

THE TECHNIQUES OF THE SACRIFICE OF ANIMALS IN ANCIENT ISRAEL AND ANCIENT MESOPOTAMIA: NEW INSIGHTS THROUGH COMPARISON, PART 2

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Introduction

In the first section of this article,¹ we began our study of the sacrificial systems of ancient Israel and the Ancient Near East in comparative perspective in the hope that the why's and why not's of each system might be better understood by putting the beliefs and practices of ancient Israelites back into their original context. So far, we have examined the preliminaries for sacrifice, including the choice of animal, the laying on of hands, the importance of blood, and the preparation of the sacrificed animal. We have also looked at holocaust offerings in Mesopotamia and leftovers of the sacrifice. In what follows, we shall extend our examination to include occasional sacrifices, regular offerings, and the problem of interpreting the language of offerings.

Occasional Sacrifices

General Remarks²

As a general rule in nonsalvation religions, occasional sacrifices are made in a spirit of a contract between a person and a god or between a person and a demon with a god as guarantor. The technical term for such spontaneous offerings in ancient Mesopotamia was *šagigurnu*, which means literally: "what you have your heart set on" (ŠÀ IGI *karru*) or "wish" (*bibil libbi*), a good indication that a *quid pro quo* was involved.³ The person agreed to provide animals or other gifts or, at the very least, to be thankful, and the spirit engaged to cure him or to solve his problems (*do ut des*). The person had the option of fulfilling his side of the contract up front, thus putting the deity under obligation.⁴ Alternatively,

¹JoAnn Scurlock, "The Techniques of the Sacrifice of Animals in Ancient Israel and Ancient Mesopotamia: New Insights Through Comparison, Part 1, *AUSS* 44 (2006): 13-49.

²For more details on occasional sacrifices, see JoAnn Scurlock, "Animal Sacrifice in Ancient Mesopotamia," in *A History of the Animal World in the Ancient Near East*, ed. B. J. Collins (Leiden: Brill, 2002), 395-397.

³For references, see *CAD* B 220-221 s.v. *bibilu mng.* 3b; *CAD* Š/1 72-73.

⁴As in many ancient Mesopotamian magical rituals.

he could simply ask for assistance, promising to pay later.⁵ Finally, he could offer a partial payment up front, with the rest to follow upon compliance.⁶ In any case, the giving of a sacrificial “gift” (Akkadian *qīštu* or *kadru*)⁷ could be seen to “complete” or “fulfill” (*sullumu*)⁸ the human being’s side of the contract, thus “pacifying” (also *sullumu*) an otherwise outraged spirit. Such a contract could also be initiated by a deity, who, by performing some unasked-for benefit, obligated the person to respond with a corresponding sacrifice.

The idea of performing rituals to initiate a contractual relationship between a human being and god is usually characterized as “polytheism” or even “magic”; it was, nonetheless, an important part of ancient Israelite religion, enshrined in the dictum: “No one shall appear before me empty-handed.”⁹ Until the first fruits had been offered, no bread, roasted grain, or fresh kernels could be eaten.¹⁰

No offense against YHWH could be forgiven without payment,¹¹ whether *ḥattāʾt* or *ʾāšām*.¹² *Ḥattāʾt* and *ʾāšām* were rites designed to ensure divine forgiveness in cases of what might be termed sins against god and sins against man, respectively.¹³ The former could be forgiven if there was actually no intent

⁵As in the biblical *neder*, the Akkadian *ikribu*, and the Medieval English “vow.”

⁶As in the Moroccan *ʿar* and *bedīya*, see Edward Westermarck, *Ritual and Belief in Morocco* (London: Macmillan, 1926), chap. 10.

⁷For the Sumerian equivalent (A.R.U.A), see M. van der Mierop, “Gifts and Tithes to the Temple in Ur,” in DUMU-É-DUB-BA-A: *Studies in Honor of Ake W. Sjöberg*, ed. H. Behrens et al. (Philadelphia: University Museum, 1989), 397-401.

⁸For the use of *sullumu* to refer specifically to completely carrying out a sacrifice, see, e.g., A. K. Grayson, *Assyrian Rulers of the Early First Millennium B.C. 1 (1114-859 B.C.)*, RIMA 2 (Toronto: University of Toronto Press, 1991), 151:74-75.

⁹Exod 23:15; 34:20; Deut 16:16-17.

¹⁰Lev 23:10-11, 14; cf. 2:14-16. The *shavuot* festival that took place seven weeks after the first sheaf offering and that mandated the offering of leavened bread made from new grain (Lev 23:15-22) was the only context in which *selamim* offerings were made on a scheduled basis as part of the public cult (see Levine, *Leviticus*, 159).

¹¹Lev 5:19.

¹²For details, see Lev 4-5; 6:17-23; 7:1-10.

¹³That the *ʾāšām* offering was specifically for “sins against man” (*ḥattāʾt* of *ba-ʾadam*) is made explicit in Num 5:5-8, which also notes that the *ʾāšām*, properly speaking, was the restitution made to the injured party. On this point, see also Theodor Herzl Gaster, “Sacrifices,” *Interpreter’s Dictionary of the Bible*, 152. Cf. Baruch Levine, “Leviticus,” *ABD*, K-N:313; Jacob Milgrom, *Leviticus 1-16*, AB 3 (New York: Doubleday, 1991), 230, 345; idem, *Numbers*, JPS Torah Commentary 4 (Philadelphia: JPS, 1989), 34-35. The distinction is obvious if you are expecting it, but rather hard to derive from the examples quoted. The reason for this is quite simple—as has long been recognized (see idem, *Leviticus 1-16*, 310)—priestly legislators had a distinct tendency for teaching by extreme example. Instead of defining terms, they presented the reader with borderline cases whose placement was problematical. Sins against humanity were obviously sins against

to sin;¹⁴ the latter only if restitution was also offered to the injured party.¹⁵

No request to YHWH could be unaccompanied by a compensatory sacrifice. One alternative was to present a “freewill” offering (*nēdābā*),¹⁶ ostensibly the Israelite equivalent of the Mesopotamian *šagigurnū*,¹⁷ and probably, as with it, a sacrifice offered “voluntarily” before the granting of a request in hopes of eliciting the sympathy of the deity. The other possibility was for the petitioner to offer nothing up front, but to give the promise of a substantial reward to follow the granting of the request, the *neder* (“vow”).

