

Maternal Child Abandonment in the Ancient Near East and Hebrew Bible

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Introduction

Parents have abandoned their children since the dawn of history. Well documented in ancient Near Eastern sources and the Hebrew Bible, the phenomenon has been extensively explored.^{*1} Although the mother appears in research literature in this context, references to her are sporadic, and no comprehensive or exhaustive study specifically focuses on her role. The present article thus examines *maternal* child abandonment, discussing its prevalence in relation to paternal abandonment or abandonment by other family members.²

The legal or social aspects of maternal abandonment have also been neglected, and the questions of maternal legal authority to cast off children and society's attitude towards mothers who did so have also not yet been discussed in detail. This article thus analyzes the scope of maternal abandonment as reflected in ancient Near Eastern and biblical sources by painting a broad picture of the circumstances surrounding the act and seeking

I thank Prof. Shalom Holtz for reading a draft of this manuscript and offering valuable comments upon it. Abbreviations of items not listed in the *SBL Handbook of Style* follow *CAD*, vol. U/W, vii – xxix. In addition, note the following abbreviations: LE= Laws of Eshnunna; LH= Laws of Hammurabi; LI= Laws of Lipit-Ishtar; MKGH 4 = Sabina Franke and Gernot Wilhelm, "Eine mittelassyrische fiktive Urkunde zur Wahrung des Anspruchs auf ein Findelkind," *Jahrbuch des Museums für Kunst und Gewerbe Hamburg* 4 (1985): 19–26.

¹ See, for example, Louis Germain, "L'exposition des enfants nouveau-nés dans la Grèce ancienne: Aspects sociologiques," *Recueils de la Société Jean Bodin* 35 (1975): 211–46; John Boswell, "Expositio and Oblatio: The Abandonment of Children and the Ancient and Medieval Family," *AHR* 89 (1984): 10–33; idem, *The Kindness of Strangers: The Abandonment of Children in Western Europe from Late Antiquity to the Renaissance* (Chicago: University of Chicago Press, 1988); Sander J. Breiner, *Slaughter of the Innocents: Child Abuse through the Ages and Today* (New York: Plenum, 1990); Cornelia Wunsch, "Findelkinder und Adoption nach neubabylonischen Quellen," *AfO* 50 (2003/4): 174–244; Meir Malul, *Society, Law and Custom in the Land of Israel in Biblical Times and Ancient Near Eastern Cultures* (Ramat-Gan: Bar-Ilan University Press, 2006), 70–87 (Hebrew); Judith E. Grubbs, "Infant Exposure and Infanticide," in *The Oxford Handbook of Childhood and Education in the Classical World*, ed. Judith E. Grubbs and T. Parkin (Oxford: Oxford University Press, 2013), 83–107; Kristine H. Garraway, *Children in the Ancient Near Eastern Household, EANE 3* (Winona Lake, IN: Eisenbrauns, 2014); Daniel Justel, *Infancia y legalidad en el Próximo Oriente Antiguo durante el Bronce Reciente (ca. 1500–1100 A.C.)* (Atlanta: SBL, 2018) (e-book).

² In Arnaud Emar 6 256, two children appear to have been thrown into the street by their grandfather: see Justel, *Infancia y legalidad*, 35–37.

to determine whether a mother had the legal authority to abandon her child. Early societies, because of their patriarchal nature, regarded children as legally belonging to the father. Mothers thus were unlikely to have been officially permitted to cast off their offspring; the legal aspect of this practice thus relates primarily to unmarried women. The issue of legal authority also rests on the social and legal attitude society took towards mothers who forsook their children. The findings should contribute to our understanding of the legal and social status of mothers in the patriarchal societies of the ancient Near East and biblical Israel.³

Based on a broad analysis of all the ancient Near Eastern sources (known to me) and biblical texts dealing with child abandonment, the discussion focuses on instances in which the mother is the responsible party or, if not specifically indicated as being so, is identifiable as such by certain textual details. The material falls into two principal categories:

a) judicial—articles in Mesopotamian law codes and lexical series, legal documents—primarily adoption contracts, model contracts,⁴ official declarations, and letters. All these documents likely reflect contemporaneous practice;⁵

³ Exploring the legal status of the mother in ancient Mesopotamian and biblical societies, my earlier study has focused on the maternal authority to arrange marriages (especially for daughters) and her power over delinquent offspring: see Lea Jacobsen, *The Legal Status of the Mother in the Ancient East and the Bible* (Jerusalem: Magnes, 2017) (Hebrew). The present study seeks to reveal the status and authority of mothers who abandoned their children and society's perception of their actions.

⁴ Some features of functional documents—e.g. witness lists and dates—do not appear in model contracts. The latter thus most likely reflect a preliminary stage of scribal-school education, representing a large range of Mesopotamian administrative contracts linked to social and economic life: see Gabriella Spada, "Two Old Babylonian Model Contracts," *CDLI* 24 (2014): 1–13, here 1–2.

⁵ For sections in law codes reflecting laws implemented in practice, see Raymond Westbrook, "Biblical and Cuneiform Law Codes," *RB* 92 (1985): 247–64; idem, "Introduction: The Character of Ancient Near Eastern Law," in *A History of Ancient Near Eastern Law*, ed. Raymond Westbrook (Leiden: Brill, 2003), 16–19; Samuel A. Jackson, *A Comparison of Ancient Near Eastern Law Collections Prior to the First Millennium BC*, Gorgias Dissertations 35 (Piscataway: Gorgias, 2008), 9–19. Children who resided in temples not being foundlings, they lie outside my present purview: see Wunsch, "Findelkinder und Adoption"; 1 Samuel 1. Nor do I discuss the phrase *šilip rēmim*, which refers to newborns in certain ancient Near Eastern compositions (primarily from the Old-Babylonian period). Although some scholars regard this phrase as treating abandoned children (Justel, *Infancia y legalidad*, 51), its meaning remains disputed: see A. Leo Oppenheim, "Assyriological Gleanings I," *BASOR* 91 (1943): 36–39, here 36–37; Jacob J. Finkelstein, "*šilip rēmim* and Related Matters," in *Kramer Anniversary Volume: Cuneiform Studies in Honor of Samuel Noah Kramer*, ed. Barry L. Eichler, Jane W. Heimerdinger, and Åke W. Sjöberg, *AOAT* 25 (Kevelaer: Neukirchener, 1976), 187–94; Claus Wilke, "Noch einmal: *šilip rēmim* und die Adoption *ina mēšu*—Neue und alte einschlägige Texte," *ZA* 71 (1981): 87–94. For a comprehensive discussion of this phrase, see Garroway, *Children*, 93–98.

b) literary—Mesopotamian texts and most prominently the legend of Sargon I's birth. Biblical law does not directly address parental child abandonment, so other biblical genres must be read in order to reveal whether they contain traces of legal practice—prophecy (Isa 49:15; Ezek 16:1–7), psalms (Ps 22:10–11; 27:9–10), and prose units (Gen 21:14–19; Exod 2:1–10).

Numerous scholars employ the “law in narrative” approach to identify the legal stratum upon which biblical stories rest, understanding biblical authors to interweave terminology and expressions drawn from their social and legal reality to illustrate phenomena with which their readers were familiar.⁶ This approach is employed in the analysis of biblical accounts of child abandonment.

On the premise that the legal and social strata within the biblical texts cannot be properly understood in isolation from the Mesopotamian material, I also conduct a comparative analysis in order to examine the scope of the phenomenon under discussion within the Mesopotamian and biblical sources. Collation of all the (known) references to mothers who play a role in child abandonment allows us to determine the characteristic features of desertion scenes and the legal terminology they contain.⁷

Two issues must be noted before analyzing the sources:

- a. Mesopotamian and biblical passages share features and language. The two corpora thus constitute a paradigm of abandonment accounts upon which ancient writers drew:
 - 1) The person who abandoned the child—most frequently a parent/parents
 - 2) The person abandoned—a newborn, infant, or child
 - 3) The location of the abandonment (and rescue)
 - 4) The person who saves the child
 - 5) The name of the child (typical of foundlings)
 - 6) The act following the rescue—often adoption.

Some or all of these details appear in the sources.

⁶ See Malul, *Society, Law and Custom*, 36–40 and the bibliography cited therein.

