One of the main reasons that Scripture is often misunderstood is the fact that its readers are generally unfamiliar with the ways of mankind in Bible lands and Bible times. If the scribes had prepared an edition of Holy Writ for us of the twentieth century A.D., they would have taken far less for granted about many every-day matters that their contemporaries understood without difficulty.

We may fortunately overcome some of our ignorance by studying the many groups of documents unearthed by the Biblical archaeologist. Among
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Editor: G. Ernest Wright, Presbyterian Theological Seminary, 2330 N. Halsted St., Chicago, Ill. (Only editorial correspondence should be sent to this address.)

Editorial Board: W. F. Albright, Johns Hopkins University; Millar Burrows, Yale University; E. A. Speiser, University of Pennsylvania.

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the most interesting of these are the thousands of Babylonian clay tablets of the fifteenth century B. C. found at Nuzu (or Nuzi), in northeast Iraq. Excavations were begun at this city in 1925 by the American School of Oriental Research in Baghdad under the direction of Professor Edward Chiera. Hardly had the work commenced when the villa of one of the city's nobles was encountered. Later on other villas were uncovered, as was also the palace of the local ruler. Fortunately, several of the families had been very careful to preserve records of their social and business transactions, which were stored away in archive rooms, awaiting their modern resurrection. Thus by 1931 when the excavations were completed by the American School in cooperation with Harvard University and the University Museum of Philadelphia, a very good picture of the life of this ancient city was at hand.

A point of interest which these discoveries have for the Biblical student is that the Nuzians were Hurrians, the long-lost Horites of the Old Testament. Even more significant is the fact that the archives of the Horite city of Nuzu reflect ways of living that are relatively close in time and place to those of the Patriarchs. Consequently, they clear up some of our misunderstandings regarding the lives of Abraham, Isaac and Jacob, who wandered between Mesopotamia and Egypt in the first half of the second millennium B. C.

The Patriarchal Age

It may seem strange to us that at first Abraham's heir was a slave by the name of Eliezer (Gen. 15:2-3). The adoption of slaves is known in the tablets from the archives of Nuzu (H IX 22, for example1), and some of these documents make clear the reason for, and nature of, this relationship between Abraham and his adopted son, Eliezer.2 It was a custom at Nuzu for childless people to adopt a son to serve them as long as they lived and to bury and mourn for them when they died. In exchange for these services the adopted son was designated as heir. If, however, the adoptor should beget a son after the adoption, the adopted must yield to the real son the right of being the chief heir (H V 7, 60, 67). Once we know of this

1. I hope the reader will pardon such queer numbers and letters as these scattered throughout the text of this article, and also the numerous footnotes. The reason they are included is to give those who are interested a chance to go deeper into the matter. The abbreviations refer to the cuneiform originals, and the key is given in the journal Orientalia, 1938, p. 32.
proviso, we have the legal meaning of God's reply in Genesis 15:4: "This (slave) shall not inherit thee, but he that shall come out of thine inwards shall inherit thee."

Since the purpose of marriage was procreation rather than companionship, it is not surprising that Nuzu marriage contracts may go so far as to oblige the wife who fails to bear children to provide her husband with a handmaid who will bear them: for example, "If Gilimninu (the bride) will not bear children, Gilimninu shall take a woman of N/Lullu-land (whence the choicest slaves were obtained) as a wife for Shennima (the bridegroom)." 3 This enables us to grasp the viewpoint of Sarah, who says to Abraham: "The Lord has kept me from bearing. Go in, I pray, unto my handmaid (Hagar) ! Perhaps I shall be built from her" (Gen. 16:2). No matter how unnatural it may seem to us in the light of our present point of view, Sarah's action fits into the social pattern of her environment, and, two generations later, Rachel gives Bilhah to Jacob for the same reason (Gen. 30:3).