Even spontaneous benefits, unasked for either by sacrifice or prayer, obligated the beneficiary to respond with a corresponding sacrifice, the biblical *tōdā*.¹⁸ With the exception of the “sin” and “guilt” offerings, this system of occasional sacrifices is immediately recognizable from Plato: “[I]t is the common way . . . with persons in danger or any sort of distress, as on the other

God as well, so it was not always easy to determine who was the injured party. Sins that might more properly be considered sins against humanity, but where the primary infraction was disrespect for an oath (Lev 5:1, 4-6) rather than the injury to another person resulting from that disrespect (Lev 5:21-26), fell into the “sin” offering category. Conversely, sins that might more properly be thought of as sins against God, but in which some human being was also involved as an injured party went into the “guilt” offering category. Misappropriation or misuse of sacred things (Lev 5:14-16) was obviously robbing God, but it also affected God’s servants for whom the sanctuary was the sole source of income. It was for this reason that restitution was not made to the sanctuary but directly to the priest, and that a “guilt” rather than a “sin” offering was required. Finally, “guilt” offerings were more expensive than “sin” offerings and were therefore required when it was not certain which one was actually called for (Lev 5:17-19; on this point, see Milgrom, *Leviticus 1-16*, 333).

¹⁴Num 15:30-31; but see an exception in Lev 5:1. The rabbis deemed confession of an undiscovered sin as equivalent to inadvertence (see Milgrom, *Leviticus 1-16*, 373-378; also idem, *Numbers*, 34). Roy Gane disputes this idea (*Cult and Character: Purification Offerings, Day of Atonement, and Theodicy* [Winona Lake, IN: Eisenbrauns, 2005], 206-208).

¹⁵Only part of a sin against man can be forgiven by God; the rest must be forgiven by the injured party. This means that in contrast to “sin” offerings, “guilt” offerings had to be always accompanied by some other action (viz. divorcing the illegal wives in Ezra 10:19, returning the ark of the Covenant in 1 Sam 6:3-5, reconsecrating the head and renewing the Nazirite vow in Num 6:11-12, or making restitution in Lev 5:16, 23-24).

¹⁶This term does not seem to be related to its obvious cognate, *nindabū* (see *CAD* N/2: 236-238). This is apparently also the case with the ancient Mesopotamian term *zību*, which is certainly used of offerings, but not with the same meaning as the Hebrew *zebah*. For references, see *CAD* Z: 105-106; cf. also W. Lambert, “Donations of Food and Drink to the Gods in Ancient Mesopotamia,” in *Ritual and Sacrifice in the Ancient Near East*, ed. J. Quaegebeur, *OLA* 55 (Leuven: Peeters, 1993), 193-194; Milgrom, *Leviticus 1-16*, 217-218.

¹⁷On the similarity of these two offerings, see also Milgrom, *Leviticus 1-16*, 219.

¹⁸On the strength of Ps 107:4-32, Rabbinic tradition requires thanksgiving on safe return from a sea voyage or desert journey, recovery from illness, or release from prison (see Milgrom, *Leviticus 1-16*, 219).

hand with those who have enjoyed a stroke of good fortune, to dedicate whatever comes to hand at the moment [cf. Hebrew *nēdābā* for the former and *tōdā* for the latter] and to vow sacrifices [cf. Hebrew *neder*] and endowments to gods, spirits, and sons of gods as prompted by fears of portents beheld in waking life, or by dreams.¹⁹ The term *šēlāmīm* (“peace” offerings), then, probably reflects the same ideas of “fulfilling” the human being’s side of the contract²⁰ and “pacifying” an otherwise outraged spirit as are suggested by the use of the Akkadian equivalent *šullumu* to refer to completely carrying out a sacrifice.²¹

This similarity of approach to the divine is somewhat obscured by differences of emphasis. Although vows are certainly attested in ancient Mesopotamia, it was a common pattern for the sacrifice (if there was to be one) to be made right away, with praise to follow if the spirit fulfilled his side of the bargain. It was also the custom in ancient Mesopotamia for the prayers associated with occasional sacrifices to be recited after the associated sacrifice had been performed and not before, as would invariably be the case with a vow. It was for this reason that the diviner’s prayer, which asked the god to “write” the answer to the sponsor’s question in the exta,²² and which, of necessity, had to be recited before the attendant sacrifice could be performed, was called by the term also used for “vow” (*ikerību*).²³ Among the Israelites, by contrast, the most typical arrangement seems to have been the vow (*neder*), although the “freewill offering” (*nēdābā*) may have been more common than it seems, receiving little attention in the sources precisely because it was ubiquitous and typically used for small private requests with little individual relevance for the fate of the community as a whole.

It is also striking how frequently, by comparison, Israelite sacrificial ritual insisted on the presence of an animal. For the holocaust offering, a bird was the least expensive sacrifice allowable.²⁴ The “peace” offering’s only concessions

¹⁹Laws XI.909d-910a. See also Milgrom, *Leviticus 1-16*, 220, but note that he unaccountably reverses the attribution of *nēdābā* and *tōdā*. Persons “in danger or any sort of distress” do not typically make “thanksgiving” offerings.

²⁰Note Ben Sirach 35:4, 9-10: “Appear not before the Lord empty-handed. . . . Give to the Most High as he has given to you, generously, according to your means for the Lord is one who always repays and he will give back to you sevenfold.”

²¹The more usual etymology (see, e.g., Baruch Levine, *Leviticus*, JPS Torah Commentary 3 [Philadelphia: JPS, 1989], 14-15; Levine, “Leviticus,” 312) connects *šēlāmīm* with Akkadian *šulmānu*: (“audience present”), but this would not change the essential meaning of the term. Audience presents were called *šulmānu* because they were intended to “pacify” a potentially angry ruler and as payments “in full” designed to elicit a particular response, most typically agreeing to hear the presenter’s legal case.

²²BBR nos. 1-20. For actual Neo-Assyrian examples of such “oracle questions,” together with an illustrated discussion of the terms used in extispicy, see I. Starr, *Queries to the Sun god*, SAA 4 (Helsinki: Helsinki University Press, 1990).

