illocutionary Logic* (Cambridge: Cambridge University Press, 1985), 10.

[46] Claus Westermann describes the use of such "accusatory" questions to express both lament and petition (*Praise and Lament in the Psalms* [trans. K. Crim and R. Soulen; Atlanta: John Knox, 1981], 176-77).

[47] Cf. Morrow, who writes "the complaint and the request are not divided....To have complained about divine action is already to have indicated the solution that is sought for [sic]" (*Protest against God*, 36).

[48] Searle and Vanderveken note, "In general we can say that the illocutionary point of a type of illocutionary act is that purpose which is essential to its being an act of that type" (*Foundations*, 14). Cf. p. 7 for the contribution of illocutionary force to the meaning of a sentence (ibid.).

see if what they did corresponds to the outcry that has come to me; if not, I will know" (18:20b-21). His intent to elicit Abraham's response is clear.[49]

Although Abraham's speech in Gen 18:23b-32a differs from other biblical apotropaic intercession in its dialogic form, in its present context it is intercessory.[50] Abraham's goal is to change YHWH's proposed plan to destroy Sodom.[51] Abraham's speech adapts a form that Asnat Bartor calls "a juridical dialogue": a confrontation between accuser and accused.[52] Genesis 18:23b-32a portrays a twist on ordinary power relations in such dialogues: the role of questioner, ordinarily held by the authority, is here

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[49] If the tradition of the *tiqqun sopherim* associated with this text reflects genuine redaction, v. 22b originally read "YHWH remained standing before Abraham" rather than the MT's "Abraham remained standing before YHWH." YHWH's lingering after telling Abraham his plans (vv. 17-19) would support the notion that YHWH awaits Abraham's intercession. Tradition has it that the original version was changed because the statement "YHWH remained standing before Abraham" carries the nuance of an underling attending his master, as in Judg 20:28 or 1 Kgs 1:2. Page H. Kelley, Daniel S. Mynatt, and Timothy G. Crawford, *The Masorah of Biblia Hebraica Stuttgartensia: Introduction and Annotated Glossary* (Grand Rapids: Eerdmans, 1998), 37-40. According to Carmel McCarthy's study, however, the tradition of a *tiqqun sopherim* here is not to be trusted (*The Tiqqune Sopherim* [OBO 36; Freiburg: Universitätsverlag, 1981], 70-76).

[50] The dialogue's dissimilarity to prayer leads Claus Westermann, among others, to argue that its original purpose was "theological inquiry" rather than intercession (*Genesis 12-36: A Commentary* [trans. J. J. Scullion; Minneapolis: Augsburg, 1985], 286, 291). Reventlow similarly argues that the dialogue, originally independent, functions as intercession only because of its context (*Gebet*, 263-64). Others consider the interchange to be intercession plain and simple. Miller writes "its character as intercession is unmistakable" (*Cried*, 267). The threat to Sodom and Gomorrah, although not explicitly stated, is clear. The intercession proceeds as if YHWH has already looked into the matter and found the city or cities guilty.

[51] While Abraham's personal goal may be to protect Lot and family, his argument focuses on protecting the city of Sodom as a whole. Gomorrah is mentioned in YHWH's opening speech (Gen 18:20) and at the point when he destroys both cities (19:24), but not in the intervening intercession.

[52] Asnat Bartor, "The Juridical Dialogue: A Literary-Judicial Pattern," *VT* 53 (2003): 445-64. She finds such dialogues in Gen 3:9-19 (Adam and Eve); Gen 4:9-16 (Cain); Josh 7:19-25 (Achan); 1 Sam 13:11-14 (Saul); and several others. The full form includes a preliminary investigation, a summoning, an indictment (always in the form of questions, reflecting concern with both deeds and motivation), a pleading by the defendant, and a sentence. Other texts, including this one, contain elements of the form.

filled by Abraham.[53] The role-reversal is softened, however, by Abraham's self-description as "dust and ashes," which Miller calls the verbal equivalent of prostration.[54]

Relying mainly on *logos*, Abraham argues that YHWH should not destroy Sodom because to do so would contradict YHWH's essential nature as just.[55] His concern is that YHWH will "sweep away" (ספה) and "not forgive" (ולא־תשׂא למקום) the city even if this means annihilating innocent people.[56] The term "sweep away" aptly describes YHWH's standard response to affronts to his justice: pouring out destruction on everyone within range,[57] unless specific protective measures are taken.[58] Most telling is Abraham's charge (v. 18:25c), "Shall the judge of all the earth not act justly?"[59]

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[53] The notion that YHWH might be the subject of a metaphoric legal complaint is not alien to the Hebrew Bible. In addition to the dialogues in Job, note YHWH's rhetorical invitation for such charges in Mic 6:3, עמי מה־עשׂיתי לך ומה הלאתיך ענה בי. The line in Micah is a rhetorical ploy by YHWH which provides the occasion for a protestation of innocence and goodwill.

[54] Miller, *Cried*, 268. Interestingly, Moses is depicted as standing, unlike other instances of apotropaic intercession which begin with the intercessor's "falling on his face" (e.g., Num 16:22; Ezek 9:8, 11:13).

[55] Ibid., 117-18, 271. Moses similarly appeals to aspects of YHWH's character in Num 14:13-19.

[56] In 18:24b the phrase ולא־תשׂא ל־ is parallel to תספה, both with reference to the object מקום. BDB notes that when used to mean "forgive," נשׂא is typically followed by a direct object such as חטא, which is missing here (נשׂא, 669-72 [671]). BDB translates נשׂא used with חטה and similar direct objects as "*take away*, guilt, iniquity, transgression, etc., i.e. forgive." *HALOT*'s definition is similar (נשׂא, 1:724-27). *HALOT* 1:726 cites two other possible instances in which the Qal of נשׂא ל־, without a direct object, means "forgive": Isa 2:9 and Hos 1:6. The object is also elided in the second appearance of נשׂא ל־ in Num 14:19. In Gen 18:2 the general meaning of ולא־תשׂא is clear, based on its antithetical parallelism with ספה. Rather than having the sense of "exonerate," ולא־תשׂא here means "annul the decision to destroy" (Westermann, *Genesis 12-36*, 292) or in Baruch J. Schwartz's translation, "put up with" ("The Bearing of Sin in the Priestly Literature," in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature* [ed. D. P. Wright, D. N. Freedman, and A. Hurvitz; Winona Lake: Eisenbrauns, 1995], 3-21 [9 n.21]). Cf. vv. 27, 31. As noted earlier, Muffs argues that throughout the HB, נשׂא has the sense of delaying or deferring divine punishment: that YHWH chooses to "bear the sin" over time, exacting punishment on a future generation ("Who Will Stand?" especially 16-22). Muffs correctly points to the frequency of delayed punishment, and the use of נשׂא to mean "deferral of punishment" at times. It is not necessary to impute this meaning to the verb נשׂא itself, however.

[57] Jacob Milgrom, *Numbers: The Traditional Hebrew Text with the New JPS Translation* (JPS Torah Commentary; Philadelphia: Jewish Publication Society, 1990), 141. He notes that "when God punishes a community by natural disasters…the righteous perish together with the wicked unless they leave the arena of punishment."

[58] Such measures include marking the foreheads of certain individuals in Ezek 9:4-5 and the doorposts of the Israelites in Exod 12:22-23.

[59] Like Miller (ibid., 268), most interpreters see this line as challenging YHWH rather than reverently petitioning him. Reventlow, e.g., claims that Abraham is here "more judge than intercessor" (*Gebet*, 263-

Abraham raises his specific accusation of injustice in his opening sally, "Will you sweep away the innocent along with the guilty?" Abraham then begins an exchange of questions and answers which, quoting Perelman and Olbrechts-Tyteca, "essentially aims at securing explicit agreements which can be used later."[60] The goal of such an approach is "to try to reach explicit agreement as to the point which is to be decided, the one that, in the opponent's view, will settle the outcome of the debate." Each affirmative response of YHWH's serves rhetorically "to confirm [the addressee's] implicit agreement."[61] With each question, Abraham relies not only on YHWH's nature as just, but on YHWH's desire to appear consistent with his reputation as "Lord of Justice."[62]

At issue is the conflict between two models for YHWH's manifestation of "justice": (1) responding to the outcry of the oppressed, typically through collective punishment of their oppressors;[63] and (2) abhorring the shedding of innocent blood.[64] These models conflict when YHWH responds to the outcry of the oppressed with

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64). Overall, Miller writes that "[t]here is a profound mix of audacity and humility in [Abraham's] stance before God" (*Cried*, 268).

[60] Chaïm Perelman and L. Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation* (trans. J. Wilkinson and P. Weaver; Notre Dame: University of Notre Dame Press, 1969), 109.

[61] Ibid., 159. They write, "Questions are often merely a clever way of initiating a line of reasoning, particularly by the use of the alternative, or of division, with the complicity, so to speak, of the interlocutor who, by answering, is giving his endorsement to this mode of argument."

[62] In "Prayer and Persuasion," Miller describes such an approach in other biblical texts, writing, "the claim of God to be exactly the kind of deity indicated in the other motive clauses is at stake" (339).

[63] In what Richard N. Boyce calls the "royal" tradition of the cry to God, the legally marginal call out for justice and YHWH responds with salvation of the oppressed and judgment against those who oppress them or fail to heed their cries, e.g., in Exod 3:7-8; 6:2-8 (*The Cry to God in the Old Testament* [SBLDS 103; Atlanta: Scholars Press, 1985], 76). In what Boyce calls the "prophetic" tradition, YHWH responds to those crying out for liberation from political bondage, often by sending a savior to defeat the nation oppressing them, cf. Judg 2:18 (*Cry*, 76-78). See also James L. Kugel, "The Cry of the Victim," in *The God of Old: Inside the Lost World of the Bible* (New York: The Free Press, 2003), 109-36. Kugel emphasizes YHWH's seeming inability to resist such a cry.

[64] YHWH indicates disapproval of humans shedding innocent blood in several texts. Exod 23:7 prohibits executing the innocent on false charges, "for I [that is, YHWH] do not vindicate the wicked." YHWH holds humans responsible for avenging the death of innocents, as in Gen 9:6 ("whoever sheds human blood, by humans shall his blood be shed"), punishing those who leave a murder unavenged. (The ritual in Deut 21:1-9 serves to protect against such punishment in the event that the murderer is unknown.) YHWH also takes it on himself to punish those shedding innocent blood. For example, in 2 Kgs 24:2-4, YHWH is said to destroy all Judah for Manasseh's sins, including the sin of shedding innocent blood.

collective punishment. The gist of Abraham's argument is that YHWH should combine both models in his own behavior: when responding to the victim's cry YHWH should himself avoid shedding innocent blood. Abraham in essence asks YHWH to affirm that he will destroy the city only if virtually all those he plans to punish are guilty.

Besides *logos*, Abraham appeals to *ethos* and *pathos*. The verb הואל—see note in Section 4.2.1.1. above—reflects his determination to confront YHWH despite YHWH's potential anger (vv. 18:30aα, 18:32 aα). Abraham's courage and moral consistency are particularly admirable because he is taking this risk on behalf of others. Abraham appeals to *pathos* by expressing moral outrage ("Far be it from you!"), a tactic designed to evoke anxiety or even shame in the addressee. By counting the number of innocent who might die, he increases the *presence* of these hypothetical victims, a play on divine compassion.

Throughout the dialogue, Abraham and YHWH "talk face to face" with no ritual gestures or causative speech on Abraham's part. YHWH gives Abraham an opening to intercede and assents to all of Abraham's conditions, seemingly persuaded by his combination of *logos*, *ethos*, and *pathos*. The reason the interchange stops with a hypothetical ten innocent people is unclear.[65] Ultimately YHWH destroys the city for lacking even ten righteous individuals. [66]

4.2.2. Text 6: Exod 32:11b-13

[11] ויחל מושה את־פני יהוה אלהיו ויאמר למה יהוה יחרה אפך בעמך אשר הוצאת מארץ מצרים בכח גדול וביד חזקה [12] למה יאמרו מצרים לאמר ברעה הוציאם להרג אתם בהרים ולכלתם מעל פני האדמה שׁוב מחרון

[65] The abrupt end with a hypothetical ten innocent people leads Westermann to propose that ten "represents the smallest group"—any smaller number reflects individuals, who can be saved separately as indeed occurs (*Genesis 12-36*, 292).

[66] According to Gen 19:4, every resident of Sodom surrounded the house in which Lot and his visitors were staying and tried to attack them.

אפך והנחם על־הרעה לעמך [13] זכר לאברהם ליצחק ולישׂראל עבדיך אשׁר נשׁבעת להם בך ותדבר אלהם ארבה את־זרעכם ככוכבי השׁמים וכל־הארץ הזאת אשׁר אמרתי אתן לזרעכם ונחלו לעלם

[11] But Moses appeased YHWH his God, saying, “Why, O YHWH, does your anger burn against your people whom you brought out from the land of Egypt with great strength and with mighty power? [12] Why should Egypt say, it was with evil in mind that you brought them out, in order to kill them in the mountains, and to annihilate them from the face of the earth? Turn from your burning anger and change your mind about the calamity meant for your people. [13] Remember Abraham, Isaac, and Israel, your servants, to whom you made an oath, saying to them, I will multiply your progeny like the stars of heaven, and all this land of which I spoke, I will give to your progeny and they will inherit it forever.”

4.2.2.1. Speech Act Analysis

Table 18. Speech acts in Text 6

Verse	Text	Speech act
Exod 32:11bα	And he said:	N/A
Exod 32:11bβ	Why, O YHWH, does your anger burn against your people whom you brought out from the land of Egypt with great strength and with mighty power?	Expressive/directive
Exod 32:12a	Why should Egypt say, it was with evil in mind that you brought them out, in order to kill them in the mountains, and to annihilate them from the face of the earth?	Expressive/directive
Exod 32:12b	Turn from your burning anger and change your mind about the calamity meant for your people.	Complex directive (2 independent directives joined by conjunction)

Table 18 continued

Verse	Text	Speech act
Exod 32:13	Remember Abraham, Isaac, and Israel, your servants, to whom you made an oath, saying to them, I will multiply your progeny like the stars of heaven, and all this land of which I spoke, I will give to your progeny and they will inherit it forever.	Directive

Again, all speech acts are ordinary. Both of the first speech acts are "complaining questions": questions carrying the illocutionary force of both directives (as petitions) and expressives (complaints). The remaining speech acts are directives. Exod 32:12b is what Searle calls a "complex directive," that is, two directives joined by a conjunction. The final speech act has a lengthy subordinate clause but is nonetheless a single directive.

4.2.2.2. Rhetorical Analysis

Here again YHWH provides an opening for intercession even as he warns Moses of the people's impending destruction.[67] In Exod 32:7-10 YHWH advises Moses to leave him be (הניחה לי) so that YHWH's anger can consume the people for their sin in making the golden calf. By saying "leave me be!" in 32:10, YHWH prompts Moses to recognize the possibility of intercession.[68] As Brevard Childs writes, "The effect is that God

[67] A number of scholars see Exod 32:7-14 (YHWH's accusation and threat and Moses's response) as a later insert. Aurelius considers these verses to depend on parts of the earliest layer of the account in Deut 9 (*Fürbitter Israels,* 4-44). See also Jean-Louis Ska, *Introduction to Reading the Pentateuch* (Winona Lake: Eisenbrauns, 2006), 93-94. Martin Noth argues that the deuteronomic insert consists of 32:9-14 (*Exodus: A Commentary* [trans J.S. Bowden; OTL; London: SCM Press 1962], 244).

[68] So argue many ancient and modern commentators. See, for example, *b. Ber.* 32a; William H. C. Propp, *Exodus 19-40* (AB 2a; New York: Doubleday, 2006), 554; Widmer, *Moses, God*, 101; Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary* (OTL; Philadelphia: Westminster, 1974), 567-68; Victor P. Hamilton (*Exodus: An Exegetical Commentary* [Grand Rapids: Baker Academic, 2011], 538. Benno Jacob writes, "Gen 18:21 clearly showed that this actually meant, 'Do not leave *Me* alone! Please, say everything which might change My mood" (*The Second Book of the Bible: Exodus* [trans. W. Jacob;

himself leaves the door open for intercession. He allows himself to be persuaded."[69] Moses takes this opportunity to intercede rather than accepting YHWH's offer to produce a new nation from Moses's descendants.

In his intercession, Moses makes three quasi-logical arguments:[70] (1) If YHWH wipes out the people, all his efforts in the exodus would have been in vain. Perelman and Olbrechts-Tyteca call this "the argument of waste." Such arguments are based on the idea that "as one has already begun a task and made sacrifices which would be wasted if the enterprise were given up, one should continue in the same direction."[71] (2) If YHWH destroys Israel, Egypt would use the opportunity to mock Israel and its God. The warrant for this argument is YHWH's concern for his reputation among the nations—a premise supported by Exod 5:2, 7:3-5, 8:6, 18; 9:13-16, 29; 14:4, 18, as well as by canonically later texts including Deut 9:28; Josh 7:9; Ezek 20:14, 36:22-23; Joel 2:17; Ps 106:8.[72] (3) With Israel destroyed, YHWH would not fulfill his promise to the patriarchs—although presumably YHWH's offer to make a new nation from Moses would offset this argument.

Moses also appeals to *pathos* in highlighting the emotional connection between YHWH and his people. Whereas YHWH famously calls the sinning Israelites "*your* people, whom *you* brought out of the land of Egypt" in his speech to Moses (32:7a), Moses tells YHWH (32:11b) that they are "*your* people, whom *you* delivered from the land of Egypt." Moses is here seeking to re-affiliate YHWH with the people, an

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Hoboken, N.J.: Ktav, 1992], 944). Jacob here connects YHWH's behavior in the previous text (Genesis 18) with his behavior here: in both, YHWH leaves an opening for intercession.

[69] Childs, *Exodus*, 567.

[70] Hesse, *Fürbitte*, 35; Propp, *Exodus 19-40*, 555-56.

[71] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 279.

[72] Because the purpose of hardening the Pharaoh's heart was to show the Egyptians who YHWH was, argument (2) is also an "argument of waste." The possibility of ultimately damaging YHWH's reputation renders the miracles of the plagues, as well as the exodus, fruitless. Cf. Hamilton, *Exodus*, 157.

affiliation YHWH implicitly rejected in telling Moses to hurry down, for “his [that is, Moses’s] people” were behaving abominably. Moses’s use of the pronoun “your” in 32:11b has the ironic effect of reversing the responsibility for both the people themselves and their deliverance from Egypt, as noted by Rashbam and other early commentators.[73] Moses emphasizes the relationship between YHWH and the Israelites by calling them “your people” again in v. 12.[74]

Moses’s other appeals to *pathos* include reminders of YHWH’s prowess and glorious deeds in v. 11. Praise and reminders of past success are effective devices for improving their addressees’ mood and obtaining agreement, even if such tactics are disparaged by ancient rhetoricians and philosophers. (See Section 1.7.2.1.) Immediately thereafter, Moses paints a contrasting picture of the Egyptians’ potential criticism in Exod 32:12a, relying on YHWH’s distaste for the accusations of his “evil intent” toward the people and appealing to YHWH’s presumed competitive nature.[75] To prevent an accusation of “evil intent,” YHWH would need to demonstrate his intent to save the people—thereby fulfilling Moses’s intercessory goal.

In v. 13, Moses combines both *pathos*—through his emphasis on the relationship between YHWH and the people—and a legal argument. He refers obliquely to the present-day Israelites when he pleads, “Remember Abraham, Isaac, and Israel, your servants, to whom you made an oath, saying to them, I will multiply your progeny like the stars of heaven, and all this land of which I spoke, I will give to your progeny and

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[73] Martin Lockshin, ed., *Rashbam’s Commentary on Exodus*: *An Annotated Translation* (BJS 310; Atlanta: Scholars Press, 1997), 397 n.19-20.
[74] Miller writes that this speech highlights the “relationship between God and the petitioner(s),” one of the three interwoven themes he identifies in biblical prayers for help. Here the relationship “implicit in all...motivating statements” is “explicitly lifted up” (*Cried*, 124).
[75] Propp calls Moses’s references to the Egyptians an “appeal to vanity” and “a time-honored method of courtiers cajoling their sovereigns” because “kings are by nature competitive” (*Exodus 19-40*, 555).

they will inherit it forever." Moses here first highlights the relationship, then cites YHWH's commitment to the patriarchs, and finally reminds him that the commitment was not only to the patriarchs but to their descendants. The use of the name "Israel" instead of "Jacob" for the third patriarch strengthens the link between the patriarchs and those whom Moses now seeks to protect.[76]

Moses manifests *ethos* in implicitly rejecting a new people descended from him in favor of fulfilling his commitment to the present people. His love and loyalty to the people trumps any desire he might have to father a new nation himself, and serves as a model for YHWH of the possibility of maintaining a commitment to a sinning people.

The intercession is successful; in Exod 32:14 YHWH is said to change his mind about the calamity (נחם על־הרעה) planned for the people in words echoing Moses's plea in v. 12b. It is not until after Moses's second intercession for this offense that YHWH brings a plague (see Section 4.2.3.2).

The word נחם (Niphal) in Exod 32:14 is translated variously as "renounced" (NJPS), "relented" (NIV), "repented" his decision (RSV), or "changed his mind" (NASB, NRSV, CEB). Two biblical lexicons emphasize the emotional aspect of the word, with BDB defining the term as "be sorry, rue, suffer grief, repent" when used in texts in this corpus (Exod 32:14; Amos 7:3,6; 1 Chr 21:15) and *HALOT* using the phrase "to regret something" for the same verses.[77] Horacio Simian-Yofre writes that "the twin factors of decision and emotion are...the rule in *nḥm*; they are indissolubly interwoven, even when

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[76] See also Propp, *Exodus 19-40*, 555; Jacob, *Second Book*, 946. Hamilton notes that the expression "Abraham>Isaac>Israel" appears nowhere else in the HB (*Exodus*, 537).
[77] BDB, נחם, 636-37; *HALOT* נחם, 1:688-89.

in individual cases there may be greater emphasis on one element or the other."[78] In the context of apotropaic intercession, נחם can be understood as YHWH's revocation of a decree. The correlate divine emotion is the "turning" away from anger.

Overall, Moses interweaves *logos*, *pathos*, and *ethos*, persuading YHWH not to carry out his planned punishment through logical arguments based on divine self-interest and honor while pointedly reminding the deity of YHWH's own love for and commitment to the people. An absence of causative speech or even gestures puts Moses's intercession clearly in the realm of ordinary communication.

4.2.3. Text 7: Exod 32:31b-32

[31] וישׁב משׁה אל־יהוה ויאמר אנא חטא העם הזה חטאה גדלה ויעשׂו להם אלהי זהב [32] ועתה אם־תשׂא חטאתם ואם־אין מחני נא מספרך אשׁר כתבת

[31] Then Moses returned to YHWH and said, "Please, this people has committed a grave sin; they made themselves golden gods. [32] Now, if only you will forgive their sin.... If not, please erase me from the scroll that you wrote."

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[78] Horacio Simian-Yofre, "*nḥm*," *TDOT* 9:342. See also Walter A. Maier, "Does God 'Repent' or Change His Mind?" *CTQ* 68 (2004): 127-43.

4.2.3.1. Speech Act Analysis

Table 19. Speech acts in Text 7

Verse	Text	Speech act
Exod 32:31a	Then Moses returned to YHWH and said:	N/A
Ex 32:31bα	Please, this people has committed a grave sin	Assertive
Ex 32:31bβ	They made themselves golden gods	Assertive
Ex 32:32a	Now, if only you will forgive their sin....	Fragment of directive
Ex 32:32b	If not, please erase me from the scroll that you wrote.	Directive

In this brief speech, two statements (assertives) are followed by one partial and one complete directive, both of them conditional. All carry ordinary illocutionary force.

4.2.3.2. Rhetorical Analysis

In the MT presentation, Moses here gives a second response to YHWH's threat in Exod 32:7-10. This time, however, Moses initiates the exchange. Moses states his goal in v. 30 when telling the people he will ascend the mountain and אולי אכפרה בעד חטאתכם: "perhaps I can make appeasement for your sin." His intercessory speech aims at persuading YHWH to "forgive the sin" (נשׂא חטא) of the people.[79]

Moses's opening words to YHWH, acknowledging the enormity of the people's sin, make several rhetorical moves. By engaging in what Perelman and Olbrechts-Tyteca call "anticipatory refutation," Moses provides "an advance defense against the charge of having overlooked [a] value or fact of importance."[80] Such a confession also involves *pathos*: as Judah Messer Leon points out in his classic 15th-century rhetorical analysis of

[79] See Section 4.2.1.2 for a discussion of נשׂא used with direct objects such as חטה.
[80] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 501.

the HB, "confession of wrongdoing …will calm anger."[81] Moses's focus on the sin also enhances his *ethos* by revealing him as an upholder of divine commandments. By labeling the people's actions a "great sin," Moses engages in *communion*, signaling his accord with divine values.[82] The term "great sin" connotes adultery, framing the sin as infidelity.[83]

More controversial is the understanding of the second part of Moses's speech: the petition that YHWH end Moses's life ("erase me from the scroll that you wrote") if YHWH does not forgive the people.[84] Two general views prevail about the purpose of Moses's words:[85] (1) that he is offering himself as a vicarious sufferer or sacrifice in lieu of the Israelite people;[86] and (2) that he is expressing his feelings, in particular his

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[81] Judah Messer Leon, *The Book of the Honeycomb's Flow: Sepher Nopheth Suphim* (ed. I. Rabinowitz; Ithaca: Cornell University Press, 1983), 331. Leon continues, "Indeed experience demonstrates that we inflict heavier punishment upon persons who deny guilt and advance arguments in their own defense, but that anger desists from those who admit the justice of the punishment to be meted out to them. This, moreover, is reasonable, for denial of the obvious is insolence and effrontery, and there is no mockery or disdain like it."

[82] Perelman and Olbrechts-Tyteca write that *communion* can be "centered around particular values" (*New Rhetoric*, 51), observing that "every technique promoting the communion of the speaker with his audience will decrease the opposition between them" (321).

[83] William Moran, "The Scandal of the 'Great Sin' at Ugarit," *JNES* 18 (1959): 280-81.

[84] Moses is making a petition, rather than an ultimatum. Evidence includes the use of אולי in his statement in v.30; his omission of the apodosis in v. 32a, so that his sentence "trails off…in a diffident shrug" (Propp, *Exodus 19-40*, 564); and his use of the deferential word אנא in v. 32b. See also Widmer, *Moses, God*, 129; Hesse, *Fürbitte*, 32. The scroll refers to a record of individual destinies, a motif present elsewhere in the HB (e.g., in Ps 69:28) and in Mesopotamian literature. See Carol L. Meyers, *Exodus* (New Cambridge Bible Commentary; New York: Cambridge University Press, 2005), 261-62.