After Hagar had borne Ishmael, Sarah was blessed with a son, Isaac. Resentful of Hagar and with misgivings that Ishmael's presence might be detrimental to Isaac's future, Sarah tells Abraham: "Drive out this handmaid and her son, for the son of this handmaid shall not inherit along with my son, Isaac" (Gen. 21:10). Under these circumstances the Nuzu wife was expressly forbidden to expel the handmaid's offspring: for example, "Gilimninu shall not send the (handmaid's) offspring away" (H V 67:22). Doubtless Sarah was not acting within her rights, for a divine dispensation is required to permit the unwilling Abraham to comply: "And the thing was quite bad in the eyes of Abraham on account of his son (Ishmael). But God said to Abraham: 'Let it not be bad in thine eyes because of the lad and thy handmaid. (In) all that Sarah saith to thee hearken unto her voice, for in Isaac shall seed be called for thee'" (Gen. 21:11-12). 4

Few incidents in family life seem more peculiar to us than Esau's sale of his birthright to his twin brother, Jacob. It has been pointed out

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that one of the tablets (H V 99) portrays a similar event. The resemblance is not as striking as it might be, however, because the document is an agreement whereby one man makes over the right to inherit the major portion of his father’s estate to another man’s son. There is better example in tablet N 204 in which a man by the name of Tupkitilla transfers his inheritance rights regarding a grove to his brother Kurpazah in exchange for three sheep. Students of the Nuzu Tablets are well acquainted with the wretched lack of fraternal love among Hilbischuh’s sons whose names were Kurpazah, Tupkitilla and Matteshup. In one of the documents (N 331) Kurpazah hails Matteshup to court on a charge of having committed assault and battery on Kurpazah’s wife. In another6 there is the record of the scandal in which Matteshup swears in court that Kurpazah stole eight sheep from the groves in Tupkitilla’s inheritance portion. As if it were not enough for one brother to rob another’s estate, a third brother must play the informer! Tablet N 204, ironically enough, was labelled “a document of brotherhood.” “Brotherhood” is here one of the technical terms used by the Nuzians to get around the law against selling land. In other words, the sale of a birthright is here kept within the law by being quite obviously disguised as an adoption into brotherhood, even though the parties are already brothers by birth. However complicated and perversity this may seem, it is nevertheless true. The main part of the text reads as follows:

“On the day they divide the grove (that lies) on the road of the town of Lumti . . . (there follow the dimensions and the exact location), Tupkitilla shall give it to Kurpazah as his inheritance share. And Kurpazah has taken three sheep to Tupkitilla in exchange for his inheritance share.”

It is hard to imagine that any reason other than dire lack of food induced Tupkitilla to sell his patrimony for three sheep. But just as Kurpazah exploited Tupkitilla's hunger, so did Jacob take advantage of the famished Esau:

“And Jacob said: ‘Sell me thy birthright now!’ And Esau said: ‘What with me about to die (of hunger), what good is the birthright to me?’ And Jacob said: ‘Swear to me now!’ And he swore to him and sold his birthright to Jacob. And Jacob gave Esau bread and a mess of lentils and (Esau) ate and drank” (Gen. 25:31-34).

Jacob’s dealings with Laban have been particularly illuminated by the Nuzu records. One tablet (G 51) is so important that we translate all of it except the names of the seven witnesses at the end:

“The adoption tablet of Nashwi son of Arshenni. He adopted Wullu son of Puhishenni. As long as Nashwi lives, Wullu shall give (him) food and clothing. When Nashwi dies, Wullu shall be the heir. Should Nashwi beget a son, (the latter) shall divide equally with Wullu but (only) Nashwi’s son shall take Nashwi’s gods. But if there be no son of Nashwi’s, then Wullu shall take Nashwi’s gods. And (Nashwi) has given his daughter Nuhuya as wife to Wullu. And if Wullu takes another wife, he forfeits Nashwi’s land and buildings. Whoever breaks the contract shall pay one mina of silver (and) one mina of gold.”

To bring out the more clearly the bearing of this text on the Hebrew episode we summarize the tablet, substituting “Laban” for “Nashwi”, and “Jacob” for “Wullu”: “Laban”, who has no son of his own, adopts

5. See Speiser, loc. cit.
“Jacob” and makes him heir. If “Laban” should beget a son in the future, that son and “Jacob” are to share the inheritance, but only the begotten son is to take “Laban’s” gods. If “Laban” does not beget a son, then alone may “Jacob” take “Laban’s” gods (compare N 89:10-12). As a condition, “Jacob” is to marry “Laban’s” daughter. “Jacob” is forbidden to marry any other woman under the penalty of forfeiting “Laban’s” property.

