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Ma'ot Hittite: Finding Divine Morality in Borrowing from an Ancient Near East Context[1]

The Problem

On August 9, 2003, an interview appeared in the Egyptian weekly Al-Ahram Al-Arabi in which a Dr. Nabil Hilmi, dean of the Faculty of Law at the University of Al-Zagazig, announced that he, together with Egyptian expatriates in Switzerland, were preparing a lawsuit against "all the Jews of the world." In the translation prepared by MEMRI, Hilmi begins: "... Since the Jews make various demands of the Arabs and the world, and claim rights that they base on historical and religious sources, a group of Egyptians in Switzerland has opened the case of the so-called 'great exodus of the Jews from Pharaonic Egypt.' At that time, they stole from the Pharaonic Egyptians gold, jewelry, cooking utensils, silver ornaments, clothing, and more, leaving Egypt in the middle of the night with all this wealth, which today is priceless."[2]

The basis of the accusation begins with a verse in Exodus 3:22, in which God informs Moses, at the outset of his mission, at the burning bush: "But every woman shall borrow (*ve-sha'alah*) of her neighbor, and of her that sojourneth in her house, jewels of silver, and jewels of gold, and raiment: and ye shall put them upon your sons, and upon your daughters; and ye shall spoil (*ve-nitzaltem*) the Egyptians." The instruction is conveyed by Moses to Israel in Exodus 11:2, and implementation occurs in Exodus 12:35-36. At face value, God instructs the Israelites, on the eve of the Exodus, to deceive their Egyptian neighbors by asking them to lend them valuables which they have no intention of returning – and by these deceptive means, to "despoil" Egypt. Against the background of Moses' repeated requests of Pharaoh of a three-day

1 Thanks to R. Prof. Joshua Berman for his meticulous and incisive review, and to my daughters Rivka and Dina for their proofreading and comments.

2 "Egyptian Jurists to Sue 'The Jews' for Compensation for 'Trillions' of Tons of Gold Allegedly Stolen During Exodus from Egypt." The Middle East Media Research Institute, August 22, 2003, archived at https://www.memri.org/reports/egyptian-jurists-sue-jews-compensation-trillions-tons-gold-allegedly-stolen-during-exodus, accessed July 12, 2023.

religious holiday (Exodus 3:18, 5:3, 8:23), it would seem that the Egyptians had no reason to suspect that they were parting with their valuables on a permanent basis.

The charge of Jewish mendacity in this particular episode has a long pedigree.[3] In the scholion of Megillat Ta'anit and in the roughly contemporaneous[4] b. Sanhedrin 91a, Hilmi's complaint is voiced by Egyptians who contend against the Jews in the presence of Alexander of Macedon, the fourth century BCE conqueror who is often presented as an impartial arbiter of disputes among peoples in his vast territory.[5] Outside of Jewish sources, this charge is found in second century Marcus Junianus Justinus' epitome of the Philippic History by Pompeius Trogus (XXXVI:2), and Benno Jacob argues that traces of such accusations are evident from responses to it in both Second Temple Pseudepigrapha and Philo.[6]

Suggested Resolutions: A History of Research

The financial claim against the Jewish people is relatively easy to dispense with. The response that the Talmud attributes to Gebiha ben Pesisa – drawing attention to the incalculable debt incurred by Egypt in the free labor of generations of Hebrew slaves, implicitly casting the spoils as (less than adequate) reparations for centuries of enslavement – is found outside of Rabbinic literature, in sources as early as the deuterocanonical books of Jubilees (48:18), Wisdom of Solomon (10:17) and Ezekiel the Tragedian (verses 165-166), and a few centuries on, in Philo Judaeus (The Life of Moses I, XXV). Philo adds that in the context of war between the Israelites and the Egyptians, martial law permits such goods as booty. Medieval and modern commentators add that the transfer of valuables fulfills the Biblical requirement, articulated later in the book, of bestowing gifts upon freed slaves (Hizquni to 3:22, Samuel David Luzzato commentary to 3:22, Umberto Cassuto, Commentary to

3 The Talmudic antecedent is actually noted in some contemporaneous news coverage of the 2003 suit. See e.g., Frida Ghitis, "Dragging Moses into a lawsuit," Chicago Tribune, August 31, 2003, archived at https://www.chicagotribune.com/news/ct-xpm-2003-08-31-0308310131-story.html, accessed July 12, 2023.

4 Vered No'am, *Megillat Ta'anit and the Scholion: their nature, period and sources: accompanied by a critical edition.* Diss. Hebrew University, 1997.

5 Meir Ben Shahar, "Jews, Samaritans and Alexander: Facts and Fictions in Jewish Stories on the Meeting of Alexander and the High Priest," in K. R. Moore, ed., *Brill's Companion to the Reception of Alexander the Great*, 403-326, especially 420.

6 Benno Jacob, *The Second Book of the Bible: Exodus* (Walter Jacob and Yaakov Elman, trans.), (KTAV, 1992), 338.

Exodus p. 27). Isaac Abravanel – drawing upon his own experiences in the 1492 Spanish expulsion[7] – suggests that the spoils served as compensation for the real estate that the Israelites were forced to abandon, to the selfsame neighbors and housemates; the seventeenth century Yemenite Midrash Hemdat Yamim, drawing upon other experiences all too familiar in exile,[8] links the spoils to restitution for bribes paid a generation earlier to their neighbors to help them hide their newborn sons from Pharaoh's infanticidal decree. Several contemporary readers among the "New School" of Bible study suggest[9] that the ruse of the "three-day reprieve" was primarily directed at the masses of the Israelites themselves, who were somewhat comfortable (Numbers 11:5) despite corvée-style labor obligations and were not prepared to leave Egypt permanently – and were at a minimum skeptical of the possibility of functioning as an independent polity (Exodus 14:12). As such, the Israelites themselves may have been unaware when making the request that the "borrowing" was anything but.