[85] See the discussion in Widmer, *Moses, God*, 131-34.

[86] Those espousing this view include Gerhard von Rad (*Old Testament Theology* vol. 1 [trans. D. M. G. Stalker; New York: Harper, 1962], 293); Noth (*Exodus,* 251); Childs (*Exodus*, 571); Jacob (*Second Book*, 955-56); Miller (*Cried*, 273); Propp, (*Exodus 19-40*, 564); and Hartmut Gese ("The Atonement," in *Essays on Biblical Theology* [trans. K. Crim; Minneapolis: Ausburg, 1981], 93-116). Dennis T. Olson, however, writes that although "Moses would die because of the people's sin (Deut 1:37; 3:26; 4:21)...Deuteronomy makes clear that Moses does not die as a substitute. He does not die *instead* of the people but rather *ahead* of them" (*Deuteronomy and the Death of Moses: A Theological Reading* [OBT; Minneapolis: Fortress, 1994], 165).

unwillingness to survive without Israel.[87] In so doing he also rejects YHWH's offer to make a second people from him (Exod 32:10).

Of those holding the first view, Benno Jacob and Harmut Gese understand אכפרה in v. 30 to mean that Moses is offering himself as a כֹּפֶר, a ransom, playing on the notion of the substitute: the idea that YHWH requires a victim, but not necessarily the originally-targeted one, in order to expiate sin.[88] This notion appears in the HB in Isa 52:13-53:12 and in the scapegoat passage in Leviticus 16.[89]

The second understanding—that Moses is expressing his devotion to the people and his unwillingness to live without them—depends upon *pathos*. The claim that Moses is asking to die because he no longer wants to live is supported by Num 11:15, in which Moses, upset at the way he is being treated, asks that God kill him.[90] In that example, there is no question of substitution. Similarly, in Exod 32:30 the verb אכפרה need not refer to Moses's offer to sacrifice himself but simply to his goal of appeasing divine anger. In both Gen 32:21 and Prov 16:14, this meaning for the Piel of כפר is clear.[91] Aurelius notes that the cohortative singular of כפר appears with the word אולי only in Exod 32:30 and in Gen 32:21, the story of Jacob's meeting with Esau, arguing that the

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[87] This view is held by Muffs ("Who Will Stand?"); Widmer (*Moses, God*, 133); Hamilton, *Exodus*, 556; Hesse, *Fürbitte*, 33; and traditional Jewish interpreters such as Rashbam (Lockshin, *Commentary*, 404).

[88] Gese, "Atonement"; Jacob, *Second Book*. Jacob actually combines the explanation of vicarious offering with the second, more psychological explanation (955-56). Rashi interprets אכפרה as "placing a כופר" as well as a "cleansing" and a "cover" for the Israelites' sin, but does not argue that Moses was offering himself as a כופר (Ben Isaiah and Scharfman, *Rashi's Commentary: Exodus*, 412).

[89] See David P. Wright's analysis of the scapegoat ritual as disposing of both sins and impurities (*The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* [SBLDS 101; Atlanta: Scholars Press, 1987], 16-21).

[90] This link is made by Rashbam (Lockshin, *Commentary*, 404).

[91] Gen 32:21b: For he [Jacob] thought, "I will make appeasement with a gift which precedes me, then afterward when I see his face perhaps he will be favorably disposed toward me." Prov 16:14: "A king's fury is like angels of death, but a wise man may appease it."

verb has similar meanings in both texts.[92] According to this view, Moses relies on YHWH's attachment to him, hoping that YHWH will save the Israelites in order to spare either Moses's feelings or his life.[93]

In order to understand the passage, there is no need to infer that Moses is offering his life in lieu of the people's. The substitute argument is nonetheless interesting in light of the use of substitution rites in Anatolian and Mesopotamian apotropaic intercessory rituals—not only in the namburbis and the Ritual of Ḫuwarlu, but in the many Hittite and Akkadian rituals of the substitute king.[94] Such a tradition may underlie the MT's presentation without necessarily requiring that Moses's speech, as currently formulated, be interpreted in its light.

Moses's intercession fails: YHWH asserts that he will erase those whom he wants to erase and sends a plague. In fact it might appear that Moses's intercession has made things worse: the last we heard from YHWH, he had renounced his plan to destroy the people in Exod 32:14. Nonetheless, YHWH refrains from wiping out everyone but Moses as he had threatened in Exod 32:10. Here it is not the intercessor but YHWH who invokes the principle of saving the innocent from the fate of the guilty, when he responds, "Whoever has sinned against me, it is him that I will erase from my scroll."

This intercessory speech is the first to fail, most likely because here alone the intercessor does not respond to a divine opening but initiates the dialogue. Possibly Moses's argument is also seen as weak. Here Moses relies on *pathos* and *ethos*—not

[92] Aurelius claims that Jacob's statement in Gen 32:21 and his gift for Esau both derive from the northern kingdom's court protocol, and that Moses's intercession in Exod 32:31-32 originates in the same environment (*Fürbitter Israels*, 79-85).
[93] Propp proposes that Moses may be attempting to call YHWH's bluff (*Exodus 19-40*, 564).
[94] See also Wright, *Disposal of Impurity*, 45-74.

logos. In the minds of some scholars he also offers himself as a substitute for the people—an offer that YHWH rejects.

4.2.4. Text 8: Num 14:13b-19

[13] ויאמר משׁה אל־יהוה ושׁמעו מצרים כי־העלית בכחך את־העם הזה מקרבו [14] ואמרו אל־יושׁב הארץ הזאת שׁמעו כי־אתה יהוה בקרב העם הזה אשׁר־עין בעין נראה אתה יהוה ועננך עמד עלהם ובעמד ענן אתה הלך לפניהם יומם ובעמוד אשׁ לילה [15] והמתה את־העם הזה כאישׁ אחד ואמרו הגוים אשׁר־שׁמעו את־שׁמעך לאמר [16]מבלתי יכלת יהוה להביא את־העם הזה אל־הארץ אשׁר־נשׁבע להם וישׁחטם במדבר [17] ועתה יגדול־נא כח אדני כאשׁר דברת לאמר [18] יהוה ארך אפים ורב־חסד נשׂא עון ופשׁע ונקה לא ינקה פקד עון אבות על־בנים על־שׁלשׁים ועל־רבעים [19] סלח־נא לעון העם הזה כגדל חסדך וכאשׁר נשׂאתה לעם הזה ממצרים ועד־הנה

[13] But Moses said to YHWH: "If Egypt hears that you raised up this people from among them with your might [14] they will say to those dwelling in this land that they heard that you, O YHWH, are in this people's midst, that you, O YHWH, appeared eye to eye, and your cloud stays over them, and that you go before them in a pillar of cloud by day and in a pillar of fire by night. [15] But if you kill this people as one man, the nations who heard of your repute will say, [16] it was on account of YHWH's lack of ability to bring this people to the land which he promised to them that he slaughtered them in the wilderness. [17] Now, please,[95] let my Lord's forbearance be great,[96] as you promised when you said,

[95] נא is frequently considered to signal entreaty or deference as well as emphasis, although scholarly views are mixed. Those who consider נא a word of entreaty include Waltke and O'Connor (*Syntax*, 66, 578-9), who translate it "I pray" or "please" but follow Thomas Lambdin in considering some usages to "denote that the command in question is a logical consequence"—a usage relevant here as well (*Introduction to Biblical Hebrew* [New York: Charles Scribner's Sons, 1971], 170). In BDB it is called "a particle of entreaty or exhortation" (נא, 609) and an "entreating" particle in Joüon-Muraoka, who suggest translating it "please," "I beg (you)" or "For pity's sake!" (Paul Joüon and Takamitsu Muraoka, *A Grammar of Biblical Hebrew* (rev. ed. [SubBib 27; Rome: Pontifical Biblical Institute, 2006], 321-22). In *HALOT*, however, it is considered primarily emphatic (נא, 1:656-57). Despite its occasional use with the "cohortative of resolve,"

[18]‘YHWH is patient and abounding in steadfast loyalty, forgiving iniquity and transgression but not vindicating it, holding children to account for their fathers’ iniquity to the third and fourth generation.’[19] Pardon, please, this people’s iniquity according to your great and steadfast loyalty and as you have pardoned this people from Egypt until now.”

4.2.4.1. Speech Act Analysis

Table 20. Speech acts in Text 8

Verse	Text	Speech act
Num 14:13a	But Moses said to YHWH	N/A
Num 14:13b-14aα	If Egypt hears that you raised up this people from among them with your might they will say to those dwelling in this land that they heard that you, O YHWH, are in this people’s midst, that you, O YHWH, appeared eye to eye, and your cloud stays over them, and that you go before them in a pillar of cloud by day and in a pillar of fire by night.	Assertive
Num 14:15-16	But if you kill this people as one man, the nations who heard of your repute will say, it was on account of YHWH’s lack of ability to bring this people to the land which he promised to them that he slaughtered them in the wilderness.	Assertive

(Waltke and O’Connor, *Syntax*, 579) even by YHWH (e.g., Gen 18:21), the particle is frequently associated with clear markers of deference in speech from subordinates to their superiors (e.g., Gen 18:3 “If [אם־נא] I *have found favor in your eyes*, do not pass *your servant* by”), supporting the notion that נא, too, marks such deferential speech. The proposal that the article originates from an old energic form, its use following certain structures, e.g., the cohortative or the particle הנה (cf. Waltke and O’Connor, *Syntax*, 578 n.34) does not preclude a secondary use as an indicator of deferential yet urgent entreaty.

[96] The first petition, ועתה יגדול־נא כח, superficially translates as “and now, please, let (your) strength be great” but is better interpreted to mean “let [YHWH] show great restraint (or forbearance).” BDB defines כח in both Num 14:13, 17 as “power of God in acts of deliverance and judgment” (כֹּחַ, 470-71)—the first presumably reflecting Num 14:13 (note the similar usage in Exod 32:11), the second the current verse. *HALOT* similarly defines it here as “God’s strength, power” (כֹּחַ, 1:468-69). These definitions shed little light on the precise understanding of כח in the context of judgment. More help is provided in Nah 1:3a. There, a variant of the divine attributes associates the phrase וגדול־כח with the phrase ארך אפים (slow to anger), which also appears in the version of the divine attributes in Num 14:18.

Table 20 continued

Verse	Text	Speech act
Num 14:17-18	Now, let my Lord's forbearance be great, as you promised when you said, "YHWH is patient and abounding in steadfast loyalty, forgiving iniquity and transgression but not vindicating it, holding children to account for their fathers' iniquity to the third and fourth generation."	Directive
Num 14:19	Pardon, please, this people's iniquity according to your great and steadfast loyalty and as you have pardoned this people from Egypt until now.	Directive

This speech begins with two assertives, both conditional, followed by two directives (imperatives serving as petitions). All speech acts carry ordinary illocutionary force.

4.2.4.2. Rhetorical Analysis

YHWH prompts Moses's intercession by threatening to strike the people with plague and disinherit them (Num 14:11-12) after the spies dissuade them from entering Canaan. Once again YHWH offers to make a new nation from Moses.

Moses's response has much in common with Exod 32:11b-13, from which its first four verses were most likely adapted.[97] Variations on the three logical arguments in Exod 32:11b-13 appear in Num 14:13-16. Most prominent is Moses's claim that killing the people would dishonor YHWH among the nations (Num 14:13b-16), now including Canaanites as well as Egyptians.[98] Such an act would also break YHWH's oath to the

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[97] Both are commonly considered deuteronomic inserts. Martin Noth, *Numbers: A Commentary* (trans. J. D. Martin; OTL; Philadelphia: Westminster, 1968), 108-109; Ska, *Introduction*, 93; Suzanne Boorer, *The Promise of the Land as Oath: A Key to the Formation of the Pentateuch* (BZAW 205; New York: de Gruyter, 1992), 356-63. Katharine D. Sakenfeld includes it in a discussion of "pre-P supplements" to the "Old Epic tradition" in "The Problem of Divine Forgiveness in Numbers 14," *CBQ* 37 (1975): 317-30.

[98] As in Exod 32:11b-13, this argument depends on the premise that YHWH desires a good reputation among Israel's neighbors.

Israelites, mentioned in v. 16, and run counter to his many efforts on the Israelites' behalf, stressed in v. 14—a use of the "argument of waste" (see Section 4.2.2.2).

The first four verses also appeal to *pathos*, albeit using different techniques from Exod 32:11b-13. Num 14:13b-14aα recount YHWH's intimate and protective relationship with this people: not only did he bring them from Egypt, but he is in their midst, appears to them face to face, and stands over them or goes in front of them to guide them, adapting his appearance (cloud or fire) to their needs. Here the Israelites' *presence* is emphasized by the deictic term הזה in the phrase "this people" (repeated in Num 14:13, 14, 15, 16, 19)[99] and the vivid detail of the phrase "eye to eye." YHWH's care for his people is made present syntactically as well by the active particles עמד and הלך in v. 14. Participles used in predicates convey duration over time, effectively adding to the *presence* of the portrayed circumstances.[100]

In another appeal to *pathos*, the derogatory words placed in the mouths of the surrounding peoples in v. 16 make the threat to YHWH's honor more immediate than in Exod 32:12, even as the content is made more insulting: the neighbors' purported claim is now that YHWH was powerless to guide the people into the land. Rhetorically, the words serve to raise indignation at the foreign nations, making the Israelites look better by comparison.

The major distinction between this speech and the one in Exod 32:11b-13 is Moses's citation of YHWH's attributes in Num 14:18—a variation of formulas appearing

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[99] There is another reason Moses uses the phrase "this people": it repeats precisely the phrase YHWH used in v.11, when he utters the complaining question, "How long will this people spurn me?" Repeating YHWH's own words is an act of *communion*, as well as reflecting a particular narrative convention of repetition. As Robert Alter points out, biblical narrative is known for subtle but significant variations when direct discourse is repeated in another context (*The Art of Biblical Narrative* [New York: Basic Books, 1981], 97).

[100] Waltke and O'Connor, *Syntax*, 623-28.

in Exod 34:6-7 and elsewhere in the HB.[101] Here the formula becomes the basis of Moses's two petitions: his plea in Num 14:17 that "your forbearance be great, as you promised" in the formula, and his petition for pardon in 14:19, which picks up the formula's key word חסד.[102] The version of the formula used here, like that in Exod 34:6-7, describes both YHWH's mercy and his judgment on wrongdoers and their descendants. By using it, Moses acknowledges the deity's freedom to pardon or to punish, although he stresses the deity's clemency in his petitions, using the strategy of *choice*. This notion of divine freedom conforms to Katharine D. Sakenfeld's understanding of חסד. She writes, "'In accordance with the greatness of your *ḥesed*' suggests both 'be more faithful than we have a right to expect' (attitude) and 'provide a deliverance we are otherwise unable to attain' (action; note the appeal to God's power which precedes the recitation of the formula)."[103]

Citing this formula is one of several strategies that rely on YHWH's presumed desire to appear consistent. According to Miller, the motivational clauses in vv. 16-19 appeal to the divine nature as faithful "in keeping the promise, in acting in character (forgiving iniquity), and in being consistent by pardoning the people of their sins now as God has done through all the time up to the present."[104]

Moses also exhibits *ethos*, showing his understanding of YHWH's nature and attention to YHWH's speech by citing the deity's own words,[105] and by revealing

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[101] The formula in Exod 34:6-7 appears in modified forms in Num 14:18, Jer 32:18-19, Joel 2:13, Jon 4:2, Pss 103:8, 145:8; Neh 9:17. See also Exod 20:5-6, Deut 5:9-10, Dan 9:4, and Nahum 1:3.
[102] Sakenfeld, "Problem," 323.
[103] Ibid., 325.
[104] Miller, *Cried*, 119.
[105] Sakenfeld writes that in Num 14:17, "Moses' introduction to the liturgical formula, 'as thou hast said,' is clearly intended to refer to Exod 34:6-7" ("Problem," 323).

Moses's own loyalty to his people by disregarding the offer to make him the progenitor of a new people.

Moses's goal is to persuade YHWH to pardon (סלח) the people. In the HB as a whole, סלח appears to be used in a number of different ways, always with YHWH as the subject.[106] In both Exod 34:9 and Num 14:19, the petition that YHWH pardon (סלח) follows the list of divine attributes. In both these verses, YHWH is described as forgiving (using the verb נשׂא) but as balancing this forgiveness with judgment, holding the guilty and their descendents to account.[107] Both Sakenfeld and Milgrom interpret סלח in Num 14:19 as Moses's appeal to YHWH to maintain the covenant and not destroy the people absolutely, with the expectation of some sort of punishment nonetheless.[108] The intercession is successful in that YHWH refrains from wiping out the people.[109]

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[106] J. J. Stamm notes that when the verb appears in Niphal, YHWH is the implied subject (*TLOT*, סלח 2:798). Throughout the HB the word carries a number of different connotations. J. Hausman notes four usages in the HB (Hausman, סלח, *TDOT* 10:258-65): (1) denial of forgiveness in Deut 29:19, 2 Kgs 24:4, Jer 5:7, Lam 3:42; (2) granting of forgiveness, often indicating the successful completion of a priestly ritual containing the root כפר, but also present where such a ritual is lacking in Jer 5:1, 31:34, 33:8, 36:3, 50:20. In ritual contexts, Hausman hypothesizes that there was a "declarative formula," now unrecoverable, in which a priest announced that YHWH had forgiven (נסלך); (3) description of forgiveness as a divine characteristic; and (4) pleas for forgiveness, as in Exod 34:9; 1 Kgs 8: 30, 34, 36, 39, 50 (cf. 2 Chr 6:21, 25, 27, 30, 39); 2 Kgs 5:18; Jer 31:34; Amos 7:2; Ps 25:11; and the current context, Num 14:19. See also Walter Brueggemann, "The Travail of Pardon: Reflections on *slḥ*," in *A God So Near: Essays on Old Testament Theology* (ed. B.A. Strawn and N.R. Bowen; Winona Lake: Eisenbrauns, 2003), 283-97.

[107] Brueggemann, "Travail," 284-85.

[108] Sakenfeld, "Problem"; Milgrom, *Numbers*, 112. Milgrom points to traditional Jewish sources who make related claims for the implications of the term סלח: "not the absolution of sin but the suspension of anger; that they not die immediately and their children may survive; that they live out their lives and their children inherit." His sources include Ibn Ezra, *Sefer ha-Mivḥar*, Abravanel, Rambam, and Shadal (*Numbers*, 111, 311 n.28, 29, 30).

[109] Boorer writes, "[T]he judgement on the people in v. 23a, as a deliberate parallel with the initial judgment in v. 12 is much milder: complete annihilation and replacement of the people as [YHWH's] nation (v. 12) has become a more restricted judgement that for that generation the oath of the land to the fathers will not be fulfilled (vv. 22-23a), and thus by implication this oath to the fathers will somehow be fulfilled for the nation at some time. This suggests that the forgiveness (v. 20) comprises an abandonment of the initial judgement of complete disinheritance and replacement of the nation in v. 12 so that the nation may continue as [YHWH's] nation for whom the oath of the land to their fathers will eventually be fulfilled. Forgiveness, so defined, does not exclude the possibility of punishment: such forgiveness of the nation can co-exist side by side with the punishment of the exodus and wilderness generation as those who will not see the land (v. 23a). In this way, the people, as [YHWH's] people, are both forgiven and judged" (*Promise*, 350-51).

Moses pleads for YHWH to pardon the people using only ordinary speech acts and a mixture of *pathos*, *logos*, and *ethos*. His petitions derive from the list of YHWH's attributes drawn from Exod 34:6-7, which describe YHWH as balancing judgment with mercy, although Moses emphasizes the latter. Moses begs the deity to remain consistent with YHWH's past pardons of the people and his promise, in essence pleading for YHWH not to destroy the people entirely. In the context of the utter destruction originally threatened, Moses is successful: YHWH singles out for punishment those who rejected him—they are to die in the wilderness—but maintains his promise of entry into the land for their children and for the faithful Caleb and Joshua.

4.2.5. Text 9: Num 16:22aβ-b

22 ויפלו על־פניהם ויאמרו אל אלהי הרוחת לכל־בשׂר האישׁ אחד יחטא ועל כל־העדה תקצף

22 They fell on their faces and said, "O God, God of the breath of all flesh, if a single man sins, will you be wrathful at the entire community?"

4.2.5.1. Speech Act Analysis

Table 21. Speech acts in Text 9

Verse	Text	Speech act
Num 16:22aα	They fell on their faces and said	N/A
Num 16:22aβ-b	O God, God of the breath of all flesh, if a single man sins, will you be wrathful at the entire community?	Expressive/directive

This complaining question combines the illocutionary force of a directive with that of an expressive.

4.2.5.2. Rhetorical Analysis

YHWH prompts Moses and Aaron to intercede when he commands them to move aside so that he can destroy the congregation (16:21) after the rebellion of Korah and company.[110] The two intercessors fall on their faces and cry out, "O God, God of the breath of all flesh, if a single man sins, will you be wrathful at the entire community?" Like Abraham in Gen 18:23b-32a, Moses and Aaron argue that the innocent should be spared when YHWH's wrath, incited by sin, sweeps out to destroy. YHWH responds positively by telling Moses to warn the entire community to move away from danger in Num 16:23-24.

The two intercessors use the strategy of *choice* in the epithet for YHWH ("Source of the breath of all flesh"). Frequent in post-biblical literature,[111] the epithet occurs in the HB only here and in Num 27:16 (where "YHWH" appears instead of "God").[112] Combined with the posture of prostration, the epithet stresses human powerlessness before the one who creates and maintains all life.[113] Rhetorically, it serves to soften the divine mood (*pathos*) with praise and humility.[114]

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[110] The pericope is an obvious amalgamation of at least two separate stories, P and non-P. Specific attributions of guilt fall on Korah, Abiram, Dathan, and 250 community leaders (Num 16:1-3). Verse 16:19a indicates the larger community's guilt as well: "Korah assembled the entire congregation against them [Moses and Aaron] at the entrance to the tent of meeting."
[111] Timothy R. Ashley, *The Book of Numbers* (NICOT; Grand Rapids: Eerdmans, 1992), 313 and n.52. According to Ashley, this epithet appears more than 100 times in Enoch alone.
[112] The latter constitutes Moses's request that YHWH appoint a leader for the people to replace him, after being told that Moses himself would not enter the land of Canaan. Moses's response indicates his unhappy acquiescence to YHWH's harsh judgment. The reference to both "flesh" and "breath" occurs as well in Gen 6:3, in which YHWH restricts the human lifespan to 120 years.
[113] Note Ps 104:29-30 and Job 34:14-15, which describe how YHWH, who provides breath, can take it away.
[114] Rashi, who interprets הרוחת to mean "spirits" or "intellect," understands the epithet to imply YHWH's omniscient judgment of human minds and his ability to distinguish sinner from non-sinner (Abraham Ben Isaiah and Benjamin Sharfman, eds., *The Pentateuch and Rashi's Commentary: A Linear Translation into English: Numbers* [Brooklyn: S. S. & R. Publishing, 1950], 172). Rashi's stance can be justified based on

The intercessory appeal consists of a hypothetical situation presented in two clauses, the protasis האיש אחד יחטא[115] and the apodosis ועל כל־העדה תקצף.[116] Although some consider the referent of "one man" to be Korah,[117] the concise, rhythmic nature of 16:22b suggests a gnomic statement, perhaps even a proverb,[118] questioning the justice of collective punishment in general. Like Gen 18:24, this verse challenges YHWH's plan to target an entire community when not all have sinned. Implicit in the statement is the expectation that divine justice should incorporate the protection of the innocent as well as the punishment of the guilty, consistent with the divine attributes of Exod 34:6-7 and Num 14:18. In these portrayals YHWH is shown to punish intergenerationally, but otherwise to distinguish between the innocent and the guilty in rendering judgment.

In fact, however, Num 16:19 raises a question about the innocence of the larger community, in that Korah gathers the "entire community" against Moses and Aaron (עליהם) in the strand of the story authored by P.[119] In their intercession, Moses and Aaron de-emphasize the widespread nature of the sin by locating it rhetorically in a single individual. Still, given the narrative evidence that everyone was culpable, the logical

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the use of רוח in light of texts such as Ezek 13:3 and especially 11:5. In the current verse, such an understanding would be at most a double-entendre.

[115] According to Gesenius (§100m), the opening הָ should be pointed as הֲ and considered a ה-interrogative (GKC, 296). The traditional pointing, he writes, indicates that "the Masora intends the article." Regardless, the verse can be understood as a question. Gesenius notes in §150m that "sometimes one interrogative governs two co-ordinate clauses, the first of which should rather be subordinated to the second, so that the interrogative word strictly speaking affects only the second" (ibid., 476). I read the sentence as a question which incorporates a conditional.

[116] Arguing by means of hypothetical situations is common to all the intercessory passages studied so far: Abraham's speculations about the number of righteous in Gen 18:23-32; Moses's assumptions about the reactions of foreign nations to the Israelites' destruction in Exod 32:12 and Num 14:13-16; and Moses's presentation of two possible scenarios to YHWH in Exod 32:32.

[117] E.g., Noth, *Numbers*, 127.

[118] A view suggested by Milgrom among others (*Numbers*, 135).

[119] The word עדה is a "characteristic priestly term" (Levine, *Numbers 1-20*, 411). At the start of the story, the עדה appears to be Korah and fellow insurrectionists (e.g. in v. 11) but later references imply that עדה refers to the entire congregation. Verse 19 indicates that Korah gathered כל־העדה at the entry to the Tent of Meeting. In the same verse, YHWH appears to this entire congregation. According to Rashi's commentary on v. 16, Korah had enticed everyone to join him (Ben Isaiah and Scharfman, *Rashi's Commentary: Numbers*, 171).

argument is weaker than Abraham's in Genesis 18. Miller writes, "That the people are not that innocent…simply underscores how far Moses is willing to go in appealing to the Lord, even to stretching the facts if doing so will touch a divine nerve."[120]

Whether persuaded by logic, moved by *pathos*, or acting out of his own merciful nature, YHWH responds positively: rather than destroying all except Moses and Aaron, he has the earth swallow only the rebellion's ringleaders and their families (Num 16:31-33), and destroys by fire the 250 community leaders who offered incense in disregard for the law (Num 16:35). The execution of the ringleaders' families reflects the principle of the family as belonging to its head (cf. Josh 7:24-26).[121]

Once again, biblical apotropaic intercession makes use of only ordinary speech acts, using rhetoric (*pathos* and *logos*) to defuse YHWH's anger and sway him from his original intention to destroy the entire community. Like Abraham, intercessors raise the question of communal punishment—although given the widespread nature of the sin, their logic seems shaky. Like Moses's previous intercessions at Sinai and after the spy incident, Moses and Aaron here argue against destroying the entirety of the Israelite people.

