

## Law in the ANE and Hebrew Scripture

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### Introduction

This paper is a continuation of a series of papers I have been giving at SBL conferences in the past few years. The other papers were concerned with the concept of an ANE worldview. I argue that despite their different mythologies and cultures both Egypt and Mesopotamia worked from a common metaphysical worldview. This paper will look at how the concept of law in the mythologies and other texts of first Egypt and then Mesopotamia. A word is necessary on the approach to myth taken in this paper. I see the language of myth as being different from everyday straightforward language. I see the language of myth as a metaphorical type of language that is not meant to be taken literally. Consequently, one can have different myths describing the same event. This is especially true of the act of creation. Creation in both Egypt and Mesopotamia was seen as an act of order imposed onto chaos. This imposition could be seen as both the defeat of a god representing the chaotic element of water, a king commanding the chaotic waters, a great act of fertility, or the waters being divided and ordered. Often these different elements can be found in the same myth. Creation can be all these things, and consequently myths that describe creation in different ways should not be seen as being contradictory and competing, but rather as complimentary.

This paper will focus on descriptions of creation as a king giving commands. Since the command of a king was also law, creation by command was also the imposition of law onto chaos. This was done through the mind, which was seen as being seated in the heart, and the mouth of the creator god. We shall begin with some descriptions from Egypt. The following is from “the Theology of Memphis:”

There came into being as the heart and there came into being as the tongue in the form of Atum. The mighty Great One is Ptah, who transmitted life to all the gods, as well as to their ka's (their spirits) through his heart, by which Horus became Ptah, and through this tongue by which Thoth became Ptah. .... The Ennead of Ptah, however, is his teeth and lips in this mouth, which pronounce the name of everything, from which Shu and Tefnut came forth, and which was the fashioner of the Ennead. .... Thus all the gods were formed and his Ennead was completed. Indeed, every word of God really came into being through what the heart thought and the tongue commanded.<sup>1</sup>

The emphasis in this description of creation is that creation was due to the thought and command of Atum, who is also referred to as Ptah. The same is true of the following passage, which is from the text “Repulsing the Dragon.” Note that in this passage there is also an emphasis on creation being an act of fertility:

The All-Lord (Re) said after he had come into being: “I am he who came into being as Khepri. When I had come into being, being came into being, and all beings came into being after I came into being. Many were the beings which came forth from my mouth ... I made every form when I was alone, before I had sputtered out what was Tefnut, and before any other had come into being who could act with me. I, planned in my own heart, and there came into being a multitude of forms and beings, the

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<sup>1</sup> “The Theology of Memphis” (53, 55, 57, translated by John A. Wilson (*ANET*, 5.))

forms of children and the forms of their children. I was the one who copulated with my fist, I masturbated with my hand. Then I spewed with my own mouth.<sup>2</sup>

It is wrong to ask whether creation came forth through masturbation or through Re's mouth: creation was both an act of fertility and an act of premeditated command. The final two examples from Egypt again emphasize creation as being through speech or command:

Praise to thee, Amon-Re-Atum-Har-akhti, who spoke with his mouth and there came into existence all men, gods, large and small cattle in their entirety, and that which flies and lights totally.<sup>3</sup>

Hail to thee, O Re, lord of truth (*ma'at*). Whose shrine is hidden, the lord of the gods, Khepri in the midst of his barque, who gave commands and the gods came into being.<sup>4</sup>

Note also how the creator god can be referred to by various names: in the first passage he is Amon, Re, Atum, and Har-akhti. In the preceding passage Re is also referred to as Khepri, and in the very first passage Atum is equated with Ptah. The creator can be referred to by all or just some of these names depending on which aspect of creation is being referred to or emphasized.