Let us now examine the Biblical account to see if and to what extent it coincides with the tablet. There is no indication that Laban had sons when Jacob first appears on the scene (Gen. 29). Laban’s sons were apparently born between that time and twenty years later (Gen. 31:41), when they are first mentioned (Gen. 31:1). Laban agrees to give a daughter in marriage to Jacob when he makes him a member of the household: “It is better that I give her to thee than that I give her to another man. Dwell with me!” (Gen. 29:19). Our thesis that Jacob’s joining Laban’s household approximates Wullu’s adoption is borne out by other remarkable resemblances with the Nuzu document.

Laban’s insistence that Jacob take no wife in addition to his daughters (Gen. 31:50) is interesting but without other evidence would prove nothing because the prohibition against the bridegroom’s taking another wife is rather widespread (compare also N 435:10). More significant, though by itself inconclusive, is Laban’s gift of a handmaid to each of his daughters upon their marriage to Jacob (Gen. 29:24, 29). This is done under similar circumstances according to another tablet (H V 67:35-36). Rachel’s theft of Laban’s gods (Gen. 31:19, 30-35), however, is unmistakably paralleled in the tablet translated above.7 While they are called teraphim in verses 19, 34, and 35, they are called “gods” in verses 30 and 32, as in the Nuzu tablets. There is no doubt, therefore, that the teraphim were simply idols.8 The possession of these gods was important, and, in addition to their religious significance, they may have implied leadership of the family. Because Laban had begotten sons, none but the latter had any right to the gods and hence Laban’s indignation is justified: “Why has thou stolen my gods?” (Gen. 31:30). Jacob, on the other hand, had not bargained for so secondary a position. His hopes had been frustrated by the birth of Laban’s sons.

The following words of Laban are quite intelligible if understood as being addressed to Jacob in the latter’s capacity of Laban’s adopted son (not son-in-law!): “The daughters are my daughters and the sons are my sons and the flocks are my flocks and whatever thou seest is mine” (Gen. 31:43). Laban was to exercise patriarchal authority over all his children and grandchildren as long as he lived. Jacob, as Laban’s adopted son, and Jacob’s wives, children and flocks belonged to Laban. Laban had every right to punish Jacob for running away and stealing members of Laban’s household, but “the God of Jacob’s father” had appeared to Laban in a dream and commanded him to deal gently with Jacob (Gen. 31:24, 29). Furthermore, even the heart of a crafty Aramean like Laban was not de-

8. (This fact should be kept in mind to offset some of the wild speculations concerning the Teraphim. The latest is to be found in the Religious Digest, Sept., 1939, pp. 19-22, where a writer indicates to his own satisfaction that the teraphim were the original tablets of which Moses made use when he composed the Pentateuch!—G.E.W.)
void of parental tenderness: “And as for my daughters, what can I do to them now—or to their children that they have borne” (Gen. 31:43).

That Rachel and Leah were not free to leave their father’s household was not merely because they were his daughters (for under ordinary circumstances married women belonged to their husbands). They still belonged to Laban on account of their husband’s status as an adopted son. They were as guilty as Jacob in agreeing to run off (Gen. 31:14-16.)

That Laban had been roguish in more ways than one is also evident from the Biblical account. The most shameful occasion of which we know, is the way he “palmed off” the wrong bride on the unsuspecting Jacob (Gen. 29:22-27). Furthermore, that he had not been an ideal father can be gathered from the complaint of his daughters: “Are we not reckoned as foreign women unto him?” (Gen. 31:15). The Nuzu tablets make a sharp distinction between native women (called “daughters of Arrapkha”, the local capital), who cannot be subjected to mistreatment, and foreign women, who are regularly found to occupy inferior social positions. This clarifies the terminology used by Rachel and Leah. They felt that Laban had treated them as foreign women, whatever be the precise financial significance of their reason: “for he has sold us and indeed eats our money” (Gen. 31:15).