²³For references, see *CAD* I: 62-66.

²⁴Milgrom sees the cereal offerings of Lev 2:1-16 as a substitute for the holocaust

to expense were to allow flock rather than herd animals and a female rather than an exclusively male offering. "Guilt" offerings had to be male, but the mandated offering was the somewhat less expensive ram and not the most expensive bull. Only for the "sin" offering was substitution of fine flour for the animal actually mentioned as a possibility.²⁵

By contrast, it was possible in ancient Mesopotamia to make a purely vegetarian occasional offering, even to deities as exalted as Marduk and Šamas.²⁶ The closest ancient Mesopotamian equivalent to "sin" and "guilt" offerings is the ritual series *Šurpu*.²⁷ To be precise, *Šurpu*'s endless enumeration's of possible offenses, cultic and otherwise, which the offerer might have committed suggest that this set of rituals was a relatively close equivalent to that category of "guilt" offerings that came due "if someone, without being aware of it, commits such a sin by doing one of the things which are forbidden by some commandment of the lord."²⁸ Israelite "guilt" offerings of this type mandated an unblemished ram. By contrast, *Šurpu* involved the supplicant in copious amounts of washing, wiping, peeling, and

(*Leviticus* 1-16, 195-202). What is described is a completely separate set of grain offerings that could be given at any time at the discretion of the offerer, with the obvious exception of the first-fruit offerings, which came due every year at harvest time. These cereal offerings, which are also mentioned in a few other passages (for references, see Levine, *Leviticus*, 9-10, 42-43), are not to be confused with the cereal offerings that accompanied both holocaust and "peace" offerings, although the rules for preparation and what could or could not be burnt on the altar were the same for the independent cereal offerings as they were for those that accompanied animal sacrifices. Although such cereal offerings were clearly acceptable, and in a few cases (viz. Lev 23:10-11, 17; see Levine, *Leviticus*, 157-160) actually mandated, they were not YHWH's preferred offering and no substitute for animal sacrifice, as the story of Cain and Abel (Gen 4:3-5) makes abundantly clear.

²⁵Lev 5:11-13. For references to substitutions of this sort in Mesopotamia, see W. R. Mayer and W. Sallaberger, "Opfer.A.I," *RLA* 10 (Berlin: Walter de Gruyter, 2003), 96-97.

²⁶For vegetarian sacrifices, see, e.g., S. M. Maul, *Zukunftsbewältigung: Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)* (Mainz: Philipp von Zabern, 1994), §§ VIII.1.2:5-10, VIII.4:17-22, VIII.5:7-10, VIII.6.2:8-12, VIII.7:7-9, VIII.10:14-17, VIII.11:9'-23', VIII.13:21'-24', VIII.15:9-13, VIII.16:3-6, VIII.19:3'-7', VIII.21.2:9'-12'; R. Caplice, "Namburbi Texts in the British Museum. II," *OrNS* 36 25 no. 20:13'-15'; W. Farber, *Beschwörungsrituale an Istar und Dumuzi* (Wiesbaden: Franz Steiner, 1977), 129:25-32; W. Lambert, "An Incantation of the *Maqlû* Type," *AJO* 18 (1957/1958), 296:2-3; E. Ebeling, *Quellen zur Kenntnis der babylonischen Religion. II*, MVAG 23/2 (Leipzig: J. C. Hinrichs, 1919) 33:14-16; E. von Weiher, *Spätbabylonische Texte aus Uruk* 3, ADFU 12 (Berlin: GeBrüder Mann, 1988), no. 84:40-43.

²⁷For details, see J. Bottéro, *Mythes et Rites de Babylonie* (Paris: Libr. H. Champion, 1985), chap. 5.

²⁸Lev 5:17-19.

unraveling, but did not actually require the sacrifice of an animal.²⁹

The fact that the infraction of ancient Israelite laws and religious rules meant the obligatory performance of “guilt” or “sin” offerings, where the offense was not so serious as to draw a mandatory death penalty,³⁰ also suggests that pacification rather than remuneration of the divine patron may have been the major focus of *šelāmim* (the opposite being the case with Mesopotamian occasional sacrifices). This would be consistent with the Israelite preference for holocaust offerings, a form of sacrifice believed by Mesopotamians to be appropriate to an angry god.³¹

This hard edge to the relationship between human beings and deity in ancient Israelite religion is particularly evident in the custom of “dooming” (as opposed to simply vowing) persons to YHWH. The vowing of persons is also attested in ancient Mesopotamia, the result being that the donated person became a slave of the temple and part of the temple staff.³² This arrangement was not possible in ancient Israel due to the monopolization of priestly functions by the Levites, but vowed persons could still serve as priestly servants or be redeemed at a set tariff. Persons “doomed” to YHWH, by contrast, had to be killed (see below).³³

Presentation

In the open though it was, the ancient Mesopotamian occasional sacrifice was still a god’s meal. As such, at the very least, a libation was in order and maximally jars of beer (and water for mixing or washing the hands) could be provided for the god’s convenience.³⁴ Incense was usually burned to keep away unpleasant smells.

²⁹Note also von Weiher, nos. 76-77 (ŠU.ÍL.LÁ, prayers to soothe angry gods).

³⁰As, e.g., Lev 20:1-3 (dedicating offspring to Molech); 20:27 (acting as a fortune teller); 24:14-16, 23 (blasphemy); Num 15:32-36 (collecting wood on the Sabbath); Deut 17:2-7 (idolatry); 22:20-21 (fornication). The death penalty in all these cases was by stoning, reflecting the rejection of the offender by the entire community and, incidentally, ensuring that any rubbing-off of the “sin” or “guilt” onto other people was transferred to the miscreant via the stones.

³¹See Part 1 of this article, 42 f.

³²See I. J. Gelb, “The Arua Institution,” RA 66 (1972): 1-32.

³³Animals, people, or hereditary land doomed to the Lord became sacred and unredeemable (Lev 27:21, 28-29; cf. Num 18:14).