There are numerous available post facto justifications for keeping the borrowed goods, which may help to explain why the classical Rabbinic sages of the Mishnah and Talmud did not seem perturbed much by the ethical dilemma – although they did show some uneasiness with the people's concerning themselves, particularly at this crucial moment, with lucre.[10] Perhaps chief among the justifications is that the sole source that records this "plunder" is the same one that makes clear that the Israelites were acting upon Divine command – and Divine Command Theory is sufficient for countless theologians, from Euthyphro forward. Among exegetes, theological voluntarism is probably best expressed in this context by Ibn Ezra (3:22): "Some complain and say that our ancestors were thieves. Can't these murmurers see that this was a command from on High? There is no sense in asking why. God created

7 Benjamin Gesundheit, "The Borrowing of Silver Vessels and Gold Vessels" (Heb), *Megadim* 33 (2001), 9-12.

8 See discussion in Nehama Leibowitz, *Studies in Shemot (Exodus)* (World Zionist Organization, 1993), 183-192.

9 Yaakov Medan, *Ki Karov Eilekha – Shemot* (Yediot Sefarim, 2014), 58-64; Menachem Leibtag, "Parshat Shmot - Let My People Go - A Hoax or a Mission?" archived at https://tanach.org/shmot/shmot/shmots2.htm and accessed on July 13, 2023; Meir Spiegelman, "Beshalach – The Stealthy Exodus," archived at https://www.etzion.org.il/en/tanakh/torah/sefer-shemot/parashat-beshalach/beshalach-stealthy-exodus, accessed on July 13, 2023.

10 See Gerald (Ya'akov) Blidstein, "The Plunder of Egypt in the Sources of Hazal" (Heb), *Sinai* 67 (1970), 233-243.

everything. He gives riches to whom He desires to give it, and when He wishes to, He takes the very same riches away. There is no evil in this, as everything is His."[11]

However, for those who reject Divine Command morality, and adopt Socrates' stance as against Euthyphro, Divine morality is itself the nub of the matter. Indeed, in the text, the initiative to deceive is quite clearly God's own; it is explicitly God Himself who commands Moses to 'despoil' Egypt in this way, and not as an ad hoc measure but at the very outset of, and prior to, the Exodus mission. Indeed, Marcion of Sinope, a first-century Christian heretic, made use of these passages to argue that the Jewish God was an inferior one not worthy of worship,[12] similar to the malevolent demiurge of the roughly contemporaneous Gnostics, who shared this objection to the God of the Bible.

Early Christians could abide an assault on the morality of the Israelites, but not on that of the God of Israel, and responses were forthcoming from many of the Church Fathers. The Patristic approaches are summarized in recent survey:[13] Irenaeus notes that the Egyptians owed their property and very lives to Joseph, and the despoliation is not fundamentally different from greed that is at the root of ordinary commerce. For Tertullian, as in most early Jewish sources, the spoil is seen as just recompense for the Israelites' suffering. For Origen, the end justifies the means – the Egyptians were wasting their riches for idolatry, and the Israelites put them to use for Divine service, in the structure of the Tabernacle. Augustine argues that God permitted the despoliation as a concession to not-yet fully developed human morality. Defenses put forth by Clement of Alexandria, Ambrose of Milan, Gregory of Nazanius, Gregory of Nyssa, Ephrem of Edessa and Theodoret of Cyrrhus are treated briefly. All of these approaches suffer from the problem that God, ostensibly the paragon for human virtue, comports Himself in a manner that is decidedly unethical, even if the objective is moral, or at least justifiable.

Setting aside the theological challenge, contextual problems remain.

1. This deception seems entirely out of place within a narrative which self-consciously presents the most ostentatious overt display of Divine justice in the

11 Translation by H. Norman Strickman and Arthur M. Silver, *Ibn Ezra's commentary on the Pentateuch* (Menorah, 1996).

12 As with most early Christian heretics, Marcion's works survive only to the extent they are cited in attacks by his Christian interlocutors. See Tertullian, Adversus Haereses IV:28-30; see discussion in Sebastian Moll, *The Arch-heretic Marcion* (Mohr Siebeck, 2010).

13 Joel Stevens Allen, *The Despoliation of Egypt in Pre-Rabbinic, Rabbinic and Patristic Traditions* (Brill, 2008), 181-272.

Hebrew Bible. Just a few chapters on, the unambiguous exhibit of retributive justice is explicitly touted by an outsider as proof of the preëminence of the God of Israel (18:11). Throughout the narrative, there is emphasis placed on the revelation of Divine singularity to the Egyptians through the Divine power exhibited in the Exodus (7:5, 8:6, 8:18, 9:29, 11:7, 14:4, 14:18), to the extent that further on, annihilation of the Israelites for involvement in the Golden Calf episode is forestalled with the argument that such an outcome would spoil God's reputation accomplished by His show of force among the Egyptians (32:12). In this setting, the acquisition of goods by means of deception seems entirely out of place.