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[120] Miller, *Cried*, 272. In his commentary on v. 22 Rashi nonetheless acknowledges that not everyone merited the label of "sinner" (Ben Isaiah and Scharman, *Rashi's Commentary: Numbers*, 172).

[121] Kaminsky explains the punishment of family members in a different text, Joshua 7, as the possible amalgamation of several different principles: a) the consideration of family members as possessions of the male head of household; b) the egregious nature of the sin requiring major punishment; c) the spread among household members of pollution caused by misappropriating sacral objects (חרם) (*Corporate Responsibility*, 87). All three considerations apply as well to the present text. Moses's instruction (Num 16:26) to touch nothing that belongs to the wrongdoers is an indication that their property is חרם, according to Milgrom (*Numbers*, 136).

4.2.6. Text 10: Deut 9:26aβ-29

[26] ואתפלל אל־יהוה ואמר אדני יהוה אל־תשחת עמך ונחלתך אשר פדית בגדלך אשר־הוצאת ממצרים ביד חזקה [27] זכר לעבדיך לאברהם ליצחק וליעקב אל־תפן אל־קשי העם הזה ואל־רשעו ואל־חטאתו [28] פן־יאמרו הארץ אשר הוצאתנו משם מבלי יכלת יהוה להביאם אל־הארץ אשר־דבר להם ומשׂנאתו אותם הוציאם להמתם במדבר [29] והם עמך ונחלתך אשר הוצאת בכחך הגדל ובזרעך הנטויה

[26] I beseeched YHWH and said, "My Lord YHWH, do not destroy your people and your own possession whom you redeemed through your greatness, and whom you brought out from Egypt with mighty power.[27] Remember your servants, Abraham, Isaac and Jacob. Do not pay attention to the stubbornness of this people nor to its wickedness nor to its sin [28] lest the land from which you brought us say, it was because YHWH lacked the ability to bring them to the land which he promised to them, and because he hated them, that he brought them out to kill them in the wilderness. [29] But they are your people and your possession whom you brought out with your great strength and with your arm outstretched."

4.2.6.1. Speech Act Analysis

Table 22. Speech acts in Text 10

Verse	Text	Speech act
Deut 9:26aα	I beseeched YHWH and said	N/A
Deut 9:26aβ-26b	My Lord YHWH, do not destroy your people, your own possession whom you redeemed through your greatness and whom you brought out from Egypt with mighty power.	Directive
Deut 9:27a	Remember your servants, Abraham, Isaac and Jacob.	Directive

Table 22 continued

Verse	Text	Speech act
Deut 9:27b-28	Do not pay attention to the stubbornness of this people nor to its wickedness nor to its sin lest the land from which you brought us say, it was because YHWH lacked the ability to bring them to the land which he promised to them, and because he hated them, that he brought them out to kill them in the wilderness.	Directive
Deut 9:29	But they are your people and your possession whom you brought out with your great strength and with your arm outstretched.	Assertive

In a series of entirely ordinary speech acts, Moses makes three petitions (all directives) followed by an assertive.

4.2.6.2. Rhetorical Analysis

Presented as Moses's retelling of the golden calf story on the plains of Moab, Deut 9:26b-29 reflects similar appeals to *logos* and *pathos* as did Exod 32:11b-13.[122] By using direct discourse in his presentation, Moses presents it here as a repetition of his earlier speech to YHWH. As in the Exodus 32 account (see Section 4.2.2.2), YHWH provides an indirect invitation for Moses's intercession through the phrase, "Leave me alone," although the Hebrew phrase in Deut 9:14 differs (הרף ממני vs. the earlier הניחה לי in Exod 32:10). Moses uses the same three logical arguments as in the canonically earlier appeal: (1) that YHWH would be wasting his previous efforts if he destroyed Israel whom he had saved; (2) that YHWH's reputation would suffer; and (3) that YHWH would be breaking his covenant. Moses also makes a similar appeal to *pathos*,

[122] As noted earlier, Aurelius argues that the account in Deut 9:26-29 preceded that of Exod 32:7-14 (*Fürbitter Israels*, 42-44), although others argue otherwise (e.g., Boorer, *Promise*, 429). As I show in this section, rhetorically the version of the speech presented here fits its context in Deuteronomy better than would Exod 32:11b-13. Canonically, of course, Exod 32:11b-13 serves as a precursor to Deut 9:26-29, in which Moses tells the Israelite people about his earlier intercession.

emphasizing YHWH's intimate connection with the Israelites. Miller writes of Deuteronomy's version that "the whole purpose of the prayer is to identify this people as '*your* people,'" with its insistent repetition of this theme: '*your very own possession*, whom you redeemed...whom *you brought out of Egypt....your servants, Abraham, Isaac and Jacob...your very own possession*, whom *you* brought out....'"[123]

Nonetheless, the composition of this particular telling of the story reflects the speech's double audience within the story-world. Although the direct discourse addresses YHWH, the pericope is embedded in Moses's speech to the Israelites on the Plains of Moab. Unlike the Exodus version, Moses's intercession in Deut 9:26b-29 is arranged chiastically. The resulting repetition within corresponding verses deepens the emphasis on the connection between the people and YHWH. The beginning and ending of the unit (vv. 26 and 29) praise YHWH's role in freeing the people as well as his greatness, his strong hand and his outstretched arm, thus starting and ending by reminding YHWH of his identity as powerful savior. The next layer of chiastic correspondences contrasts YHWH's loyal servants Abraham, Isaac, and Jacob in v. 27 with mocking Egyptians in v. 28. The subtext here appears to be the advantages to YHWH's honor of maintaining connections with his own people, however sinful. In the center (v. 27b), the typical focus of rhetorical attention in chiastic structures, appears Moses's description of the people's sin.

As we see, the nuances of the rhetoric reflect Moses's message to the Israelites. Unlike Exod 32:11b-13, which never refers to the Israelites' sin, the appeal in Deuteronomy mentions their sin at a point of maximum prominence, the center of the

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[123] Miller, *Cried*, 124.

chiasm (v. 27b).[124] Such structural emphasis belies Moses's appeal to YHWH in v. 27b, "Do not pay attention to (אל תפן אל) the stubbornness of this people nor to its wickedness nor to its sin." As anticipatory refutation, the reference to sin would have been better placed at the beginning of Moses's appeal, as it is in Exod 32: 31.[125] The emphatic placement makes sense, however, as part of Moses's message to the Israelites on the Plains of Moab in Deuteronomy 9.[126] One aim of the chapter is to confront the Israelites with all the ways they had provoked YHWH since leaving Egypt (Deut 9:7, 8, 18, 21, 22, 23, 24; cf. 9:5, 6). The emphasis on their sin in Moses's appeal makes sense in that context. Moses is also striving to persuade the Israelites of all he has done on their (undeserving) behalf: hence his emphasis on the 40 days and nights he spent prostrate while making this appeal (9:25). Thus it is fitting as well that no plague is mentioned; in Deut 9:19 Moses's intercession with YHWH is presented as if it had been wholly successful.

4.2.7. Text 11: Ezek 9:8bβ

[8] ויהי כהכותם ונאשאר אני ואפלה על־פני ואזעק ואמר אהה אדני יהוה המשחית אתה את כל־שארית ישראל בשפכך את־חמתך על־ירושלם

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[124] Yehuda T. Radday, "Chiasmus in Hebrew Biblical Narrative,' in *Chiasmus in Antiquity: Structures, Analyses, Exegesis* (ed. J. W. Welch; Provo, Utah: Research Press, 1981), 50-117; Mary Douglas, *Thinking in Circles: An Essay on Ring Composition* (New Haven: Yale University Press, 2007).
[125] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 501.
[126] For Deuteronomy's general persuasive aim and intended audience(s), see Brent A. Strawn, "Keep/Observe/Do—Carefully—Today! The Rhetoric of Repetition in Deuteronomy," and Norbert Lohfink, "Reading Deuteronomy 5 as Narrative," both in *A God So Near: Essays on Old Testament Theology* (ed. B. A. Strawn and N. R. Bowen; Winona Lake: Eisenbrauns, 2003), 215-40 and 261-82, respectively.

[8] While he was striking them, I remained and fell upon my face and cried out, saying, "Ahah, my Lord YHWH, will you destroy the entire remnant of Israel when you pour out your rage upon Jerusalem?"

4.2.7.1. Speech Act Analysis

Table 23. Speech acts in Text 11

Verse	Text	Speech act
Ezek 9:8aα	While he was striking them, I remained and fell upon my face and cried out, saying	N/A
Ezek 9:8aβ-b	Ahah, my Lord YHWH, will you destroy the entire remnant of Israel when you pour out your rage upon Jerusalem?	Expressive/directive

This single speech act constitutes a rhetorical question that combines the illocutionary force of an ordinary directive (a petition) with an ordinary expressive (a complaint).

4.2.7.2. Rhetorical Analysis

Ezekiel engages in two acts of intercession, both of them apotropaic, both emerging in the context of visions in which the Glory of YHWH appears (cf. 9:3, 10:18-19). In both, the urgency of his appeal is underscored by his loud call and his prostration.[127]

The trigger for the intercession appears in Ezek 9:1-7: a vision sent to Ezekiel in which YHWH commands several "men" (destroying angels) to kill all those not

[127] Hesse, *Fürbitte*, 54-55.

bemoaning the abominations in Jerusalem, including elders, women and children.[128] After following YHWH's instructions to slaughter the elders in the Temple courts, they leave to kill in the city.

The first word in Ezekiel's intercession is the exclamation אהה, which Muffs considers to indicate prophetic "opposition to a divine decree." The particular combination of אהה followed by אדני ה״ also occurs in nine other verses, all of which indicate either distress or protest.[129] In Ezekiel's intercessory appeals, the word אהה communicates near-hopeless protest, while the title of respect conveys his subservience. Bound to do YHWH's bidding, he can only plead that YHWH alter his decree. Thus the three opening words combine address, implicit complaint, and implicit petition.

The remainder of Ezek 9:8b clarifies the petition and offers two implicit reasons for YHWH to respond. Framing his petition as a question, Ezekiel pleads that YHWH not destroy the entire remnant of Israel when he expends his rage. Ezekiel's concern is YHWH's heedless destruction, an issue raised in other appeals such as Moses's in Num 14:13b-19 ("but if you kill this people as one man....") and Moses's and Aaron's in Num 16:22 ("if a single man sins, will you be wrathful at the entire community?"). Ezekiel's question hints at two legal concerns expressed by prior intercessors: first, YHWH's commitment to preserving the patriarchs' lineage, evident in Exod 32:13 and Deut 9:27; and second, YHWH's own responsibility for shedding innocent blood, clearest in Abraham's appeal in Genesis 18.[130]

[128] The term אנשים literally means "men" but according to Joseph Blenkinsopp is used here for destroying angels similar to those found in Exod 12:23, 2 Sam 24:16-17 (*Ezekiel* [IBC; Louisville: John Knox], 57). Moshe Greenberg considers them "personifications of divine wrath" following the views of Rabbi Ḥisda of the 3rd century C.E. (*Ezekiel 1-20* [AB 22; Garden City, N.Y.: Doubleday], 175).
[129] 2 Kgs 6:5, 15; Jer 1:6, 4:10, 14:13, 32:17; Ezek 4:14, 9:8, 11:13, 21:5.
[130] Although Num 16:22 raises the issue of innocent blood, the people are not portrayed as innocent.

First, as YHWH's emissaries are instructed to eliminate the impure, Ezekiel raises the fear that Israel will be destroyed without even a remnant. Any allusion to YHWH's utterly annihilating Israel entails an end to the covenant (cf. 2 Kgs 21:14-15), YHWH's breaking his promise to the patriarchs. YHWH himself would be revealed as untrue to his nature and his promise.

Ezekiel makes no direct reference to the promise, unlike Moses in Exod 32:13, Num 14:16, and Deut 9:28. According to pentateuchal traditions, however, YHWH always found ways to protect the patriarchs' line even while killing Israelites en masse. In Gen 45:5-8, for example, Joseph tells his brothers that YHWH had sent him to Egypt to save their lives, implicitly acknowledging that the famine (YHWH's work as well) was decimating others.[131] YHWH's offer to Moses to make a new people from him (Exod 32:10; Deut 9:14) would similarly have preserved the Israelite people despite the destruction of all but Moses's line.[132]

Admittedly, the divine plan revealed in the current oracle allows for some potential survivors—the men with marked brows "who sigh and groan because of all the abominations that are done in its [Jerusalem's] midst" (Ezek 9:4). YHWH has shown that he can single out survivors from planned mass destruction in Exod 12:13, when he instructed the Israelites to mark their doorposts to avoid death of their firstborn. In fact,

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[131] As M. Patrick Graham writes, "In this instance a famine was the natural catastrophe that God used to isolate the remnant" ("The Remnant Motif in Isaiah," *ResQ* 19 [1976]: 217-28). Gerhard F. Hasel cites another example: the story of Jacob and Esau in Gen 32:8-9, in which Jacob splits his own group in two so that at least some would escape if the others were killed (*The Remnant: The History and Theology of the Remnant Idea from Genesis to Isaiah* [Berrien Springs, Mich.: Andrews University Press, 1972], 154). Jacob's accompanying prayer (Gen 32:10-13) mentions the promise. Hasel writes, "This prayer, then, is extremely significant not only for connecting for the first time the election tradition, i.e., the promise to the fathers, with the remnant motif, but it reveals once more that the remnant can escape judgment only through God's grace."

[132] Jacob points out that YHWH's offer is phrased similarly in Gen 12:2, when he said he would make a great nation of Abraham, which to Jacob indicates that YHWH was remembering the promise to the patriarchs (*Second Book*, 944). Jacob writes, "He did not wish to rescind that promise, but wished to begin again" (ibid.).

the angel's report in Ezek 9:11 that he has followed instructions suggests that some have been marked and saved. Nonetheless Ezekiel's question implies that no survivors exist, suggesting both his shock and the use of hyperbole in an effort to win YHWH's ear.[133]

Ezekiel's second reason is evoked in the expression בשׁפכך את־חמתך על־ירושׁלם. The Qal of שׁפך, to spill or pour out a liquid, is most often used with "blood" as its object, frequently qualified with the words "innocent" (נקי) or "in vain" (חנם), emphasizing the sense of profligacy.[134] Moreover, spilled blood spatters and pools, affecting bystanders. Used to describe YHWH's wrath, the word suggests that YHWH is similarly heedless of others who might be affected. In the present context, YHWH's servants are killing adults and children at YHWH's command even as Ezekiel speaks. The use of the term raises the same issue as does Gen 18:23b-32a: YHWH's obligation to protect the innocent.

Ironically, YHWH justifies the executions in Ezek 9:9 in part by claiming that the land is filled with blood—presumably innocent. Elsewhere, in Ezek 36:18, an explicit connection is made between the shedding of blood and of wrath: YHWH will "pour out his wrath for blood they shed." In that verse, YHWH is not only the just avenger of the wrongfully slain, but again responsible for bloodshed himself, when he pours out his wrath upon Jerusalem.

Thus, Ezekiel's single question hints at both of the legal grounds used by previous intercessors. Making an end to the entirety of Israel entails breaking the promise;

[133] Note the similar use of hyperbole and disregard for facts in Num 16:22: "if a single man sins, will you be wrathful at the entire community?"

[134] The similes "pour out blood like water" in Deut 12:16, 24, 15:23; Ps 79:3, "pour out your heart like water" in Lam 2:19, and "pour out wrath like water" in Hos 5:10 suggest that water is the natural object of this verb, to which pouring out blood or "heart" or wrath is compared. In biblical usage of this root, water is never poured carefully into a container, but spilled or dumped on the earth's surface (Exod 4:9; 1 Sam 7:6; Amos 5:8, 9:6).

punishing Israel for its crimes by "pouring out wrath" suggests slaying the innocent as well as the guilty.

Ezekiel's intercession is unsuccessful. In Ezek 9:9-10 YHWH responds that he will have no pity; the royal houses of Judah and Israel have committed too great a sin by denying YHWH's presence and attention, and the "land is full of crime and the city is full of corruption."[135] The destroyer's claim that he has already followed YHWH's orders underlines the message. Lena-Sofia Tiemeyer argues that by warning Ezekiel too late, YHWH effectively negates the possibility of successful intercession.[136]

4.2.8. Text 12: Ezek 11:13bβ

[13] ויהי כהנבאי ופלטיהו בן־בניה מת ואפל על־פני ואזעק קול־גדול ואמר אהה אדני יהוה כלה אתה עשׂה את שׁארית ישׂראל

[13] When I was prophesying, Pelatiah Ben Benayah died. I fell upon my face and cried out in a loud voice, "Ahah, my Lord YHWH, are you wreaking the final destruction of the remnant of Israel?"

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[135] In the Deuteronomic history and elsewhere in the Hebrew Bible, the destruction of people and places is attributed to divine punishment for the shedding of innocent blood by human leaders (cf. Jer 22:17, Lam 4:13, and 2 Kgs 21:1-16, in the cases of Jehoiakim, Jerusalem, and Judah, respectively). Kaminsky observes that such "ruler punishment" reflects the notion that the nation's fate is determined by the behavior (guilt or innocence) of its king (*Corporate Responsibility*, 75). Yet Kaminsky also argues that as mediator between YHWH and his people, the ruler was seen as responsible for guiding the people's behavior, so that the people's innocence cannot be presumed (51-52). In fact, as he notes, Judah's fall is attributed specifically to Manasseh's poor leadership in 2 Kgs 21:9-11, and to the people's own sins in v. 15, the last verse perhaps the result of another hand (38).

[136] Tiemeyer, "Ezekiel," 191. She writes, "Rather than telling his prophet what he is going to do beforehand, God tells him of his plans only as they are being carried out."

4.2.8.1. Speech Act Analysis

Table 24. Speech acts in Text 12

Verse	Text	Speech act
Ezek 11:13a-bα	When I was prophesying, Pelatiah Ben Benayah died. I fell upon my face and cried out in a loud voice	N/A
Ezek 11:13bβ	Ahah, my Lord YHWH, are you wreaking the final destruction of the remnant of Israel?	Expressive/directive

Like Ezek 9:8, this single speech act (which I interpret as a complaining question)[137] carries the ordinary illocutionary force of an expressive/directive.

4.2.8.2. Rhetorical Analysis

The second of Ezekiel's acts of apotropaic intercession, in 11:13b, appears in the context of another vision set in Jerusalem. In this pericope, Ezekiel is voicing an oracle at YHWH's command against twenty-five men, promising judgment upon the "house of Israel" (11:5), when Pelatiah, one of the men about whom he is prophesying, drops dead. Throwing himself on his face again, Ezekiel protests loudly. As in Ezek 9:8b, Ezekiel uses the phrase "the remnant of Israel." Again there is the unspoken entailment: leaving no remnant would break the promise to the patriarchs. Without the verb שפך, however, the text lacks the nuance that YHWH is inappropriately punishing the entire community for the acts of some.

[137] This verse lacks the ה-interrogative of Ezek 9:8, but questions can be indicated by intonation as well as by interrogative words and particles. See Waltke and O'Connor, *Syntax*, 316 n. 1. I interpret this as a question on analogy with Ezek 9:8 (Text 11). Note that the NRSV also translates it as a question. If this speech act were an outcry but not a question, I would consider it a protest (an expression of disapproval to one capable of improving the situation), and thus an expressive. See Searle and Vanderveken, *Foundations*, 213-14.

The following salvation oracle (11:16-20) gives YHWH's response—that while he has indeed scattered the people among the nations, he will gather them in and give them the land of Israel, and that they will be his people and he will be their God—but that he will exact retribution on those who continue to set their heart on abominations (11:21). Many scholars believe that this juxtaposition is the result of redaction.[138] As Tiemeyer observes, the promise is renewed for those in exile, but no such promise is extended to inhabitants of Jerusalem.[139]

4.2.9. Texts 13 and 14: Amos 7:2aβ-b, 5aβ-b

First intercessory speech: Amos 7:2aβ-b

[2] והיה אם־כלה לאכול את־עשׂב הארץ ואמר אדני יהוה סלח־נא מי יקום יעקב כי קטן הוא

[2]When they had finished eating the grass of the land, I said, "My Lord YHWH, please pardon! How can Jacob stand? He is so small!"

Second intercessory speech: Amos 7:5aβ-b

[5]ואמר אדני יהוה חדל־נא מי יקום יעקב כי קטן הוא

[5] I said, "My Lord YHWH, please cease! How can Jacob stand? He is so small!"

[138] Walther Zimmerli writes that Ezek 11:14-21 is an "independent element" (*Ezekiel 1: A Commentary on the Book of the Prophet Ezekiel, Chapters 1-24* [Hermeneia; Philadelphia: Fortress, 1979], 256), arguing that it is intentionally inserted here as a counterpart to the previous scene (256). Others agree that 11:14-21 was inserted into its current context. Blenkinsopp argues that 11:14-21 is an expansion that "vindicat[es]… the diaspora community's land claims," which fits better with 36:22-31 (*Ezekiel*, 52). Greenberg calls Ezek 11:14-21 a "prophecy of restoration" which he claims is "clearly pre-fall" (*Ezekiel 1-20*, 5, 204).
[139] Tiemeyer, "Ezekiel," 192.

4.2.9.1. Speech Act Analysis

Table 25. Speech acts in Text 13

Verse	Text	Speech act
Amos 7:2a	When they had finished eating the grass of the land, I said:	N/A
Amos 7:2bα	My Lord YHWH, please pardon!	Directive
Amos 7:2bβ	How can Jacob stand?	Expressive/directive
Amos 7:2bγ	He is so small!	Assertive

Table 26. Speech acts in Text 14

Verse	Text	Speech act
Amos 7:5aα	I said:	N/A
Amos 7:5aβ	My Lord YHWH, please cease!	Directive
Amos 7:5aγ	How can Jacob stand?	Expressive/directive
Amos 7:5b	He is so small!	Assertive

Both intercessory appeals follow the same pattern of speech acts. The first speech act (a petition) is an ordinary directive. The second is a complaining question, hence an ordinary expressive/directive, while the third is an ordinary assertive.

4.2.9.2. Rhetorical Analysis

The most clearly and fully successful acts of apotropaic intercession appear in Amos 7:2 and 7:5. In two parallel vision reports (Amos 7:1-3, 4-6), YHWH shows Amos visions of devouring locusts (7:1-2a) and consuming fire (7:4), each threatening Israel’s survival. No reason for the punishment is given, although elsewhere in Amos we see

references to Israel's and Judah's sins and future punishment.[140] Amos's appeals are also parallel. Each address contains the title of respect, אדני, and the name YHWH, as in Ezekiel's intercessory speeches. Each petition contains a single word in the imperative and the particle נא, indicating deference.[141] Finally, each appeal ends with the same two motivational statements. Overall, the speeches are identical except for the precise request made of YHWH in the opening petition: סלח, "pardon," in the first, and חדל, "cease," in the second.

The goal of Amos's intercessory appeals is to prevent the divine punishment in the respective vision. In Amos 7:2, the verb סלח ("pardon!") means "do not destroy" or in Jacob Milgrom's terms, "reconcile."[142] As Jacob Milgrom argues, there is no nuance of exoneration in the use of this term, which signals rather a request that punishment be cancelled in order to maintain the covenant.[143] According to Milgrom, "When God extends to man His boon of *salaḥ*, He thereby indicates His desire for reconciliation with man, to continue His relationship with him—in Israelite terms, to maintain His covenant....Thus, the reaffirmation of the covenant is the most apposite form for divine 'pardon.'"[144] The verb חדל in 7:5 has the sense of "refrain from, not to do" a specific action.[145] In Jer 41:8, the verb is used specifically in the sense of "refrain from putting to death." Often it appears in the context of paired options—either to do something, or to

[140] For example in Amos 2:4-16, 3:2, and most of chapters 4-6.
[141] See the discussion of נא in notes to Section 4.2.4.
[142] Jacob Milgrom, "Vertical Retribution: Ruminations on *Parashat Shelaḫ*", *Conservative Judaism* 34 (1981): 11-16.
[143] Ibid., 16; idem, *Numbers*, 395-96. See also Stamm, who writes that in Amos the term "does not affect the forgiveness of the people's sin, however," but an alteration of the divine plan "so that he further delays the threatening judgment" (*TLOT* 2:801).
[144] Milgrom, "Vertical Retribution," 15.
[145] *HALOT*, I חדל, 1:292, lists this particular meaning in reference to other verses, listing Amos 7:5 under the meaning "to forbear, refrain."

not to do it (חדל).[146] Again, there is no nuance of sin being wiped away, but rather that YHWH refrain from bringing the predicted punishment.[147]

The remainder of the intercession provides the rationale for pardon. This question מי יקום יעקוב has traditionally been translated with "Jacob" as the subject, and an understanding of מי as meaning "how." [148] Rossier writes that "Jacob" refers to God's dependents, in parallel with "my people,"—but also that it gives a "face" to the beneficiary by naming a person familiar to God.[149] Such a tactic increases the beneficiary's *presence* and adds *pathos*.

