KNOWING GOOD AND EVIL: VALUES AND PRESENTATION IN GENESIS 2-4

Jonathan Harvey Walton

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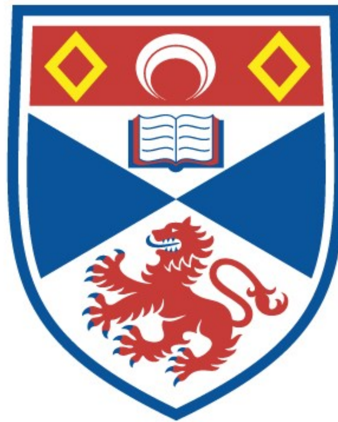
University of St Andrews



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Knowing Good and Evil: Values and Presentation in Genesis 2–4

Jonathan Harvey Walton

This thesis is submitted in partial fulfilment for the degree of

Doctor of Philosophy (PhD)

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Abstract

This thesis argues that the theological interpretation of Genesis 2–4, which describes a pristine world corrupted by evil, derives from a cosmological model and accompanying ideas of what constitutes goodness and badness that is anachronistic to the original context of the Hebrew Bible and instead arises from the reception of the material in the Hellenistic period. By comparing ideas and images from ancient Near Eastern literature that resemble those appearing in Genesis, we argue that Genesis presents a cosmology and system of values wherein an eternally pre-existing undesirable state of negation ("chaos") is pushed to the periphery of a manufactured desirable condition of order and harmony, which in turn is threatened by an undesirable corruption from within ("evil") and thereby under constant threat of collapsing back into nothingness unless perpetually sustained by the combined efforts of humans and gods. Within this cosmology and axiology, which is shared with the literature of the ancient Near East, Genesis presents a subversive narrative that discusses where true order in the world might be found. We argue that the Primordial History provides a deconstruction of various institutions of order found throughout the rest of the ancient Near East, especially those favoured by Israel's Babylonian conquerors, in order to promote the Israelite covenant with Yahweh as the desirable alternative. Each institution in turn is presented as valuable and useful yet also insufficient to produce and sustain order. The pericope of Genesis 2–4—"the account of the heavens and the earth"—deconstructs the institutions of agriculture and civilization, specifically by demonstrating that, in contrast to the presentation of comparative literature, their acquisition is insufficient to elevate humans out of a state of negation, and further demonstrating that the pursuit of cultural achievement is insufficient to produce the nearest possible human approximation of eternal life.

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Abbreviations

AB	Anchor Bible Commentary Series
BAR	*Biblical Archaeology Review*
BCOT	Baker Commentary Series on the Old Testament
CAD	*Chicago Assyrian Dictionary*
COS	*Context of Scripture*
DDD	*Dictionary of Deities and Demons*
ETCSL	Electronic Text Corpus of Sumerian Literature
IBHS	*Introduction to Biblical Hebrew Syntax*
IECOT	International Exegetical Commentary on the Old Testament
JANES	*Journal of Ancient Near Eastern Studies*
JAOS	*Journal of the American Oriental Society*
JBL	*Journal of Biblical Literature*
JCS	*Journal of Cuneiform Studies*
JPS	Jewish Publication Society Commentary Series
NIDOTTE	*New International Dictionary of Old Testament Theology and Exegesis*
OEANE	*Oxford Encyclopaedia of Archaeology in the Near East*
OTP	*Old Testament Pseudepigrapha*
RIBo	Royal Inscriptions of Babylonia Online
RIMB	The Royal Inscriptions of Mesopotamia, Babylonian Periods
TDOT	*Theological Dictionary of the Old Testament*
TS	*Theological Studies*
WBC	Word Biblical Commentary Series
YOS	*Yale Oriental Series*
ZAR	*Zeitschrift für Altorientalische und Biblische Rechtsgeschichte*
ZAW	*Zeitschrift für die Alttestamentliche Wissenschaft*
ZIBBCOT	Zondervan Illustrated Bible Background Commentary on the Old Testament

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§0: Introduction

a. Goal of this Project

1. Reading the Bible as Philosophy

The objective of this study is to read a passage from the Bible—in this case, the early chapters of Genesis—as if it were a work of philosophy. By *work of philosophy,* we mean that the implied author of the text is presenting an idea or message that is relatively specific and which the implied audience is expected to receive and understand. In doing so, we will be broadly applying what Brown calls a "communication model of hermeneutics,"[1] which in turn closely aligns with the method of narrative criticism,[2] most notably in the emphasis on the image of reality presented by the text.[3] While narrative criticism focuses on story and discourse, the specification of *philosophy* further presumes an illocutionary intent of *argument*, above and beyond other possible illocutions such as documentation, entertainment, aesthetics, or meditation/devotion. By *argument* we mean that the author intends his or her content to impact the worldview of the implied audience, either to enforce it or modify it. The assumption that the biblical text does in fact contain an argument is foundational to the disciplines of Biblical, Exegetical, or Systematic Theology, which by definition use the arguments of the biblical text as a basis or supplement of their own. For Brown, the "narrative" of the text and the "argument" of the text are interchangeable:

> It is this meta-story that must shape our worldview, that is, our thinking, being, and doing. In the task of interpretation, then, paying attention to the meta-narrative or story of the text is crucial. This means every part of Scripture participates and projects a narrative (even non-narrative genre), since all parts of the Bible contribute to the biblical meta-narrative.[4]

We will prefer the term "argument" over "narrative" because we intend to dispute the plausibility of a canon-spanning "biblical metanarrative" and argue instead that the worldview advocated by various texts is non-systematic (see §3.d.1-3). In other words, the Bible's various arguments cannot

---

[1] Jeannine K. Brown, *Scripture as Communication* (Grand Rapids, MI: Baker, 2007), 29-55.
[2] For the importance of *implied author*, *implied audience*, and *story* in the communication model, see ibid., 40-46.
[3] "Narrative criticism seeks to determine the expected effects of stories on implied readers without taking into account all of the possible effects they may have on actual readers […] The expected effects of stories can only be determined if we adopt the perspective of readers who accept [the] elements of the story as real, or at least real within the world of the story." M. A. Powell, "Narrative Criticism," in *Methods of Biblical Interpretation*, ed. John H. Hayes (Nashville, TN: Abingdon, 2004), 170-171.
[4] Brown, *Scripture*, 46.

be condensed and reduced to a degree that can be encapsulated in a single overarching theme or plot. Our use of the term "narrative" will be limited to describing a form of discourse that presents as a story. Nonetheless, we will presume that the various texts subject to our study are intended by the implied author to shape the worldview of the implied audience and, despite the technical difference in terminology, we assert that the tools and method of narrative criticism are suitable to discover what the implied author was attempting to say.

2. Summary of Argument

The hypothetical systematic argument of the combined biblical texts referred to above (i.e., the "biblical metanarrative") is well-known from two millennia of theological speculation. At its most basic form, the story reduces to a conflict between Good and Evil, acted out through a plotline of initial perfection followed by corruption, redemption, and restoration. Genesis 2–3 stands at a particularly important point in this plotline, as the story is commonly interpreted to represent the introduction of Evil onto the narrative scene. The purpose of this essay is to argue that this ubiquitous theological reading does not represent the argument of the implied author of the version of Genesis that appears in the Hebrew Bible.

Our argument will first demonstrate that the cosmological model wherein a perfect world is corrupted by an artificially introduced badness is anachronistic to the implied audience for whom Genesis was composed. More importantly, however, we will argue that the binary opposition of goodness and badness is reductionistic and does not represent the worldview of the implied author of Genesis. We will argue instead that the implied author holds two distinct conceptions of badness. One is described in terms of deviation and corruption; the other is described in terms of alterity and absence. We will further attempt to demonstrate that, in contrast to the implications of the common theological reading, the badness presented in Genesis 2–4 consists almost entirely of the latter.

In order to present this argument, we will first examine the internal logic of a cosmology that recognizes goodness, badness = corruption, and badness = alterity as three distinct categories of value. We will then examine the literature of the ancient Near East—most specifically Egypt and Mesopotamia—to see how those categories are defined and presented in that literature. We will then suggest how those cultural ideas might best be expressed in English words. The next section will turn to the Hebrew Bible and argue that the same basic ideas are represented by the words and imagery contained in the biblical texts. We will also observe the ways in which the Hebrew Bible

deviates from comparative literature, but at the same time demonstrate that these deviations do not produce the aforementioned theological metanarrative.

Following this conceptual overview, we will turn our attention to Genesis and explore where the reading employed by the theological metanarrative came from, giving special consideration to the allusion to Genesis 3 in Romans 5:12–14 and the internal logic of the discourse that contains it. We will also briefly speculate as to the implied audience of Genesis and discuss its structure and genre, in order to argue that the theological reception is anachronistic. Finally, we will examine the text of Genesis 2–4, paying special attention to the narrative's portrayal of things its implied author presents as undesirable. We will compare the language and imagery to that of comparative sources and ultimately conclude that Genesis 2–4 is a discussion of various ideas and institutions that are insufficient to produce goodness and completeness, in contrast to the theological reading which interprets the story as a discussion of events and actions whereby goodness and completeness was turned into badness and corruption.

b. Methodology

1. The Problem of Cross-Cultural Translation

A communication model of hermeneutics assumes that meaningful apprehension of the communicative intent of ancient texts is possible. In other words, despite the problems inherent in translating a dead language and the changes in worldview orientation arising from distance in time and culture, the argument of the implied author is theoretically recoverable. At the same time, we understand that this recovery necessarily entails more than a substitution of words for modern semantic equivalents.[5] Words mean what they are used to mean, and a communication model assumes that this meaning is shared between the implied author and the implied audience. As Brown explains it, our task is to "weigh possible and then probable necessary assumptions shared by both the author and original readers with the goal of clarifying utterance meaning. This will involve historical analysis and reconstruction of the original text in question."[6] This reconstruction will necessarily entail identifying the implied audience (see §3.a). Simply locating them in space and time, however, is insufficient for the task. In order to understand the things this audience would find meaningful, we need to understand what they would find *relevant*.

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[5] For a discussion of the limits of etymology as a guide to translation and interpretation see James Barr, *Semantics of Biblical Language* (Oxford: Oxford University Press, 1961).
[6] Brown, *Scripture*, 49.

> An utterance requires hearers to infer more than is provided in the linguistic features of the utterance itself, and hearers will select from among a host of contextual inputs those that are most relevant for understanding a particular utterance […] speakers assume these tenets of communication to be true and rely on their hearers to supply the most relevant information to interpret their utterances. An utterance is a speech act with a context. Crucial to this definition is the idea that meaning is always contextually situated.[7]

In identifying the implied audience, then, what we really seek to identify is the *context* into which the implied author is speaking. The bulk of this essay will be devoted to exploring the features of this context, most notably its fundamental values and the various things to which it ascribes value.

2. Cultural Interaction Between the Hebrew Bible and the Ancient Near East

The most immediate context of the implied audience of any given biblical text would be found in the literary and material culture of the people who spoke the language in which it was written; more or less, the population of ancient Israel. However, apart from the Hebrew Bible itself, very little information about the culture of ancient Israel has been preserved. Further, much of the biblical material is generally agreed to have reached its stable literary form in a later cultural context than its bronze and iron age narrative setting, namely the context of Babylon, Achaemenid Persia, or Seleucid Greece. Consequently, it is very likely that Akkadian inscriptions from Babylon may be more relevant to the context of biblical literature than (say) Hebrew inscriptions from the bronze age. At the very least, the literature of Babylon should provide a contextual framework that is *closer* to that of the Hebrew Bible than (say) the Greek New Testament, Christian theology, or modern academia can provide. Our search for context will therefore focus on ancient Near Eastern literature, rather than the New Testament or subsequent Christian reception.

All else being equal, we would expect Israel to broadly share the worldview of the rest of the ancient Near East, while also developing some distinctive features unique to itself, as all other known ancient Near Eastern cultures also do. Some biblical literature might be (loosely) transcribed from comparative literature (purportedly, KTU 1.5:I.1-3 in Isa 27:1[8] or *instructions of Amenenope* in Prov 22:17–23:11,[9] for example) but most will be bespoke compositions which operate in a similar worldview frame of ideas and values, as we see in all ancient Near Eastern cultures.[10] Within that

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[7] Brown, *Scripture*, 35.

[8] E.g., William D. Barker, *Isaiah's Kingship Polemic* (Tübingen: Mohr Siebeck, 2014), 152-160.

[9] E.g., Michael V. Fox, *Proverbs 10-31*, AB (New Haven, CT: Yale, 2009), 707-733.

[10] For broad interplay in themes about cosmic order and disruption between a wide variety of texts from various times and cultures, see Peter Machinist, "Order and Disorder: Some Mesopotamian Reflections," in *Genesis and Regeneration: Essays on Conceptions of Origins*, ed. Shaul Shaked (Jerusalem: The Israel Academy of Sciences and Humanities, 2005).

context, some literature will re-iterate and emphasize the same things that everyone else also believes are true and important, such as the value of reverence of the gods and obedience to the king which is ubiquitous throughout the ancient Near East. Other literature will present its own unique ideas with no comparison to the ideas of others, as we see for example in Egyptian versus Mesopotamian conceptions of the afterlife. Some literature will take a point to emphasize the ways in which the authors deviate from the beliefs of their neighbours. These various presentations are found in all ancient Near Eastern cultures and would be expected in Israel as well.

3. The Problem of Obscurity and Diachronicity in Ancient Near Eastern Text and Culture

The problem with a broad survey of ancient Near Eastern literature as a basis for establishing context for communicative relevance is that ancient Near Eastern cultures are not interchangeable with each other in terms of their ideas, concepts, definitions, and values. Any one culture is not even interchangeable with that same culture in a different time. Further, any text from any one culture is not interchangeable with other texts from the same culture, as different implied authors can use ideas differently even within the same context:

> The only thought that can be recovered is that of a small group, presumably the intelligentsia of ancient society. Probably we shall never know how far the written forms of thought were understood and acknowledged by the mass of men and women […] Much Sumerian literature presents such difficulty to the translator that even the plain meaning of the words is often in question. Many texts are undated, and undatable. The ancients constantly rewrote old texts so that old and new stand side by side. We do not know how often in this process old words were reinterpreted to suit changed concepts. Even if a particular work can be dated with certainty, can it be assumed that the outlook implied was characteristic of the age? Did individual authors hold views unorthodox in their age? One can only speculate whether further discoveries of contemporary documents would prove the existence of differing schools of thought.[11]

These problems are both insurmountable and inescapable in the fields of Assyriology, Egyptology, and biblical studies, and scholars are forced to do as best we can with what we have. Insofar as these fields of study exist at all, we assume that some reasonable comprehension of ancient thought and culture is possible. Given this assumption, we must also recognize that all ancient Near Eastern ideas, concepts, definitions, and values are closer to each other than any of them are to ours. Therefore, given a choice, we should use ancient Near Eastern texts to interpret each other—insofar

[11] W. G. Lambert, *Babylonian Wisdom Literature* (Oxford: Oxford University Press, 1960), 2.

as we believe comprehension of those texts to be possible—rather than using our own concepts, definitions, values, or intuitions.

4. Subversion and the Argument of the Hebrew Bible

This essay will focus on the aspects of the Hebrew Bible that deviate from the consensus of the surrounding culture's prevailing worldview, insofar as the latter can be established given the limitations previously described (§0.b.1-3). Specifically, we will argue that the argument of the implied author intends, at least partially, to *subvert* the prevailing worldview of its implied audience and replace some element of that worldview with its own. Subversion is a literary form that both exhibits dependence and emphasises distinctiveness. We propose that subversion is the literary intent of much of the Hebrew Bible, but most specifically the intent of the Primordial History which includes Genesis 2–4.

Subversion in the context of literary criticism means "to challenge and undermine (a conventional idea) […] the description of an act as subversive establishes the action as reactive, responding to an entity—personal, social, political, textual, *et cetera*—that already exists."[12] We will discuss what is being undermined and how in detail later on (§3.d), but for now we want to examine the mechanics of subversion relative to context. By definition, a subversive argument cannot appear as a blank slate:

> In grammatical terms, subversion requires an object: a text cannot simply subvert, but must subvert something. The relational quality of subversion, however, is not merely abstracted, involving the author's inner awareness of a relationship between two entities. As a transformative action, a successful act of subversion requires an audience: those whose minds are to be changed, ideas transformed, and opinions undermined […] subversion, to succeed, must operate in two directions. First, it must relate to the entity it intends to subvert. Second, it must relate to its audience, whose relationship with that entity is altered through its encounter with the subversive entity.[13]

This interplay between author, audience, and context is the same that we proposed for the communication model of interpretation (§0.a.1). If the argument of the implied author of Genesis is indeed subversive—that is, intended to *change the opinions* of its implied audience—then the discourse must necessarily operate *within the context* of the opinion it intends to change. This need for external context guarantees the relevance of ancient Near Eastern comparative material for our interpretation of biblical texts. The assumption that the biblical text contains an argument, and that

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[12] C. L. Crouch, *Israel and the Assyrians* (Atlanta, GA: SBL, 2014), 16.
[13] Ibid., 21.

the argument is subversive, is a foundational premise of this study. Nonetheless we briefly defend this assumption on several points.

Firstly, returning to the objective of this thesis, we intend to dispute the validity of a particular theological reading as representative of the argument of the implied author of Genesis. That theological reading, however, includes *within itself* the idea that its content is subversive, that it is "God's self-revelation, a gift and a truth that is given to Israel and the church for the benefit of the world."[14] The idea that the biblical texts are written to tell people what to believe, and that at least some of those people believed something else before they were told, is an underlying premise of all theological interpretation. The idea that this proposed revelation was given to a culture of semitic people spanning the bronze and iron age—and therefore by extension that their pre-existing knowledge would have broadly conformed to ancient Near Eastern cultural consensus—is also frequently espoused within that narrative itself. Our argument against the common theological reading does not entail a disagreement about whether the biblical text was written into an ancient Near Eastern context; the disagreement concerns the content of the subversive argument and the extent of what the subverting authors attempted to change.

Secondly, in contrast to some trends in biblical studies,[15] we assert that the argument of the biblical text *does indeed change something*, and does so intentionally. The texts of the Hebrew Bible are not rote transcriptions and collections of independent traditions, Israelite or otherwise. The vast bulk of this essay will be devoted to examining the internal logic of the redacted documents, including similarities and differences between biblical discourse and similar content in comparative material.

Finally, it is self-evident that the discourse of the text of the Hebrew Bible is too cursory to be read *tabula rasa* as a complete worldview manifesto. The gaps in the provided information indicate that a high degree of inference on the part of the implied audience is assumed. However, by definition, those inferences represent elements that the argument *does not expect to change*. These three ideas combined—that the text is written to tell the implied audience something in a context of pre-existing belief; that some of the existing beliefs of the audience are expected to change; and that some (many) of the existing beliefs of the audience are expected to remain the same—provides a justification for reading the biblical text as an argument with an illocution of subversion.

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[14] R. W. L. Moberly, *The Theology of the Book of Genesis* (Cambridge: Cambridge University Press, 2009), 4.
[15] So for example: "A field that has been searching for 'documents' from its beginnings questions only secondarily (if at all) whether repetitions like the three narratives of a matriarch's endangerment by sexual assault from a foreign ruler […] [could result from] a deliberate literary configuration rather than simply the transmission of parallel traditions." Jan Christian Gertz, "Genesis in Source and Redaction Criticism Today," in *The Cambridge Companion to Genesis*, ed. Bill T. Arnold (Cambridge: Cambridge University Press, 2022), 54.

5. The Level of Subversion: Text Versus Concept

Discussions of subversion in biblical scholarship often entail a discussion of *literary dependence*. By this we mean, the subversive argument is often assumed to consist of appropriating and either re-writing or re-contextualizing a *specific existing text*, normally with the further assumption that the subversive intent includes an attack on whichever authority produced or promulgated the original text. Genesis in particular is often argued to be in some degree dependent on such works as *Enuma Eliš*, *Atrahasis*, *Gilgamesh*, *Adapa*, *The Founding of Eridu*, or the *Sumerian King List*. For our purposes, it is important to emphasize that the concept of subversion we are advocating does not presume literary dependence. Consequently, when we assert that Genesis refers to themes or imagery also found in *Gilgamesh* or *Atrahasis*, we are not asserting that the passage in question is *dependent* on *Gilgamesh* or *Atrahasis*. Instead, the references to comparative material are supposed to stand as evidence that the idea in question exists within the cultural context and therefore provides a precedent for the claim that the implied audience of Genesis might also think in this way.

Consequently, when we refer to comparative literature, we are offering the texts as *exemplars* rather than *sources*. Individual ancient Near Eastern texts operate within a worldview and reflect a particular way of thinking. It is elements of this worldview, rather than any given individual text, that the argument of Genesis intends to subvert.[16] References to themes and images which also appear in ancient Near Eastern texts serve to orient the implied audience towards to conceptual arena in which the argument is intended to operate:

> if a work intends to signal to a tradition, the adaptation must use ideas or combinations of ideas specific to the tradition. […] signalling using concepts was much more difficult than signalling using words and phrases; to succeed, works that used concepts to signal their source had to rely especially heavily on both the distinctiveness of the concepts in question and on the compilation of several such concepts […] frequency of shared material [is] also a factor in a new work's ability to signal its source.[17]

Presence of common themes and images may be evidence of this kind of signalling. Again, however, the *source* is not a specific text, but rather the general worldview in which individual texts participate. For our purposes, this means that, for this study, we assume that the ideas and images used in Genesis should mean *roughly the same things* they mean in the broader context of ancient

[16] Crouch describes the distinction using the modern example of Cinderella: "an adaptation of Disney's Cinderella requires a signal specific to that film, such as a song or distinctive name; an adaptation of the fairytale tradition of Cinderella more generally only requires a signal specific to the tradition, such as the trope of the lost slipper and its pursuit by the romantic hero." Crouch, *Israel*, 25.

[17] Ibid., 179-180.

Near Eastern literature. The argument of Genesis is advanced by recontextualizing those ideas and images relative to each other. It is not advanced by using words and images in a bespoke way, because doing so would fail to signal the source material it intends to undermine.

> Subversion, as a form of adaption, requires that a new work signal its relationship with its source in a way that enables its audience to recognize and appreciate its use of the older tradition. This, in turn, is what allows the audience to recognize the points on which the new work diverges from—and, in the case of subversion, alters—the older tradition. [18]

In order to succeed, subversive literature has to remain relatively faithful to the content it intends to subvert, such that the relationship may be recognized.

> A subversive endeavour must therefore establish its relationship with the entity it intends to subvert; more specifically, however, it must do so in such a way that its audience is able to recognize this relationship, in order that the audience's own relationship with the subverted entity may be altered.[19]

This recognition is achieved by appropriation of the relevant words, symbols, images, and concepts. At the same time, the goal of subversion is bringing about change, by definition.[20] The subversive intent of the Hebrew Bible is therefore not a radical departure from contemporary thought, produced in its own vacuum or echo chamber, defining all of its own concepts in its own unique ways. Instead, we should expect the language, imagery, and conceptual categories of the Hebrew Bible to be broadly similar to its cultural contemporaries. At the same time, the subversive intent means that we should not expect existing material to be simply copied and re-presented; we should see variations in presentation that are subtle but nonetheless potentially wide-ranging in their implications.

6. Decoding the Discourse

By examining the imagery of Genesis synchronically with the imagery found in other ancient Near Eastern literature, we hope to gain an understanding of what that imagery signifies and thereby determine what it is being employed to say. This project is therefore fundamentally an exercise in translation, with meaning being applied to images and symbols rather than lexemes. Accordingly, the project is evidence-based, with the primary evidence being *precedent*. In other words, when we

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[18] W. G. Lambert, *Babylonian Creation Myths* (Winona Lake, IN: Eisenbrauns, 2013), 179.
[19] Crouch, *Israel*, 25.
[20] "As transformative action, a successful act of subversion requires an audience: those whose minds are to be changed, ideas transformed, and opinions undermined." Ibid., 21.

argue that an idea or image in Genesis means something, we will demonstrate that the same idea or image is found with that meaning in a demonstrably similar literary context in at least one—and ideally several—other works of ancient Near Eastern literature. Consequently, this study will occasionally entail a discourse analysis of works of literature other than Genesis.

Translation inherently entails interpretation, and we hold no pretensions that this process of discourse analysis is in any way objective. We offer evidence and propose conclusions based on that evidence. We do not claim that our conclusions represent the "correct" way (let alone the *only* way) to read Genesis. At best, we simply argue that our conclusions are as plausible as any other; specifically, that they are at least as plausible (if not more so) than those of the classical theological interpretation.

Perhaps most importantly, this project stands as an experiment regarding what this approach to interpretation—specifically, a communication model using a broad synchronic reading of comparative literature to provide a context—might look like. The presentation of the kinds of questions we choose to ask, and the way we go about seeking answers to them, is of greater value than our assertion of what the answer is likely to be.

7. Value of the Project

This study is exclusively interested in the 'original meaning' of the biblical text, which we understand to represent the 'literal sense' of the theological fourfold reading of Scripture. Its practical application will therefore potentially be useful to anyone who finds the literal sense interesting or relevant.[21] We make no claims as to the theological significance or authority of this reading, especially relative to the classical reading we are explicitly writing against. We assert only a claim that our reading is more plausibly true to the original.

As an experiment in interpretive method, this study is also potentially useful as a demonstration of a process which attempts to locate biblical texts in a conceptual context, as opposed to a context of either theological reception or historical and social realpolitik. In theory, this method could be productively applied to any biblical text, not only Genesis.

In the same vein, "Mining such cuneiform materials for parallels to the biblical text is not a helpful enterprise if scholars do not take the time to understand the contexts and composition histories of

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[21] So for example: "those who hold the Bible to be God's self-revelation […] have an interest in wanting to discern as accurately as possible what the text really says, lest God's word be misunderstood, or lest it be confused with their own preferences and predilections." Moberly, *Theology*, 6.

these sources and to understand the points of difference."[22] Interactions between biblical literature and ancient Near Eastern texts are often coloured by the reception history of the biblical material, as seen for example where people find parallels between Adam and Adapa or Adam and Etana and try to read theological themes such as deception, punishment, and the origin of human evil into the latter. Understanding the biblical material on its own terms, independently of its theological reception, is valuable for understanding the interaction of ideas in ancient Near Eastern culture. Identifying the ways in which comparative literature differs from biblical literature is also valuable for understanding the message and argument of that literature as well.

Finally, this study has a potential theological value in drawing a conceptual distinction between the undesirable state of corruption and the undesirable state of alterity. Dualistic theological models sometimes struggle to draw meaningful distinctions between people classified as "sinners" and people classified as "outsiders." When we encounter people whose lived experience is defined by negation and alterity—a perceived lack of something others have or perceived failure to belong—we do them a disservice by treating them as evildoers worthy of derision or punishment. At the same time, we do them an equal disservice by treating their condition as good and desirable. This study includes a secondary intent to sanitize the concept of alterity by conceptionally isolating it from cosmic or social evil, without reducing it to one of many possible desirable conditions within God's good creation. Recognizing a third category can help to avoid reductionistic thinking in theology.

§1: Good, Evil, and … Other? Exploring Three Categories of Value

a. Axiology in Cosmology: A Brief Introduction

1. Definition of "Value"

In philosophy, the discussion of value—i.e., the examination of the question "why are good things good?"—is called *axiology*. The field is related to both ethics (the study of virtue) and aesthetics (the study of beauty), and examines various theories about how goodness is defined, recognized, and/or created, which inevitably also overlaps with a discussion of what it consists of. For our purposes, in this study, we are concerned with the concept of "goodness" (or lack thereof) from a linguistic and cultural perspective, rather than a metaphysical or ontological perspective; in other words, we are

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[22] Alice Mandell, "Genesis and its Ancient Literary Analogues," in *The Cambridge Companion to Genesis*, ed. Bill T. Arnold (Cambridge: Cambridge University Press, 2022), 128.

examining what various texts and societies *think* "goodness" is. This sense of "goodness" reduces to a subjective positive evaluation: "to value something is to be favourably disposed toward that thing."[23] For a thing to be *valuable*, therefore, means for that thing "to be worthy of being something towards which one is favourably disposed."[24] For the purposes of this study, we will express the concept "worthy of favourable disposition" using the term "desirable." To call something "good" means to value that thing, which means to be favourably disposed to that thing, which means to judge that thing as worthy of favourable disposition, which means to judge that thing as "desirable." Likewise, to call something "bad" means to be unfavourably disposed towards that thing and to judge that thing as "undesirable."[25]

This study has no interest whatsoever in exploring whether these judgments are accurate, in the sense of identifying something inherent within an idea, object, or concept that demands favourable disposition or lack thereof.[26] Neither are we concerned with how these judgments were derived in either a historical or philosophical sense. We are only concerned with describing which things are judged as desirable or undesirable by the implied authors of the texts under examination, the imagery used to portray them, and the internal logic and language that rationalizes and supports those judgments.

2. The Cosmic Default and the Possibility of the "Outside"

In the axiological frame that defines modern interpretations of Genesis, which we will refer to as a *dualistic system* or a *binary system*, the fundamental split between what is desirable ("good") and undesirable ("bad") permeates more or less every aspect and every level of the cosmology, or at least every level that is not subject to complete indifference. The project of this study is to contrast this binary system with a system that has *three* distinct states of value. The recognition of a third state requires that one of the fundamental categories—desirable or undesirable—be further subdivided into two states that both fall under the same axiological heading (good or bad) but are nonetheless distinct and irreconcilable with each other. Specifically, what we are proposing is two different states of undesirables; one that is *contingent* on the desirable state, and one that is not.

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[23] Michael J. Zimmerman, *The Nature of Intrinsic Value* (Lanham: Rowman and Littlefield, 2001), 2. For equation of "good" and "value" see ibid., 2-3.
[24] For this definition see ibid., 2.
[25] For "desire" as the motivation for establishing a reason to pass a judgment on something as having value (whether subjective or objective) see Thomas Nagel, *The View From Nowhere* (Oxford: Oxford University Press, 1986), Esp. 149-152.
[26] For arguments defending the existence of normative intrinsic value, see Zimmerman, *Intrinsic Value*. For arguments that value is a subjective human construct, see for example Joseph Raz, *The Practice of Value* (Oxford: Clarendon, 2003).

Contingency, we suggest, is the fundamental difference between the two and what makes them irreconcilable.

“Contingency” as we use the term is a concept employed in cosmological arguments to describe the metaphysical elements of the universe. The opposite of *contingency* is *necessity*. A thing that is *necessary* (read: non-contingent) cannot not exist, while a thing that is contingent could potentially not exist and therefore requires some manner of prior actions or conditions in order to manifest its existence. The transition from metaphysics to axiology occurs when value judgments are applied to necessary or contingent things. For purposes of this study, we refer to all non-contingent things collectively as the *precreation state,* the *precosmic condition,* or the *cosmic default*. They loosely consist of all pre-eternal elements and/or beings that exist before the inauguration of action and time and will persist eternally should action and time ever cease to be.

Identifying an element as metaphysically non-contingent is an independent process from assigning that element a value. However, the value that one chooses to assign to non-contingent things does have implications for the value that is assigned to contingent things. If the cosmic default is “good” (read: a desirable condition), then any deviation from it, up to and including the process of creation, represents at best a maintenance of the desirable status quo and at worst a diminishing of it; the state of diminished goodness is “bad” (read: an undesirable condition) proportional to the degree of its deviation. Nonetheless, because the good default exists eternally by definition, it cannot be diminished to the point of vanishing entirely. Badness, on the other hand, did not exist prior to its inception and can theoretically be eliminated; this is what we mean that badness in this model is *contingent*. This cosmological model, where goodness is the cosmic default and badness derives contingently from it, is the model that gives rise to *dualism*, which we will examine in more detail below (§1.b).

If the cosmic default is *undesirable*, however, then deviations from it either retain the undesirable status quo or introduce a desirable condition. Goodness, in this model, did not exist prior to its inception and can theoretically be eliminated; thus in this model goodness is contingent. However, a contingent goodness, insofar as it exists, can be diminished and disrupted by a contingent badness in the same way that a non-contingent goodness can. In this model, the contingent badness that diminishes goodness is conceptually distinct from the non-contingent badness that exists prior to and independently of it. Thus two categories of value become three.

The desirability of the cosmic default is therefore the factor that makes the difference between two categories of value and three categories of value. In the tripartite system, the non-contingent cosmic default is one of the two “bad” states. The “good” state can never exist on its own because the non-

contingent "bad" state by definition can never be eliminated, and the contingent "bad" state can never exist without the "good" state. We will explore the nuances of the distinction below (§1.f), but for now we will examine the internal logic of the dualistic cosmogony to show how "good" is pre-existent and "bad" is contingent, and as well as how some of those cosmogonic tendencies come to dominate in how certain Jewish circles interpret their scriptures.

b. Exploring Dualism: The Internal Logic of Binary Values

1. Introduction to Dualism

At its most basic level, a binary system of values is created by drawing a dichotomy between the desirable and the undesirable. This system roughly corresponds to the concept identified loosely in scholarship as *dualism*:

> "Dualism" is a scholarly term used to characterize a number of philosophical and religious thought systems shaped by a fundamental physical or metaphysical duality, a teaching of two powers, principles or states of being which cannot be explained as originating in or leading to an overall unity. The term has no equivalent in antiquity. It was first coined in 1700 by the English Orientalist Thomas Hyde with regard to the Zoroastrian doctrine of two primordial and co-eternal entities.[27]

Expanded applications of the term include different manifestations of the split, notably between the material and the spiritual,[28] and also include systems where the split is neither primordial or eternal: "In Jewish (and Christian) contexts, 'dualistic' worldviews are at least modified by the biblical view of the one creator, so that evil (or Satan) is never thought to be coeternal with the one God."[29] For our purposes, the split we have in view is axiological, as opposed to ontological, metaphysical, or even moral. Further, for our purposes it does not matter how these states came into being or how long they will last. The features of the worldview relevant to our argument are that, as long as these states remain, there are two of them; they are irreconcilable; and the good state is always pre-existing and non-contingent.

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[27] Jörg Frey, "Apocalyptic Dualism," in *The Oxford Handbook of Apocalyptic Literature*, ed. John J. Collins (Oxford: Oxford University Press, 2014), 271.
[28] Ibid., 271.
[29] Ibid., 271.

2. The Appearance of Dualism in Second Temple Judaism

If we want to contrast a tripartite value system with a binary value system, it will benefit us to understand how dualism works and to what extent it is represented in the worldview of the Hebrew Bible. Specifically, we wish to demonstrate that the subversive activity of the Hebrew Bible's argument does not *establish* a dualistic worldview intended to contrast with the cosmology of its ancient Near Eastern conversation partners. For our purposes, we are interested in the version of dualism that influences the reception of Genesis, most notably the documents of Qumran, the New Testament, and Jewish (and later, Christian) philosophical theology. All of these ideas arise out of the cultural phenomenon we now call *Hellenism*, which spread a melting pot of ideas across the Mediterranean world in the wake of Alexander the Great.

> [Hellenistic culture] absorbed ideas and practices from all the cultures with which it came into contact, thereby assuming many and diverse forms. The natives adopted the ways of the Greeks and the Greeks adopted the ways of the natives, and the results of these two processes may be called "Hellenism." […] more often than not the Hellenism that reached the marketplace or the farm was a mixture of traditional and novel elements; the ancestral gods were given Greek names, traditional ideas were dressed in Greek garb, and so on. The cultures of the East were too powerful and too attractive to lose their grip on their adherents. Through intermarriage with local women and through veneration of local gods, the Greeks, in turn, lost much of their Greekness. When used as a descriptive epithet for the culture of the world from Alexander the Great to the first century BCE or CE, "Hellenism" ought not to mean "Greek culture" but the amalgamation of various cultures.[30]

Judaism of course was one of those contributors, and its ideas influenced the melting pot even as it was influenced in turn: "As a participant group in Hellenistic culture, the Jews gave and received."[31] In the process, the Jewish community consciously or subconsciously modified their understanding of their own stories even as they meticulously preserved the texts that contained them. The result is a collection of ideas that are neither endemic to the documents as they were originally written, but are not simple impositions of foreign concepts either.[32]

The process of cultural interchange and evolution of tradition is not an invention of the Hellenistic period, but the Hellenistic manifestation of the process is important for our purposes because of

[30] Shayne J. D. Cohen, *From the Maccabees to the Mishnah*, Third ed. (Louisville, KY: Westminster John Knox, 2014), 28.
[31] Ibid., 35.
[32] "Influence is not a matter of wholesale adoption of strange ideas, but of how the continual process of reinterpretation occurred in dialogue with foreign ideas which came to be perceived as latent within the Jewish tradition itself, whether consciously or unconsciously." Jason M. Silverman, *Persepolis and Jerusalem: Iranian influence on the Apocalyptic Hermeneutic* (London: T&T Clark, 2012), 97.

another innovation of the period: *canon*.[33] The grounding of a religious tradition in a corpus of stable documents, rather than in the living transmission of community consensus or authority figures, created a condition wherein the "original intent" of the stabilized form was a concept that could both be identified and considered meaningful.

> The emergence of canonized texts allowed the Jews great freedom in interpreting their sacred traditions, a freedom that had earlier been denied them when the tradition circulated in fluid form. When the original was still susceptible to change, the distinction between text and interpretation was not clear, and the custodians of the sacred originals would be wary of capricious modifications. They did incorporate comments and interpolations that had a variety of exegetical purposes, but they resisted all major expansions and all comments that could not be intimately attached to their source texts. However, once the traditions were established in fixed and unchanging form—that is, once written texts were edited, venerated, and canonized—the imagination was allowed to soar. A free or adventurous interpretation no longer did any harm since the sacred original was left untouched.[34]

Stabilization and canonization created a world where "tradition" and "interpretation" could be distinguished, with the result that that latter need not—and often did not—limit itself to constraint by the former. We will argue below (§3.a) that Genesis stabilizes prior to the Hellenistic period, which means that any Hellenistic ideas represent interpretation. For now, though, we will explore what the relevant Hellenistic ideas are.

3. The Contingency of Evil in Judaism

The most important feature of Hellenistic influence on Judaism for our purposes is the conception of the origin of the principle of evil; not where the idea arises from in terms of cultural influence, but where the culture locates the origin of evil in its cosmology. For our purposes, we wish to argue that Judaism does not *gift* the idea of a world that is good by default and later corrupted by evil into the Hellenistic melting pot. Judaism *inherits* this idea and assimilates it into the reception and interpretation of their sacred texts. "What is not reflected in the Hebrew Bible and what was not known in ancient Israel was a Garden story that expressed the myth of a Fall."[35]

Evil in early Judaism is personified, not in Adam, but in a figure whose complex profile eventually comes to be subsumed under the generic title of "the devil." Known by various names and often employing subordinates, "the devil" is featured in a variety of (often mutually exclusive) origin

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[33] For creation of canon as common literary practice in the Greco-Roman world, see Cohen, *Maccabees*, 176-177.

[34] Ibid., 191.

[35] Ziony Zevit, *What Really Happened in the Garden of Eden?* (New Haven: Yale University Press, 2013), 259.

stories, but always emphatically as a contingent being who is not primordially eternal alongside God. For our purposes, it is most important to recognize that the devil character, including his origin story as a divine subordinate, does not originate within Israelite religion:

> In pre-exilic Hebrew religion Yahweh made all that was in heaven and earth, both of good and of evil. The Devil did not exist. The Hebrew concept of the Devil developed gradually, arising from certain tensions within the concept of Yahweh.[36]

The devil and his various origin stories represent a *paradigm shift* in Jewish theological thinking that is reflected in their interpretation of their literature from the Second Temple period onwards.[37] That shift in turn indicates that this particular ontology of evil, where a subordinate "bad" corrupts a pre-existent "good," is likewise not part of the religion described in the Hebrew Bible.

Excursus: Dualism, Subversion, and Creatio Ex Nihilo

The topic of the subversive intent of Genesis *one* is beyond the scope of this study, though we tentatively propose that it centres on the creation of humanity (see §1.e.2; §3.d.3). Nonetheless, theologians commonly propose that Genesis 1 establishes a dualistic cosmology—specifically, a world in which only goodness is non-contingent—by teaching specifically that the world was created from nothing, as opposed to a non-contingent something. This teaching is further taken as a deliberate subversion of the Mesopotamian idea of creation as an arrangement of pre-existing primordial chaos.[38] In contrast, however, "at the time when Genesis 1:1–2:3 was written, creation by word and *ex nihilo* versus creation by deed from primordial chaos […] was not yet even a glimmer in the eye of controversy."[39] The translation of Genesis 1:2 in the Septuagint uses language borrowed from Plato's *Timaeus*,[40] which in turn is adapted for Jewish theology by Philo of Alexandria.[41] "In an event of enormous significance in the history of ideas, Philo became the first thinker to associate the

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[36] Jeffrey Burton Russell, *The Devil: Perceptions of Evil from Antiquity to Primitive Christianity* (Ithaca: Cornell University Press, 1977), 174. See also Cohen, *Maccabees*, 80-82; Henry Ansgar Kelly, *Satan: A Biography* (Cambridge: Cambridge University Press, 2006).
[37] For a discussion of the paradigm shift and its internal logic, see John H. Walton and J. Harvey Walton, *Demons and Spirits in Biblical Theology* (Eugene, OR: Cascade, 2019), 55-95.
[38] For one argument to this effect, see David Toshio Tsumura, "Creation out of Conflict? The *Chaoskampf* Motif in the Old Testament: Cosmic Dualism or *Creatio Ex Nihilo,*" in *Congress Volume Aberdeen 2019*, ed. Grant Macaskill, Christl M. Maier, and Joachim Schaper (Leiden: Brill, 2019). For the concept in general, see for example JoAnn Scurlock, "Searching for Meaning in Genesis 1:2," in *Creation and Chaos*, ed. JoAnn Scurlock and Richard H. Beal (Winona Lake, IN: Eisenbrauns, 2013), 49.
[39] Scurlock, "Searching for Meaning," 50.
[40] Tsumura, "Creation out of Conflict," 478.
[41] "The whole of [Philo's] treatise *De Opificio Mundi* is devoted to an exposition of the Creation story, which he believed shows that the cosmogony and philosophy of Moses were those of Plato and the Neo-Pythagoreans." Ronald Williamson, *Jews in the Hellenistic World: Philo* (Cambridge: Cambridge University Press, 1989), 34-35.

goodness of Plato's Demiurge with the Judeo-Christian concept of God the creator."[42] Philo equates Plato's Demiurge with the "God" of Genesis 1:1, but does not state clearly whether or not the matter that is "formless and void" is part of the precreation state or is generated *ex nihilo*;[43] the latter was derided by Lucretius but upheld by some Jews and (later) all Christians.[44] Where Plato's demiurge willed only that the cosmos be as good as possible, Philo's God also willed the cosmos into being.[45]

> We should not be surprised that Philo made use of language and ideas which he encountered in the writings of Greek philosophers in presenting his own original and individual interpretation of Judaism, for this kind of borrowing is always taking place in the history of ideas. Philo's own language and ideas made a powerful appeal to theologians of the Christian Church, and his influence upon some of his Christian contemporaries and successors was perhaps considerable […] at least it may be said that his language, and the ideas it was used to express, belonged to a vast Hellenistic pool of conceptual tools from which he and some early Christian writers drew.[46]

For our purposes, it matters only that the concept and discussion is a product of the Hellenistic period and therefore does not reflect the original communicative intent of the Hebrew Bible.[47] The Hebrew terms for the precreation state in Genesis 1:2 do not carry connotations of metaphysical nothingness (see §2.a.3).[48]

c. Three Categories of Value: Terms and Imagery

1. Insufficiency of Binary Cosmology to describe the Ancient Near East

Having briefly explored the internal logic of dualistic cosmology, we now turn to examine the internal logic of the tripartite cosmology which, we will argue, is applicable to the literature of both the ancient Near East and the Hebrew Bible. To reiterate, this system requires partitioning the concept of badness into two distinct states that are conceptually different from each other. The

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[42] Jaroslav Pelikan, *What Has Athens to do with Jerusalem? Timaeus and Genesis in Counterpoint* (Ann Arbor MI: University of Michigan Press, 1997), 71. Cited David T. Runia, *Philo of Alexandria and the Timaeus of Plato* (Leiden: Brill, 1986), 135.
[43] David T. Runia, "Plato's Timaeus, First Principle(s), and Creation in Philo and Early Christian Thought," in *Plato's Timaeus as Cultural Icon*, ed. Gretchen J. Reydams-Schils (Notre Dame, IN: University of Notre Dame Press, 2003), 136-138.
[44] See Pelikan, *What Has Athens*, 6-12.
[45] Ibid., 79. Cited Runia, *Philo*, 139.
[46] Williamson, *Jews*, 136.
[47] Ibid., 52.
[48] See John H. Walton, *Genesis One as Ancient Cosmology* (Winona Lake, IN: Eisenbrauns, 2011), 139-144.

imposing of dualistic cosmology onto ancient Near Eastern literature therefore entails a conflation of two states of badness into one, a practice most clearly demonstrated in the influential work of Hermann Gunkel:

> While Gunkel's mapping of chaos—which is properly at home in the cosmogonies and philosophies of classical antiquity—onto the alien Babylonia creation account of *Enuma Eliš* was not original even at the early date of his writing, his specific linking of chaos with the themes of both combat and creation introduced certain lingering ambiguities into the interpretation of that text. Notable among these is the conflation of what should be understood as two distinct concepts: cosmogonic chaos, in the manner of the neutral (neither good nor evil) chasm or jumbled primordial matter that appears at the origin of cosmic differentiation […] and kratogenic chaos, referring to the specifically harmful forces of disorder or confusion that exist *within* the organized universe and that actively threaten the establishment and maintenance of divine order and civilization.[49]

What is referred to here as "neutral" and "harmful" is indicative of an axiological distinction between the states, in addition to the metaphysical distinction established by contingency. In other words, the two states are both undesirable, but they are undesirable in different ways and for different reasons. In order to establish how and why, we need to understand what the cultures who produced this literature considered to be desirable.

2. Tripartite Model Described Using Egyptian Words

If we want to understand what ancient people—or at least the implied authors of ancient texts—considered desirable, we have to be able to make sense of their words, which requires translation. Unfortunately, many words in ancient languages cover a semantic range that is not necessarily encapsulated by a single modern equivalent. Modern words, in turn, will often acquire additional nuances or connotations which are not applicable to even those ancient words with which the semantic range overlaps. Further still, a complex abstract concept like "goodness" will not often be encapsulated in a single word, but rather be described by a set of words and collocations of words within a broad semantic field.

> The cognitive universe for a person or a culture is made up of a network of paradigmatic and syntagmatic equivalences that provide order and meaning to their world. A language-system is made up of the paradigmatic sets and the possibilities of combinations of one set with another in well-focused syntagms. In other words, a person and their cultural microcosm generally think, imagine, and speak using common, mutually understandable expectations

[49] Karen Sonik, "Chaos and Cosmos in the Babylonian "Epic of Creation"," in *Creation and Chaos*, ed. Joann Scurlock and Richard H. Beal (Winona Lake, IN: Eisenbrauns, 2013), 4.

> expressed as signs, symbols, and images expressed in comprehensible sequences and activities.[50]

Attempting to identify the common core of all terms in the field (including those of whose meaning we are uncertain) and further attempting to render that core concept into a single English word will therefore inevitably result in some distortion, even without taking into consideration any creativity or bias on the part of the translator. Nonetheless, in order for communication and discussion to take place, we must make use of words, even while acknowledging that these words are essentially a technical placeholder.

Ideally, we can reduce the potential distortion by finding an instance where a culture managed to condense its relevant abstract concepts into a single word. That word can then be examined in terms of its range and usage to see what its referents and connotations are, and thereby try to find a near-as-possible English semantic equivalent. Fortunately, one ancient Near Eastern language—Egyptian—*did* manage to (more or less) encapsulate its concepts of goodness, badness = corruption, and badness = alterity into single words. By examining how those words were used and what they were employed to describe, we can understand the concepts they represent well enough to propose English equivalents that capture the essence of the ideas in a way that is broadly applicable to the ancient Near Eastern literary corpus and the Hebrew Bible, despite the unique features sometimes seen in Egyptian religion and culture.

3. Tm wnn: The Undesirable "Outside" State

The condition that exists outside of creation is represented in Egyptian by the words *tm wnn* or *jwtt*. *Tm wnn* is literally a negation of the word meaning *to be* and is translated into English as *nonexistent*,[51] which can be confusing since people that "do not exist" can still do things, places that "do not exist" can still be visited, and so on. "The Egyptians encounter the nonexistent wherever they go […] everywhere in the landscape we would come across the nonexistent, especially in the desert, which contains fabulous animals that do not exist."[52] "Nonexistence" in Egyptian cosmology does not represent a lack of metaphysical essence, as it does in English; instead it represents a condition where the artificial state of creation has not been established.[53] "For the Egyptians, the

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[50] Ingrid Faro, *Evil in Genesis* (Bellingham: Lexham, 2021), 65.
[51] Erik Hornung, *Conceptions of God in Ancient Egypt: The One and the Many*, trans. John Baines (Ithaca, NY: Cornell University Press, 1982), 173-174.
[52] Ibid., 179-180.
[53] See comparison and contrast to modern cosmology in ibid., 180; Walton, *Genesis One*, 24-26.

entire extent of the existent, both in space and time, is embedded in the limitless expanses of the nonexistent."[54]

Importantly, the nonexistent is not eliminated at creation but is persistent and eternal:

> The nonexistent is not transformed into the existent and eliminated. This postcreation remainder is eternal and never transformed into existence. Precreation elements—primeval flood, stygian darkness, inertness, and negation—remain in the created world in two ways—as the final limit, the place outside the limited world of being; and as present within the ordered world of creation.[55]

Nonexistent entities can take an active role in threatening the created world; these usually appear as the monstrous enemies of the gods, or (less often) human enemies from outside the empire's sphere of influence.[56] These types of beings are more prominent in Mesopotamian literature, though both are attested in Egypt as well; the best example is Apophis, the serpent that swallows the sun, who is strongly associated with the nonexistent.[57]

The world outside the cosmos is defined by negation and absence:[58]

> What lies outside […] is not "nothingness" but a universe that is the antithesis of all that defines the world. It is infinite, where the world is bounded; formless and chaotic, where the world is shaped and ordered; inert, where the world is active; and wholly uniform in substance (water) where the world is materially diverse […] The universe beyond the biosphere is not merely the negation of existence; it is also existence waiting to happen. Like many features of Egyptian culture, Egyptian cosmology is a construct of opposites in balance: nonexistence and potentiality balanced against existence and reality.[59]

The objective of creation is not to destroy the nonexistent, and the nonexistent does not strive to destroy creation. While mutual adversity between these states and the beings that embody them is

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[54] Hornung, *Conceptions*, 179.

[55] Richard J. Clifford, *Creation Accounts in the Ancient Near East and in the Bible* (Washington, D.C.: Catholic Biblical Association of America, 1994), 102.

[56] "The hostile confrontation is with the powers that belong to the nonexistent outside creation but invade creation and must be driven out of it. It is the task of the king and the gods to do this." Hornung, *Conceptions*. 180.

[57] Ibid., 158, 178. "According to the curse formula on a Ptolemaic stela in Leiden, the violator of a tomb will, like Apophis, "not exist." Ibid. 158n57. Cited. H. de Meulenaere, *Orientalia Gandensia* 3 (1966) 101ff, 1:15. Likewise, Apophis "appears as [exponent of] the powers of chaos and nonexistence." James H. Charlesworth, *The Good and Evil Serpent* (New Haven, CT: Yale University Press, 2010), 235.

[58] "Where the world is finite, what lies beyond it is limitless—"the southern, northern, western, and eastern limits of which are unknown." The known world is lit by the sun; the universe outside is uniformly and perpetually dark, "there being no brightness there." And where the known world is characterized by the activity of daily life, the other is motionless, "in inertness."" James P. Allen, *Genesis in Egypt* (San Antonio, TX: Van Siclen, 1995), 4. Ref. *Cenotaph of Seti I.*

[59] Allen, *Genesis,* 57.

to some extent inevitable, especially on the periphery of creation where they collide, the nonexistent should be understood primarily in terms of absence and negation rather than conflict and hostility.

4. Ma'at: The Desirable State

The word for the desirable state that represents creation is *ma'at*,[60] which in Egyptian cosmology is both a goddess and an abstraction.[61] The term is often translated into English as "truth," which for our purposes is somewhat confusing because *ma'at* is a state of being where English *truth* normally is not. *Ma'at* is the goddess of order, truth, justice, and cosmic harmony, and all of these are the attributes that are expected to define the desirable state of being. It an artificial state that must be initially established and thereafter preserved:

> *Ma'at* is the order, the just measure of things, that underlies the world; it is the perfect state of things toward which one should strive and which is in harmony with the creator god's intentions. This state is always being disturbed, and unremitting effort is necessary in order to recreate it in its original purity.[62]

Likewise:

> *Ma'at* is right order in nature and society, as established by the act of creation, and hence means, according to the context, what is right, what is correct, law, order, justice, and truth. This state of righteousness needs to be preserved or established, in great matters as in small. *Ma'at* is therefore not only right order but also the object of human activity.[63]

Ma'at has a divine origin, but operates in the human world as well as in the cosmic divine realm: "*Ma'at* permeated ancient law and the administration of the state."[64] As such, establishing and sustaining *ma'at* in the human realm is the responsibility of the Pharaoh:

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[60] "The key term to describe order in Egypt was *ma'at*, which encapsulated the ideas of truth and cosmic balance." Charlie Trimm, *Fighting for the King and the Gods* (Atlanta, GA: SBL, 2018), 44.
[61] The seminal study of *ma'at* is found in Jan Assmann, *Ma'at: Gerechtigkeit und Unsterblichkeit im Alten Ägypten* (Munich: C.H. Beck, 1990).
[62] Hornung, *Conceptions*, 213. See also Byron E. Shafer, "Temples, Priests, and Rituals: an Overview," in *Temples of Ancient Egypt*, ed. Byron E. Shafer (Ithaca, NY: Cornell, 1997), 1: "At creation, the cosmos existed in perfect harmony with the creator's intention, the pristine state Egyptians called *ma'at*, order."
[63] Sigfried Morenz, *Egyptian Religion*, trans. Ann E. Keep (Ithaca, NY: Cornell University Press, 1973), 113.
[64] Emily Teeter, *The Presentation of Ma'at* (Chicago, IL: The Oriental Institute of the University of Chicago, 1997), 2.

