

# Two Comparative Lexical Studies

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## I. Aramaic 'l 'l = Hebrew *bā' 'ēl* 'to receive'

One of the salient characteristics of ancient near eastern legal language is the figurative, rather than abstract, manner by which many key legal concepts are expressed.<sup>1</sup> What looks like simple poetry is often a technical legal expression. Take but a few examples: In Akkadian, the metaphor of "purity" (*elēlu, ebēbu, zakû*, etc.) expresses the idea of "freedom from" (taxation, slavery, etc.); the metaphor of "satisfaction" (*šabû, libbašu tīb*) expresses the idea of "quittance upon the receipt of a consideration"; the metaphor of "removal" (*duppur, eṭir*; cf. the Aramaic *ṛḥq*) expresses the "relinquishment of rights."<sup>2</sup> Unfortunately, the specific legal meaning of these ancient locutions has often escaped the attention of modern legal historians, who tend to dismiss them as part of the narrative structure of the deed.<sup>3</sup>

The ancients also had their problems. When the Aramaic scribes attempted to transpose Akkadian legal terminology into Aramaic, they were faced with a set of problems known to all translators. First of all, there are few true synonyms. Synonymity—within the same language or between two different languages—is often the intersection of two widely different semantic fields which happen to overlap in one limited area. Furthermore, the linguistic resources of the two languages—the original and the one into which it is being translated—are not necessarily the same.<sup>4</sup> Some languages are richer and some are poorer. Furthermore, it is quite possible for a concept or a metaphor to function within a given language without the concept having adequate linguistic expression.<sup>5</sup> In such cases, concepts and root metaphors

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1 Cf. Yochanan Muffs, *Studies in the Aramaic Legal Papyri From Elephantine* (Leiden, 1969; Ktav reprint, 1973) [hereafter cited as *Studies*], 27, end of n. 3; also cf. the entry "Metaphors, legal" in the index.

2 Consult the Glossary of *Studies* under the individual entries.

3 Cf. *Studies*, 27, n. 3.

4 Cf. Abba Bendavid, *Biblical Hebrew and Mishnaic Hebrew*, vol. 1 (Tel-Aviv, 1967) [in Hebrew].

5 For example, according to S. Lieberman (*Hellenism in Jewish Palestine*, 83, n. 3), the term *halaka* 'law' was borrowed from the Aramaic (and ultimately from the Akkadian) where it was used with the meaning "fixed tax." If so, the concept "law" but not the term, was probably operative before the term was borrowed by the Rabbis. Furthermore, he claims that many basic exegetical methods were not necessarily borrowed from the Greeks, but were ancient and universal laws of logic; what was borrowed were the names of these ancient methods. Even those who might reject his interpretation of the exegetical norm, *gezera shava*, must admit that the exegetical method of *qal wa-homer* was widely employed in the Bible in the form *binnēb. . . ap kî*. Cf. S. Lieberman, *Hellenism in Jewish Palestine*, 61 and passim. For the biblical usage, cf. H. L. Ginsberg, "Some Notes on the Minor Prophets," *Eretz-Israel* 3 (1954), 84,

often get hidden and even buried.

A case in point follows. While Aramaic can make a clear distinction between "come" ('t) and "enter" ('ll), biblical Hebrew *bā'* does double duty: while it usually means "come," it often means "enter"<sup>6</sup> (like the later Hebrew *niknas*). The native speaker may feel the distinctions intuitively, but it is the translator who is really confronted with the problem. Take, for example, the Old Babylonian receipt clause, *apil/maḥir libbašu ṭāb* "(the rightholder) is paid/has received (the money), his heart is satisfied." The Aramaic scribes had little difficulty with the last term, which they rendered as *ṭyb lbby* "my heart is satisfied."<sup>7</sup> The other elements in this clause presented greater difficulties. In the Aramaic papyri from Elephantine, the mohar receipt clause is 'l 'ly/k wṭyb lbby/k bgw "I/you have received the money and my/your heart is satisfied therewith."<sup>8</sup> While 'l is the functional equivalent of the Akkadian *apil/maḥir* in the stereotyped clause: term of receipt + term of satisfaction, it differs from the rather unmetaphoric Akkadian *apil/maḥir* 'paid/received', by employing, instead, the metaphor of "entrance" to express the idea of "receipt."<sup>9</sup> So far as I can tell, a comparable Akkadian expression \**kaspu ana yāši ṭrub* lit. "the money has entered my possession)" has not been found.

Not only has the term not been found in earlier Akkadian documents, but it seems to have no reflex in later Aramaic documents. Thus, the Aramaic legal documents of Samaria being edited by Cross (late fourth century)<sup>10</sup> and the even later deeds of Murabba'at express the same idea by the unusual phrase *ksp' 'nb mqlt*<sup>11</sup> "I am the receiver of the money." Murabba'at occasionally has *qblt* or *'tqblt*.<sup>12</sup> All of these are more or less what one could call "normal" modes of expression.