In the first passage quoted Thoth is equated with Ptah's tongue. Thoth was also the scribe of the Gods:

In the hall of Geb. Re spoke, Thoth wrote, the council assented, your father Geb decreed for you, one did according to his word.<sup>5</sup>

In this text, the Great Hymn to Osiris, the hall of Geb is described also as the hall of justice or *ma'at*.<sup>6</sup> Geb, the father of Osiris presides in this hall. In the above passage when Geb decrees something it is spoken of as Re speaking, Thoth writing, and the council (the Ennead<sup>7</sup>) assenting. A decree is also a law, and consequently, the word of the creator god Re written by Thoth was also law. Thoth was the god of scribes and law. This law was *ma'at*, the order of creation, and Thoth was said to be the one who daily wrote *ma'at* for Re.<sup>8</sup> Thoth was thus "legislator in heaven and earth", "the lord of laws", and is referred to as the one who taught the gods about *ma'at*.<sup>9</sup>

*ma'at*, the term for the order or law of creation, is translated variously as justice, right, rightness, righteousness, and truth, which are all words we associated with law. It can be argued that *ma'at* was the most important theological concept in Ancient Egypt. *ma'at* as Cohn rightly concludes, "governed every aspect of existence. The equilibrium of the universe and the cohesion of its elements, the rotation of the seasons, the movements of the heavenly bodies, the diurnal course of the sun – and amongst human beings, proper observance of religious obligations and rituals by the priests, fair dealing and honesty and truthfulness in personal relations."<sup>10</sup> *ma'at* defined what was good or bad: that which supported or was aligned with *ma'at* was good, and

<sup>2</sup> "Repulsing of the Dragon" (xxvi-ii, translated by John A. Wilson (*ANET*, 6.))

<sup>3</sup> "Hymns to the Gods as a Single God" (7-9, translated by John A. Wilson (*ANET*, 371)).

<sup>4</sup> "A Hymn to Amon-Re" (IV:2, translated by John A. Wilson (*ANET*, 366.))

<sup>5</sup> "The Great Hymn to Osiris" (25, Miriam Lichtheim, *Ancient Egyptian Literature: A Book of Readings* (Berkeley, University of California Press, 1973), II:85.)

<sup>6</sup> *Ibid.*, (1.)

<sup>7</sup> *Ibid.*, (17)

<sup>8</sup> *Ibid.*

<sup>9</sup> Norman Rufus Colin Cohn, *Cosmos, Chaos, and the World to Come: The Ancient Roots of Apocalyptic Faith* (New Haven: Yale University Press, 1993), 11.

<sup>10</sup> Cohn, *Cosmos*, 9.

that which opposed *ma'at* was evil. It was a law which ran throughout creation in both the natural and human spheres of life.

Furthermore, there was an understood covenant between the gods and humans: if the humans helped support *ma'at*, then the gods would supply *ma'at* in the lives of humans. Thus, “*ma'at* is a great gift of god, he gives it to whom he wishes”<sup>11</sup>, and who he gave it too were naturally the good:

Seek out every beneficent deed, that your conduct be blameless.  
Great is justice (*ma'at*), lasting in effect, unchallenged since the time of Osiris.  
One (the god) punishes the transgressor of the laws, though the greedy overlook this;  
Baseness may seize riches, yet crime never lands its wares;  
In the end it is justice (*ma'at*) that lasts, Man says: “It is my father’s ground.”  
Do not scheme against people, god punishes accordingly ...  
People’s schemes do not prevail, god’s command is what prevails;  
Live then in the midst of peace, what they (the gods) give comes by itself.<sup>12</sup>

One should live by in the midst of peace, i.e., in *ma'at*, and the rewards of the Gods will come all on their own.

Though individual obedience to *ma'at* was seen as being important, it was most important that the pharaoh live by *ma'at*, because it was he who directed the country. If the king maintained *ma'at* in the land as a whole, then the gods would ensure *ma'at* throughout the land. Thus, because Rameses III did *ma'at* every day, the Nile floods brought abundant harvests to the land, and the people enjoyed good things.<sup>13</sup> As Cohn points out, the following text shows the relationship beautifully:

Rejoice, thou entire land, the goodly time has come. A lord is appointed to all countries, ... O all ye righteous, come and behold! Truth (*ma'at*) hath repressed falsehood (*isfet*), the sinners are fallen on their faces, all that are covetous have turned back. The water standeth and faileth not, and the Nile carrieth a high flood. The days are long, the nights have hours, and the months come aright. The gods are content and happy of heart, and life is spent in laughter and wonder.<sup>14</sup>

King Merneptah, who had this written, used the epithet “content with *ma'at*”.<sup>15</sup> Because Merneptah was content with *ma'at*, the gods were content as well. Amon-Re was also described as one who is “content with *ma'at*” as was the Aten, the Lord of heaven, in Akhnaten’s monotheism.<sup>16</sup> Thus, because Merneptah upheld *ma'at*, he can claim responsibility for bounty producing high floods, and even the maintenance of the calendar. This is because his support of *ma'at* brings about a corresponding upholding of *ma'at* by the gods.