> *Ma'at* descended from the sky to earth, and thus came also to be in the hands of mankind. From an early period the king of Egypt was very closely connected with *ma'at*, and he [like the gods] 'lives on *ma'at*.'[65]

Ma'at dictated the expectations of human conduct: "The balance of the cosmos was constantly threatened by chaos and its agents, and it was the role of men to combat chaos and defend the cosmos in every ritual and daily attitude."[66] Human souls are measured against *ma'at* after death[67] to determine whether they pass on into the afterlife or are rendered into nonexistence.[68]

One of the most important features of *ma'at* is that it is supposed to exist in perpetuity: "*ma'at* is the order established by the act of creation […] which has to be preserved or re-instituted."[69] The disruption of *ma'at* is a frequent occurrence and ubiquitous threat, but *ma'at* must be sustained in the face of adversity and carefully restored whenever it is disrupted. "With *ma'at*'s emphasis upon tradition and unchanging values, she provided the sense of continuity that ensured the permanence of many features of ancient Egyptian culture."[70] There is no conception of a state of being where *ma'at* is no longer necessary or when *ma'at* can be done without.

5. Izfet: The Undesirable "Inside" State

The state that undermines or disrupts *ma'at* is called *izfet*. Where "nonexistence" represents the limits beyond where *ma'at* has been artificially established, *izfet* operates within those limits and undermines or negates the truth, justice, order, and harmony that represents *ma'at*.[71] One of the most important duties of the Pharaoh is to hunt down and punish *izfet* wherever it might be found.[72] *Izfet* is a generic state that represents the antithesis of *ma'at*, but the term is not used to describe the state of the world before the primordial god first established *ma'at* at creation (although the perpetual struggle of the king against *izfet* is occasionally portrayed as a recapitulation of the original

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[65] Hornung, *Conceptions*, 214. Similarly, "[*Ma'at*] originates with the creation; it is brought into being by the primordial god and then constantly refreshed or restored by the king." Morenz, *Egyptian Religion*, 114. Likewise, "as a king, rather than as an individual, [Pharaoh] not only acknowledges the principles of *Ma'at* but is also associated with the goddess and indeed in imbued with *Ma'at*." Teeter, *Presentation*, 83.
[66] Vicente Dobroruka, *Persian Influence on Daniel and Jewish Apocalyptic Literature* (London: T&T Clark, 2022), 91.
[67] Morenz, *Egyptian Religion*, 126-127.
[68] "The entire, uncontrolled rage of the deity is directed against those who have been condemned in the judgment after death, who fall from the ordered, existent world and then, tortured in every imaginable way and 'destroyed,' are consigned to nonexistence." Hornung, *Conceptions*, 205-206.
[69] Morenz, *Egyptian Religion*, 114.
[70] Teeter, *Presentation*, 1.
[71] "The loss of order, or what was perceived as lawlessness, was attributed to the loss of *Ma'at*." Ibid., 2.
[72] Morenz, *Egyptian Religion*, 114.

creation event).[73] The king drives out *izfet* but the creator god does not. *Izfet* is found where the king must work to preserve, restore, or sustain the order that the gods have established.[74]

The essence of *Izfet* is *injustice*. “Justice holds the world together […] when evil goes unpunished and good no longer prospers, then the world is ‘out of joint.’”[75] Injustice occurs not so much when a crime has been committed, but when inegality exists between the strong and the weak. “The expression 'judging men' is to be specified and to be understood as 'judging between the miserable and the powerful and not — as one would expect — between the righteous and the criminal.”[76] *Izfet* is not a crime per se, it is a state of being where harmony—the desirable order of the world—has been disrupted.

> *Izfet*, as disobedience to equality, can only refer to inegality, created not by god but by the disobedient heart of men […] The charge of the king is to counteract this unjust state of inegality by rescuing the weak from the hand of the strong and by setting *ma’at* in the place of *izfet*.[77]

Izfet, while being something that people can do,[78] represents a state of being (caused by misbehaviour) more so than a particular behaviour or set of behaviours. Words for undesirable behaviours, seen for example in negative confessions, proverbial advice, and spells designed to deter divine wrath, include *sḏb* (“incrimination”); *‘bw* (“impurity”); *ḫbnt* (“wrongdoing”); *ḫww* (“sin”), or *bt3* (“evil”).[79]

Izfet is the natural condition of humanity and exists wherever the king has not intervened to restore *ma’at*.

> The king and the state have been installed by the creator in order to protect the weak and to banish the *status naturalis* of *izfet* […] Order is not a natural quality of the world, it must be imposed upon it from 'above'. The pharaonic state is represented as the only means by

[73] See for example Morenz, *Egyptian Religion*, 168.
[74] “The defeated enemy holds a *Ma’at* feather as a sign of submission. Such compositions could be related not only to the king’s ability to rule the land correctly, but also his ability to restore order and to maintain the primordial order of the land that existed at the beginning of time.” Teeter, *Presentation*, 2.
[75] Jan Assmann, *The Mind of Egypt*, trans. Andrew Jenkins (New York, NY: Metropolitan Books, 2002), 132.
[76] Jan Assmann, "State and Religion in the New Kingdom," in *Religion and Philosophy in Ancient Egypt*, ed. W. K. Simpson (New Haven, CT: Yale Egyptological Studies 3, 1989), 60.
[77] Assmann, "State and Religion," 61. Ref. Pyr265 b, cf. Pyr1775 b-c. It is worth noting that this ideal is rhetorical and does not reflect the unequal conditions that defined the lives of historical Egyptians. See John Baines, "Society, Morality, and Religious Practice," in *Religion in Ancient Egypt*, ed. Byron E. Shafer (Ithaca, NY: Cornell University Press, 1991), 162.
[78] “I did not ordain that [mankind] do wrong (*jzft*); their hearts disobeyed what I had said.” Hornung, *Conceptions*, 213; Baines, "Society, Morality, and Religious Practice," 163. Ref. CT VII 462d-464f.
[79] Morenz, *Egyptian Religion*, 132. Ref. CT III; BD 125; Amenemope XIX.

> which this can be achieved and the natural state of the world can be turned into a civic state, where the weak has a chance to survive.[80]

At the same time, however, *izfet* does not represent the precreation state, the world before the gods establish order and create humanity. Inegality by definition requires things to exist meaningfully enough to be qualified or evaluated before they can be said to be unequal. While there is inevitably a large degree of conceptual overlap between "setting *ma'at* in place of *izfet*" and establishing *ma'at* in place of the nonexistent,[81] this in itself does not render *izfet* and the nonexistent interchangeable (see discussion in §1.f and excursus). The duty of the Pharaoh is eliminate *izfet* wherever it might be found, but one of the epithets applied to Ramses II is "He who makes rebellious foreign lands nonexistent."[82] By establishing nonexistence, the Pharaoh is not also establishing *izfet* in the region, in defiance of his divine commission; instead, he is correcting the *izfet* (read: act of rebellion) by eliminating the rebels from the created world.[83] The gods, too, can manifest displeasure by expelling *ma'at* from the land,[84] but also presumably do not establish *izfet* by doing so (though see §1.f.7).

Most importantly, however, *izfet* is conceived entirely relative to "humanity," which in practice means Egyptians. The office and duty of kingship manifests differently relative to foreigners, including foreign vassals, who are not really considered to be properly human.[85]

> The [deity] was the ultimate source of life for everyone, [and] the king was the indispensable figure through whom that life was made effective in society […] Foreigners, however, are almost totally excluded from these benefits; the god, in his infinite variety, has made special arrangements to accommodate their special needs, but foreigners remain distinct from real "people" (Egyptians) by language and nature and are thus excluded from the social building by which [Pharaoh] advances the careers of his native subjects.[86]

The duty of the king does not extend to preventing foreigners from inflicting injustice on each other. "the Egyptians tolerated a good deal of independent action (including warfare and subversion)

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[80] Assmann, "State and Religion," 62-63. (With reference to *Merikare* 135-136).
[81] For conceptual parallels between the establishment of the solar cycle and the establishment of kingship, See ibid., 63-65
[82] Hornung, *Conceptions*, 180. Cited J. Yoyotte, *Les Stèles de Ramsès II a Tanis (1.-4. Partie). Extrait de Kêmi X* (Paris, 1949), Pl 7, 2.
[83] "When a pharaoh such as Ramesses II is said to "make rebellious foreign lands non-existent," it does not mean that he annihilates them or sends them into oblivion but that he drives them out of the realm of the existent beyond the boundaries into the realm of the nonexistent." Walton, *Genesis One*, 25. See also Hornung, *Conceptions*, 180-181.
[84] Morenz, *Egyptian Religion*, 130. Ref. *Instruction of Onchsheshonqy* V, 5.
[85] William J. Murnane, "Imperial Egypt and the Limits of Power," in *Amarna Diplomacy*, ed. Raymond Cohen and Raymond Westbrook (Baltimore, MD: Johns Hopkins University Press, 2000), 106.
[86] Ibid., 107.

among their vassals in Asia […] Pharaoh (far from committing to protect all the vassals) intervened only at his convenience."[87] *Izfet* is confined to the jurisdiction of the empire (read: the fully ordered world), and only manifests in humanity and cosmos insofar as humanity and cosmos are also defined in terms of the empire. For further distinction between criminals and outsiders, see §1.f.2-3.

6. English Terms: Chaos, Order, and Evil

The same basic states of being and their relative values can also be found in Mesopotamian and Hebrew literature. However, as mentioned above (§1.c.2) both of these cultures describe the states using a variety of images, symbols and overlapping semantic fields rather than dedicated terms. It will therefore be useful to establish a way to refer to these three states using English words. However, because the values of our present culture that give our words meaning are different than the values of the ancient culture from which we wish to translate, we will have to emphasize conceptual similarity rather than strict semantic equivalence.[88] The following section describes the words we have chosen to use and the logic behind that decision, to make the meaning clear for modern readers.

As mentioned above, "nonexistent" is not an ideal English term for the ancient Near Eastern precreation state because the ancient ideas associated with the term do not match the metaphysical conditions we have come to associate with the idea of Nothingness.[89] Instead, the word we shall use is *chaos*, a transliteration of the Greek word *χαος* that describes the precreation state in Hesiod's *theogony*, where it refers to a gap or void. The Greek term connotes emptiness, which overlaps somewhat with modern notions of metaphysical nonexistence,[90] but *emptiness* alone fails to take into account the activity and presence that appear both in the precreation state and the nonexistent world (see §1.c.3; §1.d.1-2). *χαος* and its supposed antithesis *kosmos* have a long history of usage in scholarship to describe a pair of binary poles corresponding roughly to *good* and *evil*. This contrast is evident in the Hellenistic period, but no direct translation of the term *χαος* exists in northwest semitic language and the culture seems to have been less inclined towards dichotomous thinking than the Greeks.[91] At the same time, we should be wary of the wholesale conflation of *chaos* and

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[87] Murnane, "Imperial Egypt," 104.
[88] For misleading semantic equivalences due to evolution of word use, see for example Barr, *Semantics of Biblical Language*, 107-108.
[89] Hornung, *Conceptions*, 173
[90] See Tsumura, "Creation out of Conflict."
[91] See detailed discussion in Joanna Töyräänvouri, *Sea and the Combat Myth: North West Semitic Political Mythology in the Hebrew Bible* (Münster: Ugarit-Verlag, 2018), 46-47.

combat which originates with Gunkel and which we described above (§1.c.1);[92] the nonexistent is not entirely passive and *can* be hostile, but is not *inherently* so. English *chaos* can refer to indiscriminate or violent turmoil, which is how the term is commonly used by Assyriologists and Bible scholars to describe the monstrous enemies of the gods and their primordial or ongoing conflicts (*Chaoskampf*).[93] The *Chaoskampf* theme also appears in Egypt, most prominently in the nightly battle between the sun and Apophis.[94] However, English *chaos* can also refer more neutrally to disorder or disarray—that is, things having haphazard arrangement—which is an adequate description of the negations found in a precreation state where nothing is doing what it is supposed to do.[95] English *chaos* can also refer to the undesirable condition that results from widespread anarchy and social collapse, which is representative of the sense of the nonexistent as the absence of social order.

To represent the artificial desirable creation state, we shall use the word *order*, a term commonly used by translators to define the essence of *ma'at* (see §1.c.4). While the English term has occasionally acquired sinister connotations—of authoritarian oppression, for example—here it means a state of everything in its proper place and doing what it ought to do (see further discussion in §1.e). This condition is not always desirable in modern values, which is why the term can be used negatively, but the state it represents is always more or less the same (desired or not), and the ancient world—or at least, the implied authors of ancient literature—did find the condition desirable.

The third state, the contingent undesirable state rendered *izfet* in Egyptian thought, is more problematic to represent. In Egypt, as we saw, the essence of *izfet* is injustice. According to Assmann, "justice" in Egypt is defined negatively as an absence of inegality.[96] In Mesopotamia, justice (Akk. *kittum*) is a defining feature of kingship and therefore of order, but there the term is

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[92] For a survey of scholarly conception of "chaos" as "evil" or "antagonistic" see Tsumura, "Creation out of Conflict," 476-479.

[93] For major discussions on the *Chaoskampf* motif, see Bernhard W. Anderson, *Creation Versus Chaos* (New York, NY: Association, 1967); Debra S. Ballentine, *The Conflict Myth and the Biblical Tradition* (New York, NY: Oxford University Press, 2015); Bernard F. Batto, *Slaying the Dragon* (Louisville, KY: Westminster John Knox, 1992); John Day, *God's Conflict with the Dragon and the Sea* (Cambridge: Cambridge University Press, 1985); Carola Kloos, *Yhwh's Combat with the Sea* (Leiden: Brill, 1986); Susan Niditch, *Chaos to Cosmos* (Atlanta, GA: Scholars Press, 1985); JoAnn Scurlock and Richard H. Beal, *Creation and Chaos* (Winona Lake, IN: Eisenbrauns, 2013); Töyräänvouri, *Sea and the Combat Myth*; David Tsumura, *Creation and Destruction* (Winona Lake, IN: Eisenbrauns, 2005); Mary K. Wakeman, *God's Battle with the Monster* (Leiden: Brill, 1973); John H. Walton, "Creation in Gen 1:1 – 2:3 and the Ancient Near East: Order out of Disorder after Chaoskampf," *Calvin Theological Journal* 43 (2008); Rebecca S. Watson, *Chaos Uncreated* (Berlin: Walter de Gruyter, 2005).

[94] For Apophis in this role see Charlesworth, *The Good and Evil Serpent*, 204.

[95] See Meir Malul, *Knowledge, Control, and Sex* (Tel Aviv: Archeological Center Publication, 2002), 284-285.

[96] Assmann, "State and Religion," 60.

defined positively as "loyalty" or "duty."[97] Injustice, in this context, would be a *failure* to show fidelity or perform one's duty. The idea of wrongdoing as "failure" is also popular in Christian theology due to a common proposed meaning of the Greek *hamartia* and of the Hebrew word it primarily translates in the LXX (*ḥāṭā'*) as "to miss (a mark)."[98] This connotation of failure is therefore carried into the English translation of those words, which is *sin*. However, "sin" as a theological concept—ancient and modern—primarily invokes wrongdoing against the divine,[99] while *izfet* primarily represents wrongdoing against the king and society. While humans can sin against the social order and each other in the Hebrew Bible and in Christian theology, the technical aspect of the term in (especially) atonement theology renders the term "sin" unsuitable to represent the primarily social disruption represented by *izfet*.

Another possible English term, which represents the essence of *izfet* as the negation of order, is *disorder*. This is the term used by Baines to translate *izfet*,[100] but it is problematic for our purposes because English "disorder" is often a synonym for English "chaos," the term we are using for the non-contingent undesirable state represented by the nonexistent. While both *izfet* and the nonexistent represent some degree of the absence of order, they cannot be conflated or interchanged with each other, and so it will not do to represent them with two English words that can be easily interchanged.

The term that most likely conveys the closest conceptual parallel to *izfet* in modern English, in the sense of describing undesirable behaviour that creates a state of being antithetical to a desirably functioning society, is "evil."[101] However, this term is potentially unhelpful as well, because both

[97] Herbert Niehr, "The Constitutive Principles for Establishing Justice and Order in Northwest Semitic Societies with Special Reference to Ancient Israel and Judah," in *Patronage in Ancient Palestine and in the Hebrew Bible*, ed. Emanuel Pfoh (Sheffield: Sheffield Phoenix, 2022), 151-152.
[98] So for example Barr, *Semantics*. 118. For this reading of the Hebrew term as dubious, see K. Koch, "chāṭā'," in *TDOT* 4.311. For this definition of the root in classical Greek see Gustav Stählin and Walter Grundmann, "ἁμααρτάνω," in *TDNT* 1.297.
[99] "[the human] had duties to perform to his divine lords, and could offend them. This was 'sin,' and the offense might be transgressing a ritual taboo or oppressing the widow and orphan. There was no distinction such as we tend to make between moral sin and ritual omission." Lambert, *Babylonian Wisdom Literature*. 4. For the semitic root **ḥṭ'* emphasizing human agents in a religious context, see Koch, "chāṭā'," 4.310.
[100] Baines, "Society, Morality, and Religious Practice." 163; Morenz, *Egyptian Religion*, 114. See also John Walton, *The Lost World of Adam and Eve* (Downers Grove, IL: InterVarsity, 2015), 151-152, where "sin" is interpreted as "disorder."
[101] This word is also occasionally chosen to translate *izfet* in the English translation of Morenz (Morenz, *Egyptian Religion*, 119) and Assmann (Jan Assmann, *The Search for God in Ancient Egypt*, trans. David Lorton (Ithaca, NY: Cornell University Press, 2001), 175).

nonbiblical texts[102] and English Bibles[103] use the word "evil" to translate a broad field of words that refer to superlative but generic negative value judgments in a variety of contexts (i.e., "very bad"): see for example KJV Exodus 5:19 ("evil case"); 33:4 ("evil tidings"); Numbers 13:32 ("evil place"); 20:5 ("evil report"); or Deuteronomy 22:14 ("evil name"). Nonetheless, we will choose the term "evil" because in modern colloquial English "evil" moves beyond simply superlative badness; we no longer talk about "evil luck" or "evil smells," for example. Modern use of "evil" carries specific connotations of moral violation and antisocial intent (evil people, evil plans, evil acts),[104] which is true of *izfet* and the state it represents as well. Note especially that moral violation cannot occur in a context where no moral rules are established and antisocial behaviour cannot occur in a context where no society has been established. This is what it means that evil is *contingent*; it can only exist alongside order, which is the force that establishes things like morality and society. Most importantly for our purposes, choosing this word allows us to claim that *chaos is not evil*—that is, a conceptual distinction exists between the two states—and English speakers using an intuitive understanding of those words will correctly interpret that statement to mean "alterity has no connotations of moral violation or punishable offense against humans or gods," even though the chaotic state is, in fact, highly undesirable (read: "very bad") by definition.

d. Mesopotamia: Imagery for Three States of Value

1. Chaos: The Precreation State

Mesopotamian cosmology has the same conceptual categories of chaos, order, and evil that we saw in Egypt, but the Akkadian and Sumerian languages do not describe the concepts using dedicated words. Instead, they convey the different states of being and value using a relatively consistent set of imagery. The chaotic precreation state, for example, is represented as a condition where various things have not yet been named, established, or produced. The best-known iteration of this is the introductory line in *Enuma Eliš*:

> When the heavens above did not exist
> and earth beneath had not come into being […]
> before meadow-land had coalesced and reed-bed was to be found

[102] For one example, see Akk. *Lemniš* in the *Gadd Chronicle* (27) and the *Cuthean Legend* (SB 131), translated "evil" but meaning "a heightened sense [of destruction or violence]" (English "terribly"). Selim Ferruh Adalı, *The Scourge of God* (Helsinki: The Neo-Assyrian Text Corpus Project, 2011), 96-97.

[103] See for example Gen 37:20, where Heb. *ra' ḥayyāh*, translated "wild animal" (NRSV), "fierce animal" (ESV), "ferocious animal" (NIV), or "vicious animal" (NASB), is rendered "evil beast" in the KJV.

[104] For this distinction in the modern term see Faro, *Evil*, 64.

> when not one of the gods had been formed
> or had come into being, when no destinies had been decreed.[105]

Similar formulas are also found in other texts in a variety of genres.[106] For the *Dispute Between Ewe and Wheat,* the precreation state includes no ewes, lambs, goats, or kids; animals do not give birth; humans do not eat bread and do not wear clothes;[107] for *Ninurta's Exploits* it is no fresh water, no harvesting or first-fruit offerings, no irrigation;[108] for *The Founding of Eridu*, no temple, no reeds, no trees, no bricks or brick-moulds, no city or settlement;[109] in *Enki and Ninhursag*, animals do not make their sounds or eat their food, dogs do not herd, people do not recognize their conditions or perform their tasks;[110] and finally in *the tamarisk and the palm* there is no kingship.[111] As we also saw with the Egyptian state of nonexistence, the Mesopotamian notion of the precreation state is a one of negation, where desirable things that should exist do not.

2. Chaos: The Liminal World

After the establishment of the created order, chaos endures on the periphery. Chaos finds its expression through the abnormal and the irregular, and is located most prominently in the regions of the world outside the bounds of civilization: "What seems to epitomize the sphere of anti-structure in biblical and ANE sources is the desert, steppe, and other terms, which refer to the outside sphere from the point of view of the inside group."[112] These regions are not uninhabited: "This no-man's land is depicted in the available evidence as the arena of quite a few marginals and other outcasts from society, as well as the abode of beasts of prey, restless spirits of unburied dead people, and other various demons."[113] Chaos can remain isolated in the world outside, or it can assail the ordered sphere in a variety of forms. Chaotic threats can include natural elements, such as famines or plagues. More commonly, however, the chaotic threats are human or animal, whether

[105] Lambert, *Babylonian Creation Myths*, 51.
[106] See examples also in Ukg 15/AO 4153 (sun and moon do not rise; Enki, Enlil, and Ninlil do not exist) and *NBC 11108* (no water, no bread, no cultivation; no priests, no rites, no offerings, no songs). Jan J. W. Lisman, *Cosmogony, Theogony and Anthropogony in Sumerian Texts* (Münster: Ugarit-Verlag, 2013), 230, 237, respectively; Clifford, *Creation Accounts,* 27-28.
[107] Lisman, *Cosmogony*, 40-41.
[108] Ibid., 53.
[109] Lambert, *Babylonian Creation Myths*, 371.
[110] Clifford, *Creation Accounts,* 36.
[111] Benjamin R. Foster, *Before the Muses: an Anthology of Akkadian Literature* (Bethesda, MD: CDL, 2005), 927.
[112] Malul, *Knowledge*, 273.
[113] Ibid., 274.

predators, outlaws and bandits, nomads, or even enemy kingdoms. The king battles chaos as he defends the community from threats and outsiders of all kinds:[114]

> the notion that the just rule of the king influenced harmony in nature manifests the peoples' belief in the interconnection of the moral, physical, and religious dimensions of life. To maintain social, natural, and cosmic harmony and to keep intact the boundaries against the chaotic forces of famine and death were complex tasks fraught with unpredictable problems, which the king was called upon to address in his symbolic role at the centre of the community.[115]

The king also symbolically battles chaos through hunting wild animals, most notably lions,[116] and through monumental building projects (establishing structure where nothing existed) or restorations (undoing the ravages of decay).[117] For further discussion of humans as agents of chaos, see §1.f.2.

3. Order: Creation and the Rule of the Gods

Order in the cosmos is established by the gods, who set up the macrocosmic elements, decree destinies, and distribute the MEs (in Sumerian literature; see below §1.e.1). Creation is a process that entails putting things in their place and assigning them their functions. So for example we see a prayer to Marduk,

> The creator, the one who forms the heavens [and the earth …
> The lord of cleverness, the wisdom, .[…
> The one who determines the fates of [widespread] peo[ple …
> The one who designs the plans, the one who assi[gns the share of the heavens and the earth …[118]

Elsewhere Marduk is also praised as "the one who puts the rivers in order."[119] "In *Enuma Eliš* the fact that the world is orderly is attributed to Marduk […] Marduk has brought order and good to what was previously chaotic and corrupt."[120] The introduction to *Gilgamesh, Enkidu, and the Nether World* begins "after the early days had brought into being the established order / after the early days had

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[114] "A primary responsibility of the king was to keep the community safe from foreign foes and invaders. He needed to maintain the boundaries of the community against the forces of chaos." Malul, *Knowledge*, 107-108.
[115] Dale Launderville, *Piety and Politics* (Grand Rapids, MI: Eerdmans, 2003), 119.
[116] Douglas Brewer, "Hunting, Animal Husbandry, and Diet in Ancient Egypt," in *A History of the Animal World in the Ancient Near East*, ed. Billie Jean Collins (Leiden: Brill, 2002), 454; Chikako E. Watanabe, *Animal Symbolism in Mesopotamia* (Wien: Institut für Orientalistik der Universität Wien, 2002), 82-87.
[117] Sylvie Honigman, *Tales of High Priests and Taxes* (Oakland, CA: University of California, 2014), 99.
[118] Takayoshi Oshima, *Babylonian Prayers to Marduk* (Tübingen: Mohr Siebeck, 2011), 101.
[119] Ibid., 241.
[120] Julye Bidmead, *The Akitu Festival* (Piscataway, NJ: Gorgias, 2002), 66.

carefully nurtured the established order."[121] The *myth of the pickax* likewise begins when "the lord [Enlil] brought into being the established order."[122]

4. Order: Agriculture, Cities, and Civilization

When the gods establish order for humans in Mesopotamian cosmology by establishing things that did not exist, what they ultimately give them is civilization, most specifically agriculture:

> From the centre of the world, initially Nippur, later Babylon, the gods populated the earth and created mankind to take care of their needs. To facilitate mankind's service […] they organized the earth and the year—space and time—and created the essential conditions of subsistence.[123]

All of the arts and institutions of the civilized world exist to perpetuate the cultivation of crops to provide food for the humans and also for the gods.[124] The introduction of agriculture is emphasized in several creation accounts, including the *Royal Chronicle of Lagaš* ("he established for the people the pickaxe, the spade, the earth basket, and the plough, which mean life for the Land")[125] and the *Dispute Between Ewe and Wheat* ("For the sake of the sweet substance of their pure udder they have inspirited mankind").[126]

Civilization in Mesopotamia is centred around cities. "The city represented order, the desert and the mountains embodied chaos."[127] Maps of the world were drawn with a city located at the centre.[128] Cities were founded by the gods[129] and were the loci from which the gods, through their temples,[130] under the auspices of their appointed king,[131] administered the world order. "The city was conceived as the seat of divinity, and in order for both worship and divination, agriculture and construction to

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[121] Lambert, *Babylonian Creation Myths*, 170.
[122] Ibid., 170.
[123] F. A. M. Wiggermann, "Agriculture as Civilization: Sages, Farmers, and Barbarians," in *The Oxford Handbook of Cuneiform Culture*, ed. Karen Radner and Eleanor Robson (Oxford: Oxford University Press, 2011), 669.
[124] Ibid., 670.
[125] ETCSL 2.1.2
[126] Lines 35-36, trans. Lisman, *Cosmogony*, 42. "This 'inspiration' is a transformation, or better, civilization, of mankind in such a way that people are able to practice agriculture and cattle breeding." Ibid., 43.
[127] Marc Van de Mieroop, *The Ancient Mesopotamian City* (Oxford: Oxford University Press, 1999), 44.
[128] Ibid., 43.
[129] Hanspeter Schaudig, "The Restoration of Temples in the Neo- and Late Babylonian Periods," in *From the Foundations to the Crenellations: Essays on Temple Building in the Ancient Near East and Hebrew Bible*, ed. Mark J. Boda and Jamie Novotny (Münster: 2010), 142; Victor Hurowitz, *I Have Built You an Exalted House* (Sheffield: Sheffield University Press, 1992), 333. See also Van de Mieroop, *The Ancient Mesopotamian City*, 61.
[130] See Van de Mieroop, *The Ancient Mesopotamian City*, 46-47.
[131] "The Mesopotamians always saw political power as being held within a city, not within a nation or region." Ibid., 48.

run smoothly […] the gods made kingship descend from heaven."[132] As such, cities represented cosmic order in microcosm and were arguably the quintessential institution of the entire world order.

> The city was the seat of culture, and non-urban life was uncultured. The Mesopotamian visualized his or her city as being located at the centre of a world that could not exist without it, both in mundane and cosmic terms. The centrality of the city in the Mesopotamians' own concept of their culture was a constant theme throughout their literature.[133]

5. Order: Kingship

The gods were the ones who set the world in order, provided agriculture, built the cities, and decreed destiny, but manifestation of divine order in the human world was the responsibility of the king.[134] Monarchy was not merely a social construct by which humans managed the affairs of other humans; it was the manifestation of divine order on earth.

> If we refer to kingship as a political institution, we assume a point of view which would have been incomprehensible to the ancients. We imply that the human polity can be considered by itself. The ancients, however, experienced human life as part of a widely spreading network of connections which reached beyond the local and the national communities into the hidden depths of nature and the powers that rule nature. Whatever was significant was embedded in the life of the cosmos, and it was precisely the king's function to maintain the harmony of that integration.[135]

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[132] Pietro Mander, "War in Mesopotamian Culture," in *The Religious Aspects of War in the Ancient Near East, Greece, and Rome*, ed. K. Ulanowski (Leiden: Brill, 2016), 8.
[133] Van de Mieroop, *The Ancient Mesopotamian City*, 42.
[134] Major studies of ancient Near Eastern kingship include Zainab Bahrani, *The Graven Image: Representation in Babylonia and Assyria* (Philadelphia, PA: University of Pennsylvania Press, 2003); Marc Z. Brettler, *God is King* (Sheffield: Sheffield, 1989); Launderville, *Piety and Politics*; F. M. Fales, *Assyrian Royal Inscriptions: New Horizons in Literary, Ideological and Historical Analysis* (Rome: Instituto per L'Oriente, 1981); Henri Frankfort, *Kingship and the Gods* (Chicago, IL: University of Chicago, 1948); Gerald Eddie Gerbrandt, *Kingship According to the Deuteronomistic History* (Atlanta, GA: Scholars Press, 1986); John Day, ed., *King and Messiah in Israel and the Ancient Near East* (Sheffield: Sheffield, 1998); Jane A. Hill, Philip Jones, and Antonio J. Morales, eds., *Experiencing Power, Generating Authority* (Philadelphia, PA: University of Pennsylvania Museum of Archeology and Anthropology, 2013); Steven W. Holloway, *Aššur is King! Aššur is King!* (Leiden: Brill, 2002); Philip Jones, "Divine and Non-Divine Kingship," in *Companion to the Ancient Near East*, ed. Daniel Snell (Oxford: Blackwell, 2005); Jacob Klein, "Sumerian Kingship and the Gods," in *Text, Artifact, and Image: Revealing Ancient Israelite Religion*, ed. G. Beckman and T. Lewis (Providence, RI: Brown University, 2006); Andrew Knapp, *Royal Apologetics in the Ancient Near East* (Atlanta, GA: SBL, 2015); Peter Machinist, "Kingship and Divinity in Imperial Assyria," in *Text, Artifact, and Image: Revealing Ancient Israelite Religion*, ed. G. Beckman and T. Lewis (Providence, RI: Brown University, 2006); Tryggve Mettinger, *King and Messiah* (Lund: Gleerup, 1976); Beate Pongratz-Leisten, "Bad Kings in the Literary History of Mesopotamia and the Interface between Law, Divination, and Religion," in *From Source to History: Studies on Ancient Near Eastern Worlds and Beyond*, ed. Salvatore Gaspa et al. (Münster: Ugarit-Verlag, 2014); Shemaryahu Talmon, ed., *King, Cult, and Calendar in Ancient Israel* (Jerusalem: Magnes, 1986).
[135] Frankfort, *Kingship*, 3.

Order in the human world is established by the deeds of the king, which for all intents and purposes are indistinguishable from the will of the gods.[136] Royal order-bringing activities, notably building or restoring temples, subjugating territory, or declaring war, are performed either after being commissioned by the gods or gaining their approval.[137] In Babylon, the yearly *Akītu* festival celebrates the king's authority as he symbolically receives his commission to rule from Marduk and re-asserts the religious and political order of the Babylonian Empire (see further discussion in §2.d.2). The king is created as a special action by the gods, ontologically distinct from the masses of humanity and endowed with special qualities that enable him to rule,[138] and his office is stated to have been "lowered from heaven." He participates in both the human and divine worlds,[139] being given semi-divine qualities himself[140] and in some cultures can even serve as a priest, or at least a mediator between humans and gods.[141] His patronage enriches the temples and thereby cares for the gods, and his armies protect the security and prosperity of the lands. Kingship, however, is not conceived independently of the city, the centre of the royal administration;[142] the nation and people, the community over which he rules; and the social hierarchies that define that community.[143] "The city depended upon the king economically, theologically, politically, and legally."[144]

6. Evil: Crime, Punishment, and Restitution

For our purposes, the details of what evil specifically consists of are less important than the response that evil demands. Evil can be committed against humans and/or human society, or against the gods; the latter includes both moral and ritual offenses.[145] Humans suffering misfortune often assume that

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[136] "The realm of the divine and the realm in which the king acts are intimately linked and, for all intents and purposes, indistinguishable. Martial force, the favor of the gods, royal legitimacy, and cultural identity are intertwined, with no obvious pattern of cause and effect." Ann M. Weaver, "The 'Sin of Sargon' and Esarhaddon's Reconception of Sennacherib: A Study in Divine Will, Human Politics and Royal Ideology," in *Nineveh*, ed. D. Collon and A. George (London: British School of Archeology, 2005), 62.
[137] "The Mesopotamian king often noted in his inscriptions not only that his glorious deed was commissioned by the gods and was pleasing to them, but also that he had been empowered by the gods to accomplish it." Launderville, *Piety and Politics*, 302.
[138] Holloway, *Aššur*, 181-82.
[139] Ibid., 184-190.
[140] Vladimir Sazonov, "Some Remarks Concerning the Development of the Theology of War in Ancient Mesopotamia," in *The Religious Aspects of War in the Ancient Near East, Greece, and Rome*, ed. K. Ulanowski (Leiden: Brill, 2016), 37.
[141] See Theodore J. Lewis, *The Origin and Character of God* (Oxford: Oxford University Press, 2020), 496-97.
[142] For kingship bound to a city after being lowered from heaven, see Van de Mieroop, *The Ancient Mesopotamian City*, 49.
[143] "Situated at the centre of the community, the king became the reference point for structuring the relationships and practices within the community." Launderville, *Piety and Politics*, 102.
[144] Bidmead, *The Akitu Festival*, 164.
[145] Lambert, *Babylonian Wisdom Literature*, 4.

they had offended against the gods in some way, even if they do not know how.[146] The gods can also punish humans for offenses committed against other humans. If the gods have been offended, the proper recourse is to pacify them with prayers and offerings.

Mesopotamian justice is based on the idea of restitution; the one who has committed the offense must reimburse the victim in some way proportional to the damage done. The restitution effectively (in theory) undoes the damage and restores order to the state it had been before the disruption.[147] Law codes, which we discuss in further detail below (§1.f.3), represent lists of which restitutions are appropriate to compensate for which offenses. Appeasement of the gods effectively also serves the purpose of restitution and thereby restoration of order.

If the gods cannot be ritually appeased, it is the duty of the king to punish the offenders, and offense against the gods is frequently a justification for war: “There is no holy war that is not also a just war, nor can there be; equally, there is no just war that is not also a holy war.”[148] Offenses committed by political entities can also induce warfare as a response;[149] the treaties that seal international agreements stipulate the conditions under which the offended party will be justified by the gods in engaging in war[150] (see further discussion below, §2.d.4). Like compensatory law, the purpose of warfare is to restore the disrupted order back to its original state:

> War, therefore, does not only enable both the restoration of a violated cosmic order and the realization of a divine plan to revive justice in the country, but makes the defeated, and his mortal remains, part and parcel of the reorganization of the cosmos […] The triumphant brightness of the *melammu* […] as well as Hammurabi’s solar glow after he has restored justice, are powerful images, because they express the assertion of a principle which succeeds in reintegrating the vanquished, and thus restoring the cosmic order to the wasteland.[151]

[146] See for example Lambert, *Babylonian Wisdom Literature*, 10-11.
[147] “The main purpose of retribution from the divine realm, as interpreted by and according to these literary texts, is to restore order […] Order and justice is very much the concern of the retribution principle in these Akkadian literary documents.” Nathan S. French, *A Theocentric Interpretation of הדעת טוב ורע* (Göttingen: Vandenhoeck & Ruprecht, 2021), 90.
[148] Mario Liverani, *Assyria: The Imperial Mission* (Winona Lake, IN: Eisenbrauns, 2017), 34. For the most important monographs on warfare in the ancient world, see William J. Hamblin, *Warfare in the Ancient Near East to 1600 BC* (London: Routledge, 2006); Sa-Moon Kang, *Divine War in the Old Testament and in the Ancient Near East* (Berlin: de Gruyter, 1989); Patrick D. Miller, *The Divine Warrior in Early Israel* (Atlanta, GA: SBL, 2006); Susan Niditch, *War in the Hebrew Bible* (Oxford: Oxford University Press, 1993); Charlie Trimm, *“YHWH Fights for Them!”: The Divine Warrior in the Exodus Narrative* (Piscataway, NJ: Gorgias, 2014).
[149] For Hittite and Assyrian treaties justifying war (as a response to ingratitude by a political entity) see Amnon Altman, *The Historical Prologue of the Hittite Vassal Treaties* (Jerusalem: Bar-Ilan, 2004), 207-210.
[150] Ibid., 35-36; 183-184.
[151] Mander, "War in Mesopotamian Culture," 18; 20.

Through warfare, the king destroys the enemies of order in actions that recapitulate the gods' primordial acts of creation, which are also occasionally analogized in terms of warfare. In all of this the king and the officials he has delegated to administer society are the agents of the gods, restoring order on their behalf, to the point where he becomes little more than an instrument of their agency.[152]

If the disruption is severe enough that it cannot be rectified, the offenders are eliminated and driven out of the ordered world. In one example dealing with sorcery (an evil action), "the sentence damned a witch or warlock who had violated the world order to disappear from the universe."[153] Ramses, as we discussed above (§1.c.5), claimed to have rendered his rebellious enemies into nonexistence. One way or another, the response to evil is always the cessation of the disruption and the restoration of order.

e. The Limits of Order: Normativity, Utility, Conservation, and Change

1. When is Order Achieved? The Concept of ME and Divine Ideals

In a dualistic system, normativity—what one ought to do—is conceived of in terms of eliminating the artificial undesirable state, at least as far as is possible. In a tripartite system, *evil* can be eliminated, and should be insofar as this is possible. *Chaos*, on the other hand, cannot be eliminated; chaos is infinite and eternal. Chaos should be excluded from the ordered space insofar as this is possible, but no matter how far the ordered world expands chaos will always endure outside of it. But if the objective of creation is not to eliminate chaos, then what objective does it serve instead? How does one know when to stop creating?

Creation is complete, not when chaos has been eliminated, but when the thing being created attains the fullness of the form and function it is intended to have. Everything that exists has a corresponding quality or essence that describes what it ought to look like. As we also saw with goodness and badness (§1.c.2), "the way things should be" is a complex concept normally described by a constellation rather than a single word. Only one ancient Near Eastern language—Sumerian—

[152] "Sennacherib is thus nothing more than a willing tool in the hands of Babylonia's chief deity, and is not mentioned in these texts' description of Babylon's ruin, which described only the destructive action of the Araḫtu, the Babylonian gods' abandonment of the city, and the resulting flight and misfortune of its inhabitants." Weaver, "The 'Sin of Sargon'," 63.
[153] Mander, "War," 14.

captures the concept in a single word,[154] which has no clear semantic equivalent in Akkadian, Egyptian, Hebrew, or English. That word, ME, is a noun form of the word "to be" and represents the essential nature of whatever it describes.[155] We can broadly understand the nature of the ideal—"how a thing should be"—by examining the concept that the word ME describes.

In *Enki and the World Order*, creation is accomplished in two stages, as Enki first decrees the destiny of everything in the world, and then distributes the MEs among the gods.[156] MEs are therefore essential to the establishment and maintenance of the world order.[157] Nonetheless the MEs are not created; they are built into the fabric of the cosmos. "ME invokes an impersonal and timeless order, the non-volitional state of equilibrium to which the universe and its constituent parts are subjugated (…) the ME are not created, but (…) they are rules of tradition."[158] In a very general sense, the MEs have a passing similarity to the Platonic ideas,[159] although as always we must be cautious about imposing Greek concepts onto the ancient Near East or northwest semitic worlds. Nonetheless, the MEs do appear to serve a comparable function as the measure of normativity. "The MEs are the eternal and unchangeable first principles, or quintessences, of everything that exists. They are also the blueprints for everything that exists, in that they prescribe how it should exist."[160] It is this *prescription* function that is most important for our current study, since this is the quality that establishes the ME as the normative force for the shape that order should take: "the point of any existing 'thing' is to conform as closely as possible to its ideal, if unreachable, form, which is its ME."[161]

[154] For difficulty of Akkadian to develop a single semantic equivalent and speculation as to why, see Daniel D. Lowrey, *Toward a Poetics of Genesis 1–11* (Winona Lake, IN: Eisenbrauns, 2013), 136.
[155] Angelika Berlejung, "Human Sin and Divine Sanction: The Ethics of Divine Justice in Ancient Near Eastern and Old Testament Texts," in *Divine Secrets and Human Imaginations* (Tübingen: Mohr Siebeck, 2021), 296; Herman Vanstiphout, "Die Geshöpfe des Prometheus, Or How and why did the Sumerians create their Gods?," in *What is a God?*, ed. Barbara Nevling Porter (Winona Lake, IN: Eisenbrauns, 2009), 33.
[156] See Richard E. Averbeck, "Myth, Ritual, and Order in "Enki and the World Order"," *JAOS* 123, 4 (2003), 757.
[157] "Generally speaking, Mesopotamians believed the world to be governed by Supreme Order, which was broken down into its constituent ordered parts called the 'me.'" Lowrey, *Poetics*, 135.
[158] Lisman, *Cosmogony*, 154.
[159] For this explicit comparison see Vanstiphout, "Prometheus," 33; Piotr Steinkeller, "Luck, Fortune and Destiny in Ancient Mesopotamia, Or, How the Sumerians and Babylonians Thought of Their Place in the Flow of Things," in *Fortune and Misfortune in the Ancient Near East*, ed. O. Drewnowska and M. Sandowicz (Winona Lake, IN: Eisenbrauns, 2017), 9-10.
[160] Vanstiphout, "Prometheus," 35. Likewise, "the noun derives from the verb *me* "to be" with a basic meaning of […] "what a thing should be." Jacob Klein, "The Sumerian Me as a Concrete Object," *Altorientalische Forschungen* 24, no. 2 (1997), 211.
[161] Vanstiphout, "Prometheus," 34.

MEs define what order looks like, but they are not synonymous with "order" because the list includes such things as wickedness and deceit, as seen in the extensive list presented in *Inanna and Enki*.[162]

> The ME include positive as well as negative elements which belong to the domain of kingship, cult, jurisprudence, personal devotion, everyday life and ethics. Thus the ME regulate human-divine relationships, interpersonal relationships, and the position of the king, who was regarded as the mediator between mortals and the gods.[163]

MEs are both positive and negative because it is important to know what undesirable things look like as well. A thing with an associated ME is a thing that can be known when it is seen; ME in the sense of "essence" means identity, not existence.[164] "The ME are what makes something into what it is."[165] Conversely, one way to indicate that a thing has ceased to exist is to assert the loss of its ME: "Physical destruction is conceptualized in the city laments as an expression of the destruction of the mythological infrastructure of the city's existence […] Above all, the city loses its ME, the divine essence that is the basis of its cultural, social, and religious institutions and enables its existence."[166]

Only the creator gods Anu and Enlil possess ME inherently. MEs are distributed to other gods or to human rulers.[167] MEs establish the form that creation ought to take, and their distribution (among the gods) determines who is responsible for producing that form: "God X is put in charge of the correct way of doing things in his particular domain."[168] Custody of MEs essentially grants both the knowledge and power to establish order in heaven or on earth: "[the MEs] include the very basic principles of divine and human justice and ethical norms, [and] also provide a means for evaluating individual or collective thinking or action."[169] A human or deity who is assigned custody of a ME inherits a responsibility to ensure that the element it represents is correctly manifested:

> The ME was the measure of the god's or king's activities. Possession of the ME is therefore associated with a twofold responsibility. On the one hand, they must be maintained; on the

[162] ETCSL 1.3.1. Deceit at E.5; I.42, 60; Wickedness at I.55.
[163] Berlejung, "Human Sin," 298.
[164] "Si on admet que les relations que nous avons essayé de dégager entre les différents emplois de me se tiennent, il tombe sous le sens que le sumérien, au cours de son évolution, ait fini par dire "mon essence" ou "mon énergie vitale" (me/ní) pour dire "moi-même." A. Cavigneaux, "L'essence Divine," *JCS* 30, no. 3 (1978), 184.
[165] Berlejung, "Human Sin," 296-7.
[166] Nili Samet, *The Lamentation Over the Destruction of Ur* (Winona Lake, IN: Eisenbrauns, 2014), 3-4.
[167] Berlejung, "Human Sin," 297.
[168] Herman L. J. Vanstiphout, "Why Did Enki Organize the World?," in *Sumerian Gods and their Representations*, ed. I. l. Finkel and M. J. Geller (Groningen: Styx, 1997), 131.
[169] Berlejung, "Human Sin," 299.

> other hand, they must be applied correctly. Both tasks can be carried out only by gods or by their human rulers.[170]

The MEs, then, represent and confer the power to establish order, and also the knowledge of what order looks like. The creators who are endowed with this power, the gods and the kings, can use it to bring order into being and to shape it into the form that they know it is supposed to take. Creation is completed, not when chaos is eliminated, but when the manifested form of the thing being created matches its idealized form.

2. Order is Anthropocentric

Order is established by the gods, but the people of Mesopotamia did not define their conception of order by trying to look at the world through the viewpoint of the gods. The gods were enigmatic and inscrutable, and what they knew about the world and its nature was not for human beings to know. Instead, "the fundamental coordinates of knowledge […] were formed around the axis of the human knower and the ordered phenomenal world."[171] Thus, order in the ancient Near East is anthropocentric: "The ideal organization moulded by Enki out of the world as it already was, is first and foremost beneficent to man."[172] Even the organizing of the parts of the cosmos that do not include humans are ultimately conceived with humans in mind: "Myths of creation [are] primarily concerned with the place of human life and society in an ordered cosmos."[173] Likewise,

> In religious cosmologies the primary focus is on describing the cosmos from the point of view of what assumptions are necessary if human beings are to live optimally in the world and so include a value judgment about what "living optimally" is.[174]

In *Enuma Eliš*, "the whole purpose of the author in describing the various parts of the universe is to lead up to Babylon."[175] The Egyptian *Instruction of Merikare* explicitly claims that "well provided for is humankind, the cattle of the god / it was for them that he created heaven and earth."[176] Order, as a concept discussed and described by humans, has its meaning and application in human experience within the human world.

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[170] Berlejung, "Human Sin," 297-8.
[171] Francesca Rochberg, *Before Nature* (Chicago, IL: University of Chicago Press, 2016), 127.
[172] Vanstiphout, "Why Did Enki," 130.
[173] K. William Whitney, *Two Strange Beasts* (Winona Lake, IN: Eisenbrauns, 2006), 161.
[174] Richard J. Clifford, "The Hebrew Scriptures and the Theology of Creation," *TS* 46 (1985), 511.
[175] Lambert, *Babylonian Creation Myths*, 199.
[176] Assmann, *The Search for God*, 57.

3. Conservatism Versus Change: Pattern, Precedence, and (Re)appropriation

The MEs, which embody the "way a thing should be," are timeless, and the order of the human world established by the gods at creation is intended to be perpetually sustained. The restoration of order following its disruption is measured against a pre-existing ideal rooted in the basic nature of the cosmos, and this timelessness is what gives order its quality of enduring perpetuity.[177] Ancient Near Eastern cultures are generally conservative and tradition-oriented; innovation is frowned upon and regarded with suspicion and mistrust. "The king was obligated not to forget the "givenness" of the world in which he exercised authority, for this understanding undergirded his call to attentiveness to God or the gods, the people, and the tradition."[178] At the same time, however, society did, in fact, evolve and develop. Consequently, a means was required to justify advancement and development, while still retaining the idea that the goodness of a thing was largely measured in how closely it resembled the way things always had been.

One reason why things could change while also staying the same is because the essence of order was not discerned by examining the properties of things.[179]

> The Egyptian world is an unchanging pattern of elements, forces, and relationships ("Eternal Sameness") that is continually changing in its realization ("Eternal Recurrence")—a play with fixed script and characters, enacted anew each day. Each re-enactment is transient: only the pattern itself ("Order") is normative and significant.[180]

In Mesopotamia, on the other hand, order was understood in terms of observed regularities that defined what was or was not "normal." This understanding was presented through the compilation of lists.[181] In Babylonian conception, the essence of a thing was connected to the cuneiform signs used to describe it, and deep truths about the nature of things could be discerned by exploring the relationships between concepts represented by different meanings of the same sign, or different signs with the same pronunciation (see further discussion in §1.e, excursus). Lists of signs were therefore especially important for describing the relationships between things. In both cultures,

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[177] For the importance of "eternal sameness" in Egypt specifically, see Allen, *Genesis*, 26.
[178] Launderville, *Piety and Politics*, 355.
[179] "No unified framework served to structure the Assyrio-Babylonian world order from a perspective of matter or the "physical" [...] Nevertheless, conceptions of order, norms, and schemata based upon such norms were central features of the scholarly corpus of texts dealing with the phenomena, and consequently of what was deemed in those texts to be knowable and significant." Rochberg, *Before Nature*, 95.
[180] Allen, *Genesis*, 57.
[181] "Underpinning these various systems of knowledge [divination, magic] were a variety of normative standards, that is to say, definitions of normal in the domains of the phenomena of interest, the ominous exta, births, and astral phenomena, that established an order of things." Rochberg, *Before Nature*, 125.

therefore, the enduring qualities of order were not identified strictly by sameness, but rather by pattern and precedent.

An example of the tension between innovation and conformity is found in the heroic boasts of Assyrian kings, who liked to depict themselves as improving on or exceeding the achievements of their ancestors. They boasted of their innovations and prided themselves on doing things that no-one had ever done, which surpassed even the imaginations of those who had come before, so for example:

> Applied to geographic knowledge, the boast of heroic precedence is conveyed in three recurring expressions in the Assyrian annals: boasting of opening new pathways, boasting of reaching previously unknown regions and people, and boasting of subjugating kingdoms or regions that had never been conquered before.[182]

These competing impulses create something of a paradox. On the one hand, in order to be distinguished and celebrated in memory, a king must stand out from all others by achieving something no-one else has done. On the other hand, everything that *should* be done is defined in terms of conformity to what has been done before since time immemorial.

> The collective knowledge of the sages formed an authoritative tradition that was to shape the beliefs and values of society as a whole […] yet the tradition was to be fluid and open, not static and inflexible, for its teachings had to stand the critical test of new and sometimes disconfirming experiences.[183]

In other words, how is it possible to do something *different* without also introducing something *new*? In some situations, the innovator would pretend that no change had occurred at all, as seen when updated scribal texts claim to have been preserved unaltered.[184] However, this option did not allow the innovator to take credit for any unprecedented achievement. A viable alternative was to engage in a practice we will refer to as *appropriation*. "Appropriation" in a literary sense means applying a new meaning and intent to existing written or spoken words,[185] but here we use the term to mean the application new dimensions to existing concepts that are mostly unwritten but

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[182] Liverani, *Assyria*, 41.

[183] Leo G. Perdue, "Cosmology and the Social Order in the Wisdom Tradition," in *The Sage in Israel and the Ancient Near East*, ed. John G. Gammie and Leo G. Perdue (Winona Lake, IN: Eisenbrauns, 1999), 461.

[184] See discussion in Marc Van De Mieroop, *Philosophy Before the Greeks* (Princeton, NJ: Princeton University Press, 2016), 25-26.

[185] For discussion and example, see Nicholas Wolterstorff, *Divine Discourse* (New York, NY: Cambridge University Press, 1995), 53.

nonetheless broadly understood, whether or not they have been formally concretized in written or spoken language.

> In the ancient Near East, tradition was valued more highly than new, untested and innovative ideas. Thus, it should not come as a surprise that rulers and priests (or anyone else who sought to change existing conditions) did not invoke innovation but rather that which had stood the test of time. Innovations were couched in terms of what was known and trusted and were styled as traditional.[186]

Such a solution presents innovations as legitimate extensions or expansions of things that had always been done and were therefore appropriate to do. "The ideal Mesopotamian king […] was regarded as standing in continuity with the tradition of royal rule established in primordial times; newness consisted in carrying out the traditional pattern in a more exceptional way."[187] The new thing was essentially the same as the old thing, but bigger, more splendid, conducted on a larger scale, and/or applied in a different circumstance. "Kings did not stress innovation. Continuity was what mattered to them […] Bigger may have been better in the Mesopotamian opinion, but the extension needed to be based on an old and respectable structure with a long history behind it."[188] The old, timeless concepts were *appropriated* and re-applied in a new condition. The legitimacy of the new application came from the pedigree of the appropriated material.