The final statement כי קטן הוא (Amos 7:2b and 7:5) refers back to Jacob: "He is so small." In this case, כי is an emphatic adverb modifying the clause.[150] The word קטן raises questions. No other utterance in the biblical corpus of apotropaic intercession focuses on making the beneficiary appear small or pitiable—unlike the psalms, in which the human petitioner's miserable state is a frequent motivation for YHWH to help. Lack of parallels makes it difficult to be sure in what way Israel is being portrayed as "small." In the HB, the term carries the connotation of inferiority and weakness when applied to inanimate objects or animals; applied to people it can indicate youth, small size, and/or social

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[146] In several verses either YHWH (Judg 20:28) or prophets (1 Kgs 22:6, 15 and parallel verses 2 Chr 18:5, 14) are asked the advisability of going out in battle or refraining (חדל), indicating that the verb was used in framing questions for solicited divination.
[147] Shalom Paul, in contrast, argues that the verb "refers to an absolute and total pardon of sin," in distinction to חדל, which asks YHWH only to "cease and desist" from the punishment itself (*Amos*: *A Commentary on the Book of Amos* [Hermeneia; Minneapolis: Fortress, 1991], 228-29; 232-33. Ironically, Paul bases his argument for the meaning of סלח in part on Milgrom's article "Vertical Retribution."
[148] Williams, *Hebrew Syntax*, 52. Williams also suggests a possible reading of "Who is Jacob that he might stand?" For another view, see Walter Brueggemann, "Amos' Intercessory Formula," in *Prophecy in the Hebrew Bible: Selected Studies from* Vetus Testamentum (ed. D. Orton; Brill's Readers in Biblical Studies; Leiden: Brill, 2000), 41-55 (originally published in *VT* 19 [1969]: 385-99).
[149] Rossier, *L'intercession*, 327-28.
[150] Waltke and O'Connor consider כי to be a "clausal adverb...emphasizing the clause it introduces" although grammarians have traditionally labeled it as a conjunction (*Syntax*, 657).

powerlessness or insignificance.[151] Individuals or groups who are קטן can nonetheless be raised to a special position through YHWH's favor.[152] According to J. Conrad, the use of קטן in Amos 7:2, 5 presents Israel as a youngster requiring protection and solicitude.[153]

Shalom Paul considers the exclamation an appeal to divine *pathos* based on Israel's small size.[154] Miller, too, considers this an emotional appeal, comparing it to the self-humbling remarks of Jacob "I am too insignificant" in Gen 32:11, Moses's statement that "they are too heavy for me" in Num 11:14, and Solomon's claim that "I am only a little child" in 1 Kgs 3:7, all uttered in the context of prayer.[155] "All such pleas are grounded in an awareness that the God of Israel is, by nature, inclined toward the weak and the small and the powerless," he writes.[156] Walter Brueggemann stands apart from other interpreters, arguing that the word here refers to Israel's dependent status but reflects an attempt to arouse YHWH's sense of covenant responsibility rather than his pity.[157]

In my view, the word is indeed used to evoke *pathos*—specifically, divine feelings of fondness and protectiveness owing to Israel's precarious status, based on both its size and its dependence. As Perelman and Olbrechts-Tyteca write, "anything that is threatened acquires great value."[158] Brueggemann's argument carries weight, however. As Hesse points out, Amos's argument implies "chosenness"—that it is YHWH who has willed

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[151] J. Conrad, קָטֹן, *TDOT* 13:3-9.
[152] Ibid., 6-7. Examples of "small" entities to whom YHWH gives significant roles include David (1 Sam 17:14) and Benjamin (Gen 42:15, 20), as well as the "little child" in Isa 11:6 and "the people" in Isa 60:22.
[153] Ibid, 8.
[154] Paul, *Amos*, 230. Hesse, similarly, relates the term to Israel's political powerlessness (*Fürbitte*, 42).
[155] Miller, *Cried*, 123.
[156] Miller, "Prayer as Persuasion," 341.
[157] Brueggemann's argument includes an understanding of the entire verse as a legal claim against YHWH as the covenant-partner and protector of Israel ("Intercessory Formula").
[158] Perelman and Olbrechts-Tyteca, *New Rhetoric*, 91.

that Israel survive.[159] The use of the name "Jacob" for Israel not only adds to the *presence* of the argument but recalls YHWH's relationship to the patriarch, with whom YHWH made a covenant in Gen 28:13-15. Given the context of chosenness, Amos's argument combines emotional bond (involving *pathos*) and legal bond, as Brueggemann has it. It attempts to sway YHWH by suggesting that Israel's survival is a divine responsibility as well as something YHWH might choose to support out of pity and love.

YHWH allows Amos an opportunity to intercede in the first two visions. The initial communicative acts—the visions—come from YHWH, but he does not actually speak until after Amos intercedes. Success is reported in two ways: the narrator reports that YHWH relents (נחם), and YHWH promises that the doom shown in the two visions will not come to pass.[160] In two subsequent paired vision reports (7:7 and 8:1),[161] YHWH shows Amos less obviously destructive visions so that Amos is not impelled to intercede immediately and asks Amos what he sees (7:8 and 8:2). Amos simply answers the question instead of interceding with the deity. YHWH uses Amos's answers to predict doom. In 8:2, YHWH uses wordplay to twist Amos's words into YHWH's prediction of doom. In both cases, YHWH adds, לא אוסיף עוד עבור לו.

In sum, Amos succeeds in warding off the specific destructions presented in two visions through a direct appeal to *pathos* and an indirect appeal to the covenant and YHWH's responsibility for Israel's survival. His success is short-lived, however; YHWH continues to show Amos threatening visions but forestalls Amos's intercession.

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[159] Hesse, *Fürbitte*, 42.

[160] Simian-Yofre writes, "The text does not suggest any change in the conduct of the people or reconsideration on the part of [YHWH] regarding a punishment deemed too harsh. Only the prophet's intercession..., appealing to the weakness of the people, who would not survive such a punishment, effects a change in [YHWH's] purpose" (נחם, *TDOT* 9:340-355 [344-45]).

[161] The final vision report in the book, beginning with Amos 9:1, follows a different pattern: only YHWH speaks.

Nonetheless Amos’s first two appeals remain as clear examples of successful apotropaic intercession.

4.2.10. Text 15: 1 Chr 21:17aβ-b (cf. 2 Sam 24:17aβ-b)

[17] ויאמר דויד אל־האלהים הלא אני אמרתי למנות בעם ואני־הוא אשר־חטאתי והרע הרעותי ואלה הצאן מה עשׂו יהוה אלהי תהי נא ידך בי ובבית אבי ובעמך לא למגפה

[17] David said to God, “Was it not I who said to count the people? I am the one who sinned and acted with extreme wickedness. This flock, what did they do? YHWH, my God, please let your hand be against me and against my father’s house. But let there not be a plague against your people!”

4.2.10.1. Speech Act Analysis

Table 27. Speech acts in Text 15

Verse	Text	Speech Act
1 Chr 21:17aα	David said to God:	N/A
1 Chr 21:17aβ	Was it not I who said to count the people?	Assertive
1 Chr 21:17aγ	I am the one who sinned and acted with extreme wickedness.	Assertive
1 Chr 21:17aδ	This flock, what did they do?	Assertive
1 Chr 21:17bα	YHWH, my God, please let your hand be against me and against my father’s house.	Directive
1 Chr 21:17bβ	But let there not be a plague against your people!”	Directive

All speech acts in David’s direct discourse carry ordinary illocutionary force. The speech acts in 1 Chr 21:17aβ and γ are rhetorical questions. Unlike ordinary questions—which Searle considers directives because they seek a response from the addressee—

rhetorical questions are generally understood to use the interrogative form to draw attention to their content. Jim W. Adams writes that rhetorical questions can be ambiguous, in that the listener on occasion chooses to answer them in word or deed.[162] Here the first and third speech acts act as assertives rather than as interrogatives. They bolster the speech act between the two rhetorical questions which, as a confession, also fits within the category of assertive.[163] The speech ends with two petitions: first that YHWH punish David and his house, and second that there be no plague against the people.

4.2.10.2. Rhetorical Analysis

The story of David and the census appears in both 1 Chr 21:1-30 and 2 Samuel 24. The 1 Chronicles version is based on a Deuteronomistic *Vorlage* closer to 4QSam[a].[164] As noted above, I analyze only one version of David's apotropaic intercessory speech to avoid repetition. I chose the Chronicler's version because it encompasses the version in 2 Sam 24:17, with only a few altered words and two additional clauses. Despite differences between the two MT versions, both in the larger pericope[165] and in the direct discourse,[166] the rhetorical approach is similar in both speeches.[167]

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[162] Jim W. Adams, *The Performative Nature and Function of Isaiah 40-55* (LHB/OTS 448; New York: T & T Clark), 137-8.
[163] In Searle's and Vanderveken's categorization of English verbs, they list "confess" under assertives (*Foundations*, 189). Their description fits David's use here: "To confess is to admit with the additional propositional content condition that the propositional content predicates of the speaker responsibility for a certain state of affairs, and with the additional preparatory condition that the state of affairs is bad, usually *very* bad (e.g. confess to a crime)."
[164] Eugene C. Ulrich Jr., *The Qumran Text of Samuel and Josephus* (HSM 19; Missoula: Scholars Press, 1978), 163-64; Sara Japhet, *1 Chronik* (HThKAT; Freiburg: Herder, 2002), 345-46, 353.
[165] For example, in 1 Chr 21:1, Satan incites David to count the people, while in 2 Sam 24:1 it is YHWH, angered at Israel for an unknown reason, who incites David.
[166] In 2 Sam 24:17, David's intercessory speech reads הנה אנכי חטאתי ואנכי העויתי ואלה הצאן מה עשׂו תהי נא ידך בי ובבית אבי: "Look, it is I who sinned and I who did wrong. This flock, what did they do? Let your hand be against me and against my father's house!" 1 Chr 21:17 contains a number of pluses compared to both the

David's speech in 1 Chr 21:17—his second confession about ordering the census—is a clear example of apotropaic intercession: he sees a vision of looming disaster and then pleads to God to punish only himself and his household, not his innocent flock. This apotropaic intercessory appeal is unique in the biblical corpus in including a follow-up sacrificial rite, mandated by God. It is unique as well among cases of apotropaic intercession because it includes the intercessor's self-confession. The intercession is typical, however, in attempting to protect the innocent when YHWH punishes the guilty.

The story begins with a statement in 1 Chr 21:7 that YHWH, displeased over the census, "struck Israel": a summative introduction to the events to come.[168] David's prayer in v. 8 contains both his first confession and a petition that YHWH העבר־נא את־עוון עבדך. David here petitions not for intercession but rather that he himself be spared.[169] YHWH's response, mediated by Gad, offers David three choices of punishment. Rather than choosing, David states his wish to fall into YHWH's hands, not humans'. The result is a plague that kills 70,000. David then sees the angel of YHWH "standing between earth

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MT Samuel and 4QSam[a] versions: David's opening question, הלא אני אמרתי למנות בעם, the address in 17b (יהוה אלהי) and the final reference to the plague, ובעמך לא למגפה. Another change is 1 Chronicles' substitution of ואני־הוא אשר־חטאתי in v. 17 for the opening clause הנה אנכי חטאתי of 2 Samuel 24 (cf. 4QSam[a]) and the use of a different verbal phrase (והרע הרעותי), which is more emphatic than the verb העויתי in 2 Sam 24:17 for the parallel confession of sin in the second clause. Chronicles, like the 4QSam[a] version, also includes the particle נא (absent in the MT of 2 Sam 24:17) in the petition to let YHWH's hand be against David and his house.

[167] The version in 2 Sam 24:17 lacks David's opening rhetorical question and its briefer closing omits the explicit petition that the people be spared. Otherwise its rhetoric is similar to that of 1 Chr 21:17: David begins by emphasizing his own guilt in two parallel clauses containing the independent first person pronoun. He then asks rhetorically what the "flock" did, using identical verbiage, raising the metaphor of shepherd in reference to himself and by extension YHWH. Finally he asks YHWH to direct punishment (only) toward David and his household, exhibiting *ethos*.

[168] The version in 2 Samuel 24:10 says, instead, that David "was stricken to the heart because he had numbered Israel," with no mention of divine anger or punishment at this point.

[169] To Muffs, the term העביר in this kind of context means to transfer the penalty to someone else alive at the same time ("Who Will Stand?" 41-42, referring to 2 Sam 24:10). Such an understanding would suggest that David is doing the opposite of interceding. Although Muff's proposed meaning is not evident in all cases—see Job 7:21—David's response in 1 Chr 21:13 to the instruction to "pick his poison" indicates that his focus then is self-preservation. Only after the plague does he actually intercede.

and heaven, his drawn sword in his hand stretched out toward Jerusalem" (v. 16), prompting his apotropaic intercessory petition in v. 17.

Following David's intercessory speech Gad instructs David to build an altar on the threshing floor of a Jebusite named Ornan (Araunah in 2 Samuel 24)—a spot the Chronicler later describes as the site of the future Temple (2 Chr 3:1).[170] After negotiating with Ornan, David purchases the threshing floor, builds an altar, offers sacrifices, and "calls on YHWH" (no direct discourse is given), "and he answered him with fire from heaven upon the altar of burnt offerings" (1 Chr 21:26). Only after accepting the sacrifice does YHWH command the angel to sheath his sword (1 Chr 21:27).[171]

David's verbal strategies differ from the previous intercessors' because he alone seeks to protect the beneficiary by taking responsibility for the sin himself. His opening question is rhetorical, not complaining or accusatory. In the HB, according to Bruce Waltke and M. O'Connor, "[r]hetorical questions aim not to gain information but to give information with passion."[172] David then repeats the same message in two parallel clauses, each stressing the enormity of his sin. As Hesse notes, the first person independent pronoun emphasizes David's responsibility,[173] as does the construction, "ואני־הוא." David's opening words add ballast to his prior confession, not only clearing

[170] The Chronicles version specifies that the angel gave Gad these instructions to pass on to David (v. 18).
[171] While 2 Samuel 24 makes no mention of the angel or the sword, it follows the description of the sacrifice with the words, "And YHWH heeded the intercession for the land and the plague against Israel was brought to a halt" (v. 25b). In both versions, then, the altar and the offerings appear necessary for the intercession's successful completion.
[172] Waltke and O'Connor, *Syntax*, 322.
[173] Hesse, *Fürbitte*, 38, describing similar language in 2 Sam 24:17.

the people but also seeking to reconcile his own relationship with YHWH, thereby making himself a more credible intercessor.[174]

In the following clause ("But these sheep, what have they done?"), David's use of the deictic "these" and his reference to the people as "sheep" emphasizes the gulf between guilty leader and innocent people. In the HB, the descriptor "shepherd" is applied metaphorically to both the nation's leader and YHWH.[175] In using the metaphor in his petition, David not only confesses to having led his flock into danger,[176] but also requests the help of the other shepherd, YHWH, in protecting them. In other words, by calling his people "sheep" David appeals to *pathos*—YHWH's protective love toward his people—while simultaneously implying YHWH's own responsibility. Finally, David shows his willingness—one might say, finally—to put his people's needs before his own, thus better meriting the description of "good shepherd." Combined with his penitence, he is here manifesting *ethos*.

David's appeal challenges the legal notion of "ruler punishment" which underlies YHWH's punishment of the people for David's sins.[177] Kaminsky has observed that the HB often complicates this notion by condemning the ruler for leading the people astray, indicating that the people also sinned.[178] David stresses that in the present case only he

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[174] Compare the instructions to Aaron to make confession on behalf of himself and his household (Lev 16:6, 11) prior to confessing his people's sins (Lev 16:16). In the eyes of the biblical writers, David may not have been considered eligible to intercede if burdened with unconfessed sin.
[175] G. Washke, צאן, *TDOT* 12:197-207. For the leader as shepherd, see Exod 3:1, 1 Sam 16:11, 2 Sam 7:8, Pss 77:21, 78:70. For YHWH as shepherd, see Ezek 34:15, 31; Pss 23:1, 80:2; for references to the people as YHWH's sheep, see Ezek 34:31; Pss 95:7, 100:3.
[176] See discussion of the "false shepherd" in John E. Hartley, צאן, *TWOT* 2:749. Verses depicting shepherds who endanger their flocks include Isa 56:11; Jer 23:1-3, 50:6; Ezek 34:2-5; Ps 44:12. The fragment of text from 4QSam[a] includes the words הרעה הרעתי, "I, the shepherd, have done wrong," which in Ralph W. Klein's view is probably the original, rather than 1 Chronicles' וְהָרֵעַ הֲרֵעוֹתִי ("I have caused severe harm") or 2 Sam 24:17's ואנכי העויתי (*1 Chronicles: A Commentary* [Hermeneia: Minneapolis: Fortress, 2006], 416 n.31). The notion of a bad shepherd is explicit in Klein's reconstruction.
[177] David Daube, *Studies in Biblical Law* (Cambridge: Cambridge University Press, 1947), 154.
[178] Kaminsky, *Corporate Responsibility*, 49.

sinned; the people are wholly innocent.[179] Nevertheless he includes his household among those to be punished alongside himself, although they had no role in the census either. Just as in Num 16:22, 30-32, this text avoids challenging the notion of collective retribution against the households of the guilty, even though the intercessor pleads for protection of the innocent.

Verse 15, in which YHWH is said to change his mind (נחם) even before David intercedes, makes the reader wonder how important David's intercession was to YHWH's ultimate decision. According to 1 Chr 21:15, "God sent an angel to Jerusalem to destroy it, but as he was about to destroy, YHWH saw and changed his mind about the calamity and said to the destroying angel, "Enough! Now let your hand fall!"[180] YHWH does not annul the danger with this instruction, however: the sword still hangs over Jerusalem until YHWH has accepted the sacrifice. It appears that YHWH stays the angel's hand to give David a chance to intercede, much as he presents openings for intercession in other texts (e.g., Gen 18:17-21, Exod 32:7-10 and Deut 9:12-14). Unlike Abraham's intercession in Gen 18:23b-32a, David's intercession is successful: not only does YHWH spare Jerusalem but he exacts no further punishment on David or his household.

Overall, David's intercession parallels others in that YHWH presents an opening for intercession, David argues for protection of the innocent, and the intercession succeeds. Even its two unique features—confession and a link to ritual—follow biblical precedent: as in Lev 5:1-6, the guilty party must realize his sin, confess, and offer

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[179] It is worth noting that in the 2 Sam version YHWH incites David to order the census because of YHWH's continued anger at "Israel" (2 Sam 24:1). The reason for YHWH's anger at Israel is not explained.
[180] The language in 2 Sam 24:16a is the same.

sacrifice before his sin is expiated (נשלח). In the excursus below, however, I describe another biblical depiction of apotropaic intercession whose efficacy—uncharacteristically—is situated in a nonverbal ritual act.

Excursus: An Example of Nonverbal Apotropaic Intercession in the Hebrew Bible

The story of David and the census is not the only example of apotropaic intercessory ritual in the HB. In Num 17:10b-13a (16:45b-48a) Moses and Aaron engage in a unique act of apotropaic intercession using incense, fending off a plague that begins even as they start to intercede. Because the only direct discourse during their intercession is spoken by Moses to Aaron the episode—clearly apotropaic intercession—fails to qualify for my corpus. This pericope is significant nevertheless because only here does a clear-cut ritual act substitute for verbal intercession: the use of incense to ward off divine anger manifested as plague.[181] As Milgrom describes it, the wrath acts as an independent force that, once unleashed, will destroy innocent and guilty alike.[182]

The episode initially resembles the story of apotropaic intercession in Num 16:20-35. YHWH's warning in Num 17:10a (הרמו מתוך העדה הזאת ואכלה אתם כרגע) is virtually identical to that in Num 16:21. The sole difference is that the latter begins with הבדלו rather than הרמו. In both texts, Moses and Aaron immediately prostrate themselves. Thereupon the two passages diverge.[183] In Num 16:22, Moses and Aaron appeal verbally. In Num 17:11 Moses instructs Aaron to fill a censer with fire from the altar, add incense, and move quickly among the community in order to make atonement for (כפר על) the

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[181] Divine wrath and plague are linked in a number of biblical texts such as Exod 9:15; Lev 26:21; Num 14:11-12.
[182] Milgrom, *Numbers*, 142.
[183] One further commonality is the use of the root קצף to describe YHWH's wrath in both Num 16:22 and 17:11.

people to ward off plague because “the wrath has emerged from YHWH” (כי־יצא הקצף). Although normally biblical rituals are divinely-commanded, here Moses appears to be prescribing a rite on his own authority, a point significant enough for Rashi to contest it.[184] In v. 12 Aaron follows Moses’s instructions, running among those already being struck by plague and standing “between life and death” (v. 13). Those exposed to the incense presumably survive, although 14,700 die from plague.

As Moses orders, Aaron goes among the people to כפר עליהם. In general כפר על in the Piel means “make atonement for” an individual or group through ritual (e.g., Lev 4:20, 26, 31, 35; 12:7-8; 14:18-20, 29, 31; 16:6, 11; Num 15:25, 28).[185] In Num 15:24-29, for instance, specific sacrifices are prescribed for unintentional sins by individuals and the community, following which the priest “makes atonement” for the sinners.[186] Feder, however, translates the phrase in Num 17:12 as “made appeasement for the people.”[187] Milgrom, who translates the term in Num 17:12 as “to make expiation for” concurs that here it carries the nuance of “make appeasement.”[188]

Aaron’s use of incense in Numbers 17 is anomalous in the HB in that Aaron brings it to the people, running among them and “standing between life and death.” Except for the High Priest’s ritual in Lev 16:12-13, no biblical descriptions of atonement

[184] Ben Isaiah and Scharfman, *Rashi’s Commentary: Numbers*, 178-79.
[185] *HALOT* כפר 1:493-94; BDB כפר 497-98. Yitzhaq Feder translates similarly “expiate on behalf of” (*Blood Expiation*, 50).
[186] The same phrase is used when the problem appears to be impurity rather than sin, as in the case of the person deemed recovered from skin disease in Lev 14:18-19. Jonathan Klawans makes a strong case that some cases of impurity do not result from sin (*Impurity and Sin in Ancient Judaism* [Oxford: Oxford University Press, 2000]).
[187] Feder, *Blood Expiation*, 172-73.
[188] Milgrom, *Numbers*, 142.

rites mention incense.[189] Typically incense is prescribed or portrayed in routine offerings at the Tent of Meeting and Temple, as prescribed in Exod 30:7-8. Milgrom argues that its use here stems from the literary context, observing, "The same incense that causes destruction when used by unauthorized persons [in Num 16], averts destruction when used by those in rightful authority."[190]

Several scholars interpret Aaron's use of incense as an attempt to soothe divine anger understood, at least in Milgrom's view, as an independent force that, once unleashed, will destroy innocent and guilty alike.[191] The use of incense during the Yom Kippur ritual is instructive because only there and here is incense said to protect human life. In Lev 16:12-13, the high priest is to produce a cloud of incense within the Holy of Holies "so that he will not die." Kjeld Nielsen argues that in Leviticus 16 incense protects the priest from "divine wrath or the divine 'radiation.'"[192] In Num 17:11, he writes, the incense is "both propitiating the deity and protecting the people."[193]

Yet comparison with the namburbis suggests that incense here may also serve to purify. Aaron is depicted as "running" among the people, evidently trying to bring the incense to as many as possible before they are stricken. His actions resemble purification in the namburbis (cf. Text 2) that was performed by waving a censer filled with strong-

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[189] Ibid. The unusual way in which incense is used in this pericope led Rashi to provide two aggadic explanations for its specific use to counteract plague. Ben Isaiah and Scharfman, *Rashi's Commentary: Numbers*, 178-79.

[190] Milgrom, *Numbers*, 141, citing Sforno. Incense must be used only by those authorized or the penalties are extreme (cf. the rebels in Numbers 16, and possibly Nadab and Abihu who are punished for their use of "strange fire" in Lev 10:1).

[191] Muffs, "Who Will Stand?" 39-40; Milgrom, *Numbers*, 142; Feder, *Blood Expiation*, 172-73. Milgrom bases his claim in part on parallels from the ANE, particularly Egypt.

[192] Kjeld Nielsen, *ABD*, "Incense" 3:404-09 (406). With regard to atonement rites as intended to soothe divine emotion, note that the Bible describes the burnt offering as providing a "soothing odor for the Lord" in Num 15:24, an atonement ritual for inadvertent sin.

[193] Ibid.

smelling substances (cedar, juniper, and/or brimstone) over the ritual patron.[194] If Aaron's act was meant to purify, the implication is that the wrath-cum-plague would strike only the impure.[195]

Although it technically falls outside the corpus of texts in this study, this passage is significant for the present study for several reasons. (1) It is one of only two examples of apotropaic intercessory ritual, the other being David's intercession after the sin of the census. (2) It indicates a role for priests in apotropaic intercession. Although in the HB, priests do not typically intercede,[196] here Aaron as paradigmatic priest conducts an intercessory ritual. Like most priestly ritual texts, it lacks direct discourse.[197] (3) The use of incense is unique in apotropaic intercession. It reflects an attempt to avert divine punishment both by assuaging divine rage (a nonverbal appeal to *pathos*) and may also reflect ritual purification of beneficiaries. (4) The evil that Aaron fends off is concretized: the term is a definite noun (הקצף, identified with plague), as opposed to the verb קצף in Num 16:22, which refers to YHWH's emotion.

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[194] Stefan M. Maul, *Zukunftsbewältigung: Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)* (Baghdader Forschungen 18; Mainz am Rhein: Verlag Philipp von Zabern, 1994), 39, 62. Swinging a censer over the beneficiary differs in its purpose from the routine burning of cedar in censers to accompany the gods' sacrificial meal, which is closer to the routine use of incense in Israelite sacrifice. Maul writes that in the context of namburbi sacrifices censers were used to delight the gods and ward off insects (52)

[195] Another possible parallel with the ANE rituals exists, however: the view that Aaron was protecting beneficiaries against YHWH's wrath (קצף) understood as a concretization of the divine threat. If this was the case, the procedure would serve a purpose similar to processes protecting against the harbingers in the namburbis or the "evil birds" in the Ritual of Ḫuwarlu.

[196] Reventlow, *Gebet*, 229.

[197] Priests are silent in atonement rituals, with the exception of the priest's confession in Lev 16:21.

4.2.11. Texts 5-15 Analysis: Summary and Conclusions

4.2.11.1. Speech Act Analysis

The apotropaic intercession in this corpus is noteworthy for its utter lack of causative language. Theoretically there is no reason narratives could not include causative speech acts, which, as Searle observes, regularly appear in fairy tales (and see the portrayal of Joshua's causative speech act in Josh 10:12-14).[198] Persuasive analogies, a particularly common hybrid speech act in the namburbis and Ritual of Ḫuwarlu, are not only absent in the biblical corpus but the few usages of כ or כאשר tend to be specifically dissuasive. For example, in Gen 18:25, Abraham asks God if he would kill the righteous like the wicked—clearly not an analogy Abraham wants to see enacted.

Instead of causative language, we see the kind of language that would work equally well coming from one human to another. Like biblical intercession with human superiors, biblical apotropaic intercession with YHWH uses ordinary discourse, persuading through appeals to *ethos*, *pathos*, and *logos*. Without causative language, they lack the need for a special connection to the sacred domain for their language to have illocutionary force. They are also presented as lacking any ritual context. Even in 1 Chronicles 21 (cf. 2 Samuel 24), David's ritual sacrifice—itself lacking direct discourse—is separated from his verbal intercession in time and space.

In the speeches in this corpus, the intercessors use predominantly assertives and directives, followed closely by expressive/directives. Besides the six assertives in Abraham's dialogue with YHWH, we see pairs of assertives in Exod 32:31 and Num

[198] John R. Searle, "How Performatives Work," *Linguistics and Philosophy* 12 (1989): 535-58. For a discussion of Joshua's "incantation" in Josh 10:12, see Jacob Milgrom, "Magic, Monotheism and the Sin of Moses," in *The Quest for the Kingdom of God* (ed. H. B. Huffmon, F. A. Spina, and A. R. W. Green; Winona Lake: Eisenbrauns, 1983), 251-65.