On the surface, then, it would seem that the Elephantine term 'l 'l PN lit. "(the money) has entered (the possession of) PN" is a locution limited to that particular corpus of deeds. However, further investigation indicates that this mode of expressing the idea of "receipt" by the

column two [in Hebrew].

We are all acquainted with the famous story of the French bourgeois who was pleasantly surprised to discover that he had been speaking in "Prose" all his life without knowing it. Cf. also my note in *Studies*, 40.

6 Cf. Bendavid, *Biblical Hebrew*, 1:118.

7 Cf. *Studies*, in the glossary under individual terms.

8 Cf. *Studies*, 51f. The texts are AP (*The Aramaic Papyri of the Fifth Century B.C.*, ed. A. Cowley), no. 15, and BP (*The Brooklyn Museum Aramaic Papyri*, ed. E. Kraeling), no. 15.

9 For the uneven historical process by which Mesopotamian terms of receipt alternate from metaphorical to unmetaphorical and back to metaphorical modes of expression, cf. *Studies*, 108-15.

10 My deepest thanks to Professor Cross, the editor of the deeds, for giving me the opportunity to examine them and to cite material from them. For a preliminary discussion of these deeds, cf. F. C. Cross, "The Discovery of the Samaria Papyri," *BA* 26 (1963), 110-20.

11 Cf. P. Benoit, J. T. Milik, and R. de Vaux, eds., *Discoveries in the Judean Desert*, vol. 2: *Les grottes de Murabba'at*, 135, no. 25: recto line 5. Cf. also Milik, *Biblica* 38 (1957), 259, line 8. These nominal-participial forms are to be compared with similar Neo-Babylonian uses of forms such as *mittaḥḥuru* 'receiver' instead of the older *maḥir* 'he has received' (cf. L. W. King, *Babylonian Boundary-Stones and Memorial-Tablets in the British Museum*, 40, no. 7, col. 1, line 30).

12 Cf. the Aramaic signature in the Greek documents from the Dead Sea area edited by H. J. Polotsky, "Three Greek Documents from the Family Archive of Babtha," *Eretz-Israel* 8 (1967), 50, line 11.

metaphor of "entrance" is not to be seen as an isolated phenomenon. There is good reason to believe that a similar situation obtained in biblical Hebrew as well. Unfortunately, this West-Semitic mode of expressing the receipt of (full) payment was hidden somewhat by the inability of biblical Hebrew to distinguish lexically between the ideas of "come" and "enter." Unlike Aramaic, with its contrast between 't' 'come' and 'll' 'enter' or later Hebrew, with its contrast between *bā* 'come' and *niknas* 'enter', biblical Hebrew has only one term—*bā*—to express the contrasting concepts of "coming" and "entering."<sup>13</sup> However, in spite of this difficulty, most translators of the Hebrew Bible—old and new—did catch the nuance of receipt (of full payment, property, etc.) in several biblical texts in which the expression *bā* 'el PN appeared.

The first text is Genesis 43:23. Part of the cat-and-mouse game Joseph played with his brothers was to restore to their bags the sale-price of the grain they had already paid out: a tactic that created the expected anxiety. If they would be caught, they might be put to death as thieves. After much consternation, they returned to Egypt with two separate sums of money: the old sale-price and the new one. There they were met by one of Joseph's men and were promptly brought to his palace. Their reaction was quite natural: "It must be because of the money replaced in our bags that we have been brought inside, as a pretext to attack us and seize us as slaves" (verse 18). However, at the moment of their greatest apprehension, Joseph's agent assures them: "Be at ease, do not be afraid! It must have been your God, the God of your fathers, who put treasure in your sacks for you" (verse 23). The capstone of the whole discussion is the statement *kasp<sup>e</sup>kēm bā* 'elāy, which ends the verse.

At first glance, one might translate this statement literally as "your money has come to me"—a translation which, although not incorrect, does not really convey the specific idea the writer meant to convey. What the agent is really saying is the following: "Legally, you have nothing to worry about. As far as I am concerned (that is, my master Joseph—so Gunkel), the money for the first grain-sale has *already* been received in full and I have absolutely no claims against you.<sup>14</sup> As far as the extra money found in your bags, it is simply a gift of god."

Clearly *kasp<sup>e</sup>kēm bā* 'elāy is the biblical equivalent of the Aramaic 'l 'ly "I have received (the money)" and, like the Aramaic term, may possibly carry the quittance overtones of the Aramaic complement *w<sup>e</sup>tyb lby bgw* "and my heart is satisfied therewith."<sup>15</sup> While most modern translations,<sup>16</sup> commentaries<sup>17</sup> and lexica<sup>18</sup> realize that in this context *kasp<sup>e</sup>kēm*

13 Cf. n. 6, above.

14 For the close association of the concept of "receipt" with those of "quittance" and "no-contest," cf. *Studies*, 43-50 and *passim*.

15 Ibid.

16 Without being exhaustive, cf. the following: "I got your payment" (*New JPS*); "I received your money" (*American Translation*); "I did receive the silver" (*New English Bible*). Much less clear is "your money has *reached* me safely" (*The Jerusalem Bible*); "safely" seems to be a (mis)translation of the Vulgate's "nam pecuniam quam dedistis mihi probatam ego habeo." The word *probatam* seems to be based on the Septuagint's *to argurion bumōn eudokimoun apechō*, where *eudokimoun* 'to be approved/recognized/genuine' (so Liddell and Scott) describes the quality of the money received.