Excursus: Apprehending the World Order: Word Lists and Lemmatic Exegesis

"Appropriation" is a literary concept, and in Babylon one of the keys to unlocking the secrets of the world order was found literally in its writing system. Writing in Babylon was not merely descriptive of ideas; writing contained an ontological element wherein the essence of what a thing was is partly contained in the sign used to represent it.[189] Fundamental ontological relationships between things could be discovered[190] by examining other words described by the same sign; other signs pronounced the same way in either Akkadian or Sumerian; and other words described by those homophonic signs:[191]

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[186] Berlejung, "Human Sin," 200.
[187] Launderville, *Piety and Politics*, 303.
[188] Van de Mieroop, *The Ancient Mesopotamian City*, 60.
[189] See Van De Mieroop, *Philosophy*, 80-82.
[190] "[The Babylonian system of writing] was a rigorously disciplined, scientific search for truth." Ibid., 12.
[191] "The commentator would analyze the signs used to write specific lemmata with an eye on the many other meanings these signs could have. Often etymological and etymographic models of interpretation were combined and based not only on an Akkadian, but also a Sumerian reading of the lemmata that required explanation." Eckert Frahm, "Reading the Tablet, the Exta, and the Body: The Hermeneutics of Cuneiform Signs

> Drawing on the polysemy and polyphony inherent in the repertoire of cuneiform signs, and inspired by the belief that the many alternative readings of each of these signs conveyed to them a secret message on how things were actually connected, [scribes] found ways to imbue the texts they wrote, by using particular characters, with additional layers of meaning, and to discover such layers, through the application of creative hermeneutics, in the foundational texts they read and commented on.[192]

The interpretive method that looks for hidden layers of meaning in existing text is known as *lemmatic exegesis*.[193] A word consisting of several signs could be read in a large number of different ways, each of which was potentially relevant and significant to understanding the essence of the concept represented by the word. "Writing was not imitative of thought and secondary to the presentation of knowledge, it was central to it. It created knowledge by adding unsuspected levels and nuances."[194] The best illustration of this process is perhaps the commentary on the fifty names of Marduk in *Enuma Eliš*, which employs a creative decoding of the various combinations of signs to expound on the various aspects of the identity of Marduk.[195]

In addition to insight about "the way things are," lemmatic exegesis involves innovation through appropriation, as the sage discovers a new meaning, or layer of meaning, encoded within an existing text. "The implied lemmata provide, as it were, the base metals which are refined in the fire of a new revelation."[196] At the same time, however, that innovation is restricted by established rules and tradition; the combination of signs being interpreted comes from a text handed down through tradition, and the semantic range and pronunciation of signs cannot be changed. The innovative idea is thus presented as having always been present in the text but only now being identified and recognized for its relevance. Lemmatic exegesis represents a specific example of using appropriation to reconcile the paradoxical coexistence of innovation and sameness.

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in Babylonian and Assyrian Text Commentaries and Divinatory Texts," in *Divination and Interpretation of Signs in the Ancient World*, ed. Amar Annus (Chicago, IL: University of Chicago Press, 2010), 98.

[192] Frahm, "Reading the Tablet," 132.

[193] For this term used to describe a similar practice in biblical interpretation see Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1985), 266-268.

[194] Van De Mieroop, *Philosophy*, 219.

[195] For description see Eckert Frahm, *Babylonian and Assyrian Text Commentaries* (Münster: Ugarit-Verlag, 2011), 112-117.

[196] Fishbane, *Biblical Interpretation*, 268.

f. The Criminal Versus the Outsider: Distinguishing the Undesirable

1. Chaos Disrupts Order from Without, Evil Disrupts Order from Within

As described above (§1.a.2), the two undesirable states, chaos and evil, are distinguished conceptually by their origin and by their relationship to order. Chaos is pre-existing, non-contingent, indestructible, and operates outside the bounds of the ordered system; evil is caused by deliberate action, is contingent on the ordered system, and can (theoretically) be eliminated. The conceptual difference is illustrated as chaos and evil are depicted using different imagery and employed to different purposes, though whether any given person or action is evil or an agent or product of chaos is often a matter of framing.

Order exists in both the divine and human realm, and so both humans and gods can uphold or undermine order. Both humans and gods can also suffer the effects of the collapse of the ordered system, at least in theory.[197] The purpose of this present investigation is to understand what chaos and evil look like when they are respectively depicted in literature, so that we can have some basis to try and understand which concepts are in play in any given text.

2. When are Humans Chaotic? Outcasts and Barbarians

Humans represent chaos when they are accountable to no [acknowledged] structure, or when they violate a structure to which they are not accountable. These are humans who owe no allegiance or responsibility to the social structures they interact with; nomads, bandits, outcasts, or armies of foreign lands. They are depicted in literature as sub- or demi-human—e.g., scorpion-men in *Gilgamesh*, bird-people in the *Cuthean Legend*, or monkey-people in the *Marriage of Martu*—conceptually similar to spirits, animals, or demons to the point of being interchangeable.[198] In Egyptian conception, for example, non-Egyptians are not even properly considered to be "people."[199] Outsiders can also be described in terms of negation, similar to the negations that define the precreation state: "those who do not know grain" or "those who do not know houses or cities."[200] Depictions of humans as chaotic also commonly serve to legitimate the ordered system, not by celebrating their harm but by emphasizing real and imagined uncouth behaviours by the

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[197] For example, both gods and humans suffer the effects of the deluge in *Atrahasis* (III.iii.11-iv.50). See W. G. Lambert and A. R. Millard, *Atra-ḫasīs:The Babylonian Story of the Flood* (Winona Lake, IN: Eisenbrauns, 1999), 95-99.
[198] See Malul, *Knowledge*, 274-278.
[199] See Murnane, "Imperial Egypt," 106-107.
[200] Lisman, *Cosmogony*, 18. For "those who do not know" as inhabitants of anti-structure, see Malul, *Knowledge*, 275-6.

outsiders in order to reinforce the values of the insiders by means of contrast.[201] In Mesopotamia, where urban lifestyle is normal, the uncouth outsiders are nomads; in the Pentateuch, which is presented as the perspective of a semi-nomadic society, the uncouth outsiders are urban and settled.[202] However, the chaotic humans are not typically harmed by the administrators of the system. They are disparaged and railed against in literature—for example, the Amorites in the *Marriage of Martu* or the Gutians in the *Weidnar Chronicle*—but in these texts the implied authors do not depict themselves taking action to destroy the outsiders.[203] This is because the administrators are empowered by the gods to administer their sphere of order, but they have no right or responsibility outside of it unless granted dispensation by the gods, whether specifically[204] or under a general mandate to increase the territory of the empire wherever possible.[205]

In Assyrian ideology, a conceptual distinction is made between the core interior of the realm, which is fixed and immovable, and the periphery, which is fluid and subject to expansion or retraction. Both are also conceptually distinct from the unknown barbarian lands of the exterior into which the empire can expand. “The internal borders of the cosmos, the just kingdom protected by the god, are and must be stable and immovable, while it is only the external frontier of the cosmos’ periphery that must be advanced as far as possible.”[206] The core and the periphery are the domain of order, where the king enforces justice in the name of the gods and where deviation is considered evil. The people of the exterior, called “natives,” “savages,” or “barbarians”[207] are the people of chaos, where concepts like order and justice do not (yet) apply. Nonetheless, “The ‘mission’ of extending the borders in order to reduce the realm of chaos by means of conquest and subjugation is well attested.”[208] The frontier is paradoxically both empty and filled with enemies:

> The idea that the periphery is sparsely populated, if not entirely devoid of inhabitants, is well-suited to the “mesopotamo-centric” map […] instead, these lands proved to be teeming with cities, fierce peoples, kings, and great riches.[209]

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[201] See discussion in Liverani, *Assyria*, 57-61.
[202] See Launderville, *Piety and Politics*, 109-113.
[203] For these texts respectively see Beate Pongratz-Leisten, "The Other and the Enemy in the Mesopotamian Conception of the World," in *Mythology and Mythologies: Methodological Approaches to Intercultural Influences*, ed. R. M. Whiting (Helsinki: The Neo-Assyrian Text Corpus Project, 2001), 204-208; 214-215.
[204] Trimm, *Fighting*, 47.
[205] “Territorial conquest constitutes a recovery in light of the ideological view that the whole world is the theoretical and perennial possession of the god Assur and his king/representative.” Liverani, *Assyria*, 52.
[206] Ibid., 52.
[207] Ibid., 41.
[208] Ibid., 52. See also John Baines, "Ancient Egyptian Kingship: Official Forms, Rhetoric, Context," in *King and Messiah in Israel and the Ancient Near East*, ed. John Day (Sheffield: Sheffield University Press, 1998), 43.
[209] Liverani, *Assyria*, 57.

While the Assyrians are in fact well aware of the societies beyond their borders, “there is no possibility of ever recognizing—let alone granting equal dignity to—other ‘centres of the world’ parallel to Mesopotamia.”[210] The language of chaos is employed to denigrate these foreigners and reinforce the idea of the ontological, political, and cultural supremacy of the empire.[211]

3. When are Humans Evil? Depictions of Evil in Ancient Near Eastern Literature

Human evil is ubiquitous and, although the details of what exactly constitutes evil behaviours and appropriate penalties can vary slightly between time periods and cultures, the broad conception of unacceptable actions is relatively consistent throughout the ancient Near East. This is demonstrated most clearly through “law codes,” which are list-compilations of penalties for a representative selection of offenses and which do not differ substantially in their details between compilations.[212] Generic categories of malfeasance include harm to persons or property; theft; treason; sedition; blasphemy; sorcery; adultery; or fraud. For our purposes here, the details of what constitutes evil are less important than the way evil is presented in literature.

One form of literature that presents evil is the aforementioned law codes. These compilations are lists of penalties that demonstrate the wisdom of the king[213] who commissioned the collection—to his successors or to the gods—by displaying his knowledge of what would constitute just and reasonable verdicts in a variety of [hypothetical] circumstances.[214] Similar lists of proscribed behaviours are recorded in treaty documents, which exist to be invoked in the context of a lawsuit (before the gods) if the subordinate party violates the treaty (see discussion in §2.d.4). Both sets of lists have the gods as the implied audience and demonstrate the compiler’s awareness of what order and justice are supposed to look like. Most importantly for our purposes, “the cuneiform law

[210] Liverani, *Assyria*, 59.
[211] See Pongratz-Leisten, "The Other and the Enemy," 217-218.
[212] For similarities between ancient Near Eastern law codes, see for example David P. Wright, *Inventing God's Law* (Oxford: Oxford University Press, 2009); Samuel Jackson, *A Comparison of Ancient Near Eastern Law Collections Prior to the First Millennium BC* (Piscataway, NJ: Gorgias, 2008); Pamela Barmash, "Ancient Near Eastern Law," in *The Oxford Encyclopedia of Bible and Law*, ed. Brent Strawn (Oxford: Oxford University Press, 2015).
[213] “The king demonstrated his wisdom by showing insight in judgments and, in general, by the way in which he administered justice. This is explicitly stated in the epilogue to Hammurabi’s collection of laws, where he indicates that in his *wisdom* he administered *justice* for the vulnerable by inscribing his verdicts.” John H. Walton, *Ancient Near Eastern Thought and the Old Testament*, Second ed. (Grand Rapids, MI: Baker, 2018), 276.
[214] See discussion in Jean Bottéro, "The "Code" of Hammurabi," in *Mesopotamia: Writing, Reasoning, and the Gods*, ed. Jean Bottéro (Chicago, IL: University of Chicago Press, 1992), 156-184; Walton, *Ancient Near Eastern Thought*, 272-273.

collections were written down for purposes other than direct social regulation."[215] Their literary intent is neither to define evil nor to identify or celebrate the fate of evildoers.

Evil is also presented in wisdom literature, in the form of proverbs and cautionary stories. This literature is didactic and is designed to teach the implied audience what evil looks like, ostensibly so the reader can learn to avoid it.[216]

> Both the instructions of Egypt and the proverbs of Mesopotamia stand as further examples of the idea that wisdom compilations were used widely in the ancient world as a means of offering principles that could serve as guides for living […] they tend to anticipate situations that will be faced and offer advice so that order will not be undermined, and in doing so they frame the values of society.[217]

Finally, evil is presented in laments, appeals, prayers, or commemorations, where the implied authors depict themselves as victims. These texts typically either appeal for the restoration of order or celebrate the restoration of order,[218] both of which double as a means to glorify the persons (gods or kings) who have reversed the affliction.[219] Sometimes these texts can double as theodicies, where the implied authors do not know what they have done but nonetheless seek to affirm the justice of the gods (see discussion in §3.c.2). In all of these texts, identification of evil is a secondary effect of the documents' primary purpose, which is to endorse or extol order.

All of these genres of literature appear in the Hebrew Bible as well. The lists of commands and stipulations in especially Exodus, Leviticus, and Deuteronomy resemble a law code or treaty document. Didactic warnings in proverbial form are found in especially Proverbs and Ecclesiastes. Appeals to human kings for justice are ubiquitous throughout the prophetic corpus, and laments, prayers for divine justice, and celebrations of divine deliverance are found throughout the Psalter. Most occurrences of human evil are either depicted as a violation of Yahweh's covenant (if Israelites are the offenders) or as threat to the integrity of Yahweh's promises that must be mitigated (if the offense is committed by humans against Israelites).

[215] Christine Hayes, *What's Divine about Divine Law?* (Princeton, NJ: Princeton University Press, 2015), 33-34.
[216] For a didactic illocution in Proverbs and its ancient Near Eastern parallels, see for example R. B. Y. Scott, *Proverbs, Ecclesiastes*, AB, (Garden City, NJ: Doubleday, 1965), xix; Walton, *Ancient Near Eastern Thought*, 279-281.
[217] Walton, *Ancient Near Eastern Thought*, 279.
[218] For celebration of restoration as the purpose of city laments, see Samet, *Lamentation*, 12.
[219] For legitimation of the ruler who inherited the destroyed city as the purpose of city laments, see Ibid., 7-8.

4. When are Gods Chaotic? Divine Displeasure and the Collapse of Creation

Gods become agents of chaos when they actively collapse an ordered structure or allow an ordered structure to collapse through inattention or inaction. Most of the time, the gods collapse structures in the human world as a sign of displeasure towards human evil, with the objective of either motivating the humans to improve or punishing them with duress. Occasionally the gods will unmake structures with no stated motivation or objective:

> The Mesopotamians were quite familiar with disasters that were, in their lack of discrimination, beyond considerations of good or evil and unrelated to human guilt. Such were political catastrophes, local or national, determined by inscrutable gods and bewailed in lamentation.[220]

In the Hebrew Bible, Yahweh's most notable collapse of creation is the destruction of Jerusalem and the exile of the people of Israel, which is described as a return to the precreation state of nonbeing ("formless and empty," NIV) in Jeremiah 4:23. Edom is likewise reduced to the precreation state in Isaiah 34:11, and the cosmic waters are released to revert the entire cosmos in Genesis 7:11–23. While all of these are presented as divine retribution for offense, Job is rendered into a chaotic state for no reason (Job 2:3). The depiction of Yahweh wielding chaos in the Hebrew Bible is consistent with the depiction of gods throughout the ancient Near East.

5. When are Gods Evil? Disorder Within the Pantheon

Gods, like humans, do evil when they violate a structure to which they are supposed to be accountable. Gods are accountable to the hierarchy of the pantheon, to whatever duties or spheres of administration they have been assigned, and to any obligations they have agreed to. Gods are not accountable to human structures, so divine evil is usually perpetrated by gods against each other.[221] Gods can harm each other, trick each other, steal from each other, usurp each other's duties and positions, or undermine each other's plans.[222] Some of the more notable examples include Ea subverting the pantheon's decree to wipe out humanity in *Atrahasis*[223] and Qingu leading the rebellion of the minor gods in *Enuma Eliš*.[224] Disciplining misbehaving deities is one of the

[220] William L. Moran, "Some Considerations of Form and Interpretation in Atrahasis," in *The Most Magic Word*, ed. Ronald S. Hendel (Washington, D.C.: Catholic Biblical Association of America, 2002), 57.
[221] For "malfunctioning gods" in Ugaritic texts, see Lowell K. Handy, *Among the Host of Heaven* (Winona Lake, IN: Eisenbrauns, 1994), 92-94; 122-130; 146-47; 163-168.
[222] For Inanna in particular trying to steal MEs from other deities with varying degrees of success, including disobeying orders, suffering harm in the process, and being rescued by trickery, see Averbeck, "Myth," 767.
[223] III.vi.18-40. See Lambert and Millard, *Atra-ḫasīs*, 101.
[224] VI.23-32. See Lambert, *Babylonian Creation Myths*, 111.

responsibilities of the ruling members of the pantheon, just as punishing human misbehaviour is the responsibility of the king.[225] Misbehaviour by lesser divine beings in the Hebrew Bible is sometimes identified in Genesis 6:2; Psalm 82:2–7; Isaiah 14:12–14; Ezekiel 28:12–19; and Daniel 10:13, 20; though these passages are ambiguous as to who, or to what, they refer.[226]

6. Can Gods do Evil to Humans?

Evil occurs when someone violates a structure to which they are accountable. Under normal circumstances, the gods are accountable to no structures of the human world and so normally they can treat humans however they want. Gods who inflict duress on humans with no stated reasons are considered simply inscrutable: "The experience of rampant injustice was so ubiquitous that it engendered a deep-seated suspicion, if not conviction, that the gods were either inattentive to human affairs or at times even allied against humankind."[227] At the same time, gods have no obligation to oversee human affairs, and so can inflict or ignore harm without committing offense against order: "One normally does not find statements in Mesopotamian literature that characterize a god as evil per se."[228] Likewise, "the gods of Egypt can be terrifying, dangerous, and unpredictable, but they cannot be evil."[229]

Because of his patronage agreement with Israel, however, Yahweh *is* accountable to humans in a way that ancient Near Eastern gods typically are not. In theory, Yahweh could break his covenant, and so much of the historical and prophetic literature in the Hebrew Bible is framed to emphasize that it is Israel, not Yahweh, who has been unfaithful. Evil on the part of Yahweh would consist of failing to provide Israel with the benefits he promised them, or taking those benefits away without just cause (see discussion on patronage agreements and obligations in §2.d.4-5). Nonetheless, even when Yahweh is accused of neglecting his people without cause (i.e., Ps 44:17–26), the text does not go so far as to call him evil.

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[225] "In divine families naughty children have to be punished just as among humans." Lambert, *Babylonian Wisdom Literature*, 6.
[226] For detailed discussions of these passages and why they may not refer to malfeasance of divine beings, see Walton and Walton, *Demons and Spirits*, 113-120, 177-186 (Gen 6); 197-208 (Ps 82); 109-113, 217-220 (Isa 14; Ezek 28); 186-197 (Dan 10).
[227] Bernard F. Batto, *In the Beginning* (Winona Lake, IN: Eisenbrauns, 2013), 213.
[228] Ibid., 199.
[229] Hornung, *Conceptions*, 213.

7. Can Gods Empower Human Evil? Human Instruments of Divine Displeasure

The gods can attack and undermine the structures of the human world using a variety of instruments, including the elements of the cosmos, their own divine weapons, or the agency of evil spirits: "evil appears to have been seen as fully embodied in the world, manifested in physical phenomena, and as something within the power of the gods to produce as well as to resolve."[230] Sometimes those instruments include humans, and sometimes those humans are (in theory) accountable to the structures they are employed to undermine.

> Human beings, in this respect, were hardly different from the evil spirits. When gods permit them or cause them to do so, they will attack a person. […] if a king failed to demonstrate his virtue, the gods might permit his subjects to revolt against him or they might allow a foreign enemy to devastate his land.[231]

Although the gods did not ordain for humans to do *izfet*,[232] the gods can cause humans with whom they are angry to perform actions that are displeasing to the gods and thus merit further punishment. "The situation in the land elicited Marduk's anger and he ordered the gods to abandon the land. Then […] [the people] came to be possessed by a criminal mind."[233] The personal gods who were withdrawn—in this case, due to the impiety of the king's predecessor—not only provide protection from evil spirits, but they also guide their worshippers in knowing how to please the gods. "Because the personal gods were believed to teach ethics to their protégé, their withdrawal made the person prone to commit more sins against the gods."[234] These new offenses compound the original offense in an escalating and self-perpetuating cycle. This particular manifestation of divine displeasure is also employed by Yahweh, who hardens Pharaoh's heart (Exod 7:3–5); leaves the nations of Canaan to lead Israel into apostasy (Judg 2:22–3:4); deceives his own prophets (Ezek 14:9); and causes Israel to neglect cultic observations (Lam 2:6).

8. Chaos and Evil: Which is Worse?

Both evil and chaos are undesirable, but chaos is ultimately the more undesirable of the two. Evil only exists alongside order, so as long as evil remains possible then some degree of order exists as well. Chaos is the absence of order, so where chaos exists order does not exist at all. Order is the desirable state, and any amount of order is preferable to no order at all. Evil is undesirable because

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[230] Francesca Rochberg, "*Ina lumun attalî sîn*: On Evil and Lunar Eclipses," in *Sources of Evil*, ed. Avigail Mertens-Wagschal et al. (Leiden: Brill, 2018), 312.
[231] Takayoshi M. Oshima, *Babylonian Poems of Pious Sufferers* (Tübingen: Mohr Siebeck, 2014), 35-36.
[232] Coffin Text spell 1130, CT VII463 f. See also Assmann, "State and Religion," 60.
[233] Oshima, *Babylonian Poems*, 46.
[234] Ibid., 37.

it undermines the ordered system and thereby places the integrity of the system in jeopardy. If evil becomes widespread, the structures of order will cease to function and order will thereby cease to exist, resulting in chaos. Alternatively, the gods—or the king acting on their behalf—will react to the evil by punitively withdrawing the ordered system and subjecting the people to chaos as punishment. In the ancient Near Eastern mindset, humans require order to live, so falling into chaos is effectively a death sentence (see discussion in §4.b.6 and §4.d.5). Chaos is therefore the condition that is ultimately shunned and feared. Evil can produce profit for the evildoers—crime often does pay—but the threat to the system, both from damage caused to the integrity of the system and the threat of the wrath of the gods, provides the incentive to punish it even if doing so comes at a price. Chaos, as negation, produces profit for no-one and effectively serves as its own consequence.

Excursus: Variations of the "Outside" in Egypt

Egyptologists often distinguish between two "aspects" of chaos in Egyptian religion, both of which remain conceptually distinct from both *ma'at* and *izfet*.[235] The word "nonexistent" is never used to describe the precreation state in Egypt, which indicates a conceptual difference between various conditions of being "Outside." The precreation state in Egypt is *nun*, the cosmic ocean, and it represents a condition, not where nothing is established, but where nothing is differentiated. Precreation is Oneness, and the initial act of creation involves partitioning the One into the Many[236] (e.g. the Hermopolitan Ogdoad or Heliopolitan Ennead).[237] The subsequent establishment of order involves sorting the Many into their proper arrangement.[238] This conceptual difference allows Egypt to occasionally place a positive value on the Outside, which can represent rebirth and renewal; both the flood and the netherworld in Egypt carry connotations of new life, as opposed to pure destruction as in Mesopotamia. Some scholars refer to chaos in Egypt being established as part of the created order, though a better understanding might be that chaos is allowed to remain alongside order and, because chaos has some positive associations in Egypt, this is not necessarily a bad thing. For our purposes, it is important to recognize that *nun*, while not necessarily an undesirable state, is still not conceptually interchangeable with *ma'at*; likewise, the negative aspects of the non-existent are not conceptually interchangeable with *izfet*. As we will see below (§2.a.3), the Hebrew Bible

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[235] See Assmann, *The Mind of Egypt*, 206-207. For our purposes, the important feature is that *nun* is distinct from *ma'at*. For Assmann both concepts of chaos are distinct from *izfet*, though Shafer associates *izfet* with the destructive aspect of the nonexistent (Shafer, "Temples," 1).
[236] For detailed discussion on oneness and nothingness in the precreation state and the persistence of the latter in the created world, see Hornung, *Conceptions*, 174-182.
[237] For the Ennead as all of the elements of creation see for example Allen, *Genesis*, 8. For the Ogdoad see ibid., 20-21.
[238] See discussion in ibid., 18-27. Ref. CT75-80.

follows the Mesopotamian model more closely in terms of its imagery and associations; its precreation state indicates absence rather than oneness and is described in the same imagery used of the liminal world. The Hebrew Bible can portray its chaos *monsters* in a positive or neutral light, however, which, while not common in either Egypt or Mesopotamia, may be similar to the Egyptian idea that chaos is deliberately allowed to keep its place. The *tannînim* are created (read: a place is made for them) in Genesis 1:21, and Leviathan is made to play in the sea in Psalm 104:26.[239]

§2: Order and Its Institutions in the Hebrew Bible

a. Language and Imagery of Value in the Hebrew Bible

1. Subversion and the Axiological Frame

As established in the introduction (§0.b.4-5), this study assumes that part of the literary intent of the Hebrew Bible is to subvert the values of ancient Near Eastern culture by appropriating and re-applying the imagery and themes of their literature. That subversion, however, does not include converting a tripartite system of values into dualism by reclassifying the precreation state as desirable and collapsing evil and chaos together into a single concept as the later Christian (and sometimes Jewish) theology will be inclined to do. All three categories of value—chaos, order, and evil—are depicted in the Hebrew Bible. Similar to Mesopotamia, however, the categories are expressed through imagery rather than dedicated words. Nonetheless, we will briefly examine a selection of words that are included in the constellations that define the concepts of goodness, badness, and alterity, to demonstrate that all three are distinctly represented in the Hebrew Bible.

2. The Hebrew Conception of Order

As discussed above (§1.d.5), order in the ancient Near East conceptually overlaps and is embodied by the duties of the office of kingship. The king is commissioned by the gods to administer the human world on their behalf. Critical to this role is the establishment of justice, represented in Mesopotamian sources by the word *kittum*, which can variously mean "truth, justice, correct procedure, loyalty, fidelity, correctness, normal state, [or] treaty."[240] The Northwest semitic equivalent, which appears in connection with royal ideology in Aramaic, Ugaritic, and Phoenician

[239] See Walton and Walton, *Demons and Spirits*, 101.
[240] Niehr, "Constitutive Principles," 150.

sources,[241] as well as the Hebrew Bible, is **ṣdq*. In Hebrew wisdom literature, the term encapsulates three distinct concepts:

> *Ṣedeq* refers to the 'righteous order of the cosmos that is to permeate social institutions, particularly the rule and decisions of kings (Prov 8:15–16; 25:5; 31:9) […] *ṣĕdāqâ* 'righteousness' is the behaviour of those who both actualize and live in harmony with the righteous order (Prov 10:2; 11:4, 6, 19; 14:34; 21:3) […] *Ṣaddîq* refers to the 'righteous person' who either lives in harmony with or acts to shape or sustain the just order of the world […] for something to be **ṣdq* meant to exist in a state of order, correctness, and reliability.[242]

Like the ancient Near East, order in the Hebrew Bible is conceived as stability and conformity, and is manifested in organization and the search for patterns and regularities.[243] Other Hebrew terms within the semantic constellation of "[doing] things as they ought to be [done]" are *mišpāṭ* (notably, Gen 18:25) and *yašar* (notably, Job 1:1).[244] According to Niehr, the terms specifically connote loyalty and faithful administration of obligations, both between kings and gods (in the establishment of order and justice) and between patrons and clients in the human world (by both parties).[245] This concept is especially relevant to Israel's conception of divine-human relations as a patronage agreement between themselves and Yahweh, which we discuss further below (§2.d).

3. The Hebrew Conception of Chaos

The precreation state (Gen 1:2) is described as "formless and void" (*tōhû wābōhû*) containing the elements of darkness (*ḥōšeḵ*) and the cosmic ocean (*tᵉhôm*), both images of chaos (see §1.c.3). The same collocation *tōhû wābōhû* describes a liminal state—the aftermath of divine destruction—in Jeremiah 4:23–28, and the two terms are used together in a similar destruction oracle in Isaiah 34:11. Isaiah 34 describes the transformation of Edom into liminal space, which will "lie desolate" as wild animals inhabit its ruins (Isa 34:10–11). *Tōhû* (on its own) "refers to that which is nonproductive, nonfunctional, and of no purpose […] the Egyptian concept of the nonexistent seems to be closer to the meaning of the Hebrew term."[246] In contrast to later dualistic models, the precreation state is not described as a condition of uncorrupted order in the Hebrew Bible. Further, since *tōhû* and *bōhû* are both actively produced by Yahweh in both Jeremiah 4 and Isaiah 34, the concept of chaos and liminality is not synonymous with the concept of cosmic evil that the gods

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[241] Niehr, "Constitutive Principles," 152-157.
[242] Perdue, "Cosmology," 458.
[243] Ibid., 461.
[244] Niehr, "Constitutive Principles," 164.
[245] Ibid., 164-165.
[246] Walton, *Genesis One*, 141.

actively seek to punish and eliminate.[247] The imagery of Yahweh removing or battling chaos to establish order (e.g. Ps 74:13–14), or alternatively establishing chaos either as a reaction to human evil (e.g. Gen 7:11–13) or simply because he can (e.g. Job 1:21), is consistent with the portrayal of chaos relative to gods throughout the ancient Near East (see §1.f.4).

4. The Hebrew Conception of Evil

The Hebrew word "evil" in the collocation "knowing good and evil" is *ra'*. The LXX usually translates this word as either *poneros* or *kakos* with little systematic preference for either.[248] The exceptions are Ecclesiastes and Exodus, which prefer the former for moral offense and the latter for generic unpleasantness;[249] both connotations are covered by the field of the Hebrew term.[250] Later Jewish works, including the New Testament, prefer *poneros* to indicate moral badness.[251] This tendency in turn leads to a reading of *ra'* as having moral or theological connotations above and beyond a mere negative evaluation. Hebrew *ra'*, however, does not contain this distinction.[252]

> [*Ra'* is] a major category word referring to everything perceived as bad: from unpleasant, unpleasing, deficient to harmful, sinful, or wicked. In English, evil is worse than bad, perceived with sinister undertones and carrying the semantic weight of negative moral value; whereas bad can be merely unpleasant. In biblical Hebrew, this is not the case.[253]

Notably, *ra'* can be used to describe actions or agents of Yahweh,[254] some of which are also translated as *poneros* (LXX Josh 23:15; 1Sam 16:14). Thus, despite the translation as "evil," *ra'* is too generic to be a clean semantic equivalent for *izfet*. *Ra'* is not used to describe the precosmic condition or the chaos monsters, but it does sometimes describe liminal space or its denizens (e.g. Lev 26:6; Num 20:5). *Ra'* does not appear in Genesis 2–4 outside of the collocation "[know] good and evil." It is never used to describe any of the characters—not even Cain or the serpent—or their actions, or the conditions inflicted on them.

As discussed above (§1.c.5), the essence of *izfet* is injustice. The Hebrew word for injustice is *'āwel* and its permutations, which like *izfet* represents both undesirable acts and a general undesirable

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[247] See analysis in Tsumura, "Creation out of Conflict."
[248] C. Dohmen and D. Rick, "r''," in *TDOT* 8.587.
[249] Günther Harder, "πονηρία," in *TDNT* 6.564.
[250] Dohmen and Rick, "r''," 8.562-563.
[251] Harder, "πονηρία," 6.564-565.
[252] See French, *Theocentric,* 114.
[253] Faro, *Evil*, 64.
[254] For a list of occurrences and their English translations, see John H. Walton and J. Harvey Walton, *The Lost World of the Israelite Conquest* (Downers Grove, IL: InterVarsity, 2017), 153-54.

state of being: "There will always be an antithesis between the righteous and the dishonest, whose image and essence always includes injustice. The term ʻ*āwel* characterizes those who are not ʻin order.ʼ"[255] The term is notably contrasted with life and righteousness in Ezekiel 18:17–26; 33:13–18. The gods are accused of injustice in Psalm 82:2, and Yahweh does no injustice Deuteronomy 32:4. ʻ*āwel* is therefore a better candidate than *ra'* for a Hebrew semantic equivalent of *izfet*, especially because ʻ*āwel,* like *izfet*, is never used to describe the precreation state or the liminal world. ʻ*āwel* does not appear in Genesis 2–4.

Hebrew words in the same semantic field as ʻ*āwel* which do appear in Genesis 2–4 (4:7; 4:13 respectively) are *ḥāṭā'* and ʻ*āwōn*,[256] both often translated "sin." *Ḥāṭā'* in Genesis means "to commit an offense against someone with whom one stands in an institutionalized community relationship,"[257] apparently referring in Genesis 4:7 to Cain's impending act of fratricide.[258] In this context the term designates antisocial conduct against humans or gods—and therefore potentially overlaps conceptually with *izfet*—but does not imply violation of laws or commandments.[259] Importantly for our purposes, this term appears nowhere to describe Adam's actions in Genesis 3. ʻ*āwōn* refers to Cain's punishment and can refer interchangeably to punishments for evil actions,[260] or evil actions which will incur punishments.[261] This term also does not appear as a description of the consequences of human action in Genesis 3.

Perhaps less important than the words used to delineate "sin" are the metaphors used to describe it; in other words, the way the concept of sin is presented is indicative of what the substance of sin is thought to be.[262] Anderson identifies two prominent metaphors for sin in the Hebrew Bible: a burden to be borne or a debt to be repaid.[263] The former is specifically located in Genesis 4 with Cain's complain that his sin (ʻ*āwōn*)—or, more accurately, its punishment—is "more than I can bear" (Gen 4:13, NIV).[264] The metaphor of sin as a debt enters into biblical language in the post-exilic period under the influence of Aramaic:[265]

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[255] J. Schreiner, "āwel," in *TDOT* 10.528. For this word as the antithesis of **ṣdq* and *mišpāṭ*, see ibid., 10.524.
[256] For overlapping semantic field, see Schreiner, "āwel," 10.523.
[257] Koch, "chāṭā'," 4.311.
[258] For evil, sin, and fratricide implicit together in Gen 4:7, see for example Faro, *Evil*, 69.
[259] "In the pre-exilic period, however, no reference is ever made to any explicit law or commandment of God as a norm. It appears that what is sinful is not yet determined by law." Koch, "chāṭā',"4.311.
[260] "The reference is thus to fateful guilt caused by a person's iniquitous transgressions." K. Koch, "āwōn," in *TDOT* 10.551.
[261] "In the majority of instances it refers to the transgressions of human beings toward others, transgressions inevitably prompting drastic consequences for the perpetrator." Ibid., 10.550.
[262] Gary A. Anderson, *Sin: A History* (New Haven, CT: Yale University Press, 2009), 5-6.
[263] Ibid., Esp. 6-8; 15-42.
[264] For discussion of the language in this passage and the presence of this metaphor, see ibid., 24-26.
[265] Ibid., 7-8.

> Because Jews during the exile and afterward were bilingual in Hebrew and Aramaic, the vocabulary of Aramaic had a marked influence on the development of Hebrew. One of the linguistic items that came on board was the construal of sin as a debt, a metaphor implied in the Aramaic tongue, but not in the Hebrew.[266]

The use of a different metaphor does not indicate a different understanding of what actions *constitute* sin, but it does indicate how we would expect the image of a punishment for sin to be presented in a narrative frame. Specifically, unpleasantness alone should not be indicative of a punishment which implies that sin has occurred; rather, like Cain, we would expect to see the evildoer suffering the specific unpleasantness of being crushed by a weight. Interestingly, then, Genesis 3 does not use the imagery of a "burden" to describe Adam's destiny of toil outside the garden, even though the language and imagery is readily available. In *Atrahasis* the work of the gods (which humans are created to undertake) is "heavy"[267] (Akk. *kabtu*, which can also refer to severity of guilt or punishment)[268] and described as "bearing the yoke."[269] In *Enuma Eliš* the drudgery of the gods, likewise eventually delegated to humanity, is similarly described as a "yoke" and a "burden."[270] Genesis 3, on the other hand, prefers a term in the semantic field of "painful" (*'iṣṣāābôn*) to describe human labour (Gen 3:17; see also Gen 5:29), as opposed to something in the semantic field of "heavy." We will discuss crime and punishment in Genesis 3 further below (§4.d-e). Nonetheless, it is the specific idea that Adam has *incurred a debt* on behalf of humanity, not merely committed a crime, that informs the interpretation of Genesis 3 in the Pauline epistles and its later application in Christian theology (see further below, §3.c, excursus).[271] Regardless of the terminology used, the imagery of *indebtedness* is completely absent from any of the narratives of Genesis 2–4. For indebtedness as the foundation for a covenant relationship, see §2.d.5; for the absence of this idea in Genesis 2 see §2.d.7.

From this brief summary, we can see that the Hebrew Bible retains the basic axiological categories of the ancient Near East and does not collapse the undesirability of alterity and the undesirability of criminality into one interchangeable category of negative evaluation. The subversive intent of the Hebrew Bible does not redefine what goodness (or badness) consists of, but rather offers alternatives for where it can be found. To that end, we will now examine the various institutions of

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[266] Anderson, *Sin*, 8.
[267] See Lambert and Millard, *Atra-ḫasīs*, 55. (G.ii.4).
[268] CAD 8.26b. Entry 2d for use in *Atrahasis*; 2b for uses indicating guilt and punishment.
[269] See Lambert and Millard, *Atra-ḫasīs*, 55-57.
[270] I.121-122. Lambert, *Babylonian Creation Myths*, 57. The word translated "burden" (*sarma'u*) is rare and appears to indicate the absence of rest (CAD 15.177b).
[271] See Anderson, *Sin*, 118-119.

order presented in the Hebrew Bible and the value assigned to them as compared to their ancient Near Eastern counterparts.

b. Order in the Pristine Creation

1. Order in the Natural World in the Ancient Near East

As noted above, the cosmology of the Hebrew Bible closely follows the Mesopotamian tradition in many respects, including its cosmogony. Creation in Mesopotamia is always an order-bringing process by definition, as the pre-existent elements of chaos—darkness, cosmic water, and/or primordial monsters—are restrained or destroyed to allow a place for the ordered world to flourish. So famously, *Enuma Eliš* "presents the ubiquitous struggle between order and chaos […] a drama celebrating a warrior-god's ascendancy to kingship over his rivals by his defeat of the chaotic forces of death and his subsequent reordering of the world into a habitation suitable for human life."[272] Creation is a state that the gods work to perpetually sustain, which includes humans and their place in it, even though humans are often (from the perspective of the gods) an afterthought. Creation is re-established after the gods destroy it, as seen in the flood narratives. The Hebrew Bible does not deviate from these broad concepts in any meaningful way,[273] although the creative acts are attributed to Yahweh (usually alone, without the aid of a pantheon, though note Gen 1:27 and Prov 8:27–30) and humans are given greater significance (by Yahweh) in Genesis 1 and Psalm 8 than they receive from the gods in most ancient Near Eastern cosmogonies.

As we will discuss in more detail below (§3.c.2; §4.c.6), the order of the natural world as administered by the gods is generally considered to be beyond human comprehension or control, and thus remains fundamentally inscrutable and is consequently seen as "ordered" more through faith and deduction than through experience. The order of the physical world is the prerogative of the gods to sustain. Humans are not usually placed in charge of managing the elements of the cosmos; they are assigned to care for the domain within the world to which they have been assigned, not for the infrastructure of the world itself. While some exceptions can be identified, such as Egyptian priests using magic to assist the sun in its nightly ordeal in the underworld,[274] the gods

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[272] Ronald A. Simkins, *Creator and Creation* (Peabody, MA: Hendrickson, 1994), 53.
[273] For ordering and organizing as the definition of creation in the Hebrew Bible, see for example Perdue, "Cosmology," 464.
[274] "The king of Egypt [as a solar priest] participates in the functioning of the cosmos, applying his knowledge and the accumulated power of the cults of Egypt, into the ever-repeated Armageddon between Egypt and order and the forces of chaos." John Coleman Darnell and Colleen Manassa Darnell, *The Ancient Egyptian Netherworld Books* (Atlanta, GA: SBL, 2019), 39.

do not usually require human assistance to maintain the orderly operation of the cosmos. Because "order" is anthropocentric as far as humans are concerned (see §1.e.2), the natural world outside the sphere of human habitation is fundamentally chaotic, even as it is understood to have been set up (insofar as it is so) by the gods. The Hebrew Bible once again does not deviate from this conception in any meaningful way. Humans are assigned to "rule" and "subdue" the earth in Genesis 1:28 (NIV), but nonetheless humans are incapable of controlling the macrocosmic operations described in Job 38–39. Accordingly, theological readings of Genesis, with the exception of some ecological theologies,[275] do not usually emphasize a human imperative to maintain cosmic order. The identification of the pristine creation in theology serves a different purpose than describing a state of the natural world that humans are supposed to strive to sustain.

2. The Real Question at Hand: Theodicy

> "Why must man die?" […] the world without death is pictured as a historical or prehistorical fact or age. Humankind, in the persons of First Man and his Woman, live an idyllic and toilless existence. The climate is ideal, so neither clothing nor shelter is required. Fruit of every kind provides a nutritious and varied diet, obviating the need for cereal grains, which require processing and preparation before they can be eaten. And a tree of life, whose fruit is a specific against disease and debilitation, guarantees eternal life.[276]

This question, or something close to it, is what most interpreters bring to the text when they begin to examine the story of the garden of Eden. By the framing of the problem, we can see that the desirability of the pristine creation in theology is not derived from a theme of cosmogony or an understanding of some underlying order inherent in nature. Instead, the reading of Genesis that locates God's ideal of order in the pristine creation begins with the assumption that Genesis 3 is a *theodicy*; that is, an explanation of how God can allow badness, however defined, to exist in his world.[277] In order for the text to describe the origin of badness, it must begin with a condition where badness did not yet exist. Further, since Genesis is read as the source of *all* badness and not some particular expression of it, the badness that is absent must include every possible affliction on every

[275] One such example: "Southgate invites the reader actively and energetically to participate in [God's] love and to exercise the kind of care of the creation that promotes less violence and the elimination of unnecessary extinctions." William Edgar, "Adam, History, and Theodicy," in *Adam, the Fall, and Original Sin*, ed. Hans Madueme and Michael Reeves (Grand Rapids, MI: Baker, 2014), 312. Cited Christopher Southgate, *The Groaning of Creation: God, Evolution, and the Problem of Evil* (Louisville, KY: Westminster John Knox, 2008).
[276] Herbert Chanan Brichto, *The Names of God* (Oxford: Oxford University Press, 1998), 94.
[277] So for example: "When God made the world, there was no sin in it, no corruption, no malevolence, no death. What explanation does Genesis give for the origin of these terrors?" James M. Hamilton, "Original Sin in Biblical Theology," in *Adam, the Fall, and Original Sin*, ed. Hans Madueme and Michael Reeves (Grand Rapids, MI: Baker, 2014), 191.

scale of the cosmos.[278] The pristine state of the world in Genesis 1–2 is a necessary premise of the argument that Genesis 3 is *the* aetiology of badness. We will discuss Genesis as aetiology and Genesis as theodicy in detail below (§4.e and §3.c, respectively); for now, we will examine the textual elements that theologians invoke as evidence of the absence of badness in Genesis 1 and 2.

3. Defining the "Pristine Creation"

If we are going to examine the Hebrew Bible's depiction of a "pristine creation," including whether or not such a thing is depicted at all, we first need to establish where we are going to look. Theological interpretations of the pristine creation usually try to synthesize details found in Genesis 1 and 2 into a more-or-less systematic depiction of the origin and condition of the world, and invoke details from this [hypothetical] systematic depiction to defend the idea that the text presents a world devoid of badness. We will argue below (§3.d.2) that synthesizing chapters 1 and 2 together is dubious, based on the literary function of the *tôlēdôt* heading that occurs in Genesis 2:4, but in order to make the strongest case possible we will imagine for the sake of argument that the synchronized timeline employed by theological readings is legitimate. Such a reading effectively telescopes the entirety of Genesis 2:7–25 within the period described by Genesis 1:26–27, so that the man and woman in chapter two are the same male and female as chapter one. The relevant feature of such interpretations is the assertion that God's project of creating the man and woman in Genesis 2 is included in the project of creating the heavens and the earth, so that the affirmations of Genesis 2:1–3 actually occur after God's actions recorded in Genesis 2:4–25 and include these activities and conditions in their scope. Such readings therefore deny that Genesis itself includes any record of God's creative activity after the time when the heavens and the earth were completed. This kind of reading is theoretically possible even within our proposed structure because the *tôlēdôt* signifies a shift in narrative focus and not necessarily a progression forward in time (see §3.d.2). Genesis therefore does not *explicitly* state that God continued making things after the heavens and the earth were completed in Genesis 2:1. This stands in contrast to *Enuma Eliš*, for example, where creation of

[278] "John Calvin holds, for example, that'[t]he inclemency of the air, frost, thunders, unseasonable rains, drought, hail, and whatever is disorderly in the world, are the fruits of sin." Iain Provan, "Before Moses: Genesis Among the Christians," in *The Cambridge Companion to Genesis*, ed. Bill T. Arnold (Cambridge: Cambridge University Press, 2022), 343-44. Cited John Calvin, *Commentaries on the First Book of Moses Called Genesis*, trans. John King, ed. John King, Geneva Series Commentary (London: Calvin Translation Society, 1847), 177.

the world and creation of humans are explicitly presented sequentially as two distinct construction projects.[279]

Three primary factors are commonly invoked to support the interpretation of the pristine creation as a state of perfectly established order; that is, a state devoid of all badness whose form has been completely realized and will hereafter be sustained and preserved more or less as it is. First, the statement that "it was [very] good" repeated throughout Genesis 1; second, the statement that God "finished" his work and "rested" in Genesis 2:2–3; and third, the "command" given to Adam in Genesis 2:16. We will now briefly examine these in turn.

4. Evidence for a Pristine World Considered: "It Was Good"

Creation is always an order-bringing activity by definition and order is always more desirable to have than not, also by definition, so the state of the world in Genesis 2:3 is unquestionably an improvement over the state in 1:2. The question is whether or not God in 2:3 has done everything that he intended to do, or whether he has simply completed a phase of an ongoing project. The first step in this discussion asks what is meant by the affirmation that "it was good." Hebrew *ṭôḇ*, like English *good*, is a generic positive value judgment;[280] "very good" (*ṭôḇ mᵉ'od*) likewise matches the English as a generic superlative positive evaluation. Other things that are "very good" include beautiful people (Gen 24:16; 2Sam 11:2; 1Kgs 1:6); productive land (Num 14:7; Judg 18:9); people's acts of service (1Sam 19:4; 25:15); and edible figs (Jer 24:2–3). None of these indicate the evaluated item is perfect, flawless, or the best possible of its kind; the language does not allow for such technical specificity. This indicates that creation being "very good" means that God is highly pleased with what he has done, but it does not mean that there is no negative quality to be found in it[281] and no possible way to improve upon it with future activity.[282]

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[279] "The organization of the heavens and the earth […] is only one of two schemes which the author of [*Enuma Eliš*] combines. The first one resulted from clearing up the debris of battle and supplied the heavenly bodies, the surface of the earth, and the atmospheric phenomena between them. The second scheme had the aim of housing the gods and of supplying the widest possible cosmic setting in which the city of Babylon could be founded." Lambert, *Babylonian Creation Myths*, 196.

[280] For general utilitarian meaning in the creation formula, see I. Höver-Jahag, "*ṭôḇ*," in *TDOT*, 5.304

[281] "Apparently the idea of *tov* does not have to carry with it the total absence of death." Edgar, "Adam," 316.

[282] "Goodness" clearly does not imply that there is no work to be done in the world, and no progress to be made in making it better." Provan, "Before Moses," 344.

5. Evidence for a Pristine World Considered: Completion

If God has done everything God intends to do, the idea may be found in the statement that God has "completed" his work. The only other use of the pual of *kālâ* is Ps 72:20, which indicates the conclusion of a literary corpus. When used of a crafting or construction project (i.e., the tabernacle in Exod 40:33), *kālâ* indicates that the project is finished and ready for use. As discussed above (§1.e.1), however, even the achievement of creation's *ideal* form does not mean that badness is eliminated; it means only that the created project has taken the shape it was intended to. Similar to "good," the term is ambiguous about whether any future project will be undertaken, or whether a decision will be made to modify the completed work in the future.[283]

6. Evidence for a Pristine World Considered: Rest

The idea that God has finished all of the work he intends to do, and not merely the work he has just undertaken, is further found in the statement that God rested. In English, "rest" implies cessation of activity, as when the ark "comes to rest" (*nûaḥ*) on the mountains of Ararat in Genesis 8:4.[284] In Exodus 20:11 God rests (*nûaḥ*) on the seventh day, but in Genesis 2:2–3 the word for rest is *šāḇaṯ*. *Šāḇaṯ* in reference to activity or construction means "stop doing what you were doing" (i.e., 2Chr 16:5; Neh 4:11; 6:3; Job 32:1), but like *kālâ* this does not imply that no further work will ever be done.[285] In the ancient Near East, however, a deity's "rest" has a specific connotation; it occurs when the deity takes up residence in its temple.[286] The term "rest" (in *Enuma Eliš*, *pašāḫu* or *nâḫu)*,[287] usually means relaxation from labour, but the activity of "rest" occurs in the temple, and the image of the cosmos as a temple supports the idea that the deity has been installed and is ruling there.[288] In this sense it is similar to the idea that Solomon has been given "rest on every side" in 2 Kings 5:4.[289] Solomon's "rest" (*nûaḥ*) does not mean that he is not doing anything—specifically, he is still ruling as king—but it means that the obstacles to his rule have been removed. "Rest" in this case is indicative of an ongoing state of order. A Babylonian prayer (by gods standing before Enki-Marduk-

[283] "God's finishing of creation and resting are 'not simply the negative sign of its end' but characterize creation as an act open to the future, an act without limit […] Here something—God's work—is brought not to its end or conclusion, but to its goal." F. J. Helfmeyer, "kālâ," in *TDOT* 7.162.

[284] "There are 30 occurrences of the qal of *nûaḥ,* meaning 'settle down (to rest).'" H. D. Preuss, "*nûaḥ*," in *TDOT* 9.278.

[285] Nehemiah 6:3 is clear that Nehemiah expects work to resume after his [hypothetical] meeting. Contra E. Haag, "*šāḇaṯ*," in *TDOT* 14.385: "the reference is consistently […] to the end of a process that has come to a conclusion and that is not merely interrupted temporarily."

[286] See for example *Enuma Eliš* VI 50-51, translated in *COS* 1.401a. See also *COS* 1.23b, "So has Ptah come to rest after his making everything" (*Memphite Theology*). See also Hurowitz, *I Have Built*, 330-31.

[287] See both used in parallel in VII 10-11; Lambert, *Babylonian Creation Myths*, 125.

[288] Daniel E. Kim, *Rest in Mesopotamian and Israelite Literature* (Piscataway, NJ: Gorgias, 2019), 57-58.

[289] Preuss, "*nûaḥ,*" 9.280.

Nabu) petitions the deity: may Eridu be restored; may temple and city be rebuilt; may treasures, jewellery, and rituals be restored; may the gods return to their cities, dwellings, and treasuries; "calm down, be pacified, take your seat of rest."[290] The same concept applied to Yahweh appears in Psalm 132:13–14. For our purposes, then, we have to determine if God's rest in Genesis 2:2–3 indicates that the final ideal form of order has been established, or whether an order-bringing activity has been completed in the process of an ongoing project.

In *Enuma Eliš*, the ideal form of order is attained after Marduk builds the city of Babylon; places his people there to inhabit the city and serve him; establishes his shrine as a place for the gods to rest; and receives his fifty names from the assembly of the gods. This depiction is occasionally assumed to be the inspiration for Yahweh's rest on the seventh day which likewise is supposed to indicate the completion of the creation project.[291] However, this is not the first time where Marduk is said to rest. After killing Tiamat and building the cosmos from her corpse, he "rests" (*nâḫu,* cognate of Heb. *nûaḥ*) to signify that this order-bringing activity is finally completed.[292] Thereafter he receives the tablet of destiny and is crowned the king of the gods, another order-establishing activity, but even then he is not yet finished. He concocts a scheme to resolve the political tension in the pantheon by creating humans and building the city, at which point his work is finally complete and he settles down to rule over the order he has fully established. In Genesis, Yahweh likewise "rests" after the construction of the physical cosmos, but as also seen in *Enuma Eliš*, the cosmos is only a small part of the process of establishing order.

7. Evidence for a Pristine World Considered: Command

The chaotic precreation state, by definition, is anarchic. The establishment of rules, whether legal or moral, is one of the properties of an ordered state. Consequently, many theologians interpret the divine statement in Genesis 2:17 (and occasionally in 1:28 as well)[293] as establishing divine rules that are indicative of an ordered structure. **Ṣwh* in Genesis 2:16 is the same word used in the phrase "everything God commanded Moses"[294] and here is commonly interpreted to be conceptually

[290] No. 3: *Eršema ušum gùd nú-a* 1, "a snake lying in the nest" F.34-57; Uri Gabbay, *The Eršema Prayers of the First Millennium BC* (Weisbaden: Harrassowitz Verlag, 2015), 51.
[291] "After the creation was completed, the temple *Esaglia* was built for Marduk so that he could rest in it together with his retinue […] the Israelite priesthood dramatized the conclusion of the creation by means of the Sabbat, just as the peoples of the ancient Near East dramatized their creation epics in cultic dramas." Moshe Weinfeld, "Sabbath, Temple, and the Enthronement of the Lord – the problem of the S*itz im Leben* of Genesis 1:1–23," in *Mélanges bibliques et orientaux en l'honneur de M. Henri Cazelles*, ed. A. Caquot and M. Delcor (Neukirchen: Verlag Butzon & Bercker Kevelaer, 1981), 501.
[292] IV 135-36; Lambert, *Babylonian Creation Myths*, 95.
[293] See for example Zevit, *What Really Happened*, 121.
[294] García López, "swh," in *TDOT* 12.278.

similar. **Ṣwh* is an injunction from a figure of authority[295] and anticipates obedience,[296] but it does not inherently imply a formal system of expectations;[297] neither does it inherently imply retribution from the authority figure if the injunction is disregarded (compare Gen 27:8; 2Kgs 2:1).[298] Nonetheless in Genesis 2 this term is traditionally read to imply a torah-like structure undergirding the pristine creation.[299] Violation of this structure by disobedience is then interpreted as a disruption of the order (evil), comparable to crime in a city or covenant infidelity in Israel, which is punished by the collapse of the ordered state. In contrast, we will argue below (§4.d) that the illocution of the **ṣwh* is a warning, not a law, and also that the Torah represents a patronage agreement, not a set of rules (§2.d; §3.c).

c. Order in the Garden

1. Garden as Sanctuary?

A *garden* in the ancient Near East is not a place to grow flowers and vegetables. Instead, gardens are monumental construction projects and their creation is a symbolic representation and recapitulation of the establishment of order:

> The well-planned, adequately watered, and functioning garden illustrates control over nature even where distribution of plants may appear chaotic. As political statements, the royal gardens of Assyrian kings signified the "ecumenic sovereignty of the ruler." Israelites would have understood the garden in Eden, which ultimately combined features of both a botanical garden and an animal park, as a microcosmic reflection of the universal sovereignty of its creator and owner.[300]

Like the establishment of the cosmos, garden-building is an order-producing activity. For our purposes, we should examine whether the image of "planting a garden" is supposed to infer that

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[295] John H. Walton and J. Harvey Walton, *The Lost World of the Torah* (Downers Grove, IL: InterVarsity, 2019), 40 (referring to the noun form, *miṣwôt*).
[296] "Anyone with the power and authority to command or otherwise issue orders to others can function as the subject of **ṣwh*." Walton and Walton, *The Lost World of the Torah*, 278.
[297] "God's words constituted no more than two emphatic instructions. Nothing in the utterance indicated to Adam that he was listening to formal commands." Zevit, *What Really Happened,* 124.
[298] See summary in French, *Theocentric,* 123-124.
[299] So for example, "The first commandment of God to the man concerning the forbidden tree could be regarded as the model for Mosaic Law codes in the Pentateuch." Chris W. Lee, *Death Warning in the Garden of Eden* (Tübingen: Mohr Siebeck, 2020), 39.
[300] Zevit, *What Really Happened*, 118.