2. Borrowing also seems incompatible with the finality expressed in verses such as Exodus 11:1: And the Lord said unto Moses, "Yet will I bring one plague more upon Pharaoh, and upon Egypt; afterwards he will let you go hence: when he shall let you go, he shall surely thrust you out hence altogether."
3. The borrowing occurs at the point at which it would have been most obvious that the Israelites were likely not to return. The command is conveyed before the final plague, but the actualization occurs at the moment at which the Israelites were being forcibly expelled from Egypt *en masse*, along with all of their livestock and possessions.

Another group of approaches, which potentially ameliorate all of the above concerns, turns upon the reading of two roots present in two of the three or all of the verses, respectively: "נצל" and "שאל".

1. נצל, which is rendered by KJV 'to spoil,' is related to the root הצל, "to save." Benno Jacob argues[14] that when applied to people, rather than loot, the meaning is to save from danger; in the verses regarding the 'despoliation,' the subject is Egypt – and so the verses should be understood to convey that the provision of goods would serve not to despoil, but rather to *save* Egypt, "from the future destructive hate of God and any final vengeance." While appealing, there is no indication for this apotropaic function for the conveyed valuables within the text. Benjamin Gesundheit[15] takes a different approach, arguing that נצל bears the specific meaning of conveying a manumission payment to newly freed slaves. These approaches have advantages over those of the Church fathers in that they find justification for the *ends* of the Divine deception within the verse itself. However, the *means* remain problematic.

14 Jacob, p. 345.

15 Gesundheit, "The Borrowing," p. 12.

2. שאל is a root which is used in the Bible both in the senses of borrowing and requesting. Implicit in Josephus (*Antiquities of the Jews* 2:68) and explicit in many commentators (R. Sa'adia Ga'on, R. Hananel, Rashbam to 3:22) and the eleventh century Spanish-Jewish grammarian Jonah ibn Janah (Sefer Shorashim, root שאל) is that *sha'al* here should properly be understood as "request." Such a reading would open the possibility that the valuables were a free-will gift from the Egyptians to the departing Israelites, in concert with the prior verse, "And I will give this people favor in the sight of the Egyptians (3:21)." Benno Jacob's remarkable exposition goes so far as to suggest that the gifts represented a renewal of public conscience, and a gesture to render the Exodus context one of peace, so that the Hebrews would not come to remember their oppressors with hatred; "the Israelites stretched out their hands in friendship and the Egyptians responded with farewell gifts." In the nineteenth century, when British Jewry struggled for civic equality, Selig Newman and Chief Rabbi Joseph Hertz went so far as to deem the 1611 King James Version translation "borrow" (as opposed to the 1560 Geneva Bible's "aske") anti-Semitic.[16]
3. In her monograph on ethics in Biblical narrative, Shira Weiss suggests that with *sha'al*, God intends an intentionally equivocal term; the word can mean "request" rather than "borrow," so even if "borrow" was heard, technically, no outright lie was told – thus somewhat ameliorating the Divine deception. She deduces from this case and from other examples of God-commanded subterfuge – among other ethically ambiguous narratives – that the Biblical narrative, and even Divine behavior, *intentionally* eschews moral absolutism in an effort to guide moral reasoning and ethical decision-making in the complex, real world. She writes, "the Bible *illustrates* moral questions through its narratives and inspires reflection upon ethics, but does not promulgate unequivocal dogmas… through the Biblical literary framework, readers are encouraged to grapple with these complex ethical questions and internalize the tensions and various perspectives into their own moral thinking."[17]

Unfortunately, the rendering of שאל in the latter two approaches does not seem to stand up to scrutiny. For one thing, it fails on a contextual level – requesting, rather

16 Leonard Greenspoon, "Despoiling the Egyptians: A Concerning Jewish Legacy?" Archived at https://www.thetorah.com/article/despoiling-the-egyptians-a-concerning-jewish-legacy, accessed July 13, 2023.

17 Shira Weiss, *Ethical Ambiguity in the Hebrew Bible* (Cambridge, 2014), 181-194, 214.

than demanding, booty from the Egyptians contravenes the Divine objective of empowering the emancipated Hebrew slaves. But it also fails on syntactical grounds. R. Elhanan Samet demonstrates that the default, "non-apologetic" meaning of שאל – when not followed by a variant of נתן – is, indeed, to request an item of its owner for its use, i.e., borrowing. The verse which records the affirmative Egyptian response, 12:36, uses the term *vayash'ilu* – which is much more difficult to read as anything other than lending.[18]

The Septuagint translates שאל with a similarly ambiguous Greek term; however, it adds elements that leave little doubt as to the deception inherent in the narrative. In its translation of Exodus 11:2-3, the Greek reads: "Speak then *secretly* to the ears of the people, and let each one ask from his neighbor and a woman from her neighbor silver and gold articles and clothing. Now the Lord gave favor to his people before the Egyptians and they supplied them. And the man Moyses became very great before the Egyptians and before Pharao and before all his attendants."[19] The addition of the word κρυφη, "secretly," is not compelled by anything in the Masoretic text. In addition, the Septuagint records the borrowing as having taken place already here, at 11:3, prior to the plague of the firstborn, when it was clear that Pharaoh was withholding his consent from the exodus. These and other details lead Nina Collins to propose[20] that the Septuagint preserves a second tradition about an Exodus achieved not by a display of Divine might but by guile, a theory proposed by George W. Coats[21] some decades prior. Claude Otabela argues that the changes within the Septuagint reflect the translator's own interpretations – which may indeed have stimulated the subsequent accusations against the Jews in Hellenistic Alexandria – and do not necessarily reflect any alternative Hebrew vorlage.[22] Nonetheless, the question remains: how does "borrowing" – which cannot be anything but a deception – fit with the Exodus event cherished and celebrated by Jews for millennia, the ultimate display of Divine power and justice on behalf of His people? Could both be part of the same narrative?
On closer scrutiny, additional questions emerge from this puzzling episode.