17 Cf. for example Speiser's "I got your payment" (*Anchor*); Von Rad's "I received your money" (*Westminster*); from an earlier generation, cf. Luzzatto's "vostro denaro è stato da me ricevuto"; Gunkel's "euer

*bā' 'ēlāy* must mean something like "I have received the money in full," translations such as "I had/have your money" (*The Interpreters Bible*, following the King James) hardly make much sense. Even those translators who correctly render the clause "I received your money" (Von Rad)<sup>19</sup> indicate by their lack of comment that they are unaware of the exact legal nuance of the term and its dramatic significance in the story. The various Aramaic Targums<sup>20</sup>—with the possible exception of the Peshitta and the Samaritan Targum<sup>21</sup>—are not very illuminating on this point, and neither are the midrashim and medieval Jewish commentators, Saadya being a notable exception.<sup>22</sup>

On the other hand, the Septuagint's *to argurion humōn eudokimoun apechō*, whether rendered as "I have enough of your good money"<sup>23</sup> or "I have received your good money" in keeping with the usage of the verb *apechō* in contemporary Greek deeds of receipt from Egypt<sup>24</sup>—expresses the terminological nuance of the phrase quite clearly. Furthermore, the

Gelt ist mir zugekommen" (pg. 405) is less satisfactory. Ehrlich saw the correct interpretation in his Hebrew commentary in Genesis, but for some reason omitted it from his *Randglossen*. Cf. also Skinner's "Your money came to me" and Driver's "I had your money"—a slavish reproduction of older English translations which contrasts with Driver's idiomatic translation in *BDB*; cf. following note.

18 With typical clarity, Driver in *BDB*, 98, defines the idiom in Genesis as "*your money came to me* = I received your money." Strangely enough this clear definition of the term in a lexicon printed for the first time in 1907, escaped the authors of the most recent edition of Köhler-Baumgartner.

19 Gunkel, Luzzatto, Speiser, and many others.

20 Onqelos *kspkm 't' lwti*; "Jonathan" *kspkm 't' lwti*.

21 Peshitta *kspkwn 'l lwti*; Samaritan Targum *kspkwn 'l lydy*.

22 No comment in Rashi, the Rashbam, the Radaq, the Ramban, Ibn-Ezra, Qimhi, Ibn-Ganah, etc. On the other hand, Saadya seems to have caught the nuance: *ammā fiḍḍatukum šārat ilayya* "As far as your silver is concerned, it has already come to me/become my possession." He could have used the literal *jā'a ilā* 'came to' following the Targum's *'t' lwti*. The idiom *šāra ilā*, on the other hand, indicates a change of status, a *becoming* (something new) rather than simple "coming." In this use of *šāra*, Saadya is simply following contemporary Arabic usage. Cf. J. A. Wakin, *The Function of Documents in Islamic Law* (1972), 54, n. 4: *šāra fī yadibī* "the property itself 'moves' as it were into his [the buyer's] by virtue of the purchase." Cf. also A. Grohmann, "Arabic Papyri in the Egyptian Library (1934), 1:54, line 7, *wa-šārat mālan min mālibī* "and it [the house and fields] has become property of his property" and *passim*. (For the use of *qad* with the meaning of "already," cf. W. Wright, *A Grammar of the Arabic Language*, 3rd ed., 2:3f.)

23 Cf. *The Septuagint Version of the Old Testament With An English Translation*, Samuel Bagster and Sons (New York; no date). The name(s) of the translator(s) and annotator(s) are not given.

24 According to *A Greek-English Lexicon: A New and Revised Edition* (Oxford, 1951), compiled by H. G. Liddell and Robert Scott, the verb *echō* in the present tense can mean 'to have received.' On the other hand, *apechō* has the clear meaning 'to receive in full' as well as the impersonal meaning 'it sufficeth, it is enough'. The verb in the first person is hardly impersonal, therefore the translation 'I have received' seems more fitting. As we have seen before, *echō*, although present in form, is present-perfect in meaning. For the use of *apechō* in legal documents, cf. A. S. Hunt and C. C. Edgar, *Select Papyri with an English Translation*, vol. 2, *Official Documents* (Loeb Classical Library), no. 370:9 ("Receipt concerning a consignment of alum"), n. 372:4 ("Receipt for money paid for the transport of government corn"). Cf. also Mark 6:2, *apechousin ton misthon autōn* "They have already been paid in full."

close relationship between the ideas of receipt, satisfaction and quittance that is so common in Aramaic and cuneiform legal documents was seen with great insight by the anonymous translator of Bagster's English version of the Septuagint, who glossed the verse under discussion in the following manner: "I am satisfied with the money you have given me, both as to quality and quantity."<sup>25</sup> Among moderns, it was only Ehrlich and Driver in *BDB* who spelled out the legal nuances and implications of the term with equal precision.<sup>26</sup>

To sum up: Joseph's steward was simply consoling the brothers in the legal language of contemporary West-Semitic traders by insisting that no claims were outstanding against them and that since the sale-price had been received in full, they were in no trouble. Unless the specific terminological nature of the expression is recognized, the passage loses much of its vividness and meaning.