God has established a higher level of order, or a different structure of order, than we are supposed to infer from the completion of the heavens and the earth.

Many interpreters want to use the image of the garden to argue that the space is analogous to the Israelite sanctuary and all that it entails, most specifically the concept of *holiness* and its connections to the stipulations of the covenant seen elsewhere in the Pentateuch. So for example:

> Here human beings are placed in God's garden in order to "serve it and keep/guard it" (*ʿābad* and *šāmar*). This is religious language, which underlies the importance and the sacred nature of the task: it is worship and conservation. It is precisely the language used in Numbers 3:7–8 when the work of the priests in the Tabernacle is described. The world is a sacred place, like a temple, and human beings are its priests.[301]

Similarly,

> [The Garden of Eden is viewed as] an archetypal sanctuary, that is a place where God dwells and where man should worship him. Many of the features of the garden may also be found in later sanctuaries particularly the tabernacle or Jerusalem temple. These parallels suggest that the garden itself is understood as a sort of sanctuary.[302]

The garden is never described as *holy* (**qdš*) in Genesis, though Ezekiel 28 refers to both "Eden, the garden of God" and "God's holy mountain" (Ezek 28:13, 14, NIV) and implies that the two are interchangeable.[303] The relevant feature of this interpretation is that the assertion that the "holy" status of the garden establishes restrictions on behaviour similar to those expressed in Leviticus to protect the sanctity of the space.[304] This assumption is combined with the idea that the covenant stipulations represent God's moral rules (here also tied conceptually to holiness; see discussion of moral rules in the covenant further below, §2.d) to establish all of those rules as inherent in the garden environment and on that basis construe the story of Genesis 3 as a violation of those rules, as described above. Essentially, the supposed sanctuary status of the garden in such readings reinforces the idea that the **ṣwh* entails all of the content and implications of the covenant at Sinai, or at least implies or delineates a structure that is conceptually similar to the point of being essentially interchangeable.

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[301] Provan, "Before Moses," 345-346.

[302] Gordon J. Wenham, "Sanctuary Symbolism in the Garden of Eden Story," in *"I Studied Inscriptions from Before the Flood"*, ed. Richard S. Hess and David Toshio Tsumura (Winona Lake, IN: Eisenbrauns, 2004), 399.

[303] To this effect: "The presence of divinity imparts holiness […] By extension not only deities' sanctuaries, but also their dwellings on mountains partake of holiness." Mark S. Smith, "Like Deities, Like Temples (Like People)," in *Temple and Worship in Biblical Israel*, ed. John Day (London: T&T Clark, 2005), 11.

[304] See for example Gary A. Anderson, *The Genesis of Perfection* (Louisville, KY: Westminster John Knox, 2001), 55-58.

2. Imagery of the Divine Realm in the Garden of Eden

The idea that the garden is part of the sanctuary is supported by parallel imagery in the decorations of the Tabernacle and Solomon's temple;[305] the imagery of fertility and fecundity arising from the temple in Ezekiel 47:1–12;[306] the language of the Eden tradition in Ezekiel 28; and the observation that ancient Near Eastern temple complexes occasionally had adjacent gardens.[307] Most of this imagery, however, can be alternatively explained by understanding that Eden is depicted as being located in or near the divine realm.[308] This idea is established by the text's locating the garden near the source of the four rivers,[309] which is the same imagery used of Utnapishtim's residence in *Gilgamesh*, a location inaccessible to mortal humans.[310] The imagery of both Solomon's temple and Ezekiel's temple[311] also refers to divine space in general, not to the primordial garden specifically. The location of the garden in the divine realm coheres with the observations of many scholars who note the significance of sacred imagery and divine presence in the garden space but stops short of reading the laws concerning the Israelite sanctuary onto the garden. There is a literary significance to the garden's divine location that has nothing to do with conflation with sanctuary space, as we will discuss in detail later (§4.b.2-4), but for now we note that the divine realm does not inherently operate by the same rules as the temple complex, even in the Hebrew Bible. In Exodus 24:9–11 a group of people who are not allowed in the sanctuary visit the divine realm, and Elijah is likewise able to visit Yahweh in person in 1 Kings 19:9 even though he is not a priest either and, unlike Moses, was not specifically invited. For the general inaccessibility of the divine realm to humans, see §4.b.3.

[305] Wenham, "Sanctuary Symbolism," 401.
[306] See for example Lawrence E. Stager, "Jerusalem as Eden," *BAR* 26, no. 3 (2000), 41.
[307] See for example Walton, *The Lost World of Adam and Eve*, 104-108; Gordon J. Wenham, *Genesis 1–15*, WBC (Waco, TX: Word, 1987), 61-62.
[308] "The beauty of the trees of Eden can be compared to that of trees associated with other divine dwellings." Howard N. Wallace, *The Eden Narrative* (Atlanta, GA: Scholars Press, 1985), 70-71.
[309] "The connection of the garden of Eden with the source of the waters should not be divorced from either the association of El's dwelling at the source of the (two) rivers (*mbk nhrm*) or from the description of Dilmun as the place where the "sweet waters of the earth," the "waters of abundance" issue forth." Ibid., 75.
[310] X.79-82. Andrew George, *The Epic of Gilgamesh: A New Translation* (London: Penguin, 1999), 78. For Dilmun as divine space, and other imagery of the divine realm that distinguishes divine space from "paradise," see Stephanie Dalley, *The Mystery of the Hanging Garden of Babylon: An Elusive World Wonder Traced* (Oxford: Oxford University Press, 2013), 157-58.
[311] Wallace, *The Eden Narrative*, 77; the same image is identified in Ezek 31:2–18 where no temple is present.

3. Palace Garden Versus Temple Garden

If the garden is a temple complex, then, it is because gardens are connected to temples.[312] Temples are places where divine presence resides, and the garden is inferred to be a temple garden because God walks there. In Deuteronomy 23:14, Yahweh "walks" through the Israelite camp, which must be "holy" as a consequence; many interpreters therefore connect the concepts of "holy space" and "the space in which God walks,"[313] even though the Israelite camp is still conceptually different from the Israelite sanctuary, and both are distinct from the deadly "holy ground" that even priests cannot touch. However, a number of factors make this wholesale conflation of different kinds of holy space less likely. First, again, Genesis does not use the term *holy* to describe the garden, or any language in the semantic field of "to profane" (*ḥalal*); "to defile" (*ga'al*); or "to make unclean" (*ṭāmē'*) in the discourse of Genesis 3. Second, gardens in temple complexes do not exist as recreational areas for the deity; they exist to grow the food that will be offered to the deity as its sacrificial meal.[314] Yahweh does not plant the garden to supply himself with food;[315] he specifies which foods the humans can eat, but does not specify which foods the human should feed *him*, in contrast to Leviticus which specifies acceptable and unacceptable food for both eating and sacrifice.[316] Gardens that were built to be enjoyed for pleasure were the constructions of the aristocracy,[317] not extensions of the temple complex. Palaces in the ancient Near East can have adjoining gardens as well;[318] therefore it is possible that the garden here is intended to represent royal imagery rather than sacred imagery.[319] The idea that the garden is a palace garden rather than a temple garden can also supported by the recognition that temples are the residences of the gods in the *human* world. Eden is in the divine realm, and the residences of gods in the divine realm are palaces, not temples.

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[312] "It is known from a number of texts that all of the great gods of Babylonia possessed their own 'holy' gardens." M. Novak, "The Artificial Paradise: Programme and Ideology of Royal Gardens," in *Sex and Gender in the Ancient Near East: Proceedings of the 47th Rencontre Assyriologique Internationale*, ed. S. Parpola and R. M. Whiting (Helsinki: The Neo-Assyrian Text Corpus Project, 2022), 445.

[313]See for example Wenham, "Sanctuary Symbolism," 401, 402.

[314] Jan N. Bremmer, "Paradise: From Persia, via Greece, into the Septuagint," in *Paradise Interpreted*, ed. Gerard P. Luttikhuizen (Leiden: Brill, 1999), 3-4; Walton, *The Lost World of Adam and Eve*, 117. "Nebuchadrezzar's temple included cypress and juniper groves, as well as gardens that supplied offerings to Marduk." Kathryn L. Gleason, "Gardens: Gardens in Preclassical Times," in *OEANE* (1997), 383b.

[315] "Since God was understood to have no needs that a garden might satisfy, its sole purpose may have been to provide aesthetic pleasure." Zevit, *What Really Happened*, 90.

[316] For care and feeding of the gods as subliminal if the garden is conceived as a temple, see Dexter E. Callender, *Adam in Myth and History* (Winona Lake, IN: Eisenbrauns, 2000), 58-59.

[317] Bremmer, "Paradise," 10. See also Maureen Carrol, *Earthly Paradises* (London: British Museum, 2003), 23-27.

[318] See Bob Becking, "Signs from the Garden: Some Remarks on the Relationship between Eve and Adam in Genesis 2–3," in *Enigmas and Images: Studies in Honor of Tryggve N. D. Mettinger*, ed. Göran Eidevall and Blaženka Scheuer (Winona Lake, IN: Eisenbrauns, 2011), 25.

[319] "These royal gardens are the model for the 'Garden of Eden'." Mario Liverani, *Israel's History and the History of Israel*, trans. Chia Peri and Philip R. Davies (London: Equinox, 2003), 238.

The term used in the LXX for the garden, *paradeisos*, derives from a Median term (*paridaeza*, a cognate of *partetas*)[320] which refers to tree-filled parks adjoining palaces or mansions. In Nehemiah 2:8, wood is requested from "Asaph, keeper of the royal park" (*pardēs*, another cognate of the same term);[321] the "garden" in this case is not part of a temple, and Asaph the keeper is not a priest. Asaph's title, *šāmar*, is the same root that designates Adam's duties in Genesis 2:15,[322] though the word for "garden" in Genesis is *gan*, not *pardēs*. *Gan* refers to a palace garden in 1 Kings 21:2; 2 Kings 21:18, 26; 25:4; Nehemiah 3:5; and Jeremiah 39:4; 52:7; *pardēs* only occurs in Late Biblical Hebrew.

4. Monumental Gardens as Manifestations of Order in the Ancient Near East

If the garden is a monumental park adjoining a palace, albeit a palace in the divine realm, it is not a temple complex; its caretaker is not a priest; and none of the concepts and categories assigned to the Israelite sanctuary, including "holiness," can be subliminally imposed on it, except insofar as those qualities are also inherent to divine space. However, monumental parks and gardens have their own symbolism associated with them. Gardens built by Assyrian kings, like their other building projects, represented their might and splendour through their achievements.[323] Plants brought from every part of the empire represented the expanse of the empire, symbolizing the king's lordship over the entire domain;[324] this concept is invoked in Genesis 2:9 where the garden is said to contain "every kind of tree." The fertility of the garden is symbolic of the order and stability that the king causes to flourish throughout the empire.[325] In Assyrian ideology, "gardener" is a metaphor for royal

[320] Bremmer, "Paradise," 5; John Day, "Problems in the Interpretation of the Story of the Garden of Eden," in *From Creation to Babel: Studies in Genesis 1–11* (London: Bloomsbury T&T Clark, 2015); Liverani, *Israel's History*, 26.
[321] "the garden […] is pictured as a tree park." Nahum M. Sarna, *Genesis = Be-reshit*, JPS (Philadelphia, PA: Jewish Publication Society, 1989), 18.
[322] The same root is also used of Levitical duties, where it refers to guarding. The other verb assigned to Adam is ʻ*ābad*, which can refer to either sacred service or agricultural duties. However, when referring to sacred service it tends to have deities as the object, while when referring to agricultural duties it has terms such as dirt, soil, or ground as the object. The argument that Adam's ʻ*ābad* constitutes sacred service (and not cultivation) is therefore entirely dependent on the prior assumption that "Garden" means "sanctuary and all that entails" and not "place with trees in it." See Walton, *The Lost World of Adam and Eve*, 105-106.
[323] "the construction of ever more spectacular gardens exemplifies the "I-did-it-first" pattern in Neo-Assyrian royal ideology. Rulers are constantly pictured as discovering places, opening roads, constructing devices, etc." T. Stordalen, *Echoes of Eden: Genesis 2-3 and Symbolism of the Eden Garden in Biblical Hebrew* (Leuven: Peeters, 2000), 95.
[324] Ibid., 95; Novak, "Artificial Paradise," 452.
[325] Stordalen, *Echoes*, 95, 97, 101; Novak, "Artificial Paradise," 452.

office,[326] just as “shepherd” also can be in Assyria and elsewhere.[327] Planting a garden is thus symbolic of establishing and sustaining the royal order of empire.

5. Evidence for a Pristine World Considered: Garden Building

Garden building in Genesis 2 is therefore an order-producing activity which replaces the chaotic wasteland described in Genesis 2:5–6, just as the creation of the material cosmos is an order-producing activity which replaces the chaotic “formless and void” of Genesis 1:2. However, we should note that the garden-building process is not described in detail, as we see in monumental inscriptions or as we see in the construction of the material cosmos in Genesis 1, or of both the cosmos and the ziggurat in *Enuma Eliš*. We can also note that the negation in Genesis 2:5 emphasizes the absence of a human, not the absence of whatever order and abundance is represented by a monumental garden. This implies that the emphasis of the garden-building is not on the order-producing process, and therefore also not on the state of being that this process produces. Yahweh also does not at any point create a new garden to restore the state of being that is lost when the humans are banished. Most specifically, the tree of life, which is the prominent feature of the garden and often interpreted as the quintessence of the ordered state it represents, is never restored, in contrast to what we see for example in the *Apocalypse of Moses*.[328] The emphasis of the text is not that there is now a garden and all it represents where before there was no garden. Instead, the emphasis is that it is *Yahweh* who has planted the garden and placed the man there. Yahweh did not empower and commission the man to plant a garden for himself. Since garden-building is a symbol of kingship, this is essentially showing that—in the narrative construction of Genesis 2, at least—Yahweh did not “lower kingship from heaven” and did not establish humanity to rule on the earth in his place. This departure from ancient Near Eastern conventions in terms of the vocation of humanity in general and kingship in particular, where the humans are established to do the work of the gods in place of the gods, is important for the understanding of the human condition in the aetiological narrative of Genesis 2-4 (§4.e.8). Yahweh’s garden-planting activity emphasizes this distinction, not the establishment of an ordered state of the world. For discussion of the garden as a chaotic precreation state, see §4.a.

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[326] Stordalen, *Echoes*, 98; Catherine L. McDowell, *The Image of God in the Garden of Eden* (Winona Lake, IN: Eisenbrauns, 2015), 139.

[327] See for example Paul A. Porter, *Metaphors and Monsters: A Literary-Critical Study of Daniel 7 and 8* (Lund: CWK Gleerup, 1983), 69-70; Sazonov, "Some Remarks," 40.

[328] “At the time of the resurrection I will raise you again, and then there shall be given to you from the tree of life, and you shall be immortal forever.” *Ap. Mos.* 28:4, trans. M. D. Johnson, "The Life of Adam and Eve," in *OTP* 2.285.

d. Order in the Covenant

1 Treaties and Loyalty Oaths in the Ancient Near East

Most of the conventional institutions of order found in the ancient Near East are depicted in the Hebrew Bible as being instituted by human rather than divine initiative. Humans build cities (Gen 4:17) and humans take initiative to build the temple (2Sam 7:2) and to establish kingship (1Sam 8:5). Nation and Tabernacle are in essence “lowered from heaven”—that is, established through divine initiative—but they do not appear in a vacuum. Both Yahweh’s decision to live among his people (in a shrine he instructs them how to build) and establish them as an autonomous power in a land he has also provided for them, are presented explicitly in the context of a *covenant* (*b*^{e}*rît*). The term *b*^{e}*rît* refers to a social agreement that establishes a relationship between the parties involved. Comparable terms from the broader ancient Near East are *Riksu/rikiltu* (Akkadian) or *išḫiul* (Hittite),[329] both meaning “[document of] binding,”[330] but the most relevant comparable umbrella term is *adê*,[331] variously translated as “treaty” or “loyalty oath,” which refers generally to “binding political agreements, pacts, or treaties, whose exact nature was determined by the mutual status of the contracting parties.”[332] Specifically, this section will examine the agreements made between imperial patrons and their client-states, often referred to in scholarship as “vassal treaties.” In this section we will examine the role these agreements take in defining and upholding the world order, and also the function and literary intent of the documents in which these agreements are defined and described. We will also note how the covenant between Yahweh and Israel plays a similar role in defining the world order and how some of the documents of the Hebrew Bible may be similar in form and function to the documents that define human political treaties elsewhere in the ancient Near East.

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[329] M. Weinfeld, "b^{e}rîth," in *TDOT* 2.255.
[330] Altman, *Historical Prologue*, 46.
[331] Weinfeld, "b^{e}rîth," 2.257.
[332] Simo Parpola and Kazuko Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths* (Winona Lake, IN: Eisenbrauns, 2014), xv.

2. Treaty as the World Order: Politics and Empire in the Akītu *and* Enuma Eliš

As discussed in §1.d.5, a major stipulation of the divine mandate for the king is to rule justly, and part of ruling justly would naturally entail honouring any agreements that the king had made. This would include agreements made with other political entities:

> A basic concept in the ancient Near East held that it was the gods who fixed the borders of countries and continuously watched over them. Any unjustified trespass on those borders, all the more so the subjugation of one country by another, was regarded as a violation of the divine established order, and, thus, as a grave offense. If not properly justified, such an act was liable to be severely punished by the gods. [333]

A treaty places an obligation on both the patron and the client,[334] and obedience to the terms of this treaty by both parties is important for the preservation of the world order. However, the *very act of making a treaty in itself* is seen as a manifestation of the world order, comparable to the ordering of the world by the gods at creation. “Since the kingship is the reference point for the order of the cosmos, the relative position of men within the empire finds its expression in a series of relationships between the king and the single officials or the remotest human groups.”[335] Just as the actions of the gods establish the ordered arrangement of the physical cosmos, so the actions of the king as he enacts loyalty oaths (“treaties”) establish the ordered arrangement of the various peoples and political entities within the human world. The conceptual intersection of the creation of the world, the establishment of social order through imperial kingship, and the loyalty oaths (*adê*) is established through the integration of all three at the Babylonian *Akītu* festival, which “symbolized the correct religious, social, political, and economical order of Babylon and of the world.”[336] The *Akītu* was the venue for the reading of *Enuma Eliš*, which reaffirmed the divinely established order of creation centred in Babylon:

> The *Enuma Eliš* functions on at least two levels during the *Akītu* festival—the theological and the political. On a theological level […] the recounting of the creation epic functions within the rituals of the *Akītu* to reconnect the worshipper with primordial power while offering a religious interpretation for the creation and cosmic order of the world, the hierarchy of the deities, and the supremacy of Marduk and his chosen earthly representative […] the myth acted on a political level as yet another means of strengthening the social order—the supremacy of Babylon was affirmed and the monarchical and priestly order maintained for another year.[337]

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[333] Altman, *Historical Prologue*, 184.
[334] Jacob Lauinger, "The Neo-Assyrian adê: Treaty, Oath, or Something Else?," *ZAR* 19 (2013), 99-100.
[335] Mario Liverani, "The Ideology of the Assyrian Empire," in *Power and Propaganda*, ed. Mogens Trolle Larsen (Copenahgen: Akademisk, 1979), 312.
[336] Bidmead, *The Akitu Festival*, 174.
[337] Ibid., 67-68.

The myth and the festival combine to link the order of kingship with the order of creation: “The recitation of [*Enuma Eliš*] during the new year festival serves as a political device to transfer this supreme power and trust from Marduk to his earthly representative, the king.”[338] The king, in turn, delegates this trust down to his subordinates. As part of the festival, the subjects of the king would travel to Babylon to renew their loyalty oaths: “The *Akītu* was also a time of political alliances and treaties. Neighbouring deities accompanied by the highest government officials would visit Babylon to pay homage to Marduk and renew their allegiance to the king.”[339] The oath was not simply a list of rules that order demanded be obeyed; the existence of the oath itself was part of the fabric of order.[340] Lauinger argues that the document upon which the treaty is inscribed is conceptually comparable to the Tablet of Destiny, which is the tool of the gods used to decree order on the earth.[341] In this sense, “covenant” (treaty or oath, *adê* or *b*^{e}*rît*) is an institution of order in and of itself, comparable to kingship and cosmos. It is the relationship that the oath establishes, and not the rules that define it (if any), that encapsulate the essential feature of the world order.

3. The Treaty Document as an Object: Ritual versus Semiotic

The belief that the essence of a treaty was the rules it describes entails the assumption that the document on which the treaty is inscribed was intended to be read. In other words, the assumption is that the treaty tablet (*Tuppi adê*) is first and foremost a *semiotic object*; a thing which exists to convey information. Theologians who interpret the Hebrew Bible’s “law codes” as a source of moral knowledge and/or theological truth usually assume further that this information would be something that the readers of the document did not already know; in other words, not only is the object semiotic but its illocution is didactic. Both of these assumptions—that the essence of a patronage agreement is the presentation of commands and that these commands are previously unknown—are inherent in the idea that the **ṣwh* given to Adam in Genesis 2:16 is indicative of an agreement of this kind. In contrast, we will explore the possibility that, like the oath itself, the document is not significant as a medium of information, but rather derives its significance simply from the fact that it exists.[342]

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[338] Bidmead, *The Akitu Festival,* 163.
[339] Ibid., 5.
[340] For the close association of the *adê*, the *Akītu*, and the world order (decreed destiny) see Lauinger, "The Neo-Assyrian adê," 110-114.
[341] Ibid., 108-110.
[342] For conceptual difference between the tablet as an artifact and a clerical record of the treaty contents, see Ibid., 108-109.

The text of a treaty document contains information that would be useful for the client to know and which would not necessarily be common knowledge independent of the treaty—how much tribute the client is expected to pay, for example. However, this information would not have been communicated to the client by means of inscribing it on the treaty document. The expectations of the patron would have been outlined when the agreement was initially sealed, with ongoing specific details conveyed in real time through ambassadors or through diplomatic correspondence.[343] Information in the ancient Near East was transmitted orally, through spoken rather than written words. “The legal core of a treaty was an oral agreement, the written version being a record thereof and of evidentiary value only.”[344] The act of writing in general does not convey information, but rather conveys power.[345] “Representing speech was not its aim. Writing created its own reality independent from speech.”[346] When the document was ceremonially read aloud to the king, as described for example in the *Covenant of Assur*, the reason for doing so was not to educate the king but rather to invoke or activate the power of the artifact and the binding destiny it represents.[347]

In this sense, the tablets were conceptually similar to inscribed royal monuments that stood as representations of the power and authority of the king who had erected them.[348] Their existence stood as a concrete representation of the power relationship. Like monumental inscriptions, some texts contain imprecations against those who alter or destroy them.[349] Also like monumental inscriptions, kings made a point of restoring and honouring tablets of previous rulers that they discovered.[350] Ritual anointing of tablets is attested many times for Ashurbanipal and Esarhaddon.[351]

The inscribed tablet would be stored in the temple, where it would stand before the gods who had witnessed the oath and whose power was invoked to uphold the relationship: “the *adê* [is] a duty or obligatory behaviour that was transformed and projected into the divine realm so that it became a

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[343] For this system of communication and negotiation represented in the Amarna documents, see Murnane, "Imperial Egypt," 104.
[344] Altman, *Historical Prologue*, 496
[345] “Public written monuments were not for reading, but were displays of royal power and authority.” William M. Schniedewind, *How the Bible Became a Book* (Cambridge: Cambridge University Press, 2004), 35.
[346] Van De Mieroop, *Philosophy*, 79.
[347] Lauinger, "The Neo-Assyrian adê," 112-113. Cited Jack N. Lawson, *The Concept of Fate in Ancient Mesopotamia of the First Millennium: Toward an Understanding of Šīmtu* (Wiesbaden: Otto Harrassowitz Verlag, 1994), 130. Ref. SAA 9.3.
[348] For monumental stele serving as political statements to an illiterate society, see Sandra L. Richter, *The Deuteronomistic History and the Name Theology* (Berlin: Walter De Gruyter, 2002), 140-141
[349] Gary M. Beckman, *Hittite Diplomatic Texts* (Atlanta: Scholars Press, 1996), 47. For imprecations against destroyers of inscriptions, see Richter, *Deuteronomistic History*, 134-135.
[350] So for example: “I found an inscribed object bearing the name of Ashurbanipal, king of Assyria, and I did not change (its position). I anointed (it) with oil, made an offering, placed (it) with my (own) inscribed object, and returned (it) to its place.” Nabonidus28 ii43b, trans. RIBo http://oracc.org/ribo/Q005425/.
[351] See for example Richter, *Deuteronomistic History*, 143.

destiny."[352] The king would know what the document said, and the document would periodically be recited in his presence in order to reaffirm the relationship it described, but the implied audience of the text was not the king but rather the god(s) to whom the tablet was presented.

> The subjugated king had to take an oath on the treaty, thereby confirming its version of the political events that had led to the subjugation; and copies of the treaty were placed in the temple of the main god of each of the parties. Should the subordinated king decide in the future to renounce his vassal treaty and appeal to the gods, claiming the illegality of his subjugation, this confirmed version of the events would stand against him.[353]

The *tuppi adê* ("treaty tablet") therefore potentially serves a similar function to that assigned to the "tablets of the testimony" (*luḥot ha'ēdut*)[354] which are given to Moses on Mount Sinai and sealed in the ark. These items in turn serve a different function than the circulated redacted documents of the Pentateuch in which they are self-reportedly transcribed (see further discussion in §3.d.4). The content of the tablet is supposed to be read to the king (Deut 17:10), but doing so reminds the king of his position in the relationship: "the ʻ*ēdhûth* is a covenant document of some sort […] but it functions more as talisman than text, an artifact whose mere existence validates the unchanging covenant between Yahweh and Israel."[355] Two copies of the tablet are placed in the ark of the covenant (Exod 25:16, 21): Block suggests that the tablets were written for Yahweh, and that both copies were stored in the ark as Yahweh was both the deity who guaranteed the oath and the suzerain who was one of the party.[356] This similarity suggests that the essence of Israel's *b^erît* with Yahweh was likewise found in the existence of the relationship itself, of which the written document was evidence, and not in the rules inscribed in the text of the document per se.

4. Divine Lawsuits and the Illocution of Treaty Texts

Nonetheless, the symbolic object is an inscribed document, so it is worth examining why the texts say what they say. In addition to listing rules, demands, or expectations, some treaties contain narrative segments as well. "There are today at least 15 interstate treaties that would be commonly recognized as containing a "historical prologue." […] the historical prologue was primarily, if not exclusively, characteristic of vassal treaties and documents pertinent to political subordination."[357]

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[352] Lauinger, "The Neo-Assyrian adê," 114-115.
[353] Altman, *Historical Prologue*, 184.
[354] For *adu* related to ʻ*ēdhûth* (testimony) see Weinfeld, "b^erîth," 2.257; H. Ringgern, "'wd," in *TDOT* 10.497; Raanan Eichler, *The Ark and the Cherubim* (Tübingen: Mohr Siebeck, 2021), 128.
[355] Wlliam H. C. Propp, *Exodus 19-40*, AB (New York, NY: Doubleday, 2006), 385.
[356] Daniel I. Block, "For Whose Eyes? The Divine Origins and Function of the Two Tablets of the Israelite Covenant," in *Write That They May Read*, ed. D. I. Block et al. (Eugene, OR: Cascade, 2020), 112-118.
[357] Altman, *Historical Prologue*, 43.

The "historical prologue" tells the story—or, more accurately, a specific version of the story—of how and why the treaty was imposed. This feature is especially important for our purposes because, if the Israelite covenant is indeed a treaty of this kind, then the narrative segments of the Pentateuch that provide its backstory *likely share the same literary intent*. That narrative backstory includes the Primordial History, which we will examine in more detail below (§3.d.4) , but for now we will examine how these narrative prologues to treaties operate in general.

First and foremost, the narrative prologues, like all of the contents of the treaty tablet, are not written to convey information to the client. Instead, they establish the terms of the treaty and thereby the conditions under which the treaty would be considered to be broken.

> The historical prologue […] [is] designed to fulfil a legal function, and addressed not to the vassal king and his court but to the gods. […] as a judicial tribunal, the assembly of the gods was the body before which the wronged party had to bring his suit in the event of violation of the treaty by the other party. This held true even if the wronged king had sufficient military strength to punish the violators by himself. Even then, he still had to make an appeal to the gods in order to win them to his side, since it was inconceivable at that time for a battle to be won without the support of the gods, let alone against their will. […] in the event of transgression, it was up to the injured party to appeal to the gods to punish the offender.[358]

Loyalty oaths are a manifestation of the world order, and like all manifestations of the world order they are ultimately established and overseen by the gods. If the treaty is broken, it is ultimately the responsibility of the gods to punish the offender, usually (though not always)[359] through the delegated agency of the wronged imperial patron. "It was thus in the interest of the subjugator that his case be properly presented to the gods. This was done first and foremost through the treaty that was drawn up for the subjugated party."[360]

The implied audience of the treaty document is therefore the gods, not the client, and the illocution of the document is to persuade the gods that the offending party is worthy of their judgment, should the case ever be brought to their attention. Because the framing of these documents was entirely one-sided, the patron would construct the narrative, including its version of historical events, in such a way that the client would never gain sufficient leverage to invoke the treaty against the patron:

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[358] Altman, *Historical Prologue*, 35-36. For international treaties as legal documents, see Mario Liverani, "The Great Powers' Club," in *Amarna Diplomacy*, ed. Raymond Cohen and Raymond Westbrook (Baltimore, MD: Johns Hopkins University Press, 2000), 17.
[359] Ashurbanipal reports an event wherein Tugdammê, king of the Cimmerians, broke a loyalty oath to Assyria and was destroyed by the direct actions of the gods. Adalı, *Scourge*, 131-132.
[360] Altman, *Historical Prologue*, 184.

> It seems, therefore, more proper to regard the text of a vassal treaty as being formulated primarily, if not exclusively, for presentation to the divine judges rather than to the vassal king and his court. If this conclusion is accepted, one has to assume that the so-called "historical prologue," being a part of the treaty, was formulated with the divine tribunal as the audience in mind, in order to deprive the second party of any possible claim that could justify his repudiation of the treaty.[361]

Treaties by definition place obligations on both parties, the patron and the client: "The Great King … was subject to oaths in some cases at least, and with the most unlikely people […] the Great King would have been likely to take an oath only when the treaty included promises made by him to the subordinate party."[362] Because the patron was accountable to the gods to uphold his own oath, it was important that he be able to defend himself before the gods if the client violated their relationship:

> In many treaties, the promises made by the suzerain are formulated as conditional […] in these cases, one may argue that if the subordinate party had repudiated its promises, the suzerain's promises became null and void, and he was entitled to regard himself discharged of the promissory oath. But what would the rule be where the promises were made unconditionally? […] it would seem that, in such a case, the wronged party could either sue the defender in the divine court, or […] regard himself as entitled to declare war on the offender.[363]

The purpose of the treaty document, then, is to provide the patron with all of the legal grounds they will need to invoke the gods against the client in the event that the patron needs to break their promises or declare war. Any rules or demands included in the text likewise serve this evidentiary function:

> The fact that the historical prologue was addressed to the gods means that its drafters had to take into account certain divine legal procedures and moral norms of behaviour, the transgression of which was only suable in a celestial court, not a terrestrial one. Thus one has to expect at least some of the arguments or assertions made in those prologues to reflect not simple legal norms but rather *moral* norms and divine legal procedures presupposed by the people of that period and region.[364]

Thus even the "rules" described in a treaty document do not teach the client how they are supposed to behave; instead they provide the patron with leverage to use if and when the case is brought before the divine tribunal.

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[361] Altman, *Historical Prologue*, 38-39.
[362] Ibid., 497.
[363] Ibid., 498-99.
[364] Ibid., 42.

The language of the lawsuit (*rîb*) is also used by Yahweh as he brings accusations against Israel in Jeremiah 2:4–9 and Micah 6:1–8.[365] In Israelite theology Yahweh is both the aggrieved party and the divine tribunal, but the legal force of the argument is undermined if Yahweh simply appeals his case to himself.[366] Instead, Micah 6 appeals to the mountains, the hills, and the foundations of the earth, and Jeremiah 2 appeals to self-evidence: "[go and] see if there has ever been anything like this: Has a nation ever changed its gods?" (Jer 2:10–11, NIV). The treaty in Deuteronomy is witnessed, not by the gods, but by the heavens and the earth (Deut 4:26; 30:19), and heaven and earth are invoked to observe Israel's infidelity in Deuteronomy 31:28 and Isaiah 1:2.[367] Israel's covenant, like ancient Near Eastern treaties, is written to be presented as evidence in this lawsuit. It is not written to teach the people of Israel how they are expected to behave.

5. The Pentateuchal Narratives as Prologue

Sometimes vassals were subjugated involuntarily, but the Hebrew Bible depicts the people of Israel submitting to Yahweh under their own initiative. It is the people who call out to Yahweh for deliverance in Egypt (Exod 2:23–25) and the people are given a choice to accept the covenant in Exodus 24:7 and again in Joshua 24:16–22. Treaties of self-subjugation are also attested in the ancient Near East:

> the vassal king, on his own initiative, subjugated himself and his country to the Hittite king. This is preceded [in the prologue of the subjugation treaty] by an account of the circumstances that moved the vassal king to take this step, and is followed by a reference to the considerations received by the subjugated king in return. These considerations may appear in the form of military deliverance of the vassal king or his country from some enemy, giving political asylum to a pretender to the throne and helping him to ascend it, or delivering his country from starvation and destruction.[368]

In a self-subjugation treaty such as that represented by the Mosaic covenant, initiative rests with the subjugated party. Altman conceptually compares political self-subjugation to personal transactions wherein one sells oneself into slavery.[369]

> In time it became accepted that the person who delivered another person from death by an enemy, or from starvation, or from other serious threats, was entitled to enslave the

[365] For divine lawsuit imagery in these passages and also the basis of the imagery in Hittite vassal treaties, see H. Ringgern, "Rîb," in *TDOT* 13.477.
[366] "In the prophetic lawsuit the indictment predominates, and Yahweh appears more as plaintiff than judge." Ibid., 13.478.
[367] For lawsuit imagery in Isaiah 1:16–20 despite the absence of the word *rîb*, see ibid., 13.477.
[368] Altman, *Historical Prologue*, 58.
[369] "it is worth […] what can be inferred from private contracts conducted between parties of unequal standing in the ancient Near East, in particular those pertaining to the sale of oneself into slavery." Ibid., 216.

> delivered person. This practice is well attested in the legal documents from the second and first millennium BCE.[370]

Because the narrative serves as a legal document, it is important that the client cannot claim that they were unjustly coerced into the agreement: "The voluntary nature of the transaction from the viewpoint of the inferior party could be suspect, and there was a need to emphasize that he was the one who initiated the transaction."[371] Normally, the occasion would be some form of unpleasantness which the [potential] client thinks the patron can resolve in their favour:

> In all the prologues of self-subjugation treaties, a specification of the circumstances that led to the self-subjugation of the would-be vassal king is given. These circumstances are of two kinds: either a situation of personal distress affecting the self-subjugated king, or a situation in which his country is under duress.[372]

In Israel's case, the unpleasant occasion is their oppression and slavery in Egypt. As discussed above (§2.d.3), the "treaty" does not begin with the inscription of the document; it begins with the establishing of the relationship. In the case of self-subjugation, the relationship begins when the patron answers the client's request for aid.

> The very obligation of the subordinated king started from the moment the other party accepted his proposal and extended him help and protection. For, once the weaker party who made the proposal received the "payment" for his "merchandise", he had to fulfil his own part in the transaction, whether or not it was formalized in a written document, or sanctioned by an oath.[373]

Services rendered by various emperors include military help (Sarrupsi) and saving the country from destruction (Niqmaddu II), either of which could be seen to parallel the circumstance of Israel in Exodus. "The fact that the drafters were careful to display these acts of deliverance suggests that they were regarded as sufficient consideration to entitle the deliverer to subjugate the rescued person."[374] Yahweh's frequent references to bringing Israel out of Egypt (notably for our purposes Jer 2:6 and Micah 6:4) indicate that it was these actions—not the delivering of commands and decrees from Sinai—that commanded Israel's loyalty.

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[370] Altman, *Historical Prologue*, 230. See also Gen 47:13–26 (ibid., 234). For explicit comparison to Exod 13:2, 11–16 see ibid., 234.
[371] Ibid., 220.
[372] Ibid., 221.
[373] Ibid., 230.
[374] Ibid., 230.

Because the relationship is established by an act of deliverance, not by issuing decrees, the punishments imposed on the client ("curses") were not retribution for breaking rules. Instead, they represented the consequences that the gods would inflict if the client was found guilty by the divine tribunal. "The Hittites also employed curses in their vassal treaties. But they regarded the curses as a punishment, which was to become effective only on the verdict of the divine judges, following a trial in the course of which the arguments and claims of the parties were presented."[375]

6. Moral Demands in Vassal Treaties

A small number of treaties place explicit restrictions on the behaviour of the client; these examples exclusively pertain to the client observing the sexual mores of Hatti (rather than his own country) because he has married into the royal family.[376] Even in these cases, however, the client would not have received knowledge of these expectations by reading the treaty document. Treaties also often contain broadly aspective language relating to preserving order in the realm, but all of these are still intended to stand as evidence in a legal procedure, not to teach the people how to be moral. Morality operates within the sphere of what is or is not pleasing to the gods, who do not convey their expectations through lists of rules.[377] Collections of commands or stipulations in treaties function similarly to the statements of "law codes," in that they illustrate what order and justice in the realm are supposed to look like; as discussed above (§1.f.3), "law codes" were presented to the gods in order to demonstrate that the king who inscribed them was a just ruler. Treaty documents were presented to the gods to demonstrate that the client had violated the terms of the relationship.

The "law" that defines the covenant therefore cannot be reduced to a series of legal or moral commandments, provided to the people with the expectation that they be obeyed or consequences would ensue. This interpretation of the Mosaic law comes much later and is a product of the Hellenistic period.[378]

> It is too often taken for granted that laws are written down to regulate society. This cannot be assumed in reference to ancient law collections such as the Pentateuch. Other ancient

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[375] Altman, *Historical Prologue*, 481.
[376] Ibid., 296.
[377] Oshima, *Babylonian Poems*, 47-48.
[378] "Within the biblical literature, there are indications of multiple functions for law writings: memorial inscription; ritual reading; archival deposit; and public pedagogy, and perhaps others. These are, nonetheless, all functions which essentially regard the law book as an ideal but not itself as "the law." The radical re-characterization of Torah itself as the source of law has been placed in the Hellenistic era based on the assessments of the law book's use." Michael LeFebvre, *Collections, Codes, and Torah* (New York, NY: T&T Clark, 2006), 261-62.

> Near Eastern societies inscribed laws as memorial or didactic texts, but ancient Near Eastern peoples did not typically prepare written decisions ahead of time for judges to implement […] but somehow, over the course of time, the Mosaic law writings did come to be viewed as ancient legislation. Later Judaism came to regard the inherited law writings as the constitutional law code by which Israel had once been ruled […] Torah was not regarded as a legislative text prior to the Hellenistic era.[379]

We will examine the process that led to this transformation below (§3.c.4-7), but for now we will explore a different question: if the covenant is not reducible to the proclamation of moral or legal demands intended to regulate human behaviour, how does that affect the extrapolation of a "covenant" into the context of Genesis 2?

7. A Covenant with Adam?

When Genesis 3 is interpreted as depicting the corruption of God's pristine creation by sin, the warrant is usually a comparison of the command, deviation, and expulsion of Adam with the covenant, infidelity, and exile of Israel. Central to such interpretations is the assumption that Genesis 2:16 effectively depicts a covenant relationship comparable to that established between Yahweh and Israel.[380] So, for example:

> Adam's sin is characterized as disobedience to God's commandment and functions as the prototype of the historical transgressions of Israel and the nations that brought into the world all sorts of misfortunes for humankind, especially untimely death. The story of the fall also explains the misfortunes of Israel, typically the destruction of the temple and Jerusalem. In this context, the righteous are exhorted to adhere to the law in order to attain the promised restoration in the eschaton.[381]

Adam is frequently interpreted as an allegory for Israel in postbiblical Jewish imagination.[382] However, having established how a patronage agreement operates in an ancient Near Eastern context and (more importantly) how it is depicted in narrative, we can see that the extrapolation of the concept into the discourse of Genesis 2 itself is somewhat dubious.

Firstly, Adam is not depicted in distress and does not take initiative in pleading with Yahweh for aid before he is transplanted into the garden. Initiative of the subjugated party—or wrongdoing against

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[379] LeFebvre, *Collections,* 259.
[380] See for example Seth D. Postell, *Adam as Israel* (Cambridge: James Clarke and Co, 2011), 114-119.
[381] Dennis R. Venema and Scot McKnight, *Adam and the Genome* (Grand Rapids, MI: Brazos, 2017), 149.
[382] See for example Igal German, *The Fall Reconsidered* (Eugene, OR: Pickwick, 2016), 41; Anderson, *Genesis*, 14-15.

the patron if the subjugation is involuntary, also not depicted in Genesis 2—is important for the legal integrity of the relationship.

Secondly, Adam is not called upon to ratify the stipulation to abstain from the fruit and its consequence in the presence of witnesses. As Zevit notes, the content of Yahweh's statement to Adam does not even indicate that it is a command; this detail is supplied by the narrator.[383] Likewise, no witnesses are called to observe Adam's transgression and no legal language is used by Yahweh to "bring charges" (*rîb*). The absence of a lawsuit by Yahweh in Genesis 3 indicates that the **ṣwh* to Adam did not have a legal function and was not intended to stand as evidence in such a lawsuit.

Finally, covenant relationships are not initiated by proclaiming rules to be obeyed. Even if the **ṣwh* is a rule—which we will argue below (§4.d) that it is not—giving a rule does not establish a covenant. In order to establish a covenant relationship, Yahweh would have to do something for Adam at Adam's request, and this generous action would feature prominently in the narrative that delineates the nature of the client's obligation and (eventual) transgression. No event of this kind is depicted anywhere in Genesis 2–4. The favourable action for which Adam would owe loyalty—presumably, residence in the garden, if a parallel to Israel is maintained—is likewise never mentioned in Yahweh's statements in Genesis 3.

The injunction to Adam in Genesis 2:16 is worded using the same language that Solomon uses in the process or establishing a relationship (of a sort) with Shimei in 1 Kings 2:37.[384] We will discuss the illocution of the respective statements specifically below (§4.d.2); for now we will focus on the narrative presentation of the scenario. Unlike Israel and unlike the self-subjugated Hittite vassals described in the examples above, Shimei is not entering into the agreement voluntarily. Nonetheless the narrative describes the circumstances that caused the relationship to come about in 1 Kings 2:8: "you have with you Shimei […] who called down bitter curses on me the day I went to Mahanaim" (NIV). David implies that Shimei should be killed, but Solomon proposes a different arrangement; Shimei can live as long as he remains within the city of Jerusalem. Shimei agrees to these terms and to the stated consequence (1Kgs 2:38); although not recorded in the dialogue, Solomon refers to Shimei's "oath to Yahweh" in 1 Kings 2:42–43, which indicates that the agreement was witnessed by the divine tribunal.

Shimei breaks his oath in 1 Kings 2:39–40 and is summoned before Solomon. The narrative invokes the divine witness (Shimei's "oath to Yahweh") and recounts the terms of the relationship and Shimei's agreement to them. Further, Solomon invokes the circumstances that occasioned the oath,

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[383] Zevit, *What Really Happened*, 123-124.
[384] Lee, *Death Warning*, 46.

which in this case is Shimei's original offense (1Kgs 2:44). In a self-subjugation agreement, this statement would recall the patron's actions taken on behalf of the client; in the lawsuits of Yahweh against Israel he recalls the deliverance from Egypt and the gift of the promised land. The attribution of Shimei's punishment to Yahweh and the contrasting endorsement of Solomon's dynasty (1Kgs 2:44–45) cements the claim of who is right and who is wrong in the eyes of the gods, and thereby certifies Solomon's authority to justly carry out the execution. This pericope demonstrates the kind of narrative structure and dialogue we would expect to see in a story which describes a patronage agreement and/or loyalty oath being established and broken.

Genesis 2, however, contains none of this narrative structure or content, despite the similarity of the locution of the injunction. For these reasons, it appears that Genesis 2 was not written with the intention to depict a patronage agreement between Adam and Yahweh. "[the garden story] was not a particularly important story, nor did it have any direct bearing on the historical, covenantal, and other theological themes of interest to most authors of texts included in the Bible."[385]

As part of the Primordial History, which is part of the Pentateuch, the narrative of Genesis 2–4 actually stands as part of the narrative prologue of Yahweh's covenant with Israel. We will examine its role in this capacity further below (§3.d.4 and §4.e.7). First, however, we must turn our attention to concerns of the structure, audience, and genre of Genesis.

§3. Literary Presentation in Genesis

a. Locating the Implied Audience

In order to distinguish the reception of Genesis from its redaction process, we have to determine the time period in which the document reached its more-or-less stable form. More specifically, it matters for our purposes which community was responsible for producing this form, because it is their concepts and values that the text will reflect. The question of dating biblical documents is complex and beyond the scope of this study; for our purposes it is sufficient to demonstrate that the document was stabilized before the paradigm shift into dualism that occurs in the Hellenistic period.

Consensus on the redaction of Genesis, insofar as it exists, tends to posit a collection of ancient content ("Non-P material") that has been re-organized by a group of redactors who supplemented

[385] Zevit, *What Really Happened*, 264.

the corpus heavily with their own content ("P material").[386] For our purposes, P is the last redactor of Genesis (read: the producer of the stable form) and is usually dated to the Achaemenid period at the latest.[387] Evidence also exists which leads some to place P even earlier, into an environment defined by Akkadian rather than Persian culture.[388] The Primordial History is often argued to be literarily dependent on, or at least in conversation with, Akkadian texts and cultural influence (i.e., *Gilgamesh* and *Atrahasis*),[389] rather than Persian. Even the P text of Genesis 1[390] is usually compared to *Enuma Eliš*,[391] as opposed to any Persian text, and the P material of Genesis 5[392] is often compared to the *Sumerian King List* or similar Mesopotamian genealogies.[393] Consequently, we might tentatively propose that Genesis may have stabilized—and therefore located its implied audience—as early as the late monarchy or early exilic period.[394] This proposal can be supported by observing some differences between Genesis and other biblical literature attributed to the Achaemenid period. Unlike Ezra, proposed as a product of the same community that produced the P material of the Pentateuch when P is identified as Achaemenid,[395] Genesis is not written in Aramaic.[396] Unlike Chronicles, a Persian-era update of an exilic-era document, Genesis is not written in Late Biblical

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[386] See for example David M. Carr, *Reading the Fractures of Genesis* (Louisville, KY: Westminster John Knox, 1996), 41-47; Gertz, "Genesis," 64-65, 71.

[387] "According to the Documentary Hypothesis, P is the latest source and dates back to the time of the consecration of the Second Temple in the late sixth century BCE." Gertz, "Genesis," 66-67. Similarly, "Despite all the uncertainties of Pentateuchal research, P still remains a sufficiently safe assumption. Its texts probably formed a once independent literary entity that might have been written at the end of the sixth century BCE." Konrad Schmid, "Genesis in the Pentateuch," in *The Book of Genesis*, ed. Craig A. Evans, Joel N. Lohr, and David L. Peterson (Leiden: Brill, 2012), 34. Likewise, "In the end, a date in the second half of the sixth century [for Genesis 2-3] seems about right to me." Mark S. Smith, *Genesis of Good and Evil* (Louisville, KY: Westminster John Knox, 2019), 47.

[388] "Scholars focusing on the Primeval History have looked primarily to Mesopotamian analogues to explain the Priestly and non-Priestly creation stories, the flood matrix, the Babel story, and the structure and significance of the genealogical lists." Mandell, "Genesis,"122.

[389] For a discussion of these and other common analogues, see for example ibid., 134-146.

[390] "This account builds into the construction of the world a priestly vision of time and space that could speak to Israel in the sixth century BCE." Mark S. Smith, *The Priestly Vision of Genesis 1* (Minneapolis, MN: Fortress, 2010), 108.

[391] For this hypothesis and an argument against literary dependence, see Tsumura, *Creation and Destruction*.

[392] "The evidence of adding numerals supports a view of the Pentateuchal material (or P at least) as being earlier than Ezra-Nehemiah, Chronicles, and the Deuteronomistic History (Joshua-2 Kings)—including its sources and subsequent redactional layers." John Screnock, "The Syntax of Complex Adding Numerals and Hebrew Diachrony," *JBL* 137, 4 (2018), 818.

[393] See for example Michaela Bauks, "Rhetorical Features and Characteristics," in *The Cambrige Companion of Genesis*, ed. Bill T. Arnold (Cambridge: Cambridge University Press, 2022), 105.

[394] Carr suggests "a tentative dating of the P toledot book and later P source sometime in between the (very) late monarchial and the early Persian periods." David M. Carr, *Genesis 1–11*, IECOT, (Stuttgart: Kohlhammer Verlag, 2021), 35. Zevit proposes a date as early as the ninth century (Zevit, *What Really Happened*, 47).

[395] "This priestly character of the final shaping of the Pentateuch (more broadly Hexateuch) corresponds to Priestly emphases and characteristics and the […] Rebuilding-Ezra narrative." David M. Carr, *The Formation of the Hebrew Bible* (Oxford: Oxford University Press, 2011), 217.

[396] "[Critics] have pointed out the particularly cultic focus of the nonbiblical examples of texts that may have been sponsored by the Persians and the fact that they are in Aramaic." Ibid., 218.

Hebrew.[397] Unlike Second Isaiah, Genesis contains no references to events and people of the Persian era, and unlike other texts of the Pentateuch Genesis contains no Persian loanwords.[398] However, whether exilic or Persian and whether or not the priestly community was responsible for the stabilized form, for our purposes it only matters that the stable form is reached prior to the Hellenistic period and therefore all dualistic interpretations represent *reception* and *reinterpretation* of an existing document, and do not reflect the process of the final stages of its redaction.

b. Event and Action in Genesis

1. Theology on Aetiology: Something Changed, Something Lost

Narrative analyses of Genesis 2–4 almost always concentrate on deconstructing the actions and speech of God, the humans, and the serpent, and speculating on the significance of the events described by the narrative.[399] Specifically, Genesis 2–4 is commonly read as an *aetiology*, which we will define loosely as 'a story that purports to *explain why* a thing is the way it is by *providing a story about how* it came to be that way.' Something exists at the end of the story that did not exist at the beginning, and the reason why it exists is because the characters did what they did. As Assmann notes regarding Egyptian narrative logic:

> What [explanatory stories] relate about the past is supposed to shed light on the present. Their intent is not to relate the past for its own sake, but as a prelude to the present, diagnosing the present in the form of a genetic projection. They dress the statement "the world is A" in the form
>
> > There was a time when the world was not A
> >
> > Then certain events occurred
> >
> > Their result was: the world is A.[400]

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[397] "Some scholars date P to the monarchic period due to its archaic language." Gertz, "Genesis," 67.
[398] "The lack of a Persian loan or a Late Biblical Hebrew feature would fit the sixth century BC/BCE or even the early Persian period (around 539-332 BC/BCE), before these language features entered Biblical Hebrew." Smith, *Genesis*, 47.
[399] For one example, see the analysis in Zevit, *What Really Happened*, Esp. 239-241.
[400] Assmann, *The Search for God*, 113. Assmann distinguishes "explanatory stories" from "aetiology" on the basis of the latter being concerned with the trivial or cosmetic (ibid., 113), but the definition of a*etiology* we are proposing here is broad enough to cover both.

The narratives of the Primordial History are almost always read aetiologically, specifically as the origin stories of the various persons, structures, and institutions they describe.[401] Genesis 2–4 specifically is read to depict the events and actions that brought about such things as sin, death, humans, marriage, agriculture, sexuality, civilization, ophidiophobia, moral awareness, manual labour, cities, violence, and/or religion. While some things do appear over the course of the narrative (e.g., the arts of civilization in Gen 4:20–22), that in itself does not indicate a literary intent to explain them or to tell their origin story. So for example, "the many myths of 'how death came into the world' […] [are intended] to relate it to other features of present reality, such as scarcity, work, absence of the divine, and sexuality, and to fit it into a comprehensive diagnosis of the *conditio humana*."[402] It is this theme of *relation*, as distinct from *origination*, that will form the focus of our present study. But first we must examine the idea that such stories describe "certain events that occurred" and the related and contentious classification of such stories—in Biblical texts, at least—as "myth."

2. Event and Action: History and Mythology

An aetiology, when defined as an origin story, is fundamentally a story that focuses on the *actions* of the characters (i.e., what people did) and the *events* in which they participate (i.e., what happened because of that). The deeply entrenched debate in Genesis scholarship, most especially in the Primordial History, is whether or not the characters depicted and the events in which they participate are "real." The assumption or deduction about the realness of the characters and events informs the classification of the *genre*, which in turn informs the interpreter's analysis of the literary intent. To the extent (if any) that the characters and events are "real," the genre is considered *history*. To the extent (if any) that the characters and events are not "real," the genre is considered *mythology*. "Real" in this context is defined in the terms of metaphysical materialism, where "reality" specifically means being (or, having been) manifested in space-time. This definition of *real* specifically and deliberately excludes characters and events that exist exclusively as a product of literary or cultural imagination.[403]

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[401] See for example Zevit, *What Really Happened*, 264.
[402] Assmann, *The Search for God*, 113.
[403] For a small representative sample of discussions in this vein, see Iain Provan, *Seriously Dangerous Religion* (Waco, TX: Baylor University Press, 2014), 347-353; Paul K. -K. Cho, *Myth, History, and Metaphor in the Hebrew Bible* (Cambridge: Cambridge University Press, 2019), 11-38; John Van Seeters, *Prologue to History* (Zurich: Theologischer Verlag Zurich, 1992), 24-34; Peter Enns, *Inspiration and Incarnation* (Grand Rapids, MI: Baker, 2005), 39-41; Batto, *Slaying the Dragon*, 4-14; John N. Oswalt, *The Bible Among the Myths* (Grand Rapids, MI: Zondervan, 2009), 29-46.