⁷ For the legal traditions common to ancient Near Eastern societies (including Israel albeit in a different language and culture), see Shalom Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Laws*, VTSup 18 (Leiden: Brill, 1970); Raymond Westbrook, “Social Justice in the Ancient Near East,” in *Social Justice in the Ancient World*, ed. Kaikhosrow Irani and Morris Silver (Westport: Greenwood, 1995), 149–63; idem, “Adultery in Ancient Near Eastern Law,” *RB* 97 (1990): 542–80; Malul, *Society, Law and Custom*, 9–43; Bruce Wells, “Introduction: The Idea of a Shared Tradition,” in *Law from the Tigris to the Tiber: The Writings of Raymond Westbrook*, ed. Bruce Wells and Rachel F. Magdalene (Winona Lake, IN: Eisenbrauns, 2009), 1:xi–xx.

The two sets of literature also contain a vocabulary of abandonment and rescue, typically identifying the site of the act—desert, field, river (bank)—and employing verbs bearing a similar legal valence: the Akkadian verbs *ezēbu* “to leave”⁸ (// עזב [Ps 27:10]) and *nadû* “to cast”⁹ (// שלח *hiphil* [Ezek 16:5]) describe the act of abandonment and the verb *našû* “to raise”¹⁰ (// נש [Gen 21:18]) signifies the saving (cf. אס [Ps 27:10]).

- b. The precise nature of the abandonment. This issue is particularly relevant with respect to the Mesopotamian legal material, some of which relates to actual casting off, i.e., the abandoning of a child in an “ownerless” spot (e.g. *ana ribīti šālû* “cast onto the street” [Arnaud Emar 6 256]). While the abandoned children were expected to die there, they are found by the person who rescues them (e.g. *ištu ribi[ti] iššišunu* “rescues them from the street” [Arnaud Emar 6 256]; *ina būrti atûšu* “they found him in a pit” [Ai. III iii 32]), who then becomes their legal parent. Other legal sources document cases in which the parent(s) relinquish(es) the children (e.g. *ana [pī] kalbi tassuku* “cast into the mouth of the dog” [AfO 50:219–220, no.4 = Nbk. 439]) and give(s) them over, via a judicial or other process, to a person who becomes recognized as its legal parent at the end of this procedure (e.g. *[i]štu pī kalbi iššūma [urab]bū* “[he] picked him up from the mouth of the dog [and raised] [him]” [AfO 50:219–220, no.4 = Nbk. 439]; *ina nāri taššiani turtabbīšu* “[She] picked [him] up from the river and raised him” [MKGH 4]).¹¹ The act of surrender and taking in by the adoptive parent(s) is also described in legal terms, thus legally constituting abandonment.¹² Symbolic in nature, this action

⁸ CAD E, 416–417 (*ezēbu* 1a).

⁹ For the verb *nadû* (the semantic parallel of השלח) and its legal connotations in the context of abandonment, see Morton Cogan, “A Technical Term for Exposure,” *JNES* 27 (1968): 19–41. For its sense in the framework of the gods forsaking an individual, see CAD N 1, 78–79 (*nadû* 1c, 6’).

¹⁰ CAD N 2, 88–89 (*našû* A, 2a).

¹¹ This document is written in the Assyrian dialect, in which the verbal forms are in the third person feminine singular; the translation has been adjusted accordingly. See the discussion on document MKGH 4 below.

¹² The legal significance of the language of abandonment found in depictions of parental surrender of a child and its handing over to the adoptive parent has been extensively discussed in the context of adoption documents. Malul (*Society, Law and Custom*, 79 n. 57) argues that it signals the child’s status as abandoned and outcast, i.e., status-less. The act of rescuing it from danger specified in a document evincing that its previous status as without any ties is no longer in effect, the adoptive parent brings it within his legal sphere, no one else then be permitted to claim rights to it. Wunsch (“Findelkinder und Adoption,” 181) interprets accounts of children rescued “from the mouth of a dog” or “from the street” as easing the adoptive parents’ fears that someone could later come and charge that the child had been stolen from its biological parents. For the description of a child as a foundling and its rescue by an adoptive parent in a legal document in order to justify the adoption, see Konrad Volk, “Von Findel- Waisen-, verkauften und deportierten Kindern: Notizen aus Babylonien und Assyrien,” in “Schaffe mir Kinder, wenn Nicht, so Sterbe Ich”: Beiträge zur Kindheit im alten

appears to have been intended to justify the adoption, the language representing conventional legalese.¹³ Both parties, or one of them, may also possibly have conducted a ceremony.¹⁴

Child abandonment by mothers in ancient Near Eastern legal sources

I know of 19 sources addressing child abandonment. In eight of these cases, the abandoning party is mentioned, and in most of these (six of eight) the mother is directly or possibly involved. In one case, both the mother and the father abandon their son (YOS 12 331). In two, she alone does so (MDP 23 288; AfO 50:219-220, no. 4 [Nbk. 439]) // AfO 50:221, no. 5). On three occasions, she may initiate the act (CT 52 103; MKGH 4; AfO 50:218–219, no.3). Based on the explicit evidence, we can conclude that even though in most (11 of 19) of the cases the abandoner's identity is not mentioned, the mother cannot be excluded as being responsible in at least some cases. The following discussion relates to the sources involving a mother, organized chronologically.

Old Babylonian period

12 sources appear to exist from this period, a minority recording the mother as abandoning the child.¹⁵

YOS 12 331

This contract speaks of a father and mother delivering their infant for adoption while still “in its amniotic fluid [*ina mēšu*],” and of the mother being hired as a wetnurse for three

Israel und in seinen Nachbarkulturen, ed. Andreas Kunz-Lübcke and Rüdiger Lux, *Arbeiten zur Bibel und ihrer Geschichte* 21 (Leipzig: Evangelische Verlagsanstalt, 2006), 56.

¹³ See the discussion on document AfO 50:219–220, no. 4 (Nbk. 439) below and note 46.

¹⁴ See Justel (*Infancia y legalidad*, 35–37), who discusses Arnaud Emar 6 256, an adoption document from Emar that describes a man who saves two small children from the street and adopts them. Casting children onto the street and rescuing them from there were symbolic acts, the “throwing” embodying the giving up of all rights and the “saving” the gaining of full rights over them. According to Justel (*ibid.*, 34–35), the acts depicted in MKGH 4 are also symbolic (see below). Wunsch (“Findelkinder und Adoption,” 178, 181) understands the events documented in Neo-Babylonian adoption contracts in the same way, with her analysis of AfO (Nbk. 439) 4, 50:219–220 resting on Oppenheim (“Assyriological Gleanings,” 36–37), who maintains that the abandonment spoken of therein is staged. See also Wunsch’s analysis of documents 1 and 3 in “Findelkinder und Adoption,” 174–75, 178–80.

¹⁵ For the legal sources in which the identity of the child abandoners is not documented, see: LI §20; LH §185; Ai 3,3:28–37; 7,3:12–15; model contract (see n. 4 above): UET 5, 260; CUSAS 43, 38; ZA 097, 001–025; CDLI 2014:2,3–4 (§2.2). In one document (ZA 101, 241[§44]), a child is thrown into the furnace, apparently by his father.

years. Restricting the claims the two sides can make, it concludes with an oath sworn in the presence of three witnesses:

Apil-Amurru itti Warad-Šamaš abīšu u^fIna-pīša-lublūṭ ummīšu Balija mār Awīl-ilim ina mēšu ana mārūtīm ilqe tēnīq šalāš šanāti ipra piššata lubušta^fIna-pīša-lublūṭ mahrat. libbaša ṭāb.

Balija, son of Awīl-ilim, has taken in adoption Apil-Amurru, in his amniotic fluid, from Warad-Šamaš, his father, and Ina-pīša-lublūṭ, his mother Ina-pīša-lublūṭ has received (allowances of) barley, oil, and wool to suckle him for three years. She is satisfied. (ll. 1–13)¹⁶

Like three other sources that deal with abandonment (LH §185 and the two documents below), this contract relates to the adoption of an infant *ina mēšu* i.e., while still covered in its amniotic fluid.¹⁷ While the direct procedure indicates that the parents did not abandon the baby physically, the expression *ina mēšu* bears the legal sense of desertion.

Because cleaning off the amniotic fluid and giving initial care to the newborn constitute the first steps towards ensuring its survival, parents who deliberately refrained from providing its needs effectively signed its death warrant. The legal significance of this negligence was the annulment of any biological parent's ties with the infant and forfeiture of all rights over him or her. Those who cared for their babies from birth onwards, in contrast, thereby enabling them to live, were their legal parents.¹⁸

The term *ina mēšu* reflects the infant's status as abandoned. With no one possessing any rights over it, it legally belonged to the person who cared for and adopted it, thus redeeming him from its status-less identity.¹⁹ This is the sense in which YOS 12 331 is to be understood: the fact that the biological parents left their baby in its amniotic fluid was tantamount to abandoning it.²⁰ Its adoption in this state transferred all the

¹⁶ See Wilcke, "Noch einmal," 90–91. The translation of the documents in this section is my own.