14:13-16; one assertive each in Deut 9:29, Amos 7:2, 5; and three assertives (counting two rhetorical questions) in 1 Chr 21:17, 21. Aside from Abraham's repeated hypothetical statements, the assertives provide reasons for the petitions, appearing either before or afterward.

The plain directives (that is, those without expressive-directive illocutionary force) appear in eight of the speeches, typically in pairs. Deut 9:26-29 contains three, while Amos 7:2, 5, and 1 Chr 21:17 contain one each. Directives in the form of imperatives also occur: two in Exod 32:23b and 13, one in Num 14:19a, one in Deut 9:27, and one each in Amos 7:2 and 7:5. We also see directives in explicit pleas presented through imperfects and jussives in Exod 32:32a, Num 14:17; Deut 9:27; and 1 Chr 21:17.

One form that appears frequently is an expressive/directive that I call a "complaining question." These appear in seven texts, including all three that consist of a single speech act (Num 16:22; Ezek 9:8, 11:13). The remaining complaining questions are Moses's repeated queries in Exod 32:11b, 12a and the question "How can Jacob stand?" in Amos 7:2, 5. Also categorized as expressive/directives are the accusing questions from Genesis 18. All texts include either a simple directive, an expressive/directive, or both.

Finally there are four simple expressives, all of which appear in Abraham's dialogue. These amount to two different exclamations ("Far be it from you!" and "I am determined to speak to my Lord") each repeated twice.

Two speech act categories are absent from the corpus: commissives and declaratives. Both are hallmarks of transformative ritual speech.[199] By omitting all

[199] Not only declaratives, but commissives (oaths or vows) occur frequently in ritual—both falling among speech acts which Austin calls "explicit performative utterances." Roy A. Rappaport notes that

declaratives, the biblical writers appear to be representing apotropaic intercession as something *other* than ritual—emphasizing, rather, the spontaneous, personal exchange between the intercessors and their God, fitting Moshe Greenberg's definition of "prose prayer."[200]

Overall the speech act analysis indicates a pattern of *explanation* (mainly in the form of *assertives*) backing up *petitions* in the form of *plain directives* or *complaining questions*. Abraham's dialogue is anomalous, including the only accusing questions and plain expressives as well as a series of hypothetical situations expressed in assertives.

4.2.11.2. Rhetorical Analysis

Generally speaking, biblical apotropaic intercession has two aims: (1) to diminish YHWH's anger and (2) to persuade him not to destroy the people. These two goals correspond to the two aspects of נחם: the aspects of emotion and decision (see Section 4.2.2.2). Although not every example demonstrates this alignment, the rhetorical intercessory strategies for dealing directly with divine anger often rely on *pathos*, while those aiming to alter YHWH's decision typically appeal to both *logos* and *pathos*. A few texts appeal to *ethos* as well.

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performative utterances frequently appear in rituals whose main purpose is transformation (*Ritual and Religion in the Making of Humanity* [Cambridge Studies in Social and Cultural Anthropology 110; Cambridge: Cambridge University Press, 1999], 115). This category includes marriages, knighthood, and what Jesper Sørensen calls magic rituals. As Rappaport writes, "Ritual's words [like performative utterances]...bring conventional states of affairs, or 'institutional facts' into being" (ibid., 117). In a sense, ritual speech functions the way a performative utterance does. The functional overlap between declaratives and ritual speech in general may explain why Searle classes God's utterance, "Let there be light!" as a supernatural declarative, whereas Walter J. Houston points out that it is formulated as a directive ("What Did the Prophets Think They were Doing? Speech Acts and Prophetic Discourse in the Old Testament" in *"The Place Is Too Small for Us": The Israelite Prophets in Recent Scholarship* [ed. R.P. Gordon; SBTS 5; Winona Lake: Eisenbrauns, 1995], 133-90). In fact, the utterance has features of both. An even clearer example of this twofold illocutionary force is the directive to the earth to bring forth grass (Gen 1:24), also cited by Houston.

[200] Moshe Greenberg, *Biblical Prose Prayer as a Window to the Popular Religion of Ancient Israel* (Taubman Lectures in Jewish Studies: 6th Series; Berkeley: University of California Press, 1983), 7.

(1) YHWH's anger is addressed directly in several of the texts. Direct references to divine anger behind the planned punishment appear in Exod 32:12b, when Moses asks YHWH to turn from his anger; in Num 16:22, when Moses and Aaron ask whether YHWH will be wrathful (קצף) at more than just the perpetrator, alluding to the kind of rage that attacks willy-nilly; and in Ezek 9:8, when the intercessor cries, "Ahah, my Lord YHWH, will you destroy the entire remnant of Israel when you pour out your rage upon Jerusalem?"[201] Intercessory responses to this anger appropriately highlight *pathos*. Tactics include substituting another object for divine rage, such as a vision of mocking neighbors, or bringing up alternate, positive emotions by reminding YHWH of his servants the patriarchs and the bond between God and his people. Moses's speeches frequently refer to God's historic and current close relationship with the people, expressed in various ways, which Miller highlights as one of three related themes present in motivations in prayer.[202] Although praise can also induce warmer feelings, praise is surprisingly rare. One exception in this subgroup of texts is Num 16:22, when the brothers address God as the one creating breath in all flesh.

(2) The other goal, explicit in each of the texts, is to persuade YHWH to alter his decision. *Logos* is most commonly used for this end, especially in the longer speeches that use enthymemes or other quasi-logical methods. Argumentation is not aimed at reducing divine anger *per se*, but at pointing out the real problems divine anger causes. The problem impelling the intercession is the risk of destruction of the people: YHWH's

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[201] Other references to rage in connection to apotropaic intercession occur outside my corpus, as does Num 17:11. See Moses's statement that YHWH was angry enough to have annihilated Aaron in Deut 9:20 and a similar reference in Ps 106:23.

[202] The two other interrelated themes Miller mentions are (1) God's nature (just, steadfast, and jealous of his reputation), which acts as a premise in enthymemes, and in fact undergirds the very act of intercession; and (2) the beneficiary's neediness and distress, which in my corpus appear explicitly as a motivation only in Amos 7:2, 5 (*Cried*, 114-26).

ordinary response to wrongdoing is the kind of rage that sweeps away everything in its path (cf. Gen 18:23b).

Reasons backing quasi-logical arguments appear most obviously in explicit motivation clauses, such as Num 14:15-16: "Now if you kill this people at one time, then the nations who have heard about you will say, 'It is because YHWH was not able to bring this people into the land he swore to give them that he has slaughtered them in the wilderness.'" Complaining questions can reflect implicit assumptions (premises) as well. For example, Ezekiel's "would you destroy the remnant of Israel?" indirectly refers to the divine promise to the patriarchs.

Certain of the arguments aim to show inconsistency between two premises or plans of YHWH's, or between his proposed plan and his prior acts and words. YHWH's desire to protect his reputation is assumed in some of these efforts. As Moses suggests in Exod 32:11b-13, Num 14:11b-19, and Deut 9:26-29, YHWH would undo the good reputation he gained by rescuing his people from Egypt if he destroyed them in the wilderness. The same three passages also directly mention YHWH's promise to the patriarchs, again attempting to elicit YHWH's desire to remain consistent to his word. A reflection of the promise appears in Ezekiel's references to the "remnant" in Ezek 9:8, 11:13 and Amos's implication of divine responsibility for Jacob's well-being. The passage in Numbers 14 offers a different appeal to consistency, citing YHWH's self-description as abounding in steadfast loyalty.

One kind of divine inconsistency lies in the approach YHWH takes to establishing justice. The arguments in Gen 18:23b-32a, Num 16:22, and 1 Chr 21:17 are based on the premise that God should protect the innocent when punishing the guilty. This premise is

implicit in Ezek 9:8. YHWH himself appears to accept this premise on occasion, for example when he responds to Moses in Exod 32:33 by saying "Whoever has sinned against me, it is him that I will erase from my scroll." YHWH also answers affirmatively to all of Abraham's hypothetical situations in Gen 18:23b-32a, implying that he too desires to spare the innocent. Yet as Abraham points out, YHWH's general approach to enforcing justice is to destroy the innocent as well as the guilty. YHWH's inconsistency in this regard is the reason that so much intercession is needed. Notably, however, no challenges are raised to YHWH's punishment of family members of the guilty (cf. Num 16:27-33 and 1 Chr 21:17).

Pathos is also used in an attempt to dissuade YHWH from destroying the targeted people. Many appeals to *pathos* do double-duty in supporting logical arguments. For example, Amos's appeal to Israel's fragility not only aims at YHWH's pity but at his sense of covenantal responsibility. The complimentary references to YHWH's mighty power in Exod 32:11 and Deut 9:26 aim to improve YHWH's mood (an appeal to *pathos*) while simultaneously reminding him of all the efforts he expended in saving the Israelites, part of the argument of waste (see Sections 4.2.2.2 and 4.2.4.2).

Ethos is a prominent tactic in several texts. Abraham shows that he merits YHWH's faith in him by standing his ground in defending the righteous in Sodom. Moses demonstrates his faithfulness to his people repeatedly, showing up what appears to be YHWH's lesser loyalty. In Num 14:13b-19 Moses advocates for the people in the face of grumbling (Num 14:2-4) and threatening (Num 14:10), while YHWH's response to this behavior is to plan the people's destruction (Num 14:11-12). In Exod 32:11b-13, Num 14:13b-19, and Deut 9:26-29, Moses rejects YHWH's offer to make a new people

of him; instead, he intercedes for his people's survival. In Exod 32:32, he expresses a desire to die along with or perhaps even instead of his people. David shows his repentance and willingness to put his people's interests before his own in 1 Chr 21:17.

Most of the intercessory appeals are strengthened via the strategies of *presence*, *choice*, and *communion*. The intercessor's use of direct quotations increases *presence*, whether the quotes are real, as in the citation of the divine attributes in Num 14:18, or hypothetical, as in Moses's predictions of what the neighbors would say. *Presence* is also a tactic in the detailed portrayal of YHWH's intimate connection with his people in Num 14:13b-19; the repeated references to "this" people in the same appeal; and Amos's personification of Israel as "Jacob" in Amos 7:2, 5. *Communion* is increased through re-use of divine language, for example in the recitation of YHWH's promise to the patriarchs and YHWH's own description of his divine nature (the last in Num 14:17-18, based on Exod 34:6-7). *Choice* is evident in characterizations of YHWH and the beneficiaries, in which the relationship of intimacy is played up; in references to the neighbors' mockery, designed to steer YHWH's anger away from Israel; and elsewhere.

In sum, various rhetorical strategies aim to soothe divine anger and/or to persuade the deity that his plan to destroy the people is wrong. To diminish his anger at the targeted people, the intercessors occasionally try to raise up the neighbors as straw men, but more often remind YHWH of the bonds of love and loyalty between himself and the people Israel, the patriarchs, or both. They simultaneously try to dissuade him from seeking to punish the people by using arguments based on justice, law (the promise to the patriarchs), his reputation, and/or his assumed desire to appear consistent with his nature

or his word. At the same time, many of the intercessors show their own good character, a factor which would presumably incline YHWH to attend to their words.

4.3. Analysis of Evidence for Efficacy of Apotropaic Intercession

The narrative genre gives the reader access to the speeches' effectiveness at persuading their (divine) audience, termed by speech act theorists their *perlocutionary effects*.[203] Often after a speech the narrator or YHWH announces that the deity has pardoned (סלח) or changed his mind (נחם). At other times the narrator reports the events following the intercession, not all of which indicate success. Hence, success is not universal. After Ezekiel's appeal in Ezek 9:8, YHWH responds that he will have no compassion. Even when the deity has changed his mind, considerable punishment may yet ensue, as in Exod 32:35 when YHWH punishes the people with a plague.[204] Scholars such as Sakenfeld, Muffs, and Milgrom consider some of these punishments to reflect the deferral to a subsequent generation (a major theme in the HB) and/or YHWH's balancing of justice with mercy as posited in the divine attributes (Exod 34:6-7 and elsewhere).

Table 28 presents the textual evidence used to gauge the outcome of each act of intercession.

[203] See Searle and Vanderveken, *Foundations*, 11; J. L. Austin, *How to Do Things with Words* 2d ed. (Cambridge: Harvard University Press, 1975), 109.
[204] Scholars differ with regard to the relationship of this punishment to Moses's first and second intercessory appeals (Exod 32:9-14 and Exod 32:31-32, respectively). In Exod 32:14, following Moses's first intercession, YHWH is said to relent concerning his planned punishment. Issues of composition history are beyond the scope of this study.

Table 28. Evidence for success of biblical apotropaic intercession

Text	Circumstance	Outcome	Evidence	Comments
Gen 18:23b-32a	Threat to Sodom and Gomorrah	ambiguous	Gen 19: Sodom and Gomorrah destroyed but Abraham argues only for salvation if 10 righteous people were found.	Presumably 10 righteous people were not found. YHWH finds another way to rescue Lot (cf. Gen 19:29).
Exod 32:11b-13	golden calf	successful	Exod 32:14: YHWH נחם על־הרעה	
Exod 31:31b-32	2nd intercession after golden calf	unsuccessful	Exod 32:33: YHWH says he will blot out whoever has sinned and that he will punish when the day comes for punishment; Exod 32:35 Lord sends plague	Possibly made things worse (see Section 4.2.3.2) Entire people not destroyed, however.
Num 14:13b-19	Incident of spies	partially successful	Num 14:20-24, 29-30: Lord says he will pardon (סלח) as asked, but that only Caleb and Joshua will enter Canaan.	YHWH punishes, but does not fulfill his threat of plague and only partly fulfills threat of disinheritance (Num 14:12)
Num 16:22	Korah's rebellion	successful	Num 16:23: YHWH instructs Moses to warn away community.	
Deut 9:26-29	Repetition of golden calf	successful	Deut 10:10: Moses says YHWH listened and was unwilling to destroy people.	
Amos 7:2b	Vision of locusts	successful	Amos 7:3: Narrator says YHWH נחם; Lord says "This shall not be."	

Table 28 continued

Text	Circumstance	Outcome	Evidence	Comments
Amos 7:5	Vision of fire	successful	Amos 7:6: Narrator says YHWH נחם; Lord says "This also shall not be."	
Ezek 9:8b	Destruction of inhabitants	unsuccessful	Ezek 9:9-10; Lord says he will show no pity because of Judah and Israel's great iniquity.	Entire people not destroyed, however.
Ezek 11:13b	Palatiah's death	successful	Followed by oracle of salvation.	Entire people not destroyed. The salvation oracle is a later insertion; unclear what might have initially followed intercession.
1 Chr 21:17	Census; threat of plague in Jerusalem	successful	1 Chr 21:18-27: Angel instructs David (through Gad) to build altar; after sacrifices, Lord orders angel to sheathe his sword.	YHWH is said to נחם על־הרעה in verse 15, staying the angel's hand *before* David intercedes verbally

The table above shows that most of the intercessory texts are followed by a statement that YHWH has "changed his mind" (נחם) or pardoned (סלח), or other indications that calamity has been averted, diminished, or deferred. Of those intercessory appeals with clear outcomes, seven are successful and two are not. In two others, it is difficult to judge the outcome: Ezek 11:13, because the appended salvation oracle does not address Ezekiel's concern, and Gen 18:23b-32a, because Abraham's initial objective is unclear: was it to protect the innocent, as seems more likely, or was it to save the

guilty?[205] If his goal was to save the guilty, he failed. If the innocent numbered less than ten, and constituted Lot's family, then his goal was met, but not necessarily on account of his intercession.[206]

In three of the successful attempts, the narrator reports that YHWH "changed his mind" (נחם), while in four more, the positive outcome is reported either by YHWH or by Moses.[207] With regard to Num 16:23, the success of the appeal can be inferred by YHWH's following statement, which serves to protect the people from sharing the ringleaders' doom. These successful attempts do not necessarily remit all punishment, however, in keeping with the theology presented in Exod 34:6-7 and Num 14:18 as well as other evidence of a doctrine of deferred or substitute punishment.[208] Clearest in this regard is YHWH's response in Numbers 14. In that case YHWH says he will pardon as asked, yet dictates a punishment for the generation who had rebelled. The success of Moses's intercession in Exod 32:11b-13 is also apparently mixed in the final form of the text, in that the people do suffer further punishment: internecine slaughter, directed by Moses himself, in his role as divine mediator; and the plague reported in 32:35, which here I consider as an outcome of YHWH's refusal to forgive following Moses's second intercessory appeal in Exod 32:31b-32.

In two instances, YHWH refuses to alter his plans (Exod 32:33; Ezek 9:9-10). YHWH's explicit denial of the intercessor's appeal is grounds to consider these

[205] Hesse argues that although the writer was bound by tradition to show that Sodom was destroyed, he meant to show that the guilty would indeed be protected for the sake of the innocent (*Fürbitte*, 34-35). Miller agrees: "The prayer could have been a plea to remove the innocent from the punishment" which actually occurs in the story, but "[i]nstead it is a persistent plea for the forgiveness of the whole wicked city, for the sake of the innocent, a plea to which YHWH is responsive (Gen 18:26)" (*Cried*, 268).
[206] The statement in Gen 19:29 that God remembered Abraham and sent Lot out need not reflect back on Abraham's intercessory appeal.
[207] In Deut 10:10, Moses reports that YHWH listened to him and was no longer willing to destroy the people. In Num 14, Amos 7:3, 6, YHWH articulates the intercession's success himself.
[208] Milgrom, *Numbers,* 392-96.

intercessory appeals as unsuccessful. Yet, as I note in the table above, in neither case does YHWH wipe out the entire people, a possibility in both contexts. Moses's intercession in Exod 32:31b-32 responds to YHWH's most recent utterance, Exod 32:9-10, in which he proposes destroying the people and making a new nation of Moses, while the issue of the complete destruction of Israel is the very substance of Ezekiel's complaining question-*cum*-petition in 9:8. Interestingly, the essence of YHWH's response in Exod 32:33, "'Whoever has sinned against me I will blot out of my book'"—in other words, *not* Moses, who is innocent—is precisely the principle of selective, rather than collective, punishment which is the goal of so many apotropaic intercessory appeals. For these reasons, it appears that even the two acts of intercession that YHWH explicitly refuses to heed are shown to be at least partially effective—just as the acts of intercession deemed "effective" sometimes involve partial or deferred punishment (e.g., Exod 32:11b-13).

In other examples, YHWH insists on judging and planning punishment for the people. Sometimes these cases are presented not as responses to ineffective intercession, but as a result of its absence or prohibition. Amos's two successful acts of intercession are followed by three visions, similar in presentation, in which no intercessory attempts appear. After Amos's first two appeals, YHWH says that he will not pardon any more: לא־אוסיף עוד עבור לו (Amos 7:8b, 8:2b). Much of the evidence for the practice of apotropaic intercession in Jeremiah is its four-fold prohibition by YHWH, explicit in Jer 7:16, 11:14, 14:11-12, and implicit in 15:1. The first three of these prohibitions come on the heels of judgment oracles to which Jeremiah presumably wished to respond. In Jer 15:1, YHWH effectively prohibits Jeremiah's intercession once again by claiming, "Even

if Moses or Samuel were stood before me, I would have no feelings for this people. Send them away from my presence and let them go!" Two passages in Ezekiel as well help us grasp biblical understandings of the effectiveness of intercession: Ezek 22:30, in which YHWH laments that he "sought a man, a repairer of walls, among them, who would stand up in the breach before me on behalf of the land so that I would not be able to destroy it, but I found none"; and Ezek 13:5 in which YHWH God condemns the prophets who "did not go up into the breaches and repair the wall of the house of Israel, so it would stand up in battle on the day of YHWH." Note that in Ezek 22:30, it is YHWH himself who is presented as the enemy of Israel: it is his will to destroy the nation that must be countered through intercession.

Overall, the HB presents apotropaic intercession as able to avert, soften, or defer YHWH's intended punishment, or to rescue innocent (and even not-so-innocent) bystanders by focusing YHWH's rage and destruction on the specific wrongdoers and households. The actual occurrence of disaster—attack by foreign nations, destruction, distress, and scattering among the nations, which actually come to pass in 721 and 586 B.C.E.—is sometimes presented not as the ineffectiveness of an intercessory appeal, but as its divine prohibition or general absence.

One factor in particular is tied to the success of the appeal: whether or not YHWH left an opening for intercession. The notion that YHWH desires or even requires human intercession is clear in texts such as Gen 20:7 and Job 42:8, in which YHWH instructs his targeted victims to seek intercession from Abraham and Job, respectively.[209] In the biblical corpus studied here, instructions for intercession are not so explicit, except in the case of David's intercessory ritual, 1 Chr 21:18 (cf. 2 Sam 24:18). More often YHWH

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[209] Miller, *Cried*, 275; Tiemeyer, "Ezekiel."

leaves an opening by communicating his threat, then either waiting (Gen18:22, esp. in the version purported to have been emended; 1 Chr 21:15) or indirectly pointing out the possibility of intercession by saying "let me alone!"(Exod 32:10; Deut 9:14). In Amos 7:2, 5, we infer that Amos takes advantage of such an opening, given the different structure of the following visions in which, evidently, no opening was offered and so no intercession occurred and no pardon was indicated. When the intercessor does respond to an opening, success is frequent. Moses's appeal in Exod 32:31b-32, unlike the others, does not immediately follow a divine communication—and unlike most, generates a negative verbal response. In the cases of Ezek 9:8, 11:13, Tiemeyer points out that YHWH did not warn the prophet until too late.[210]

4.4. Summary and Conclusions

These narratives show that YHWH's plans for destruction were presented as potentially revocable by the deity following intercession. Intercessory speeches generally have two goals: (1) to assuage or divert divine anger and (2) to persuade YHWH to change his mind about his planned punishment. Analysis of direct discourse shows a complete absence of speech with causative illocutionary force. Instead, we see a wide variety of persuasive strategies, ranging from quasi-logical arguments to the use of *ethos* and *pathos*. This absence of causative language is consistent with the rest of the HB, with very few exceptions, as I will discuss further in Chapter 5.[211]

Unlike the ritual approaches in Chapters 2 and 3, the apotropaic intercessory speeches aim to affect the deity, not to purify the beneficiary or act directly on a

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[210] Tiemeyer, "Ezekiel." See above Section 4.2.7.2.
[211] In Josh 10:12-14 YHWH is said to make a single exception in "obeying" human speech. See Milgrom, "Magic, Monotheism." Other causative speech acts appear in blessings and curses.

concretized "evil." Only in Aaron's silent intercession in Numbers 17 do we see ritual purification, although Muffs, Milgrom, Feder, and Nielsen view Aaron's use of incense as an attempt to soothe divine wrath. The only case involving concretized evil also occurs in Numbers 17. Here YHWH's קצף can be understood as hypostasized evil manifested as plague. Substitution, associated with purification in other cultures, appears in the HB as one of the strategies YHWH uses to deflect his anger and may figure into Moses's request that he be blotted from YHWH's scroll if YHWH does not forgive. Moses's speech can be read as purely persuasive in intent, however, whether or not a tradition of substitution lies behind it.

A major topic in the intercessory speeches is justice, frequently portrayed as reserving punishment for the guilty. This particular topic appears in intercession with human authorities as well (e.g., in Jonathan's plea to Saul on behalf of David). We see this argument used on behalf of a collective by the wise woman who intercedes with Joab on behalf of the city of Abel in 2 Sam 20:16-19. Although she argues that Joab should refrain from destroying "YHWH's property," her proposed solution indicates her concern that the entire city not be destroyed because of a single guilty individual. YHWH is also accused of unjust behavior in references to the covenant in Exod 32:11b-13, Num 14:13-19, Deut 9:2-29, and implicitly in Ezek 9:8, 11:13 and Amos 7:2, 5.

In the texts within the corpus, sin is mentioned relatively infrequently. On only a few occasions do intercessors explicitly refer to the beneficiary's guilt (Gen 18:23b-32a; Exod 32:31b-32; Deut 9:26-29). Explicit references to innocence appears as often (Gen 18:23b-32a; Num 16:22; 1 Chr 21:17). God's judgment as to guilt or innocence is not questioned, although as Miller notes with regard to Num 16:22, the people on whose

behalf Moses and Aaron intercede are not entirely innocent.[212] Notably, in none of the cases analyzed does the intercessor claim that the people have turned aside from their wickedness, nor does the intercessor promise that they will.[213] Although texts in the books of Deuteronomy, Amos, Jeremiah, and Ezekiel argue that such turning is necessary for salvation from judgment, this theme is absent in the intercessory speeches proper. Only in 1 Chr 21:17 do we see repentance by the perpetrator of an offense. But here David confesses not out of a desire to diminish his own punishment (as he did in v. 8), but to spare the innocent.

In general, YHWH is shown as susceptible to persuasion and sometimes even dependent on it. In Genesis 20 and Job 42, the instruction to intercede sometimes comes from YHWH himself. Even when YHWH provides no specific instruction to intercede—in fact, even on occasion when he appears to forbid it—he nonetheless sometimes provides a verbal entrée (Gen 18:21) or issues a suggestive prohibition, "Let me alone!"(Exod 32:10; Deut 9:14). His command to the angel to halt before striking Jerusalem similarly provides an opportunity for David to intercede in 1 Chr 21:15, although no explicit verbal invitation is issued. YHWH's warning visions to Amos fall in line with this theology (cf. Amos 3:7) but he also presents visions to Amos and Ezekiel when he does not allow intercession.

The texts I examine suggest that apotropaic intercession was considered to be generally, but not universally, effective, although even in cases where it appears to have failed YHWH refrains from wiping out the entirety of Israel. Yet intercession merely has

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[212] Miller, *Cried*, 272.
[213] In Jonah 3, the king of Nineveh appears to engage in apotropaic intercession which incorporates repentance. YHWH relents specifically because the people turn away from sin (3:10). This pericope is omitted because it lacks a record of any direct discourse to the deity.

a partial effect; by no means does it constrain YHWH's behavior. The HB emphasizes YHWH's freedom of action throughout. He "does what he wishes" (cf. Pss 115:3, 135:6, Jonah 1:14). So, then, not only does YHWH "change his mind" with regard to his decrees, based on repentance, apotropaic intercession, direct appeal by the targeted victim, or YHWH's own "good nature," we also see circumstances in which YHWH seemingly disregards human intervention and persists in his planned punishment.

In sum, then, biblical apotropaic intercessory utterances aim to persuade the deity, rely on many of the same rhetorical strategies and arguments as supplications to human authorities, and are generally portrayed as effective at reducing or appropriately targeting divinely-planned doom. As for the theology of the intercession proper, apotropaic intercessory appeals depict a deity moved by human passion as well as pain, a deity sensitive about his reputation, and a deity attached to his chosen, particularly his patriarchs. This God is stirred by justice but sometimes in need of reminding to protect the innocent in his rush to punish the guilty. In the end, then, this depiction of YHWH is very like a well-intentioned (and all-powerful) monarch, who relies on his advisers for guidance when the concerns of his subjects are brought to his ears—but who always reserves the final judgment as his own.