The debate about *myth* and *history* is therefore not merely a technical discussion about how diverse styles of literary composition convey their communicative intent; instead, it is fundamentally an argument about what is or is not *real*. "When modern people think of categories like 'myth' and 'history,' what comes to mind are contrasts between 'fact and fiction' or 'fantasy and reality."[404] The "real," in turn, is often conflated with both the "true" and the "valuable," while the unreal is conversely conflated with the false and therefore valueless. "'Myth,' in popular parlance, is regarded as synonymous with falsehood: 'Myth' is not only a fictional story but also a lie whose aim is to deceive."[405] Likewise, "in contemporary English, the word myth is often used to describe an untrue story about the gods or any debunked story once thought to be factual."[406] As a result, the debate about myth and history is less about how the documents communicate and more about the veracity and by extension value of whatever they might have to say.

While conservative interpreters of biblical texts generally retain the narrow materialistic equation of "truth" and a definition of "reality" confined within time and space,[407] and thereby continue to demand that all biblical texts be classified as *history*,[408] postmodern interpretative methods have largely separated the true from the [materially] real and thereby removed the fixed correlation between the [materially] real and the valuable. These readers attempt to salvage the genre of mythology by arguing that stories about actions and events that are not real can nonetheless have value and can even meaningfully be said to be true.[409] Nonetheless, these nuanced definitions of mythology still place the literary focus and literary intent of the works on the events and actions they describe.[410] For our purposes, the myriad of definitions of what specifically constitutes myth (or history) and the various purposes for which those labels are employed, renders both terms effectively meaningless. "Because of the ancient and modern problems with the study of myth,

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[404] Christopher M. Hays and Stephen Lane Herring, "Adam and the Fall," in *Evangelical Faith and the Challenge of Historical Criticism*, ed. Christopher M. Hays and Christopher B. Ansberry (London: SPCK, 2013), 29.
[405] Cho, *Myth*, 3.
[406] Zevit, *What Really Happened*, 19.
[407] "In light of the New Testament's widespread treatment of evil and sin as metaphysical realities, it is interesting to reflect on the desire of modern conservative Christians to make them historical realities, that is, stemming from a historical fall." Mark Harris, *The Nature of Creation* (Durham: Acumen, 2013), 144.
[408] "There are some who consider the words of Gen 1–11 to be an accurate representation of reality in every way […] this means every word of the biblical text would have a one-to-one correspondence with reality. That is, the biblical stories occurred exactly the way they are described and as such are accurate records of history (and, by implication, science as well). Lowrey, *Poetics*, 110.
[409] See for example Cho, *Myth*, 12.
[410] "Different scholars discuss the explanatory (or etiological) function of myth [and] the connection between the there and then and the here and now of the human audience […] myths narrate realities by presenting deities and their actions in or affecting the world, and they do so by building relations between these deities with plots that cover and cross over the inexplicable difficulties of the human experience. Myths also indicate that in various ways deities are related to and have an impact on humanity in the midst of its numerous hardships." Smith, *Priestly Vision*, 153.

scholars have struggled to produce a proper definition […] the question is irrelevant at best, misleading at worst: it is a matter of our categories, and there is no scholarly consensus as to what these categories mean."[411] Our study requires different language and a different conceptual framework in order to meaningfully discuss the communicative intent of Genesis.

3. Defining Reality: The Material Versus the Conceptual

Both *history* and *mythology*, in all of their confusing labels and applications, focus fundamentally on the subject of event and action, and define *reality* narrowly as the arena in which event and action occur (i.e., the material world of space and time). However, this materialistic definition of reality is not the only definition available, and, importantly for our purposes, is unlikely to have been employed by the authors of texts in premodern societies.[412] Of course, it is likely that ancient people, if asked, would affirm that their deities and their various doings in heaven and on earth were "real" in the material sense, but asserting and conveying that material reality was not the intent of the literature in which those actions were described and those stories were told. Consequently, we need to look at a different way to describe the intent that this literature *did* contain.

By way of illustration, consider the story of *Atrahasis*, a textbook example of the kind of work that is classed as mythology[413] and one which is similar in its themes and genre to Genesis.[414] The literary focus of *Atrahasis* is not on the actions or events it depicts; in other words, it is not *about* "that time when a priest of Ea built a boat and survived when most of humanity died in a flood." Instead, *Atrahasis* is a commentary on the place of humans in the world order and their relationships to each other and to the gods:

> By insisting on the view that what happened at the first creation of man is repeated with every human birth, the author brings home the relevance of the myth. From this he turns to the main theme: Enlil's desire to extirpate humanity and Enki's countering his plan [..] the story ends with the salvation of man and more about social classes and their functions. It should be remembered that the first hearers of the epic were vitally concerned with many of the issues presented. The sociological system described was that which they actually knew, and they conceived their existence was really dependent on what Enki and Enlil did.[415]

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[411] Smith, *Priestly Vision*, 143. Cited Fritz Graf, "Myth," in *Religions of the Ancient World: A Guide*, ed. Sarah Iles Johnson (Cambridge, MA: Harvard University Press, 2004), 54.
[412] "The literary translation of their experience was mediated by more elaborate narrative codes than is the case in the modern Western discourse about reality—and in modern historiography." Honigman, *Tales*, 39.
[413] Smith, *Priestly Vision*, 145.
[414] For close literary relationship between Genesis and *Atrahasis*, see Batto, *Slaying the Dragon*, 44-46; Lambert and Millard, *Atra-ḫasīs*, 24; Joseph Blenkinsopp, *Creation, Un-creation, Re-creation* (London: T&T Clark, 2011), 8; William L. Moran, "A Mesopotamian Myth and Its Biblical Transformation," in *The Most Magic Word*, ed. Ronald S. Hendel (Washington, D.C.: Catholic Biblical Association of America, 2002), 59-74.
[415] Lambert and Millard, *Atra-ḫasīs*, 13.

In other words, *Atrahasis* is fundamentally about the interrelationship of *concepts*, not about the doings of people and/or gods in the past: "The *Atrahasis* epic is an assertion of man's importance in the final order of things."[416] A *concept*, such as "man's importance" or "the final order of things," has no existence in the realm of action and event bounded by space-time, and yet it is just as "real" as any action or event, because concepts motivate our actions and provide the frame with which we interpret events. Modern philosophers usually write about concepts in the form of non-narrative treatises containing elaborate illustrations, thought experiments, or logical proofs, but it is also possible to discuss concepts by employing a narrative frame. Even so, because the concepts that form the subject of this literature are not located in the empirical world of space and time, they cannot be discerned or evaluated relative to the results of a forensic study of the past, in the same way we discern and evaluate *history*: "because it constitutes a story or narrative, a [mythological] text reveals its substance by linguistic and literary analysis."[417]

Nonetheless, *mythology* is not an appropriate term for literature that purports to describe the real qualities and interactions of real concepts, because modern use of the word *mythology* carries a connotation of the unreal. Perhaps the closest modern equivalent to this kind of literature is the *philosophical novel*, and we note that works in this genre such as *Atlas Shrugged*, *Brave New World*, or *The Brothers Karamazov* are not described meaningfully as *mythology*, even though their characters and stories are fictional. This is because mythology fundamentally deals with subjects that are unreal, while the concepts that are the subjects of a philosophical novel have a real existence that is unrelated to the presence or absence of any of their characters or events in space-time. However, works like Genesis (or *Gilgamesh* or *Atrahasis*) would not properly be called *philosophical novels* because *philosophy* is not a term that can be properly applied to pre-Greek genres of literature,[418] and the term *novel* connotes a form of storytelling that is not descriptive of Mesopotamian or Biblical narratives. Nonetheless, the comparison is consistent with the idea that the text supplies an argument which is intended to impact the worldview of the implied audience (§0.a.1; §0.b.4), as opposed to supplying a documentation of historical events.

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[416] William L. Moran, "Atrahasis: The Babylonian Story of the Flood," in *The Most Magic Word*, ed. Ronald S. Hendel (Washington, D.C.: Catholic Biblical Association of America, 2002), 43.
[417] Shlomo Izre'el, *Adapa and the South Wind* (Winona Lake, IN: Eisenbrauns, 2001), 107.
[418] For the difference between "philosophy" and conveyance of ideas in mythopoeic form using a different system of thought, see Van De Mieroop, *Philosophy*, 5-6.

4. Historicity in Ancient Documents

In §2.d.5, we argued that the narrative sections of the Pentateuch are roughly similar in form to the narrative prologues of treaty documents, whose purpose serves to define the nature of the relationship that the treaty establishes. These prologues are known for their dubious historical accuracy, in terms of the events they describe correlating to events that occurred in a real past:

> In certain prologues, to the extent that the available documentation allows us to verify the historical accuracy of their statements, there are certain assertions that were formulated so as to mislead the unfamiliar reader into believing what the suzerain's drafters would have liked him to believe. In some cases, we even find false claims clearly contradicting historical facts.[419]

Altman suggests that the motive for this "misleading" is fraud, and that the intended victims of this fraud are either the divine tribunal or future generations for whom the memory of the "facts" will have been lost, with the former being more likely.[420] However, we argued in §2.d.3 that a treaty document does not exist to convey information, which means that it also does not exist to convey *false* information. If a treaty defines a relationship, then the story told by the document also defines a relationship. The narrative backstory serves to cast the parties into the respective roles that they will be expected to play as the relationship moves forward. The literary intent of a treaty document is to establish the real status of the patron, the real status of the client, and the real obligations that they have to each other. These three elements are the "concepts" that form the literary focus of the document. The (occasionally/often unhistorical) events described by the narrative frame of the prologue are illustrative of the relative status of the parties which in turn justifies their relative obligations.

Consequently, the "reality" that a treaty prologue describes is not events and actions in the past; rather, it is the client's dependency and the ongoing obligation this dependency incurs. By subjugating themselves to the treaty and accepting the narrative it describes, the client is not undertaking an Orwellian exercise in historical revisionism per se;[421] instead, the client is acknowledging his dependence and obligation, which is made real by that acknowledgment. The fact

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[419] Altman, *Historical Prologue*, 29.

[420] "The vassal and his people surely knew the true facts […] examples of deliberately misleading drafting inevitably prompt one to assume that the drafters had in mind an audience other than the subordinate king and his court. This audience, furthermore, presumably was one which did not know the true facts and did not have ready access to the relevant documents and information. The only audiences that would fit both of these categories are the gods and the future generations of both parties. Of these two groups, the gods seem to be the more likely candidates." Ibid., 33.

[421] For the understanding of the purpose of history as reality-shaping, with reference to Orwell and to ancient texts specifically, see for example Lowrey, *Poetics*, 1-3.

that later historians mistook these documents for forensic documentaries of events of the past was a case of those interpreters misreading and misunderstanding the genre, because treaty prologues are not written as documentaries.[422]

The argument that Genesis is part of a treaty prologue is based on its position in a literary canon—specifically, relative to Exodus, Numbers, Deuteronomy, and the Deuteronomistic History—but the closest literary analogues to Genesis 1–11 in terms of internal presentation and/or narrative content are not historical documentaries either. *Any* text that is not written specifically for the purpose of documentation is going to have value for a historian only incidentally, and this is the case for many genres of ancient literature besides treaty prologues,[423] including genealogies like the *Sumerian King List* and "mythology" like *Gilgamesh*.

> It would be as futile to reconstruct the history of early Sumerian kingship from *Gilgamesh* as it proved futile to reconstruct the trojan war from the *Iliad* […] mythical narratives are not faithful memories of things past; they are construed according to the memory that every generation believes it needs for its own purposes.[424]

The purpose of the *Sumerian King List* is likewise not to record the historical succession of kings, but rather a legitimation of the kings of Isin by linking them together with the Ur III dynasty.[425] The document is not mythology,[426] but it nonetheless is useless for the forensic reconstruction of Mesopotamian royal succession.[427] Most of the nearest ancient Near Eastern analogues for Genesis 1–11 in terms of themes, content, and genre do not even *purport* to document history, and none of them are useful for modern forensic reconstruction of ancient history. Even texts that *do* purport to document history such as city laments, conquest accounts, and ancient "histories" such as Herodotus, construct their historical vision with a literary agenda in mind and are likewise dubiously useful for reconstruction.

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[422] Referring to genealogies specifically but applicable to other literary forms as well: "later biblical and intertestamental authors understand the genealogies of Genesis differently and [so] much of the original significance (authorial intention) may have been lost on them […] genres are fluid [and] both genre definition and recognition are historically conditioned concepts. In other words, it is normal for genres (and an understanding of those genres) to change over the course of time." Lowrey, *Poetics*, 83.
[423] For ahistoricity in city laments, for example, see Samet, *Lamentation*, 9.
[424] Graf, "Myth," 55.
[425] Piotr Michalowski, "History as Charter: Some Observations on the Sumerian King List," in *Studies in Literature from the Ancient Near East*, ed. J. M. Sasson (New Haven: AOS, 1984), 242.
[426] "no one calls the Sumerian King List a myth, yet within its historiographical framework it contains references to "mythic events" […] both the Sumerian King List and Genesis 1–11 refer to mythic events, but this does not make either one of them a myth." Smith, *Priestly Vision*, 156.
[427] "Since the King List is not a reflection of real events but is, rather, a depiction of an idea of reality, the text should forever be banished from reconstruction of early Mesopotamian history." Michalowski, "History as Charter," 243.

> [The] virtual absence of secondary literary sources renders the history of, for example, Mesopotamia relatively opaque, the object of well-meaning pity on the part of our Greco-Roman scholarly brethren. We are seen rummaging around our "washing bills in Babylonian cuneiform," inventories, ration lists, assorted letters, and so on, doomed to bump from tree to tree with no hope of discerning the forest. And indeed we should very much like to have a Babylonian Herodotus to describe *his* perception of the forest. But ultimately, if we have to choose between someone else's forest and the trees by which we can come up with our own forests, we easily choose the latter […] a Herodotus largely removes the construction of history from our hands. We can only deal with, even seek to undo, what he has intellectually digested, creatively transformed, and artfully fashioned.[428]

We engage in a kind of special pleading if we expect Genesis to contain a literary intent that is significantly different than that of its nearest literary analogues, or to present information in a format (forensic documentation) that is unattested in any other literature of its time. Genesis, like the comparable literature of the ancient world, is a discussion about concepts and the interaction of concepts, not a recollection of actions and events in the past.

c. Theodicy, Morality, and Divine Law in Genesis 3 and its Reception

1. Defining the Problem of Evil

If we intend to read Genesis 2–4 according to its purpose, we have to identify what that purpose is. For most interpreters over the centuries, the early chapters of Genesis—most especially Genesis 3—have been assumed to have been written for the purpose of *theodicy*; that is, a story that explains the existence of bad things in such a way that affirms the power, goodness, and justice of God.[429] This section will examine how the existence of badness was accounted for in ancient Near Eastern literature, and also the ways in which Genesis is thought to provide a meaningful theodicy.

The supposed need to supply a theodicy is one of the motives for the interpretation of Genesis 3 in theology as a *history*, a story about actions and events.[430] "The characters and events are symbolic, yet somehow they must be taken as historic fact, for a symbolic "fall" could hardly involve future generation in the original sin."[431] At the same time, however, theodicy is fundamentally about the

[428] Maynard Paul Maidman, *Nuzi Texts and Their Uses As Historical Evidence* (Atlanta, GA: SBL, 2010), 3.
[429] For broad definitions of the term "theodicy" and applicability outside of monotheistic contexts, see Antti Laato and Johannes C. de Moor, eds., *Theodicy in the World of the Bible* (Leiden: Brill, 2003), ix-xi.
[430] "The reality of the Augustinian understanding of original sin is tied to the historical reality of Adam." Peter Sanlon, "Original Sin in Patristic Theology," in *Adam, the Fall, and Original Sin*, ed. Hans Madueme and Michael Reeves (Grand Rapids, MI: Baker, 2014), 105.
[431] Brichto, *Names*, 81.

interaction of concepts—evil and divine justice—and therefore does not inherently require a story about events in order to discuss them.[432] Consequently, Genesis 3 could, in theory, still function as a theodicy even if it is not a story about actions and events, as is also the case with e.g. Job and Ecclesiastes. "If we state the problem of 'theodicy' in the form put by the enlightenment philosopher David Hume, it is hard to see what difference it would make if Adam and Eve were actual human beings or not." [433]

Reading Genesis 3 as *history* as well as theodicy is necessary for theologians who explain and justify evil as a consequence of an action. In a dualistic cosmology (which as discussed in §1.b.2 does not appear in Jewish thought until the Hellenistic period), goodness and perfection exists by default and badness has to be artificially introduced. In such a cosmology, if badness exists in the world today, then the introduction of badness into the world was an event that happened in history.[434] Genesis 2–3 is therefore often read as the story of that event, wherein God provides humans with moral instruction, humans violate those instructions, and evil is inflicted as punishment for deviation. In contrast, however, this impulse is not evident in the Hebrew Bible itself.

> Within the Hebrew Bible itself the story of Adam and Eve is nowhere cited as the explanation for sin and evil in the world. This reference, which to us seems so natural, simply does not occur […] The Old Testament is deeply conscious of the actuality and pervasiveness of sin and evil. But nowhere within the Hebrew canon is the existence or profundity of evil accounted for on the grounds that Adam's disobedience originated it or made it inevitable. It is not clear that the Old Testament is interested in knowing or finding one universal cause or origin of evil.[435]

If discussions of the undesirable are not concerned with its origin, then something other than the origin of badness must be the means to defend the justice of God, insofar as any biblical literature is interested in doing so.

2. Explaining the Undesirable in a Tripartite Cosmology

The question of "why do bad things exist?" is framed inherently in the context of a dualistic cosmology where goodness is the default and badness is an artificial state that could potentially not exist. In a cosmology where badness (chaos) is the default, however, the reason why bad things exist

[432] "Stories of a supernatural fall have exactly the same theological purpose as the historical fall: to preserve God's goodness." Harris, *The Nature of Creation*, 143.
[433] Edgar, "Adam," 309.
[434] "If we deny the historicity of Adam, how can we explain the introduction of evil into the world in history?" Ibid., 310.
[435] James Barr, *The Garden of Eden and the Hope of Immortality* (London: SCM Press, 1992), 6.

is self-evident. Badness exists because it always exists and always must exist. The relevant question in this context is "why do *good* things exist?" Goodness is the artificial state and therefore the state with a potential explanation and alternative.

In the ancient Near East, the answer to the question of why good things exist is because the gods have made them. Things are good because the gods have declared them to be so; no other criteria are required or discussed.[436] The gods established the world according to their wisdom, which means an innate understanding of the "way things ought to be" (see §1.e.1). Consequently, no human evaluation of the gods and their decisions is possible.

> What was on trial in a person's suffering was not only his personal faith in the gods per se but also the authority of the gods over humankind. Thus in the Babylonian religion which demanded absolute submission to the deities, there was no place in society for a sceptic.[437]

Human action was likewise considered to be good or evil solely on the basis of the evaluation of the gods.[438] There was no transcendent standard of "goodness" that humans could appeal to in order to justify their actions and defend themselves against the decisions of the gods:

> The ancient Babylonians rarely looked to the gods for justice or requested that the gods recognize their innocence […] the ancient thinkers apparently had little confidence in human moral judgment, and they normally assumed that they were guilty of sin, even if they were unable to find the exact sin they had committed. Thus they had no real grounds for asking the gods for a fairer trial, since they assumed that everyone who suffered must have been guilty of something.[439]

In Mesopotamia, goodness resulted in divine blessing and badness resulted in divine displeasure. When human experience indicated the contrary, unobserved badness was inferred.

> What is at stake, in the Mesopotamian theodicy texts, is the validity of the retribution model and the notion of divinity it implies […] the retribution paradigm can accommodate many apparent exceptions to the rule on the grounds that there is such abundance of sin that no individual is likely to be innocent.[440]

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[436] "Something will be good, simply when the gods intend it to be so. On the other hand, when the gods disapprove of something, it will be considered evil. Thus it seems that the Babylonian thinkers believed that gods alone held the power to decide what constitutes good and evil. The gods' judgments are absolutely independent of human wishes or judgments. Man 'cannot be fully cognizant of God's will and intention.'" Oshima, *Babylonian Poems*, 64.

[437] Ibid., 77.

[438] "The ancient thinkers came to see Marduk and his will as being the sole foundation of their moral system." Ibid., 74.

[439] Ibid., 43.

[440] Karel Van der Toorn, "Theodicy in Akkadian Literature," in *Theodicy in the World of the Bible*, ed. Antti Laato and Johannes C. de Moor (Leiden: Brill, 2003), 59-62.

Questions about suffering in ancient literature, therefore, were not posed to question the will, actions, or justice of the gods, and consequently the answers to those questions were not intended to justify or exonerate the gods by supplying reasons for the gods' decisions.

> The righteous sufferer motif was developed not to assert the sufferer's innocence or to encourage people to reject the gods, but rather precisely to teach people the justice of divine rule, however inscrutable, and to urge them to submit themselves without question to the gods' authority.[441]

The focus of this literature is on prescribing human action, not defending divine action. "rejecting the divine order was never taken seriously by the Mesopotamian thinkers."[442]

Genesis 3 is operating in a similar context, and so if it is indeed a story about evil and human suffering—itself by no means a certainty, as we will examine in §4.e—its literary intent would still not be to defend the actions of Yahweh by explaining the offense that the humans have committed. Instead, like Job and Ecclesiastes, the literary intent would be to encourage the implied audience to trust in the wisdom and goodness of Yahweh, even in defiance of their experience. These texts, like their Mesopotamian counterparts, specifically do *not* depict the sufferers of unpleasantness as having earned their condition. Because divine justice is the default and the guilt of sufferers is presumed even if the details are unknown, a story identifying the guilt of the guilty not only adds nothing new to the discussion, but also potentially advocates the [impious] idea that divine decisions should be subject to human scrutiny and accountable to human logic (see for example the protest of Job 32:2–3). If Genesis 3 is supposed to be a rigorous intellectual affirmation of the justice of God to an implied audience potentially inclined to question it, we would expect Adam and Eve, like Job, to be explicitly depicted as innocent. The very feature of the narrative that makes it appealing for a theodicy in a dualistic frame—the [supposed] guilt of the characters—makes it useless for the same function in a tripartite ancient Near Eastern frame.

3. Theodicy and Divine Patronage

The justice and wisdom of the gods was never up for dispute or debate in the literature of the ancient Near East, and the Hebrew Bible does not deviate from this assumption. What is potentially

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[441] Oshima, *Babylonian Poems*, 76.
[442] Ibid., 76.

up for dispute or debate, however, is the integrity of Yahweh's patronage agreement with Israel.[443] As described above (§1.f.5; §2.d.5), the covenant agreement holds Yahweh accountable to human expectations in a way that is not typical of deities. In this system of divine accountability, theodicy (in the modern sense) is theoretically possible: "the problem of evil may be raised in a [religious] system in which the gods are themselves bound by a superior moral fate."[444] However, documents of the Hebrew Bible that defend Yahweh's actions against Israel (or inattention to the actions of others) by recording breaches of fidelity on the part of the Israelites are intended, not so much to prove to the sceptic that Yahweh is just, but to reassure themselves of a hope of restoration. "Israel is punished for its sin. But when Israel repents […] and God forgives Israel and restores the holy people's fortunes, then that same principle that all things match takes over."[445]

As discussed above (§3.c.2), Mesopotamian theodicy is written to extol the gods' attention to the principle of retribution; the gods will ensure that the righteous prosper and the wicked suffer. Van der Toorn argues that the retribution principle serves to legitimize the privileged position of the upper classes (the same people who produce the texts), and further that the texts and their concerns are generated in times of social upheaval when that privileged position is threatened.[446] Regardless of whether the religious traditions of the Hebrew Bible were generated by similar elites, the internal logic of the texts depicts Israel as a whole in the position of the privileged elite—Yahweh's special possession among the nations—who are experiencing the social upheaval of the exile. Biblical literature rarely depicts Israel as a righteous sufferer—Psalm 44, Lamentations 3, and Habakkuk being arguable exceptions—but nonetheless the principle of retribution is deeply embedded in the Hebrew Bible's conception of appeasement and restoration, as expressed especially in Daniel 9. The religious traditions of most of the Hebrew Bible are, in fact, doing exactly as the sufferers of Babylonian wisdom literature are advised to do; confessing any and all sins to which they might be held accountable (their own and those of their ancestors) and waiting for the deity to observe their contrition and be appeased. The covenant paradigm provides a convenient template to define their transgressions, and also a specific expectation for restoration.[447] Like the

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[443] For prophetic mistrust of Yahweh and his commitment to the wellbeing of his people, see James L. Crenshaw, "Theodicy and Prophetic Literature," in *Theodicy in the World of the Bible*, ed. Antti Laato and Johannes C. de Moor (Leiden: Brill, 2003), 245-248.
[444] Gerald L. Mattingly, "The Pious Sufferer: Mesopotamia's Traditional Theodicy and Job's Counselors," in *The Bible in the Light of Cuneiform Literature, Scripture in Context III*, ed. W. W. Hallo, B. W. Jones, and G. L. Mattingly (Lewiston, NY: Mellen, 1990), 312-313.
[445] Jacob Neusner, "Theodicy in Judaism," in *Theodicy in the World of the Bible*, ed. Antti Laato and Johannes C. de Moor (Leiden: Brill, 2003), 689.
[446] Van der Toorn, "Theodicy," 86.
[447] "The covenant between Israel and Yahweh defined in Deuteronomy forms the theological model of retribution which is used in the Deuteronomistic History as the main hermeneutical key for understanding the

Babylonian elites who hoped for a return to prosperity, Israel hopes to regain their privileged position as Yahweh's blessed and favoured people.

4. Evil, Sin, and the Law as Moral Guidance

"Sin" in the context of covenant infidelity refers to violations of the terms of Israel's patronage agreement with Yahweh. It is interesting to note that none of the prophetic indictments of Israel allude to Adam and Eve in the garden, either as a cause of Israel's tendency to disobey or as metaphorical exemplars of similar disobedience.[448] The garden story becomes relevant to Jewish theodicy only once their scriptures are opened to re-interpretation in the Hellenistic period (see §1.b.2). "Under the influence of Hellenism, people began to interpret the garden story, an internally coherent story in its original cultural milieu, in ways that subverted its original meaning."[449] The Jews of the Hellenistic period, like their Babylonian predecessors, were inclined to assign sinfulness to individuals rather than corporate groups or corporate representatives, an idea traceable back to the exilic period, as expressed especially in Ezekiel 18:20.[450] At the same time, they recognized an inclination or tendency to sin which arose from a corruption of creation and was found inherently in human nature and/or culture,[451] and which in turn could sometimes be traced to a specific individual or event in the past. *Which* individual or event, however, remained highly fluid throughout the Second Temple period,[452] including such options as Satan, Eve, Cain, Azazel, the "Sons of God," the Nephilim, antediluvian humanity, or variously designated evil spirits.[453] The idea that *Adam* was the vector of corruption and that the deed is described in Genesis 3 is also attested,[454] but is by no means the majority opinion. Further, the specific idea that sin incurs a debt is common in early Judaism, but the idea that *Adam's* actions incur a debt *which is owed by all humanity* is unattested prior to Romans and is not even clearly stated there (see §3.c excursus).[455] Adam's story often occurs

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problem of theodicy." Antti Laato, "Theodicy in the Deuteronomistic History," in *Theodicy in the World of the Bible*, ed. Antti Laato and Johannes C. de Moor (Leiden: Brill, 2003), 190.

[448] See discussion in Zevit, *What Really Happened*, 19-21.

[449] Ibid., 265.

[450] Cohen, *Maccabees*, 86.

[451] "Fallen angels, Satan, and other malevolent supernatural forces have corrupted God's creation and are responsible for humanity's inclination to sin and the apparent ascendency of evil." Ibid., 101.

[452] "The ambivalence of the book of Enoch […] indicates that in the Apocalyptic period the concept of the origin of evil was very much in flux." Russell, *Devil*, 192. See also Robert Gnuse, *Misunderstood Stories* (Eugene, OR: Cascade, 2014), 144.

[453] For a survey of sources of sin in Second Temple literature, see German, *The Fall Reconsidered*, 34-51.

[454] Seen for example in 4 Esdras 7:118; 2 Baruch 48:42-43. Zevit, *What Really Happened*, 9.

[455] Anderson, *Sin*, 118. Likewise, "Paul's understanding of the Garden story as one of original sin and fall expanded early Jewish ideas." Zevit, *What Really Happened*, 12.

as an allegory for the situation of Israel[456] rather than an explanation for the origin of human corruption in the historical past or the reason for divine disfavour towards humanity in the present.

> Judaism [is] the story of Israel, defined as those that knew God, Israel that has lost the land as Adam and Eve lost Eden, Israel that is ultimately judged and received into the world to come, also known as the Garden of Eden.[457]

The other paradigm shift that occurred in Judaism during the Hellenistic period was the redefinition of the Torah—Israel's patronage agreement with their God—as a prescriptive law that both instructed people as to how to be virtuous and delineated offenses that were worthy of punishment. The idea that God's law—as opposed to self-evidently antisocial behaviour, such as that of Cain or of antediluvian humanity—establishes the parameters for justly inflicted punishments is essential to the interpretation of Adam's story as a theodicy, precisely because his recorded action—eating a fruit—is morally innocuous in itself.[458] One such argument is often identified in Romans 5, which in turn is the basis for the [Western] Christian doctrine of Original Sin[459] and the primary warrant for reading the concept of *sin* into Genesis 3 in Christian theology, even though the word never occurs there. In order to understand this argument, and why it does not represent an authentic reading of the original literary intent of Genesis, we need to briefly examine the changes—under the influence of Greek culture—that led to the new understanding of divinely prescribed laws as establishing a guide for human virtue.

5. Athens and Jerusalem: When Torah Became Law

Greek culture of the Hellenistic period drew a sharp distinction between divine law, which is reflected in nature, and human law, which is an imperfect and inferior substitute that is nonetheless necessary to preserve a facsimile of order amid the dysfunction of the current human condition.

> According to Plato, the only regime conducive to virtue is direct rule by the gods, as occurred in a past mythological age. Drawing on Hesiod's myth of the golden age of Cronos, Plato describes an original age in which the deity himself guided the world in its course (statesman 269c-270c). […] there was no violence or predation, no war or quarrel. The life of humankind was blessed and spontaneous: the earth yielded its fruits in abundance; humans lived naked

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[456] "This quasi-historical form conceals, not entirely successfully, a retrospective on the historical experience of Israel." Blenkinsopp, *Creation*, 8.
[457] Neusner, "Theodicy," 686.
[458] "The sheer irrationality of the command […] has been read as if to mean that the slightest deviation from the slightest divine command, however devoid of perceptible ethical basis that command may be, was and must be a totally catastrophic sin." Barr, *Garden of Eden*, 12.
[459] See for example Thomas R. Schreiner, "Original Sin and Original Death," in *Adam, the Fall, and Original Sin*, ed. Hans Madueme and Michael Reeves (Grand Rapids, MI: Baker, 2014), 271. Cited Mark Reasoner, *Romans in Full Circle: A History of Interpretation* (Louisville, KY: Westminster John Knox, 2005), 43-54.

> in the temperate climate; there were no forms of government or separate possession of women and children (271d-272b). But when the cycle was complete, “the pilot of the ship of the universe … let go the handle of its rudder and retired to his conning tower in a place apart (272e). Fate and innate desire reversed the motion of the world […] Nature in its fallen (not its original) state was a place of danger and violence for unskilled humans, who had to acquire skills and resources to ensure their survival, including the ability to order their lives. While the political order is therefore a rescue from a state of chaos and disorder, it is clearly an imperfect substitute for direct guidance by divine beings, necessitated by a fall from an original golden age of law-free abundance and divine care.[460]

One of those skills is philosophy, the discipline of achieving “a comprehensive and rational knowledge of eternal reality and truth.”[461] A true philosopher-king, possessing true knowledge and true virtue, would be able to govern without the need of laws. However, “Plato recommends rule by the philosophers but is pessimistic about the dearth of experts possessing true knowledge. And so we are forced, as a second-best option, to make do with laws.”[462]

This conception stands in sharp contrast to the conception of human law in the ancient Near East, where the gods had lowered kingship from heaven in order to administer their will on earth (see §1.d.5). In the ancient Near East there was no “law” per se, there was only the authority of the king. While the king did produce “law codes”—which as discussed above (§1.f.3) are collections of legal wisdom intended to demonstrate the implied author’s understanding of order and justice—these were not the same as the written “rule of law” that governed the Greeks.

> Aristotle and others were well aware that barbarian kings also wrote laws. However, written laws in barbarian societies, according to Aristotle, “enunciate only general principles but do not give directions for dealing with circumstances as they arise. (Aristotle, Pol. 3.10.4).” […] barbarians view justice as a skilled trade (*techyn*), like medicine. In medicine, a doctor diagnoses each case based on his wisdom: it would be unthinkable to bind a doctor mechanically to match symptoms with a pre-composed treatment list. Instead a doctor (per Aristotle) examines each case according to its circumstances and by his own wisdom. For barbarians, “[in law as] an art (*techyn*) of any kind [like medicine], it is foolish to govern procedure by written rules. (pol 10.3.4)”.[463]

This description by Aristotle is accurate of the internal logic of the ancient Near East, but the Greeks did not look on this logic favourably. In Greek democracy, written law *replaces* the sovereignty of a king: “The general public perceived that Greek democracy—and specifically the “rule of law”—set them apart as a civilized race in contrast to barbarian peoples ruled by “lawless” despots.”[464]

[460] Hayes, *What's Divine*, 62.
[461] Ibid., 63.
[462] Ibid., 63.
[463] LeFebvre, *Collections*, 187.
[464] Ibid., 184.

"Lawless" in this context refers to the absence of a formally codified, prescriptive set of rules by which to determine order, propriety, and justice, to which even the king would be accountable.

In the ancient Near East, as discussed briefly above (§1.f.2), foreign peoples who obeyed a different system of government than the imperial powers who subjugated them were depicted in the rhetoric of the conquering empire as anarchic barbarians.[465] The Greeks applied the same rhetoric to the nations they conquered who preferred to subjugate themselves to the authority of a king rather than a prescriptive "rule of law."[466] Just as kingship determined the difference between the civilized and the uncivilized in the ancient Near East, law determined the difference between the civilized and the uncivilized in Greece.[467] As also was the case in Assyria, the "barbarians" would have disagreed, but their perspective of themselves is of no matter to the conquerors.[468]

In the context of the cultural melting pot of Hellenism, however, the conquered people had the opportunity to add their own contributions to the imperial narrative (see §1.b.2). "Many subjugated peoples learned, however, to 'beat their own drum'—even if they did so 'to the rhythm of the Greeks.' They learned to show how various ideals which Greece considered distinctives of civilization actually originated with themselves."[469] The conquered peoples essentially had a choice of three options for their own self-conception. Firstly, they could embrace the stigma of lawless barbarians. Secondly, they could provide an apologetic for the legitimacy of their own historical monarchical government as a valid form of civilization. Thirdly, they could endorse the pejorative Greek view of the *Persian* empire, and re-write their own history to claim that they had *always* been civilized, in the Greek sense of living under a rule of law, before the Persians conquered them.

> It was this third alternative that became a common feature of ethnic polemics throughout the subjugated ancient Near East. Not only Jews, but other conquered peoples, tended to accept the basic civilized/barbarian framework of their new conquerors while endeavoring to show that their own native institutions actually anticipated the ideals the Greeks called "civilized." In doing so, however, an essentially Greek philosophy of culture was being embraced.[470]

[465] "Kingless peoples, who are thus at the level of tribal organization or that of chiefdoms, are stereotypically depicted as "obstinate and rebellious". Because these people are loath to subordinate themselves to a king from among their own ranks, they are portrayed as being all the less willing to subject themselves to any outsider." Liverani, *Assyria*, 58.
[466] For direct polemic on central king vs central law in Herodotus (hist. 7.101-3), see LeFebvre, *Collections*, 185.
[467] See Hayes, *What's Divine*, 77-78.
[468] "Darius would roundly reject the notion that he was a "lawless tyrant." […] indeed, Greek Ionia and many other lands were made subject to him by the gods because of [his] righteousness." LeFebvre, *Collections*, 188.
[469] Ibid., 190.
[470] Ibid., 189.

Consequently, "because the 'rule of law' was one of the championed marks of civilization, subjugated people (like the Jews) had either to accept the attribution "barbarian" or defend their native law writings as *inherently* prescriptivistic."[471] In the process, the Torah of Moses, which as we discussed above (§2.d.4-5) was originally a treaty document which described a relationship and laid the foundations for a lawsuit if that relationship was violated, became a codified "rule of law" by which society would be governed. Moreso even than this, Hebrew law was proclaimed as the *source* of Greek law, because it had governed Israel long before democracy governed Greece:

> Hebrew law (as well as Hebrew wisdom) was promoted as the "real source" for the praised Greek ideals of law and wisdom […] by advancing a defence of Torah according to these terms, it is the Greek definitions of law (and wisdom) which are being applied to native writings. Thus Torah would be subjected to the likeness of Athenian law in the very process of asserting Hebrew supremacy over Athens.[472]

By adopting the Greek model of law and applying it retroactively to their own cultural heritage, the Jews of the Hellenistic period were able to defend their culture as holding a venerable pedigree of civilization. At the same time, the somewhat pejorative view of human law as a poor substitute for the law of nature written by the gods did not reconcile easily with the Jewish understanding of what the Torah was supposed to be. The Jewish lawgiver—Yahweh, through Moses—had to have produced something fundamentally different and superior to the law produced by the human governments of Greece.

6. Yahweh the Lawgiver

The gods of Greece ruled over the world order in much the same way as the gods of the ancient Near East; they were inscrutable, arbitrary, and manifested their will through the machinery of the cosmos, i.e. through nature.[473] The primary difference was that the Greeks saw nature as a guide for the highest human good, as seen in Plato's *Statesman* (see §3.c.5), and the departure from the natural animal state therefore represents a deviation from the divine will and is essentially undesirable. The ancient Near East, in contrast, located its highest human good in agriculture, civilization, and cities, as seen in *Enuma Eliš,* which is given by the gods specifically in contrast to the

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[471] LeFebvre, *Collections*, 183.

[472] Ibid., 190.

[473] "the Olympian gods are responsible for the general workings of the world […] Zeus was taken to be a divine monarch and patriarch whose virtually unchallengeable rule gives the world in general a more or less stable structure. The mind and justice of this archaic Zeus, vaguely conceived though they were, foreshadowed more articulate concepts of cosmic order." Anthony A. Long, "Cosmic Craftsmanship in Plato and Stoicism," in *One Book, The Whole Universe: Plato's Timaeus Today*, ed. Richard D. Mohr and Barbara M. Sattler (Las Vegas, NV: Parmenides, 2010), 38.

less desirable animal state of nature (e.g., in *Dispute Between Ewe and Wheat;* see §1.d.4). In the new Greek paradigm, however, Yahweh cannot be depicted in the same terms as a lawless barbarian tyrant, governing under the old models of kingship: "It would have been impossible to suppose that Yahweh gave his people a barbarian king and law collection. The torah must have always been a law code, since Yahweh certainly is a civilizing God."[474]

The solution to the problem of imperfect human law, advocated both in Judaism and later by the Romans, was to argue that their human laws were able, in theory, to perfectly mimic the divine law of nature.

> In [Plato's] *Laws*, the constitutions of real states were evaluated for their degree of correspondence with divine law and found wanting. But other writers were more sanguine about the ability of positive laws to mimic the divine natural law. Centuries later, Cicero would assert that Rome had, through the course of time and by dint of reason and long experience, developed a code of laws that measured up to the ideal standard of natural law, with the result that the laws of Rome should apply universally and permanently without change (de leg. 2.23, 3.12).[475]

Philo made similar claims about the Torah of Moses: "So perfectly does the mosaic law code meet the requirements of the Greeks that torah alone never needs amendment."[476] The inability of Greek law to produce true virtue was not an inherent defect in the concept of *law*; it was an inherent defect in the *Greeks*;[477] or, perhaps more charitably, in humans in general. A hypothetical lawgiver who was perfectly virtuous could, in theory, produce a perfectly virtuous law. Obedience to the law of the gods is the path to human virtue by definition, so a rule of law produced by a deity would naturally measure up to the standard of the natural law and be suitable to lead humans to virtue.

7. The Law and the Justice of God

When the Torah of Moses becomes recast as a perfect human law by which humans achieve true virtue, Yahweh himself becomes accountable to his own rule of law, a rule that is expected to be manifested and applied in the human world.

> It is also remarkable to find that Yahweh [in 2 Macc 3] himself is liable under torah. He is called upon as a householder accountable to answer for deposits stolen from his home […] God is no barbarian despot, but a civilized king who himself honours the law book […] 2

[474] LeFebvre, *Collections*, 203.
[475] Hayes, *What's Divine*, 80.
[476] LeFebvre, *Collections*, 200.
[477] "The Greeks are barbarians, ruled by a king without *nomoi*; but the Jews are civilized, with a *nomos*-enforcing king (Yahweh)." Ibid., 224. (supported by describing the Seleucids as barbarians in 2 Macc 2:21; 4:25; 5:22; 10:1-5; 15:2; ibid., 210).

> Maccabees shows the Jews as having a civilized, nomistic king in Yahweh—with Torah as the law code he himself observes and enforces.[478]

The idea of Yahweh being somehow accountable to humans is already inherent in the Hebrew Bible's covenant metaphor, but the idea of Yahweh being *fully* bound to the *same* rule of law that governs all spheres of human action expands the concept considerably. In order to defend Yahweh as universally abiding by his own rule of law, any record of detrimental action against humans by Yahweh either had to be reinterpreted to attribute the affliction to someone else (frequently, Satan or some equivalent),[479] or had to be reimagined in such a way that depicted the humans as lawbreakers worthy of judgment, even if the original narrative lacked either of these elements. One of these occasions was, of course, the narrative of Genesis 2–3, where Adam's disregard of Yahweh's **ṣwh* is recast as a violation of the Yahweh's law (e.g., *Apocalypse of Moses*).[480] This recasting in turn is the basis for interpreting the "command" to Adam as an expression of the universal rule of law that governs social order and human virtue, and thereby interpreting Adam's disregard as "sin." This "sin" as an explanation for all evil that preserves the justice of God represents the theological significance of Genesis 3 in its Christian reception, but the language ascribing "sin" to Adam in the Christian Bible is not found in Genesis but rather in Romans. Therefore we should now examine whether the argument in Romans is interpreting Genesis as a story about an event that explains the reality of evil in a way the preserves the justice of God.

8. Divine Justice versus Torah in Romans

The idea that Adam is being punished for sin—specifically, breaking a law or a covenant—and the subsequent framing of that idea as an explanation for evil and suffering is not unique to Romans. The *Apocalypse of Moses*, for example, is framed from the perspective of Adam and Eve explaining to their children why they all have to suffer and die.[481] The narrative recapitulates, and arguably is an allegory for, the history of Israel.[482] Accordingly, like 2 Maccabees 7, Daniel 9, and most apocalyptic literature, it ultimately assures its implied audience that God is just; is aware of their plight; and, most importantly, will eventually restore them in the resurrection. This audience, however, is concerned with the question of divine justice relative to *themselves*, suffering under the oppression

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[478] LeFebvre, *Collections*, 219.
[479] "The malignant, destructive aspect of Yahweh was subtracted from him and ascribed to a different spiritual power, the Devil." Russell, *Devil*, 183.
[480] "Sin […] takes concrete form in the breaking of God's commands." Johnson, "Life," 253.
[481] *Ap. Mos. 5-8*; Johnson, "Life," 271-278.
[482] "Adam's sin is characterized as disobedience to God's commandments and functions as the prototype of the historical transgressions of Israel." Venema and McKnight, *Adam*, 149.

of foreign rule and experiencing persecution for attempting to obey their God.[483] They are not interested in the relatively abstract questions that preoccupy modern theodicy, such as why humans before the age of accountability can suffer and die, or why the natural human condition often entails physical and mental torture that would be condemned under any virtuous human government, or why humans can die even without committing any offense that would warrant the death penalty under human law. Romans, as we will discuss further below (§3.c, excursus) includes the idea that Adam's sin had a consequence but makes no attempt to rationalize that consequence in terms of divine justice. Even Augustine, who invokes Romans 5 to debate Pelagius about why people who do not personally sin still require divine grace (via baptism),[484] is concerned with matters of ethics and anthropology, not with trying to establish a legal justification to exonerate God for the human condition.[485] Augustine's theodicy, which he presents in *de Ordine,* effectively mirrors the ancient Near Eastern wisdom convention that divine goodness and justice is beyond human comprehension. So if Paul, the implied author of Romans, is not invoking Adam to defend God's justice in the face of the suffering of either his implied audience or humanity in general, what is he actually talking about?

Paul's discussion in Romans is not about the integrity of divine justice, but rather about the integrity of the *law*. The goal of his argument is not to defend the rationality of belief in a good and powerful God despite human suffering; the goal is to persuade his implied audience to adopt (or retain) a stance of fidelity and allegiance to the Christian Messiah.[486] Because the Messiah is a human king by definition—the heir to the dynasty of David—he represents a form of human government to which his followers, also by definition, must adhere (see for example Isaiah 9:6 and its reception). This persuasion requires a demonstration that the government of the Messiah is superior to its alternatives, where "superior" is defined by the ability to produce virtue (read: order) in the human world. For Paul's implied audience, that alternative is the divine law of the Torah given by Yahweh to govern the Jewish people as described above (§3.c.5-7). In order to make this case, he appeals, not

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[483] "The apocalyptic texts emphasize the story of the fall over the story of the creation of humankind to explain the hardships and the destruction of Jerusalem and its temple. It is interpreted as an example and an effect of the protoplasts' disobedience to God's commandment on their descendants as well as their own unfaithfulness to the covenant." Venema and McKnight, *Adam*, 149-150. Cited Felipe de Jesús Legarreta-Castillo, *The Figure of Adam in Romans 5 and 1 Corinthians 13: The New Creation and its Ethical and Social Reconfiguration* (Minneapolis, MN: Fortress, 2014), 96. For this objective of apocalyptic literature in general, see for example David E. Aune, *Apocalypticism, Prophecy, and Magic in Early Christianity* (Grand Rapids, MI: Baker, 2008), 63.

[484] Augustine defends the catholicity of original sin by appealing to the long-attested practice of infant baptism, which he claims implies sin on the part of those who cannot sin themselves. See Sanlon, "Original Sin," 93.

[485] For the concern of Augustine's doctrine of grace as concerned with ethics and anthropology rather than theodicy, see for example ibid., 103-107.

[486] "Paul may fairly be described as a rhetorician whose letters reflect the goal of persuading others to his particular messianic vision," Hayes, *What's Divine.* 141.

to a commentary on the narrative of Genesis, but to the negative aspects of codified law already present in Greek philosophy.

As seen above, one of the praises of the Mosaic Law offered by Philo is that it is so complete in its perfection that it need never be changed. Immutability, however, according to Plato, is not a desirable feature of human law, because writing by its nature is limited in its scope and application:

> In both the *Laws* and the *Statesman*, Plato expresses pessimism about the ability of written law to express the divine law's immutable standards of right and wrong, owing to the former's generality and lack of comprehensiveness […] no positive human law can anticipate and issue rulings appropriate for all of the varied circumstances that require regulation and adjudication in human society. Positive law is thus inherently imperfect and perpetually in need of adjustment to the particulars of individual cases. What is a positive trait in the case of the perfect divine law—immutability—is precisely a dangerous trait in the case of the imperfect human law.[487]

The solution, therefore, is not an immutable written law inscribed by a perfect lawgiver, because the limitation of written law is found in the medium, rather than the source. Instead, an ideal law is embodied, not in a perfectly written code, but in a perfectly virtuous philosopher-king who applies the law in real time according to the need at hand: "Because right and wrong depend on the particular circumstances, it would be better to be ruled not by fixed human laws but by sages—wise humans who employ reason in continually assessing particular circumstances."[488] The philosopher-king is referred to as the "saviour" of the law:

> According to Plato, the law's inability to bring humans to their highest virtue, its inflexibility in the absence of an expert statesman, and its failure to deliver justice tailored to specific circumstances undermine its authority, rendering it in need of rescue by a saviour (*soter*, *soterion*). This rescue comes in the form of persons of discernment whose commitment to reason, the logos, and the idea of virtue qualifies them to interpret and guide the law towards its goal of virtue, thus securing its authority.[489]

In this perspective, a human law can be considered "divine" only once it is implemented by a virtuous ruler (saviour) who can perfectly embody the divine reason (logos):[490]

> Even though the law is an imperfect medium for the establishment of justice and moral virtue, its authority is secured (the law is "saved") insofar as it is interpreted and guided by those who discern the logos. By the end of [Plato's *Laws*], the Athenian stranger has shown that through reason and expertise in the political art, he is able to establish a code of

[487] Hayes, *What's Divine,* 66.
[488] Ibid., 66.
[489] Ibid., 76.
[490] "Logos is the salvation of the law and makes possible the life of virtue." Ibid., 76-77.

> positive laws which, while imperfect, may be 'saved' and recognized as 'divine' insofar as it is grounded in the intellect that would guide a divine lawgiver.[491]

Paul's synthesis in Romans is arguing from the perspective of these philosophical stances on the inherent limitations of written law.[492] Even a perfectly formulated, divinely-inscribed law of the kind imagined by Philo could not actually guide the people to virtue in and of itself.[493] The discourse of Romans describes the failure of the Torah to lead people to virtue, while also stressing that the failure was not due to a defect in the law itself or, by extension, in the lawgiver (Yahweh) who inscribed it.

> The law per se is not the problem, and presumably neither is the lawgiver […] according to Aristotle, defect does not lie in the law itself or in the legislator […] Aristotle identifies the cause of the defect as the nature of the things that law seeks to order: the realm of practical affairs […] similarly, for Paul, the Law—holy and good in itself—does not bring virtue, because it seeks to order that which is ultimately incapable of being ordered: carnal bodies and their unruly passions and desires. At the end of Romans 7, Paul despairs of his ability to achieve virtue under the law because of his corporeality ("Wretched man that I am! Who can rescue me from this body of death")?[494]

The law of Moses, like all written codified law, requires a saviour to perfect and apply it before it can be truly said to be divine. That saviour is Jesus of Nazareth, the Christian Messiah. The passing reference to Adam in Romans 5:12–14 is part of a discourse about the complicated relationship between life, death, sin, the Torah, and Jesus.[495]

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[491] Hayes, *What's Divine,* 76.

[492] "In [Paul's] references to the Mosaic Law he exploited those long-standing discourses of positive law that are marked by ambivalence: [positive law is a second-best or necessary evil]; [the positive law that rescues us from an undesirable state (a good thing) is inadequate for the inculcation of virtue (a bad thing)]; and [law is in need of a savior]. In addition, Paul draws upon more explicitly negative discourses of law, such as [law is lifeless, a dead letter]." Ibid., 141.

[493] "Paul conceded that his native constitution did not meet the criteria of divine law articulated by the natural law tradition." Ibid., 153.

[494] Ibid., 156.

[495] "In his more hostile moments, Paul draws on [the association of] written law with inflexibility and death in contrast to an animate law of nature inscribed in living souls or embodied in a king, as well as the antinomian discourse that associates law with a loss of freedom or with slavery. Paul mobilizes these negative discourses in a series of dichotomies that recur throughout his letter to the Romans: Law vs. Grace through Christ Jesus; sin vs justification; death vs life; the law of sin and death vs the law of the spirit in Christ Jesus; flesh vs spirit; slavery vs freedom; slavery vs sonship." Ibid., 154. (Ref. Rom. 8:2–24).