¹⁷ This is the prevalent scholarly interpretation of the term: see Reuven Yaron, "Varia on Adoption," *JJP* 15 (1965): 172, who refutes Driver and Miles' argument that *mēšu* = "name"; Finkelstein, "*šilip rēmim*," 193; Malul, "*Society, Law and Custom*," 83–84.

¹⁸ See Joseph Fleishman, "Who is a Parent? Legal Consequences of Child Maintenance," *ZABR* 7 (2001): 374–83 (LE §§32–35), 398–402 (LH §185 and legal documents). Regarding these laws as applying solely to ancient Near Eastern cultures, Fleishman excludes the Israelites, contending that the legal ties between a child and its biological parents are inseverable in the Hebrew Bible. For another view, see Malul, *Society, Law and Custom*, 72–73.

¹⁹ *Ibid*, 83.

²⁰ Garroway, *Children*, 101.

biological parents' rights to the adoptive parent, the former not being able to change their minds and demand the child's return.²¹

The fact that children in ancient societies legally belonged to their father makes it reasonable to assume that the final decision to abandon a child rested with the father even if the mother took the initiative.²² Several features of the contract point to the mother's collaboration, however:

- 1) The expression *ina mēšu* indicates that she did not give him the initial care necessary for his survival;
- 2) She was employed to nurse him for three years. The emotional and psychic connection naturally established between mother and baby might make her reluctant to return the infant to the adoptive parent. The fact that the mother is documented in the contract as delivering the infant and is paid to nurse it appears to be adduced in order to demonstrate that she had no right to later reclaim her son. *De facto*, the consent to give up annulled all present and future rights to the infant;²³
- 3) The fact that she is "satisfied" with the payment suggests that her intention had been to abandon it.

MDP 23 288

Originating in Susa in Elam, this document reports the case of two women—a midwife and a religious functionary—who declared before two public officials that another woman holding the same position had abandoned her child and given it to a wetnurse, whom they paid for her services:

²¹ Payment to the nursing mother by the adopting parent(s) also established the latter's rights over a child, remunerating the biological mother for wetnursing it for three years annulling all her legal rights over it: see Fleishman, "Who is a Parent?," 400.

²² In a letter from the beginning of the era under discussion here, an Egyptian worker commands his pregnant wife to get rid of the child if it is a girl but to let it live if it is a boy: see Adolf Deissmann, *Light from the Ancient East* (New York: Harper & Brothers, 1922), 167–70.

²³ Old Babylonian documents that reflect the legal practices of their time (Szlechter TJA p. 127f, UMM H 24; VAS 7 10/11 [VAB 5 78]) indicate that a wetnurse (who was not the baby's mother) could "take [*tabālu*]" the child as her own if she did not receive the payment due to her. According to Stol, LE §32—which states that the wetnurse is not permitted to take the child if she was not paid, he belongs to his father, the latter must compensate the wetnurse—was intended to prevent such situations, in which the child could effectively be "bought" for the value of the nursing fee. See Marten Stol, *Birth in Babylonia and the Bible—Its Mediterranean Setting*, CM 14 (Groningen: Styx, 2000), 186. While these sources address professional wetnurses rather than mothers who nurse their babies, the payment received by the wetnurse and her satisfaction in the contract align with LE §32, thus possibly seeking to prevent common practices. According to this contract, the wetnursing mother cannot demand custody of the child; her renunciation was thus non-retractable.

^fKu'puttu šabšūtu ^fErištu ištārītu ana Atkalšu ḥašša u Nennē kiparu ina pī kā iqbā umma šinama Mār-ūm-ešrā ^fManniyatu ištārītu ana rašī makkūrīša ina mēšu u dāmēšu īzibšuma [an]a Tūši-damqat [mušē]niqti taddiššuma.

Ku'puttu the midwife and the Erištu *ištārītu*,²⁴ declared before Atkalšu the official and Nennē the official as follows: Manniyatu, (another) *ištārītu* had abandoned (her son) Mār-ūm-ešrā while in his amniotic fluid and birth blood and gave him to Tūši-damqat the wetnurse for the purpose of acquiring her property. (ll. 6–12)²⁵

Two terms in this text indicate that Manniyatu abandoned her infant: the verb *ezēbu* “to leave/abandon” and the expression *ina mēšu u dāmēšu* “in his amniotic fluid and birth blood” (*//ina mēšu*). According to this document, the mother gave the infant to a wetnurse. In others (e.g. YOS 12 331; and most likely CT 52 103) the adoptive parent hands him over to the wetnurse, whom she pays for her services. The fact that the mother herself handed him over demonstrates that she relinquished him voluntarily. Wilcke offers two possible explanations for this act: a) the phrase *ana rašī makkūrīša* “for the purpose of acquiring her property”—whose link to the context is obscure—may signify that she was motivated by a desire for some benefit from the abandonment; b) her status as a religious functionary prevented her from raising him.²⁶

This source reveals several details regarding the social attitude towards mothers who abandoned their children. The women make their declaration before two officials, a *ḥašša* and a *kiparu* (a high-ranking judicial officer).²⁷ Other texts place the latter figures alongside an administrator (*teppir*), judge (*dajānu*), the residents of Susa (*mārū Šušim*) (MDP 23 321), and a chief priest (*pašīšu rabū*) and priest (*pašīšu*) (MDP 4 pl. 18/3).²⁸ Because these officials appear to have filled public positions, the ceremony seems to have been an administrative procedure of some sort.

Adopted abandoned children frequently appear in unilateral contracts, i.e., those signed by the adoptive parent. Here, it is unclear whether this is the case, as the two women

²⁴ Although the *ištārītu* possessed a special status as consecrated to a god, her nature remains rather obscure. See CAD I, 270–271 (*ištārītu* 2b); Stephanie Lynn Budin, *The Myth of Sacred Prostitution in Antiquity* (New York: Cambridge University Press, 2008), 26.

²⁵ Vincent Scheil, *Memoires de la Delegation de Perse: Mission archéologique de Perse* (Paris: Ernest Leroux, 1932), 157–58.

²⁶ Wilcke, “Noch einmal,” 88 n. 3. The second option—restrictions on birth and child-rearing due to serving in the temple—recall the prohibition against conceiving and giving birth imposed on the *nadītum*. Cf. Sargon's mother, a priestess, who was forced to abandon her child: see below.

²⁷ CAD H, 142 (*ḥašša*); CAD K, 396 (*kiparu*).

²⁸ For these texts, see the references in the previous note.

are possibly required to stand before the official for some regulatory reason linked to the infant's status (their rights or supporting organization?).²⁹ On this reading, the authorities—and thus society at large—appear to have regarded the mother's abandonment of her child as necessitating regularization rather than as a crime or unusual act.³⁰

CT 52 103

Herein, a man complains that, having adopted his brother-in-law's baby when it was "in his amniotic fluid," paid for a wetnurse, and raised him, his brother-in-law has now demanded the child back:

[itt]i Akbarum aḥi aššatiya ... [še]ḥram ina mēšu [an]a mārūtīm elqē[š]u [ad]i inanna [ur]abbīšu ipra u lubušta šalāš šanāti addin [šībū]ya ibaššū. [ina]nna Akbarum šū [šeḥr]am ša ina mēš[u] elqū[m]a urabbūšu [ibt]a<aq>rann[i].

From Akbarum, my wife's brother ... I have taken an infant in his amniotic fluid in adoption and raised him up until now. I gave (allowances of) barley and wool for three years. I have witnesses. Now, Akbarum has reclaimed from me the infant whom I had adopted in his amniotic fluid and raised up. (ll. 8–17)³¹

Here, too, the giving over of the baby *ina mēšu* signifies the relinquishment of all rights over him, an act tantamount to abandonment. On this occasion, however, the text does not indicate whether the father alone initiated the act or whether the mother was also involved. The biological father may have been forced to give the child up because his wife had died in childbirth or could not function for some reason or other, and the adoptive father then passes the infant over to a wetnurse. Although the text does not specify the hiring of a wetnurse, this hypothesis is supported by the payment made and the specified term of three years, the conventional weaning period in the ancient world.³²

²⁹ Wilcke, "Noch einmal," 88 n. 3. According to Malul (*Society, Law and Custom*, 83 n. 79), the fact that the women pay for the wetnurse's services indicates that they adopted the child. This argument is untenable, however, because it implies that the infant officially belonged to the women, a foreign idea in the ancient world. The child's legal status thus remains undetermined in my view.