³⁴For Maul’s reconstruction of the exact layout of the offering arrangements, see his illustrations on pp. 59 and 70. I would, however, argue that the *siddu* of flour (nos. 12, 6) was not a sort of lopsided circle around the offerings, but a more or less straight line running parallel to them along the long side (and separating the offerings and the performers of the ritual from the steppe etc. beyond). Cf. the arrangement of curtains in Christopher Walker and Michael B. Dick, “*The Induction of the Cult Image in Ancient Mesopotamia: The Mesopotamian mīs pi Ritual*,” SAALT 1 (Helsinki: Helsinki University Press, 2001), 234-235: 31-38; 236:45-46. For more on this subject, see J. Scurlock, *Magico-Medical Means of Treating Ghost Induced Illnesses in Ancient Mesopotamia* (Groningen:

A polite sacrificer also withdrew to give the god or gods some privacy.³⁵ Ancient Israelite “peace” offerings were also presented like a meal, accompanied by specially baked or fried unleavened³⁶ loaves, cakes, and wafers.³⁷

Only part of this sacrifice was, however, actually intended for the deity to whom it was offered. In ancient Mesopotamia, the god’s share consisted of the shoulder, the caul fat, and some of the roasted meat, which were laid, along with loaves of pita-type bread, on top of the offering table.³⁸ Subsequently, the caul fat was set to sizzle on a brazier.³⁹ “O Šamaš,” Etana complains, “you have eaten the fatty parts of my sacrificial sheep!”⁴⁰

In ancient Israel, too, only the caul fat was actually burned on the altar: From the peace offering, he shall offer as an oblation to the Lord the fatty membrane over the inner organs, and all the fat that adheres to them, as well as the two kidneys, with the fat on them near the loins, and the lobe of the liver, which he shall sever above the kidneys. All this Aaron’s sons shall then burn on the altar with the holocaust, on the wood over the fire, as a sweet-smelling oblation to the Lord.⁴¹

“Sin” and “guilt” offerings were not shared between worshipers and YHWH, but here too only the caul fat was actually burned on the altar,⁴² with the remainder, if any, going to the officiating priest.⁴³

Styx, 2006), ad no. 219.

³⁵For more details, see J. A. Scurlock, “Magical Means of Dealing with Ghosts Induced Illnesses in Ancient Mesopotamia,” *Ancient Magic and Divination* 3 (Leiden: Brill/Styx, 2005), 41-45.

³⁶Exod 23:18; 34:25; Lev 2:11; 7:12; 8:2, 26; Num 6:15, 17, 19. Leavened bread was sometimes included, but could not be placed on the altar (Lev 2:11-12; 7:13; 23:17; cf. Num 15:18-21).

³⁷Exod 29:2-3; Lev 7:9, 12; Num 6:15, 17, 19; cf. Lev 8:26. The method of preparation is described in Lev 2:4-7.

³⁸For an illustration, see F. M. Fales and J. N. Postgate, *Imperial Administrative Records*, Part 1, SAA 7 (Helsinki: Helsinki University Press, 1992), 180.

³⁹Maul, §§ V.3.1:15, 81, V.3.2:16-17, VIII.14:14”-15”; cf. BBR no. 26 iv 37-40 (scattered on the incense burner along with *mashatu*-flour and juniper). Note also the burning of ox horns, sheep tendons, and pieces of meat on the incense burner during calendric rites (B. Menzel, *Assyrische Tempel*, Series Maior 10/2 [Rome: Studia Pohl, 1981], T 38 I 3-4; T43:22; T 94 iv 1).

⁴⁰J. V. Kinnier Wilson, *The Legend of Etana* (Warminster: Aris & Phillips, 1985), 100:132.

⁴¹Lev 3:3-5. See also Exod 29:22, 25; Lev 3:9-11, 14-17; 6:5; 7:29-31; 8:25, 28; 9:19-20; 17:5-6; cf. Lev 7:25; 9:24; Ezek 44:7, 15.

⁴²Exod 29:13-14; Lev 4:8-10, 19-20, 26, 31, 35; 7:3-5; 8:16; 9:10; 16:25; cf. Lev 7:25; Num 18:17-18 (first fruits of animals).

⁴³Lev 6:19; 7:7; cf. Lev 14:13; 23:20. For the substitute “sin” offering of cereal, a “token” offering was burnt on the altar, and the rest went to the officiating priest (Lev 5:11-13).

The exact procedure for “peace” offerings is difficult to extract from the rules as given, but the animal and (in some cases) a basket of unleavened cakes and wafers was presented to YHWH;⁴⁴ one of each type of cake or wafer and the animal’s fat were waved as a wave offering.⁴⁵ The breast⁴⁶ of the animal was also waved as a wave offering, possibly as a platform for the fat and breads.⁴⁷ Although never described as such, the right leg of the animal was either waved with the breast⁴⁸ or lifted as a lifted offering,⁴⁹ thus forming a cross over the sacrifice.⁵⁰

After the caul fat had been burned,⁵¹ the rest of YHWH’s share of the sacrifice (the breast, the leg, and the cakes and wafers), marked out for YHWH by the waving or lifting,⁵² went to the priests as their perquisites (see below). For thanksgiving offerings, in which leavened bread was to be included,⁵³ one of the leavened breads was also waved and again went to the officiating priest.⁵⁴ For “guilt” offerings, the entire animal seems to have been waved,⁵⁵ confirming

⁴⁴Exod 29:2-3, 23; Lev 8:2, 26; Num 6:14-16.

⁴⁵Exod 29:22-24; Lev 8:25-27; 10:15; cf. Num 6:17.

⁴⁶For a description of the cut in question, see Milgrom, *Leviticus 1-16*, 430-431.

⁴⁷Exod 29:26-27; Lev 7:29-31, 34; 8:29; 9:19-21; 10:14-15; Num 18:18. In passages describing the ordination “peace” offering (Exod 29:26; Lev 8:29), the breast is described as having been separately waved by Moses (see below). For the Nazirite vow’s “peace” offering only (Num 6:19-20), a boiled shoulder, a cake, and a wafer were waved as a supplemental wave offering by the priest after the completion of the regular “peace” offering.

⁴⁸In Lev 8:25-29, the leg is used as a platform to hold the wafers and fat for their wave offering, and in Lev 9:21 (cf. Num 18:18) the leg is waved with the breast, which is used as a platform for the fat.

⁴⁹Exod 29:27; Lev 7:32-34; 10:14-15.