The second passage where *bā' 'ēl* is a technical term of receipt and the exact equivalent of Aramaic *'l 'l* is Numbers 32:19. The tribes of Reuben, Gad, and half of the tribe of Menasseh come before Moses and outrage him with their request to settle in the territory they had already conquered in Trans-Jordan—an area evidently not included in the original divine land-grant to the Children of Israel.<sup>27</sup> The altercation is successfully resolved (a) when Moses grants them permission to settle in Trans-Jordan in return for their solemn promise that "We will hasten as shock-troops in the van of the Israelites until we have established them in their home" (verse 17); and (b) when they promise that "we will not have a share with them in the territory beyond the Jordan, *kî bā'āb naḥalātēnū 'ēlēnū mē'ēber bayyardēn mizrāḥāb*. The rather weak rendering of the *American Translation*, "because our heritage has fallen to us on the other side of the Jordan,"<sup>28</sup> although not incorrect, does not convey the specific juridical connotations of the expression *kî naḥalātēnū bā'āb 'ēlēnū*, namely, that since they have already received their legitimate share in Trans-Jordan and are satisfied therewith, they formally renounce any claim on territory they might conquer on the other side of the Jordan, while fighting in concert with the other tribes. Once again, the realization of the formal receipt-quittance nature of this term is crucial for the proper understanding of the whole transaction. Contrast the more correct rendering of the New JPS Pentateuch: "But we will not have a share with them in the territory beyond the Jordan, for we have received our share on the east side of the Jordan." Among the medievals it was Saadya who captured the legal nuance most correctly;<sup>29</sup> the same can be said for

25 Cf. above, n. 14.

26 Cf. his Hebrew commentary to Genesis, 119. Cf. also the discussion of Orlinsky in the Ktav reprint series, p. xxvi.

27 Following Y. Kaufmann, *The Religion of Israel*, trans. M. Greenberg, 202, 210, 258, 445.

28 For some other modern translations, cf. "because our patrimony has already been allotted to us" (*New English Translation*); less clear is "Since our inheritance has fallen to us" (*Jerusalem Bible*), which is substantially the same as the King James translation.

29 *Id qabaḡnā niḥlatanā* "since we have received our inheritance." For the use of *qabaḡa* as a technical term for the idea of "receiving/taking possession of property," cf. A. Grohmann, *Arabic Papyri in the Egyptian Library*, 1:162, line 12 and passim.

the Septuagint<sup>30</sup> and most of the Aramaic translations.<sup>31</sup>

Certainly none of the ancients, nor any of the moderns who worked after the discovery of the papyri, associated the expression with its unmistakable terminological reflex 'l 'l in the Aramaic legal documents of Elephantine.

From the point of view of biblical studies, the Elephantine evidence clearly vindicates the translators who rendered the idiom as an expression of receipt and translated "I received" according to sense, rather than by "it fell to me," according to form. It also establishes the expression *bā' 'el* as one more of a growing list of legal terms used *en passant* in Penta-teuchal narratives.<sup>32</sup>

From the vantage point of the comparative legal historian, this expression, together with its clear Aramaic counterpart, adds to the small, but ever-expanding body of evidence that the Aramaic legal formulary of Elephantine and its West-Semitic analogues did not always slavishly translate from the Akkadian, but that at least in certain cases, local West-Semitic usage<sup>33</sup>—here the metaphor of "entry" as an expression of "receipt"—did exercise its influence on the basically Akkadian structure of the Elephantine formulary.

Finally, a few words concerning the implications of the biblical material for the dating of the Aramaic idiom: It is obvious that the Elephantine formulary of the fifth century B.C. did not spring into existence overnight.<sup>34</sup> Yaron was certainly correct in pointing out its affinities with the legal traditions of second millennium Syria (Ras Shamra, Alalakh, etc.).<sup>35</sup> In searching for the *proximate* models of the formulary, I pointed out in my *Studies* the strong Neo-Assyrian element in it. Kutscher made the important<sup>36</sup> observation that the syntactical orientation of the legal documents was essentially West-Semitic. In his review of recent studies in Old Aramaic,<sup>37</sup> Kutscher agreed with my tentative attempt to make historical sense out of these various legal and philological observations. In my *Studies*,<sup>38</sup> I suggested that "the indigenous legal traditions of second millennium Syria-Palestine. . .were

30 *Hoti apechomen tous klēroun hemōn* "since we have received our inheritance." Cf. discussion above, n. 24.