³⁰ See Wunsch ("Findelkinder und Adoption," 177), who notes that no ancient Near Eastern text, from any period, regards the abandonment of children as a crime deserving of punishment.

³¹ Fritz R. Kraus, *Altbabylonische Briefe* (Leiden: Brill, 1977), 81–82.

³² See the lexical series Ai. III iii:28–57—which discusses the case of a child taken in after being abandoned and given to a wetnurse who raised him for three years until he was weaned—at which time he was returned to his adoptive parents. Cf. LE §32, which deals with a man who delivered his infant son to a wetnurse for three years. For three as the age of weaning, see 2 Macc. 7:27: "My son, have pity on me. I carried you nine months in my womb and nursed you

Another reading suggests that, like YOS 12 331, in which payment is made to the biological mother acting as wetnurse, the mother of the child is still alive, hired by the adoptive parent to suckle him for the normal wage.³³ In this case, the mother appears to have cooperated with the father, the two abandoning their child immediately upon birth.³⁴

Middle-Assyrian period

Two Middle-Assyrian-period texts speak of children being abandoned without clearly identifying those responsible:

MKGH 4³⁵

*ḥU.TI-rēminni amtu ša kuršibte sinniṣat ekalli ša Aššur-idin ša
Nāru-erība awīl pagû ina nāri taššiani turtabbīšu māruša šūt.*

ḥU.TI-rēminni, the maidservant of Kuršibte, lady of the palace of Aššur-idin, has picked up Nāru-erība, the “monkey man”³⁶ from the river and raised him. (Now) he is her son. (ll. 1–4)³⁷

In this source, a child named Nāru-erība (= “The river [god] has compensated me”) is rescued from the river by a woman who adopts him as her son. Franke and Wilhelm treat this as a fictitious account, highlighting its affinities with the Mesopotamian legend of Sargon of Akkad’s birth.³⁸ Cast into the river by his mother, the latter was saved by a water drawer, who raised him as his son. As Franke and Wilhelm note, this account in turn recalls the biblical story of Moses, whose mother hid him in the reeds to prevent him being killed and who was saved by Pharaoh’s daughter (Exod 2:1–10).³⁹ Like Sargon and Moses, Nāru-

for three years and have reared you and brought you up to this point in your life and have taken care of you” (NRSVUE); cf. 1 Sam 1:22–24.

³³ See also *Afo* 50:221, no. 5 (below), and the Nuzi documents listed in n. 50. Payment in food and clothing is documented in other legal sources, appearing to be the normal method of compensation in various cases: see, for example, LI §27 and LH §178. For additional sources, see Paul, *Studies in the Book of the Covenant*, 56–61.

³⁴ Cf. MDP 23 288 (above), wherein the mother herself gives her child to the wetnurse.

³⁵ For Arnaud Emar 6 256, see n. 14.

³⁶ This term is abstruse. For the possibility that it refers to a foundling, see Malul, *Society, Law and Custom*, 252 n. 26.

³⁷ Sabina Franke and Gernot Wilhelm, “Eine mittelassyrische fiktive Urkunde zur Wahrung des Anspruchs auf ein Findelkind,” *Jahrbuch des Museums für Kunst und Gewerbe Hamburg* 4 (1985): 19–26.

³⁸ *Ibid.*, 24 (noting the disparities with other contemporaneous texts—including the heavy fine imposed on those who violated the agreement [payment of six children] and a list of four divine witnesses). This document may have been a school training exercise or innovation by a scribe seeking to depict an imaginary example of child exposure via conventional formulae (Justel, *Infancia y legalidad*, 35).

³⁹ Justel, *Infancia y legalidad*, 22.

erība appears to have been placed in a box to keep him safe until someone found him; the chances of his surviving otherwise would have been very slim. To the best of my knowledge, abandonment of a child or its concealment in the river and rescue therefrom is only documented in these three sources. Although the text in question provides no evidence that Nāru-erība's mother abandoned him, the similarities between these three sources may support this hypothesis.

Neo-Babylonian period

To the best of my knowledge, five sources address maternal abandonment during this period. Two document cases in which a mother plays a role in abandoning her son.⁴⁰

Afo 50:218–219, no. 3 (Revillout, PSBA 9)

According to this contract, a couple adopted a foundling from the temple administrator, with a high-ranking official and scribes also being involved. The document includes a clause specifying the child's age as "young," a warning against altering its contents, and concludes with a witness list, the location, and date:

*Ša-pî-kalbi mārū ša Ina-šilli-Aja šaḥir mār 5 šanāti širik Šamaš ana
mārūti ibinnānimma lū mārūnu šū. ina ašābi ša Busasa ummi ša
Ša-pî-kalbi*

Give Ša-pî-kalbi, the son of Ina-šilli-Aja, a child of five, a servant in the temple of Šamaš, to us for adoption. Let him be our son. (ll. 5b-9a)

In the presence of Busasa, mother of Ša-pî-kalbi. (ll. 28b-29a)⁴¹

The name Ša-pî-kalbi ("[saved] from the dog") was frequently given to foundlings in the ancient Near East. Because dogs roamed freely outside human settlements and jurisdiction(s), children who were cast off were prey to canine attack, and could only be saved from near-certain death by caring passersby.⁴² The text *Afo* 50:219–220, no. 4 (Nbk. 439) (see below) records the symbolic act of throwing an infant "into the dog's mouth" and

⁴⁰ In three, the person(s) abandoning the child is/are unidentified: *Afo* 50:215–216, no. 1; 217, no. 2; *VAS* 6 116. For *VAS* 6 116, see Francis Joannès, "šêpê ina tîṭṭi šakânu," *NABU* 4 (1989): 81–82.

⁴¹ For the text of this and the following passages, see Wunsch, "Findelkinder und Adoption," 218–21. Servants in the temple of Shamash possessed a different socio-judicial status to that of ordinary servants (*širku*): see Cornelia Wunsch, "Neo-Babylonian Period," in *A History of Ancient Near Eastern Law*, ed. Raymond Westbrook (Leiden: Brill, 2003), 926.

⁴² Spada, "Two Old Babylonian Model Contracts," 4–5. For the meaning, see Wunsch, "Findelkinder und Adoption," 182–83. For the fate of abandoned children, see Malul, *Society, Law and Custom*, 75–80.

its rescue therefrom. These gestures defined its status as abandoned and the savior as its legitimate parent. Although not adduced in this document, some ceremony may have been performed, at the end of which the child was pronounced to be a foundling. This fact is embodied in its name.⁴³

Ša-pî-kalbi's parents are noted by name, Ina-šilli-Aja and Busasa, the former cited in the child's lineage and the latter noted as a witness. The fact that only Busasa serves in the latter capacity suggests that Ina-šilli-Aja was no longer alive. Although Ša-pî-kalbi was a *širku* servant in the temple of Šamaš and temple officials acted as his guardian in the contract, his mother was present at the signing. She thus appears to have retained some rights over him, which required her to attend the ceremony. Just like her consent to give up her rights, so her presence at the signing signalled her forfeiture of any right to reclaim him.⁴⁴

AfO 50:219–220, no. 4 (Nbk. 439)

*annûtu mukinnû ša ina pānīšunu [Š]īraja ʾamēltu nuʾartu mārašu
ana [pî] kalbi tassuku [Nū]r-Šamaš [i]štu pî kalbi iššûma [urab]bû.*

These are the witnesses before whom [Š]īraja, [a single wom]an,⁴⁵ cast her son “into the mouth of the dog” [and Nū]r-Šamaš picked him out “from the mouth of the dog” [and raised] (him) . . . (names of witnesses)

To the best of my knowledge, this is the only Neo-Babylonian document that records a mother abandoning her child. Her explicit declaration that she threw him “into the mouth of the dog” embodies her renunciation of all legal rights over him. The verb *nasāku* “to cast” further bears the legal sense of abandonment, Nūr-Šamaš has taken (*našû*) the child “from the mouth of the dog” to signify its rescue from danger/death. According to *AfO* 50:221, no. 5, which treats the same characters and was signed on the same day, the infant was two years old.

⁴³ Wunsch, “Findelkinder und Adoption,” 179.

⁴⁴ For preventing future claims on the part of the biological parents or other family relatives, on various grounds, as the reason for documenting the adoption of abandoned children in legal documents, see *ibid.*, 180–81. See also Malul's (*Society, Law and Custom*, 83–84) discussion of the phrase *ina mēšu* in Old Babylonian sources. Cf. the presence of interested parties at the signing of other legal contracts, such as marriage agreements, in order to avert opposition: Wunsch Urkunden Nos. 2, 4; Roth Marriage Agreements no. 4; *AfO* 51:198–219; Jacobsen, *Legal Status*, 76–78, 83–85.