In the final chapter, I compare my analyses of Texts 1-15 and draw conclusions about human agency in apotropaic intercession—in particular, how the depiction of human agency in the ritual texts compares to the presentation of agency in the HB.

CHAPTER 5

SUMMARY AND CONCLUSIONS

At the end of my study it remains to (1) summarize the primary conclusions; (2) undertake comparative analysis of the data; and (3) point out three important implications of my research.

5.1. Summary of Previous Chapters

Chapter 1 described the role of apotropaic intercession in fending off foretold doom—a necessity in cultures in which divine predictions of disaster routinely obstructed peace of mind. I raised the notion of human agency in the face of divine threat: in particular, the use of speech (magical and/or persuasive) in attempts to fend off destruction. Two models of human speech were proposed: speech operating through ordinary persuasion ("ordinary speech") and speech understood to operate on the world or other beings in ways disallowed by intuitive science ("causative speech"). Before setting out the categories used for analyzing speech acts and rhetoric, I described two means by which causative speech could be understood to function. According to Jesper Sørensen's theories, specific people and/or speech can be connected with divine power, providing them (in Sørensen's terms) with *agent-based magical agency* and/or *action-based magical agency*. In Mesopotamia and Anatolia, such power was understood to be an essential quality of the gods rather than a separate force.[1] Thus speech acts in these

[1] For confirmation that this claim applies to Mesopotamia and Anatolia, cf. Francesca Rochberg, review of Jack Lawson, "The Concept of Fate in Ancient Mesopotamia of the First Millennium," *JNES* 58 (1998):

texts could become causative through an imagined link between the gods on one side and either the speaker or the speech on the other.

Chapter 1 described the conundrum societies needed to resolve in portraying apotropaic intercession: how to depict human agency in countering divine will while nonetheless continuing to portray the gods as supremely powerful. This problem is potentially greatest when humans use causative illocutionary force—that is, magical speech—normally a capacity attributed to ANE gods. One resolution is found in the "hybrid speech act": a speech act with causative illocutionary force that mystifies the agency responsible for enacting the desired change by doubling as a petition to the gods. This form often makes use of modal verbs with ambiguous meanings which can serve as either supplications or commands.

Chapter 2 applied speech act and rhetorical analysis to two namburbis. Both namburbis open with a hymn petitioning the gods to overturn the initial decree (using ordinary speech acts), then use a mixture of speech act types (including causative and/or hybrid speech) to purify the ritual beneficiary, ward off the evil, and dispose of the evil and impurity. The use of ordinary speech acts to introduce or surround hybrid or causative speech acts emphasizes the divine role in accomplishing the magical transformations. I argued that hybrid speech acts such as persuasive analogies used the precative and vetitive to do two things: (1) petition the gods to enact changes, and simultaneously (2) mimic divine speech acts like those in *historiolae*, thereby enacting changes directly. Such human use of divine speech is in keeping with Patton's theory of divine reflexivity, as well as Rüdiger Schmitt's claim that the Ea and Marduk "prefigure"

54-58; and Rüdiger Schmitt, *Magie im Alten Testament* (AOAT 313; Münster: Ugarit-Verlag, 2004, 90-93. The situation differs in other regions, e.g., some African societies including ancient Egypt.

the human ritual in Akkadian texts.[2] I further demonstrated that the oral rites use various rhetorical techniques to persuade the gods. The ordinary speech acts use *pathos, ethos*, and *logos* (e.g., enthymemes) to convince the gods to do as asked, while the persuasive analogies use analogic *logos* to increase the *presence* of the desired outcomes in an attempt to sway the gods toward enacting them.

Chapter 3 examined oral rites in two very different ritual texts from Anatolia. In Text 3, 80% of the analyzed speech acts are causative or hybrid, whereas only ordinary speech acts appear in Text 4's primary oral rite, which I argued falls under the rubric of *arkuwar* (cognate with "argumentation"). Text 3, a ritual text averting disastrous results of augury (divination based on bird behavior) involves different divine forces at different stages. I argued that even though gods are not invoked at the outset, their listening presence, permission, and assistance are assumed from the opening line in which they are said to have sent their staff-bearers. Numerous brief oral rites ward off concretized evil (the "terrible birds"), produce more ritual assistants through embedded rituals, purify the beneficiaries, and dispose of the impurities. Embedded divination indicates whether reconciliation with the gods has occurred. Persuasive analogies form the primary argumentative technique in Text 3. As with the namburbis, their effectiveness is based in the *logos* of analogy and the *presence* of the desired outcome. Those containing the third-person imperative also imitate speech acts of the gods in *historiolae* such as the Disappearance of Telepinu. The juridical metaphor is not evident in the analyzed portions of Text 3 but it is prominent in Hittite divination in general and is particularly clear in Text 4. In the latter text, the gods' forgiveness is conceptualized as their willingness to

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[2] Schmitt, *Magie*, 72-74.

purify the ritual beneficiary after the intercessor announces that she has doubly remitted the required compensation.

Chapter 4 analyzed 11 biblical narratives (Texts 5-15) depicting apotropaic intercession. All take the form of prose prayer except for Gen 18:23b-32a (Abraham's intercession on behalf of Sodom), arguably a consciously "theological" set piece inserted into the HB. The direct discourse in all these texts contains only ordinary speech acts with a minimum of gesture, although the pericope in 1 Chronicles 21 (cf. 2 Samuel 17) contains a related prescription for intercessory ritual that occurs well after the intercessory speech. Because the direct discourse uses only ordinary speech, rhetoric is the sole verbal means for attempting to alter the targeted people's fate in these texts. The kinds of speech acts and rhetoric in the texts resemble those that human intercessors make in supplicating a human authority, including appeals to *pathos*, *ethos*, and argumentation with explicit and implicit reasons. Several texts contest group punishment, although not the notion of punishing the guilty party's household. In no case does the intercessory appeal spell out a role for the beneficiaries in altering their fate. The biblical speech acts are completely dedicated toward assuaging divine anger and persuading the deity to change his decree. Notably, the verb נחם, which repeatedly appears in statements of the intercession's success, also reflects both divine emotion and decision.

None of the direct discourse in the corpus of biblical texts (5-16) aims to affect the concretized evil or the beneficiary directly (through purification or immunization against evil, for example). The situation differs in Num 17:10b-13a (16:45b-48a), however—a text outside of the corpus containing a nonverbal instance of apotropaic intercession in a passage with several close textual parallels to Num 16:19b-22. In

Numbers 17 the divine rage is hypostasized and identified with plague which Aaron fends off by fumigating the people. This rite is unlike any other biblical use of incense but resembles purification in the namburbis.

Unlike the ritual texts, the narrative genre allows readers to know the context and outcome of the intercession. Biblical texts within and outside of my corpus make it clear that YHWH has an interest in promoting apotropaic intercession and usually accedes to it at least in part, especially when he makes a verbal opening for the intercessor. In every case at least a remnant survives.

5.2. Comparative Analysis

In this section I compare significant features of these texts: (1) the goals and objectives of the direct discourse in countering foretold doom; (2) its rhetorical and magical strategies; and (3) the portraits of the gods presented by the rhetoric. I then (4) describe the primary theological messages these texts direct toward their human audiences and finally (5) show how they portray human agency in apotropaic intercession. In most of the following I treat the texts in four categories: (a) the namburbis (Texts 1-2), (b) Text 3, (c) Text 4, and (d) the biblical corpus (Texts 5-15).

5.2.1. Goals and Objectives of Direct Discourse in Apotropaic Intercession

Although apotropaic intercession's overall aim is to counter the threat to the beneficiary, the objectives of specific speech acts vary. Some of the variation depends on the way that the threat is presented: as judgment (decree), debt, and/or pollution. The biblical texts and the opening hymns of the namburbis present the problem as divine

decree or judgment. The biblical texts' goal is to reverse YHWH's decision to punish. The arguments strive to persuade YHWH to change his mind and sometimes to relinquish his anger. The namburbis' opening hymns have a related goal: to persuade the high gods to judge the ritual beneficiary's case, overturning the punitive judgment of the personal deities or other gods.[3] Text 4 from Anatolia also reveals an understanding of the problem as judgment, but its goal is to compensate for the sin with sacrifice, using the metaphor of sin as debt in addition to presenting it with juridical language. Neither Text 3 nor Text 4 explicitly aims to persuade the addressee to reverse a decree or alter a decision.

The ritual texts differ from the biblical texts by treating the problem, at least in part, as impurity and/or concretized evil, the latter present in the figurines of the harbinger(s)—"terrifying birds," dog, or wildcat. Text 4's sole explicit aim is purification, which is sought through propitiation of the gods. In the analyzed portions of Text 3, virtually all of the direct discourse aims to ward off, purify from, and dispose of the evil. The namburbis also turn to purification and disposal of evil and impurity after their hymnic appeals to the gods. The biblical Texts 5-15, in contrast, do not address purification at all. Nor do they aim to dispose of concretized evil. See the discussion of Num 17:11-13 (Section 5.2.3.2.2 below) on both these counts, however.

Embedded rituals and sub-arguments are responsible for other variations in the purposes of speech acts within these texts. These different objectives impose structures on the apotropaic intercessory appeals, rendering them very different from each other, even though the larger goal—countering divinely-decreed doom—is similar. In Text 3 §5 (CTH 398 i 23b-24a), the Old Woman uses causative speech to turn a tallow puppy into a

[3] Stefan M. Maul, *Zukunftsbewältigung: Eine Untersuchung Altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)* (Baghdader Forschungen 18; Mainz am Rhein: Philipp von Zabern, 1994), 60.

supernaturally-empowered protective being—an embedded ritual absent in the other texts. This act is a necessary precursor to the puppy's instructions to keep out the concretized evil, one of the text's major ritual goals. We see a different kind of embedded ritual in Text 1 when a dog image is made a substitute for the beneficiary and subsequently receives his or her impurity. The notion of embedding is relevant to rhetoric as well. For example, in 1 Chr 21:17aα, David confesses his sin: "Was it not I who said to count the people? I am the one who sinned and acted with extreme wickedness." His confession is an important preface to the rest of his intercession, helping regain YHWH's good graces and providing a degree of *ethos* so that David becomes a credible intercessor.

As the goals vary, so does the illocutionary force. In Texts 1-3, all of the causative and hybrid speech acts aim to counter impurity and concretized evil or to meet the goals of embedded rituals having these ultimate aims. In contrast, the two groups of texts aiming to revise the initial decree—the namburbis and biblical Texts 5-15—use only ordinary speech acts toward this goal. Their rhetorical strategies vary but none uses persuasive analogies to reverse the decree. The primary oral rite in Text 4 is something of an anomaly, using ordinary speech acts with the ultimate goal of purification. Yet this oral rite uses a juridical model whereby the resolution, as in the biblical texts, depends on a single divine choice—to accept or reject the appeal. The overall pattern, then, is this: speech targeting the decree or addressing the "judges" is ordinary. Hybrid or causative speech, in contrast, deals directly with impurity or concretized evil, or with embedded rituals serving these larger goals. As we have seen, some speech with ordinary illocutionary force also aims to ward off or remove evil and impurity by seeking divine

aid. Not only do we see this tactic in Text 4, but we see it in the ordinary speech acts to the River in Text 1, as well as in the ordinary component of hybrid speech acts in Texts 1-3 where it serves to mystify the agency.

5.2.2. Strategies Used to Persuade the Gods

Persuading the gods is an important element in all of the texts but the techniques vary considerably. For example, in the analyzed portions of Text 3 most such persuasion occurs via the ordinary illocutionary force of hybrid speech acts, although quite likely other ordinary speech acts appeared in the broken ending. In contrast, the biblical texts rely heavily on argumentation in ordinary speech.

The opening hymns of the namburbis—formal and full of praise—present the gods and the ritual's beneficiary in a particular relationship of powerful helper and miserable supplicant. The hymns use mainly *pathos*, *logos*, *choice*, and *presence* to encourage the deities to assume the described roles and judge the case favorably, and (in Text 1) to persuade the River to help dispose of the evil. The praise singles out the addressees' standing amid the other gods, their judicial roles, and, in the case of Ea and Marduk, their compassion. Similar dynamics appear in the opening to the hymn to the River in Text 1, although no judicial role is named for that entity. Elsewhere in the namburbis, however, the rhetoric differs dramatically. The law court terminology disappears. Persuasive analogies attempt to influence the gods toward desired actions by using the *logos* of analogy and enhancing the *presence* of the wished-for transformation with vivid conventional associations, making the desired changes seem inevitable. Hybrid

speech acts emphasize the divine role even while the speakers use causative illocutionary force—a rhetorical strategy that implies human dependence on the gods.

Where the namburbis move from a law court metaphor to reliance on persuasive analogies and other hybrid speech, the two texts in Hittite do one or the other but not both. The analyzed portions of Text 3 show a mingling of divine and human agency in the preponderance of hybrid speech acts. We see no references to judicial processes or sin and no enthymemes in the preserved portions. Persuasive analogies abound, suggesting (from a rhetorical perspective) that this form of argument was considered particularly effective in swaying supernatural beings. In contrast, Text 4 lacks persuasive analogies. Unlike the analyzed parts of Text 3, Text 4 explicitly mentions the sin and describes actions taken to resolve it. The primary oral rite contends that the ritual beneficiary's offering should be accepted as compensation because it is double what is due—an example of argumentation (*arkuwar*). Nonetheless, Texts 3 and 4 have several commonalities. Neither contains the elaborate verbal protocol involved in an audience with the gods, nor the appeals to *pathos* found in the namburbis and biblical texts (although Text 3's damaged ending contains addresses to the gods in which some of these elements might occur). Moreover, the oral rites in both texts are intimately tied to the manual rites and often serve to explain them—far more so than in the namburbi hymns and nothing like the biblical texts. In Text 4, although the speech is entirely ordinary, the argument is oriented toward the gods' acceptance of the sacrifice and the desired purification of the beneficiary; before and after this direct discourse appear an abundance of manual rites.

With virtually no manual rites, the success of the biblical apotropaic intercession is even more dependent on rhetoric than in the ritual texts. Protocol, when described at all, is fulfilled by prostration and a brief invocation (most commonly, "my Lord YHWH"; we see a brief epithet of praise in Num 16:22).[4] Where present, such steps—like the namburbi hymns—present the intercessor in the formal role of supplicant in a divine audience. Unlike Texts 1-4, several of the biblical passages lay stress on reducing divine anger—perhaps because here the deity appealed to is clearly the one who pronounced doom. In the namburbis (and possibly Texts 3 and 4) the intercessor appeals to different gods from those who prescribed the punishment.

Like Texts 1-2 and 4, the biblical texts rely on *logos*, *pathos*, *choice*, *presence*, and occasionally *ethos* and *communion* for their rhetorical effects. Some biblical appeals to *pathos* are similar to rhetoric in Texts 1-2. One significant commonality occurs in appeals to emotional bonds between deity and humanity, which appear in both biblical texts and the namburbi hymns. In Text 2, Ea and Marduk are portrayed (and thus reminded) that they "love humanity." In the HB, references to "your people" and the patriarchs (Exod 32:11-13, Num 14:13-19, Deut 9:26-29, 1 Chr 21:17) similarly remind the deity of his bonds to his people. In addition, we see implicit appeals to divine compassion in both Amos 7:2, 5 and the namburbi laments (e.g., "because of this dog which has urinated on me, I am afraid, gloomy, and depressed"). The namburbi laments, however, aim to motivate the gods with the supplicant's misery, whereas Amos 7:2, 5 describe Israel's fragility, not its unhappiness.[5] Superficially, both sets of laments appeal to compassion but their core rationale differs. The namburbis' rhetoric is here closer to

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[4] The only other epithet, "Judge of all the earth" in Gen 18:25, is not used in the address.
[5] Here the biblical genre no doubt plays a role. The psalms frequently describe the speaker in pitiable terms, using his or her feelings as justification for petitions.

that of biblical lament psalms—which also deal with the plight of individuals—than to an intercessor's desperate pleas on behalf of a nation.

In several other regards the tack taken by biblical rhetoric is unique. (1) First, most of the biblical texts contain implicit or explicit protest, absent in the ritual texts analyzed. Protest often takes the form of complaining questions (cf. Gen 18:23-28, Exod 32:11-12; Num 16:22; Ezek 9:8, 11:13; Amos 7:2, 5) but appears as well in Moses's request to die in Exod 32:32 if YHWH does not forgive. Most of the protests appeal to justice.[6] Grounds for protest include: (a) the decree unfairly targets innocents (Genesis 18; Num 16:22; 1 Chr 21); (b) the punishment is overly harsh—the target will be utterly destroyed (Exod 32:12; Num 14:15; Deut 9:26; Ezek 9:8, 11:13; Amos 7:2, 5); or (c) the punishment breaks a human-divine contract (explicitly mentioned in Exod 32:13; Num 14:16; Deut 9:28; and implicitly invoked elsewhere as in Ezek 9:8, 11:13). In contrast, none of the ritual texts studied here contains arguments about justice. Maul points out that the namburbis cast no doubt on the legitimacy of the earlier divine decision.[7] The namburbis appeal instead to divine compassion by presenting the supplicant's misery. Some Hittite personal prayers of the Empire period do protest against divine injustice, but not Text 3 or 4.[8] In fact, Text 4's main oral rite claims that the participant has paid double

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[6] In the namburbis, a standardized line in the opening hymnic section indicates the beneficiary's misery, for example the phrase *palḫāku-ma adrāku u šutādurāku* (I am afraid, gloomy, and depressed) in Text 1 lines 30-31. To Maul, this particular expression indicates a formal "legal complaint against the harbinger." His argument lacks evidence and is even less convincing in Text 2, where a similar line sits in tension with the beneficiary's confession of his or her own sin. See Niek Veldhuis's objections to Maul's construal of the harbinger as defendant in a trial ("On Interpreting Mesopotamian Namburbi Rituals [review of Stefan Maul, *Zukunftsbewältigung Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale*], *AfO* 42-43 [1995]: 145-54).

[7] Maul, *Zukunftsbewältigung*, 60.

[8] In examples of *arkuwar* in the personal prayers of Hittite kings appear protests against intergenerational punishment, collective punishment, and punishment despite confession. See Itamar Singer, "Questioning Divine Justice in Hittite Prayers," in *Offizielle Religion, lokale Kulte und individuelle Religiosität: Akten des religionsgeschichtlichen Symposiums "Kleinasien und angrenzende Gebiete vom Beginn des 2. bis zur*

the compensation required. This absence of protest may be partly explained by the presumed divine origin or modeling of the rituals. It would seem odd for the gods to dictate rituals that rail against their own injustice. Although the HB as a whole,especially the Torah, carries its own traditions of divine origin, the apotropaic intercessory speeches are decidedly not presented as divinely-dictated rites as I will discuss further below.

(2) As another example of the HB's unique rhetorical approach, where the other texts press for transformation of the current situation—a matter they deal with ritually—the biblical intercessors use rhetorical skills to urge the deity *not* to change the status quo by carrying out the planned punishment. Underlying this distinction is a difference in the dynamics of the punishment presented by these texts. In the biblical corpus for the most part the decree has not yet been actualized. With regard to the ANE ritual texts, however, impurity and concretized evil are understood as already present at least in "germ" form once a decree has been issued, and thus need to be removed and disposed of ritually.[9] This difference in orientation has rhetorical consequences. Rather than enhancing the *presence* of desired outcomes as in Texts 1-4, the biblical intercessors typically paint a negative picture of the outcome if the deity does *not* change course. These hypothetical outcomes include the entire destruction of Israel (Exod 32:12; Num 14:15-16; 16:22; Ezek 9:8; 11:13), Moses's death (Exod 32:32), the mockery of the neighbors (Exod

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Mitte des 1. Jahrtausends v. Chr." (ed. M. Hutter and S. Hutter-Braunsar; AOAT 318; Münster: Ugarit-Verlag, 2004), 413-19.

[9] Stefan Maul writes, "Like a spore, the evil (*lumnu*), which according to the omen would later harm the person, already inhabited the dog [the harbinger] and the dog then infected the person and his surroundings by means of the sinister energy that emanated from it" ("How the Babylonians Protected Themselves against Calamities Announced by Omens," in *Mesopotamian Magic: Textual, Historical, and Interpretative Perspectives* [ed. I. T. Abusch and K. van der Toorn; AMD 1; Groningen: Styx, 1999], 123-29 [124]). In Anatolia, theological understandings of relations between impurity, sin, and punishment may have varied. Alice Mouton claims that the deterioration of the birthing stool in Text 4 indicates the impurity of the ritual beneficiary which itself is a sign of divine anger (*Les rituels de naissance Kizzuwatniens: Un exemple de rite de passage en Anatolie hittite* [Études d'archéologie et d'histoire ancienne; Paris: de Boccard, 2008], 108-109).

32:12; Num 14:13-16; Deut 9:28), and the potential death of innocents (Gen 18:23b-32a; Num 16:22). Some biblical texts heighten the *presence* of these negative hypothetical situations with dramatic or hyperbolic details; for example, counting out the potential innocents to be slaughtered (Genesis 18), putting offensive language into the mouths of neighbors (Exod 32:12; Num 14:13-16; Deut 9:28), or asking if YHWH plans to punish all Israel for one man's sin (Num 16:22). In contrast, the ritual texts present evocative mental images of hoped-for new realities: for example, evil twining upwards like smoke or a tallow dog taking on the protective role of a real animal. Such images appear in persuasive analogies. Text 1 also includes a praise-vow and praise-wish for Šamaš and the River respectively for their help (KAR 4 lines 33, 50-51)—a tactic absent in biblical apotropaic intercession. Thus compared to Texts 1-4, the biblical rhetoric offers negative hypothetical situations, while the ritual texts offer models for positive transformation and promise future rewards. Persuasive analogies and praise-vows appear in other biblical texts, but none appears in apotropaic intercession—a point to which I will return in Section 5.2.4 below.[10]

In one important regard the biblical texts do resemble Texts 1-4: few of these texts mention repentance.[11] Out of the analyzed parts of Texts 1-15, only in 1 Chronicles 21 (cf. 2 Samuel 24) do we see mention of penitence by a wrongdoer. In that case, the

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[10] Scholars have identified persuasive analogies in other biblical texts, particularly in the form of curses. See, e.g., Delbert R. Hillers, "The Effective Simile in Biblical Literature," *JAOS* 103 (1983): 181-85; and David P. Wright, "Analogy in Biblical and Hittite Ritual," in *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testament* (ed. B. Janowski, K. Klaus, and G. Wilhelm; OBO 129; Freiburg: Universitätsverlag, 1998), 473-506. Controversy exists about the presumed power of such language when used in the Bible. As for praise-vows, these frequently appear in biblical psalms, especially individual laments. Cf. Claus Westermann, *Praise and Lament in the Psalms* (trans. K. R. Crim and R. N. Soulen; Atlanta: John Knox, 1981), 75-81.
[11] Cf. William S. Morrow's comment that "confessions of sin are unusual in some forms of biblical lament" (*Protest against God: The Eclipse of a Biblical Tradition* [HBM 4; Sheffield: Sheffield Phoenix, 2006], 11).

wrongdoer is also the intercessor, who begins his intercession with confession.[12] Apart from 1 Chronicles 21, only Text 2 lines 23b-24 contains a confession of sorts when the beneficiary refers to "an offense against my god or an offense against my goddess."[13] In general, however, confession in the namburbis is rare. In several other texts that I analyze the intercessor mentions the beneficiary's sin but never mentions the possibility of the offenders' direct confession or repentance (cf. the primary oral rite in Text 4; Gen 18:22, 25; Exod 32:30; Num 14:19, 16:22). In Text 4 lines 41-44, in fact, the sin causing the beneficiary's impurity is attributed to the beneficiary's parents, the influence of a deity, or a dream!

Why the de-emphasis on penitence is puzzling, since other texts from these cultures incorporate contrition.[14] From a rhetorical perspective, emphasis on the sin might have been considered counterproductive because it justified the punishment. In the HB, however, YHWH is frequently shown as seeking repentance and behavior change by offenders, and in Jonah 3:10 YHWH averts the predicted doom when the Ninevites repent and change their ways.[15] In the HB, it would seem therefore that references to contrition would help the intercessor make a good case. In the biblical texts in my corpus, however, the emphasis remains on the interaction between the intercessor and the deity. This choice heightens the drama of the intercession and the vital importance of the

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[12] Though 1 Chr 21:1 claims that Satan incited David, thus putting into question David's actual responsibility. Cf. 2 Sam 24:1, which attributes the inciting to YHWH. (Similarly, Text 4 raises the possibility that the ritual beneficiary's sin was due to the influence of a god, and yet requires ritual compensation.)

[13] It is also possible that the directive to the beneficiary later in Text 2 to "speak what is on his mind" was meant to allow for confession. If such is the case, this part of the namburbi would resemble the purification and atonement rites in Lev 5:5 and 16:21 which require confession but do not prescribe specific language.

[14] For descriptions of penitence found in Mesopotamian dingir.šà.dib.ba and eršahunga prayers, see Alan Lenzi, ed., *Reading Akkadian Prayers and Hymns: An Introduction* (SBLANEMS 3; Atlanta: SBL, 2011), 40-46. Confession also appears in some Hittite personal prayers. See Itamar Singer, *Hittite Prayers* (SBLWAW 11; Atlanta: SBL, 2002), 5.

[15] Several texts connect YHWH's honoring the covenant with his accepting his people's confession, e.g., Lev 26:39-42 and Solomon's prayer in 1 Kings 8 (vv.46-53).

arguments. In Texts 5-14 the biblical stories display no interest in the beneficiaries' agency in repentance but do place striking emphasis on the intercessor's agency in pleading with or challenging YHWH.

In sum, the texts reveal varied but overlapping approaches to rhetoric in the speech acts having ordinary illocutionary force, ranging from the extravagant praise of the namburbi hymns to the near-complete reliance on persuasive analogies in Text 3. Although most texts manifest a juridical metaphor, only the biblical texts protest injustice. The ritual texts use imagery to sway the gods toward altering the present (bad) situation while biblical intercessors attempt to ward off future disaster by painting painful scenarios if YHWH carries out his plan. Finally, although several texts mention sin, we rarely see references to confession or penitence by the wrongdoer. This last circumstance seems particularly surprising in the biblical texts. Franz Hesse claims that this inattention to confession is due to the early stage of Israel's theological development when these texts were composed.[16] I will argue instead that the biblical writers were focusing on another theological message altogether (see Section 5.2.4 below).