A tablet published a few months ago by Lacheman (N 661) records that a man by the name of Shamash-qarrad becomes Tehiptilla’s slave on condition that Tehiptilla will provide him with a wife. This is an interesting parallel to Jacob’s working for his brides (Gen. 29:18,30). We may safely assume, however, that Tehiptilla did not give a daughter to Shamash-qarrad; he probably gave him a slave-girl. Jacob, however, was not Laban’s slave. The relationship between Jacob and Laban is paralleled far more closely in the tablet discussed above (G 51) than in this one.

The blessings of Biblical characters, as, for example, those of the Patriarchs, were taken quite seriously for they amounted to irrevocable last wills and testaments. Even after Esau’s blessing had been extorted from Isaac by Jacob under false pretenses, Isaac, distressed as he was and knowing that he had been tricked, could not go back on his word: “And Isaac trembled much with great trembling and said: ‘Whoever it was that hunted game and brought (it) to me and I ate of all (of it) before thou camest and I blessed him—even he shall be blessed’” (Gen. 27:33). Be it noted that Patriarchal standards require Isaac to keep his word even under these extenuating circumstances, and he is prepared to do so even though a stranger inherit him; for he does not yet know that his blessing has been given to Jacob, and not to an imposter outside the family. Some present standards compare rather unfavorably with this.

However much the blessings themselves may have been shaped to fit subsequent history, their original function as testamentary wills is still preserved. Thus Isaac appoints his son to follow him as family chief: “Be a lord to thy brothers!” (Gen. 27:29), while Jacob designates Judah as his successor: “Judah, may thy brothers pay thee homage . . . may thy father’s sons bow down to thee!” (Gen. 49:8).

It should also be observed that impending death provides the occasion for the blessings. Upon choosing the time to give his blessing, Isaac says: “I have grown old and I know not the day of my death” (Gen. 27:2). Jacob was actually on his death-bed and after blessing and instructing his sons, “he gathered his feet unto the bed and died and was gathered unto his people” (Gen. 49:33).

One of the Nuzu tablets (PS 56) is a document recording the lawsuit of a certain Tarmiya against his two brothers, who contested his right to take a woman by the name of Zululishtar as wife. Tarmiya wins the case and is awarded his bride because the court recognizes the validity of his father’s “blessing”, which Tarmiya reports as follows: “My father, Huya, was sick and lying in bed and my father seized my hand and spoke thus to me: ‘My other older sons have taken wives but thou hast not taken a wife and I give Zululishtar to thee as wife’.” This text conforms with Biblical blessings like those of the Patriarchs in that it is (a) an oral will, (b) with legal validity, (c) made to a son by a dying father.

Since the nomadic Patriarchs did not resort to writing, it is natural that the spoken word should be binding. What is strange is that in a settled community like Nuzu, where even trivial transactions were carefully documented, the oral “blessing” should be upheld in court. Regarding these “blessings”, then, the Bible throws more light on Nuzu than vice versa. In such studies as these it is well to remember that the Bible, aside from its great inner worth, remains our leading source for the ancient Near East. The historian does not use inscriptions and archaeology to “prove” (or “disprove”) the Bible, but rather does he use the Bible to illuminate the antiquity in which our cultural heritage is rooted.

Lack of space prevents us from entering into all the minor Nuzu side-lights on Patriarchal days. We shall limit ourselves to Jacob’s claim that he had been a faithful herdsman for Laban. He says, among other things: “I did not eat the rams of thy flocks” (Gen. 31:38). It is interesting to compare the law-suits brought by Nuzu cattle owners against their herds-
men for slaughtering animals without permission. For example, the Nuzu plutocrat Tehiptilla filed and won two suits against his herdsman Tilliya for illegal slaughtering (tablets N 326 and 353). However much Jacob may have sinned against Laban, he had at least refrained from feasting clandestinely on mutton at Laban's expense.

The Nuzu parallels show that the picture of Patriarchal society was not distorted in the millennium of oral transmission before the account was first committed to writing. Thanks to the Nuzu texts we may feel confident that the social institutions have come down to us authentically.