⁴⁵ According to Wunsch (“Findelkinder und Adoption,” 220): ʾamēl-tú NARʾ-tu⁴.

The presence of witnesses evinces that the baby was neither cast into the mouth of the dog nor rescued from its mouth literally. The ceremony was thus symbolic: the mother does not pass the child directly into Nūr-Šamaš' arms but lays it in an "ownerless" place, possibly the street, for Nūr-Šamaš to take it.⁴⁶ Another possibility is that no symbolic act took place at all, and the throwing and saving are simply a legal formula couched in metaphorical language.⁴⁷ Regardless, the legal implications are clear: the mother relinquishes all rights over her son to the person who will raise him from that point onwards.⁴⁸

The child was almost certainly abandoned due to the mother's status and circumstances. Wunsch lays out two possible scenarios: a) the names of the witnesses indicate that they belonged to the temple and its precincts. As a temple slave (*širkatu*), the mother thus delivered the infant with the permission of the temple administration;⁴⁹ b) she was an unmarried or single mother. In light of her reconstruction of the text and reading of *amēltu nu'artu* as "single woman," Wunsch prefers the second explanation. If this is correct, the mother's low status has prompted her to give up her child.

Despite abandoning him, *Afo* 50:221, no. 5 indicates that she did not disappear from his life altogether. Nūr-Šamaš hires her as his wetnurse and paying her wages and clothing her.⁵⁰ The presence of the witnesses and recording of the act in a legal document further indicate that abandonment by the mother was not proscribed socially or legally.

In summary, the mother is or may be the parent who abandons the child in most of the documented cases in which the abandoner's identity is known. On the basis of these texts, she may also have been responsible in texts that do not identify the abandoner. While the reasons for the abandonment are not detailed, two documents suggest plausible explanations: a) the mother was a temple functionary and thus prohibited from conceiving

⁴⁶ Oppenheim ("Assyriological Gleanings," 37) contends that casting/taking the infant "into/out of the mouth of the dog" is a symbolic form of putting it out on/rescuing it from the street.

⁴⁷ Malul raises the possibility that "these are no more than frozen legal formulae which do not necessarily reflect any actual performed ceremony" (*Society, Law and Custom*, 79).

⁴⁸ On the basis of *Afo* 50:221, no. 5 and *contra* Malul (*Society, Law and Custom*, 78–79, 80–81), who maintains that Nūr-Šamaš adopted the foundling as his son, Wunsch argues that the verb *urabbû* in *Afo* 50:219–220, no. 4 denotes "raised" rather than "adopted": Wunsch, "Neo-Babylonian Period," 937 n. 105.

⁴⁹ For the *širkatu*, see *CAD* Š/3, 105–106; Wunsch, "Neo-Babylonian Period," 926–27.

⁵⁰ As noted above, biological mothers were also hired as wetnurses during the Old Babylonian period: see, for example, YOS 12 331. This custom was also followed in Nuzi (*HSS* 19 86; 19 134): see Daniel Justel, "New Proposals of Family Relationships at Nuzi Based on *HSS* 19 86 and 19 134," *NABU* 83 (2010): 94–95.

and bearing children or sought to obtain some benefit from the act (MDP 23 288); or b) she was of low socioeconomic status as an unmarried woman or single parent (*AfO* 50:219–220, no. 4 [Nbk. 439] // *AfO* 50:221, no. 5).

Even though child abandonment meant a renunciation of parenthood, several details indicate ancient societies' general tolerance towards abandonment, in general, and by mothers in particular. Not only was the phenomenon regulated judicially and recorded in formal documents, but the legal sources also give no intimation that it was interdicted.

Child abandonment by mothers in ancient Near Eastern and biblical literature

Ancient Near Eastern sources

Numerous ancient Near Eastern mythologies contain the motif of a foundling who, though chosen by the god(s), is abandoned by his parents or a relative soon after birth. Saved by someone who rears and raises him, he becomes a great man.⁵¹ One of the best-known examples of this motif is Sargon's birth, which was legendary in Mesopotamia. His mother, forbidden to give birth as a priestess, abandoned him at birth by throwing him into the river (*iddanni ana nāri*). The river carried him (*iššāni*) to the water drawer, who took him and raised him as his son.⁵² While Greek and Roman historians record similar stories of other Mesopotamian kings, they do not mention the mother.⁵³

Biblical literature

Very few biblical texts deal with or reflect child abandonment. Those that do are primarily prophetic or psalmodic in genre, with the motif serving as a metaphor for God's relationship with his people or the faithful. The motif and terminology also occur in the accounts of Hagar and Ishmael's expulsion (Gen 21:14–19) and Moses's birth (Exod 2:1–10), however. In two of the texts discussed below, the mother either abandons her child

⁵¹ See James G. Frazer, *Folk-Lore in the Old Testament* (London: Macmillan, 1918); Donald B. Redford, "The Literary Motif of the Exposed Child (Cf. Ex. ii 1–10)," *Numen* 14.3 (1967): 209–28; Robert Drews, "Sargon, Cyrus and Mesopotamian Folk History," *JNES* 33 (1974): 387–93; Brian Lewis, *The Sargon Legend* (Cambridge: Cambridge University Press, 1980); David A. Bosworth, "Uncooperative Breeders: Parental Investment and Infant Abandonment in Hebrew and Greek Narrative," in *Children in the Bible and the Ancient World: Comparative and Historical Methods in Reading Ancient Children*, ed. Shawn W. Flynn (London: Routledge, 1998), 40–58; William E. Dunstan, *Ancient Rome* (Lanham: Rowman & Littlefield, 2011), 20–21.

⁵² S. Shifra and Jacob Klein, *In Those Distant Days: An Anthology of Mesopotamian Literature in Hebrew* (Tel Aviv: Am Oved, 1996), 631–33 (Hebrew).

⁵³ The Roman historian Claudius Ilianus records Gilgamesh's birth, for example; Herodotus, followed by Nicholas of Damascus, describes Cyrus's birth.

(Isa 49:15) or collaborates with the father in doing so (Ps 27:9–10). In the other passages (Ezek 16:1–7, Ps 22:10–11), the identity of the abandoning parent is not specified. Some expressions may imply maternal involvement, however, either as instigator or accomplice.⁵⁴

Isa 49:15

Describing Zion as deserted by God, ותאמר ציון עזבני ה' ואדני שכחני "God has forsaken me, my Sovereign has forgotten me" (49:14; cf. 54:6–7), Deutero-Isaiah responds to her charge that God has cast her off by adducing another abandonment—that of an infant by its mother: התשכח אשה עולה מרחם בן־בטנה גם־אלה תשכחנה ואנכי לא אשכחך "Can a woman forget her baby, or show no compassion for the child of her womb? Though she might forget, I never could forget you" (v. 15).⁵⁵ With four occurrences in this passage and three in this verse, the root שכח underscores Zion's desolation on the one hand and God's commitment not to forsake her on the other (cf. Deut 4:31).

In asking whether a woman can "forget her baby or show no compassion for the child of her womb," the prophet identifies the nature of a true mother: she cannot abandon the fruit of her womb.⁵⁶ The motif of a mother abandoning her child thus conveys his principal message: "Though she might forget, I can never forget you." By way of exaggeration, he states categorically that it is more inconceivable that God could desert his people than the notion that a mother could cast off her child, an absurd thought in and of itself.⁵⁷

⁵⁴ Abraham's expulsion of Ishmael and Hagar (Gen. 21:14) and sending away of the sons of the concubines (Gen 25:6) do not constitute abandonment in the sense of leaving the children to their fate, because Abraham provides them with food for the journey or gifts.

⁵⁵ With the exception of this verse, in which מרחם is translated in accordance with an accepted tradition, all other biblical quotations are from the NJPS. For אשה as "mother," see Isa 45:10. Numerous commentators and scholars have sought to understand the structure and meaning of this verse. Some read מרחם as a verb, the second half of the verse thus yielding the sense: "Can a woman not have compassion on her baby?" Others parse it as a noun paralleling אשה = a young woman who has just given birth: see *HALOT* (רחם, 1217); Mayer I. Gruber, "Will a Woman Forget her Infant ...?," *Tarbiz* 51 (1982): 143–64; Elisha Qimron, "More on מרחם = Woman, Mother," *Tarbiz* 52 (1983), 509; Robert Gordis, "More on מרחם בן בטנה (Isa 49:15)," *Tarbiz* 53 (1984): 137–38. For a comprehensive survey of the various readings of the verse, see Jonathan Grossman, "The Ambiguity of 'רחם' in Deuteronomy, Second Isaiah and Enûma Eliš," in *Ben Porat Yosef: Studies in the Bible and its World—Essays in Honor of Joseph Fleishman*, ed. Michael Avioz, Omer Minka, and Yael Shemesh, AOAT 458 (Münster: Ugarit-Verlag 2019), here 260–63.