31 The Samaritan Targum still preserves the old metaphor of "entering" in its *bl' 'lt 'šnwtinn lydnn*. Most of the other translations render the idiom correctly according to context as "receive": Onqelos, *'ry qbln' 'psnt' ln'*; Neofiti, *'rw m qbln 'hsntn lwwt n*; Peshitta, *m'wl dqbln yrtwt n*; "Jonathan" employs the metaphor of "arriving" to express the transfer of ownership, *'rw m m't 'hsntn' ln'*. Exactly such a usage is found in Elephantine inheritance documents: cf. Cowley, *Aramaic Papyri*, 1:4 and 28:3, *znh ḥlq' zy m't'k bḥlq* "this is the share which comes to you as a share." Cf. also ll. 7, 9, 10, 12.

32 Cf. *Studies*, index under "biblical law," 261. With reservation, cf. D. Daube, "Law in the Narratives," *Studies in Biblical Law*, (Ktav reprint, 1969), 74f. Cf. the many valuable observations on this subject in Speiser's commentary on Genesis.

33 *Studies*, 187, n. 4 and *passim*.

34 *Ibid.*, 14.

35 Yaron, *The Law of the Aramaic Papyri*, 115; cf. my comments, *Studies*, 180.

36 Kutscher, "Is Biblical Aramaic Eastern or Western Aramaic," *L'šonénu* 17 (1951), 119-22 [in Hebrew].

37 In the volume *Current Trends in Linguistics*, n. 6 (Mouton, The Hague, 1971), 363-64.

38 *Studies*, 196, addendum to p. 23.

taken over by the first millennium Aramean dynasties of the West." These kingdoms with their expanding mercantile and administrative activities could not have functioned without some sort of formulary written in the Old Aramaic of the West, which was subsequently heavily Assyrianized when the Assyrians moved into Syria. This Aramaic formulary was later introduced into Egypt, even before the conquest of Sargon, by Assyria's strong mercantile interest in that country.<sup>39</sup>

I would now suggest—with all due reservation—that it was not only the Old Aramean states which took over the legal traditions of second millennium Syria, but the Davidic-Solomonic empire with its wide-ranging trade activities as well.<sup>40</sup> The same holds true for the Israelite kingdom which, as we know from the Book of Kings, had strong economic interest, with the Arameans of the North: reciprocal trade facilities were often an integral part of the various peace settlements between the two countries.<sup>41</sup> It therefore seems reasonable to assume that there existed a Judean and an Israelite counterpart to the Old Aramaic formulary we have theoretically posited. Since actual evidence concerning the

<sup>39</sup> Ibid.

<sup>40</sup> Cf. 1 Kgs. 5 (for trade relations between Solomon and Hiram): 1 Kgs. 9:26-28 (for the combined expedition to Ophir from Eloth); 1 Kgs. 10 (for possible trade relations with Sheba) and verses 28-29 (trade in horses and chariots).

<sup>41</sup> 1 Kgs. 20:34 "So Ben-Hadad said to him [to Ahab]: 'The cities which my father took from your father I will restore, and you may maintain bazaars (*hūṣôt*) of your own in Damascus as my father did in Samaria.'" The whole matter was significant enough for it to have been solemnized by a treaty: "And I", said Ahab, 'will let you go with this understanding'. So he made a covenant with him and let him go" (verse 35). There are two issues in this event that deserve further examination: (a) the role of trade concessions in war; (b) the details of these concessions.

As far as the first matter is concerned, it is quite clear that wars were fought not simply for booty, but to forcibly open up new markets in the conquered country. This is exactly what Ben-Hadad's father did when he conquered Israel a generation before. At a slightly later date, after his conquest of Rafia, Sargon has the following to say about his achievement: "I opened the sealed [harbo]ur or Egypt. The Assyrian and the Egyptians I mingled together and made them trade [with each other]" (Nimrud Prism, Fragment D, Col. IV); cf. the important study of Tadmor, "The Campaigns of Sargon II of Assur: A Chronological-Historical Study," *JCS* 12 (1958), 34. Shades of Admiral Perry!

As far as the second matter is concerned, we know from the Akkadian international documents from Ras Shamra, that the legal status of the reciprocal trading posts something like those described in 1 Kgs. 20:34f., was carefully defined by treaty: cf. J. Nougayrol, *Mission de Ras Shamra in Le Palais Royal d'Ugarit* IV (1956); cf. RS 17.130 (pp. 103f.)—a letter from Hattusil III of Hatti to Niqmepa of Ugarit in which the Hittite king makes a binding agreement (*rikiltu*) between the citizens of the town of Ura and those of Ugarit concerning the rights and limitations of the merchants of Ura in their dealings with the citizens of Ugarit. First of all, it is stipulated that the merchants of Ura may exercise their trading privileges only during the harvest season (line 11), and must leave during the winter (lines 14-15). The merchants of Ura are also forbidden to acquire land in Ugarit (line 19). It was also agreed that the citizens of each city would indemnify the merchant guild of the other for the slaying of a merchant of the other city in its territory in the event that the murderer is not apprehended (for a recent discussion, cf. J. J. Finkelstein, "The Goring Ox," *Temple Law Quarterly* 46 [1973], 278f.). One cannot say for sure that the agreements between Ben-Hadad and Ahab were identical with those operative between the merchants of Ura and the citizens of Ugarit. However, the documents of Ras Shamra clearly demonstrate the antiquity of the connection between war and the laws of trade.

existence of an Old Aramaic formulary is quite sparse, and that concerning the hypothetical Old Hebrew one virtually nonexistent, any new bit of new information is of more than peripheral importance.