Excursus: Adam and Indebtedness as Theodicy in the Discourse of Romans 5

The doctrine of Original Sin holds that Adam incurs a debt of sin on behalf of all humanity, which is repaid by Christ on behalf of all humanity.[496] Neither of these ideas are explicitly presented in the argument of Romans. The idea that the work of Christ repays a debt comes, not from Romans, but from Colossians 2:14.[497] The metaphorical language depicting sin as a debt is found throughout Romans, but the argument never explicitly asserts that sin was charged to everyone's account because of Adam.[498] The concept that every human does, in fact, have sin charged to their account is found in such readings by taking "all sinned" in Romans 3:23 and 5:12 literally; this charge in turn is read as an explanation for why "death reigned from the time of Adam to the time of Moses" (NIV),[499] an explanation which in turn preserves the justice of God and provides a theodicy. Various models of the means by which death is justly dispensed to those who do not sin personally are combined with observations of sin and punishment from Genesis 4–11 in such readings to defend the assertion that nobody has ever died who did not accrue a debt of sin, one way or another.[500]

The discourse of Romans itself, however, makes a point to emphasize that sin was *not* charged to anyone's account while there was no law (Rom 5:13) and that death reigned even over those who did not sin (Rom 5:14). If the argument is trying to establish that sin is charged to every account on behalf of Adam and that nobody ever died who did not sin, these caveats seem counterproductive. The discourse also offers no explanation as to *why* those who did not sin and were not charged with sin were subject to death; the state of affairs is simply presented as a truism. Therefore the discourse also does not offer a defence for the justice of God.[501]

The rhetorical point of Adam in Romans 5 (and again in 1Cor 15:21–22) is not theodicy, but rather typology.[502] According to the economy of debt in Judaism, the one who sins is the one who dies (see §3.c.2) and conversely the one who is virtuous is the one who lives. In this economy, one practices virtue—meaning the debt is repaid—by obeying the Torah, whatever that specifically entails.[503] Paul,

[496] See for example Hamilton, "Original Sin," 205-206
[497] For connection between these passages in systematic theology, see Anderson, *Sin*, 118.
[498] Contra for example, "human beings are constituted as sinners by virtue of Adam's disobedience. His sin is reckoned to them." Schreiner, "Original Sin," 286. This position is defended by reading *kathisemi* in Rom 5:19 (NIV "made") to mean roughly the same thing as *ellogetai* (NIV "charged") in 5:13, namely as invoking the economic metaphor of sin as accumulated debt.
[499] So for example: "[Romans] 5:12cd teaches that death spread to all because all sinned." Schreiner, "Original Sin," 274.
[500] See discussion and many examples in ibid., 272-281.
[501] "Paul offers no apologetic here, nor does he defend the justice of what God has done." Ibid., 285.
[502] For New Testament typology and its use in Romans, see German, *The Fall Reconsidered*, 52-53. For typology in theology of original sin, see for example ibid., 281-286.
[503] Or perhaps more precisely, by living a virtuous life as a member of good standing in the community governed by the rule of law contained in the torah. Defining the membership of a community is the role of the

on the other hand, is about to argue that the Torah is not sufficient to erase the debt (meaning save one from death, Rom 7:7–13). Fortunately, the actions of one person (Jesus) are sufficient to provide life to those who cannot earn life for themselves, and this new economy has a precedent in the actions of one person (Adam) who brought death to those who did not earn death for themselves (Rom 5:17) and who is "a pattern [*typos*] of the one to come" (Rom 5:14, NIV). This typological relationship is lost if the strict theodicy of "the one who sins is the one who dies" is retained, because Jesus's undertaking to erase human debt is explicitly not defended by theological models of atonement as an exercise of divine justice. If Adam is a type of Jesus, the death that results from his actions must be unearned, by definition, because the results of Jesus' actions are also unearned: "We receive alien guilt in Adam but alien righteousness in Christ."[504] If Adam supplies a theodicy, the death that results from of his actions must be earned, also by definition, because merit is the proof of justice. The language of typology, the explicit mention of sin not charged to anyone's account and of death for those who did not sin, all presented in a context whose main rhetorical point is that forgiveness of debt cannot be earned, collectively suggest that the emphasis of the discourse of Romans 5 is on typology rather than on theodicy.

d. Structure and Argument of Genesis

1. Metanarrative and Salvation History

As discussed above (§3.b), Genesis 2–4 is not a story about actions and events and their consequences; it is a story about the interrelationships between various concepts described and explored through use of a narrative frame. Those concepts and interrelationships are not "evil" juxtaposed with the "justice of God;" in other words, Genesis is not a theodicy (see §3.c). We will discuss what the concepts under discussion are in extensive detail below (§4). Before that, however, in order to understand what is being communicated, we need to pay attention to how the narrative frame is structured.

Narrative readings of Genesis 2–4 almost always operate with the assumption that the narrative—specifically the pericope involving the serpent in chapter 3, often subtitled "the fall"—serves as the

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torah in the "New Perspective on Paul," which is fully compatible with our reading but is beyond the scope of this study. Hayes' analysis of the motives of the [historical] author of Romans and Galatians ("Paul"), on the other hand, asserts that he sees the Jewish community as defined by genetics and wants to restrict the use of the torah to ethnic Jews. See Hayes, *What's Divine*, 141-151.

[504] Schreiner, "Original Sin," 287.

exposition and inciting incident[505] for a *metanarrative* whose plot arc spans the entire biblical canon,[506] the entire Old Testament, the entire Pentateuch,[507] or the entire Primordial History[508]—or all of these at once, in respective layers. In postmodern parlance, "metanarrative" means something akin to "worldview" and refers to an overarching conceptual framework that serves to orient the various narratives that a culture uses to describe itself and the world in general.[509] That is not the sense in which we are using the term. Instead, we are using the term as it is used in the context of comic books and television shows; that is, a "metanarrative" is a story arc that advances in the background of a series of smaller story arcs. For example, the book of Kings is a metanarrative—a story about Israel's path to exile—that carries on in the background of smaller narratives about Solomon, Elijah, Ahab, and others, each of which also stands as a story in itself. The upshot of this definition is that a metanarrative has a *constructed literary structure*. So, for example, if we examine the popular purported canon-spanning metanarrative of "salvation history," we see a clearly defined narrative structure: a prologue or "exposition" (the creation in Genesis 1–2); an inciting incident ("the fall" in Genesis 3); an escalating conflict or "rising action" (typically, conflict between God and/or God's people and the nations and their gods, the forces of chaos, and/or the devil); a climax (the incarnation, crucifixion, and/or resurrection); and a *denouement* (the advancement of the Kingdom in the New Testament and beyond, up to and including the eschatological battle in Revelation 20). Of course, not all metanarratives must follow this specific five-act structure—other structures are possible, such as chiasm—but the point is that there *is a structure* of some kind. That structure is what we are referring to as a *narrative arc*. When we say that Genesis 3 is not part of a metanarrative, then, we are not saying that it does not participate in a series of underlying cultural assumptions, or that it does not attempt to advance a particular view of the world. We are saying instead that it does not begin to tell a story that will be picked up in a later section of the book or canon.

At the same time, we are also not suggesting that Genesis 2–4 is literarily isolated from the rest of the book, such that it could be effectively read as an independent document. Genesis is not an anthology—there is literary unity in its composition—but that unity is not created by a narrative structure running throughout. We can perhaps think of the various literary units of Genesis as pieces

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505 For explicit comparison of Genesis 3 to the "exposition" act in the narratives of popular literature, see Hamilton, "Original Sin," 190-191.
506 See for example Craig G. Bartholomew, *Introducing Biblical Hermeneutics* (Grand Rapids, MI: Baker, 2015), 51-84.
507 See for example John H. Sailhamer, *The Pentateuch as Narrative* (Grand Rapids, MI: Zondervan, 1992).
508 See for example Tremper Longman and John H. Walton, *The Lost World of the Flood* (Downers Grove, IL: InterVarsity, 2018), 100-111.
509 See for example Brown, *Scripture*, 44.

of a jigsaw puzzle. The puzzle cannot be appreciated without looking at all the pieces together, but each piece is also *self-contained*. When we try to discover the literary unity of Genesis, we should examine how the various pieces fit together, as opposed to the common practice of isolating bits of various pieces and trying to draw connections between them. For example, in order to connect Genesis 3 narratively and thematically to the next segment in the salvation history metanarrative (e.g., Genesis 12), interpreters are required to break Genesis 2–4 apart into a series of smaller, more-or-less isolated subunits. Sometimes chapter two is read together with chapter one as "the creation story;"[510] chapters two and three are often read together as "the Eden story," isolated from chapter four;[511] chapter four is normally read by itself,[512] but sometimes Genesis 4:17–26 is read together with chapter five as the account of the antediluvian period.[513] Some interpreters are additionally inclined to see thematic parallels in chapters three and four,[514] but this does not usually extend to reading narrative progression between them.

In contrast, we will propose that Genesis 3 is part of a unified and more-or-less self-contained structure that runs from Genesis 2:4–4:26.[515] We say "more or less" because no literature is read in a vacuum, and this is especially true for the Hebrew Bible, where the meaning of words and significance of ideas is often accessible only by comparing those words and ideas to appearances in other contexts. This project consequently assumes a high level of synchronicity in the putting together of the Hebrew Bible; for example, we assume that the covenant with Abraham, Isaac, and Jacob means roughly the same thing to the implied author of Genesis as it does to the implied authors of (say) Deuteronomy and the Deuteronomistic History, and further that this idea is implicit in the Primordial History even though it is never directly mentioned.[516] At the same time, we assume that the unit of Genesis 2–4 has its own themes, message, narrative structure, and literary purpose that can be understood without importing details or plot points from the preceding or following material; this is what we mean by "self-contained." The purpose of this thesis is to examine the

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[510] For this position see German, *The Fall Reconsidered*, 80; Noel Weeks, "The Fall and Genesis 3," in *Adam, the Fall, and Original Sin*, ed. Hans Madueme and Michael Reeves (Grand Rapids, MI: Baker, 2014), 293; Anderson, *Genesis*, 198-200: "the final editor of the Bible clearly intended these two stories to be read together." (quote on 200).
[511] See for example Tryggve N. D. Mettinger, *The Eden Narrative* (Winona Lake, IN: Eisenbrauns, 2007).
[512] So for example, "With chapter 4 there is a new story, and even though there are enough elements in common with chapters 2-3 that it is generally attributed to the same author, most scholars do not include it within the discussion of Genesis 2-3." Van Seeters, *Prologue*, 107.
[513] See for example Longman and Walton, *The Lost World of the Flood*, 122-128.
[514] See for example W. M. Clark, "The Flood and the Structure of Pre-Patriarchal History," *ZAW* 83 (1971), 196-197; German, *The Fall Reconsidered*, 80; Van Seeters, *Prologue*, 140.
[515] For Gen 2:4–4:26 as a unified text, see Duane Garrett, *Rethinking Genesis* (Grand Rapids, MI: Baker, 1991), 188.
[516] "The themes and language of Deuteronomistic religiosity pervaded much Israelite religious discourse in the exile and beyond." Carr, *Reading the Fractures*, 158.

literary intent of the self-contained unit of Genesis 2–4 and to discover what it contributes to the book of Genesis. We will begin by examining the *tôlēdôt* formula that demarcates all of the literary subsections of Genesis, to demonstrate that this section is indeed intended to be read as a single, more-or-less independent literary construction.

2. The tôlēdôt *Formula*

The narratives of Genesis are famously punctuated by the phrase *ʾēlleh tôlēdôt*, translated “this [is] the account” (NIV) or “these [are] the generations” (KJV). Two important observations about the *tôlēdôt* formula drive our conclusions. The first is that whatever purpose the formula serves, it has been utilised intentionally by the redactor. The *tôlēdôt* headings are not rote vestiges from earlier redaction layers and are not scattered haphazardly by incompetent editors. The second observation is that the phrase, whatever it signifies, is idiomatic. Etymologically, *tôlēdôt* derives from **yld* and refers to giving birth. When read literally, the term *tôlēdôt* functions as the heading for a genealogy, as seen in every occurrence of the term outside of Genesis.[517] However, many of the *tôlēdôt* headings in Genesis are not followed by genealogies, and in Genesis 2:4 the referent of the phrase *ʾēlleh tôlēdôt*—"the heavens and the earth”—is not something that *can* have a genealogy, technically speaking. Grammatically, the phrase *ʾēlleh tôlēdôt* is a verbless clause, which commonly functions as a heading,[518] and is an organizing principle of the book.[519] From a narrative standpoint, the headings represent a shift in focus, indicating that the previous story has ended and a new story is beginning.[520]

In theory, the individual *tôlēdôt* sections could represent isolated tablet sources, each composed independently and later compiled by a redactor into an anthology.[521] While this would perhaps be convenient, there is little evidence to support it, and the *tôlēdôt* heading itself does not constitute evidence for such a compositional history. Most source critics instead contend that the *tôlēdôt* headings were added to punctuate a reorganization of existing material.[522] *How* the *tôlēdôt* narrative breaks got there is not especially important; for our purposes, we are more interested in the

[517] Exod 6:16, 19; 28:10; Num 1:20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42; 3:1; Ruth 4:18; 1Chr 1:29; 5:7; 7:2, 4, 9; 8:28; 9:9, 34; 26:31.
[518] Matthew A. Thomas, *These are the Generations: Identity, Covenant, and the 'Toledot' Formula* (New York, NY: T&T Clark, 2011), 37.
[519] Ibid., 38.
[520] “The formula occurs at junctures where there appears to be an abrupt break in the subject of the narrative or a change of genre.” Zevit, *What Really Happened*, 78.
[521] For an argument to this effect, attributed to P.J. Wiseman and R.K. Harrison, see Garrett, *Rethinking Genesis*, 94-96. For a more nuanced version of this hypothesis, featuring eleven “*tôlēdôt*” tablets heavily supplemented with narrative material, see ibid., 96-106.
[522] See for example Carr, *Reading the Fractures*, 73-75; 93-101.

narrative purpose they serve by being put in place. Specifically, we are interested in whether the narrative break is intended to be sharp enough to interrupt any (hypothetical) broader metanarrative structure throughout Genesis.

On the one hand, the unity of a redacted composition does not in itself imply an overarching narrative structure. Unity can instead be achieved by literary elements such as common themes, recapitulated story elements, or parallel narratives. An example of this is found in Judges 17–21, which consists of a series of micronarratives punctuated by the statement "in those days Israel had no king" (Judg 17:6; 18:1; 19:1; 21:25). While not exactly parallel to the *tôlēdôt* structure in Genesis because the phrase is not always a heading, these stories—Miciah and his idols, the migration of the tribe of Dan, and various conflicts involving the tribe of Benjamin—are unified by the common theme of Israelites behaving badly in the absence of centralized government, not by an overarching plot that runs through all of them, or even a continuation of the cyclical metanarrative of apostasy and deliverance that comprises Judges 1–16. We propose that the *tôlēdôt* sections in Genesis are similarly unified by parallelism—for example, parallel wife-sister narratives in Genesis 20 (the *tôlēdôt* of Terah) and Genesis 26 (the *tôlēdôt* of Isaac)—and by repeated recurring themes (i.e., barrenness in wives or preference for younger siblings), and not by a metanarrative structure. It is further worth noting that even most interpreters who are inclined to read metanarratives into the Genesis material nonetheless see at least two isolated structures: the "Primordial History," which begins in either Genesis 1:1 or 2:4 and runs through Genesis 11:27, and is normally read as a story about the progression of sin into the world; and the remaining "ancestral narratives," which are read as a story about the rise to prominence and divine favour of Israel's patriarchs.[523] This reading inserts a hard break and a shift in narrative focus between Genesis 11:26 and 11:27, with the two separate subsections united by thematic continuity rather than metanarrative structure.[524] What we are proposing is that, rather than being divided into two distinct subsections, Genesis is actually divided into eleven, respectively beginning in Genesis 1:1; 2:4; 5:1; 6:9; 10:1; 11:10; 11:27; 25:12; 25:19; 36:1; and 37:2.[525] The *tôlēdôt* formula thus *always* serves the divisive function that it is commonly assigned in Genesis 11:27, though we will argue below (§3.d.3) that Genesis 11:27 entails a shift in literary strategy as well as narrative focus.

Genesis is therefore not an anthology of eleven different and unrelated stories glued together. There is a progression and a literary intent throughout the composition, but that progression does not take

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[523] See for example Gordon J. Wenham, *Story as Torah* (Grand Rapids, MI: Baker, 2000), 27-41; Garrett, *Rethinking Genesis*, 122-123.
[524] For parallel themes between the Primordial History and the ancestral narratives, see Wenham, *Story*, 27-28.
[525] See Thomas, *Generations*, 42-47.

the form of a continuous narrative structure. The point is not to argue for disunity in Genesis, but instead to emphasize that the story, themes, and ideas presented in Genesis 2–4 are more or less contained to that narrative segment. This is most significant in the discussion of the relationship between Genesis 3 and 4, which are traditionally read as separate narrative structures, but also significant in limiting the inferences and theological themes that are often located in Genesis 3 based on supposed connections to other biblical narratives.

3. Deconstructing Order: Structure and Argument of the Primordial History

As established in the introduction (§0.b.4-5), we propose that the literary intent of the Primordial History is subversion, designed to deconstruct presentations of order-bringing institutions found in Mesopotamian literature, with the ultimate objective of offering the covenant with Yahweh as the desirable alternative. This literary/cultural exercise would be especially meaningful for a Judahite community in exile, who are the implied audience of the deconstruction (see §3.a), since their identity as a people is under threat through the potential of assimilation into Babylonian culture. "Acts of subversion are closely connected to the perceived necessity of rebellion against hegemony. That is: subversive acts are the attempts of the dominated to resist domination by a hegemonic power."[526] The devaluation of Akkadian conceptions of order is not merely an exercise in abstract philosophy; it is an attempt to assert the superiority of their own culture heritage and identity over that of their dominators.

Most interpreters see the Primordial History as an escalating collapse of order.[527] Instead, we have argued that the narrative segments are not intended to be read as a single literary progression, escalating or otherwise. The various order-producing concepts under discussion are non-systematically valued and devalued, in order to subvert the worldview they represent while also affirming them in themselves as important elements of the world order worthy of preservation. Continuity therefore exists between the segments, as each one negatively evaluates a concept or idea that the previous section presented more positively.

The deconstruction sequence begins in Genesis 1, where we see a fundamental departure from comparative cosmogonies in the absence of a divine revolt—or, less strongly, divine dissatisfaction with their quality of life—preceding the creation of humanity in order to rectify the dysfunction. As discussed above (§1.e.2), order in the ancient Near East is anthropocentric, and cosmogonies are

[526] Crouch, *Israel*, 16-17.
[527] See for example Paul M. Gould, "Genesis and the Problem of Evil," in *The Cambridge Companion to Genesis*, ed. Bill T. Arnold (Cambridge: Cambridge University Press, 2022), 285.

always written with humanity as their primary focus. The creation of humans is therefore always the high point and literary focus of any cosmogony, so the details surrounding this occurrence will be the most meaningful. Humans in Genesis 1 are created with a godlike ontology and the ability and commission to perform divine functions, which is represented by the "image of God."[528] In contrast to *Atrahasis* and *Enuma Eliš*, humans are not an improvised solution created to resolve political unrest in the pantheon.

In the *tôlēdôt* of the heavens and the earth (Gen 2:4–4:25), as we will discuss in detail below, humans are not endowed with godlike ontology from the beginning (see §4.e.8) and the narrative does not think very highly of humans being like the gods, whether that likeness entails divine intelligence (see §4.c.4-6) or divine immortality (see §4.b.7). On the other hand, the narrative does take a positive view of family and human reproduction as a means by which life—and by extension, order—can be preserved on the earth (see discussion in §4.a.2; §4.e.4; §4.f.5).

The *tôlēdôt* of Adam's family (Gen 5:1–6:8) does not think very highly of human fecundity, citing marriage and the multiplication of humans on the earth as the inciting incident for the undesirable conditions it describes (Gen 6:1). The narrative follows *Atrahasis*, where the increasing noise of humanity irritates the gods, and like *Atrahasis* it offers a positive view of inflicting duress on the humans as an order-bringing corrective, up to and including wiping them out.

The *tôlēdôt* of Noah (Gen 6:9–9:29) also follows *Atrahasis* as it observes that wiping out humanity was not a good idea after all. In order to prevent the antediluvian conditions from repeating themselves, Genesis departs from *Atrahasis* (which presents limited lifespan and infant mortality as the solution) and instead delegates the administration of order and justice on the earth to humanity, represented by the talionic repayment of the shedding of blood (Gen 9:4–6). Since administering justice is the primary duty of kingship (see §2.a.2), this duty represents the inauguration of government, which is an institution of order above and beyond the generic "civilization and cultivation" that was established in Genesis 4. Government—both political structure and the population it oversees, whose appearance is anticipated by the reproductive blessing (Gen 9:1, 7)—is the institution which this section views positively.

The *tôlēdôt* of Shem, Ham, and Japheth (Gen 10:1–11:9) does not think very highly of human political and administrative efforts. The narrative includes a direct attack on the ideology of *Enuma Eliš*,[529] which locates the establishment of order in the building of the city of Babylon and the temple

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[528] John T. Strong, "Israel as a Testimony to YHWH's Power: The Priests' Definition of Israel," in *Constituting the Community*, ed. J. T. Strong and S. S. Tuell (Winona Lake, IN: Eisenbrauns, 2005), 97.
[529] For this comparison see Frahm, *Babylonian and Assyrian Text Commentaries*, 364-368.

of Marduk with its ziggurat, with the ultimate literary objective of celebrating the Neo-Babylonian empire as the centre of the world order. *Enuma Eliš* is recited at the Babylonian *Akītu* festival, which as described above (§2.d.2) symbolically collapses the world order and immediately reinstates it with the re-affirmation of the lordship of Marduk and the Babylonian king, thereby celebrating the divine sanction of human government and its successful establishment of order on the earth.[530]

Genesis 11:1–9 climaxes the deconstructive activity of the Primordial History by attacking the highest point of its contemporary ideology: "political and religious unity under the banner of Marduk are thus thoroughly deconstructed."[531] This final act of devaluation creates an empty playing field in which the implied author's alternative can be presented, which, after a brief transition with no narrative content (the *tôlēdôt* of Shem) begins with the *tôlēdôt* of Terah and the narrative account of Abraham.

The Primordial History is therefore fundamentally concerned with the establishment of order,[532] not the establishment of evil and sin. All of the institutions established throughout the narratives are good, in the sense that they are better to have than not. At the same time, the negative spin placed on each in turn is not identifying or tracing the progress of evil; it is devaluing contemporary fundamental cultural institutions relative to the institution of the covenant, the story of which Genesis is ultimately written to tell.[533]

4. The Pentateuch as Treaty Prologue

If the narratives of the Pentateuch were found on a tablet dug out of a library, archive, or temple, they would be read as having the same genre and literary intent as the Hittite vassal treaties described above (§2.d.4). While it is not unreasonable to suppose that tablets of this kind—the inscriptions placed in the ark (Exod 25:16) or the foundation documents discovered by Josiah (2Kgs 2:8)—could have been among the sources of the Pentateuch, the transcription, compilation, and circulation of those documents as the sacred history of a people changes the genre and literary

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[530] "The Babylonian Akitu does exemplify a cosmogonic New Year's festival; through its rites, the Esaglia temple, and hence the world, are symbolically razed, purified, and re-created; kingship, and hence cosmic order, are abolished and renewed." Benjamin D. Sommer, "The Babylonian Akitu Festival: Rectifying the King or Renewing the Cosmos?," *JANES* 27 (2000), 85.
[531] Frahm, *Babylonian and Assyrian Text Commentaries*, 367.
[532] "[the primordial history draws] together the primeval stories into a broader theological concept, one focusing on the emergence of a stable natural, agricultural, and corporate order through the interaction of god and humans." Carr, *Reading the Fractures*, 235.
[533] "[The primeval history] assumes the function of a large exposition or a prologue to the upcoming story of Israel, which starts only in Gen 12 with the patriarchs." Bauks, "Rhetorical Features and Characteristics," 100-101.

intent of the redacted composition. The book of Genesis, in its stabilized form, was not produced to sit before the gods as a symbol of a legal obligation between political entities and stand as evidence in a divine lawsuit. Treaty documents were not semiotic objects created to communicate, but the texts that became the canon of the Pentateuch were. Therefore, we must speculate what the compilers of the Pentateuch hoped to achieve by recalling the narrative depiction of Israel's political subjugation to Yahweh, and how the deconstructive and subversive project of the Primordial History assists in that objective.

As discussed above (§3.b.4), narrative prologues of treaty documents do not record events in history; instead they define the nature of the relationship between the relevant parties. When the Pentateuch recalls the (revised) history of the treaty narrative in Exodus, Numbers, and Deuteronomy, it is establishing the relationship and the obligation that relationship imposes upon its implied audience—namely, the people of Israel in or just beyond exile. Through this relationship, Israel as a nation gains a special privileged status among the nations that surrounded them and subjugated them:

> The question of the day was: "As a province under Persian rule, who are we?" […] they defined the nation as a testimonial to Persia and the other foreign powers with whom they were forced to live of YHWH's power and sovereignty over chaos. […] Undoubtedly this definition of Israel served as a source of strength and pride for the nation, for it gave them a universally important role in the scheme of things. It also supplied them further with hope of eventual victory, despite the events of the last 150 years and their present loss of autonomy.[534]

With this claim to distinctiveness came the essence of the nation's identity: "The core of Israel's claim to distinctiveness is her special relationship to her God."[535] It is identity, not history, that is fundamentally the subject of the Hebrew Bible's literary intent, in both its narrative and non-narrative presentations:

> [The genealogies of the Primordial History] both create and comment upon human networks forged by kinship, by shared cultural traits, and by geographic proximity. Furthermore, if we think about their impact in the broader plot of Israel's history in the Pentateuch, it is clear that they function as identify-forming texts.[536]

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[534] Strong, "Israel," 105-106. Strong locates P in the Persian period, but the same basic question is applicable to redactors other than P (whenever they may have worked) and is equally relevant to Israel under Babylonian or Greek rule.
[535] Peter Machinist, "The Question of Distinctiveness in Ancient Israel," in *Essential Papers on Israel and the Ancient Near East*, ed. F. E. Greenspahn (New York, NY: New York University Press, 1991), 429.
[536] Mandell, "Genesis," 143.

The Primordial History is therefore the prologue to a story that told the people of Israel who they were. That story includes the idea that Israel is better off than anyone else—achieved through various polemics against and comparisons to other nations—despite their marginalized political status and (eventual) persecution. By placing the covenant at the centre of the world order, Israel—as the unique special beneficiaries of that relationship—gains a status above all other nations, most explicitly above their rulers and/or oppressors. The deconstruction project of the Primordial History establishes the covenant as the centre of the world order by meticulously devaluing other institutions of order that could potentially compete with it. We now turn our attention to the details of how that deconstructing objective is carried out in the "*tôlēdôt* of the heavens and the earth."

§4. Presenting the Undesirable in Genesis 2–4

a. Genesis 2 as a Chaotic Precreation State

1. Statements of Negation

"The Yahwist's story is not a story of a "fall" from original perfection at all. Quite the contrary, it is a story about continuously improved creation."[537] We have already discussed the common idea that Genesis 2 and its garden depicts an idealized state of pristine established order (§2.b; §2.c.5). This section will examine the alternative. To summarize: we propose that Genesis 2 depicts a chaotic state where order has not yet been established, and that the narrative of Genesis 2–4 entails gradually replacing that chaotic state with various manifestations of order, while simultaneously devaluing those manifestations to promote covenant by way of contrast.

Genesis 2:4–5 begins with a series of negations, which as discussed above (§1.d.1) establish a chaotic condition: no shrubs, no plants, no rain, and no-one to work the ground.[538] There is no need to try to locate this condition relative to the creation account in Genesis 1, because the *tôlēdôt* formula in Genesis 2:4a has shifted the narrative focus. Genesis 2 is not a story about the events that brought plants and humans into being; it is a story about what humans are supposed to be doing—relative to plants, in this case—and so the introductory negations do not locate the narrative in space and time.

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[537] Batto, *Slaying the Dragon*, 45-56.

[538] For comparison to negations in ANE creation stories that end with the creation of humans, see Wallace, *The Eden Narrative*, 68-69; Theodore Hiebert, *The Yahwist's Landscape* (Oxford: Oxford University Press, 1996). 33-34; Gnuse, *Misunderstood Stories*, 48.

Instead, the negations indicate which things will be established by the time the narrative is concluded.[539]

Theoretically, the chaotic condition described in Genesis 2:4–5 can be argued to be rectified by the actions described in Genesis 2:15, where God places the man in the garden to work. So, has Yahweh *now* done everything he intended to do? As discussed above (§2.c.5), the state of working as a keeper in the garden of God is not a good candidate for the final form of order, because no attempt to reinstate it is ever made after it is lost. Even within Genesis 2 itself, however, we see that this state is not ideal because it is followed by several further statements of negation. These we will now briefly examine.

2. Solitude and its Solution

In Genesis 2:18, Yahweh observes that "it is not good for the man to be alone." This undesirable condition is resolved by Yahweh over the course of Genesis 2:19–24. Divine agency in correcting a negation state indicates that Eve somehow embodies an institution of order (§1.d.3), and as discussed in §3.d.3 we propose that this institution is presented positively throughout the entire *tôlēdôt* segment of Genesis 2–4. The full details of this trajectory are unfortunately beyond the scope of this study, which is focused on how Genesis 2–4 presents the things it finds undesirable. Nonetheless, in order to defend the idea that order is not fully established in Genesis 2:24, we will briefly speculate as to the order-bringing institution represented by the creation of Eve, which we assert to be the institution of the family.

"Family" can potentially refer to a number of different social structures, including the nuclear family, the extended family, and the tribe or clan. The "family" of Abraham will eventually grow to encompass all of these, and each of them has its own role to play in preserving social order.[540] The nuclear family (parents and children) is responsible for producing offspring, transmitting cultural values, and ensuring veneration of ancestors.[541] The extended family (grandparents, aunts, uncles, cousins) is responsible for managing property, for ensuring the survival of related bloodlines through levirate marriage, for redeeming persons, and for avenging blood.[542] The clan is a resource for

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[539] "In the garden story the beginning is characterized by a want or need: the earth has not yet a human to till its soil, and a human has not yet the earth to live on and from. At the end of Genesis 3 both lacks are removed." Becking, "Signs," 26.

[540] For in-depth discussion see Naomi A. Steinberg, "Family, Clan, and Tribe in the Book of Genesis," in *The Cambridge Companion to Genesis*, ed. Bill T. Arnold (Cambridge: Cambridge University Press, 2022).

[541] Victor H. Matthews, "Marriage and family in the ancient Near East," in *Marriage and Family in the Biblical World* ed. Ken M. Campbell (Downers Grove, IL: InterVarsity, 2003), 16.

[542] See Launderville, *Piety and Politics*, 122.

endogamous marriage, is the basis of military conscription, and is the agency of local government.[543] Family also provides a conceptual *model* for social interactions at all levels:[544]

> The king was regarded as no more than a householder on a larger scale, his household being the aggregate of households that made up political society. The population of the state was his household and the territory within its borders the household land.[545]

The inauguration of family can perhaps therefore be seen as the inauguration of all social structures and relationships.[546] Genesis 2–4 is nonspecific about which of these order-producing functions it is inaugurating, so we should probably assume that it to some degree entails all of them. Because the characters represent a nuclear family, however, the pericope especially emphasizes the social functions of reproduction and memory (see §4.f.5).

We propose therefore that Eve essentially embodies all social relationships, not merely sexual relationships and marriage. 1 Corinthians 6:16 interprets “become one flesh” (from Gen 2:25) as “have sex,” but “other references to flesh (*basar*, e.g. Gen 37:27; Neh 5:5) do not suggest a reference to sex, but to forming one family unit that replaces the one into which one was born.”[547] What was not good for Adam not to have, that he lacked when he was alone, was a family.[548] The institution of family is threatened by the destiny of chaos declared in Genesis 3, but it nonetheless endures as the humans successfully procreate—explicitly with the assistance of Yahweh—in Genesis 4:1. The institution is disrupted by evil when Cain kills Abel, but is later restored with the birth of Seth, also explicitly with divine assistance (Gen 4:25). All of these features—divine inauguration in response to an absence and divine preservation against the disruption of chaos or evil—are indicative of a valuable order-producing institution which the narrative is presenting as desirable.

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[543] Matthews, "Marriage," 3-4.
[544] For family as a metaphor for the interaction of great world powers, see Liverani, "The Great Powers' Club," 18.
[545] Raymond Westbrook, "International Law in the Amarna Age," in *Amarna Diplomacy*, ed. Raymond Cohen and Raymond Westbrook (Baltimore, MD: Johns Hopkins University Press, 2000), 29.
[546] “In terms of the patrimonial household model, in particular, it can be argued that, in the ancient Near East, familiar household relationships, born of personal ties of kinship and master-slave association, provided the rules for all social interaction—rules that themselves emerged out of the social interactions generated within the smallest viable social unit, namely, the household […] the global order, in the form of social complexity, emerges from local rules […] and the household model that provides the local rules can be seen as a fractal pattern that is replicated on every scale throughout the whole system.” J. David Schloen, *The House of the Father as Fact and Symbol* (Winona Lake, IN: Eisenbrauns, 2001), 58b-59a.
[547] John Goldingay, *Genesis*, BCOT, (Grand Rapids, MI: Baker, 2020), 65.
[548] “[Genesis 2:24] addresses in mythopoeic imagery a celebrated and ongoing phenomenon in the dynamics of the human family.” Brichto, *Names*, 79. Likewise, “This verse also alludes to the formation of extended families embracing three generations in a single household that were typical of Israelite society” (Zevit, *What Really Happened*, 157); “The creation of the woman for the man puts in place the necessary component for the creation of a family” (Gnuse, *Misunderstood Stories*, 89).

Nonetheless, order is not completed with the creation of Eve. Genesis 2 concludes with a final statement of negation: the humans lack clothing, and they lack the shame that should accompany nakedness. Most interpreters, however, are inclined to read the condition of Genesis 2:25 as positive or even idyllic, so it is worth examining in detail what the state represents.

3. "Naked and Shameless" as a Statement of Negation

Theologians are often inclined to interpret Genesis 2:25—"the man and his wife were both naked (*'ārôm*), and they felt no shame (*bôš*)"(NIV)—as a positive, idyllic condition, usually romanticized with connotations of carefree innocence. Because this condition is explicitly reversed in Genesis 3:7, it is common to read Genesis 3, not as supplying something that was lacking, but as corrupting something that was both established and ideal.

When we understand the imagery associated with chaos and its connotation, however, we can see that "naked" and "shameless" are both terms of negation and absence, indicative of an undesirable precreation state, comparable to the condition in *Dispute Between Ewe and Wheat* where humans wear no clothes, walk on all fours, and eat grass.[549] The other sixteen occurrences of *'ārôm* in the Hebrew Bible are all unequivocally negative,[550] occasionally but not inherently indicating the consequences of divine wrath (1Sam 19:24; Job 1:21; Isa 20:3–4; Hos 2:3; Amos 2:16).[551] "Certainly in the ancient Near East depicting humans clothed was normative, while picturing them naked was usually linked to shame and powerlessness."[552] The image of nakedness also refers to the state of being uncivilized:

> There are some people who do not feel shame at the public exposure of nakedness. In the ancient world, this group consisted of so-called barbarians and children, who still live, to some degree, in a state of nature. They are like animals who do not feel shame at being naked. [553]

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[549] ETCSL 5.3.2, 22; Lisman, *Cosmogony*, 41.
[550] H. Niehr, "*'ārôm*," in *TDOT* 11.534.
[551] Sailhamer tries to draw a technical distinction between the word for "naked" in Gen 2:25 (*'ārôm*) and the word in 3:7, 10-11 (*'êrōm*) to argue that the former is contextually ambiguous and the latter is a technical term for divine judgment, referencing Deut 28:48. Sailhamer, *The Pentateuch as Narrative*, 102-103. '*Êrōm* refers clearly to a state of liminal existence unrelated to judgment in Ezek 16:7, 22; 18:7, 16; the other three uses (Deut 28:48; Ezek 16:39; 23:29) are unclear as to whether the act of judgment or the undesirability of the resulting liminal state is the emphasis. For connotations of captivity and deportation (though not necessarily judgment) see Niehr, "*'ārôm,*" 11.353.
[552] Nili S. Fox, "Biblical Sanctification of Dress: Tassels on Garments," in *Built by Wisdom, Established by Understanding: Essays on Biblical and Near Eastern Literature in Honor of Adele Berlin*, ed. Maxine L. Grossman (Bethesda, MD: University Press of Maryland, 2013), 94.
[553] Ronald Hendel, "Sex, Honor, and Civilization in Genesis 1–11," in *With the Loyal You Show Yourself Loyal: Essays on Relationships in the Hebrew Bible in Honor of Saul M. Olyan*, ed. T. M. Lemos et al. (Atlanta, GA: SBL, 2011), 132.

The archetype of the naked barbarian is seen in Enkidu's portrayal in *Gilgamesh.*[554] Modern readers usually prefer the child archetype for Adam and Eve, interpreting a state of idyllic innocence into the terms, but in the ancient world childhood was not romanticized: "Children … are shown naked as ideal types but also as persons who are not full members of society."[555] Even childhood nakedness carries connotations of the incomplete, rather than the idyllic; compare perhaps the English derogative "childish" in contrast to the romanticized "childlike." In context, then, nakedness is a lack of something that should exist,[556] and it is something of which one *ought* to be ashamed.[557]

> Shame is a part of civilization […] shame and the invention of clothing are steps in the transition from the state of nature to culture, distinguishing adult humans from uncivilized people, children, and animals.[558]

The next statement, that they had no shame, is consequently read by modern interpreters as somehow sanitizing the negative condition; the qualifier is supposed to establish that at this point in time nakedness is not something to be ashamed of.[559] Shame (*bôš*) is a bad thing, sometimes delivered as a punishment (e.g., Jer 2:36). When Yahweh promises that his people will not be ashamed in Joel 2:26–27, this is a good thing. So, consequently, the traditional move is to read Genesis 2:25 as saying that the lack of shame means that the condition of the humans is good. However, there are a few other passages where people are depicted as having no shame about something that in any other context should be shameful (e.g., blatant false accusations in Job 19:3; covenant infidelity in Jer 6:15; 8:12). In none of these passages does the shamelessness sanitize the undesirable condition; in all cases the shamelessness compounds the undesirable condition and makes it *worse*. This is the connotation that we should read into Genesis 2:25; the man and his wife were naked, which is bad, and on top of that they were not even ashamed of it, which is *very* bad.

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[554] 1.105-112; George, *Gilgamesh*, 5. See Fox, "Biblical Sanctification," 96.
[555] Fox, "Biblical Sanctification," 96.
[556] "'Naked' conveys an assessment of deficiency, such as defencelessness or moral impropriety." Brichto, *Names*, 83.
[557] Many interpreters interpret *shame* in a specifically sexual context to reinforce an interpretation of innocence (for example Zevit, *What Really Happened*, 158-159). *ʿārôm* never carries connotations of sexuality. See Niehr, "*ʿārôm,*" 11.354. Likewise, *bwš* "is in no way oriented to sexual shame." Horst Seebass, "bôsh," in *TDOT* 2.52. For the origin and internal logic of sexual interpretations in theology (attributed to Augustine), see Anderson, *Genesis*, 63-69.
[558] Hendel, "Sex," 132.
[558] Fox, "Biblical Sanctification," 96.
[559] So for example: "We are shamed when completely naked in the presence of our spouses. Believe it or not, our ancestors in the garden experienced no shame under similar circumstances." Zevit, *What Really Happened*, 158.

Finally, Genesis 2:25 could in theory be read as the beginning line of the next pericope, establishing the negative condition that the story will rectify.[560] Genesis 3 includes the account of how the humans acquired both shame and clothing, so the statement "the man and his wife were naked and unashamed" as a heading makes literary sense.[561] In either case, Genesis 3 will go on to tell the story of how the undesirable state of being naked and shameless is corrected, specifically by the acquisition of the knowledge of good and evil (see §4.c).

b. Immortality as an Undesirable State

1. Literary Emphasis in Genesis Versus Ancient Near Eastern Anthropogony

Working the ground is something that everyone in the ancient Near East knows humans are supposed to do, and Genesis does not contest this assumption. "According to the garden-story, the meaning of human life is to be found in tilling the acres, and not so much in dwelling in a luxury garden."[562] In *Atrahasis* and *Enuma Eliš* the activity of working the ground is referred to as "the labour of the gods"[563] because before humans were created it was the duty of the gods to do it. In these stories, humans taking over divine labour establishes the unique vocation of humans in the world order (see below §4.c.8). That vocation includes the imperative to feed and care for the gods, who no longer wish to feed and care for themselves.[564] In contrast, Genesis lacks this emphasis because no divine being is working the ground prior to the creation of humans in Genesis 2.

Other texts like the *Dispute Between Ewe and Wheat* likewise emphasize the desire of the gods to be fed, but also show the humans doing other things before they are commissioned to undertake

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[560] The disjunctive-*waw* (which introduced the serpent in 3:1) *can* serve as the introduction to a new episode, but it can also demonstrate continuity or contrast with existing material (*IBHS* §39.2.3b-39.2.4a.). See examples to this effect in Gen 40:21–22; 1Sam 1:4–5; 21–22. See also Joüon-Muraoka, §118f; F. B. Arnold and J. Choi, *A Guide to Biblical Hebrew Syntax* (Cambridge: Cambridge University Press, 2003), 93.

[561] The wayyiqtol (which begins 2:25) can indicate succession in the narrative (Joüon-Muraoka §118c), but the statement in 2:25 is not usually interpreted as an extension of the narrator's gloss in 2:24, so the sense of narrative succession is interrupted. Without implied succession, the wayyiqtol can introduce new narratives, even entire books (ibid. and note 5); see for example 1Sam 1:1; Jonah 1:1. "waw-consecutive + imperfect can introduce a new narrative or section of a narrative." Christo H. J. van der Merwe, Jackie A. Naudé, and Jan H. Kroeze, *A Biblical Hebrew Reference Grammar* (Sheffield: Sheffield University Press, 1999). 166. It is also worth noting that there is no Masoretic notation to indicate a break between chapters 2 and 3. See Georg Fischer, *Genesis 1–11* (Freiberg: Herder, 2018), 221.

[562] Becking, "Signs," 26.

[563] Respectively Lambert and Millard, *Atra-ḫasīs*, 57. Ref. I.191 ("toil of the gods"); Lambert, *Babylonian Creation Myths*, 113. Ref. VI.36 ("service of the gods").

[564] "[the gods] began to find the disadvantages of a world without humans. The toil which men had taken over […] was part of the agricultural process, and, with this interrupted, supplies of food and drink were cut off." Lambert and Millard, *Atra-ḫasīs*, 12.

agriculture and animal husbandry; specifically, they are wandering around like animals. While Genesis 2 does occasionally depict Adam in the trope of the wild man—most notably in the statement that he is naked—there is no depiction of the human crawling on all fours and eating grass before he is promoted to keeper of the garden, as discussed above (§2.d.7). In contrast, most of the details provided prior to Genesis 2:15, when the human is finally put to work, involve the location and features of Eden and its garden. This would indicate that the emphasis of Genesis 2 is not on *why* the human is doing the task or on *what* specifically the human is doing, but on *where* he is doing it.

2. Eden as Divine Space

The implied audience of Genesis probably already knows what "Eden" is, since the term is familiar enough to be used casually (in another context) in Ezekiel 28. Modern readers do not know, however, and so we are left to speculate based on details offered mostly in passing.[565] While there is no reason to assume that Eden would not have been considered a real place, despite its somewhat fantastical description[566] (as Dilmun = Bahrain also is in Sumerian literature), its literary significance is not found in understanding it to represent a foreign land. By combining details from Genesis and Ezekiel, we can identify Eden as the "mountain of God" near the source of the rivers, both iconic images that locate the setting in or near the divine realm. (For discussion of further divine imagery in Genesis 2, see §2.c.2).

A comparable image to Eden is found in the dwelling of Utnapishtim, the flood hero in *Gilgamesh*, who is taken by the gods to a divine location "where the rivers flow forth,"[567] where he is granted immortality. Like Adam in Genesis, he is placed there by the gods, but unlike Adam he is given no condition by which he is permitted to stay there. Instead, his tenure is sustained on the basis that he is "like the gods"[568] and therefore cannot live among humanity. It is interesting to note that the verb used in Genesis 2:15 to describe Yahweh "taking" Adam to the garden (*lāqaḥ*) is the same word used in Genesis 5:24 and 2 Kings 2:3 to describe the transplanting of Enoch and Elijah into the divine realm.[569] While the respective circumstances of their presence in the divine realm are different, the

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[565] For a brief survey, see Zevit, *What Really Happened*, 86-89.
[566] For an overview of speculations as to Eden's location, see ibid., 96-113.
[567] XI.205-6; George, *Gilgamesh*, 95. This island is often conflated with Dilmun (Bahrain), the source of all fresh water and where Mesopotamian humans were made. See Gnuse, *Misunderstood Stories*, 57.
[568] XI.203-204; George, *Gilgamesh*, 95.
[569] H. Seebass, "lāqaḥ," in *TDOT* 8.20. Contra Postell, who sees the verb "take" as indicative of an act of deliverance. Postell, *Adam as Israel*, 118; see also Sailhamer, *The Pentateuch as Narrative*, 100. *Lāqaḥ* is used in this sense in Deut 4:20, but there it specifies where Israel was taken *from* ("out of the iron-smelting furnace,

conditions enjoyed by both Utnapishtim and the protoplasts are essentially the same; they live in divine space with access to the tree of life, which Genesis 3:22 confirms will allow them to live forever. Thus we propose that the theme of Genesis 2–3 is ultimately less similar to *Atrahasis* and other anthropogenies than it is to the island scenes in *Gilgamesh,* in the sense that its literary focus is less about the origin and purpose of human beings and more about various reactions to human mortality and their relative merits.[570]

3. Humans in the Divine Realm

The theological reading of Genesis 2, by virtue of depicting Eden as an idyllic state, suggests that the proper human response to mortality should be a desire for eternal life in the divine realm, which humans once enjoyed, foolishly lost, and have always subsequently mourned. Modern Christian eschatology freely interchanges the divine realm ("heaven") with the human afterlife, depicting both as the highest possible state of human existence. The earliest Christian eschatology, however, located human resurrection on earth, not in the divine realm,[571] and the eschatology of the Hebrew Bible, insofar as it exists, focuses on the restoration of the land of Israel and the return from exile, which is likewise found in the human world. Human afterlife in the Hebrew Bible is conceptually indistinguishable from that of Mesopotamia and locates the dead in the netherworld (*sheol*), not the divine realm.[572] Human visitors to the divine realm include the elders of Israel in Exodus 24:9–11, Isaiah in Isaiah 6:1–4, and Moses and Elijah in Exodus 19 and 1 Kings 19, respectively. All of them are there for an audience with God, and the venture is depicted as somewhat hazardous (Exod 19:21–25; 24:11; Isa 6:5). Humans do not desire the divine realm because the divine realm is not *safe* for them.

The primary feature of the divine realm as far as humans are concerned is that humans are not supposed to be there, a feature that is also emphasized for Utnapishtim's island.[573] Because order as humans understand and value it is anthropocentric (see §1.e.2), order for humans is confined to the

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out of Egypt," NIV). Gen 2:15 in contrast does not specify that Yahweh took Adam "out of the wasteland." Gen 2:5–7 describes the earth in the absence of humanity but the text never locates the man there. Further, "The emphasis [of *lāqaḥ*] is always less on a particular concept of election than on that element of surprise associated with being taken by God out of completely different circumstances." Seebass, "lāqaḥ," 8.20. Seebass interprets God's "taking" of Adam in Gen 2:15 as "dealing with things at one's disposal" (ibid., 8.19).

[570] "Focusing of Mesopotamia as the source changes the way we read Genesis because the Mesopotamian "parallels" are concerned with human immortality." Weeks, "The Fall," 290.

[571] See N.T. Wright, *Surprised by Hope* (New York, NY: HarperCollins, 2008).

[572] See comparison in Walton, *Ancient Near Eastern Thought*, 302-303.

[573] For Utnapishtim's isle as a semi-divine, inaccessible space, see Angelika Berlejung, "Gardens, Islands and Cities in the Clouds: Spatial Utopias in the Hebrew Bible and the Ancient Near East," in *Divine Secrets and Human Imaginations* (Tübingen: Mohr Siebeck, 2021), 611.

human world. As far as humans are concerned, the realm of the gods is liminal space, conceptually similar to the sea or the netherworld;[574] it is not a place where living humans ever desire to be unless they have business there. Consequently, if anything is being depicted as desirable in Genesis 2, it is not the garden and the state of being that the humans experience there; it is immortality (via the tree of life) and the freedom from death that access to the divine realm incidentally grants.

4. Leave to Enter: Human Access to Immortality in the Ancient Near East

Humans may not want to *live* in the divine realm, but some humans do want to *access* it in order to gain eternal life. It is notably access to the tree of life, not the garden per se, that is blocked by sword and cherubim in Genesis 3:24. Theologians typically interpret God's statement to Adam in Genesis 2:17 as setting forth a test of some kind to decide whether or not Adam will be allowed to have access to the divine realm and to immortality.[575] This reading is frequently compared to the stories of Gilgamesh and Adapa, both of whom visit the divine realm and fail a test—or fail to perform a task in a circumstance that looks very much like a test—and consequently are denied eternal life.[576] What is interesting to note is that neither Gilgamesh nor Adapa wish to remain in the divine realm and live there; both are there to hold an audience with the gods. Adapa has been called before the divine tribunal[577] to answer for breaking the wings of the south wind; Gilgamesh is seeking his divine ancestor so that he can learn how to achieve eternal life and avoid Enkidu's fate in the netherworld.[578] Neither text portrays residence in the divine realm as a desirable state that the character is attempting to achieve or maintain.

The objective of Adam's "test" is commonly seen as a gauge of obedience and fidelity, comparable to Yahweh's testing of Israel in the wilderness in Deuteronomy 8:2: "to know what was in your heart, whether or not you would keep his commands" (NIV). Access to the tree of life is granted at the start, with leave to remain in the divine realm sustained indefinitely as long as the conditions of the

[574] For the gate of heaven and the gate of the netherworld being conceptually similar or potentially even interchangeable, see Izre'el, *Adapa*, 119.
[575] So for example: "Adam was created upright but put to a test, one that was meant to lead to consummate bliss and immortality." Edgar, "Adam," 310.
[576] For examples of this comparison see Mario Liverani, "Adapa, Guest of the Gods," in *Myth and Politics in Ancient Near Eastern Historiography* ed. Zainab Bahrani and Marc Van De Mieroop (Ithaca, NY: Cornell, 2004), 21; Weeks, "The Fall," 290-291.
[577] "[Adapa]'s patron god Ea instructs him on conducting himself before the divine tribunal." Jack M. Sasson, "Another Wrinkle on Old Adapa," in *Studies in Ancient Near Eastern World View and Society*, ed. R. J. Van Der Spek (Bethesda, MD: CDL, 2008), 1.
[578] X.61-90; George, *Gilgamesh*, 78-79.

test are still being met.[579] This objective and format are nothing like the tests undergone by the Mesopotamian heroes. Gilgamesh and Adapa both undergo a testing of sorts by the gods, but neither character is offered their task as a condition for maintaining something they have already been given, whether eternal life or residence in the divine realm. Further, neither are even specifically offered the chance to complete an ordeal with eternal life as a reward for success.

Gilgamesh is seeking the gift of eternal life that the gods granted to his ancestor Utnapishtim, the survivor of the flood. The gift was bestowed by the council of the gods, who convened to decide what to do with him. They had decreed that no human would survive the flood, and so they appoint Utnapishtim to divinity in order to make their decree retroactively true.[580] Utnapishtim [rhetorically] suggests that the council might convene again for Gilgamesh if Gilgamesh can stay awake for a week, but he instantly falls asleep for a week instead. Utnapishtim sarcastically observes that the arrogant man who thought he could overcome death cannot even resist sleep.[581] The objective of the test is to demonstrate a philosophical stance that humans are unworthy of the gifts and abilities that properly belong only to the gods. The human destiny of mortality is inevitable, and humans ought to enjoy the life they have while they can.

The test of Adapa is more complex because ambiguity and text variants make it unclear what exactly is happening. Adapa the sage, who has been blessed by his patron Ea with divine wisdom and secret knowledge, is summoned to heaven to give account to Anu for breaking the wing of the south wind. Before the court convenes, Adapa is warned by Ea that he will be offered the "food of death" and that he should not eat it. Anu, after hearing Adapa's confession and expressing concern about the power that he received from Ea, decides to offer Adapa the "food of life." Adapa refuses, and Anu sends him back to earth as a mortal. The nature of the test has something to do with Adapa's decision to eat or refuse the food, but interpretations vary as to which god is offering the test and what they hope to achieve. Most interpreters claim that Ea is lying to Adapa for any number of reasons, and the test is therefore whether Adapa can detect the deception, which he does not. In such readings the test is a [malicious] gauge of obedience offered by Ea.[582] Another option, however, is that the test is offered by Anu, who is concerned about Adapa's abilities as demonstrated through

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[579] So for example: "Adam's ongoing enjoyment of the 'land' is clearly contingent on his obedience to the divine commandments, a concept that is central to the Sinai Covenant." Postell, *Adam as Israel*, 118.
[580] Steinkeller, "Luck," 20.
[581] XI.213-214; George, *Gilgamesh*, 96. For sleep in this context standing for death see Izre'el, *Adapa*, 142.
[582] So for example: "It was a case of deception and faith: deception on the part of Ea, who did not give Adapa eternal life in the first place and who deliberately denied him (someone so full of faith regarding his lord's good intentions) the possibility of gaining immortality when the opportunity arose" Izre'el, *Adapa*, 120.

his injury of the south wind.[583] Has Adapa's divine wisdom made him too dangerous to be allowed on earth? Anu intends to find out.

Sasson suggests that Ea's warning to Adapa is cryptic and could be read as either "food of death" or "food [for] humans," depending on which reading is chosen for the sign.[584] In our discussion of lemmatic exegesis (§1.e, excursus) we noted that a mark of wisdom in cuneiform culture is the ability to detect layers of meaning hidden in the multivalence of signs. The specialist scholars who provide this sort of interpretation identify themselves as *apkalli,*[585] a reference to the primordial semi-divine sages (*apkallu*) of whom Adapa is the most prominent. The purpose of lemmatic exegesis was to replace divination as a means to discover the secrets of the gods.[586] If this concept is indeed in play, then the test is whether Adapa is wise enough to be able to decode Ea's warning correctly, and thereby know whether he should heed it or ignore it. Izre'el observes that Adapa's godlike power is represented specifically by his ability to use and manipulate words,[587] which makes a test of Adapa's language skills a distinct possibility. Adapa deduces incorrectly,[588] thus demonstrating that his abilities were not as formidable as Anu feared,[589] and so Anu dismisses him back to earth with a pithy comment about human frailty. Variants on the text imply that, had Adapa chosen differently, he would have received eternal life and remained in heaven as a deity,[590] as was also the destiny of Utnapishtim,[591] with his power safely removed from the earth. Whatever the specifics of the scenario, Adapa did not come before Anu seeking eternal life and did not undertake a test that he expected would grant him eternal life if it were passed. Like Gilgamesh, whose divine heroism cannot even conquer sleep let alone death, Adapa's divine wisdom either cannot discern the intent of his god or cannot discern the complexities of divine speech. In both cases, it is human limitations[592] that send the human back to earth without the benefit of divine immortality.

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[583] "Perhaps Adapa's capacity to wield the word effectively when harming the south wind was a sign for Anu that Ea had gone too far." Sasson, "Another Wrinkle," 6. Likewise, "Adapa […] served in this myth as an index to any human, not because he was too wise, but because as a human he could match his wisdom against the power of the gods." Izre'el, *Adapa*, 125.
[584] Sasson, "Another Wrinkle," 4.
[585] A. Livingstone, *Mystical and Magical Explanatory Works of Assyrian and Babylonian Scholars* (Winona Lake, IN: Eisenbrauns, 2007), 32-33.
[586] A. Lenzi, *Secrecy and the Gods: Secret Knowledge in Ancient Mesopotamia and Biblical Israel* (Helsinki: Neo-Assyrian Text Corpus Project, 2008), 120-122.
[587] Izre'el, *Adapa*, 132.
[588] "If he were guilty of any fault, it was that to the last he remained oblivious to the games Akkadian words can play." Sasson, "Another Wrinkle," 8.
[589] "[Anu is] relieved to see that human destiny has not been changed." Izre'el, *Adapa*, 119.
[590] "the possibility of Adapa's passage to divine status is suggested and is apparently realized in Fragment D when Adapa remains in heaven." Ibid., 116-117.
[591] For this comparison see ibid., 125.
[592] "The transmission of intelligence to Adapa should be regarded as a projection of this divine faculty onto humanity." Ibid., 120.