5.2.3. Two More Views of Efficacy

In Sections 2.4, 3.5, and 4.3, I presented evidence inside and outside of the corpus for the relative degree of efficacy imputed to apotropaic intercession or ritual in general in these cultures. Here I add two more aspects of efficacy to the discussion. First, I present three ways through which ritual can be understood to reach its instrumental goal. Second, I discuss strategies used by the direct discourse in these texts to exert effects on human rather than divine audiences. This second topic is particularly relevant with regard

[16] Franz Hesse, *Die Fürbitte im Alten Testament* (Erlangen, 1951), 19.

to the biblical narratives, whose primary purpose is precisely to affect their human readers and listeners, rather than to engage in actual apotropaic intercession.

5.2.3.1. Ritual Efficacy

We can distinguish three general methods by which the rituals described in Texts 1-4 achieve their ends: general ritual efficacy, magical ritual efficacy, and rhetorical efficacy.

5.2.3.1.1. General ritual efficacy

General ritual efficacy underlies all the rituals. This kind of efficacy is part of ritual's nature: the means by which rituals meet their goal is by following a set of prescribed rules according to which the goal will (generally speaking) be reached.[17] None of the rites need have an intrinsic purpose or meaning, nor do they necessarily require magical speech or acts by ritual participants. All that is required is the acknowledgment by society, a subset of society, or the gods that correct performance will ordinarily lead to ritual success.[18] Within the ANE, the justification for the efficacy of specific religious rituals is divine prescription or origination, and rituals may be understood to require divine agency or consent to accomplish those aims that are beyond the powers of human

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[17] Jørgen Podemann Sørensen, "Ritualistics: A New Discipline in the History of Religions," in *The Problem of Ritual: Based on Papers Read at the Symposium on Religious Rites Held at Åbo, Finland, on the 13th-16th of August 1991* (ed. T. Ahlbäck; Stockholm: Almqvist & Wiksell, 1993), 9-25 (19-20).
[18] As Roy A. Rappaport writes, "Ritual's words [like performative utterances]...bring conventional states of affairs, or 'institutional facts' into being" (*Ritual and Religion in the Making of Humanity* [Cambridge Studies in Social and Cultural Anthropology 110; Cambridge: Cambridge University Press, 1999], 117). Jørgen Podemann Sørensen suggests that a feature of such speech acts is that "public acknowledgment is both the means and the end of the act" ("Efficacy," in *Theorizing Rituals: Issues, Topics, Approaches, Concepts* [ed. J. Kreinath, J. Snoek and M. Stausberg; 2 vols., Leiden: Brill, 2006], 1:523-31 [526]). Podemann Sørensen here refers to a human public, but in Section 2.2.1.2.6 I propose that the gods form the crucial audience whose acceptance is required for certain rites.

social convention. In the context of a belief in divine freedom, the rituals need not be seen as inevitably efficacious, even if flawlessly performed, because the gods may choose not to respond positively. Nonetheless, to the degree that Texts 1-4 are viewed as efficacious, the primary reason is that they conform to the divine rules.

5.2.3.1.2. Magical ritual efficacy

This subset of general ritual efficacy requires a connection between the divine domain and act, agent, and/or object (see Section 1.6.2). Such a connection enables humans to perform acts understood to have a magical effect on the object of ritual action or on some other object needed to meet a subsidiary ritual goal. Texts 1-3 portray rituals which require magical ritual efficacy for their causative speech as well as for a variety of manual rites.

At times a fine line separates magical from general ritual efficacy, a line that depends on the degree to which transformations are viewed as possible within the scope of ordinary human action, including speech. For example, I claim in this study that human speech acts directly purifying the beneficiary have causative illocutionary force (see Section 2.2.1.2.5). The reason is that in the ANE, impurity was seen as having a physical manifestation (see Section 1.4) with dire implications, much like a modern diagnosis of leukemia. Purification required divine or magical action, rather than transformation through purely social means—for example, the way the queen of England confers knighthood through ordinary social processes. Divine action is used in Text 4; hybrid speech acts including causative illocutionary force work by magical ritual efficacy in Texts 1-3. Both modern readers and ancient practitioners can see these rituals as

efficacious, but the underlying rationale for ancient views is the efficacy of human magical speech and action and/or divine acts, while modern readers will see the efficacy of these (socially-constructed) rituals as resolving a socially-constructed problem.

5.2.3.1.3. Rhetorical efficacy

As I argue in Section 1.7.2.3, ritual speech—even if prescribed—can be understood as attempting to persuade the supernatural entities it addresses. In fact, we can imagine that the rhetorical effectiveness of such speech acts in human interactions led to their prescription in the first place. As an analogy, parents teach their children to use the word “please” not only to socialize them but also because saying “please” makes the parent more willing to grant the wish—and not merely because the child is following the rules, but because courteous speech is more persuasive. Despite the use of this “magic word,” however, parents retain the freedom to say no.

Podemann Sørensen argues adamantly that persuasion of the gods is irrelevant to the discipline he calls “ritualistics.”[19] Although my definition of ritual is similar to his, my views on this particular point differ.[20] Whereas Podemann Sørensen argues that ritual should not be understood as addressing deities at all,[21] I consider rhetoric toward the gods

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[19] Podemann Sørensen writes, “Since ritual ‘purports to alter the world by metaphysical means’[quoting Edmund Leach], it is not in need of a receiver [of communication].... A ritual will often represent communication with some receiver; but the ritual has no additional receiver” (“Ritualistics,” 18-19).

[20] Like Podemann Sørensen I argue that ritual (here limited to rituals involving gods) is best defined by its intent to achieve a particular effect on its object. Podemann Sørensen defines ritual as “representative acts designed to change or maintain their object” (“Ritualistics,” 19-20). In Section 1.3, I define ritual as “a prescribed sequence of human words and/or other actions carried out with the intent of creating a transformation in status.”

[21] Podemann Sørensen argues that to regard hymns, for example, as attempts “to please the gods or render them favorable to the needs of pious men” is “a very misleading idea dependent on the modern and protestant idea of man communicating with God through sacrifice and prayer as a means to obtain his favor” (“Ritual Texts: Language and Action in Ritual,” in *Understanding Religious Ritual: Theoretical Approaches and Innovations* [ed. J. Hoffman; Routledge Advances in Sociology; London: Routledge, 2011], 73-92 [80]). Rather, he writes, hymns should be considered actions.

as one means that rituals use to reach their instrumental goals. Podemann Sørensen argues that ritual analysts do best to focus on speech as action taken to achieve the ritual's instrumental goal, rather than on speech as attempts to persuade the gods—even though ritual participants may well conceive of themselves as addressing the deities. In contrast, I argue that more nuanced understandings of the mechanics of ritual can be achieved by distinguishing causative illocutionary force from rhetoric. In Chapters 2-3 I demonstrated that both can co-exist in the same ritual texts and even in the same speech acts.

Podemann Sørensen's claim that ritual speech should not be understood as communication with the gods also requires a radical separation between religious ritual and other sorts of ritualized behavior—a separation that ignores significant points of contact. Oral rites in Texts 1-2 follow a model known from human-human interactions: supplication. As F. S. Naiden demonstrates, supplication of human authorities throughout the ancient Mediterranean and Near East regularly follows a four-step pattern: (1) approach; (2) a gesture such as prostration or grasping the knees, often linked to verbal description of such an attempt (e.g., "I grasp your knees"); (3) a persuasive appeal;[22] and (4) the authority's response. The response can be either yes or no: a matter of the speech acts' perlocutionary effects, even though the speech acts are ritualized.[23] The authority

[22] F. S. Naiden, *Ancient Supplication* (Oxford: Oxford University Press, 2006), 4, 29-169. See especially 72 for the analogy between those supplicating a human authority and those supplicating a god. Note that these steps appear in the opening hymns of namburbis and in many of the biblical texts studied here. Werner Mayer documents a number of namburbis and related *šuilla*-prayers containing the phrases "I grasp your hem," "I fall at your feet," and so forth (*Untersuchungen zur Formensprache der babylonischen Gebetsbeschwörungen* [Studia Pohl 5; Rome: Pontificial Biblical Institute, 1976], 119-49).

[23] John R. Searle and Daniel Vanderveken, *Foundations of Illocutionary Logic* (Cambridge: Cambridge University Press, 1985), 12. As Searle and Vanderveken note, perlocutionary effects are not a matter of convention. They write, "There could not be any convention to the effect that such and such an utterance counts as convincing you, or persuading you, or annoying you, or exasperating you, or amusing

retains free will to reject the plea, as we see when Solomon not only refuses to heed Bathsheba's intercession on Adonijah's behalf but has his brother killed (1 Kgs 2:13-25). Outcomes may depend on the success of the rhetoric or may derive from some other force altogether—perhaps the authority never intended to accede to the request for reasons outside of the petitioners' control. For example, the gods might be understood to refuse supplications in cases of egregious sin. Just as parents sometimes fail to honor the request of a child despite the magic word "please," texts such as The Righteous Sufferer and Muršili's plague prayers (CTH 378.I and CTH 378.II) indicate that Mesopotamian and Hittite gods were understood as setting aside conventions and rejecting rituals on occasion (see Sections 2.4 and 3.5). When the authority's free will is assumed, room opens up for perlocutionary effects in addition to the illocutionary force of the ritual (or ritualized) speech, making rhetorical efficacy possible.[24]

5.2.3.2. Rhetorical Impact of the Texts on Human Audiences

From a discussion of ritual efficacy we now move to a discussion of the rhetorical impact of the texts—both ritual and narrative—on their human audiences, particularly with regard to their presentation of theology: views of deities or divine-human relations. As noted in Section 1.5.1, all texts in my corpus were written for human use; ritual texts are not in fact written for the gods but for humans to use in performing or developing rituals. Ritual and other religious texts also promote particular ideological positions, theological or otherwise: attempts to further the political aims of rulers, for example, or

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you...because there is no way that a conventional performance can guarantee that you are persuaded." Thus persuasion, by its nature, depends on the listener's free will.

[24] Ibid.

raise the social prestige and power of the ritual specialists.[25] One significant theological message in Texts 1-4 is the very possibility of apotropaic intercession. That is, these texts depict the gods as willing to work to humanity's advantage in the presence of disastrous omens.

Whereas the main purpose of most if not all of the ritual texts is ritual performance, which makes the gods a crucial audience for the texts' direct discourse, the case is different for the direct discourse in the biblical texts. The latter appears in stories whose principal audience is human. The primary purpose of the direct discourse in Texts 5-15 is not to actively engage in apotropaic intercession, but to present divine-human relations in a particular light. The direct discourse was constructed not primarily for its rhetorical effects on the deity, but mainly for its rhetorical effects on its human readers and listeners.

Below I highlight two aspects of implicit theology discernible from the direct discourse in Texts 1-15: (1) the portraits they present of the deities and (2) the notable absence of causative or even ritualized direct discourse in the biblical corpus. The divine portrayals show both similarities and differences between the biblical narratives and the other texts. The second aspect—the lack of causative or highly ritualized discourse in the biblical texts—points to a fundamental difference. As I will argue below, the message of apotropaic intercession in the biblical texts to human audiences is in some ways antithetical to that of Texts 1-4; it is to discourage, not encourage, the performance of apotropaic intercessory rituals. Nonetheless the overriding theological message of the

[25] See, e.g., Beatte Pongratz-Leisten, "'Lying King' and 'False Prophet': The Intercultural Transfer of a Rhetorical Device within Ancient Near Eastern Ideologies," in *Ideologies as Intercultural Phenomena: Proceedings of the 3rd Annual Symposium of the Assyrian and Babylonian Intellectual Heritage Project* (ed. A. Panaino and G. Pettinato; Melammu Symposia 3; Milan: University of Bologna, 2002), 215-43.

biblical texts is the same as the others: to portray YHWH as open—at least sometimes—to reversing his declarations of doom based on human intervention.

5.2.3.2.1. Views of the deities

Based on the notion that persuasive speech is tailored to its presumed audience, we can learn something about cultural perceptions of the gods by examining the rhetoric addressed to them. Rhetorical strategies in the namburbi hymns suggest a view of these gods as king-like figures granting an audience to the beneficiary with the intercessor's help.[26] The deities are offered the gifts of food, drink, incense, praise, and other elements of protocol adapted from the human court to the needs of the ritual and the gods (including the setting and props such as portable altars). In these acts we see the assumption that the gods, like kings, are motivated by glorification and offerings.[27] The praise concentrates on those aspects of the divine personality that the intercessor and supplicant wish to enhance: compassion and love toward humanity and a sense of responsibility for the supplicant's well-being. Apparently, the deities are assumed to want to stay true to the glorious reputations broadcast in these hymns.[28] The praise-vow in Text 1 indicates Šamaš's assumed desire for human adherents. Additionally, the ritual structure presupposes a divine interest in the orderly conduct of business. We see orderly, quasi-legal processes in the juridical language in the hymns as well as in the causative speech acts formally establishing a substitute in Text 1's second oral rite. The implied

[26] Cf. Alan Lenzi, "Invoking the God: Interpreting Invocations in Mesopotamian Prayers and Biblical Laments of the Individual," *JBL* 129 (2010): 303-15.
[27] Lenzi sums up evidence that protocol toward the gods was modeled on protocol toward humans of higher status. Ibid., 308-309.
[28] The notion of praise as positive reinforcement for specific behavior is discussed in Section 1.7.2.1. Here again the deities are apparently expected to respond to rhetoric much as humans would.

success in the progression of ritual steps suggests the view that the deities are, for the most part, accommodating to the supplicant's needs.

The rhetoric of the causative and hybrid speech acts presents a somewhat different image of the gods. Rather than appealing to the gods' personal reasons for desiring the ritual's success, here vivid analogies are designed to entice the gods into transforming reality in the ways depicted. The gods are assumed to recognize and validate the conventional associations on which the persuasive analogies are based. There is a circular process here: the gods are understood to have given humans rituals containing verbal techniques and references that the gods themselves would find particularly compelling. This circularity supports the view that the gods desire the rituals' success.

Details about views of the deity are harder to garner from the analyzed oral rites in Texts 3 and 4 due to the rites' incompleteness and brevity, respectively. Neither contains the elaborate protocol used to establish an audience in the namburbi texts; Text 3 lacks invocations in the analyzed portion. Such lack of evidence need not indicate major discrepancies between human views of Anatolian and Mesopotamian gods, however. Divine interest in food and drink can be presumed in the broken rites at the end of Text 3 in which other gods are apparently invoked, and divine willingness to help fend off evil is evident from the text's outset. Both texts suggest divine responsiveness to an orderly sequence of events, with embedded operations leading to smaller and larger goals. In Text 4, the rhetoric presents the gods as firmly in control, following standard institutional procedures, and motivated in part by human offerings and attention to ritual details. The gods are nonetheless shown as potentially willful, in that the intercessor tries to persuade them to accept the compensation because it is twice what was due. Unlike the namburbis

and the biblical material, neither text's analyzed portions suggest that the gods respond to appeals to divine honor or compassion. Text 3 suggests that the gods were understood to be particularly influenced by the *logos* of analogy.

A clearer portrait of the deity is painted by the direct discourse in the multiple biblical examples in my corpus. From the intercessory rhetoric in the longer speeches we can discern what the biblical writers imagined to be the deity's worst fears—shame before his neighbors (Exod 32:9-14; Numbers 14), squandered effort (Exod 32:11b-13; Num 14:13b-19; Deut 9:26-29), and the loss of relationship with his people or significant individuals (e.g., Num 14:11b-13). These texts also present YHWH as desiring both intimacy with his people (e.g., Exod 32:11b-13; Deut 9:26-29) and a reputation for consistent justice and faithfulness in keeping his commitments (Gen 18:23a-32a; Exod 32:11b-13).[29] In many of these ways the depiction of YHWH in the rhetoric of Texts 5-15 resembles the ways the deities are portrayed in the namburbi hymns. Intercessors in both text groups appeal to the gods' desire for prestige and adherents, their compassion, and their intimacy with humans. Among the points of pride to which the rhetoric appeals is the deities' consistent care and concern for their people.

Yet we also see at least two large-scale differences in the methods the namburbis and biblical texts use to counter disaster, and these entail very different understandings of divine-human relations.

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[29] Cf. Walter Brueggemann's claim that the HB makes it clear that the deity "wants to be regarded as wholly reliable, utterly trustworthy" (*Theology of the Old Testament: Testimony, Dispute, Advocacy* [Minneapolis: Fortress, 1997], 324).

First, unlike the portraits of the other gods, YHWH is depicted as open to human protest and critique of his plans.[30] Texts 5-15 show intercessors speaking up to protest YHWH's will, yet simultaneously depict YHWH as secretly or not-so-secretly inviting or leaving space for such intercession (cf. YHWH's waiting for Abraham's response in Gen 18:17-22; the "backhanded" invitations for intercession in the phrases "Leave me be" and "Leave me alone," in Exod 32:10 and Deut 9:14, and YHWH's staying the angel's hand in 1 Chr 21:15). Although YHWH does not always accede to human desires, he does so often enough—and thoroughly enough—to show that he attends to such protest. Texts outside of my corpus such as Jer 7:16; 11:14; 14:11-12 show YHWH as occasionally forbidding intercession, suggesting to Patrick D. Miller that YHWH grants it enough influence that at times he avoids it.[31]

A second way in which the HB puts its own stamp on divine portrayals is in the type of rhetoric to which YHWH responds. Unlike the other deities in these texts, YHWH is shown as responsive to debate—that is, open to opposing arguments—and in particular to claims based in justice, morality, and law; so, for example, Gen 18:23b-32a and Num 16:22. While Texts 1-2 and 4 point to legalistic arrangements between deity and humanity, only in the biblical texts in my corpus is the deity held to account for failing to keep his end of a legal agreement (viz., the covenant). Moreover, several biblical texts (Genesis 18 and Num 16:22 most clearly) take YHWH to task for intending to break a standard of justice he elsewhere maintains for his people—namely, the sparing of

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[30] As noted earlier, protest against the gods' injustice appears in some Hittite personal prayers of the Empire period. The literature of which I am aware does not show the gods as particularly inviting or heeding such protests, however.

[31] Patrick D. Miller, *They Cried to the Lord: The Form and Theology of Biblical Prayer* (Minneapolis: Fortress, 1994), 276; idem, "'Slow to Anger': The God of the Prophets" in *The Forgotten God: Perspectives in Biblical Theology* (ed. A. A. Das and F. J. Matera; Louisville: Westminster John Knox, 2002), 39-56.

innocent blood, which is presented as a foundational human ethical principle in Gen 9:6. Notably, the argument against shedding innocent blood appears in intercession with human authorities as well (cf. references in Jonathan's speech to Saul on behalf of David in 1 Sam 19:5, and Abigail's intercession with David on behalf of Nabal in 1 Sam 25:31, and the wise woman's intercession with Joab on behalf of the city Abel in 2 Sam 20:16-19). Ironically, in threatening doom it is YHWH who would slay the innocents in order to mete out justice to evildoers. The implicit claim in some apotropaic intercession is that YHWH is not meeting a standard he set for humans. In Genesis 18 and Num 16:22, YHWH is shown as open to hearing and altering his decisions based on this critique.

These two differences in the biblical material are complemented by a third: the absence of causative or hybrid speech in the biblical texts and the presentation of the intercession as prose prayer, a topic to which I now turn.

5.2.3.2.2. The approach to causative and ritual speech in the Hebrew Bible

One prominent feature in the biblical texts is the *absence* of speech with causative illocutionary force. As I will argue presently, the lack of causative illocutionary force in Texts 5-15 is best understood as an attempt to avoid portraying apotropaic intercession in the HB as magical ritual—or as any kind of regular ritual process that could be repeated by humans at will.

We might wonder whether the reason for the absence of human causative speech in the biblical texts analyzed in the present study is simply that the goals of the biblical intercession do not include the kinds of problems that prompt such speech in the other texts. Texts 1-3 use causative speech to clean up impurity and ward off or dispose of

concretized evil. Those types of activities do not occur in the biblical corpus I analyze.[32] But as the excursus in Chapter 4 indicated, both purification and concretized evil do appear in Num 17:11-13, a text lacking prescribed discourse altogether. In that passage the plague is presented as a concretization of divine wrath (הקצף), and Aaron's response to this evil is a silent manual rite closely resembling Mesopotamian purification. Moreover, Leviticus contains an abundance of ritual texts intended for purification; these also lack oral rites, other than the requirement for confession in Lev 5:5, 16:21 (but without prescribed language). Aaron's silence while fumigating the people in Num 17:11-13—an act that in other cultures is used for purification—fits with this convention. Thus, the reason for the HB's lack of causative speech acts in apotropaic intercession should not be attributed to the absence of these ritual goals, as rituals with these goals are found elsewhere but never incorporate causative speech.

Indeed, it is clear that the HB shuns Israelite use of causative illocutionary force in general, not only in apotropaic intercession. YHWH empowers Moses and Aaron to use other forms of magic, but never causative speech, with the exception of Num 20:1-13—Moses's problematic behavior at Meribah when he is instructed to combine ritual speech and action.[33] Apart from authorizing blessings by priests (Num 6:22-27) and Levites (Deut 10:8), nowhere else in the HB does YHWH explicitly empower humans to use magical speech.[34] Moses's intercessions, presented as paradigms for later prophetic

[32] The verb כפר appears in Moses's speech to the people in Exod 32:30 prior to his renewed attempt at apotropaic intercession. In P, this term is used for purification. However in Exod 32:30 it appears to have the meaning of "appeasement." See Section 4.2.3.2.

[33] Cf. Jacob Milgrom, "Magic, Monotheism and the Sin of Moses," in *The Quest for the Kingdom of God* (ed. H. B. Huffmon, F. A. Spina, and A. R. W. Green; Winona Lake: Eisenbrauns, 1983), 251-65. Based on a text emendation Milgrom argues that it was Moses's speech rather than his rock-striking that YHWH found objectionable.

[34] Yehezkel Kaufmann claims that biblical blessings are not magical speech, writing that "the priest carries out the divine command, but the deity does the actual blessing. God does not reveal to the Israelite priest a

intercession, rely on *logos*, *pathos*, and *ethos*.[35] Clearly, causative speech is not a divine tool YHWH readily shares with his people. With a few exceptions—mainly in the Elijah and Elisha stories—the HB limits the approved use of causative speech to YHWH (e.g., "Let there be light!").

One of the few times that humans use causative speech with YHWH's consent occurs in Josh 10:12. There Joshua tells the sun and moon to stand still, and they do, keeping the enemy engaged in battle until YHWH ensures victory. Verse 14b reads, "At no time before or after that day has YHWH obeyed a man's speech." The words I translate as "obey" are לשמוע בקול, which carry the nuance of obedience to a command.[36] The wording of v. 14b indicates that the overall dearth of causative human speech elsewhere in the HB is in fact no coincidence but pro forma.

Why was causative speech avoided by the writers and editors of the HB? There is no indication that the writers or editors of the HB rejected its effectiveness in general.[37] When Joshua utters the causative speech act in Josh 10:12-14, it works. It is also unlikely that the HB writers misunderstood ANE causative speech and believed that it would

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magically charged combination of words that act on their own, or that compel the deity to bless. The priest having fulfilled God's command, God on his part will bless the people" (*The Religion of Israel: From its Beginnings to the Babylonian Exile* [abridged and trans. M. Greenberg; Chicago: University of Chicago Press, 1960], 85). Yet as I indicate in Section 5.3.1 below, Kaufmann's arguments are based on a misconstrual of magic as understood in the ANE. His description of the workings of biblical blessing actually fits well with the ways that causative speech was understood to operate in both the HB and ANE ritual texts. Blessings containing the jussive constitute a use of hybrid speech. Like the Akkadian precative and Hittite third-person imperative, the uses of the Hebrew jussive include command, request, and wish. Bruce K. Waltke and M. O'Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake: Eisenbrauns, 1990), 565. Cf. Bill T. Arnold and John J. Choi, *A Guide to Biblical Hebrew Syntax* (Cambridge: Cambridge University Press, 61-63. Moreover, YHWH uses the jussive when using causative speech in Genesis 1.

[35] Formally, Moses's five-word intercession for his sister in Num 12:12 bears the stylistic hallmarks of highly ritualized or causative speech—concision, repetition, and end-rhyme (cf. Section 1.7)—but in context it is presented as prose prayer.

[36] *HALOT* שמע 2:1572; *DCH* קול 7:221-222.

[37] In Exod 7:12, the pharaoh's magicians are shown as capable of effective incantations and one presumes that opinion would hold in other contexts. The main point in that story is that YHWH's power is greater than the magicians'.

somehow limit YHWH's power. Throughout the HB, YHWH's power overrides any other kind of limitation. As with Hittite persuasive analogies, Joshua's speech act can be understood as strongly influencing but not compelling the deity to bring the desired act to fruition. When Joshua utters his causative words in Josh 10:12 he speaks "to YHWH." It is YHWH who empowers causative speech to control aspects of YHWH's world. YHWH would not be controlled, then, even by causative speech.

It would seem, rather, that the biblical reluctance to depict Israelite use of causative speech is linked to the use of such speech *in ritual*. An important point in biblical ritual generally is that YHWH is presented as mandating such behavior: for example, Deut 21:1-9 is not presented as a gift or an option for removing impurity, but as *law*. Similarly, in Exodus, Leviticus, and Numbers, YHWH gives his priests a host of ritual requirements including the means by which they will regulate the purity of the sanctuary and the people. YHWH then must honor these rituals or risk being seen as inconsistent to his word. Despite YHWH's divine freedom—evident in his numerous refusals to do as his people ask—the biblical writers place great stock in the deity's willingness to abide by his own laws. As one example, YHWH's covenant with the patriarchs is repeatedly cited by intercessors as a reason for him to grant their petitions. The issue, then, is not so much divine freedom—YHWH is manifestly able to do as he wills—but divine consistency.