⁵⁰According to the Mishnah Menahot 5:6, the difference between the “lifted” offering (*terumah*) and the “waved” offering (*tenufah*) is that the latter was carried to and fro in a raised position. The intent of both gestures was to show the offering to God for his acceptance (see Levine, *Leviticus*, 46; cf. 43; Nahum Sarna, *Exodus*, JPS Torah Commentary [Philadelphia: JPS, 1991], 189-90). Milgrom disputes this Rabbinic interpretation of these two types of offering, giving a rather complicated alternative that is not wholly logically consistent (*Leviticus 1-16*, 415-416, 461-481). It was certainly not the case, as Milgrom argues, that anything which had undergone *tenufah* had to be offered on the altar (*Leviticus 1-16*, 531). Leavened breads that underwent this procedure (Lev 23:17, 20) could not possibly have been so offered.

⁵¹Exod 29:22, 25; Lev 7:29-31; 8:25, 28; 9:19-20; cf. Num 6:17-18.

⁵²Cf. Num 8:11, 13-16, 21-22.

⁵³According to the Mishnah, the proportion was thirty unleavened to ten leavened breads in this sacrifice (see Levine, *Leviticus*, 43).

⁵⁴Lev 7:13-14.

⁵⁵Lev 14:12, 21, 24; cf. 23:20. Cf. the waving of the first sheaf of grain and of leavened bread at the first fruits offerings (Lev 23:10-12, 15, 17, 20) and the “lifting” of

that, in this type of offering, there was to be no share of the meat for the nonpriestly sacrificer.

Two interesting differences between ancient Israelite and ancient Mesopotamian occasional sacrifices were that in the latter the animal was slaughtered and roasted before the caul fat was burned and presentation made to the gods, whereas instructions to Israelite priests make it clear that the priestly share of the meat was to be boiled in the temple kitchens,⁵⁶ and this was to take place only after the caul fat had been burned and the raw meat waved or lifted to YHWH.

The presentation of roasted meat (*šume*) in Neo-Assyrian rituals⁵⁷ marks off occasional sacrifices from regular offerings and calendric rites of the same period, during the course of which it was boiled meat (*silqu*) that was typically offered to the gods. As argued above, the reason for the difference may well have to do with the fact that ancient Mesopotamian occasional sacrifices were typically made out in the open, in an area specially cleared off for the rite, in which the relatively "uncivilized" technique of spit-roasting meat over an open fire would seem naturally appropriate. By contrast, according to Lev 17:3-9, Israelites were to bring all sacrificial animals "to the entrance of the meeting tent" before slaughtering them, which means that even occasional sacrifices in ancient Israel were to be prepared in or near a sanctuary where the technique of boiling would be appropriate.

It is sometimes argued that this Leviticus passage must postdate the centralization of the cult in Jerusalem.⁵⁸ Jacob Milgrom, however, makes a very effective counter argument⁵⁹ that, on the contrary, the Leviticus Holiness Code is predicated on the existence of multiple sanctuaries. Since the alternative to bringing the animal to "the entrance of the meeting tent" is not offering at an open air altar or "high place" or even "under a green tree" but specifically "in the open field," the obvious suggestion is that what the ruling was originally intended to prevent was not sacrifices performed outside of Jerusalem, but occasional sacrifice⁶⁰ in a clearing in the steppe in ancient Mesopotamian style, as opposed to Levitically sanctioned occasional

the first batch of dough (Num 15:18-21).

⁵⁶Ezek 46:19-24; cf. Exod 29:31-32; Lev 8:31.

⁵⁷Among the rare exceptions to this rule are Caplice, 118 no. IX:11-12, (a duck, a bandicoot rat, and boiled meat join the usual offerings), BBR no. 1-20:52, 109, and A. L. Oppenheim, "A New Prayer to the 'Gods of the Night,'" *AnBi* 12.286:97 (boiled meat is added to the usual offerings). In none of these cases is boiled meat served alone, as it would regularly be in calendric rituals.

⁵⁸See, e.g., Wellhausen, apud Levine, *Leviticus*, xxviii.

⁵⁹Milgrom, *Leviticus*, 17-22 1503-1514, (with Kaufman and citing Mary Douglas on the need to periodically slaughter animals as part of herd management).

⁶⁰Milgrom's explanation for the ruling of Lev 17:5 is a ban on nonsacrificial slaughter. The passage, however, clearly and specifically refers to sacrifices.

sacrifice in the shelter of a legitimate sanctuary of YHWH.

In short, the reform which preceded Leviticus, and which may have actually inspired its composition, would appear to have been a regularization of cult praxis designed to give the priesthood better control over occasional sacrifices. Compare Plato's recommendations for a similar regularization of pagan cults: "[W]hen a man feels himself moved to offer sacrifice, he shall go to the public temples for that purpose and deliver his offerings to the priests of either sex whose business it is to consecrate them."⁶¹

Assuming that we have understood correctly, after this regularization of the cult all Israelite sacrifices, with the exception of Passover, would have had to have been performed in a "sacred place" or just outside the sanctuary and not somewhere out in the open as in ancient Mesopotamia. If roasting was an open-air method of preparing meat and boiling the cooking method of choice in the shelter of a temple or sanctuary, the inevitable result of this regularization of the cult would have been to ban roasting and to require boiling as the method by which sacrifices other than the Pascal lamb were to be cooked. Interestingly, one of the two evils of which Eli's sons were accused⁶² was insisting on taking raw meat from the sacrificer and roasting it before the caul fat had been burned on the altar, as would have been correct procedure in ancient Mesopotamian occasional sacrifices.

This convention of boiling rather than roasting in the vicinity of the sanctuary may also be the source of the confusion in Deut 16:5-7, where the Passover lamb is described as being "boiled" rather than "roasted," as is explicitly required in Exod 12:9 and which, as a result of the centralization of the cult in Jerusalem, could now only be offered in "the place which he chooses as the dwelling place of his name."⁶³

Leftovers of the Sacrifice

When an ancient Mesopotamian occasional sacrifice was completed, the shoulder and roasted meat from the sacrificial table presumably went to the exorcist (*āšipu*) as his perquisite. Less clear is what happened to the rest of the animal (hide, internal organs, and the remaining cuts). In biblical "peace offerings," as in ancient Mesopotamian occasional sacrifices, the caul fat was all that was actually burned, although other parts, viz. the breast and leg, were "waved" or "raised up" before the divinity. If this parallel is apt, then the sponsors of the ancient Mesopotamian sacrifice should have been allowed to eat whatever of the meat was not actually presented on the offering table.