In our philological investigations concerning the western nature of the receipt expression 'l 'ly, and its equivalence with the Hebrew *bā' 'ēlāy*, it was the Aramaic which helped to illuminate the specific legal background of the Hebrew term. Now, let us reverse the process. According to classical source-critical theory, Gen. 43:23 belongs to the J or JE stratum, which all authorities date sometime during the early centuries of the monarchy.<sup>42</sup> Historically, this would mean that the Hebrew terminological equivalent of the Aramaic 'l 'ly was operative in the literary and, I would assume, in the legal parlance of the Solomonic court as well—many centuries before the occurrence of the term in fifth-century Elephantine. It is not inconceivable to suggest—with due care—that Solomon's trade receipts may quite possibly have used the term *bā' 'ēlāy*. Nor would it be unreasonable to assume that Ben Hadad of Aram in dealing with Israelite merchants may already have used the Aramaic 'l 'ly.

Now, the passage in Numbers is usually attributed to P, whose date is the subject of lively scholarly debate.<sup>43</sup> If it is from the time of the First Temple, we have added another piece of evidence to the antiquity of the term. If, however, P is actually post-exilic, then it is roughly contemporary with the Elephantine papyri, a fact which would hardly surprise any modern scholar. However, it was probably not later than the Samaria papyri, since these documents regularly use the formula *ksp' 'nb mqbl* "I am the receiver of the money."<sup>44</sup> The term, however, may have survived sporadically in the Aramaic of the Peshitta<sup>45</sup> and the Samaritan Targum,<sup>46</sup> either as a reflex of contemporary legal language—which I doubt—or as an archaism, which is more probable. In any case, our philological discussion is not without historical implications, however theoretical.

42 Cf. S. R. Driver, *The Book of Genesis*, xvi. The same verdict is held by virtually all modern source-critics, even those who assume that older oral traditions may have been incorporated when the source was put down in writing. Speiser and others consider the author of J to have been a contemporary of the writer of the David and Samuel cycles. E is usually considered somewhat later than J, having been put down in writing in the early part of the eighth century (Driver, *ibid.*). For an investigation of the problem and a survey of scholarly views, see M. Weinfeld's article, "Pentateuch," in the *Encyclopedia Judaica*, 13:231-64, especially 243.

43 Cf. Weinfeld, "Pentateuch," especially 243: "It seems that this source is a product of a priestly scholastic circle that was active for hundreds of years. The final crystallization of the work, however, seems to have taken place sometime in the seventh century B.C.E." Cf. also M. Noth, *The Laws in the Pentateuch and Other Studies*, trans. D. R. Apt-Thomas (1967), 8, who actually dates the "Holiness Code" about the same time as Deuteronomy. Even though many modern scholars will admit the presence of older traditions in P, (cf. Speiser, "Leviticus and the Critics" in the *Kaufmann Jubilee Volume*, 25-45, and his introduction to his commentary on Genesis), few would concur with Kaufmann (*The Religion of Israel*, trans. M. Greenberg 175-208) that *all* of P is pre-exilic. Cf. the discussion of Eissfeldt, *The Old Testament: An Introduction*, 204-8, especially 208: "We must assume that P came into being not too long before Chronicles, in the fifth, or perhaps already in the sixth century."

44 Cf. n. 10, above.

45 Cf. n. 20 (to the passage in Genesis).

46 Cf. n. 20 (to the passage in Genesis) and n. 31 (to the passage in Numbers).

II. Hebrew 'oz = Akkadian *ezzu* 'anger'

In my *Studies*, I had occasion to discuss a pair of Akkadian idioms, *ḥadiš naplusu* 'to look at (someone) joyfully/to be well disposed towards' and its antonym *ezziš nekelmû* 'to look at (someone) with anger/punitive wrath'.<sup>2</sup> In spite of their seemingly poetic or figurative nature, these two expressions were used in royal donations and in *kudurru* documents with specific legal meanings. The first idiom—*ḥadiš naplusu*—was often accompanied by a series of complements, *ina būnīšu namrūti zīmēšu russūti damqāti māšu* '(the donor looked at the donee) with his bright gaze, shining countenance and sparkling eyes'.<sup>3</sup> The legal import of this rather baroque cluster is quite simple: it indicates the kind and generous intentions of a donor, usually a deity or a king. The joyful look of the deity expresses the eternal and unalterable intention with which he bestows kinship upon his elect. Similarly, the joyful look of the king expresses the firm and unalterable intention with which he bestows some grant or perquisite upon a courtier or priest.<sup>4</sup>

The antonym of the idiom is *ezziš nekelmû* 'to look at (someone) with anger/wrath'. In the *kudurru* documents, it expresses the punitive wrath which the deity metes out to whomever would dare undo a grant given with the "joyful look" of the divine or royal donor.<sup>5</sup>