When *ma'at* is not maintained then disaster follows. Thus, when “the great no longer rule the land, what was made has been unmade.”<sup>17</sup> Creation starts to come undone, and it is hoped in

<sup>11</sup> “The Instruction of Amenemope” (21:5, Lichtheim, *Egyptian Literature*, II:158.)

<sup>12</sup> “The Instruction of Ptahhotep” (85-118, *Ibid.*, I:64-65.)

<sup>13</sup> Cohn, *Cosmos*, 14.

<sup>14</sup> *Ibid.* Cohn is here quoting Adolf Erman and Aylward M. Blackman, *The Literature of the Ancient Egyptians: Poems, Narratives, and Manuals of Instruction, from the Third and Second Millennia B. C* (London, Methuen & co. Ltd.: 1927), 278-79.

<sup>15</sup> “The Poetical Stela of Merneptah”/ “Israel Stela” (1,4, 9, 14, 19, 20, 21, 22, 27, 30, Lichtheim, *Egyptian Literature*, II:74-75.)

<sup>16</sup> “Votive Stela of Nebre with Hymn to Amen-Re” (16, *Ibid.*, II:107. “The Later Boundary Stelae of Amenhotep IV Akhnaten” (1, Lichtheim, *Egyptian Literature*, II:48.)

<sup>17</sup> “The Prophecies of Neferti” (22, Lichtheim, *Egyptian Literature*, I:141.)

the next line that “Re should begin to recreate”, i.e., continue his ongoing process of creation. Besides social distress, the sun hides its face, and the Nile dries up.<sup>18</sup> Happiness disappears<sup>19</sup> and is replaced with war and starvation. In short the exact opposite of the situation described by Merneptah. The disruption of nature was not the only tool the gods used; they also sent demons as their messengers bearing sickness and death<sup>20</sup>, i.e., they brought disorder to the bodies of those who did not perform *ma‘at*. Thus, the author of the Instruction for Ptahhotep can accredit his long life of a hundred and ten years as a gift from the king for doing *ma‘at* for the king.<sup>21</sup> Happiness and life from the gods was dependent on doing *ma‘at* on both an individual and collective level.

We shall now turn to Mesopotamia. In Mesopotamia the focus on creation as law was stronger. In the Enuma Elish (the Epic of Creation) the author sums up Marduk’s activity of creation as follows:

When he had designed his rules and fashioned his ordinances, he found the shrines and handed them over to Ea. The Tablet of Destinies which he had taken from Kingu he carried, he brought it as the first gift of greeting, he gave it to Anu.<sup>22</sup>

Thus, creation was rules and ordinances, which were contained in the Tablet of Destinies. When Marduk was commissioned to become the king of the gods, he had to perform a test. On his arrival, the gods hail him by saying

Your destiny is unrivalled, your command is supreme! Henceforth your command cannot be changed, to raise high, to bring low, this shall be your power. Your command shall be truth, your word shall not be wrong.<sup>23</sup>

Then he is given a test in which he has to destroy a *lumashu*, a constellation or star, by his command, and then by his command bring it back into being. Naturally, Marduk succeeds, and after the test Marduk was then given the symbols of kingship, sceptre, throne, and staff, but he was missing one key symbol, the Tablet of Destinies, which was in the control of the opposing camp. A destiny, or *me* in Sumerian, was like a cosmic law.<sup>24</sup> It defined the nature and future of something. Everything had a *me*, and whoever controlled the Tablet of Destinies controlled creation as they controlled cosmic law.