In biblical "peace" offerings, the officiating priest was entitled to eat the

⁶¹Laws XI.909d-910a.

⁶²1 Sam 2:12-17.

⁶³Rabbinic tradition follows the ruling in Exodus, and translates the "boiled" of Deut 16:7 as "cooked" to avoid contradiction (see Jeffrey H. Tigay, *Deuteronomy*, JPS Torah Commentary [Philadelphia: JPS, 1996] 155). The KJV simply interpolates in "roast."

breast and leg that were “waved” or “raised up” before the divinity plus one each of the proffered breads as his share of the sacrifice.⁶⁴ Deuteronomy 18:3 gives the priest the shoulder, jowls, and stomach.⁶⁵ As the procedure for the Nazirite vow⁶⁶ reveals, this shoulder (and presumably also the stomach and jowls) were given to the priest boiled after the completion of the regular “peace” offering and in addition to his normal share of that sacrifice.⁶⁷ Deuteronomy 18:3 also indicates that this supplemental priest’s share was intended as a sort of tithe of the meat that was kept by the sacrificer, which, as with the first fruits offerings of the grain, wine, and herds mentioned together with it,⁶⁸ were “portions due to the Lord” (serving to make the meat safe for the sacrificers to eat). The sin of Eli’s sons,⁶⁹ then, was not in claiming this portion, but in taking potluck while the meat was still boiling rather than receiving their due portions from the sacrificer after the cooking process had been completed. For minor “sin” and “guilt” offerings (and in the case of the firstborn males of herd and flock, and the tithes),⁷⁰ the entire animal (apart from the blood and caul fat) went to the priests.⁷¹

Of these benefits, the priest was expected to share, specifically, some of the breast of the “peace” offering with his colleagues⁷² and, as with every other Israelite, he was also expected to give part to YHWH. The contribution of a priest apparently consisted of fried wafers prepared as cereal offerings to accompany the morning and evening holocaust.⁷³ Priests were also required to give YHWH the cakes and wafers and thigh of their ordination “peace”

⁶⁴Exod 29:26-28; Lev 7:9, 14, 31-36; 8:29; 10:14-15; Num 6:19-20; 18:11, 18.

⁶⁵For a discussion of the exact parts of the carcass involved, see Tigay, 171.

⁶⁶Num 6:17-20.

⁶⁷This anomaly led Milgrom to suggest that the Nazirite vow was older than the other sacrifices (*Leviticus 1-16*, 223; idem, *Numbers*, 49-50). What is odd is not that the priest received the boiled shoulder, but that it was separately presented as a wave offering and that the priest received an extra share of the sacrificial breads in the process. The reason for this is, presumably, that the sacrificer is not merely being given permission to eat his share of the sacrifice as with a normal “peace” offering, but also to resume cutting his hair and drinking wine as before his vow.

⁶⁸Deut 18:1, 4-5.

⁶⁹1 Sam 2:12-14.

⁷⁰Num 5:9; 18:14-15, 17-19.

⁷¹Lev 6:18-19; 7:2-7; 14:12-13; Num 5:8; Ezek 46:20; cf. Lev 5:11-13; 6:10; 10:17; 23:20; Num 18:9-10; Ezek 44:29-30. For a complete list of priestly perquisites as compiled by the Rabbis, see Milgrom, *Numbers*, 148-149; cf. Baruch Levine, *Numbers 1-20: A New Translation with Commentary* (New York: Doubleday, 1993), 436-437.

⁷²The leg of the “peace” offering went to the officiating priest (Lev 7:31-34), as did the breads (Lev 7:14).

⁷³Lev 6:13-16.

offering, all of which were, contrary to normal practice, completely burnt⁷⁴ on the altar.⁷⁵ The breast of the ordination ram was, however, separately waved as a wave offering and went to the officiant (a role played by Moses in the accounts given) as his perquisite.⁷⁶

After the priest had taken his share, the rest of the meat of the “peace” offerings was boiled and eaten by the sponsors of the sacrifice, along with what was left of the breads in the basket, on the condition that the person who ate it be in a condition of cleanliness⁷⁷ and that none of the meat be kept over beyond the second day at the latest.⁷⁸

On a scale of holiness as measured by restrictions on the eating of the leftovers of the sacrifice, “peace” offerings ranked below holocausts (completely offered to YHWH) and “sin” and “guilt” offerings (burnt or eaten only by priests).⁷⁹ By the same scale, vow and “freewill” offerings, which were potentially kept over until the second day, ranked below “thanksgiving” offerings, which were to be eaten the same day.⁸⁰ The latter ranking, like the

⁷⁴Normally, only the usual “token” offering was burnt from the cooked cereal offerings (Lev 2:4-10).

⁷⁵Exod 29:22-25; Lev 8:25-28. It is possible that these rules applied to all of the priest’s private “peace” offerings (see, e.g., Levine, *Leviticus*, 34, 38-39, 53-54; cf. Milgrom, *Leviticus 1-16*, 400-401, 411) on the principle that the priest should not profit except from services rendered privately to the Israelite community.

⁷⁶Exod 29:26; Lev 8:29. Milgrom’s explanation for the allocation of shares at this sacrifice is rather backward (*Leviticus 1-16*, 531-532). Moses was not a priest but a lay officiant, and we are to believe that for this reason he was given the share (the breast) that normally went to priests and denied the share (the thigh) that normally went to officiants? Or that giving him the officiant’s share would have made him a priest, when giving him the priest’s share did not? Is it not more sensible to assume that the thigh, which the new priest would have eaten if he had performed the sacrifice, was his offering to the deity, but that he had no right to give away the breast, which he was required to share with his colleagues? See Levine, *Leviticus*, 53-54.

⁷⁷Lev 22:3-8; 7:19-20.

⁷⁸Lev 7:15-21; 19:5-8; 22:29-30; cf. Exod 29:31-34; Lev 8:31-32.