⁵⁶ See Gruber, "Will a Woman Forget her Infant"; idem, "The Motherhood of God in Second Isaiah," *RB* 90 (1983): 351–5.

⁵⁷ Cf. the similar structure and logic in Jer 13:23: "Can the Cushites change their skin, or leopards their spots? Just as much can you do good, who are practiced in doing evil!" For

This delivery of a prophetic lesson via an appeal to the theme of abandonment suggests that the prophet's audience was familiar with the theme. We may thus assume that mothers were known to cast off their infants, an act the prophet fiercely criticizes.

Ps 27:9–10

In Psalm 27, the abandonment motif (also) serves to depict a sense of loneliness and social ostracism. The supplicant, who yearns to be close to God, lays out his petition:

אל־תסתַר פְּנֶיךָ מִמֶּנִּי אֱלֹהִים
אל־תִּבְאֵץ עַבְדְּךָ עֲזָרְתִּי הֵייתָ אֶל־תִּשְׁכַּחנִי וְאֶל־תִּעְזֹבֵנִי אֱלֹהִים
יִשְׁעִי כִּי־אֲבִי וְאִמִּי עֲזָבוּנִי וְהָיָה יֹאסֵפֵנִי

Do not hide your face from me; do not thrust aside your servant in anger; you have ever been my help. Do not forsake me, do not abandon me, O God, my deliverer. Though my father and mother abandon me, the LORD will take me in.

The repetition of the roots in a negative formulation (אֶל־) points to the depth of his despair and accentuates his appeal that God not abandon him.⁵⁸ Some scholars maintain that the clause *יֹאסֵפֵנִי וְהָיָה יֹאסֵפֵנִי* depicts the psalmist's sense of loneliness as an orphan.⁵⁹ Nevertheless, it cannot be ruled out that the psalmist is describing an experience of loneliness stemming from having been abandoned in childhood by his parents. While this text may thus relate to an authentic experience of being unwanted, it more likely serves as a metaphor for his solitary status.⁶⁰ The verbs in this passage—*נִשְׁכַּח* (9b) and the parallel *עֲזָב* (9b, 10)—further invoke abandonment.⁶¹ While the root *אָסַף* carries legal connotations with respect to child desertion, it also indicates (the psalmist's longing for) divine redemption.⁶² Because this verb denotes entering into or receiving protection, some

exaggerated emphasis in rhetorical questions in prophetic texts, cf. Jer 2:32; 18:14, 20; Amos 6:12.

⁵⁸ James H. Waltner, *Psalms*, Believers' Church Bible Commentary (Ontario: Herald, 2006), 148.

⁵⁹ See Shalom Paul, "Psalm XXVII 10 and the Babylonian Theodicy," *VT* 32 (1982): 489–92 (on the basis of the Babylonian Theodicy and Ibn Ezra's reading: "My parents abandoned me in their death").

⁶⁰ See Fleishman, *Parent and Child*, 54; Nancy DeClaissé-Walford, Rolf A. Jacobson, and Beth LaNeel Tanner, *The Book of Psalms*, NICOT (Grand Rapids: Eerdmans, 2014), 222; Phil J. Botha and Weber Beat, "'The LORD is My Light and My Salvation ...' (Ps 27:1): Psalm 27 in the Literary Context of Psalms 25–34," *JNSL* 45:29–30.

⁶¹ Cf. 1 Kgs 8:57; Jer 12:7.

⁶² Some scholars understand *יֹאסֵפֵנִי* as a *yiqtol* jussive, thus reading it as the psalmist's longing for God's providence: see John Goldingay, *Psalms 1–41*, BCOTWP (Grand Rapids: Baker Academic, 2006), 397–98. For alternative possibilities on the basis of its grammatical form, see Benjamin D. Sommer, "From Confidence to Confusion: Structure and Meaning in Psalm 27," in *Hakol Kol Yaakov: The Joel Roth Jubilee Volume*, ed. Robert A. Harris and Jonathan S. Milgram (Leiden: Brill, 2021), 367.

scholars suggest that it signifies adoption.⁶³

In the face of his social distress (vv. 2, 12), the psalmist invokes the feelings of a child abandoned by his parents—a portrayal that conveys an intense sense of alienation and loneliness—to intensify his plea to God not to desert him and express his longing for salvation.⁶⁴

Like other ancient Near Eastern sources (YOS 12 331) and possibly Ezek 16:1–7, Psalm 27 describes a mother (and father) who abandon(s) the child. The mother’s complicity in the act does not imply that she had the authority to decide to abandon her child. As the *pater familias*, the father held legal authority over his offspring. Even if the mother initiated the abandonment, the act could thus only be carried out with his consent.

While the following two texts do not identify the abandoning parent(s), they contain several expressions that suggest that the mother was responsible.

Ezek 16:1–7

This text is the most striking and explicit of all the biblical passages pertaining to child abandonment. In depicting God’s relationship with his people, Ezekiel compares Jerusalem to a deserted newborn whom God takes and raises in his compassion. On the day of her birth, her chances of survival are nil. Her umbilical cord uncut, her body unwashed, her skin untreated with salt to protect her, and unclothed (v. 4), she is thrown to her fate: ותשלכי אל פני השדה בגעל נפשך ביום הולדתך (v. 5).⁶⁵

⁶³ For the meaning of sponsorship, see Menahem Z. Kaddari, *A Dictionary of Biblical Hebrew* (Ramat-Gan: Bar-Ilan University Press, 2007) (Hebrew), 58. For the meaning of social acceptance—in this context “take up, care for,” see BDB (אסח, 62). For “receive,” see *HALOT* (אסח, 74); Meir Weiss, “Psalm 27,” *Tarbiz* 64 (1995): 328 (Hebrew). For the legal connotations of אסח in this and other biblical verses, see Malul, *Society, Law and Custom*, 59. For the sense of “adoption,” see *ibid*; *HALOT* (אסח, 74)—which notes Gunkel’s reading of Ps 2:7a: אספך אל חיקי as adoption. In this context, cf. the rabbinic term אסופי, which denotes a child abandoned by its parents and taken and adopted by others: see, for example, m. Qidd. 59:1; b. B. Meṣ. 87a.

⁶⁴ Cf. Isaiah’s response to the people’s complaint that God has abandoned them (49:14–15), in which he invokes a different kind of abandonment—that of a mother casting off her baby (see above).

⁶⁵ According to ancient ethnological sources, babies were covered with salt to strengthen their character: see Greenberg, *Ezekiel 1–20*, AB 22 (Garden City: Doubleday, 1983), 274. For the abandonment of girls in the ancient world in the context of Ezekiel 15, see Greenberg, *Ezekiel 1–20*, 275; Walther Eichrodt, *Ezekiel*, OTL 12 (London: SCM, 1970), 204–5; Joseph Blenkinsopp, *Ezekiel*, Interpretation (Louisville: John Knox, 1990), 77; Lamar E. Cooper, *Ezekiel*, NAC 17 (Nashville: Broadman & Holman, 1970), 169.

Although the reason for her abandonment is unclear, the phrase *בגעל נפשך* may provide some clues. Some understand it in the sense of a neonate covered in fluid and blood.⁶⁶ The ordinary meaning of *געל* as “loathing, disgusting” better fits the idea of rejection of a baby out of revulsion, however.⁶⁷

The reference to Jerusalem’s mother and father (“your father was an Amorite and your mother a Hittite” [v. 3]) has prompted numerous scholars to conclude that her parents were responsible for casting her into the field. On this reading, her mother collaborated with her husband, doing his will. Even if she had no recourse but to obey him, however, she might have sought to save the child—perhaps by hiding her in a chest or giving her to someone else.⁶⁸ Verse 5 intimates that no one paid attention to her, however.