18 Elhanan Samet, *Iyyunim be-Parashot ha-Shavua*, second series, vol. 1 (Ma'aliyot, 2004), 263-285.

19 Albert Pietersma and Benjamin C. Wright, eds., *A New English Translation of the Septuagint* (Oxford University Press, 2007), 58-59.

20 Nina L. Collins, "Evidence in the Septuagint of a Tradition in Which the Israelites Left Egypt without Pharaoh's Consent," *The Catholic Biblical Quarterly* 56 (1994), 442-448.

21 George W. Coats, "Despoiling the Egyptians," *Vetus Testamentum* 18 (1968), 450-457.

22 Claude A. Otabela, "Note on the variant of 'κρυφη' in Exodus 11: 2a." *HTS Teologiese Studies/ Theological Studies* 78.1 (2022), 7388.

- If the point of the borrowing is to despoil the Egyptians, why indeed not make the request earlier, where the Septuagint has it being done, at 11:3, when it would be less suspicious? Why amid the chaos and tumult of the plague?
- Why limit the borrowing to clothing and gold and silver jewelry, with which to dress their children (3:22) – why not borrow anything that they could carry off? Gersonides (3:21) suggests that the purpose was for the Egyptians to adorn the Israelites for the festival to God toward which they were ostensibly departing. But why "put them upon your sons, and upon your daughters" from the outset of the journey?
- Why are the requests gendered - God first specifies that women make the request (3:22), and then Moses commands that men and women do so, each from their respective genders (11:2)?
- Why is it specified that they are to request of their Egyptian friends and neighbors? What of Egyptians beyond lower Egypt, beyond the Israelite settlement of Goshen?
- How likely is, as Collins puts it, "the astonishing fact that the Egyptians were prepared to part with their valuables and give them to people whom they had enslaved, murdered, embittered and ill-treated 'with rigor,' and who had caused Egypt and the Egyptians such dreadful harm"[23] – even given that "the Lord gave the people favor in the sight of the Egyptians"?

Enter the Hittites

The Hittite Empire flourished in Anatolia and Northern Syria from 1650 until around 1200 BCE, when it disintegrated in the Great Bronze Age collapse associated with the mass influx of Sea Peoples, coincident with a series of natural disasters.[24] Along with the Mesopotamian Empires to the east and Egypt to the west, the Hittite Kingdom constituted a third world power to the north of the Levant throughout much of the estimated period of the Patriarchs, the enslavement in Egypt, and the Exodus; their dissolution follows not long after, and Neo-Hittite states persisted until the advent of the Neo-Assyrian empire in the 8th century BCE, at which point their culture appears to have been all but completely extinguished. The Hittite culture was a blend of many influences, primarily Indo-European from beyond the Black Sea, fused with indigenous Anatolian but also Hurrian, Mesopotamian and Syrian.

23 Collins, "Evidence," p. 446.

24 Eric H. Cline, *1177 BC: The Year Civilization Collapsed*. (Princeton University Press, 2014).

Since the discovery of the Hittite library at the erstwhile Hittite capital of Hattuša by Hugo Winckler in 1906, and the decipherment of the Hittite language by Bedřich Hrozný in 1915, numerous affinities have been noted between aspects of Hittite literature and culture and the Bible. Since the Hittites were centered in Anatolia and Northern Syria, the means of cultural contact is as yet unexplained; despite the Bible's identification of Hittites as among the seven nations inhabiting Canaan, archaeological evidence for the Hittites of Anatolia in the southern Levant is sparse, as Itamar Singer notes.[25] Singer enumerates several close parallels; among them: the Biblical covenant between God and the Israelites, in its various iterations, parallels Near East vassal treaties – a phenomenon explored to great effect by Joshua Berman[26] – and of those, it most precisely mimics Hittite suzerainty treaties of 1400-1200 BCE.[27] Description of border boundaries in the Bible parallels those of Hittite treaties in style and form. Certain Biblical laws are paralleled only in the Hittite legal system. Israelite forms of prayer bear strong similarities to Near Eastern ones, but as Shalom Holtz[28] points out, Hittite is the only language other than Hebrew to explicitly link prayer with legal proceedings, and, as with Biblical prayer, Hittite prayer is structured as a court proceeding. The Levitical sacrificial cult, with its use of animal blood for cleansing,[29] most resembles that of the Hittites, and, moreover, the "grammar" of Israelite sacrifice bears closest affinities to that of the Hittites, as Naftali Meshel notes[30] in his recent monograph on the subject. The personnel of the Tabernacle and Temple – Priests and Levites – also finds a parallel in the Hittite cult.[31] To be sure, none of these phenomena are unique to the Hittites, but the Biblical forms often seem to find their closest parallels in Hittite.

25 Itamar Singer, "The Hittites and the Bible revisited," in A. M. Maeir and Pierre de Miroschedji. eds., *"I Will Speak the Riddles of Ancient Times": Archaeological and Historical Studies in Honor of Amihai Mazar on the Occasion of His Sixtieth Birthday, Volume 2* (Eisenbrauns, 2006): 723-756.