Fig. 4. A Horite Lion from Nuzu

Parallels To Other Biblical Laws and Customs

A number of writers have pointed out many other Nuzu parallels to the Bible. Since the field is new, not all of these have stood the tests of further investigation and additional evidence. In reviewing what I consider some of the more probable parallels it will be noted that they do not cluster around a single period as those above do around the Patriarchal Age. The resemblances are due sometimes to common origins, sometimes to borrowing and sometimes to chance. In several cases there are still more analogies in other documents of the ancient Near East. Not included here are the purely linguistic or terminological parallels, of which there are many interesting examples.

While Hebrew society was essentially patriarchal, with the father ruling the family, it had certain fratriarchal aspects, whereby a man is singled out to exert authority over his brothers. Another brother may be appointed vice-fratriarch (I Sam. 8:2; 17:13; 1 Chron. 5:12). In Hebrew the terms designating "fratriarch" are quite distinct from "first-born": for example, "Shimri was the fratriarch, though not the first-born, for his father made him fratriarch" (1 Chron. 26:10). Fratriarchy is detectable
in the Nuzu tablets as well as in the cuneiform records of the Hittites and Elamites.\textsuperscript{12}

While the right of daughters to inherit is quite familiar to us, it is not recognized in all states of society. Numbers 27:8 decrees thus: "If a man die, and he have no son, ye shall transfer his estate to his daughter." Under similar circumstances a daughter is to get a share of the parental estate in one of the Nuzu tablets (H V 67:27-29).\textsuperscript{13}

Levirate marriage (to cite one of its variant forms) designates the institution whereby the widow of a man who dies without having begotten a son is to marry the deceased’s brother and the first son of this union is legally the son of the dead husband. Such is the essence of the law according to Deuteronomy 25:5-7 (compare also Gen. 38 and Ruth). Though the institution came to be interpreted as a measure to preserve the deceased’s name in Israel (Deut. 25:6), it seems to have originated in purchase marriage, according to which a girl is bought by and belongs to her husband’s family. This, at any rate, is the case in a Nuzu tablet (N 441) wherein a father, when obtaining a bride for his son, specifies that if the son dies, she is to be married to another of his sons.\textsuperscript{14}

Hosea 2:4-5 refers to the custom of having a reprehensible wife expelled naked by her own children: “Take action against your mother, take action, for she is not my wife nor am I her husband (i.e. I herewith divorce her) . . . Lest I have her stripped naked and set her as on the day she was born” (compare also Ezek. 16:39; 23:26). In a Nuzu tablet (N 444:19-23) a husband wills: “If (my wife) Wishirwi goes to (another) husband and lives (with him), my sons shall strip off the clothes of my wife and drive (her) out of my house.” Similarly another tablet (H V 71: 34-36) contains the same injunction. This custom finds a parallel in a cuneiform tablet from Hana, in Aramaic magical bowls from a very much later time in Babylonia, and, oddly enough, among the ancient Germans.\textsuperscript{15}

Frequently the Nuzians sold their daughters or sisters into what are euphemistically called adoptions, with the proviso that the adoptors shall marry the girls off. Exodus 21:7-11 shows that a similar custom existed in Israel, whereby a man could sell his daughter as a slave and the purchaser was to see that she was married. One of the possibilities mentioned is that his son should marry her.\textsuperscript{16}

Exodus 22:6-8 reads as follows:

“If a man give silver or vessels to another for keeping and it is stolen from the latter’s house; if the thief be found, he shall pay double. If the thief be not found, the owner of the house shall draw nigh unto the gods (to swear) that he did not put his hand upon the other’s goods. As for every transgression regarding an ox, an ass, a head of small cattle, a garment—regarding any lost article about which (someone) says that: ‘This is it’, the case of both of them (the litigants) shall come before the gods. Whom the gods declare guilty shall pay double to the other party.”

\textsuperscript{12} I have discussed the question from the Biblical angle in \textit{Jour. of Biblical Lit.}, 1935, pp. 223-231.

\textsuperscript{13} \textit{Revue Biblique}, 1935, p. 38.

\textsuperscript{14} Ibid., p. 37.

\textsuperscript{15} See Kuhl, \textit{Zeitsch. f. die alttestamentliche Wiss.}, 1934, pp. 102-109; and Gordon, ibid., 1936, pp. 277-80, and 1937, p. 176.