Other scholars suggests that Jerusalem is cast off by her mother.⁶⁹ This interpretation is supported by the root *געל*, which describes the infant being thrown away (v. 5) and Jerusalem and her sisters’ behavior (v. 45). The prophet depicts the child as being thrown into an open expanse *בגעל נפשך*, i.e., out of disgust and rejection. Later in the prophecy, the same root characterizes the conduct in which Jerusalem and her sisters engage: *געלת אישה ובניה* “rejected her husband and children”; *אשר געלו אנשיהן ובניהן* “who rejected their husbands and children” (v. 45). Jerusalem’s behavior resembling that of her mother (“Like mother, like daughter” [v. 44]), and because the behavior is shared by her sisters, it is reasonable to assume that the mother in the earlier description was the one who abhorred her daughter immediately after birth, and cast her off.⁷⁰ The adducing of the mother before the father (“for you are daughters of a Hittite mother and an Amorite

⁶⁶ Yehiel Z. Moskowitz, *Ezekiel*, Da’at Mikra (Jerusalem: Mossad HaRav Kook, 1994), 89 (Hebrew). Eliezer of Beaugency (ad loc.) attributes this state to Jerusalem “who, if you had any sense, would be disgusted by your own filth.” Radak (ad loc.) associates *געל* with birth blood.

⁶⁷ See Kaddari, *A Dictionary of Biblical Hebrew*, 163 (*געל*); BDB (*געל*, 171); TDOT 3:47–48. Cf. Rimón Kasher, *Ezekiel 1–24*, Mikra LeYisrael (Tel Aviv: Am Oved/Jerusalem: Magnes, 2004), 332 (Hebrew).

⁶⁸ Cf. Moses, whose mother had to distance herself from him and Sargon, whose mother was forced to cast him off—both following another course of action. Cf. also the behavior of the mothers in YOS 12 331; MDP 23 288 (see above).

⁶⁹ For the account of the child abandoned by her mother in the ancient source embedded in this prophecy, see Gershon Brin, *Studies in Ezekiel* (Tel Aviv: Hakibbutz Hameuchad, 1974), 137 (Hebrew); Joseph Fleishman, *Parent and Child in Ancient Near East and the Bible* (Jerusalem: Magnes, 1998), 53 (Hebrew).

⁷⁰ In the biblical text, *אחותך* “your sister” is in the singular, the verb *געלו* in the plural. Many suggest reading *אחיותך* “your sisters.” This is supported by the Septuagint, Syriac, Vulgate, and traditional commentators (e.g. Shadal [ad loc.]). For Jerusalem as taking after her mother, see Lea Jacobsen, “‘Like Mother, Like Daughter’ (Ezek. 16:44): Between Heredity, Education, and Choice—A Different Reading of the Prophecy in Ezekiel 16,” BO 58.3–4 (2021): 388–402.

father”—which contrasts with v. 3) is also consistent with the prophet’s appeal to the women in the family, highlighting the mother—as the role model for her daughters.

Whether Jerusalem was cast off by her parents or her mother alone, the barbaric act is associated particularly with the latter—who, rather than embracing her maternal vocation of taking care of and keeping her baby alive, condemns her to death.⁷¹ This graphic portrayal of abandonment conveys Ezekiel’s abhorrence of the phenomenon.

Ps 22:10–11

The author of Psalm 22 makes supplication in the face of feeling forsaken by God (עזבתני [v. 2])— an impression arising from a sense of acute social distress (vv. 7–9, 17–19).⁷² Intertwined with this, however, is the trust he has put in God since childhood, YHWH having promised to keep him safe both before and after birth: כִּי־אַתָּה גָּחִי מִבֶּטֶן מִבְּטִיחִי עַל־ “You drew me from the womb, made me secure at my mother’s breast. I became your charge at birth; from my mother’s womb you have been my God” (vv. 10–11).⁷³

Outlining the petitioner’s plight, these verses employ some of the motifs of child abandonment: a) they treat a cast-out newborn; b) the mother suckles the baby rather than dying in childbirth; c) the child is saved by someone who can provide rudimentary existential care (God ensures that the supplicant survives by placing him in his mother’s

⁷¹ See Carol J. Dempsey, “The ‘Whore’ of Ezekiel 16: The Impact and Ramifications of Gender-Specific Metaphors in Light of Biblical Law and Divine Judgment,” in *Gender and Law in the Hebrew Bible and the Ancient Near East*, ed. Victor H. Matthews et al. (Sheffield: Sheffield Academic Press, 1998), 63.

⁷² For the psalmist’s social suffering (his primary “complaint”), reflected in his claim that God has forsaken him, see Lea Jacobsen, “The Individual’s Suffering in Psalms and Mesopotamian Literature,” *Beit Mikra* 47 (2002): 33–56 (Hebrew). Individual laments over abandonment by the gods and expectation of divine aid is a common motif in Mesopotamian literature. The author of the Babylonian “I Shall Praise the Lord of Wisdom,” for example, complains: “My god rejected me, he disappeared, my goddess left, she departed from my side” (1.43–46); see Alan Lenzi, *Suffering in Babylon: Ludlul bēl nēmeqi and the Scholars, Ancient and Modern*, OBO 300 (Leuven: Peeters, 2023): <https://scholarlycommons.pacific.edu/cgi/viewcontent.cgi?article=1189&context=cop-facbooks>. A similar account occurs in the Babylonian Theodicy: “May the god who has thrown me off give help, may the goddess who has [abandoned me] show mercy” (ll. 295–296); see Lambert BWL, 89.

⁷³ The meaning of the root גָּח in this context is obscure. The dictionaries read it as “to take out, cause to burst out” (Kaddari, *A Dictionary of Biblical Hebrew*, 152) or “pull out” (*HALOT* [גָּח], 187]). Numerous scholars thus understand the verse as adducing God’s active intervention in the birth. The psalmist being unlikely to have described God as a midwife, however, it may refer to God’s presence at the birth in order to receive the baby on his knees (Job 3:12; cf. Gen 30:3, 50:23); cf. the parallel in Ps 71:6 (see below). Leveen interprets the root in the sense of גָּח, “God is my comfort and protector” [Jacob Leveen, “Textual Problems in the Psalms,” *VT* 21 (1971): 48–53].

bosom). These motifs recall YOS 12 331 (and possibly *CT* 52 103), in which a person hires the mother's services as a wetnurse so that the child lives, as well as the story of Moses's birth (see below).

The language makes it difficult to ascertain who cast off the baby. It may have been both parents (Radak) or the mother alone, the latter being portrayed as a present and active caregiver (the baby is placed on her breasts for nourishment). The maternal stress in the passage gives greater weight to the second option: the mother is referred to twice via a possessive pronoun: once in the description of the baby's emergence from her womb ("from my mother's womb") and once in the depiction of his nourishment ("at my mother's breast"). Two other expressions also relate to her ("from the womb"—מִבֶּטֶן, מֵרַחֵם). Elsewhere this pair of maternal-related terms treats the infant's dependence on God immediately following its birth:⁷⁴ עַל־כֵּן נִסְמַכְתִּי מִבֶּטֶן מִמַּעַי אִמִּי אַתָּה גִּזְוִי בֶךָ תִּהְלֶתִי תָמִיד "While yet unborn, I depended on you; in the womb of my mother, you were my support; I sing your praises always" (Ps 71:6).

The description of the poet's feeling of forsakenness after his birth using these four expressions suggests maternal abandonment. This impression is even more pronounced in light of the absence of any reference to a father, who, if he had been involved, would have been adduced (see Ps 27:10). Also signifying the mother-child bond, the four are further interwoven with others that convey his connection to God (also manifest in four forms: "you drew me," "made me secure," "I became your charge," and "you have been my God"). In order to reinforce the urgency of his need for God's presence in face of his sense of having been discarded ("why have you abandoned me?" [v. 2]), he describes himself as jettisoned immediately after birth, when God had been beside him. This link between the two experiences of desertion and emphasis upon the figure to which he (had been) connected and upon whom he (had) depended for his existence may point to a mother who had forsaken him in the past just as God has forsaken him in the present.

Although the text does not directly castigate the mother, the terms מֵרַחֵם/מִבֶּטֶן אִמִּי may imply criticism. The depiction of throwing the baby from the womb echoes

⁷⁴ The poet's metaphorical reliance on God as an infant underscores the trust he has put in him since birth. The picture of God as present when the child emerges from the womb and acting as caretaker also occurs in Ps 22:10–11. The parallelism between these two passages is even fuller when the גִּזְוִי in Ps 71:6 is understood as synonymous with the גִּזְוִי "emerge" in 22:10: see the previous note; Robert Alter, *The Book of Psalms: A Translation with Commentary* (New York: W. W. Norton, 2007), 245. For the reading "strength, power," see Mitchell Dahood, *Psalms: Introduction, Translation, and Notes*, AB 16 (New York: Doubleday, 1966), 173; Hans-Joachim Kraus, *Psalms 60–150: A Commentary* (Minneapolis: Fortress, 1993), 70.