26 Joshua Berman, *Created equal: How the Bible broke with ancient political thought* (Oxford University Press, 2011).

27 George E. Mendenhall, "Covenant Forms in Israelite Tradition," *The Biblical Archaeologist 17* (1954), 50-76, and George E. Mendenhall and Gary A. Herion, "Covenant," in David Noel Freedman, ed., *Anchor Bible Dictionary*, vol. 1 (Doubleday, 1992) 1179-1202.

28 Shalom E. Holtz, *Praying Legally* (SBL Press, 2019), 29.

29 Yitzhaq Feder, *Blood expiation in Hittite and biblical ritual: origins, context, and meaning. Vol. 2* (Society of Biblical Literature, 2011).

30 Naphtali S. Meshel, *The 'Grammar' of Sacrifice: A Generativist Study of the Israelite Sacrificial System in the Priestly Writings with A 'Grammar' of Σ*. (Oxford University Press, 2014), 204.

31 Jacob Milgrom, "The shared custody of the Tabernacle and a Hittite analogy." *Journal of the American Oriental Society* (1970), 204-209.

One of the best-known similarities between Hittite religion and the Hebrew Bible is the scapegoat ritual. In contrast to the Hebrew Bible, which knows two elimination-transfer rituals – the scapegoat to Azazel and the birds of the leper – many of these sort of substitution rituals have been found in Hittite tablets. These were found in Hattuša and originate mostly from Arzawa,[32] a western Anatolian kingdom that was allied with Egypt until their defeat by the Hittites under Šuppiluliuma I and his son Muršili II, in the late 14th-early 13th century BCE; from Arzawa they may have disseminated to ancient Greece, in the form of the *pharmakos* rituals.[33] To be sure, scapegoat rituals do not seem to have been invented in Arzawa – there is attestation of scapegoats in tablets from Ebla, in northern Syria, in the 24th-25th centuries BCE,[34] as well as from Ugarit and the Neo-Assyrian empire – but the Hattušan tablets bear elements which most closely parallel those of the Israelite scapegoat rites, even ones absent from the Bible and recorded only in the Mishnah, such as the tying of a crimson thread around the goat's horns (m. Yoma 6:7).[35]

The scapegoat and other plague-related rituals emerge in a specific context in Hittite history.

The roughly century of Hittite history between Šuppiluliuma I and Ḥattušili III – their "golden age" in terms of imperial power and culture – saw the greatest degree of contact, conflict, and high drama between Ancient Egypt and the Hittites. For most of antiquity, the great civilizations in the fertile crescent were centered in Egypt and Mesopotamia. For a brief interlude, while Babylonia was arguably in something of a "dark age" for literacy and culture under the Kassites, and embroiled in conflict with Assyria, the vectors of cultural diffusion were less from the Nile to the Euphrates, and more from the Nile to the Orontes.

The "Hittite century" begins with the mid-1300s with Šuppiluliuma I, an accomplished warrior who recaptured and rebuilt the capital of Hattuša, and consolidated Hittite lands – thereby founding the New Hittite Kingdom – after an interval of decline. He pushed beyond the Hittites' previous possessions in

32 Ian Rutherford, *Hittite Texts and Greek Religion: Contact, Interaction and Comparison* (Oxford University Press, 2020), 120-142.

33 Jan Bremmer, "Ritual," in Sarah Iles Johnston, eds., *Ancient Religions* (Harvard University Press, 2007), 35.

34 Ida Zatelli, "The Origin of the Biblical Scapegoat Ritual: The Evidence of Two Eblaite Texts," *Vetus Testamentum* 48:2 (1998), 254-263.

35 Noga Ayali-Darshan, "The Origin and Meaning of the Crimson Thread in the Mishnaic Scapegoat Ritual in Light of an Ancient Syro-Anatolian Custom." *Journal for the Study of Judaism* 44.4-5 (2013), 530-552.

northern Syria into Egyptian-allied territory during the Amarna period in the 18th dynasty, winning the allegiance of Qadesh, but also thereby violating a prior treaty with Egypt. After these campaigns, he received a letter from Tutankhamun's widow Ankhesenamun lamenting the lack of a royal male heir to the Egyptian throne and requesting that he provide a son as her consort, and thus Pharoah. After investigation, realizing he was on the cusp of control of the entire Levant, he sent his son Zannanza, who was apparently ambushed and murdered after crossing the border – perhaps by the commoners vizier Ay or general Horemheb, who each respectively took the throne, in succession. An enraged Šuppiluliuma attacked the Egyptian frontier; the prisoners of war brought with them a deadly plague that ravaged the Hittite kingdom for more than twenty years, one which soon claimed Šuppiluliuma himself and his immediate successor, Arnuwanda II.

Šuppiluliuma's son Muršili II succeeded him, and further extended his father's territorial holdings. In his role as high priest to the gods – as all Hittite kings were – he issued a series of prayers to various gods in the Hittite pantheon, in which he retells the history and describes how he tried everything – propitiatory gifts, restoration of temples, expiatory rituals, sacrifices and libations, and advances several arguments for the cessation of the plague.[36] A large number of plague-related rituals, mostly from Arzawa, have been found in Hattuša – apparently copied during the reign and at the order of Muršili II, after his conquest of the western Anatolian kingdom. Six are scapegoat rituals; of these, only one in particular – Puliša's ritual – appears to have been incorporated into the scribal curriculum,[37] given that the ritual features in Muršili's prayer for his ill wife Gassulawiya.[38]

Puliša's ritual reads as follows:[39]

1. [Th]us (says) Puliša [if the king]
2. Smites the [la]nd of an enemy an[d from the border of the land of the enemy]
3. He marches [away of the land of the enemy]
4. [ei]ther some [male]god [or a female god among(?)]
5. The people a plague occur[s]

36 Itamar Singer, *Hittite Prayers* (Society of Biblical Literature, 2002), 47-69.

37 Billie Jean Collins, "The Arzawa Rituals and Religious Production in Hattusa," in Sandra Blakely and Billie Jean Collins, eds., *Religious Convergence in the Ancient Mediterranean* (Lockwood Press, 2019), 191-202.