The metaphorical use of Akkadian terms of joy (*ḥadû*, *ṭābu*) as expressions of uncoerced willingness and the parallel use of certain Hebrew terms of joy, especially in early rabbinic sources, is the subject of a forthcoming study by the present author.<sup>6</sup> Some of the functional equivalents and literary echoes of the clause *ḥadiš naplusu* in the Aramaic papyri from Elephantine<sup>7</sup> and in royal and divine grants in the Bible have already been discussed by the author and by M. Weinfeld.<sup>8</sup>

If both the word *ḥadiš* and the clause *ḥadiš naplusu* have clear reflexes in later Aramaic and Hebrew sources, it is possible to ask whether the antonyms of these clauses—*ezziš* and *ezziš nekelmû*—may also be reflected in similar Hebrew sources. In general, it is not a wise procedure to start off with a particular Akkadian term in mind and attempt to force difficult Hebrew expression into artificial Akkadian matrices. Similar attempts to interpret

1 Cf. above, n. 1.

2 Ibid., 130-35, especially 132, n. 1.

3 Ibid., 130 and 202.

4 Ibid., 135.

5 Ibid., 132, n. 1.

6 "Joy and Love as Metaphorical Expressions of Willingness and Spontaneity in Cuneiform, Ancient Hebrew and Related Literatures" to appear in *Christianity, Judaism, and Other Greco-Roman Cults, Studies for Morton Smith at Sixty* (Leiden, 1975).

7 *Studies*, 130-35.

8 M. Weinfeld, "The Covenant Grant in the Old Testament and in the Ancient Near East," *JAOS* 90 (1970), 187-88; idem, "'Bond and Grace'—Covenantal Expressions in the Bible and the Ancient World—A Common Heritage," *Lēšonēnu* 36 (1971/72), 96-97, 100-1 [in Hebrew].

Hebrew cruxes in the light of Arabic<sup>9</sup> or Ugaritic<sup>10</sup> lexica have contributed to the bad name comparative Semitic lexicography has incurred—often deservedly—in some very respectable circles.<sup>11</sup> Only after new meanings emerge naturally from the context of one language should comparative material be brought into the picture.

A good case in point is Ginsberg's discovery that the word 'oz in Qoheleth 8:1 can only mean one thing in its context—namely, "anger."<sup>12</sup> Let us follow his arguments. The whole verse reads *ḥokmat 'ādām tā'îr pānā(y)w w'e'oz pānā(y)w y'ešunne*. The verse is usually translated something like "A man's wisdom illumines his face and his hard face is changed."<sup>13</sup> Working within the immediate context of Qoheleth and the closely related Ben Sira, Ginsberg makes the following observations.<sup>14</sup> (1) The idea the author is trying to convey does not come through the text as presently preserved: wisdom does not make the face shine: it is joy that does. However, even if we accept the reading in stich a, poetic structure would seem to demand that the shining face of stich a be paralleled by a dark and gloomy face in stich b. (2) Furthermore, in the closely related Ben Sira literature, we often find that a happy face is an expression of inner joy, while a sad/dark face is the expression of inner grief and anger.<sup>15</sup> This parallelism may provide the key for the proper understanding of the passage in Qoheleth. (3) Ginsberg remarks that Jerome read *pānā(y)w y'ešanne*—instead of *y'ešunne*—which is a perfectly good Hebrew idiom for "make the face sad/dark,"<sup>16</sup> an idiom which nicely parallels *tā'îr pānā(y)w* "makes his face shine/glad" in stich a. (4) Taking a hint from Ben Sira that it is sadness/anger that makes the face gloomy, the natural conclusion is that the subject of the sentence *pānā(y)w y'ešanne* is the word 'oz, which in that case can mean nothing other than "anger." The verse, therefore, should be translated: "and anger is what makes a man's face gloomy." For further confirmation of this new meaning of 'oz, Ginsberg cites Ezra 8:22: *w'e'uzzô w'e'appô 'al kol 'oz e'bā(y)w*, which should be

9 L. Kopf, "Arabische Etymologien und Parallelen zum Bibelwörterbuch," VT 9 (1959), 247f. The critique of J. Barr, *Comparative Philology and the Text of the Old Testament* (1968) is often quite correct, however, I have a feeling that he sometimes throws out the baby with the wash.

10 Cf. J. Greenfield's review of Dahood, *Ugaritic-Hebrew Philology*, in JAOS 89 (1969), 174-78, and the critical reviews of M. Pope and A. Rainey mentioned there.

11 This misuse of the comparative method has certainly contributed to the radical purism often encountered in Assyriological circles, where anything having to do with the Bible—even certain Akkadian texts (e.g., Nuzi, Alalakh, Ras Shamra)—is a priori considered suspect. Unfortunately, a similar attitude—prompted by different considerations—is reflected in the rather indifferent attitude towards the study of Akkadian in certain biblical circles. Cf. Cross' telling remarks in "W. F. Albright's View of Biblical Archaeology and its Methodology," *The Biblical Archaeologist* 36 (1973), 3.