Originally, An, or Anu in Akkadian, the father king of the gods, was seen as the creator. It was then his command that was the foundation of creation:

Oh An! Thy great command takes precedence, who could gainsay it? O father of the gods, thy command, the very foundation of heaven and earth, what God could spurn it?<sup>25</sup>

An was the original source of *mes*, and it was he who handed them over to the other Gods, his children, to ride, i.e. rule.<sup>26</sup> Marduk, however, assumes the role of An, and two other gods

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<sup>18</sup> Ibid., (25, 26f).

<sup>19</sup> Ibid., (46)

<sup>20</sup> Cohn, *Cosmos*, 25.

<sup>21</sup> “Instruction of Ptahhotep” (19:7-8, Lichtheim, *Egyptian Literature*, I:76.)

<sup>22</sup> “Epic of Creation” (V: 65-70, translated by E. A. Speiser (*ANET*, 502.))

<sup>23</sup> “Epic of Creation” (IV: 7-10, Foster, *Before the Muses*, I:372.)

<sup>24</sup> On *mes* see Helmer Ringgren, *Religions of the Ancient Near East*, trans. John Sturdy (Philadelphia: Westminster Press, 1973), 5.

<sup>25</sup> Cohn, *Cosmos*, 33. (Quoting Thorkild Jacobsen, *The Treasures of Darkness: A History of Mesopotamian Religion* (New Haven: Yale University Press, 1976), 57.)

associated with creation and the command of the *mes*, namely, Enlil and Enki, otherwise known as Ea. Marduk thus became “Anu-Enlil-Ea”.<sup>27</sup> Enlil was the warrior king of the gods who actually enforced the law of creation, the *mes* for An, and Enki was said to ride ‘tens of thousands’ of *mes*.<sup>28</sup>

In Mesopotamia there was similar concept to *ma‘at* represented by two words, *kettu* and *mesharu*. *Kettu* was justice, but also meant truth and firmness,<sup>29</sup> and represented completeness<sup>30</sup> and the law.<sup>31</sup> *Mesharu* was righteousness, and also meant straightness.<sup>32</sup> The symbols for these two related concepts were a ring and staff which were also symbols of kingship. These were also symbols of kingship as sceptre and crown. As in Egypt, the primary guardian of the justice and righteousness of creation was the sun god, Utu in Sumerian, Shamash in Akkadian. He was the lord of *kettu* and *mesharu*, and judge of creation. *Kettu* and *mesharu* are often depicted as goddesses standing next to him.<sup>33</sup> However, most often he is depicted as a king and judge seated on a throne holding the rod and ring. He like the other great gods was also seen as regulating world order.<sup>34</sup> When Marduk became king of the gods, he also became the judge and ‘sun’ of the gods. In the Enuma Elish, Marduk’s name is taken to be a combination of the cuneiform signs son (*maru*) and sun (*Utu*)<sup>35</sup>. Marduk was consequently seen as the prime guardian of justice and righteousness.<sup>36</sup>

The Tablets of Destiny, the law of heaven, were seen as having an earthly counterpart though it is doubted that the laws of the land were ever kept as such.<sup>37</sup> As the earthly counterpart of the heavenly law, earthly law was seen as divine and coming from the gods, primarily Utu/Shamash. Thus, Lipit-Ishtar in the epilogue to his law code says:

Verily in accordance with the true word of Utu, I caused Sumer and Akkad to hold to true justice.  
Verily in accordance with the pronouncement of Enlil, I Lipit-Ishtar, the son of Enlil, abolished enmity and rebellion; made weeping, lamentations, outcries ... taboo; caused righteousness and truth (*mesharu* and *kettu*) to exist; brought well-being to the Sumerians and Akkadians.<sup>38</sup>

Likewise, Hammurabi on his famous stele is seen receiving his law code from Shamash and in his prologue says:

An and Enlil named me to promote the welfare of the people, me Hammurabi, the devout, god-fearing prince, to cause justice (*kettu*) to prevail in the land, to destroy the wicked and the evil, that the strong might not oppress the weak, to rise like the sun over the black-headed people, and to light up the land.<sup>39</sup>

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<sup>26</sup> See Ringgren, *Religions*, 18-21.