38 Singer, *Hittite Prayers*, 71-73.

39 Transcription and translation in David P. Wright, *The disposal of impurity: elimination rites in the Bible and in Hittite and Mesopotamian literature. SBL Dissertation Series 101* (Scholars Press, 1987), 45-47.

6. When he [marches a]way from the border of the land of the enemy,
7. They take one prisoner and one woman of the land. [On which road] the ki[ng]
8. Came from the land of the enemy, to that road the king m[oves].
9. All the leaders move down to him. One prisoner
10. And one woman they bring forth to him. He removes the clothes from himself.
11. They put them on the man. But on the woman
12. [they p]ut clothes of a woman. The king speaks
13. Thus to the man—bu[t] if it is [not] convenient to the king, then he sen[ds] another person. That one
14. Takes care of the rite. That one [spe]aks [to the] man thus: "If
15. Some male god of the enemy land has caused this plague, b[ehol]d, to him
16. I have given the decorated man as a substitute man. At his head this o[ne is gr]eat,
17. At the heart this one is great, at the member this o[ne is gre]at.
18. You, male god, be appeased with t[his de]corated man.
19. But to the king, the [leaders], the ar[my, and the]
20. Land of Hatti, tur[n yourself fa]ithfully. [ ] But
21. Let this prisoner b[ear] the plague and carry (it) ba[ck into the land of the enemy."]
22. And [t]o the woman he speak[s l]ikewise regarding the fema[le go]d.
23. Afterward, [they drive up] one bull and one e[we] of the la[nd] of the enemy.
24. Him, his ears, earrin[gs(?)]
25. Red wool, green wool, bla[ck] wool, [white wool] from the king's
26. Mouth he dra[ws] forth. [He speaks the following:]
27. "In regard to the king becoming blood [red, green,]
28. [d]ark, and white]
29. [th]is back to the land of the en[emy]
30. And [to the king] himself, the leaders, the ar[my], the [ho]rse[s]
31. [do not] pay attention, (but) take note of it for the land of the enemy." [ ]
32. [ ] takes. It on emmer [ ]
33. [The bull with e]arrings
34. He spe[aks] thus: "The god of the en[emy who caused this plague]
35. If he is a male god, to you I have gi[ven] the deco[rated],
36. [ear]ringed approved(??) [bull]. You, male god,
37. Be appeased. Let [th]is bull carry [this plague]
38. Back into the land of the enemy. [The the king, the] king'[s sons],

39. The leaders, the army, and the la[nd of Hatti turn yourself faithfully."]
40. Afterwards, the deco[rated] ewe [ ]
41. He speaks likewise, regarding the female god [ ]
42-43. Then th[ey se]nd forth the decorated bull [and the ewe to the prisoner] and the woman.

(The rest is broken.)

In a similar scapegoat ritual, the ritual of Ašḫella, decorated rams provided by the heads of the army, a decorated woman, a jug of beer, and thick breads are sent to take the plague to the land of the enemy.

The plague seems to have abated during or soon after Muršili's reign, as it is not mentioned by his son and successor, Muwatalli II, who moves the capital south to Tarḫuntašša as part of an Akhenaten-like religious reform.[40] Muwatalli battles Ramesses II in Qadesh to a draw in the largest chariot war in history; the latter's propagandistic accounts and pictorial reliefs are drawn upon in the Song of the Sea and the structure of the Tabernacle, respectively.[41] Fifteen years on, Ḫattušili III concludes a durable peace treaty with Ramesses II, ending the enmity with Egypt until the complete dissolution of the Hittite kingdom in the great Bronze Age Collapse several decades on.

Among scholars who contend that the historicity of an Israelite Exodus can be affirmed from the extant archaeological record, a consensus has emerged around the late 13th century BCE – in the nineteenth Pharaonic dynasty,[42] and for a plurality, specifically the reign of Ramesses II.[43] If this is accepted, then the entire aforementioned "Hittite century" coincided with the proposed height of the period of the enslavement of the Israelites, in which they were domiciled in the nome of Goshen, and working in Pi-Atum and Pi-Ramesses – all to the east of the tributaries of the Nile Delta, near the northeastern territorial border of the Egyptian mainland.

40 Itamar Singer, "The failed reforms of Akhenaten and Muwatalli." *British Museum Studies in Ancient Egypt and Sudan* 6 (2006), 37-58.

41 Joshua Berman, "The Kadesh inscriptions of Ramesses II and the Exodus sea account (Exodus 13: 17–15: 19)," in James K. Hoffmeier et al., eds., *Did I Not Bring Israel Out of Egypt? Biblical, Archaeological, and Egyptological Perspectives on the Exodus Narratives* (Eisenbrauns, 2016), 93-112.