Notably, it is not just causative speech that is avoided in the HB, but prescribed ritual speech in general.[38] Scholars have wondered about the relative dearth of liturgy in the ritual texts. Yehezkel Kaufmann claims that P was reluctant to mix priestly ritual with prayer to avoid making "explicit" the "magical motivation" that underlay the workings of

[38] Exceptions include Num 5:19-22; Deut 21:7-8, 26:5-10.

the priestly rites, in an unconscious attempt to distinguish Israelite temple ritual from "pagan cult."[39] Although Kaufmann misconstrues the workings of ANE magic (see Section 5.3.1 below), his basic insight appears to be correct. So long as these rituals lack speech, humans are more readily perceived as merely carrying out divine orders. But it appears that to the biblical writers, the incorporation of human speech would emphasize human agency too much, potentially leading to assumptions of human control over either the result or over the deity rather than human obedience to YHWH.[40] In fact, it is not only in P texts that ritual direct discourse is avoided. The altar-building ritual descriptions in Genesis (Gen 8:20; 12:7, 8; 13:18; etc.) also lack direct discourse, stating only that the altar-builder "called on YHWH."[41] The same holds true for the altar-building rite in 1 Chr 21:26. So rather than being limited to P, this "ritual silence" is broadly applicable to biblical presentations of ritual. Even indirect discourse is tightly controlled, limited only to calling for YHWH's attention. Such limitations point to an implicit concern that even (explicitly) ordinary speech will be viewed as having "automatic" ritual efficacy when presented in a sacred text. That this is a realistic concern is shown by Werner Mayer who notes that even the Lord's prayer can be used in a magical way.[42]

The issue of agency is particularly charged in contexts eliciting apotropaic intercession. In Joshua 10, YHWH's will and Joshua's are in agreement: both seek the

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[39] Kaufmann, *Religion of Israel*, 303-304. Israel Knohl attributes the silence to P's refusal to anthropomorphize the deity or consider that humans can speak to him ("Between Voice and Silence: The Relationship between Prayer and Temple Cult," *JBL* 115 [1996]: 17-30).
[40] Such an explanation accounts for YHWH's severe punishment of Moses for speaking out of turn at Meribah when drawing water from the rock (Num 20:1-13). As Milgrom argues, the real issue was Moses's inappropriate speech rather than his act of "whacking" the rock ("Magic, Monotheism"). YHWH's rage results from Moses's apparent claim of agency in this magical act.
[41] See Gerald A. Klingbeil for a list and discussion of these texts (*Bridging the Gap: Ritual and Ritual Texts in the Bible* [Winona Lake: Eisenbrauns, 2007], 57-61). Klingbeil attributes the lack of explicit ritual speech to abbreviation, a position my interpretation of the data challenges.
[42] Mayer, *Untersuchungen*, 9. Many more examples could be cited.

enemy's defeat. Nonetheless Joshua's causative speech poses a theological challenge. In apotropaic intercession, the intercessor opposes the divine plan. The use of magical language for this purpose would present an even greater theological threat than does the magical utterance in Josh 10:12-14. Even ordinary ritual speech, if understood as divinely-prescribed, would put YHWH in the position of undercutting his own judgments—not by changing his mind according to his own will, but by giving his people ritual scripts to use to oppose him. If YHWH wanted to be seen as consistent, as the overall thrust of the texts suggests that he does, he would be bound to honor such ritual speech (in the main). Such a consideration would mean that YHWH could not, in general, punish if humans chose to use divinely-prescribed rituals to fend off his wrath. Such a potential reversal of power would wreak havoc with aspects of the portrayal of YHWH built up over many texts, including his balancing judgment and mercy and his rescinding punishment in the face of repentance. Providing humans with ritual responses to his own threats of punishment (ones whose efficacy he virtually guaranteed) would present YHWH's behavior and nature as less consistent if he subsequently refused to heed the intercession.

The only way to ensure this particular theology is to avoid the use of ritual texts for apotropaic intercession altogether. The narrative in 1 Chronicles 21 does in fact portray a ritual, but without *prescribed* speech, which is entirely in keeping with the HB's practices elsewhere. Unlike the ritual texts of their neighbors' to be used in the context of divine threats of doom, biblical depictions of Israelite apotropaic intercession shy away from ritual description and in the rare event that they describe it, they avoid giving a script. We might even suspect that the very use of the narrative genre for portraying

apotropaic intercession is a rhetorical choice of the biblical writers—irrespective of the question of whether or not ritual apotropaic intercession actually occurred in ancient Israel.

Yet humans need a way out from under divine threats of destruction, and the HB shows YHWH providing it in a characteristically non-ritualized way. He does not give the intercessors access to anything that even resembles the use of divine speech; he does not let them channel him into fending off his own threat, as one sees in some of the comparative ritual texts. Instead, he provides informal openings for intercession that sometimes even look like prohibitions—as when he tells Moses to leave him alone in Exod 32:10 and Deut 9:14. In these acts YHWH is shown as consistent with the image portrayed in many other biblical texts: heeding the human voice while retaining divine freedom and balancing judgment (punishment) with the mercy the intercessors seek.

In one important regard, however, the depictions of divine behavior in Texts 5-15 are inconsistent with certain others in which threats of doom are presented as warnings to elicit repentance and renewed fidelity (e.g., 2 Kgs 17:13; Jer 18:5-8; Jonah 3). The texts studied here focus virtually solely on the interchange between deity and intercessor. The reason for the difference, I argue in the next section, is that Texts 5-15 are not merely meant to solve the problem of predicted doom but to present a particular model of human agency and behavior.

5.2.4. Agency

As I have shown, apotropaic intercession requires the efforts of intercessors who must act on the beneficiary's behalf. In this section I delineate three broad types of

agency used by intercessors in Texts 1-15: (1) ritual agency; (2) magical agency; and (3) persuasive agency. These conform to the three types of ritual efficacy described in Section 5.2.3.1 above, but the last appears in the narratives as well as the ritual texts. Below I map these types onto the texts studied here and then describe what the type of agency depicted can tell us about underlying understandings of human-divine relations.

(1) In Texts 1-4, we see *human ritual agency*: the human ability to carry out specific prescribed manual and oral rites that the gods are understood to have established for specific transformative purposes. The speech acts can be causative, hybrid, or—as in the Ritual of Papanikri—wholly ordinary. Whether by virtue of their training or a special relationship with a deity (e.g., through heritage or election), authorized humans carry out rites which are considered efficacious because the gods have deemed them to be so. None of the direct discourse in the biblical texts manifests this kind of agency in speech, although human ritual agency does appear in 1 Chr 21:18-27, after David's intercessory speech, when David fulfills the directives YHWH's angel communicates to Gad and YHWH rescinds the decree.[43]

(2) In Texts 1-3 we see *human magical agency* when intercessors utter speech with causative illocutionary force. In ritual texts, such agency always co-occurs with ritual agency. As discussed in Sections 1.6.2, 2.3, and 3.4, in these texts causative speech is connected to the divine realm primarily by virtue of the speech itself, which is understood as prescribed by the gods or modeled on their own causative speech acts. Nonetheless, for the causative speech to work, it requires an individual authorized to utter it. Thus as Jesper Sørensen notes, every magical practitioner is attributed with a degree of

[43] In the story, these ritual instructions are issued on an ad hoc basis, linked to a specific site. This feature as well as the absence of direct discourse makes them less likely to be seen as reusable in other contexts.

magical agency in his or her own right (see Section 1.6.2). This agency itself requires a connection to the divine realm which according to ANE understandings meant empowerment or authorization by the gods. Human magical agency should not be understood as the ability to contravene the will of the gods, magically which these texts do not depict. Rather, humans have such agency at the will of the gods, and in these texts use it for specific purposes: to ward off, remove, and/or dispose of impurity or concretized evil, or to conduct embedded rituals necessary for these goals.

(3) In all of the texts we see intercessors use *human persuasive agency*, which I define in this context as using speech to persuade the gods. Speakers manifest this kind of agency in the hymns in Texts 1-2, in the oral rite analyzed in Text 4, and in the hybrid speech acts in Texts 1-3. In the last instances they manifest such agency in the ordinary illocutionary force of the speech acts: the *logos* of analogy and the petitions. Even speech acts mainly clarifying ritual roles, acts, and purposes (e.g., in Text 4's main oral rite) can be understood as persuading the gods that divine instructions are being carried out.

Persuasive agency is the only kind of human agency found in the direct discourse in the biblical texts in my corpus. As described in Section 5.2.3.2.2 above, the depictions of apotropaic intercession are intentionally de-ritualized. Speech conforms to "prose prayer" presented elsewhere in the HB. Praise-vows and persuasive analogies—formal elements found in different kinds of biblical ritual speech—are lacking. Even the form of the complaining question is one that is at home in portrayals of human conversation.[44] Gestures, let alone more obvious manual rites, are few or absent. The only nonverbal act

[44] For example, complaining questions beginning with למה like those in Exod 32:11b, 12 appear in two biblical depictions of intercession with human addressees: Jonathan's intercession with his father on behalf of David in 1 Sam 19:5, and the wise woman's intercession with Joab on behalf of the city of Abel in 2 Sam 20:19. Joab's defensive response in 2 Sam 20:20 indicates that the intercessor's question does more than seek information.

mentioned with any frequency is “falling on one’s face” (נפל על פניו) which occurs only three times in the corpus of texts I evaluate.[45] In 1 Chr 21:26 we see only the outline of the sacrificial ritual commanded by YHWH, without direct discourse: David is merely reported to “call on YHWH.” David’s demonstrates ritual agency only *after* the apotropaic intercessory speech has been received—and uses an ad hoc ritual prescribed for this particular occasion only. All of these strategies downplay ritual elements in favor of representing communication with the deity as following models of ordinary communication between humans.

These three types of agency have significant implications for our understanding of human-divine relations in these cultures. In particular, we see different means of navigating the central dilemma of apotropaic intercession: how to show humans as able to counter divine will while still portraying the gods as supreme. In the ritual texts, human intercessors resolve this dilemma by following divinely-set procedures under which humans can deflect doom, manifesting human ritual agency and often magical agency as well. Human persuasive agency poses less of a conundrum because humans have the ability to overturn divine decrees only to the extent that they can persuade the deities to do so. In the biblical texts, human persuasive agency is the only kind available. Because the deity is the same one who decreed the doom in the first place—not necessarily the case in the ritual texts—the skill with which this agency is deployed is crucial indeed.

[45] Num 16:22, Ezek 9:8, 11:13. It also occurs in Num 17:10. A related locution, “throw oneself down,” appears in Moses’s description of his intercession on Horeb in Deut 9:18, 25. Although descriptions of prostration using נפל typically appear in “divine worship or supplication,” prostration itself is common in supplicating or showing homage to human authorities in biblical texts generally. Mayer I. Gruber, *Aspects of Nonverbal Communication in the Ancient Near East* (2 vols; Studia Pohl 12; Rome: Pontifical Biblical Institute, 1980), 98-104, 130-36.

Within the third category of human persuasive agency, however, lie enormously different approaches, even though all of the intercessors are shown petitioning the gods and presenting supporting arguments. The ANE ritual texts depict intercessors offering rewards, praise, and compelling analogies to incline the gods to enact the desired transformations. The biblical intercessors, in sharp contrast, often take YHWH to task for injustice and breaking his commitments and describe unhappy outcomes—including the death of innocents—if he carries out his plans.

There is no question that the texts' differing genres and purposes lie behind many of these distinctions. Differences in rhetoric are partly explainable by the time frame and intended audience of the texts. Whereas ritual texts—even descriptive ones, if meant as models—map out planned communication with the gods, the biblical texts tell tales of intercessions past. It is far easier to depict audacious protest in a story than when planning (or presenting) actual communication with the divine—especially if the intercessor's own life depends on the beneficiary's satisfaction. In addition, the narratives' argumentation can be far more specific, because the precise situation, nature of the sin, and identities of the beneficiary and intercessor can be spelled out in the text. In contrast, ritual texts that are meant for re-use must rely on more general persuasive techniques to motivate the gods. There is no knowing what different approaches we might see in stories of apotropaic intercession from Anatolia or Mesopotamia compared to Israelite ritual texts, should either type of text exist.

And yet, regardless of the role played by genre, when we use the data at hand for comparison what we ultimately see are different views of human agency. Intercessors with ritual agency can follow divinely-modeled instructions to resolve the problem of

disastrous omens. Intercessors with magical agency are capable of divinely-empowered speech and can slip into the gods' roles with the gods' consent and help. Intercessors with persuasive agency, in contrast, rely on traits and resources available to humanity at large, although such intercessors may enjoy special access to the divine.

The biblical writers have taken care to avoid the appearance of ritual speech because they do not mean to model specific scripts for re-use in similar circumstances. Rather, they have shown characters speaking in their own voices, demonstrating the best qualities of which humans and human speech are capable: justice, courage, initiative, verbal agility, loyalty, self-sacrifice, and compassion for others. The intercessors display these extraordinary qualities to the deity at precisely those moments when YHWH plans to wipe out the population, and thereby fend off doom. Instead of "channeling" the gods or changing reality with their words, these intercessors show a kind of agency that is reachable by anyone. Herein lies one reason that these stories have been passed down for millennia. Rather than any scripted speech, it is the intercessors' human qualities that are meant as models for re-use: qualities that can—potentially—pull communities from the brink of disaster in a whole range of circumstances. So it is that these biblical texts have achieved a kind of posterity that the ritual texts have not.

5.3. Theoretical Implications

5.3.1. Magic

In Section 1.3, I wrote that magic has to do with "agents, actions, or objects understood by a given culture to have or use powers beyond those available in the natural world." At core the recognition of an action as potentially magical depends on intuitive

science, which—barring major differences in an infant's environment—is universal (see Section 1.6.1). Nonetheless a host of details about magic are culture-specific: who can control it, for example; how it operates—through gods or "mana" or some other force; and its specific uses and powers. The following discussion, therefore, is meant to apply only to the cultures in the ANE. The ideas described here are in no way intended to be a "systematic theology," and they may not have been widely shared even within these cultures, but may reflect only the beliefs of those who wrote and used these specific texts.[46] Nonetheless, it is possible, at least, to draw conclusions from the evidence available about worldviews prevalent in these cultures.

Texts 1-3 indicate that magical actions within rituals, including causative speech, were understood to depend on divine aid. Magical rituals in general and these texts in particular should be understood as requiring the combined agency of humans and the gods. Analysis of Texts 1-3 and other ANE literature shows the gods as assisting in magical rituals in two ways: (1) by initiating or prescribing the rituals, in particular the magical speech acts, according to traditions from Mesopotamia and Anatolia; and (2) by actively participating in the ritual encounters.

(1) As I have argued, the causative illocutionary force of the speech in Texts 1-3 is primarily empowered through its own connection to divine powers understood as deriving from the gods. Traditions in Mesopotamia and Anatolia show the gods as originating certain rituals with causative speech acts in myths and *historiolae*.

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[46] The impossibility of producing a systematic theology on these matters means that understandings of ritual functioning are also likely to be genre-specific. For example, it is not necessarily the case that the briefer namburbis lacking any direct discourse implied divine involvement to those who used or composed them. Ann Guinan quotes an unpublished namburbi in which a man having sex with a woman in a stall must use his bedding to rub the faces of the sheep and cattle to prevent himself from dying or getting epilepsy ("Erotomancy: Scripting the Erotic," in *Sex and Gender in the Ancient Near East: Proceedings of the 47th Rencontre assyriologique Internationale* [ed. S. Parpola and R. M. Whiting; 2 vols; Helsinki: Neo-Assyrian Text Corpus Project, 2002], 1:185-201 [188]). Were the gods thought to require this act?

Mesopotamian scholarly traditions claim that ritual texts were divine gifts. Such traditions indicate that causative speech was understood not only to imitate divine speech but to do so with divine permission. Although absent from my corpus, legitimating formulae such as "these are not my words, they are the words of X deity," confirm the connection between the causative speech and the gods. Such formulae appear in ritual texts from both Mesopotamia and Anatolia.[47]

(2) The gods are also shown as actively assisting in the ritual process: for example, by granting audiences and sending staff-bearers. Their participation is necessary for the rituals to work, including the speech acts with causative illocutionary force. Only after the gods' staff-bearers have driven off the evil in Text 3 can the ritually-created protective puppy prevent the evil's return, for example. The gods are also important witnesses to purification in the namburbis: as I argued in Section 2.2.1.2.6, the causative speech acts transforming the figurine into a magical substitute in Text 1's second oral rite rely for their efficacy on acknowledgment by the gods. Maul similarly claims that the active presence of Ea and Asalluḫi is vital for successful purification of the beneficiary, and that both gods must actively assist in the namburbis—particularly the incantations—for them to be effective overall.[48]

This view of active divine assistance contradicts two long-standing conceptions of ANE magic. The first conception is the notion that magic implies automatic efficacy without the involvement of the gods. For example, Walter Kunstmann argues that the "magical" *Gebetsbeschwörungen* (e.g., the namburbis) give the general impression that "Zaubermittel und Wort ihre magische Wirkung ausüben, auch ohne dass die Gottheit

[47] See Section 2.3 and n.55 in Section 3.1.1.
[48] Maul, *Zukunftsbewältigung*, 60, 71. See also Section 3.1.1 for a similar claim by Alice Mouton with regard to the divine role in Hittite purifying rituals.

besonders bemüht wird."[49] Kaufmann goes even further, claiming that "the characteristic mark of the pagan cult is not its plurality of worshiped beings, but its view of ritual as automatically efficient and intrinsically significant."[50] The second erroneous conception is the notion that ANE magic coerces the gods. Jacob Milgrom, for example, writes that "The basic premises of pagan religion are (1) that its deities are themselves dependent on and influenced by a metadivine realm, (2) that this realm spawns a multitude of malevolent and benevolent entities, and (3) that if humans can tap into this realm they can acquire the magical power to coerce the gods to do their will."[51] Milgrom is here relying on Kaufmann's claim that all "pagan thought" (that is, excluding only Israelite, Christian, and Muslim religions) relies on a notion of an underlying "realm of being...whose decrees [the gods] must obey."[52] Kaufmann, like Milgrom, bases his claim for magicians' ability to coerce the gods on the existence of such a realm. Even though Kaufmann notes that "the magician usually acts in the name of gods and spirits; his techniques have often been revealed to him by the gods, and he is effective through their power," Kaufmann nonetheless argues that it is the notion of a realm above the gods, accessible to pagan ritual experts, "that makes pagan religion, even in its highest manifestations, amenable to belief in magic."[53] Later scholars have effectively dismissed the notion that the Mesopotamians held this concept of a realm above the gods, which is akin to that which

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[49] "Magical media and words execute their effects without the deity being especially bothered." Walter G. Kunstmann, *Die babylonische Gebetsbeschwörung* (Leipziger Semitistische Studien 2; Leipzig: J. C. Hinrichs'sche, 1932), 3.
[50] Kaufmann, *Religion of Israel*, 53.
[51] Jacob Milgrom, *Leviticus 1–16* (AB 3; New York: Doubleday, 1991), 42–43. Milgrom explicitly cites Kaufmann.
[52] Kaufmann, *Religion of Israel*, 21.
[53] Ibid., 40.

Marcel Mauss and Henri Hubert called "mana."[54] My analysis supports these later advances, indicating the understanding or hope for the gods' willing involvement in all four of the ritual texts.

5.3.2. Mystification of Agency

One concept noted repeatedly in this study is the mystification of agency found in causative and particularly in hybrid speech acts. In the namburbis and Text 3, the agency responsible for the magical effect is either attributed to the gods or obfuscated through ambiguous verbal forms. The double illocutionary force of the hybrid speech fits particularly well with the role of the Mesopotamian ritual practitioner as recently described by both Maul and Schmitt. Both scholars claim that ANE practitioners "slip into" the role of a god when carrying out magical rituals, actively bringing the gods' powers into the ritual context.[55] As a human, the practitioner can only petition the gods for help, but as one acting the part of a god, the practitioner can actually enact the desired transformation with speech. Such dual action results from the practitioner's double role in the blended space of the ritual,[56] both drawing on divine power while retaining his or her human identity as a servant of the gods.

Schmitt argues that at root the view of magic in the HB (e.g., as portrayed in the acts of Elijah and Elisha) is identical to that in other ANE cultures: "Neither the Israelite nor the Mesopotamian 'magician' can do anything out of his own power, or the power of

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[54] Marcel Mauss and Henri Hubert, *A General Theory of Magic* (trans. R. Brain; New York: Routledge Classics, 2001), 136 [French original 1902]. Rochberg denies strenuously that this idea has a basis in Mesopotamian conceptions (review of *Concept*). See also Schmitt, *Magie*.
[55] Cf. Maul, *Zukunftsbewältigung,* 41. Such a process is most easily recognized in the *historiolae*. Schmitt claims it is the basic process whereby Mesopotamian ritual magic works (*Magie*, 69-77, esp. 74) and that in Hittite ritual as well the practitioner acts as mediator of the gods (83-87).
[56] See Section 1.6.2 for the concept of cognitive blending.

spells nor can he even try to control a god."[57] As I have shown, however, speech with causative illocutionary force is rare in the HB and absent in the corpus of apotropaic intercession. In the texts I have studied, humans never "slip into" the divine role.

But another sort of mystification of agency does apply to the biblical texts I analyze. Here, too, a degree of the agency shown by the intercessors actually belongs to the deity. As described earlier, Texts 5-15 portray humans as contesting divine will, and the deity as generally heeding their intercession. The paradox is that the deity who prescribes doom overtly plans to carry out the punishment (and sometimes does), while quietly facilitating the efforts of those who wish to avert it. This paradox can be seen as centered in the deity's own ambivalence. Yochanan Muffs cites midrash comparing the deity to a father who wishes to be talked out of acting on his rage toward his son.[58] Such an explanation seems most apt to the two texts in which YHWH tells Moses to "leave me alone" while meaning the opposite (Exod 32:10 and Deut 9:14). (See Sections 4.2.2.2 and 4.2.6.2.) Muffs also centers the paradox in the role of the intercessory prophet who not only transmits the divine message but on occasion protests it.

I would argue that the mystification of divine agency in these texts is rooted in YHWH's role as "secretly" soliciting opposition.[59] In 1 Chronicles 21 we see YHWH staying the hand of the angel as if waiting for David to intercede. We also see YHWH lingering after sending off the other "men" to investigate Sodom, waiting to share his plan with Abraham. Repeatedly, we see YHWH giving his intercessors warnings and thus

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[57] Rüdiger Schmitt, "The Problem of Magic and Monotheism in the Book of Leviticus," *Journal of Hebrew Scriptures* 8 (2008): 1-12 (7). Online: http://www.jhsonline.org/Articles/article_88.pdf.

[58] Yochanan Muffs, "Who Will Stand in the Breach? A Study of Prophetic Intercession," in *Love and Joy: Law, Language and Religion in Ancient Israel* (New York: Jewish Theological Seminary of America, 1992), 9-48 (34). See also Miller, "Slow to Anger."

[59] YHWH hides this behavior from the intercessor, not from the reader.

openings for intercession. Amos responds to YHWH's visions in Amos 7:2, 5, while Moses and Aaron fall on their faces when warned to move away in Numbers 16.

What these texts model is human initiative, as much as courage, intelligence, verbal agility and responsibility for others. These intercessors come up with their own speeches, not words already dictated by YHWH. Even in the silent ritual intercession conducted by Aaron in Num 17:11-13, it is Moses, not YHWH, who formulates the ritual instructions—a biblical anomaly and hardly a coincidence. But such human initiative still depends on divine assistance. YHWH puts his intercessors—and by extension, his people—into near-impossible situations and responds positively when they argue their way out. As supremely-powerful ruler, he is careful not to oppose them too strongly and even assists them at times from behind the scenes. By pretending to be crueler than he is, as it were, this deity promotes strength of character among his people—those, that is, whom he does not destroy nor evidently wishes to destroy. What YHWH is portrayed as seeking, and these humans as exemplifying, is a specific way of relating to divine commands. YHWH is understood as having created humans with their own wills, who frequently act contrary to divine wishes. Although much of this behavior is framed as ingratitude and sin (cf. Genesis 3), at times YHWH's chosen interlocutors evidence a righteous opposition, challenging YHWH's image as just in defense of their—and his—people. As Walter Brueggemann puts it, they aim to mobilize the deity to be the deity's "best, true self" [60] —just as the deity in his turn mobilized his intercessors to do the same.

[60] Brueggemann, *Theology of the Old Testament*, 321.

5.3.3. Toward an Emic Rhetoric

Finally, the analysis presented here makes a modest contribution toward understanding the emic or native rhetoric of the cultures from which these texts emerged. Two caveats are needed before generalizing my conclusions about rhetoric toward other texts from these cultures. First, as mentioned above, there is the need to account for the effects of genre. For example, confession is largely absent in the namburbis but present in other Akkadian texts such as the dingir.šà.dib.ba prayers,[61] while a vow to praise is typically present in biblical lament psalms but absent in the apotropaic intercessory biblical texts. Second, the researcher must account for the nature of the addressee. Speech directed toward deities—or toward the particular deities in these texts—may differ from that used toward humans or other entities.[62] In addition, claims about Text 3 must be provisional because of the damaged ending.

With those caveats in mind, this dissertation has raised several points of interest:

- The appeals to *logos* found in texts from all cultures.
- The lack of *pathos* in the two texts from Anatolia compared to the namburbis and biblical texts.
- The relevance of strategies identified by Chaïm Perelman and Lucie Olbrechts-Tyteca—*presence*, *choice*, and *communion*—for rhetorical analysis of all texts, including persuasive analogies.
- The build-up of each oral rite to a final imperative, noted in Texts 3 and 4, suggesting a common approach to ritual discourse in two cultures from Anatolia.
- The relative lack of confession in apotropaic intercession in all text groups.

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[61] Lenzi, *Reading Akkadian Hymns and Prayers,* 42.
[62] Note Lenzi's observations on distinctions between language directed toward high gods in the *šuillas* and language directed toward personal deities in the dingir.šà.dib.ba prayers ("Invoking the God").

- Mystification of agency as a rhetorical strategy in ANE ritual texts with magical speech.

5.4. Conclusion

This study has used apotropaic intercessory texts as windows into ANE and biblical theologies—specifically studying the kinds of human agency the intercessors portray in response to divine threats of doom. Ritual texts present intercessors as straddling divine and mundane worlds: following prescribed pathways for amending the status quo with the gods' help, even using magical speech with divine approval, while nevertheless petitioning the gods from their position as mortals. The biblical texts show the intercessors' initiative, courage, rhetorical skills, and love for their people as they speak out in opposition to their deity.

Both the ANE ritual texts and the biblical narratives find their way out of the paradox central to apotropaic intercession—how to depict humans as countering divine will while still holding the gods supreme. But they do so differently. In their depictions of human agency the biblical writers had far more freedom than writers of the ritual texts, and far more at stake than simply avoiding imitation of ritual practices like their neighbors'. While the ritual texts were meant to assist intercessors in accomplishing their goal, the biblical texts, as sacred stories, had a different purpose: illustrating what YHWH seeks from his intercessors, and by extension, his people: standing up for others, with courage, in the face of injustice and near-certain doom—even injustice and doom from YHWH himself! The idealized relationships in all these texts, ritual and biblical alike, show divine efforts to help their people navigate the treacherous tides of sin and threat.

YHWH's secret applause as his people challenge his own decisions shows his ultimate interest in building human integrity in an uncertain world.

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