Though we do not know the technical details, divine images were used in deciding cases where contradictory claims led to a deadlock. Of course, in later times the word here translated “gods” was translated by “judges”, “rulers”, or by “God”, but there is no doubt that originally the sense of the passage was as given above. The ordeal-oath before the gods is a common feature of the Nuzu trials, and translations of the Bible which alter the sense are unjustified. In later Hebrew law the use of these idols was eliminated.

From ancient times to the present the town nearest the spot of an unsolved crime is often held responsible in the Near East. Thus, in tablet N 125 from Nuzu the inhabitants of the town of Purilli collectively face a charge of burglary and larceny. Community responsibility is reflected in Deut. 21:1 ff., where the elders of the nearest city must make a sacrifice, wash their hands and declare: “Our hands have not shed this blood and our eyes have not seen (the murder).”

The institution of the release is well-known in the ancient Near East. Hebrew law reckoned with two releases: (1) the “Sabbatical Year”, in which Hebrew slaves were freed, debts cancelled and the soil left lying fallow; and (2) the Jubilee Year, when all real estate reverted to its original owner. Oriental rulers of former days occasionally proclaimed releases and perhaps such a one is referred to in Esther 2:18. Many Nuzu tablets are dated “after the release”. Further study of them is necessary,

17. Gordon, Jour. of Biblical Lit., 1935, pp. 139-144.
18. For fuller treatment see the writer, Revue d'Assyriol., 1936, pp. 1-6, and Zeitsch. f. die. 18. For fuller treatment see the writer, Revue d'Assyriol., 1936, pp. 1-6, and Zeitsch. f. die. alttestamentliche Wiss., 1936, p. 278, n. 1.
19. See Alexander, Jour. of Biblical Lit., 1938, pp. 75-79.
however, before the resemblances with the Biblical releases can be established. An identity in detail seems to be out of the question.20

Hebrews and Horites

Most scholars accept the identification of a people called Habiru in the cuneiform inscriptions with the Hebrews. That is, the words are identical and referred originally to the same type of people. Originally “Hebrew” did not denote a nation, a religion or a language, but instead a social status. The Nuzu tablets are a leading source of information on this subject. It is quite normal in Nuzu for the Habiru (Hebrews) to enter voluntarily into permanent slavery: for example, “Sin-Balti, a Habiru woman, caused herself to enter the house of Tehiptilla in servitude. If Sin-Balti breaks the contract and goes into another house, Tehiptilla may pluck out Sin-Balti’s eyes and sell her for a price” (N 425). Another tablet reads, “As for Silli-Kubi, the Habiru, his (own) mouth and tongue caused him to enter (in servitude the house of) Tehiptilla, son of Puhishenni” (N 454). This institution had a practical, economic reason. Instead of facing the poverty which was virtually certain to cling to them all of their days, the Habiru acquired security by joining wealthy households as slaves. In a home like Tehiptilla’s there would be no dearth of food, clothing and shelter.

In Exodus 21:2 ff. are laws pertaining to the “Hebrew slave”, where “Hebrew” retains the social connotation it has in Nuzu. It is especially interesting to note verses 5 and 6 where the “Hebrew slave” enters voluntarily into permanent servitude.21 It is too soon to say what bearing the Habiru data may have on the study of the enslavement of the Hebrews in Egypt.

While the Nuzu tablets were written in the Babylonian language, the native population was Horite. The scribes now and then use Horite words, whose meanings are often fixed by the Babylonian context. These loanwords are adding considerably to our growing knowledge of the language which these people spoke. The Horites were formerly known only from a few obscure references in the Old Testament. Now we know them to have been a dominant ethnic element in the Near East throughout the second millennium B. C. Unscientific etymologists had misconstrued their name to mean “cave dwellers.” Of course, they were nothing of the kind and their own inscriptions from Egypt, Canaan, Asia Minor and Mesopotamia have helped to restore them to their proper place in history. The Nuzu tablets have made life in the Horite town probably the best known of any community in remote antiquity.

Cyrus H. Gordon

Member of the Institute for Advanced Study, Princeton, N.J., and Lecturer at Smith College.