42 Lawrence T. Geraty, "Exodus Dates and Theories," in Thomas E. Levy et al. (eds.), *Israel's Exodus in Transdisciplinary Perspective* (Springer, 2015), 55-64.

43 James K. Hoffmeier, "What is the Biblical date for the Exodus? A response to Bryant Wood" in *Journal of the Evangelical Theological Society* 50.2 (2007), 225-247.

We have evidence that not merely after hostilities had ended under Ramesses II, but also earlier,[44] doctors, oracles, prescriptions and rites traveled directly between Egypt and the Hittite empire,[45] and as such, it would not be unexpected to find the Puliša and Ašḫella rites adopted by, or adapted to, Egyptian medical practice. Moreover, there is reason to believe that Egyptians and Hebrews of the northeastern border region would be particularly familiar with these rites.

With Hittite correspondence coming to the Pharaoh at Pi-Ramesses, Hittite prisoners of war and Egyptian deserters from the battles waged by Horemheb, Seti and Ramesses joining Israelite and other Asiatic slaves in Pi-Ramesses and Goshen, and Egyptian soldiers returning to the Pi-Ramesses garrison with booty from Hittite battlefield, the ostensible first audience for the Pentateuch and their Egyptian neighbors would have had good reason to be familiar with Hittite conventions and many aspects of their culture. One even imagines a steady stream of freed Egyptian "scapegoat" prisoners passing through Goshen on their way home, dressed in the finery of the Hittite king and queen, or when inconvenient "another person… [who] takes care of the rite," throughout the long decades that Muršili II labored to find the right combination of rituals to send the Egyptian epidemic back from whence it came. A recent paper argued that the Biblical narrative of Phinehas and Cozbi is in dialogue with the Puliša and Ašḫella scapegoat traditions; in killing Cozbi, Phinehas enacts a human female scapegoat ritual to avert the plague in the desert of Moab, and in so doing demonstrates familiarity on the part of the *dor ha-midbar*, the generation of the wilderness, with these specific rites.[46]

A New Approach

In light of the above, a new possible interpretation of the Exodus passages suggests itself.

At the height of the deadliest of the Egyptian plagues, in 11:2, the Israelites are requested, almost begged, as Rashi (s.v. *daber na*) notes – in language reminiscent of Judah's plea to Joseph in Genesis 44:18 – to ask of their Goshenite neighbors (Exodus

44 Marco De Pietri and Elena Urzì, "Evidence for medical relations between Egypt and Ḫatti: a brief overview." *Proceedings of the Twentieth Annual Symposium, University of Alcalá, 17–21 June 2019* (Archaeopress, 2021), 114-129.

45 Ignazio Vecchio et al. "Between "Science" and Magic: Pre-Hippocratic Greek Origins of Medicine and Surgery," in *Acta Medica Mediterranea 29* (2013): 363-367.

46 Lauren A. S. Monroe, "Phinehas' Zeal and the Death of Cozbi: Unearthing a Human Scapegoat Tradition in Numbers 25: 1-18," in *Vetus Testamentum* 62:2 (2012), 211-231.

3:22), Hittite-familiar soldiers and officials, fellow Asiatics and Hittite slaves, to render *the Israelites* their scapegoats. The latter "find favor" in the eyes of their neighbors, in the sense that they deem the Israelites fitting representatives – adorned substitutes about whom the Egyptians might say, "compared to me she is excellent: she is pure, she is radiant, she is pale, she is endowed with everything."[47] The Israelites request specifically jewelry and clothing. And they "borrow" these items, because for the ritual to be effective, the adornments must be those of the sender; but under no circumstances do the senders want the regalia returned. The Israelites dress their sons and daughters (3:22), wearing the garments as scapegoats are required to do.

The Israelites, now decorated, along with their sheep and cattle (12:38), and laden with special breads (12:39), are to carry the plague out of Egypt, and off to land of the enemy God that inflicted the plague upon them. In so doing, the Israelites indeed save, *va-yenatzlu*, Egypt.[48] In its outline of the projected events of the Exodus, Chapter 3 culminates in a supreme irony: God descends to save (*le-hatzilo*) the thoroughly downtrodden Israelites from the hands of the Egyptians (3:8), and when He is done, the Egyptian oppressors will need the Israelites to save them (*ve-nitzaltem*) from the hands of God.

There is no deceit here; on the contrary, the enactment of the Puliša and Ašḫella rituals make it clear to the Egyptians that the Israelite exodus is permanent. This ritual enactment also fits with Pharaoh's characterization of the moment of release in sacrificial terms (12:31-33). It likewise enables a sense of "closure" with the Egyptians, who achieve expiation, and thereby exempt them from being abominated by the Israelites (Deuteronomy 23:8).[49]

For the ritual to work, as per the Hittite texts, the Israelites would need to reach the land of the enemy, or at least carry the plague out of the borders of Egypt. When Pharaoh sees that the Israelites have turned back within the borders of Egypt – "they are entangled in the land, the wilderness hath shut them in" (14:3) – it seemed that the ritual would never be enacted after all, or worse, that the Israelites would carry the plague back to the Egyptians. Given this, Pharaoh's objective seems to have been to kill

47 Singer, *Hittite Prayers,* 72.

48 In the Hebrew and Aramaic Lexicon of the Old Testament (HALOT), נצל is the parent root for both possible meanings, with cognates meaning to take away, save, escape from, extract, draw out, separate and sever. The *pi'el* form can mean either "to pull out, save" (Ezekiel 14:14) or to snatch for oneself (II Chronicles 20:25) (although HALOT comes down on the side of the more conventional translation "to rob" for Exodus 3:22). See Ludwig Koehler and Walter Baumgartner, *The Hebrew and Aramaic Lexicon of the Old Testament* (Brill, 1994) entry 6314, נצל.