12 Cf. H. L. Ginsberg, *Koheleth* (Tel-Aviv-Jerusalem), 104-5.

13 So, for example, *The Bible: An American Translation*. Ginsberg, in his *The Five Megilloth and Jonah: A New Translation* (Philadelphia, 1969), renders the verse "A man's wisdom lights up his face/ So that his deep discontent is dissembled?" following the Masoretic text—and not his own reconstruction: "a man's joy (read *ḥedwat*) lights up his face"—in keeping with the semi-popular nature of the book.

14 Ginsberg, *Koheleth*, 104-5.

15 Ginsberg cites Ben Sira 13:25-26 (slightly emended). Similar ideas are expressed in several other passages: cf. 25:17, 23 and 26:3-4.

16 Citing Job 14:20 and Lamentations 4:1. Cf. also Daniel 5:10 and 7:28.

rendered "and his anger and wrath are upon all who leave Him."

It is at this point, after the new meaning had been worked out inner-biblically, that it is appropriate to remark that this rare meaning of the Hebrew 'oz is clearly related to the common Akkadian *ezzu* 'anger'/'wrath'.<sup>17</sup> Whether or not there is any historical significance to the fact that the two examples of 'oz 'anger' come from books written in post-exilic Hebrew, a dialect strongly influenced by Aramaic<sup>18</sup> (and ultimately by Akkadian),<sup>19</sup> cannot be answered at this point.

So far we have demonstrated that Ginsberg's inner-biblical investigations concerning the meaning of 'oz 'anger' are nicely supported by parallel Akkadian usage. One may well ask if any other parallels to this usage may be adduced from later Hebrew sources.

In the Jerusalem Talmud, *Yoma* 43b, in a discussion concerning the proper behavior of a judge vis a vis the parties before him, we read the following statement:

(Equal treatment means) that one party shall not stand while the other sits; that one has to be silent while the other can speak; that one can speak all he needs to, while the other party is told by the judge: "Make your statement short!" that the judge should not look graciously/favorably (*masbîr pānîm*) at one of the parties, while he is *mē'ēz pānā(y)w* at the other.

Clearly, the two idioms *masbîr pānîm* and *mē'ēz pānîm* are antonyms. The first is a well-known idiom meaning "to look at/receive (someone) with a smiling/gracious disposition." In function it is quite similar to the Akkadian *ḥadiš naplusu ina būnīšu namrūtīm*. The other idiom *mē'ēz pānîm* is at least as common. However, in all other contexts except this one, it means to be "fresh or insolent towards"—usually said of a rebellious child or of an underling to a superior. In this context, however, the usual meaning of "insolence" does not fit. As the antonym of *masbîr pānîm* 'to look at with a smiling disposition', *mē'ēz pānîm* can only mean 'to look at with an angry disposition'. In fact, *masbîr pānîm* is to the Akkadian *ḥadiš naplusu* as the Hebrew *mē'ēz pānîm* is to the Akkadian *ezziš nekelmû*. Thus, we are comparing not isolated words where comparisons are often fortuitous, but whole complexes of syntax and idiom—something that lends greater credence to

17 Cf. *ezzu* in CAD and AHw.

18 Even those who do not accept Ginsberg's thesis that Qoheleth was translated from an Aramaic original, are in agreement concerning the Aramaic coloring of the Hebrew of the book. Translation or not, the Hebrew of the book often contains usages which are identical with, or anticipate, the language of later rabbinic sources—a fact which Ginsberg points out continuously: cf. the use of *lābān* 'clean', 115 and *šāpāl* 'slow/lazy', 124 and passim. For recent studies on the difference between early Hebrew of the First Commonwealth and middle Hebrew, cf. the following: E. Y. Kutscher, "Mittelhebräisch und Jüdisch-aramäisch im neuen Köhler-Baumgartner," *Hebräische Wortforschung: Festschrift zum 80. Geburtstag von Walter Baumgartner* (Brill, 1967), 158-75; Bendavid, *Biblical Hebrew*; Avi Hurvitz, *The Transition Period in Biblical Hebrew* (Jerusalem, 1972) [in Hebrew].

19 On the interpenetration of Aramaic and Akkadian, cf. the excellent thesis of S. Kaufman, *The Akkadian Influences on Aramaic and the Development of the Aramaic Dialects* (Ph.D. diss., Yale University, 1970). Cf. also my *Studies*, 187, n. 4.

the comparison. Furthermore, while it is perfectly reasonable to reject comparisons of words and phrases which share a common etymon (in this case the stem 'zz) but differ radically in meaning and function, the presence of the shared etymon in functionally identical expressions only provides added confirmation of their semantic affinity.

Lexically, this passage with its clear juxtaposition of *masbîr pânîm* and *mē'ēz pânîm* certainly establishes "anger" as a legitimate meaning of the Hebrew 'oz, even for those who may not fully accept Ginsberg's interpretation of the verse in Qoheleth. However, the fact that 'oz is found in late Hebrew and its cognate and functional equivalent *ezzu* in pre-Qoheleth Akkadian certainly adds credence to Ginsberg's intuitive reconstruction of the verse under investigation. One thing is clear, he did not attribute a meaning to 'oz which it did not have at that period.