An example of an ancient Near Eastern hero who *does* pass a divinely assigned task in exchange for life (of a sort) is found in *Etana*. Etana the king of Kiš has no heir, so he prays to the god Šamaš to give him a son. Šamaš instructs him to rescue an eagle who has been trapped in a pit (by a serpent, incidentally) and demand assistance in gaining the magical "plant of birth" in exchange. The plant is located in heaven (the divine realm), and so Etana mounts the eagle in order to fly there, only to panic[593] and return to earth. He later tries again, but the text is broken so it is unknown whether or not he succeeds, though other texts report that he eventually did produce a son.[594] The test in this case, set by Šamaš, is the rescue of the Eagle, which Etana completes. Like the others, access to the divine realm is temporary; Etana is only there to retrieve the source of life, not to take up residence.

Unlike Adam, Etana's reward is not to keep something he was given. The petition to the god for life, and the terrifying journey to acquire it, are both undertaken at the hero's initiative. Gilgamesh's journey to Utnapishtim's island is equally harrowing, through mountains full of scorpion-men and across the water of death,[595] and is likewise undertaken at his own initiative. Adam, on the other hand, is placed in the divine realm with no effort on his part, and therein lies the fundamental difference between Adam and the epic heroes. Both Gilgamesh and Etana take the initiative in petitioning the gods for the life-giving resource that they have deliberately aspired to seek after. There is no recorded conversation of Adam in the wasteland either asking Yahweh for access to the divine realm or for eternal life. Human initiative and human agency change the dynamics of the relationship completely and make the contexts of what is happening incomparable.

As discussed above (§2.d.7), the lack of initiative on Adam's part also renders his situation incomparable with the situation of the people of Israel. The belief that Adam is being offered conditions to remain in the divine realm in accordance with a prior agreement with Yahweh is based on the assumed parallels between Eden and the land under the Covenant, which we discussed above (§2.d.7). In such readings, Israel was given a set of rules to follow in order to have leave to remain in the land,[596] just as Adam is [in the same readings] given a set of rules to follow in order to have leave to remain in the garden. However, as discussed above (§2.d.7), Genesis has no language indicating a patronage agreement between Yahweh and Adam that could make a test of fidelity implicit. Regardless of the objective of the test, Yahweh never tests (*nissâ*) anyone with whom he does not

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[593] "Etanna apparently abandons his flight because he can no longer see the earth's surface and becomes frightened." Wayne Horowitz, *Mesopotamian Cosmic Geography* (Winona Lake, IN: Eisenbrauns, 2011), 59.
[594] Jamie R. Novotny, *The Standard Babylonian Epic of Etana* (Helsinki: The Neo-Assyrian Text Corpus Project, 2001), xii-xiii.
[595] IX.42-X.84; George, *Gilgamesh*, 71-78.
[596] For the stipulations of the covenant presented explicitly as a test, see Exodus 15:25: "Israel is put to the test by the divine commandments." F. J. Helfmeyer, "nissâ," in *TDOT* 9.452.

already have a patronage agreement, and the tests always function in the context of that agreement.[597] Genesis therefore lacks any implicit language indicating that Adam has made a bargain with Yahweh and is subsequently being put to any kind of test. Further, it lacks any direct explicit language to this effect as well.[598] An ordeal set by a god as part of a human-initiated bargain is found in *Etana*, but not in Genesis 2. Ordeals administered by Yahweh to unwilling subjects who have made no bargains are found in Ecclesiastes 3:18 (heb. *bārar*, usually meaning *to separate*)[599] and in Job, but in neither case does the ordeal consist of rules accompanied by threats. In Job the ordeal proves the limitations of human abilities, in this case human wisdom (Job 42:1–6). In Ecclesiastes the humans are given unpleasant conditions to remind them of their fragility, that they share the same destiny as the animals: “the same fate awaits them both […] all come from dust and to dust all return” (Eccl 3:19–20, NIV). In both Job and Ecclesiastes the ordeal serves to remind the humans of a quality they always had, as we also argued was the case for Gilgamesh and Adapa, who came before the gods as mortals and left the same way.

In Genesis 2, on the other hand, the only quality acknowledged for the humans—apart from their uncivilized state—is that they are made of dust. Neither of these is given as the excuse for why the humans did what they were told not to do. While the nakedness (*ʻārôm*) of the humans is contrasted with the cleverness (‘*ārûm*) of the serpent by wordplay,[600] the pun is not included in Eve’s excuse for why she was unable to resist the serpent’s argument. Other hypothetical motives deriving from human nature (e.g., curiosity)[601] are not established by the text. Inherent human limitations are not the reason why the humans fail to refrain from eating the fruit of knowledge. Genesis 2 therefore has no thematic parallels to tests set by Yahweh elsewhere in the Hebrew Bible, and no thematic parallels to the exploits of Mesopotamian epic heroes seeking to enter the divine realm and prove themselves worthy to acquire immortality. Whatever the **ṣwh* might be (see §4.d), it does not indicate a test of obedience with leave to remain in the divine realm as a reward.

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[597] “These tests are accompanied by particular objectives or goals: to measure obedience (Exod 15:25; 16:4; Deut 8:2; Judg 2:22), instill fear (Exod 20:20), prevent sinning (Exod 20:20), discern what is in the heart (Deut 13:3[4]; 2Chr 32:31) and to ensure future prosperity (Deut 8:16). At issue here is Yahweh’s desire both to evaluate specific aspects of his peoples’ character as well as to influence and shape them.” Terry L. Brensinger, "נסה," in *NIDOTTE* 3.112. See also Cornelis Houtman, "Theodicy in the Pentateuch," in *Theodicy in the World of the Bible*, ed. Antti Laato and Johannes C. de Moor (Leiden: Brill, 2003), 158.
[598] “The Eden narrative lacks any sign that unambiguously marks the plot as a testing of human obedience.” Terje Stordalen, "The God of the Eden Narrative," in *Enigmas and Images: Studies in Honor of Tryggve N. D. Mettinger*, ed. Göran Eidevall and Blaženka Scheuer (Winona Lake, IN: Eisenbrauns, 2011), 11.
[599] Vinzenz Hamp, "bārar," in *TDOT* 2.308-309.
[600] See Sailhamer, *The Pentateuch as Narrative*, 102.
[601] Seen for example in Zevit, *What Really Happened*, 126.

5. The Inevitability of the Human Destiny

The idea that Adam has at least implicitly struck a bargain with Yahweh is based on the assumption that life in the divine realm is something he would naturally and necessarily want.[602] Theological readings of Genesis 2 usually assume that immortality is something desirable, something that humans should want to obtain, even to the point of seeing the desire for eternal life as something inherent to human nature. So, for example,

> Both *Gilgamesh* and *Etana* share the theme of a hero's attempt to reach an otherworldly space wherein the secret to eternal life—in both instances metaphorically a magical plant—can be obtained. It is not difficult to appreciate how these spaces, respectively imagined in heaven and across the sea, captured the Mesopotamian imagination and provided for it fitting outlets with which to explore man's eternal attempts to overcome the human condition.[603]

The Eden story, of course, is read as another incidence of this same [ostensibly] universal human theme. In such readings the loss of immortality is presented as a tragedy and must be explained. This assumed tragedy is the impulse for reading the story as a theodicy (see §2.b.2; §3.b.1).

For the implied author of *Gilgamesh*, though, the quest for immortality is absurd, portrayed as a kind of morbid insanity. In the course of the quest, Gilgamesh abandons his vocation of kingship, renders himself into a chaotic state as a wanderer, travels far into the liminal world, and becomes ill and exhausted. Immortality cannot be found in the human world, and even seeking after it is an abandonment of order. In a way, Gilgamesh's quest for immortality is similar to Qoheleth's quest for meaning; inherently fruitless and futile. Also like Ecclesiastes, however, the literary intent of *Gilgamesh* is not to wallow in nihilism, but to determine what is best for humans to do in their limited time allotted under the sun (read: during their time in the human world).[604] *Gilgamesh* is ultimately a story, not about why humans are mortal, but about what humans should do with their mortality. Accordingly, Gilgamesh returns to his city and decides instead to live on through his legacy as a heroic builder-king.[605] Genesis has a different idea of what humans should do with their mortality (see §4.f), but the question addressed by the story is the same. Adam and Eve do not belong in the divine realm any more than Gilgamesh belongs in the wilderness or on the island of

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[602] For comparison of Eden to things that Israel wants—the promised land and the promised restoration from exile—see for example Postell, *Adam as Israel*, 118.

[603] Abraham Winitzer, "Etana in Eden: New Light on Mesopotamian and Biblical Tales in their Semitic Context," *JAOS* 133, 3 (2013), 460-461.

[604] "I wanted to see what was good for people to do under the heavens during the few days of their lives." (Eccl 2:3, NIV; also 3:12; 5:18).

[605] Tzvi Abusch, "Development and Meaning of the Epic of Gilgamesh: an Interpretive Essay," *JAOS* 121, 4 (2001), 621-622.

Utnapishtim. Humans belong in the human world, and nothing in Genesis indicates that its implied audience is supposed to think anything otherwise.[606]

6. Death and Chaos

"Immortality" means "a lack of mortality"; "eternal life" means "never having to experience death." So what exactly is it that we are trying to avoid or escape? In the modern world, we define "existence" in terms of actions and [positive] experiences and calibrate our highest values towards maximizing those things ("flourishing"). "Death" to us means "annihilation"; an end of all action and experience and the ultimate negation of everything we value and desire. When we dream of escaping death, or hope for an afterlife, we imagine an existence wherein we will still be able to do things or feel things, or at least things that are pleasant. That is what "immortality" fundamentally means: the permanent retention of our fundamental existence and everything that makes it worth having.

The implied authors of Mesopotamian literature and of the Hebrew Bible also understand death as the final negation of everything valuable and desirable. What they value and desire, however, is not flourishing but order; specifically, the order that exists within the human world.[607] This difference in values leads to a different understanding of what is necessary to escape death, which can be demonstrated by what they hope to receive in their afterlife. Where what we fear most is annihilation or torture, what they fear most is *severance*; the loss of community, and with it the loss of identity and meaning.[608] "In the ancient world people were much more interested in the continuation of community and personhood than in theological issues involving being in the divine presence and living forever."[609] Funeral rites, accordingly, serve to retain the connections of the deceased to the community:

> The body must be buried; otherwise the ghost will have no rest and will not find its place in the community of the dead […] the dead are to be the recipients of ongoing mortuary rites, which include invocations of the name of the deceased, presentation of food, and libation of water. In this way, the dead are cared for and kept (alive) in memory. The dead may be

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[606] For the observation that immortality is never depicted as a desirable human objective in Genesis, see Zevit, *What Really Happened*, 235-236.

[607] It is interesting to note that the sufferer in *Ludlul Bēl Nēmeqi* is concerned with the restoration of his health moreso than his prosperity; see Oshima, *Babylonian Poems*, 39. Job likewise makes a categorical difference between loss of wealth (chapter 1) and loss of health (chapter 2). The former alters one's status in the hierarchy of the human world; the latter removes one from the human world entirely.

[608] "The core fear was of becoming an outcast experiencing only a disconnected loneliness, for these cultures found their identity in community. Ongoing rituals provided by the survivors would continue to sustain the deceased both with food and drink and with remembrance." Walton, *Ancient Near Eastern Thought*. 308. Cited Karel Van Der Toorn, *Family Religion in Babylonia, Syria and Israel* (Leiden: Brill, 1996), 52.

[609] Walton, *Ancient Near Eastern Thought*, 311.

> remembered as individuals up to several generations and then become part of the ancestral family.[610]

The memory of the community of the living creates a kind of afterlife. True death—the kind that the people of the ancient world really fear—occurs when the connection with the community of the living is severed, by improper burial or by being forgotten.[611]

In the ancient world, "being" is defined in terms of a place and a function within a community:

> An individual's identity emerges in a relational context where care and attention are directed to the divine, human, and natural spheres. As a symbol of the community, the person of the king [read: ruler] signifies this network of relationships that not only unites humans in a community but also links this human community with the king of the gods. A person within this community seeks to find his place on this hierarchy of relationships spanning heaven and earth. His discernment takes place with this expansive, cosmic hierarchy in mind so that he does not define himself or measure himself merely in relation to others. Nor does he see himself simply as occupying a slot on a static, wooden hierarchy that would be equivalent to assuming the identity of a "thing" rather than a person who is an agent with a role in the ordering of the community. […] It is in the creative act of coming into relationship with the community that a person realizes that authority is a divine gift empowering one to find a place and a role in the hierarchy that spans heaven and earth.[612]

"To be," at least where humans are concerned, means "to be in community." Death, as the nullification of being, is conceived in the loss of community and function, and is avoided or escaped when community and function is maintained. Of course, the same severing of the human world was also the destiny of Utnapishtim, who has been separated from humanity because he is now "like the gods." The two characters in the Hebrew Bible who do not die, Enoch and Elijah, are likewise taken away from the human world and human society, never to return. Being translated to the divine realm or consigned to the netherworld are not substantially different, as far as losing the valuable and desirable qualities of life in the human world are concerned.[613]

The state of being that death represents can be demonstrated most clearly in stories where the gods die. Gods of course cannot be physically killed, and [chthonic] gods can inhabit the netherworld while remaining alive.[614] The Ugaritic gods who die in the *Ba'al Cycle* are not annihilated, in the

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[610] Tzvi Abusch, "Ghost and God: Some Observations on a Babylonian Understanding of Human Nature," in *Self, Soul and Body in Religious Experience*, ed. A. I. Baumgarten, J. Assmann, and G. G. Stroumsa (Leiden: Brill, 1998), 373.
[611] Jean Bottéro, *Religion in Ancient Mesopotamia* (Chicago, IL: University of Chicago Press, 2001), 110.
[612] Launderville, *Piety and Politics*, 49.
[613] For the divine realm and netherworld as interchangeable in *Adapa*, see Izre'el, *Adapa*, 141.
[614] See Peter Machinist, "How Gods Die, Biblically and Otherwise: A Problem of Cosmic Restructuring," in *Reconsidering the Concept of Revolutionary Monotheism*, ed. Beate Pongratz-Leisten (Winona Lake: Eisenbrauns, 2011), Esp. 219-223.

sense of being robbed of agency and experience; they can still speak and they can still interact with each other.[615] Therefore "death" does not fundamentally represent either a voiding of agency and experience or a consignment to a specific (unpleasant) place. Instead, the "dead" gods are stripped of their status, power, station, and everything that defines their identity and their place in the community of the pantheon. When Ištar descends into the netherworld, she loses, not her "life," but her raiment, regalia, and other symbols that represent her attributes and powers.[616] "Death" for the goddess represents a state of powerlessness, during which the functions she normally patrons are absent from the earth.[617]

If death represents the loss of one's place in the ordered world, then death is conceptually equivalent to a form of chaos. The desire to escape death is therefore the desire to escape chaos, not the desire to avoid annihilation per se. Humans do not escape chaos by leaving the human world to some other place ("heaven") or in some other way ("translation"); humans escape chaos by remaining in the human world for as long as possible. A solution to chaos that preserves metaphysical existence (that is, avoids annihilation) but does not also preserve the order of the human world is not a solution at all; this is why, for example, when Atrahasis is saved from the flood, he has to bring all of human civilization with him. Eden as depicted in Genesis 2 is not a place of human order. Like heaven or the netherworld, consignment there as an alternative to death would simply trade one form of chaos for another.

7. Wisdom and the Paradoxical Phenomenon of Death

Death represents chaos, but the fear that motivates Gilgamesh in his quest for immortality ironically drives him into to the same chaotic state he is attempting to avoid. This episode illustrates the paradoxical nature of death. Death is the negation and loss of order, as it removes the victim from the human world, but death itself is also *part* of order, the destiny of humanity decreed by the gods. Going to one's death leads to chaos, but fleeing one's death also leads to chaos. However, therein also lies the solution. If fleeing death is chaos, then accepting death is order. Order in turn gives nothing to fear, and so the need to flee is gone. The solution of the sages is not to evade the

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[615] "Although Yammu succeeds in imprisoning Ba'lu in the deep sea, and although the latter experiences this as the state of death, he is still able to speak." Marjo Christina Annette Korpel, *A Rift in the Clouds* (Münster: Ugarit-Verlag, 1990), 343.

[616] "Since the Sumerian *descent* equates the divine powers and garments of the goddess—a fact that is certainly true with the Akkadian version as well—the undressing is obviously done in order to make the goddess of heaven powerless." Pirjo Lapinkivi, *Ištar's Descent and Resurrection* (Helsinki: The Neo-Assyrian Text Corpus Project, 2010), 56, see also 59-60.

[617] Lapinkivi, *Ištar's Descent,* 31 (lines 76-90).

phenomenon of death—a futile exercise—but to break the power of the *fear* of death by recognizing the place of death within the world order. "To grow old and die with dignity, surrounded by one's children and family, was a good and proper thing, to which Adam no doubt looked forward as anyone should."[618]

The awareness and recognition of death is therefore strongly associated with wisdom, both in Mesopotamian literature and in the Hebrew Bible. As Enkidu faces his impending death, he curses the humans who brought him wisdom, only to be reminded of all of the benefits of civilized human life by Šamaš: "[Šamaš] succeeds in making Enkidu understand what is happening to him and to accept the meaning of life by a vision of existence that includes death and understanding."[619] The same association of wisdom and death[620] is offered by Qoheleth in Ecclesiastes 7:2–6: "Death is the destiny of everyone / the living should take this to heart […] The heart of the wise is in the house of mourning / but the heart of fools is in the house of pleasure" (NIV). Both wisdom and death also come with their own unpleasantries. When Enkidu gains intelligence, some negativity ensues as a result; he loses his strength and the companionship of the animals,[621] and ultimately becomes entangled in the events that result in his death. Qoheleth complains that "with much wisdom comes much sorrow; the more knowledge, the more grief" (Eccl 1:18).[622] Nonetheless, people ought not try to avoid wisdom because it is unpleasant, and people ought not try to avoid death because it is unpleasant either. Wisdom will recognize that even unpleasantries have their place in the world order. "Thus the sides of reality experienced by people as negative must be neither (optimistically) negated or (dualistically) separated from God."[623] As Qoheleth points out simply, "there is a time to die" (Eccl 3:2).

Neither the Hebrew Bible nor Mesopotamian wisdom literature advocate awareness of one's mortality as a motive for one to try to escape it.[624] In contrast, "A human—whether Adapa or the biblical humans—must possess intelligence, knowledge, awareness of death in order to appreciate life."[625] Qoheleth asserts that the living know they will die (Eccl 9:5) but in context the realization is positive, contrasted with the dead who know nothing to inspire a kind of *carpe diem*. "it is […] the

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618 Barr, *Garden of Eden*, 5.
619 Izre'el, *Adapa*, 128.
620 "While the wise mourn, fools devote themselves to pleasure." Thomas Krüger, *Qoheleth*, trans. O. C. Dean, Hermeneia (Minneapolis, MN: Fortress, 2004), 136.
621 J. A. Bailey, "Initiation and the Primal Woman in Gilgamesh and Genesis 2–3," *JBL* 89, 2 (1970), 138-39.
622 For wisdom itself as a source of suffering, as opposed to suffering being required to obtain it, see Krüger, *Qoheleth*, 64n21.
623 Ibid., 2.
624 "The chance for immortality was lost. This does not mean that the story is written out of longing for immortality; it is not. On the contrary, its purport is the acceptance of mortality." Barr, *Garden of Eden*, 21.
625 Izre'el, *Adapa*, 127.

consciousness of having to die that enables one to live properly."[626] Qoheleth's solution to mortality is to find joy while one is alive (Eccl 5:18; 8:15; 9:7–10), not to try to escape the human world and the human destiny, which is the same solution ultimately advocated by *Gilgamesh* as well.[627] The sages of the ancient Near East desire security and prosperity while they live,[628] and generally prefer to live for as long as possible, but mortal things die and this is simply one of the facts of the nature of the world order.

The vocation of humans while they live is to build, sustain, and enjoy the order of the human world, not to waste their allotted time chasing after a pipe dream that is unattainable and properly belongs only to the gods. The fear of death is the fear of leaving behind the order of the human world and everything it entails. But the order of the human world is absent from the divine realm, which is why humans do not belong there and do not desire to be there or to remain there. Adam and Eve in the garden are likewise absent from the human world, and likewise not experiencing the existence that the implied audience would have found desirable. They will only be able to achieve the desirable state of human life when they leave the divine realm and take their proper place in the human world. The details of how they go about leaving the divine realm is not a story about why they could not stay there and be immortal; the details are a commentary about what exactly that proper place consists of.

c. What is the Knowledge of Good and Evil?

1. Brief Theological Overview: What Is It and Is It Good to Have?

In Deuteronomy 1:39, children who "do not yet know good and evil" (NIV) are exempt from the punishment to die in the wilderness. Combined with the association of "naked and shameless" in Genesis 2:25 with childhood innocence, a reading along these lines would see "knowing good and evil" as a kind of moral awareness that also produces moral culpability.[629] Such an interpretation, however, is difficult to reconcile with the common reading of Genesis 3 as entailing a punishment. If lacking "knowledge of good and evil" exculpates, then Adam and Eve could not have understood

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[626] Krüger, *Qoheleth*, 170.
[627] For resignation to mortality as motivation for life in both *Gilgamesh* and Qoheleth, see ibid., 173.
[628] "Qoheleth seems to represent […] a eudaemonist ethic that regards happiness as the motive for all striving, as was largely the case in early oriental wisdom and ancient Greek philosophy." Ibid., 1.
[629] "Like an infant being spoonfed, asking no questions, [Adam] opened his mouth, chomped, chewed, and swallowed […] His later ability to discriminate between proper and improper at an abstract level is the fruit of his consumption." Zevit, *What Really Happened*, 171.

that eating the fruit was wrong.[630] Consequently, the interpretation of the "knowledge of good and evil" in theology is usually based, not on synchronic studies of the collocation per se, but on the [proposed] internal logic underlying the punishment. So, God might be punishing the humans for acquiring something they were not meant to have, an ability that properly belongs only to the divine: omniscience,[631] for example, or a kind of moral *authority* by which the human decide *for themselves* what constitutes right and wrong.[632] On the other hand, there is a common theological assumption that God would not withhold from the humans anything that would be good for them,[633] and a further need to explain why God not only allowed the tree to remain in human reach, but also put it there himself. One explanation argues that disobedience and/or the acquisition of "knowledge" is its own consequence; pain, toil and death are either a natural and necessary side-effect of whatever "knowledge" or self-will entails, or perhaps are a mitigation for a consequence that should be even worse.[634] Sometimes "knowledge" is seen as something that can either be good or bad, based on considerations of time, place and manner; sometimes the difference is based on obedience[635] and sometimes the "command" is read as a warning (see discussion in §4.d).[636] In contrast, we will attempt to understand the "knowledge of good and evil" based on what the words mean to the implied audience and on the way the narrative portrays its effect.

2. Divine Wisdom and Immortality: Adapa *and 2 Samuel 14*

Another occurrence of the collocation "knowing good and evil" is found in 2 Samuel 14:17, where the attribute is presented as a compliment to the king, comparing him to an "angel of God." The same comparison is made again shortly thereafter (2Sam 14:20), this time complimenting the king on his attribute of wisdom (*ḥokmâ*). Hebrew *ḥokmâ* represents the defining quality of sages, most notably offered as the result of following the advice in Proverbs, and overlaps with Akkadian *nēmequ*, though the latter includes connotations of esoteric knowledge (divination specialization) that the Hebrew does not.[637] *Nēmequ* is a divine quality, meaning that someone who has it is "like"

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[630] E.g., French, *Theocentric*, 59.
[631] See ibid., 43.
[632] Ibid., 64.
[633] "It is difficult to understand why [wisdom] would have been prohibited [by Yahweh in the garden story] on pain of death, especially since human acquisition of it is so positively praised and coveted." French, *Theocentric*, 39.
[634] "The first humans were sent into the world beyond Eden not in anger and not as a punishment, but in an act of kindness." Zevit, *What Really Happened*, 232.
[635] For this option see French, *Theocentric*, 126.
[636] "Adam was formed as a naturally inquiring being, one capable of receiving instruction, but one who had to be warned that certain actions might have unforeseeable consequences." Zevit, *What Really Happened*, 126.
[637] For the difference as seen in wisdom literature, see Lambert, *Babylonian Wisdom Literature*, 1.

the gods. *Adapa* introduces its eponymous protagonist with the caveat that “to him [Ea] gave wisdom (*nēmequ*); he did not give him eternal life.”[638] The juxtaposition of life and wisdom for Adapa is often compared by scholars to the juxtaposition of the two trees in in Genesis 2:9 to establish a dichotomy between eternal life and whatever is represented by the “knowledge of good and evil.”[639] These elements form a loose transitive argument to the effect that the “knowledge of good and evil” is roughly equivalent to a property represented interchangeably by *ḥokmâ* and *nēmequ*, while simultaneously paralleling Adam’s circumstances with Adapa’s.[640]

The comparison to Adapa is invoked not only to explain *what* the knowledge of good and evil is, but also *why* Adam will die if he eats from the tree of knowledge. In such interpretations, the possession of *both* life *and* wisdom is the prerogative of gods alone,[641] and so Adam and Eve, on behalf of all humanity, are effectively being offered the choice between one or the other.[642] In this comparison to *Adapa*, the **ṣwh* is not comparable to a test before the divine tribunal (see §4.b.4); instead it is comparable to Ea’s decision to grant divine attributes to Adapa. The difference is that Adam is allowed to choose which he prefers while Adapa is not. The illocution of the **ṣwh* in such readings is therefore not inaugurating a trial of obedience, but presenting a choice, comparable perhaps to Deuteronomy 30:15: “I set before you today life and prosperity, death and destruction” (NIV). However, such a reading is only viable if the “knowledge of good and evil” and eternal life are truly inherently incompatible.

As discussed above (§4.b.5, 7), the gods do not allow eternal life to exist within the order of the human world. Any human who happens to acquire it is subsequently removed. The ancient Near East accepts as a truism that the gods withheld life from humankind,[643] but this feature of the world order applies *only to the realm of humans*. Upon acquiring both life and wisdom, the humans would have been removed from the earth and placed in the divine realm, as Utnapishtim is and as (in some versions) Adapa also is. However, since Eden is already in the divine realm, acquiring both life and wisdom would simply have *forced Adam and Eve to remain where they already are*. In order for the juxtaposition to hold, then, the “knowledge of good and evil” must be something that applies specifically to the human realm. In choosing between the trees, then, the humans are effectively

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[638] I.4; Izre'el, *Adapa*, 10.
[639] See for example French, *Theocentric*, 35.
[640] See for example Blenkinsopp, *Creation*, 75.
[641] Izre'el, *Adapa*, 121.
[642] “Eating from the tree of knowledge allows (or dooms) the humans to exchange one divine attribute for another.” Bruce Wells, "Death in the Garden of Eden," *JBL* 139, no. 4 (2020), 656.
[643] Izre'el, *Adapa*, 119, 121.

choosing which realm they will inhabit; the divine world, where they will not die, or the human world, where they will not be immortal but will have "knowledge of good and evil," whatever that is.

3. Results of the Fruit of Knowledge: Adam and Eve Versus Adapa and Solomon

If the "knowledge of good and evil" is something that finds its relevant application exclusively in the human world, then *nēmequ* is less suitable as a conceptual parallel. This is further supported by the observation of what the humans in Genesis do with the "knowledge of good and evil," in contrast to what Adapa does with his divine wisdom. *Nēmequ*—especially the aspect connoting esoteric knowledge, incantations, and magic—is a property of the elite,[644] whereas Adam and Eve are normally interpreted to be representative of all humanity. By virtue of Ea's gift Adapa is endowed with "great intelligence, to give instruction about the ordinance of the earth,"[645] and the power that allows him to curse the South Wind and break its wings.[646] Adam and Eve, however, do not become superhuman wielders of insight and magic, and they are never seen to "give instruction" of any kind. They likewise do not gain the capacity to become diligent and competent rulers and judges, as seen in 2 Samuel 14:7 with David and also in 1 Kings 3:9, 12 when Solomon is given a "wise and discerning heart" in order to "know good and evil" (NIV). Instead, "the eyes of both of them were opened, and they realized they were naked" (Gen 3:7, NIV). In §4.a.3 we argued that nakedness—specifically, ignorance of nakedness—indicates a wild, animal-like state of being. Therefore, we should ask: what property is it, that finds its relevant application in the human world; that is common to all humanity; that makes humans "like God;" and that also causes one to recognize oneself as no longer existing in an animal state?

4. Ṭēmu*: Enkidu and Civilization*

In *Gilgamesh*, Enkidu becomes abruptly aware that he no longer belongs among the animals when he undergoes a transition from a wild man to a civilized human.[647] Enkidu's scenario is much closer to Adam and Eve's than Adapa's is, since, as discussed above (§4.a.3), Enkidu and the protoplasts are

[644] "Generally 'wisdom' [*nēmequ*] refers to skill in cult and magic lore, and the wise man is the initiate." Lambert, *Babylonian Wisdom Literature*, 1. Lambert explicitly contrasts this concept with the "wisdom" that is the subject of Job, Proverbs, and Ecclesiastes. For Adapa's superiority to other humans, see Izre'el, *Adapa*, 124-125.
[645] I.3; Izre'el, *Adapa*, 10.
[646] Ibid., 130. For relationship of the power of words and magic, see ibid., 134.
[647] I.197-201. George, *Gilgamesh*, 8.

both existing in the same chaotic, uncivilized state.[648] Enkidu gains a quality as a result, which is not *nēmequ* but rather *ṭēmu*, usually translated "intelligence" or "understanding."[649] The *state* that Enkidu achieves after his transformation is likewise similar to the state ascribed to the human couple after they eat the fruit of knowledge; [650] like Adam and Eve, Enkidu has become "like a god."[651] The *means* by which "intelligence" (godlikeness) is acquired in Genesis—specifically, given by the woman to the man in Genesis 3:6—is also reminiscent of Enkidu and his encounter with the prostitute.[652]

"Intelligence" (*ṭēmu*) represents, not the esoteric wisdom of sages given to elites, but rather the capacity to design and execute complex strategies, and is not only common to all humanity but is arguably their defining feature:

> The early Mesopotamian is an organizer, an innovator, who struggles to understand and control his environment and must put his mind to the future in order to create and maintain a system of intense irrigation. The concept of *ṭēmu* is an important component in that civilization's understanding of man.[653]

Ṭēmu essentially represents the ability to establish order on the earth. It is the property that separates humans from animals, and also the property that separates civilized humans from the chaotic barbarians, both demonstrated by the transformation of Enkidu.

5 Ṭēmu *as "Knowledge"*

The concept represented by the word *ṭēmu* can be meaningfully described as *knowledge* as well as an ability or capacity,[654] because included in this ability is an *awareness* of what order consists of.[655] An inscription by Nebuchadnezzar I, describing the devastation of the land in the time of his predecessor, reports that the gods abandoned the land and as a result "people's *ṭēmu* was changed

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[648] "the image of Enkidu and his place in the epic of Gilgamesh are a reflection of a widely-spread human motif of the 'Wild Man', the perception of a certain creature that is outside civilization." Malul, *Knowledge*, 291. For discussion of Enkidu and the wild man, see Matthias Henze, *The Madness of King Nebuchadnezzar* (Leiden: Brill, 1999), 93-99; Brichto, *Names*, 87; Tzvi Abusch, "The Courtesan, the Wild Man, and the Hunter," in *Male and Female in the Epic of Gilgamesh* (Winona Lake, IN: Eisenbrauns, 2015).
[649] I.202. George, *Gilgamesh*, 8.
[650] Brichto, *Names*, 87.
[651] I.207. George, *Gilgamesh*, 8.
[652] "The woman is, therefore, vis-à-vis the man, an agent of civilization, as the harlot is in Gilgamesh." Bailey, "Initiation," 148.
[653] Abusch, "Ghost," 378.
[654] See CAD 19.94b-95a: "you *know* the boss' sense and his ways"; a man of *reason* who knows battle; wise ones who acquire *experience*."
[655] For the definition of *ṭēmu* as "awareness" see Oshima, *Babylonian Poems*, 244: "*ṭēmu* initially meant something like 'awareness, sense'."

and they came to be possessed by a criminal mind."[656] This text speaks of *ṭēmu* being *changed*, as opposed to present or absent, but nonetheless illustrates the aspect of the concept as the ability to perceive the nature of order. The people did not lose awareness of order entirely, becoming reduced to naked wild men; they lost awareness of what order was supposed to consist of, and in doing so corrupted it and became evil. This element of awareness is consistent with the idea that a concept equivalent to *ṭēmu* is designated in Genesis by the phrase "*knowledge* of good and evil."

6. Ṭēmu*: Divine Wisdom and the Knowledge to Order the World*

Ṭēmu is a property possessed by both humans and gods, which is why the humans who possess it can be said to be "like God." Oshima examines the concept of the *ṭēmu* of the gods and concludes that "the divine *ṭēmu* essentially constituted the divine order and included its present and future applications. […] in this sense, one can compare it to the Sumerian ME."[657] We discussed the MEs in detail above (§1.e.1) and argued that they represent a blueprint for understanding how things ought to be and recognizing when things have become as they ought. The divine *ṭēmu* is essentially both the ability to understand these blueprints and the action of applying this ability. It is effectively interchangeable with such concepts as "the divine plan" and "the world order."[658]

Of course, the *ṭēmu* given to *humans* does not impart this divine cognizance of the nature of things—the divine *ṭēmu* is explicitly inscrutable and inaccessible.[659] Nonetheless, limited knowledge of the divine *ṭēmu* is equated with *righteousness*, which means doing what the gods have determined you ought as best you can discern it.[660] *Ṭēmu* thus imparts some awareness of how things *ought* to be, which is consistent with the idea that it involves bringing order to the world insofar as is possible. Humans never gain apprehension of the divine plan or full insight into the "way things are," but they do gain a knowledge of what order consists of and how to achieve it within the scope of the world they inhabit.

Therefore "the capacity to know what constitutes order in a manner appropriate to one's sphere of being" seems to be inherent in the concept of *ṭēmu*, even as the scope of what the gods know and

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[656] Oshima, *Babylonian Poems*, 46. Nebuchadnezzar 1 B.2.4.8, 18. "The thinking of its people changed, they were incited to treachery." RIMB 2, 26.
[657] Ibid., 246.
[658] [divine *ṭēmu*] in this section [of the *Babylonian Theodicy*] is used in a parallelism *libbi ili*, 'the mind of the god,' (line 256) as well as *pakki ili*, 'the divine plan' (264)." Ibid., 246.
[659] "The friend in the *Babylonian Theodicy* teaches the sufferer that people cannot understand the reasoning of the gods." Ibid., 246.
[660] "According to the author of the *Babylonian Theodicy*, 'to be righteous' signifies 'to follow the divine *ṭēmu.'* Ibid., 246.

what humans know remain conceptually distinct.[661] This is why human *ṭēmu* has no value or application outside of the human world, and why those who are endowed with it (implicitly, to make use of it) ought not be given eternal life and thereby removed from the sphere where "intelligence" is useful.

7. What It Means to "Know Good and Evil"

The words *good* and *bad* reflect the values of the culture that uses them, and in the ancient Near East *good* is synonymous with *order* (§1.c.6). Using those equivalences, then, "knowing good and bad" would be glossed to mean something to the effect of *having awareness of which things are conducive to order and which things are not*. Because order as a concept permeates every sphere of society, the specifics of "which things are conducive to order" will vary by context. An Egyptian prayer describes "a man who was ignorant and foolish" who "knew not good from evil" and consequently offended the gods through impropriety.[662] In 2 Samuel 14 the king is passing judgment, so in "knowing good and evil" he is aware of which decision will be just; that is, which decision will be conducive to order. Solomon wishes to "know good and evil" so that he will be aware of how to carry out the duties of the office of kingship properly. There is no need to try to establish "knowing good and evil" as belonging specifically to the moral sphere, the judicial sphere, the ritual sphere, the cultural sphere, or the sexual sphere; the concept is generic enough to be relevant and applicable to any or all of them. In Genesis 3, the specific context indicates that the collocation there means "knowing how to put the world the way it ought to be" (also the literal meaning of *ṭēmu*), and this context is established by the realization of departure from an animal state, correcting nakedness, and becoming like [a] god, as seen also for Enkidu.

8. The Aetiology of Intelligence: Atrahasis *and Anthropogony*

Ṭēmu is indicated specifically in *Atrahasis* as the quality that equips humans to perform the labour of the gods. A god bearing *ṭēmu* is slaughtered and humanity is created from his blood, in the process

[661] Oshima, *Babylonian Poems*, 247. While he maintains, correctly, that "the *ṭēmu* given to humankind upon its creation […] and the divine *ṭēmu* that *constitutes* the basis of the divine order stand for two very different things" (emphasis mine), he acknowledges that "It is also possible that […] humankind does really possess clear ethical principles just *like* the gods" (emphasis mine) and that "it is possible that ancient Babylonian thinkers regarded *ṭēmu* installed in human beings to be the *source* of a human quality" (emphasis mine). Ibid., 247n378, cited H. Galter, "Die Wörter für 'Weisheit' im Akkadischen," in *Meqor Hajjim: Festchrift für Georg Molin zum seinen 75. Geburtstag*, ed. Irmtraut Seybold (Gratz: Akademische Druck und Verlagsanstalt, 1983), 100.

[662] Kenneth A. Kitchen, *Poetry of Ancient Egypt* (Jonsered: Paul Åströms Förlag, 1999), 297.

conferring intelligence to them: "intelligence has been imparted to mankind through the god's blood … the slaughtered god characterized as possessing *ṭēmu* imparts his intellectual quality to human beings."[663] Humans as depicted in both *Atrahasis* and *Enuma Eliš* are divine hybrids, made from the blood of a slain deity, which enables them to perform the order-bringing function for which they were made.[664] In his interpretation of *Adapa*, Izre'el conflates Ea's divine gift to Adapa with the property bestowed on humans in *Atrahasis*, referring to both generically as "wisdom" and thereby projecting Adapa's endowments—use of language, control over nature, and ability to wear clothes—onto the humans in *Atrahasis*, in addition to their explicitly assigned duty of agriculture.[665] Whatever its specifics—which can vary by context—the empowerment of humans to perform activities normally reserved for the gods is the ideal establishment of order in Mesopotamia, and "intelligence" is the divine quality that makes this function possible:

> Man, therefore, is the only creature endowed with intellect, *ṭēmu*, "intellect, wit" by virtue of this divine component. For this reason, the gods assigned him the task of running the universe in accordance with the divine principles. This task had earlier been assigned to the minor gods, hence it was a task for gods, not for slaves.[666]

The property given to humans in Genesis by the "tree of the knowledge of good and evil" is the same thing that is given to humans in *Atrahasis* by the blood of a god, and to Enkidu in *Gilgamesh* through intercourse with a woman. However, "civilization is seen in a more negative light by [Genesis] than by the poet of the *Gilgamesh* epic."[667] In the Hebrew Bible, order is established by giving the humans a covenant, not by giving them "intelligence" and hard labour, though of course they do possess both of the latter. On the other hand, "intelligence" is not inimical to order either; no stipulation of the covenant commands that the humans refrain from using the knowledge of good and evil, and no vision of restoration anticipates its elimination. Intelligence comes from the gods and is part of the divine plan for humanity, but it is not the essence of what constitutes order on the earth. The details in Genesis are trying to illustrate that humans do—and should—possess the divine ability to establish order on the earth and all it entails, while simultaneously devaluing the concept (relative the higher value of covenant) by locating its acquisition in a context of divine displeasure, which we will discuss below (§4.e.5-7).

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[663] Abusch, "Ghost," 368.
[664] "Thus man has a double nature: clay from the earth, as in Gen 2, and the *ṭēmu*, the capacity of planning from a divine origin. The gods create man for only one purpose: to relieve themselves of hard labor." Ed Noort, "The Creation of Man and Woman in Biblical and Near Eastern Traditions," in *The Creation of Man and Woman*, ed. Gerard P. Luttikhuizen (Leiden: Brill, 2000), 13.
[665] Izre'el, *Adapa*, Esp. 121-125 131, 134. Reference to *Atrahasis* on 121.
[666] Mander, "War," 6-7.
[667] Bailey, "Initiation," 148.

d. What *Did* God Really Say? The Illocution of the **Ṣwh*

1. Theology: Genesis 2:17 as Law or Threat

If we want to understand the significance of the Hebrew Bible's deviations from the ideology of its ancient Near Eastern conversation partners, we need identify the things they changed. Firstly, In *Atrahasis* and *Enuma Eliš*, the gods bestow godlike intelligence on the humans without any agency or participation by the humans whatsoever. Enkidu likewise stumbles into enlightenment with no real understanding of what will happen to him as a consequence of his encounter with the prostitute. Genesis, on the other hand, allows humans the opportunity to choose the destiny of godlikeness for themselves. Secondly, in all ancient near Eastern literature the scheme to endow humans with intelligence is initiated by the gods, as is consistent with all aspects of order. Even Enkidu, who receives intelligence through the actions of a human, still has the gods involved in every step of the process, as he is created specifically to become an equal for Gilgamesh[668] and led to Gilgamesh through dreams.[669] In Genesis, Yahweh plants the tree (Gen 2:9) and, as Adam points out, also provides the woman (Gen 3:12). Nonetheless, the narrator in Genesis 2 does not indicate "to induce civilization" as the reason for which the woman was made (see §4.a.2 for a discussion of Eve's purpose), and any divine initiative is neutralized by divine proscription, so that the actual scheme is introduced by the serpent. The changes that were made therefore are the addition of human agency and the elimination of divine involvement.

The standard theological interpretation also recognizes the significance of human choice and divine non-involvement. However, as we discussed above (§3.c.5-7), specifics of what these details *mean* in such readings are derived from reception of the material in the Hellenistic period. In Mesopotamian religion and Greek philosophy, the gods decree death for humanity inscrutably and arbitrarily. Hellenistic Judaism, in contrast, envisions its God as a perfectly just lawgiver and judge, accountable to an abstract rule of law that is both higher than himself and also dictates the shape of justice in the human world. In the human world, the rule of law does not allow the judge to kill people for mysterious inscrutable reasons, and so Yahweh in this model is not allowed to decree death arbitrarily either. Consequently, in this model, humans who die must have *earned* the penalty of death by their own agency, as humans killed by human lawgivers in the human world also must. Genesis 3 is therefore seen in such readings as telling the story of the crime that humans committed

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[668] I.94-112; George, *Gilgamesh*, 4-5.
[669] I.243-298; George, *Gilgamesh*, 10-11.

in order for Yahweh to justly impose the undesirable conditions that define human existence. In such readings, the *ṣwh ("command") to Adam in Genesis 2:16 is read as a law, or at least a threat, describing the action which will incur the lawgiver's just punishment.

2. Semantic Evidence Considered: 1 Kings 2

In §2.b.7 we argued that **ṣwh* does not *inherently* include a threat of retribution if the injunction is ignored, but it certainly *can*. The argument that it does so in this case is occasionally supported by comparing the language to Solomon's threat in 1 Kings 2:37, where he promises execution to Shimei using the same phrasing: "The day you leave and cross the Kidron Valley, you will surely die" (NIV).[670] Solomon even refers to this threat as a "command" (**ṣwh*) in 1 Kings 2:43. The gloss for Genesis 2:17, in such readings, is something to the effect of "on the day you eat the fruit of knowledge, I will have you put to death." We already examined this pericope above (§2.d.7) to determine whether the narrative of Genesis describes the establishment and violation of a loyalty oath; now we will examine the statement itself to see if Yahweh's speech to Adam is a threat of execution comparable to Solomon's threat to Shimei.

3. Agent Reaction Versus Natural Consequence

The physical act of crossing the Kidron Valley does not have any consequences whatsoever for Shimei in and of itself. Although the statement is in the passive voice ("you *will die*"), the illocution of *threat* indicates a deliberate reaction by an agent, which is why the gloss is in the active voice ("*I will* [kill you]").[671] The agency is confirmed when the punishment is delivered by Solomon's deliberate [delegated] action: "Then the king gave the order to Benaiah son of Jehoiada, and he went out and struck Shimei down and he died" (1Kgs 2:46, NIV).

Yahweh's deliberate reaction occurs in Genesis 3:22–24, when he cuts off access to the tree of life by banishing Adam from the garden. If the incident is read parallel to 1 Kings, then Yahweh's banishing Adam is comparable to Solomon ordering Shimei's execution. In such readings, the "executioner" in Genesis 3 is *time*, which will eventually "kill" Adam as his mortality catches up to him. Historically, reading time as the executioner has been problematic because of the statement that Adam will die "on the day." However, many interpreters argue that this statement does not literally designate a 24-hour period, instead reading the phrase as an idiom that links action and consequence: "*in the*

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[670] For the phrasing in Gen 2:17 as a death sentence, see Lee, *Death Warning*, 35.
[671] For "die" and "put to death" being interchangeable, see ibid., 44.

event that you choose to eat the fruit of knowledge, I will have you put to death."[672] While Lee argues that this interpretation is indefensible,[673] for our purposes it does not matter much. The decision whether or not to read the **ṣwh* as a threat can be made on weightier evidence than the idiomatic range of this particular phrase, and the nonliteral interpretation for "death" we will ultimately advocate can stand regardless of timing (see §4.d.5).[674] For our purposes it does not matter how the phrase "on the day" is read. (It is worth noting that Shimei's [literal] death does not actually occur within twenty-four hours of his transgression either).[675]

Yahweh states the reason why he has cut off the tree of life in Genesis 3:22, but that reason is not "because they did a thing that I told them not to do" (contrast Gen 3:17). The reason is that "they have become like [God], knowing good and evil" (NIV), which invokes the familiar idea that humans who are like the gods cannot have eternal life (§4.c.2). Eating the fruit did something *passively* to Adam and Eve; note that Yahweh does not say, "now that I have made them like one of us." Eating the fruit had an effect *in itself* that has no parallel in the account of Shimei. That effect has a consequence; humans who receive it cannot live forever. But if that is true, then God's statement in Genesis 2:17 is not a threat, promising an agent reaction. Instead, it is an observation or warning about what will, in fact, passively happen if they eat the fruit of knowledge.[676]

4. The Serpent's Argument

The idea that the **ṣwh* is a warning (alerting to a passive consequence) rather than a threat (promising an agent reaction) can be supported by the argument employed by the serpent as he convinces Eve to disregard it. The serpent does not assert that Yahweh was not serious about intending to kill them, or even that "becoming like God" will render Yahweh unable or unwilling to kill them. If the **ṣwh* was a threat, the serpent's assurance in Genesis 3:4–5 should have been something to the effect of "you will not die because the Lord's mercy is very great," as seen for example in 2 Samuel 24:14 or Jonah 4:2, where characters hope for or expect a reprieve from divine punishment. There is likewise no indication that the serpent is trying to twist the nature of the consequence: "the serpent and the woman reiterate the words from Genesis 2:16–17 and speak as if

[672] See for example Zevit, *What Really Happened*, 124.
[673] Lee, *Death Warning*, 31-37.
[674] For a survey of various arguments for both metaphorical and physical death, see Wells, "Death," 642-645.
[675] Regardless of the speed of Solomon's docket and expediency of the execution, Shimei still has to make a round trip to Gath in the interim. See ibid., 650.
[676] For discussion of both options, including a meaning of **ṣwh* as "instruct" and a note of absence of legal language in the statement, see Stordalen, "God," 11.

the concept of death is understood in the same way among the characters."[677] If Yahweh was threatening to kill them, either directly or through the delegated agency of time, both Eve and the serpent would have known that, and we would expect the serpent's assurance to account for this understanding.

According to the argument of the serpent, the potential consequences of eating the fruit of knowledge will be received passively: they *will not* die, but they *will become* like God. The serpent is not suggesting that Yahweh will not kill them; he is suggesting that, like Ea in *Adapa*, Yahweh has misled them—or at least, told them only half the story—about the consequences of eating this particular food. Because it is downplaying the danger of a passive consequence rather than promising escape from an agent reaction, the serpent seems to be encouraging Eve to ignore a warning rather than disregard a threat.[678]

5. Death and Chaos, Part 2

Based on the serpent's argument, we can infer that Eve understood "death" to be something that would happen passively after eating the fruit of knowledge, not something Yahweh would actively do to her as a reaction. So we should ask, in what capacity did Eve expect to die? If the fruit was poisonous or somehow contaminated it could physically kill her[679]—a possibility that the text negates by confirming that it is "good for food" and "pleasing to the eye" (Gen 3:6, NIV)—but the serpent did not merely reassure Eve that the fruit was edible. The serpent told her she would be "like God, knowing good and evil" (NIV), which we argued above means "have the ability to establish and sustain order in the human world" (§4.c.4-7). Eve knows exactly what that means, as she observes that the tree can "make one wise" (**śkl*). Similar to *ṭēmu*, **śkl* is a generic intellectual capacity, found in all people rather than an intellectual elite; it confers awareness of "rightness" and connotes corresponding behaviour.[680] In Genesis 3:6 **śkl* refers to the properties that will be granted as a result of eating from the tree.[681] So somehow Eve believes that becoming enlightened as to the nature of rightness and wrongness, and how to behave accordingly, will prevent her from receiving the "death" she was warned would occur. This indicates that "death" as she understands it is

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[677] Lee, *Death Warning*, 25.
[678] "The serpent may be understood as stating truthfully that the woman's emphasis on dying is misplaced. Linguistic usage did not allow her to assume an automatic death by agent." Zevit, *What Really Happened*, 168.
[679] For this possibility see Moberly, *Theology*, 80.
[680] K. Koenen, "śākal," in *TDOT* 14.117.
[681] Ibid., 14.120.

something that can be averted by somehow employing what she understands "knowing good and evil" to be.

In §4.b.6 we argued that the phenomenon of physical death is understood to represent a degradation into a chaotic state of being. Death is described in terms of negation, isolation, disempowerment, depersonalization, deprivation, alterity, and absence that are characteristic of chaos. The metaphorical comparison operates in both directions, however, in the sense that *any* chaotic state can be metaphorically described as *death*, even if the condition does not actually include the loss of physical life.[682] The righteous sufferer in *Ludlul Bēl Nēmeqi*, rendered into a chaotic subhuman state by illness, is mourned by his family as though already dead.[683] A letter to Assurbanipal claims "I was dead but yearned to see the king, my lord. When I saw the face of the king, my lord, I recovered, and I, who had been starving, prospered (again)."[684] The psalmist likewise considers himself "counted among those who go down to the pit" and "set apart with the dead" (Ps 88:4–5, NIV), and claims that Yahweh "brought me up from the realm of the dead" (Ps 30:3, NIV) even though in both these cases he is still physically alive. Being sent out of the human world into liminal space can also be metaphorically imagined as death: "steppe and netherworld are one and the same in mythological contexts."[685] Ezekiel 37 depicts the nation of Israel, stripped of identity and banished to a foreign land, metaphorically as a mass grave, even though the people are alive (and doing well for themselves, all things considered)[686] in Babylon. Jonah is physically spared from death, but nonetheless cries out from the netherworld in (Jonah 2:1): "The belly of Sheol is a metaphorical designation of utter distress."[687] Likewise, "the power of the realm of the dead is experienced not only in the depth and darkness of graves, cisterns, prisons, and pitfalls, but also […] in the mighty waters which rush along the surface of the earth."[688] In the Old Babylonian version of *Gilgamesh*, after Enkidu has died, Gilgamesh transforms himself into a chaotic state:

> "I will leave my body covered in grime, wrap it in a lion-skin and roam in the steppe. […]" the grime, the unbathed body, the animal skin, the absence of human garb, [indicate] an

[682] For "death, disorder, instability, and alterity" as conceptually related and juxtaposed with "life, order, authority, and identity", see Angelika Berlejung, "Images of the Dead—Images for the Living: Life and Death in the Iconography of Ancient Mesopotamia, Egypt and Palestine," in *Divine Secrets and Human Imaginations* (Tübingen: Mohr Siebeck, 2021), 392-393.
[683] Oshima, *Babylonian Poems*, 10. For sufferers of disability and disease equated with chaotic agents, see Malul, *Knowledge*, 276: "such miserable persons are practically cut off from social interaction, being thus relegated to the outside sphere from the point of view of structure."
[684] Grant Frame and Simo Parpola, *The Correspondence of Assurbanipal, Part II* (Helsinki: Neo-Assyrian Text Corpus Project, 2023) 28. Ref. Text #32, lines 7-10.
[685] Wiggermann, "Agriculture," 678.
[686] See for example Laurie Pearce and Cornelia Wunsch, *Documents of Judean Exiles and West Semites in Babylonian in the Collection of David Sofer* (Bethesda, MD: CDL, 2014).
[687] Korpel, *Rift*, 355.
[688] Othmar Keel, *Symbolism of the Biblical World* (Winona Lake, IN: Eisenbrauns, 1997), 73.

> identification with the dead Enkidu and a return to the world of the steppe from which [Enkidu] had once come.[689]

Liminal regions also include the divine realm, as discussed above (§4.b.3); Adapa drowns in the sea and finds himself in heaven before Anu.[690] This is the "death" that Adam and Eve were warned about;[691] a condition of being consigned to the liminal world and rendered into a state of chaos.