⁷⁹The consensus of ancient sources was that these had to be eaten the same day (see Milgrom, *Leviticus 1-16*, 402). Note also the ranking of offerings in accordance with the sex of those allowed to eat the leftovers. By this measure also the holocaust offering, whose cereal component only males of the priestly line might eat (Lev 6:7-11; Num 18:8-10), and the “sin” and “guilt” offerings, which were also a male prerogative (Lev 6:22; 7:5-6; Num 18:8-10; cf. Lev 10:16-17), ranked above “peace” and first-fruits offerings that might be eaten by “all who are clean,” including daughters, as well as sons (Lev 7:19-20; 10:14-15; Num 18:11-13, 17-19). The priests’ share of offerings, even of this less-sacred category, were still restricted to family members, including slaves and daughters who were no longer married and had returned to their fathers’ houses, but excluding tenants or hired servants (Lev 22:10-13).

⁸⁰It is presumably for this reason that Rabbinic tradition, in which the holiness ranking of sacrifices is given great importance, separates off the thanksgiving from the

former, would seem to reflect the extent to which YHWH needed or wanted the offering. In both of the least holy sacrifices, it was the human partner who wanted something and who initiated the contractual relationship.⁸¹

The sponsors of ancient Mesopotamian occasional sacrifices also probably ate a share of the sacrificial animal. Eating together is a common way for humans to set up or confirm contractual relationships with each other; the difference between ancient Mesopotamian and ancient Israelite uses of this principle, if any, would have been in the emphasis in the former case on the setting (sacrifice typically before favor) and in the later on confirming (sacrifice typically after favor) the relationship. In both cases, the deity and humans were to each eat part of the sacrifice. With Milgrom,⁸² these sacrificial meals were in no sense intended as “partaking of the life and body of the god,” and it is therefore necessary to look elsewhere for ancestors to Christian communion.⁸³

Relationship between Occasional Sacrifices and Regular Offerings

All nonsalvation religions are predicated on a relationship between man and god that is mutually beneficial to both parties. However, some parts of this interaction are more beneficial to the divine and others to the human partner. Regular offerings, understood in both Mesopotamia and Israel as food for the god(s), are focused on benefit to the divine partner. Occasional sacrifices, by contrast, focus on what humans need or want. One might think that in Israel, at least, there was

other “peace” offerings (see Milgrom, *Leviticus 1-16*, 219, 413-414).

⁸¹The vow sacrifice, in which something promised to YHWH was delivered, should, correspondingly, have been more holy than the “freewill” offering and, indeed, it was, as may be seen from the fact that “freewill” offering animals were subjected to less stringent requirements for perfection than those destined for vows (Lev 22:23; see Levine, *Leviticus*, 151-152).

⁸²Milgrom, *Leviticus 1-16*, 221. Christian commentators, such as R. de Vaux (*Ancient Israel* [New York: McGraw-Hill, 1965], 417-418), are understandably eager to see the origin of their own practices in the ancient Israelite sacrificial system.

⁸³The obvious ancestor is a type of sacrifice that was popularized by Hellenistic Greek philosopher/magicians (the Theurgists), and that continues to be practiced by Moroccan folk healers. In this sacrifice, pieces of shaped dough or the blood of an animal specially killed for the purpose are consumed with the express intent of causing the sacrificer to be possessed by a spirit. The Theurgists favored this particular form of sacrifice since for them, as for their spiritual descendants, what mattered was not to achieve practical this-worldly goals nor indeed to keep a potentially irascible deity fed and happy, but to establish a special relationship with god. For more on the connections between Theurgy and early Christianity (and specifically on Theurgistic implications of the Eucharist), see Ps.-Dionysius, *Ecclesiastical Hierarchy*, who reads *theourgias* as “theurgy,” as does P. Struck (“Christian and Pagan Theurgies” read at the 129th annual meeting of the American Philological Association, Chicago 1997), and not *contra* the Luibheid/Rorem translation as “divine works.”

no question that the regular offerings were more important than the occasional sacrifices. The ranking of sacredness of offerings (see above) certainly would support this contention. However, one must be careful not to underestimate the importance of the human-centered part of the relationship in Israel. This may be seen readily from a closer examination of two further issues: under what circumstances it was legitimate to offer a human being to YHWH, and which of the two parties was actually bound by Abram's covenant sacrifice.

Human Sacrifice in Israel?

In ancient Mesopotamia, human beings were not included among the contemplated offerings of either regular or occasional sacrifices. This is not to say that human beings were not killed in desperate circumstances to avert divine wrath. Actual attested examples, however, take the form of an explicit or implicit scapegoating as, for example, the substitute king [*šar pūbi*] ritual. Similarly, in penalty clauses in late Neo-Assyrian contracts, the performance of impossible tasks or the immolation of children is proposed as an alternative to the terrifying prospect of having the gods as personal enemies.⁸⁴ Human beings were *never* included in the food offerings to the gods. This is for the simple reason, widely attested in nonsalvation religions, that including a human in these offerings would imply that the recipient was a god of sorcery.

A repugnance to killing, even of animals, is one of the salient features of ancient Israelite law. In addition to the obvious "Thou shalt not kill" in the ten commandments,⁸⁵ there was a specific prohibition on the shedding of human blood⁸⁶ that required untraced murder to be cultically expiated.⁸⁷ The improper slaughter of animals (without appropriate benedictions and reserving of the blood and caul fat) was counted as murder.⁸⁸ There was even an origin story for the use of sheep for sacrifice that involved a putative (and) rejected human victim.⁸⁹

No principle could, then, have been more clearly stated than that human beings were *not* an appropriate sacrifice to YHWH under any circumstances,⁹⁰ or so one might think. And yet, the rules for votive offerings given in Leviticus are explicit that all human beings doomed to the Lord lose the right to be

⁸⁴For examples, see J. N. Postgate, *Fifty Neo-Assyrian Legal Documents* (Warminster: Aris and Phillips, 1976), 20.

⁸⁵Exod 20:13.

⁸⁶Gen 9:5-6.

⁸⁷Deut 21:1-9; cf. Num 19.

⁸⁸Lev 17:3-4.

⁸⁹Gen 22:1-19.