Mesopotamian texts that speak of babies being cast away while still covered in their amniotic fluid (*ina mēšu/ina mēšu u dāmēšu*) and the metaphorical description in Ezek 16:4–6. A baby cast off immediately after emerging from the womb would not have been bathed or cleansed of its birth fluids—the first steps in its care. While being discarded is fateful, being so from birth is fatal. This act possibly being attributed to the mother, the description may imply a degree of implicit criticism.

Gen 21:14–19 and Exod 2:1–10

While the narratives of Hagar and Ishmael’s wandering in the desert (Gen 21:14–19) and Moses’ birth (Exod 2:1–10) are not abandonment stories per se they contain elements of these found in ancient Near Eastern legal and literary sources:

- a) The person abandoned—child or infant;
- b) Identification of the abandoner—(one of) the parent(s). Hagar casts out Ishmael; Moses’s mother distances herself from him;
- c) The circumstances—Children are not always abandoned voluntarily or on the basis of an informed decision; situations or other actors sometimes forced the abandoner’s hand. Hagar casts off Ishmael due to personal hardship (Gen 21:15–16); Moses’s mother is compelled to hide him by Pharaoh’s decree (Exod 1:16, 22).
- d) Language—The sources employ various verbs, most commonly להשליך (Akk. *nadû*) and עזב (Akk. *ezēbu*). Ishmael: ותשלך (Gen 21:15); Moses’ birth: ותשם (Exod 1:3) (which carries no indication of abandonment).
- e) Location—The infant is deserted in an “ownerless” place: Ishmael, in the desert, Moses, on the banks of the Nile.
- f) Rescue—The abandoned child is saved by a passerby, who sometimes adopts him as his son. Ishmael is delivered by God (Gen 21:17–19), Moses by Pharaoh’s daughter, who adopts him (Exod 2:10).
- g) Names of the rescued child, which convey the fact that they have been saved from death. Pharaoh’s daughter calls the infant Moses because “I drew him out of the water” (Exod 2:10). An implicit name-midrash also occurs in the story of Ishmael: וישמע אלהים את קול הנער... בי שמע אלהים אל קול הנער “God heard the cry of the boy ... ‘Fear not, for God has heeded the cry of the boy where he is’” (Gen 21:17).⁷⁵

⁷⁵ Jonathan Grossman, *Abraham: The Story of a Journey* (Tel Aviv: Miskal, 2023), 280 (Hebrew).

While these two biblical narratives contain motifs characteristic of abandonment, they are not typical examples of the latter.⁷⁶ While וַתִּשְׁלֶךְ carries a harsh tone, it does not necessarily indicate that Hagar threw Ishmael as one would an object; instead, it suggests that she laid him down with care. As Jeremiah's lowering into the pit with ropes (Jer 38:6) demonstrates, "throwing" is not necessarily a violent act.⁷⁷ The fact that Hagar "throws" Ishmael under a bush also speaks to her seeking to save her son. Looking for a verdant spot in the hope of finding water, she lays him in the most protected, shaded place possible, and then takes up a position "a bowshot away" and weeps bitterly (Gen 21:16).⁷⁸ All these details support the view that, rather than intending to abandon him, she is forced to surrender him to his fate, suffering the agony of watching him die.⁷⁹

Moses's mother also finds it difficult to separate herself from her son. In the face of Pharaoh's death sentence upon all the Hebrew babies, she hides him for three months. When she can conceal him no longer, she devises a plan to save him, placing him in a seaworthy vessel and secreting him amongst the reeds, presumably directing his sister to watch over him from afar "to learn what would befall him" (Exod 2:4). His sister also offers to help Pharaoh's daughter find a Hebrew wetnurse, thereby returning Moses to his mother, at least temporarily. These notations evince that the mother had no intention of discarding her son.

These two episodes contain various components of abandonment stories, indicating the authors' (and readers') familiarity with this genre.⁸⁰ It is precisely the fact

⁷⁶ Fleishman, *Parent and Child*, 54–55; Kristine H. Garroway, *Growing up in Ancient Israel: Children in Material Culture and Biblical Texts* (Atlanta: SBL, 2018), 247. For Ishmael's birth, see J. Gerald Janzen and John T. Noble, "Did Hagar Give Ishmael up for Dead? Gen 21.14–21 Revisited," *JSOT* 44.4 (2020): 517–31. For Moses's birth, see Cogan, "Technical Term;" Nahum M. Sarna, *Exodus*, JPS Torah Commentary (Philadelphia: JPS, 1991), 267–68. For the argument that these narratives are abandonment tales, see Bosworth, "Uncooperative Breeders," 38–40.

⁷⁷ Yair Hoffman, *Jeremiah 26–52*, Mikra LeYisrael (Tel Aviv: Am Oved/Jerusalem: Magnes, 2001), 695 (Hebrew).

⁷⁸ Some understand Hagar's crying as an expression of prayer. Having previously experienced a revelation from God's angel in the desert (Gen. 16:7–14), she then prayed for salvation. See Janzen and Noble, "Did Hagar Give Ishmael up for Dead?"

⁷⁹ While the readers of the story of Hagar's expulsion may well have identified with her and her pain, some scholars regard it as critical in some ways—cf. the use of השליך "cast," her reference to Ishmael as הילד "the child" (without a possessive pronoun) rather than בנה "her son," her weeping but God's heeding of his cry: see Grossman, *Abraham*, 274–76. This reading does not necessarily preclude the possibility that she abandoned Ishmael, however; as we remarked above, she distanced herself from him in order not to see him die.

⁸⁰ Both authors portray an "abandoned" hero who rises to greatness, Ishmael being saved by the Angel of the Lord in fulfilment of God's promise to Abraham—"... I will make him fertile and exceedingly numerous. He shall be the father of twelve chieftains, and I will make of him

that child abandonment was a known phenomenon that makes the natural human instinct stand out: neither Hagar nor Moses's mother is an abandoning mother.

The biblical authors (and their audience) are thus clearly familiar with the phenomenon of child desertion, and employ some of its features/expressions to tell the story of a quasi-abandonment or use them to create an allegory that conveys the idea of casting off even if not in the actual, legal sense. In the majority of biblical instances, the mother forsakes her child alone or with the father.

Conclusion

The social and judicial reality reflected in the Mesopotamian and biblical texts indicates that children, most frequently newborns, were most frequently abandoned by their mothers. Fathers were the head of the household in such patriarchal societies and thus legally responsible for their offspring, so mothers could not physically cast off or give their infants up without their husband's consent. In cases in which both parents abandoned their child (YOS 12 331; Ps 27:10), the decision appears to have been the father's alone, with the mother complying with his wishes. In other instances, an unmarried/single mother could take matters into her own hands without being punished, evidence of her legal and social power.

The ancient Near Eastern sources do not discuss the reasons for the abandonment. Some texts suggest that it was linked to the mother's social and legal status as a temple functionary (MDP 23 288) or unmarried/single parent (*Afo* 50:219–220, no. 4 [Nbk. 439] // *Afo* 50:221, no. 5), however. The Hebrew prophetic and psalmodic examples also reveal no motives, the exception being Ezekiel's portrait of Jerusalem, who may have been cast off due to the revulsion her state prompted in her parents/mother (Ezek 16:5). While Hagar sets Ishmael down some way away and Moses' mother places him in a box, neither of these are acts of abandonment.

While the ancient Near Eastern legal sources discussed above do not criticize abandoning parents/mothers, on occasion the language may hint at a degree of disapprobation. The terminology—which appears to be conventional in the documentation of contemporaneous legal practices—is harsh (getting rid of a neonate “in its amniotic fluid” immediately upon birth, throwing it “into the mouth of the dog” or “[in]to the river”).

a great nation” (Gen 17:20; cf. 21:13)—and Moses being saved from death in order to deliver the Israelites from Egyptian bondage.

In addition to its legal valence, this vocabulary also seems to reflect a negative social attitude, giving up one's child being compared to brutal abandonment.

The biblical authors clearly disapproved of the phenomenon. In light of the natural, instinctive mother-child bond created when a baby is born, mothers who forsook their infants were considered as acting shamefully, flouting the social norms of care and responsibility for one's offspring. This attitude is embodied *par excellence* in Ezekiel's metaphorical depiction of Jerusalem and Deutero-Isaiah's piercing questioning.

The ancient Near Eastern sources suggest that the biblical passages that portray child abandonment metaphorically and in legal terms represent a social and judicial reality in which children were most frequently cast off by their mothers.