If we understand that "the knowledge of good and evil" means "the divine ability to establish order on the earth" and "death" means "a state of chaos," then everybody's statements and arguments throughout Genesis 2–3 make perfect sense. Yahweh's warning to the humans is glossed to the effect of, "do not take the divine ability to put the world in order, because if you try it, you will fail and fall into chaos." The serpent's counterargument is glossed to the effect of "if you take the divine ability to put the world in order, you will not fall into chaos, because the gods establish order and you will be able to do it just as well as they can." The serpent's argument is reasonable and, from the perspective of a Mesopotamian framing, is actually true. In the Mesopotamian worldview, humans can set the world in order as well as the gods can, and indeed were created to do precisely this. Eve agrees with the serpent's assessment by determining that the tree will bestow **śkl.* The humans acquire knowledge, but nonetheless wind up in a chaotic state at the end of the pericope. Yahweh was right and the serpent was wrong; they became like the gods, but it did not prevent them from falling into chaos.

e. An Aetiology of What? Mortality Versus Godlikeness

1. Literary Intent and the Narrative Frame

As discussed above (§3.b), Genesis 2–3 is a story about the interaction of concepts, ideas, and values, not a story about the people and events it depicts. Nonetheless, in order to understand the concepts the story is discussing, we have to understand how those concepts are juxtaposed. The story does not describe events that originate a phenomenon in space and time, but the narrative frame of the story is still set up in the form of an aetiology. So, according to the plot of the story,

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689 William L. Moran, "The Epic of Gilgamesh: A Document of Ancient Humanism," in *The Most Magic Word*, ed. Ronald S. Hendel (Washington, D.C.: Catholic Biblical Association of America, 2002), 15.

690 For Adapa's death and "liminal" transition through the divine realm and/or netherworld, see Izre'el, *Adapa*, 141-143.

691 "The linkage of life with prosperity and blessings, and of death with adversity and curses, makes it clear that what is envisaged is metaphorical, to do primarily with the *kind of life* that [people] will live." Moberly, *Theology*, 84.

what was gained? What was lost? What changed? Are the humans better or worse off at the end of Genesis 3 than they were at the start of Genesis 2?

The standard theological reading of Genesis 2–3, as discussed above (§3.b.1), sees the story as an aetiology of evil, sin, and death, which are usually seen as interrelated, if not completely interchangeable: “When God made the world, there was no sin in it, no corruption, no malevolence, no death. What explanation does Genesis give for the origin of these terrors?”[692] In such readings the significance of the story is a theodicy, designed to preserve the perfect justice of God by explaining the horrors of the human condition as something well-deserved. When the story is read as a theodicy, the humans are worse off at the end of the story than they were at the beginning, and the literary intent of the narrative frame is to explain why.

Other interpretations see the story as an allegory or mythologized recounting of either the historical development of human civilization or the process of coming of age.[693] Such readings are commonly nostalgic, a whimsical recollection of the “good old days” of innocence and simplicity that are now gone forever. In such readings the humans are still worse off at the end of the story than they were at the beginning, although these interpreters are often more optimistic about the final condition, conceding that adulthood/civilization do have their benefits.

A third model emphasizes the “failing a test” idea associated with the **ṣwh*. Such readings see an idyllic existence offered as the default, with the objective of the test being to determine whether or not the humans will be allowed to keep it. Failure in such models is its own consequence, as opposed to an occasion for divine retribution, so such readings de-emphasize theodicy while still furnishing an explanation for the state of the human condition. Sometimes the test is allegorized to represent common decisions faced by all human beings, often as a way to rationalize human failings.[694] Other times the failure is seen as inevitable and a commentary on the human condition.[695]

There are practically as many interpretations of the symbols and imagery of Genesis 2–3 as there are interpreters, but the pervasive inclination to see the garden in Genesis 2 as an idyllic state always means that the humans are worse off by the end of the story than they are at the beginning, with

[692] Hamilton, "Original Sin," 191.
[693] See for example French, *Theocentric*, 52-56.
[694] For one example (attributed to Schleiermacher) see Carl R. Trueman, "Original Sin and Modern Theology," in *Adam, the Fall, and Original Sin*, ed. Hans Madueme and Michael Reeves (Grand Rapids, MI: Baker, 2014), 171: “humanity has always shared the same basic nature and the account of the fall serves merely as a paradigm for the individual fall of every human.” Ref. Schleiermacher, *The Christian Faith,* 72.5.
[695] So for example: “Humans had the ability to achieve eternal life, but de facto they did not perceive it and could not do so without the ability to know.” Konrad Schmid, *The Old Testament: A Literary History*, trans. Linda M. Maloney (Minneapolis, MN: Fortress, 2012), 158.

the literary intent providing some sort of documentation of, or explanation for, the regression. However, we argued above (§4.b) that the condition experienced by the humans in the garden in Genesis 2 is not depicted as being especially desirable. This opens the possibility that the change described by the narrative may not be a change for the worse.

2. Emphasis on Mortality and Lack Thereof

In §4.b.5 we argued that the threat posed by "death" would not be mitigated by the conditions depicted in the garden since both represent a state of chaos, and in §4.b.7 we argued that the stance of biblical wisdom literature is not to fear or obsess about death. Nonetheless long life, up to and including indefinite life, would be better to have than not. Genesis 2–3 is not trying to argue that death is good or desirable, or even that in some conditions it is better to die than to live (contrast Eccl 6:3). The question is whether Genesis is interested in death *at all*; whether it cares enough about death to want to tell its origin story. In other words: is *death* really the concept that Genesis 2–3 is about?

As we discussed above (§2.a.4), theologians who wish to locate *sin* in Genesis 3 are forced to deal with the fact that the idea never appears there. If we try to locate *death* in Genesis 2–4, however, find ourselves to be equally disappointed.[696] The only human who *actually dies* in the entire "*tôlēdôt* of the heavens and the earth" is Abel, who is killed as an aside in a narrative sequence that has nothing to do with the plot of Genesis 3 (Gen 4:8; see §4.f.3). Even Cain is given a special dispensation from Yahweh explicitly so that he will *not* be killed (Gen 4:15). There is no statement to the effect that "the Lord drove them out of the garden, and they worked the ground, and then they died." If Adam's death was supposed to be emphasized, we would expect the statement that he died to occur immediately after he is driven out of the garden.[697] As it is, the statement that Adam died only appears as a formulaic aside in the next *tôlēdôt,* in Genesis 5:5.

[696] "It is not easy from the exegetical point of view to interpret Genesis 3 as a story concerned essentially with either the origin of sin or the solidarity of human beings in it. It purports to account for the origin of various unhappy features of our life as human beings, but the universality of sin is not one of these. Probably death is not one either, despite Paul in Romans." Walter J. Houston, "Sex or Violence? Thinking Again with Genesis about Fall and original Sin," in *Genesis and Christian Theology*, ed. Nathan MacDonald, Mark W. Elliot, and Grant Macaskill (Grand Rapids, MI: Eerdmans, 2012), 141.
[697] Compare again 1 Kings 2:46, "Then the king gave the order to Benaiah son of Jehoiada, and he went out and struck Shimei down and he died" (NIV). This kind of presentation would be expected even if the record telescopes a large time interval; compare 2 Kings 19:37, where Sennacherib's assassination is presented as a consequence of his actions in the siege of Jerusalem, even though the event occurs twenty years later.

3. The Ticking Clock of Mortality: Adam and Gilgamesh

While Adam's death is never depicted in the story arc of Genesis 2–4, it is *anticipated* in Genesis 3:19, and that is enough for most interpreters. In such readings, "to dust you shall return" is read as one of the consequences of "because you did what I said not to do" in Genesis 3:17. However, the text itself provides a different reason: "[you will] return to dust, *for dust you are*" (NIV):

> There is no report in Genesis of Adam dying because of having eaten from the tree […] as for Adam's death, [Genesis] 3:19 implies that the reason shall be that he had been created from dust—a conventional explanation for human mortality and frailty.[698]

The metaphor of dust is used for Adam at the moment of his creation and emphasizes fragility and insignificance[699] (e.g. Gen 18:27; 1Kgs 16:2; Job 30:19; Ps 90:3, 103:14, 104:29; Eccl 12:7). There is no indication in Genesis that Yahweh performs the *reverse* of the transformation given to Utnapishtim; he does not take a pair of immortal godlike beings and inflict them with mortality.[700] We might contrast the imagery of divinity in Ezekiel 28:13–14, sometimes thought to be a reference to Adam:[701] "every precious stone adorned you […] you were anointed as a guardian cherub […] you were on the mountain of God, you walked among the fiery stones" (NIV). No theophanic language of this kind is ever applied to the humans in Genesis 2. Adam dies because of something that happens in Genesis 2:7, not something that happens in Genesis 3:6.[702]

Consequently, Adam is not "sentenced" to return to dust in Genesis 3:19; instead, the mortality he already possessed is being called to attention.[703] What he loses is the chance to forestall his impending destiny when he is cut off from the tree of life. The same thing happens to Gilgamesh after he leaves Utnapishtim's island. Having failed to gain the apotheosis he aspired to, Gilgamesh is nonetheless offered a consolation prize: a magic plant from the bottom of the cosmic ocean that will renew his youth and extend his life, perhaps indefinitely. He successfully retrieves the plant, but it is stolen and eaten by a serpent before he has a chance to use it. What is important for our purposes is that Gilgamesh does not lose his plant as a punishment, or even as a failure of a test like his previous attempt at eternal life. Gilgamesh's loss of the chance to live forever—both times—is a

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[698] Stordalen, "God," 12.
[699] See Becking, "Signs," 27-28.
[700] "The idea that the human, though created immortal, has become mortal, as a result of the fall from grace, is absent from the garden-story," Ibid., 33.
[701] E.g., Callender, *Adam*, 87-136.
[702] "A human being taken from the dust of the ground combines an account of the close etymology of the human function as gardener and his destination to finitude and mortality." Bauks, "Rhetorical Features," 108.
[703] See Barr, *The Garden of Eden*, 9.

reinforcement of the story's themes: humans are inescapably mortal, and so the focus of human effort and energy ought to be spent making the most of the time they have.

4. Anticipation of Life as well as Death

"The main topic of the book of Genesis is life."[704] Where Genesis 3:19 anticipates the impending death of the humans, the statement is immediately followed in 3:20 by an anticipation of the continuance of life. In *Gilgamesh*, when Enkidu is faced with his impending demise, he curses the woman who brought him to civilization and thereby entangled him in his current predicament.[705] In the *Apocalypse of Moses,* Adam likewise rails at Eve for his suffering: "O evil woman! Why have you wrought destruction among us? You have estranged me from the glory of God."[706] Adam in Genesis has no reaction of this kind. He also does not give the woman a name assigning blame or commemorating the negative destiny he has just received (cf. *Achor* [Josh 7:26]; *Mara* [Ruth 1:20]; or *Ichabod* [1Sam 4:21]). Instead, the name he gives her is *life*. The life that comes through Eve stands out in contrast to the death that comes from their destiny; the vehicle of life has effectively been transferred away from a magic fruit ("immortality") and onto the woman. Specifically, the statement that designates her as "mother of all living" indicates that she is originating some sort of ongoing benefit to future humanity, as also seen when the formula "[parent] of all [X]" appears again in Genesis 4:20–21. Through Eve and those like her (read: women), human life will continue.[707] The specific *means* by which [eternal] life—or at least the nearest approximation of it that humans can achieve—can be best attained (using women as a vehicle) is the subject of the continuing narrative of Genesis 4, which we will discuss below (§4.f.5). For now, we note that the emphasized juxtaposition of continuing life serves to de-emphasize the significance of death, which in turn indicates that emphasizing death is not the story's narrative focus.

5. Divine Antipathy in Genesis

The time limit imposed on Gilgamesh's life by his failure to secure immortality is not intended to emphasize the fact that he will die; it is intended to focus attention on what he will do in the time between now and then. The emphasis in Genesis is the same. Where Gilgamesh's remaining life is

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[704] Barr, *The Garden of Eden*, 112.
[705] VII.131-133. George, *Gilgamesh*, 57-58.
[706] *Ap. Mos.* 21:6, trans. Johnson, "Life," 281.
[707] "Gilgamesh, the prototypical king, and Adapa, the prototypical priest, had consolation prizes appropriate to their roles […] Adam, by contrast […] [gained] the survival, not of the individual but of the human race, by virtue of sexual reproduction and human labour." Liverani, *Israel's History*, 239-240.

portrayed in positive terms, however, Adam's outlook is less promising. Adam did not earn mortality by ignoring Yahweh's warning, but he did earn a destiny of chaos; thorns, thistles, painful toil and a curse on the ground. The time he has left before his inherent mortal nature catches up to him essentially demarcates the amount of time he will have to endure the chaotic condition. We might compare Yahweh's statement "by the sweat of your brow you will eat your food until you return to dust" (Gen 3:19, NIV) to his statement to the people of Israel in Numbers 14:32, where they will wander in the desert as shepherds "until the last of your bodies lies in the wilderness" (NIV). The proclamation is not a death sentence, in contrast to what Yahweh wants to do in Numbers 14:12 ("I will strike them down with a plague and destroy them;" NIV) and what he does to the ten spies in Numbers 14:36–37 ("[they were] struck down and died of a plague before the Lord;" NIV). Instead, the sentence to "fall in the wilderness" effectively sets a limit on the amount of time they will endure the destiny of their liminal existence as wanderers.[708] The consequence of divine displeasure, both in Numbers and in Genesis, is chaos, not physical destruction.

Nonetheless, Yahweh's treatment of the humans in Genesis 2–3, by means of their destiny of chaos, is more brutal than the treatment of humanity by the gods in ancient Near Eastern anthropogenies, or the treatment of Adapa or Gilgamesh by the gods after they fail to gain immortality. When the gods create the humans in *Enuma Eliš* and *The Founding of Eridu*, they build cities for the humans and install them there. In both *Gilgamesh* and *Adapa*, the hero is cleaned and dressed in human clothing before being returned from the divine realm to the human world.[709] Clothing is a symbol of civilization; it is a reversal of the chaotic conditions that Gilgamesh acquires when he wanders the steppe and Adapa acquires when he drowns in the sea.[710] Enkidu gains "understanding" after his encounter with the prostitute, but it is not until he puts on clothing that he "becomes human."[711] Yahweh, in contrast, clothes the humans in animal skins—the same feral garb that Gilgamesh wears as he wanders the wilderness (see §4.d.5)—and hurls the humans into a harsh land of thorns and thistles after cursing the ground, this time (in contrast to Gen 3:22, see §4.d.3) with the stated motive of "because you did what I told you not to do" (Gen 3:17). But despite Yahweh's harsh actions, is the chaotic destiny outside of the garden better or worse than what they had inside it?

[708] For potential comparison of this scenario (specifically, the reiteration of Yahweh's verdict in Num 26:65) with the scenario in Genesis 2-3, see Wells, "Death," 653.
[709] Respectively: XI.251-270, George, *Gilgamesh*, 97-98; 1.63-65, Izre'el, *Adapa*, 21.
[710] Izre'el, *Adapa*, 122.
[711] Moran, "The Epic of Gilgamesh," 13.

6. Damned if You Do, Damned if You Don't: Divine Proscription in Genesis and the Cuthean Legend

The knowledge of good and evil—the ability to establish order in the human world—is something good for humans to have, as seen when the attribute is commended in David and Solomon. So, in order to understand Yahweh's proscription of the tree, and his reaction when the proscription is disregarded, we have to examine the literary device of gods forbidding humans from engaging in an order-producing activity that they would normally be expected or even required to do. Such a device is found in the *Cuthean Legend of Naram-Sin*. The text describes Naram-Sin's ordeal as he faces a threat to his kingdom in the form of an alliance of barbarian enemies, who had previously been defeated by his predecessor Enmerkar but have now been raised up against him by the gods[712] for no specified reason.[713] As king, his royal commission is to preserve order and protect his borders, and since order is upheld with the cooperation and support of the gods, he consults an oracle for their approval.[714] The gods refuse to grant permission to attack the enemy. He ignores the oracle and goes into battle anyway, suffering military defeat and the subsequent devastation of his land and people as the enemies invade. Eventually Naram-Sin receives another oracle which assures him that the gods will sort out the enemies without his assistance, at which point he releases the enemy prisoners he has taken and trusts that the gods will do as they have promised.[715]

Naram-Sin is faced with an unpleasant condition of barbarian armies massing on his borders, with the implication that he will be forced to submit and pay tribute (as he ultimately advises his successors to do).[716] The gods tell him not to take action to fix this condition, but he does it anyway. As a consequence, his land is reverted to chaos, destroyed in an (implicitly divinely sanctioned) metaphorical deluge.[717] Likewise, Adam and Eve are faced with an unpleasant condition of being naked and uncivilized, and likewise told by Yahweh not to do anything about it. Like Naram-Sin, they ignore the warning not to take action, and like Naram-Sin they suffer the consequence: they are rendered into a state of chaos at the will of the deity. The destiny of labour, thorns and thistles is

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712 "The Cuthean Legend depicts the Umman-manda as a type of force that existed in Enmerkar's time, in Naram-Sin's time, and in the time of future generations reading Naram-Sin's *narû*-text […] [the term] describes a powerful enemy that can specifically appear from the distant mountains at the will of the gods." Adalı, *Scourge*, 56.
713 The *Weidner Chronicle* alternatively suggests that Naram-Sin is being punished for attacking Babylon (lines 53-54: see Joan Goodnick Westenholz, *Legends of the Kings of Akkade* (Winona Lake, IN: Eisenbrauns, 1997), 264).
714 "[in the standard Babylonian recension] his pious solicitude to obtain a correct omen is shown in his inquiring of not one but seven gods." Ibid., 295.
715 "'Destroy not the brood of destruction! In future days Enlil will summon them for evil. They will be at the disposal of the angry heart of Enlil' […] I delivered them (to) the great gods […] I did not deliver them for my hand to kill." Lines 130-148; Westenholz, *Legends*, 323-327.
716 "Naram-Sin teaches future rulers they must patiently submit to the enemy from the mountain and wait for the gods to eradicate the hostile hegemonic power." Adalı, *Scourge*, 69.
717 OB line IV.9, SB line 98; Westenholz, *Legends*, 277, 319.

conceptually equivalent to the invasion of Naram-Sin's kingdom by the barbarian army. Abstracted this way, both stories describe a similar scenario. Therefore, we can extrapolate what Genesis 2–3 is trying to communicate through the states of its characters by examining how those comparable states relate to each other and what they are supposed to communicate in the *Cuthean Legend*.

In order to understand which condition faced by Naram-Sin—submission or invasion—is worse, we have to understand what it is that Naram-Sin wants. What is he hoping to achieve by "[going] according to [his] own inclination"?[718] Many interpreters of the *Cuthean Legend* see Naram-Sin as ignoring a directive of the gods (perhaps comparable to the oracle in Jer 27), trying to gain his desires without their help (perhaps comparable to Isa 31:1), and being punished for his hubris. In such readings, Naram-Sin's predicament is resolved when he learns from his own mistake, humbles himself before the gods, and is rewarded when the gods restore his kingdom by eliminating the undesirable condition they have inflicted, perhaps comparable to Job in Job 42 or to Nebuchadnezzar in Daniel 4:34–36.[719] According to such a view, what is at stake is the lives of his people and the infrastructure of his kingdom. Those things would be saved if he had obeyed and submitted (as also seen in Jer 27:11, 17), so such interpretations see Naram-Sin's actions as inaugurating a change for the worse.

In contrast to such readings, however, what Naram-Sin self-reports to care about is not his empire *per se*, but his royal legacy.[720] Whether he is submitted voluntarily or whether he is destroyed, either way he will be degraded and his memory will be forgotten.[721] He will thereby share the same fate as Enmerkar, who died ignominiously leaving no legacy, and who subsequently is cut off from the prayers of the living,[722] which as discussed above (§4.b.6) is the worst fate the dead can receive. In this sense Naram-Sin's condition is perhaps more similar to that of David in 2 Samuel 24:13; the gods

[718] Westenholz, *Legends*, 317 (line 82).
[719] So for example: "[Naram-Sin] is a self-willed individual, putting himself above the gods. Since Naram-Sin defies the will of the gods, he must be punished. He must realize and acknowledge his tragic error before he can receive assistance from the gods." Ibid., 264. For a presentation of variations on the theme of Naram-Sin teaching future generations the importance of trusting the gods, see Adalı, *Scourge*, 65-69.
[720] "The king suggests that the state of his legacy, which now seems compromised, and his level of care for the people, which appears lax given his military failure, further contribute to his distressed mood. As one who reigns he questions, "What have I left behind?"; as a king and shepherd, he feels that he has "not looked after his land" or "people."" Arthur Keefer, *Ecclesiastes and the Meaning of Life in the Ancient World* (Cambridge: Cambridge University Press, 2022), 60.
[721] For reading Naram-Sin's statements to the effect that he is more concerned about his own fate than that of his people in the Old Babylonian edition, see Westenholz, *Legends*, 267. See also Tremper Longman, *Fictional Akkadian Autobiography* (Winona Lake, IN: Eisenbrauns, 1991), 108: "Naram-Sin rhetorically asks, "What is left of my reign?"—perhaps the central theme of the text."
[722] "He did not make a name for himself so that I could not pray for him." Westenholz, *Legends*, 307 (line 30).

have decreed a destiny of destruction for him, and whatever choice he makes only cosmetically determines how that destruction will manifest.

Consequently, Naram-Sin's predicament is not resolved by learning from his *own* mistake, humbling himself, and trusting the gods to give him the things that he could not gain on his own. Instead, his predicament is resolved when he learns from the mistake of Enmerkar. Enmerkar did not write a *narû*-text[723] and thus both left no legacy of his own[724] and offered his successors no advice on how to manage the barbarian armies, which is another reason why Naram-Sin's predicament is not his fault.[725] In his own *narû*-text, which is the *Legend* itself, Naram-Sin presents himself as an innovator, achieving what no-one before him has done:[726] he has discovered how to convert the previously unendurable state of humiliation by enemies into a kind of noble piety, even heroism.[727] The narrative of the *Legend* does not describe how Naram-Sin was able to get what he wanted (which was a legacy, not the death of the enemy), and does not describe to its readers how they can get what they want either (i.e., by obeying the gods). "Strictly speaking, Naram-Sin's detailed prescriptions aim at guiding the behaviour towards the enemy, rather than directly aiming at the gods."[728] The narrative juxtaposes militancy and pacifism to demonstrate the superior value of the latter,[729] and thereby the superior ingenuity of Naram-Sin for having discovered it.

In Genesis 2–3, what the humans want—the equivalent of Naram-Sin's legacy—is the condition of living in an ordered state in the human world, because that is what any human in the culture of the implied audience would want. Like Naram-Sin they have been placed by the gods in a predicament where no choice available will give them what they want. They can remain in their chaotic, subhuman state, or they can "die;" that is, be reduced to a different form of chaos, cast into the liminal world. Both Naram-Sin and the human couple know the usual effective means to get what

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[723] It is not clear what Enmerkar originally did to earn the curse of the gods; consequently, it is not clear whether Naram-Sin wants to avoid this mistake as well as the mistake of not leaving a legacy. Westenholz suggests that Enmerkar ignored omens when engaging in his own dealings with the barbarians (Westenholz, *Legends*, 294). However, Naram-Sin does not receive the same curse, which would argue against both kings performing a similar offense. Whatever else they may have done, the emphasized action that Naram-Sin did but Enmerkar did not is inscribe a stela and thereby make a name for himself.
[724] Ibid., 264.
[725] "[the middle Babylonian recension] begins by stating that Enmerkar did not write a stela so that Naram-Sin could be guided […] Then, for an unknown reason, Ea creates the barbarians." Ibid., 280.
[726] "As in all Mesopotamian royal inscriptions, the king must surpass the accomplishments of his royal predecessors." Ibid., 264.
[727] "Naram-Sin advises a type of pacifism that perseveres even in the face of humiliation at the hands of the abusive Umman-manda. It is even called 'heroism' (*qarrādūtu*). The stark contrast with the traditional Mesopotamian king who slays his enemies is obvious." Adalı, *Scourge*, 65-66.
[728] Ibid., 69.
[729] "The late version closes with an admonition to a future ruler: his moral message is one of pacifism." Westenholz, *Legends*, 266.

they want—military victory and divine enlightenment, respectively—but both are denied this option by their gods for unspecified reasons. Both decide to ignore the divine proscription and exercise their option anyway, and both fail. Naram-Sin's armies are defeated by the barbarian invasion, and the protoplasts, despite their enlightenment, cannot even manage to fashion clothing (Gen 3:7), which as described previously (§4.e.5) is the most basic symbol of civilized humanity. The best attempt to avert the undesirable state, the one that cultural wisdom had promised would succeed, has failed, leaving both Naram-Sin and the human couple in the same condition that they began in.

It is certainly worth noting that Adam does not hide from Yahweh because he is afraid of what Yahweh will do to him; he hides from Yahweh because he is ashamed that he is [still] naked (Gen 3:10). The humans understood the **ṣwh*; they knew Yahweh warned then that they would die, and they knew death meant being rendered into chaos (see §4.d.4-5). So why is Adam not afraid that Yahweh will inflict chaos upon him, that Yahweh will do exactly what he does in Genesis 3:19? The reason why Adam does not fear his impending fate is because his impending fate is not any worse than the condition he is already in. When Naram-Sin's army is defeated, he is faced with the crushing reality of his own helplessness in the face of his fate: "Deeply depressed and seriously doubting whether he is at all fit to be king, Naram-Sin does not know where to turn."[730] Adam likewise has suddenly realized that he cannot do anything to resolve his unthinkable predicament, and whatever happens to him now, all he knows is that he is powerless to do anything about it. The gods reverse Naram-Sin's negative destiny—that is, the situation they created where every choice he makes ends his reign in disgrace and sends him to the netherworld to be forgotten—when they destroy the barbarians, an event not depicted in the narrative of the *Cuthean Legend* itself but implied by the existence of the *narû*-text. Yahweh likewise reverses the negative destiny in Genesis —the condition he created where no human choice produces order—when he offers the covenant to Abraham, which does not occur until Genesis 12. Neither the *Cuthean Legend* nor Genesis 2–4 describe the reversal of the negative state, because guiding a resolution of the negative state is not the literary objective of the narrative. Consequently, the chaotic state the humans wind up in at the end of Genesis 3 is conceptually interchangeable with the chaotic state they began in. But if neither an explanation for the final problematic state nor a guide to solving it is the objective of the narrative, what *is* the objective? If nothing changed in the human condition, why bother with the story of the tree and its proscription at all?

[730] Westenholz, *Legends*, 295; 266.

7. The Moral of the Story

The *Cuthean Legend* describes the failure of military aggression to achieve Naram-Sin's goal of securing a legacy. Its objective in doing so is not to teach that militancy is always bad and is something that the gods would never desire a king to do. Nor does it teach that militancy will only succeed if it has the support of the gods. Nor does it teach that the gods will punish people who disregard their instructions by causing them to fail. The failure of militancy is emphasised to demonstrate the superior value of pacifism, at least where the barbarians are concerned. Naram-Sin has discovered this value, and for this discovery he deserves to be commended and remembered. It was not pacifism *per se* that granted Naram-Sin his legacy; it was his recognition of its value and his transmission of his discovery to future generations.[731] "The *Cuthean Legend* converted humiliation in the face of the [barbarian enemies] into heroism."[732]

Genesis 2–3 describes the failure of divine enlightenment, and the civilization that arises from it, to achieve the human goal of manifesting order in the human world. Its objective in doing so is likewise not to teach that civilization is bad, or that it will only succeed with the support of the gods, or that the gods will punish those who disobey them. Genesis' equivalent of the *Cuthean Legend's* pacifism, the institution that will provide the means to achieve what they want, is covenant; not the rules and laws of the Torah (see §2.d.6), but Yahweh's patronage agreement with Abraham in Genesis 15. Pacifism gives Naram-Sin a means to obtain a legacy, and divine patronage gives humans a means to obtain order. Through the institution of divine patronage, the humans will finally realize order in the human world.

The gods did not offer Naram-Sin an enduring royal legacy if only he would practice pacifism, only for him to decide he knew better and disobey. The gods created the conditions whereby his legacy was denied, gave no instruction on how to fix it, and arbitrarily denied him permission to use the normal means (military aggression) to secure it. Likewise, Yahweh did not offer Adam order in the human world if only he would keep a covenant, only for him to decide he knew better and disobey (see §2.d.7). Yahweh created the humans in a chaotic state, gave no instruction on how to correct it, and likewise arbitrarily denied them means (divine enlightenment) to escape it. The failure of both Naram-Sin and the humans in Genesis 2–3 shows only the failure of the proscribed instrument to achieve the desired objective. It gives no indication of what they should have done instead, although the idea that nothing of value can be accomplished without the support of the gods is implicit in the culture and should probably be assumed to apply here as it does in everything else. The *Cuthean*

[731] "The text is teaching the reader how to deal with any future enemy from the mountains who, at the will of the gods, may overpower the Mesopotamian kingdom." Adalı, *Scourge*, 69.
[732] Ibid., 71.

Legend, like the postscript of Ecclesiastes, indicates that even when all the options are bad it is better to obey the gods than not. Both militancy and "knowing good and evil" receive divine endorsement in their respective cultures elsewhere as well, so the proscription is not a commentary on what the gods will or will not choose to support in principle.

8. What Humanity Gained

Divine proscription thus serves an important literary purpose critical to the message of Genesis 2–3, but that purpose is not an explanation for an aetiological change in the human condition. Like the *Cuthean Legend*, the story is neither an explanation for an undesirable state nor a lesson in problem-solving; it is a devaluation of cultural ideals. Nonetheless, the narrative frame of Genesis 2–3 is still an aetiology. If the humans had chaos at the beginning and chaos at the end, what did they gain? For better or worse, what do they have at the end of the story that they did not have at the beginning?

What the humans gain over the course of the narrative, of course, is that they "become like God, knowing good and evil." This is something the humans do not have at the beginning of the story, but they do have it by the end. "Genesis 2–3 is not about loss but about gain. It is not the story of a decline but of a rise."[733] Likewise "Leaving the garden is not connected with the loss of wisdom, but with its acquisition."[734] Godlikeness is the focus of the aetiological frame, and therefore it is godlikeness, not chaos and/or death, that is the concept that forms the subject of the narrative. But the literary focus is still not on the actions and events that produced godlikeness at some point in the past (see §3.b.2); the focus is instead on the relative value and utility of godlikeness, specifically its inability to produce order in the human world.

f. The Alternative to Immortality: Legacy or Procreation?

1. Theology: Genesis 4 as Escalation of Sin

In theological readings where Genesis 3 is seen as the story of the introduction of evil into the world, Genesis 4 is seen as the story of evil's propagation.[735] In such readings, the focus of the chapter is Cain's fratricide, which stands as a confirmation of human depravity, and on Lamech's boast about killing in Genesis 4:23, which in turn is seen to be indicative of the "violence" that fills the whole

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[733] Zevit, *What Really Happened*, 264.
[734] Becking, "Signs," 31; see also Schmid, *Old Testament*, 158.
[735] See for example Gould, "Genesis," 285.

earth in Genesis 6:11. Such readings see the organization of the Primordial History as based around narratives describing human crimes, in contrast to being based around the *tôlēdôt* structure. They also generally give little attention to the elements presented in the narratives that are not crimes, except occasionally to associate them with sinfulness and divine displeasure.

In contrast, our reading argues that the emphasis of each section is on an institution of order, and that crime, where it occurs, serves a literary purpose of devaluation (see §3.d.3). One advantage of this reading is that it both acknowledges the narrative structure of the text itself, as opposed to following the internal logic of an anachronistic theological model. Another advantage is that it pays attention to the significance of all available details (Why a city? Why a tower? Why a flood? Etc.) beyond simply providing arbitrary or historically incidental settings for human crimes and their consequences. The reliance of our reading on the *tôlēdôt* structure requires that we read Genesis 4 as a continuation of the narrative of Genesis 3, not as a separate isolated story about crime. It also requires that we examine the details of the story in terms of the concepts its elements illustrate, as opposed to the actions and events undertaken by the characters (see §3.b). Like Genesis 3, Genesis 4 is a story about concepts and their interactions, not about crimes and their impact on human history. We need to examine the details of the narrative in order to deduce what those concepts are.

2. The tôlēdôt *Formula: Genesis 4 as Continuation of Narrative*

Genesis 4 is a difficult text to interpret because it is a mix of several different forms—including a family drama, a morality play about divine punishment, the history of the first city and the arts of civilization ("technogony"), and a cursory genealogy[736]—all offered with sparse details that make its literary point somewhat obscure. Nonetheless, we can make a few sound inferences. Based on our analysis of the *tôlēdôt* structure (§3.d.2), we know that the story is a continuation of the story of Genesis 2–3. This means that we can reasonably assume that it is in the same genre as well; not a record of people and events, but a discussion of various conceptual abstractions concerning humanity and its place in the world order. What the concepts in question are should be deduced from the preceding content of Genesis 3.

As discussed above, Genesis 3 weaves together two motifs; the futility of the human pursuit of immortality (§4.e.3), and how and why humans were endowed with intelligence, the ability to carry out the labour of the gods (§4.c.8). Genesis 4 should therefore reasonably either tell the story of what the humans do as they try to set the world in order, as seen in *Atrahasis*, or tell the story of

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[736] For Gen 4:17–22 as a genealogy despite its unconventional form, see Lowrey, *Poetics*, 77, 88-95.

what humans should do instead of pursuing eternal life, as seen in *Gilgamesh*. In *Atrahasis* the humans reproduce, increase in number, make noise, and irritate the gods. Genesis records its own version of this story as well, but does so in the next *tôlēdôt* section, Genesis 5:1–6:8. Genesis 4 is therefore most likely intended to be read as a story about what mortal humans should do instead of seeking after eternal life.

3. Gilgamesh and the Heroic Legacy [Vs Long Life] in the Ancient Near East

In Ecclesiastes, as we discussed above (§4.b.7), the inescapable reality of death leads to the assertion that one ought to devote one's time and resources to enjoying the life one has for as long as one has it. The same sentiment is expressed in *Gilgamesh* as well. However, *Gilgamesh* does not offer only a suggestion on what to do with one's time; it offers a suggestion on how to go about "living forever" in the closest approximation that humans can achieve.[737] The eleven-tablet version of *Gilgamesh* that includes the visit to Utnapishtim also includes a prologue that casts the epic as a *narû*-text. In doing so, the record itself provides a means for Gilgamesh to live on through his heroic legacy for many generations,[738] as we also saw in Naram-Sin and the *Cuthean Legend* (§4.e.6). Legacy is a valuable enough substitute for life that some people will actually trade one for the other; in the *Iliad*, Achilles accepts the destiny to die young if his name will live forever.[739] According to *Gilgamesh*, true eternal life is unattainable, but the next best thing can be found by establishing a heroic legacy and living on in memory as a monumental builder, culture-hero, and monster slayer.[740] Genesis 4 is going to evaluate the heroic legacy as a substitute for immortality; not in terms of its ultimate futility, as seen in Ecclesiastes 2, but in contrast to another alternative to true immortality, which is procreation. The narrative of Genesis 4 will ultimately favour the latter, which we will discuss below (§4.f.5), but for now we will examine how the narrative uses the portrayal of Cain and his descendants to devalue the concept of the heroic legacy.

In order to juxtapose its presentation with the themes also explored in *Gilgamesh*, the implied author of Genesis depicts Cain in the role of an epic hero *like* Gilgamesh. There is no reason to assume that Cain is a reference to the character of Gilgamesh himself; he is not "two parts god and

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[737] "The epic of Gilgamesh in its seventh-century version showed how the king's search for bodily immortality was futile, but predicted that he would be remembered for ever for the beauty of his city." Van de Mieroop, *The Ancient Mesopotamian City*, 46.
[738] Abusch, "Development," 620.
[739] *Iliad* 9.410. For comparison between Gilgamesh and Achilles see Abusch, "Development," 615-616.
[740] See Richter, *Deuteronomistic History*, 169.

one part man" and neither the place he settles nor the city he builds (Nod and Enoch/Irad[741] in Gen 4:16, 18, respectively) are references to Uruk. If Cain is supposed to reference a specific figure, modern scholars do not know who it is. We can safely assume that he is supposed to represent a hero of some kind because of his monumental building activities;[742] because of the recounting of his deeds by his descendant Lamech;[743] and because of thematic similarity to *Gilgamesh* in terms of the portrayal of human activity following the failure to gain immortality.

The literary intent of Genesis 4 is to devalue the institution of the heroic legacy, and the way it goes about doing so is to establish its "heroic" protagonist as the worst kind of person who could possibly exist. Cain's actions violate the most fundamental principles of order both in his dealings with the gods and his dealings with humans. In addition to fratricide, a self-evident violation of the culture's highest values, Cain is also guilty of hubris and impiety. When Cain is introduced, he is suffering divine displeasure for no specified reason (Gen 4:5). As discussed above (§3.c.2), this sort of thing happens all the time; the proper response is for the sufferer to acknowledge the superior wisdom of the gods, confess the sin he does or does not know, offer appeasement, and wait to be restored. This is what constitutes the "[doing] right" and "[being] accepted" (NIV) that Yahweh advises in Genesis 4:7. Anger is not an appropriate response, because anger implies that the gods have behaved unjustly and therefore that the gods were wrong.

Yahweh responds to Cain's evil by ejecting him completely from the ordered world. Where the humans in Genesis 3 were allowed to keep their order-producing vocation of working the ground despite their destiny of chaos, Cain loses the benefits of the human destiny entirely and is rendered fully into the world of the chaotic periphery. As a "restless wanderer on the earth" (Gen 4:14, NIV) he is effectively no different from the barbarian proto-humans who go about naked and eat grass before they receive the gift of agriculture from the gods. From this state, he and his descendants will go about trying to establish order—but they will do it without the assistance or initiation of the gods. Thus, in addition to devaluing Cain and his legacy, the narrative also devalues everything that Cain and his family establish.[744] Just as Genesis 3 places a negative value on the godlike intelligence that

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[741] The pronouns in Gen 4:17 are unclear whether the city is built by Cain and named after Enoch (so NIV) or built by Enoch and named after his son Irad. For Enoch as a reference to a city in northern Arabia, see John Day, "Cain and the Kenites," in *From Creation to Babel: Studies in Genesis 1–11*, ed. John Day (London: Bloomsbury T&T Clark, 2015), 57. For Irad as a reference to the Babylonian mythical city Eridu, See Van Seeters, *Prologue*, 141.

[742] For heroic characters as fountainheads of the features of civilization, see Anna Maria G. Capomaccia, "Heroic Dimension and Historical Perspective in the Ancient Near East," in *Historiography in the Cuneiform World*, ed. Tzvi Abusch et al. (Bethesda, MD: CDL, 2001), 93.

[743] For Cain and Lamech as epic heroes, see Provan, *Seriously Dangerous Religion*, 202-203.

[744] "The overall effect of placing Cain's genealogy where it is presently is to cast Cain's line in a negative light." Lowrey, *Poetics*, 92.

produces civilization, Genesis 4 places a negative value on the features of civilized living, namely the arts of civilization and cities.

4. Devaluing Institutions of Civilization

As discussed in §1.d.4, cities in Mesopotamia are the focal point of the world order, founded by the gods and given to humans along with the institution of civilization. Genesis 2–4 does not think any more highly of cities than it thinks of agriculture, which it demonstrates by having the city built by a human suffering under a destiny of chaos.[745] At the same time, though, the Hebrew Bible never envisions an idyllic restoration wherein all cities are eliminated. The blessings of the Promised Land include "flourishing cities you did not build" in Deuteronomy 6:11, and a strong city-ideology centred in Jerusalem is featured prominently throughout the prophets and the Deuteronomistic History. Cities *can* be sources of evil, as seen prominently in Tyre (Ezek 28:1–10), Nineveh (Jonah 1:2), and Sodom (Gen 19:1–28), but nowhere are cities depicted as evil simply *because* they are cities. The rebuilding of Jerusalem is an important element of Israel's restoration in Nehemiah, Zechariah, and Ezekiel. Conversely, the fall of Jerusalem is portrayed as a tragedy in Lamentations, not as a return to a more ideal state of being. Cities and civilization are not essential features of the ideal state of the world order in the Hebrew Bible, as demonstrated by their ignoble establishment and inconsistent portrayal, but they are ultimately features that are better to have than not and idealized depictions of the world order almost always include them. Like agriculture and civilization, cities are being devalued relative to covenant as institutions of order, not condemned in principle.[746]

5. Lamech Versus Adam: Preserving Life Through One's Wives

The final juxtaposition in Genesis 4, which clearly illustrates the literary intent, is between Lamech and Adam and what they respectively do with their wives in Genesis 4:23–25.[747] Lamech, unusually, does not cement his legacy through a monumental construction project (in contrast to Cain), through a cultural achievement (in contrast to his children), or even through an inscription (in contrast to Gilgamesh or Naram-Sin). Instead, he specifically transmits his story to/through his wives. Oral tradition is of course a viable means of transmitting memory, but why does the text

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[745] See Provan, *Seriously Dangerous Religion*, 202.

[746] "It remains difficult to assign a strictly negative value to one of the areas of civilization mentioned in the account, or more precisely to assume the narrator or audience would have understood them as such. After all, it seems probable that they were the beneficiaries of many of the technologies referred to." Lowrey, *Poetics*, 92.

[747] For Lamech and heroism contrasted to Eve and procreation as a means to gain immortality, see Provan, *Seriously Dangerous Religion*, 203.

specify his *wives*? Why does he not talk to his scribes, or some equivalent who would normally be the caretaker of cultural memory? Women are not especially emphasized as curators of oral tradition anywhere in the Hebrew Bible or in the comparative literature. In a narrative so sparse with its details, why was this one detail so important to include?

As we discussed above (§4.e.4), this detail is a reference back to Eve's destiny in Genesis 3:20, where women are the means by which life is obtained and preserved in the absence of the tree of life. What Lamech is trying to use his wives to preserve—what he thinks is valuable—is his heroic legacy. But how valuable is it, really? Lamech enthusiastically places himself in the same category as Cain, who, the text has established, is the worst kind of person who *no one* should want to be like. The joke appears to be on Lamech,[748] who has no idea what kind of person Cain was; he glorifies the divinely appointed sevenfold vengeance on enemies, not the murder of Abel, but he seems ignorant of the circumstances under which Cain acquired this "heroic" destiny. The dramatic irony of Cain's backstory renders the boast hollow and the attempt at preservation laughable. Lamech, through his wives, is trying to preserve something that the context has established is not valuable and not worthy of preservation.

In contrast to Lamech, and by extension Gilgamesh, Adam has a different strategy for how to gain a facsimile of immortality; namely, the production of offspring. "The child is the parent's life […] [this is] a natural consequence of bequeathing life and heritage to posterior generations."[749] In addition to the correction of family order after its disruption by Cain (see §4.a.2) and the implied possibility for the continuance of life that was lost with the death of Abel, Eve's statement correctly juxtaposes the value of what she is participating in with the value of the actions of Cain: "God has granted me another child in place of Abel, since Cain killed him" (Gen 4:25, NIV). In contrast to Lamech, her perspective puts Cain in his proper place as a disruptor of order whose evil actions have now been corrected. Through this juxtaposition, the implied author of Genesis 4 shows that procreation, rather than heroic legacy, is the order-conducive means to achieve a meaningful substitute for true immortality in the human world. This emphasis further reinforces the pericope's ongoing assertion of the importance and value of family as a means of obtaining order (see §3.d.3; §4.a.2).

Like cities and the arts of civilization, however, the point is to *devalue* legacy, not to vilify it. One of the promises made by Yahweh to Abraham is that Yahweh will "make [Abraham's] name great" (Gen 12:2, NIV), and he likewise promises David that "I will make your name great, like the names of the

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[748] For an ironic presentation of Lamech's boast on the part of the narrator, see Lowrey, *Poetics*, 92.

[749] Joanna Polielski-Grzybowska, *Everything as One: a Linguistic View of the Egyptian Creator in the Pyramid Texts* (Warsaw: Harrassowitz Verlag, 2020), 58.

greatest men on earth" (2Sam 7:9, NIV). A great name and an enduring memory are among the benefits of Yahweh's patronage. The devaluation of legacy and cultural achievement as a viable substitute for immortality in Genesis 4 is intended to contrast with family and reproduction as a means to the same. The purpose of this contrast is to continue the ongoing emphasis on family, social structure, and procreation as the order-bringing institutions of which this particular pericope approves and which in turn will be devalued in the next *tôlēdôt* section in accordance with the overall structure of the Primordial History (see §3.d.3).

Excursus: The Mark of Cain as a Heroic Melammu*: Speculation in Absence of Evidence*

If Cain is an epic hero, then the brief exchange with Yahweh in Genesis 4:15 serves as a twisted sort of heroic origin story, as indicated by the destiny of sevenfold vengeance which is celebrated in memory by Lamech. The dialogue is otherwise superfluous to the narrative, since nobody is ever actually depicted trying to kill Cain. So, is there any way in which the enigmatic "mark of Cain" makes sense in the context of an origin story of an epic hero?

The meaning of the phrase "put a mark on [Cain]" is either idiomatic or irrecoverable. The only other occurrence of *śîm + 'ôt + l* + [something] is Ezekiel 14:8, where it means "make an example out of" (lit. "set as a sign.") *'ôt* usually refers to demonstrations of divine power ("signs and wonders"), ominous portents ("make/give you a sign"), or mementos ("see/establish as a sign"). The only other clear meaning is "battle standard" in Numbers 2:2 and Psalm 74:4. Any fruitful speculation about what the mark is should therefore focus less on the language and more on what it does.

The mark prevents people from harming Cain, but the text does not specify how. Practically, it must either affect their ability to harm Cain, or their motivation to harm Cain. Removing their ability would make no sense in context, because if Cain *cannot* be killed then the curse of sevenfold vengeance against his slayer is redundant. The mark is therefore not likely to provide protection per se, but rather some kind of deterrence. As to *which* kind of deterrence, Cain's destiny of vengeance indicates threat towards his enemies, not aversion of others towards himself; Yahweh does not say "I will make you loathsome/reviled so that people will avoid you." This indicates that the kind of impression Cain will inspire is fear or awe rather than derision or disgust, qualities that are also consistent with the ability to establish a city.

The concept of a visual cue (*'ôt*) that inspires fear and awe as a deterrence of enemies has an analogue in the aura of numinous terror that surrounds heroic Mesopotamian warrior kings, called the *melammu* or *puḫultu*. Unlike deities, who would radiate an awe-inspiring halo of light, Assyrian

kings did not literally glow, so in their case the *melammu* is abstracted to represent a kind of force of personality that overwhelms enemies.[750] The *melammu* is bestowed by the gods and formally placed upon the king.[751] It is usually given as a sign of royal status (*melam šarrūti* or *melam bēlūti*), but can also be given with the purpose of conferring battle prowess (*melam qardūti*).[752] Notably, the hero Lugalbanda is given weapons and a *melammu* by his gods after pleading for their help to survive in the liminal world after he is abandoned in a mountain cave,[753] a situation cosmetically similar to Cain's pleading with Yahweh to help him survive in the liminal world following his consignment to the wilderness. The radiant *melammu* of the gods applied to a human appears in the Hebrew Bible as **qrn* (Exod 34:29–35).[754] The non-radiant royal *melam šarrūti* appears in the Hebrew Bible as *hod* or *hadar* (1Chr 29:25; Ps 8:5; Jer 22:18; 21:6; Dan 11:21; Zech 6:13), where it refers to the power or legitimacy of kings.[755] No specific Hebrew parallel for the non-radiant heroic *melam qardūti,* which does not inherently confer royal status but terrifies foes through battle prowess, is indicated.[756] This could explain why an unconventional usage of a more generic word (*'ôt*) might be employed here to describe it.

If the "sign" that Yahweh "sets on" Cain "so that no-one will harm him" is an abstract reference to the heroic *melammu*—the overwhelming force of personality conferred by the gods that terrifies enemies in battle—this would be consistent with the idea that Cain is being established by the narrative in the role of a legendary hero. The evidence is too scant to offer in *support* of a heroic interpretation of Cain, but this reading fits the available data as well as any other and at least allows the heroic interpretation to be consistent throughout the pericope.

§5. Summary and Conclusion

In order to understand the "knowledge of good and evil," the story of its acquisition, the reason for its proscription, and the consequences that ensue when that proscription is ignored, we need to know a bit about good and evil ourselves. Specifically, we need to know what the implied audience of Genesis would have thought of as "good" and "evil." The traditional theological reading of Genesis 2–4 presents the story as an aetiology and subsequent progression of evil, wherein humans in a

[750] Shawn Zelig Aster, *The Unbeatable Light* (Münster: Ugarit-Verlag, 2012), 39, 99.
[751] Ibid., 78.
[752] Ibid., 75. For similarity of "*melammu* of kingship" and "*melammu* of lordship" see ibid., 86.
[753] ETCSL 1.8.2 228-239.
[754] Aster, *The Unbeatable Light*, 357.
[755] Ibid., 180-182.
[756] For limited references to the *melammu* in biblical texts, restricted to Moses, angels, and kings, see ibid., 357-359.

good, perfect, pristine world disobeyed a command of God and were punished with suffering and death for themselves and all subsequent humanity. In such readings, the garden and the pristine creation are good; the actions of the humans are evil; the fate that befalls the humans is also evil; and possession of the knowledge of good and evil itself is sometimes also evil. The objective of this study has been to argue that this theological reading is anachronistic and does not represent the original literary intent of Genesis.

To present our case, we argued that the idea of a pristine world which is subsequently corrupted by evil is found in a cosmological model called *dualism*, and that this cosmology enters into Jewish theology under the influence of Hellenism (§1.a-b). We argued further that the text of Genesis stabilizes before the Hellenistic paradigm shift and therefore that its original meaning would not reflect this cosmology (§3.a). Instead, we introduced a different cosmological model in which creation is tentatively established within a context of negation and absence and must be actively sustained against undermining forces from within and without lest it collapse. We referred to this cosmology as a "tripartite model" because it recognizes three distinct categories of value—encompassing goodness, corruption, and alterity—which we designated using the English terms *Order*, *Evil*, and *Chaos* (§1.c). We argued further that this model represents the cosmology and axiology of Mesopotamia prior to the influence of Hellenism (§1.d-f) and is also reflected in the language and imagery of the Hebrew Bible (§2.a). Most specifically, we argued that the biblical depiction of the world prior to the events of Genesis 3 is an undesirable condition characterized by negation and absence (§4.a-b) as opposed to a desirable world of pristine perfection (§2.b-c), which is consistent with a tripartite model of cosmology and axiology and inconsistent with dualism and the standard theological reading.

In order to further demonstrate the anachronism of the standard theological reading, we examined the internal logic of how and why it originated. We argued that Genesis 2–3 was not originally written as a theodicy, but that it eventually became reinterpreted and employed as a theodicy under the influence of ideas that entered Jewish thought in the Hellenistic period (§3.1-2). In addition to the features of a dualistic cosmology, those ideas involved the notion of a rule of law as the identifying mark of a civilized culture. This notion in turn motivated some early Jews to assert that the Torah of Moses represented such a rule of law, to which Yahweh himself was also accountable. With Yahweh bound by a rule of law, human suffering and death required a legal justification in order for Yahweh to remain a just lawgiver and enforcer (§3.c.4-7). This conceptual shift in turn creates the framework for casting Yahweh as a lawgiver and Adam (on behalf of humanity) as a lawbreaker in Genesis 2–3, as seen in the standard theological reading. The elements necessary to

produce such a reading are not found in Genesis 2 (§2.d.7; §4.d) and, while alluded to in Romans 5, do not form the substance of the literary intent of that discourse either (§3.c.8 and excursus).

At the same time, we asserted that the literary objective of the Hebrew Bible in general and Genesis in particular was not to simply re-iterate the shared ideology of its ancient Near Eastern contemporaries, but rather to undermine some of those ideas and replace them with new concepts of its own (§0.b). To that end, we examined the ideas which the Hebrew Bible presents as being distinct from those of its conversation partners. Cosmology is not one of those ideas (§1.b, excursus) and neither is the recognition of three categories of value (§2.a). Instead, the most significant change is the recognition of the covenant with Yahweh—which in its original presentation is not a set of rules to be obeyed—as the institution that lies at the centre of the world order (§2.d). We argued further that the narratives of the Primordial History, including Genesis 2–4, were not stories about their characters, but rather presentations of the interactions of abstract ideas and concepts (§0.a; §3.b). Accordingly, we argued that the literary intent of the Primordial History is to deconstruct and devalue various order-bringing institutions that other ancient Near Eastern cultures would have been inclined to assign the highest value (§1.d.3-4; §3.d.3) in order to establish the covenant as the desirable alternative.

With this new conceptual framework in mind, we turned to Genesis 2–4 to examine an alternative interpretation of the elements that underpin the standard theological reading. We examined the structure of the composition and argued that Genesis 2:4–4:26 constitutes a single literary unit that is both unified and self-contained in its subject matter (§3.d; §4.f). We argued that this narrative does not tell the story about how humans came to suffer and die (§4.e.1-4); instead, it tells the story about how humans acquired civilization, the godlike ability to set the world in order (§4.c). At the same time, civilization and all it entails—including agriculture, cities, arts and tools, and cultural memory—are all presented in a negative light in order to undermine their ultimate value (§4.e.5-7; §4.f.4-5).

We argued further than the narrative of Genesis 2–3 does not depict a loss of any kind (§4.e). We demonstrated that Eden is located in the divine realm, but argued that the divine realm is not presented as a desirable place for humans to live (§4.b.1-4). We similarly argued that mortality would have been less undesirable to the implied audience than the lack of the order of the human world, and that the story is not about how humans lost immortality but rather about what mortal humans should do with their allotted time (§4.b.5-7; §4.f.5). The loss of immortality is not a punishment; the action which incurs it is not a crime; and Yahweh's statement to abstain from the fruit of the knowledge of good and evil is a warning rather than a law or a threat (§4.d). Instead, the

divine proscription and subsequent consignment of the humans to a destiny of chaos devalues the ability of the “knowledge of good and evil” to establish order on the earth (§4.e.5-7).

§6. Further Research

The next step in this project would be to expand the scope of the interpretation to cover the entire Primordial History, in order to establish and defend the structure we proposed in §3.d.3. This expansion would include a detailed examination of the positive presentation in Genesis 2–4, which we asserted to be family and human reproduction. Further, we need to especially explore and defend our proposed interpretation of Genesis 9, which is unconventional, and also explore the ways in which the presentation of the city in Genesis 11 differs in emphasis from the presentation of the city in Genesis 4.

Another trajectory of research would be to explore the argument of the discourse in Romans 5–9 in detail, examining its internal logic and comparing its approach with debates about codified law in contemporary middle-platonic philosophy. The discussion of Paul in Hayes’ monograph is mostly about the extrapolated agenda of the historical author. A study of the influences of first-century Jewish and Roman philosophy combined with the insights of the “New Perspective on Paul” regarding the rhetorical strategy of the *implied* author would provide an interesting alternative to the usual reading of the text as a systematic presentation of Christian hamartiology.

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