49 I am indebted to R. Prof.Joshua Berman for these two points.

the scapegoats, as in the citation in the Song at the Sea (15:9), "my hand will destroy them." Killing the scapegoat is another means of dispatching the plague, one seen in the Greek *pharmakos* version of the rite, and possibly in some Hittite versions as well,[50] one which does not require the scapegoat to leave the afflicted territory. Indeed, upon seeing the Egyptians in hot pursuit, the Israelites complain that they have been sent to *die* in the wilderness (14:12). But Pharaoh was mistaken about the Israelites' itinerary, and indeed, after Divine intervention dispatches with the Egyptian army in the Red Sea, the Israelites proceed beyond the Egyptian border and fulfill the task emplaced upon them by their erstwhile neighbors.

This sort of freedom – scapegoat freedom – comes at a price. Perhaps for this reason, the first Divine communication to the Israelites after they have left Egyptian territory to the wilderness, the destination of the human scapegoat – the terrain of the "angry foreign deity" – is one of qualified reassurance (15:26) "... If thou wilt diligently hearken to the voice of the Lord thy God, and wilt do that which is right in his sight, and wilt give ear to his commandments, and keep all his statutes, I will put none of these diseases upon thee, which I have brought upon the Egyptians: for I am the Lord that healeth thee." The Israelites need to be assured that God will not put the plagues upon them – the plagues that the Egyptians did put upon the Israelites – if, and only if, they obey the covenant.

The Israelites had reason to be concerned. In borrowing the Egyptian finery, they assumed the plague of the firstborn upon themselves, upon their cattle and upon the donkeys that carried their children and goods (Rashi 13:13, s.v. *peter hamor*); and it is perhaps for this reason that Chapter 13 interrupts the narrative with the commandment to sanctify all firstborn – man, livestock and donkeys – and outlines the methods for their redemption. Tractate Soferim (21:3) records the practice by which Jewish firstborns fast on the eve of Passover – but if the purpose of the plague was to free the Jews, why would they have ever been in danger? Since the emancipation is forever bound up in the transfer of plague, to reenact the eve of redemption is also to recall a time of peril.

By the time of the composition of the Septuagint, all of this context had long been forgotten. Hattuša had been laid to rubble for nearly a millennium, the Puliša and Ašḫella tablets buried deep within its mound; and the last embers of Hittite culture had been completely extinguished by the Neo-Assyrians by 700 BCE. The translators understood that the unmodified שאל can only mean "to borrow," and with no better

50 See Monroe, "Phinehas' Zeal," p. 215.

explanation, deceit – with all its contextual and ethical problems – was left as the lone possible avenue of interpretation.

The Transformation of the Scapegoat Ritual

The foregoing approach solves the moral question: there was no deception; the Israelites offered to serve as scapegoats for the Egyptians, and fulfilled their duty; it also solves the contextual problem: borrowing at the moment of redemption, in the scapegoat context, underscores the finality of the Exodus, and is thus consistent with the Biblical indications of the Israelites' and Egyptians' awareness of finality, and the expression of Divine power and sovereignty. It addresses all the technical questions – why during the plague, why clothing and jewelry, why the request is gendered, why specifically the Egyptians of the Goshen borderland - those most familiar with Hittite scapegoating, and what "finding favor" could mean in this context. But one new question arises: why would the God of Israel make use of an idolatrous Hittite ritual?

Perhaps for the same reason, and in the same way, that Hittite blood-purification and other sacrificial patterns are mirrored in the Pentateuch. The Torah did not necessarily seek to replace the cultic "grammar" of the Ancient Near East, but to adapt the familiar, and sometimes to subvert it, for often radically different aims.

Indeed, Biblical law does know a scapegoat ritual: the 'sent goat' to Azazel (Leviticus 16:10). But despite the many similarities, there is a key difference from the rites in the Arzawa collection. In his publication of the Hittite scapegoat rituals, David Wright notes that "in the Bible, Israel's *sins* are placed on the animal, whereas in the Pulisa rite, a deity-caused *plague* is dispatched."[51] From the beginning of Genesis, the Bible identifies sin as the cause of death, and it is sin – the root cause of plague and other kinds of death – that must be eliminated. In Biblical theology, a proper response to plague is not primarily apotropaic; rather, there must be a strong ethical-moral component.

In this respect, the "mass scapegoat ritual" performed by the Egyptians at God's behest is a fitting inflection point in the life of this ritual. In sending the decorated Hebrew slaves and their cattle in the manner of the Hittites – ostensibly, to carry away death and propitiate the angry foreign deity – the Egyptians were at the same time "sending" their sins, in the manner of the Bible, resolving the moral failing at the root

51 Wright, *The Disposal*, 50. The *metzora*-bird of Leviticus 14:7 is also a sort of scapegoat ritual, and like the sent goat, it also serves not to dispatch plague; however, in its case it disposes not of sin, but of *tum'ah*-impurity.

of the plague. They were releasing the Israelites from their servitude, complete with the gifts manumitted slaves are due, and a bit of reparations, to boot. In the moment of the Exodus, for Egypt, elimination of plague is transformed to expiation of sin – and thus a magical practice is reconceived as an act of *teshuvah*.