<sup>27</sup> “Epic of Creation” (VI:64, Foster, *Before the Muses*, 386.)

<sup>28</sup> Cohn, *Cosmos*, 35.

<sup>29</sup> Ringgren, *Religions*, 112.

<sup>30</sup> *Ibid.*, 58.

<sup>31</sup> *Ibid.*, 103.

<sup>32</sup> *Ibid.*, 58, 112.

<sup>33</sup> Cohn, *Cosmos*, 35.

<sup>34</sup> Ringgren, *Religions*, 9.

<sup>35</sup> Foster, *Before the Muses*, 357, note to line 102.

<sup>36</sup> E.g., “Great Hymn to Marduk”, (45ff., *Ibid.*, 526.)

<sup>37</sup> Cohn, *Cosmos*, 43.

<sup>38</sup> “Lipit-Ishtar Law Code” (Epilogue, translated by Samuel Noah Kramer (*ANET*, 161.))

<sup>39</sup> “The Code of Hammurabi” (I:30-40, translated by Theophile J. Meek (*ANET*, 164.))

Here, Hammurabi lights up the land with justice and righteousness like Utu the sun. He goes on to list all his achievements from restoring and designing temples, supplying the land with water, extending the area of cultivated land, fixing pastures, and in general, making the land prosper. All of this was causing justice to prevail in the land.

As in Egypt if the people and especially the king upheld the justice and righteousness in the human domain, then the gods would uphold justice and righteousness in the natural domain. This is shown in Hammurabi's epilogue where he lays curses on those in the future who do not follow his laws or change them, i.e., those who abandon justice and righteousness. Their sceptres are to be broken, and there will be revolts by the people, famine, darkness, death, ruin of the land, destruction of the people, rivers damned at sources, lack of grain, the foundations of the nation will crumble, lack of rains from heaven and floodwaters in spring, day turned to night, and in general good turned to evil.<sup>40</sup> All these curses are to be implemented by the great gods. Each god will withdraw the services to nature that they were seen providing. The curses are not so much curses as a warning as to what happens when justice and righteousness is abandoned by a king. When a king does not follow *kettu* and *mesharu*, then the law of creation comes to a halt and chaos ensues. The reverse is also true. The future kings who do follow the laws are likewise blessed: "may Shamash make that man reign as long as I, the king of justice; may he shepherd his people in justice."<sup>41</sup> Here it is implied that Hammurabi's long reign is directly connected to doing justice.

There is not the time to go into detail and show that the concept of law in Hebrew Scripture fits in with the above worldview in regards to law. Instead, I shall list some examples:

- 1)The Torah begins with God commanding creation into being out of the water chaos, which implies that law of creation and the later laws given to Moses are all part of the same law.
- 2)Creation is seen as partaking in and being an example of God's wisdom: creation comes through the wisdom and command of God.
- 3)In Genesis those who obey God, that is, obey the command or law of God prosper, and those who do not are punished. For example, Adam is removed from Eden where the perfect order of creation reigns for disobeying God, and thrown into a world which is mixed with chaos; in the Noah story when humans transgress the law of creation, the order of creation is removed and creation is flooded by the waters of chaos in the Noah story; in the Abraham cycle the emphasis is on Abraham's obedience to God, and his reward for his obedience.
- 4)God's throne rests on the Ark of the Covenant which contains a copy of his law, much as the throne of pharaoh rested on a symbol for *ma'at*.
- 5)In the histories, those who obey the God's law and command prosper and those who do not suffer. The same is true of the prophets who predict natural disaster if God's law is not followed and peace and prosperity if God's will is obeyed. The terms *mishpat* and *zedek*, righteousness and justice, seem to function as the terms *ma'at*, *kettu*, and *mesharu*. For example, Isaiah 32:16–17 says that justice will dwell in the wilderness, and righteousness will abide in the fruitful field, and the effect of righteousness will be peace. Peace is the perfect function of the law of creation.

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<sup>40</sup> Ibid., (XXVI:40 ff.)

<sup>41</sup> Ibid., (XXVI:12)