⁹⁰Note also that although every male first-born of humans or animals was consecrated to YHWH, the sons *had* to be redeemed, whereas the animals, with some exceptions had to be sacrificed (Exod 13:1-2, 11-15; 34:19-20; cf. Num 3:12-13, 40-51; 8:15-19).

redeemed and must be killed.⁹¹ This is particularly shocking in view of the very clear statement in Deuteronomy that, in addition to incest, it was the alleged practice of human sacrifice by the Canaanites that justified their extirpation from the land.⁹² In a similar vein, Ezekiel lists the alleged practice of Canaanite-style child sacrifice by the Israelites as among reasons for the divine wrath that resulted in the destruction of Jerusalem by Nebuchadnezzar.⁹³

Curious in this connection, then, is the incident of the Amalekites. The prophet Samuel ordered Saul, on divine authority, to subject Amalek to *herem*.⁹⁴ When, in the event, Saul spared the ruler, and the best of the sheep and oxen of the city were not put under the ban but instead saved back for sacrifice, he received the following tongue lashing from the prophet: "Does the Lord so delight in holocausts and sacrifices as in obedience to the command of the Lord? Obedience is better than sacrifice, and submission than the fat of rams!"⁹⁵ This and similar passages are usually quoted, with justice, as deemphasizing the importance of sacrifices.⁹⁶ What is less appreciated is that the rules of the ban, which could involve the holocaust offering of an entire city,⁹⁷ and the rules of sacrifice, which did not allow for human victims and which required the best of even the tithes of the Levites to be offered as first fruits to YHWH,⁹⁸ were in conflict, and that the former were being preferred to the latter.⁹⁹

The reason for this preference is quite simply this: throughout the Hebrew Bible, "dooming" typically appears in situations that were seen to represent either life or death for the Israelite community.¹⁰⁰ In fact, it was precisely the absolute prohibition on murder that mandated that prisoners of war, if they were to be killed, had to be doomed to YHWH.

This prioritizing of the specific needs of the human community (only indirectly beneficial to YHWH, hence the insistence in the most controversial examples of *herem* that the ban in question was divinely inspired)¹⁰¹ is perhaps the

⁹¹Lev 27:28-29. For a further discussion of this passage and other references to *herem*, see Milgrom, *Leviticus*, 23-27, 2391-2393.

⁹²Deut 12:29-31.

⁹³Ezek 20:26, 31.

⁹⁴1 Sam 15:1-3.

⁹⁵1 Sam 15:22.

⁹⁶For a discussion of the prophetic polemic against sacrifices, see de Vaux, 454-456.

⁹⁷1 Sam 15:3-9; Josh 6:17-19, 24.

⁹⁸Num 18:25-32.

⁹⁹In the case of the Midianites, Moses, although angered, ultimately allowed the sparing of virgin girls and animals on condition that a tithe be given to the priest Eleazar (Num 31:1-31).

¹⁰⁰As, e.g., Josh 6.

¹⁰¹By making YHWH the initiator of the ban, the redactor made it clear that this particular sort of contract was acceptable to, even desired by, YHWH much as, in

least expected feature of ancient Israelite religion, although logically consistent with its position on “sins against man” (see above).¹⁰² This would seem to suggest that the order of priority between regular and occasional sacrifice in ancient Israel should be reversed; i.e., that the object of keeping YHWH localized in his sanctuary was less to define an Israelite identity than to make a very important and powerful deity available for the specific needs of the human community, viz. defeating powerful enemies and sending rain to produce plentiful crops as well as for individual needs such as curing sick children and making barren women bear fruit.

Which Party was Bound by Abram’s Covenant Sacrifice?

It is interesting to note that of the various types of ancient Mesopotamian sacrifice one of the most striking parallels with Israelite practice is to be found in the celebration, apparently, of the New Year’s *akītu*-festival from Middle Assyrian Aššur. Since, in Assyria, the relationship between man and god was understood as a form of loyalty oath (*adê*),¹⁰³ and since Mesopotamian *akītu*-festivals, it has been persuasively argued,¹⁰⁴ were intended to celebrate the first establishment of a relationship between gods and their constituents, it is tempting to view in this ceremony a form of “covenant sacrifice” whereby the new relationship between Marduk and the people of Aššur was meant to be finalized:

They sea[t] Marduk on the dais of destinies; they do not seat the [r]est of the gods (who remain standing). He (the king) scatters coals on a brazier made of bricks of . . . clay. They cut a live lamb in two opposite Marduk. They place (the pieces) on the coals. The king and the priest simultaneously scatter $\frac{1}{2}$ *qu* of juniper, $\frac{1}{2}$ *qu* of cedar chips (and) three *kalu*-bowls of *mashātu*-flour on the lamb. He (the king) completely pours out onto the ground one *lahannu*-vessel of wine and one *lahannu*-vessel of beer on either side of the brazier.¹⁰⁵

To this sacrifice, in which the offerings are made to surround the sacrificial fire, compare the biblical “covenant sacrifice” described in Gen 15. Here, a smoking brazier and a flaming torch are seen to pass between halved animals prepared by Abram in confirmation of a covenant between the

human contracts, where the clause “of his own freewill” made it clear that he who surrendered rights to, e.g., a house was happy with what had been offered to him in return. Similar considerations doubtless inspired the inclusion of orders to clear the promised land of previous inhabitants alongside religious rules and social laws in enumerations of the specific terms of covenants with YHWH (Exod 23:23-33; 34:10-16).

¹⁰²Note also Milgrom, *Leviticus 1-16*, 370.

¹⁰³ABRT 1 23 ii 27-32; see CAD A/1: 133a s.v. *adû* A mng. d.

¹⁰⁴M. E. Cohen, *Cultic Calendars of the Ancient Near East* (Bethesda, MD: CDL Press, 1993), 400-406.

¹⁰⁵F. Köcher, “Ein mittlassyrisches Ritualfragment zum Neujahrsfest,” *ZA* 50 (1952): 194:11-19.

future god of the Israelites and his worshippers:

“Bring me a three-year-old heifer, a three-year-old she-goat, a three-year-old ram, a turtledove, and a young pigeon [i.e., all allowable animal sacrifices].” [Abram] brought him all these, split them in two, and placed each half opposite the other; but the birds he did not cut up. . . . When the sun had set and it was dark, there appeared a smoking brazier and a flaming torch, which passed between those pieces. It was on that occasion that the Lord made a covenant with Abram.¹⁰⁶

In both of these “covenant sacrifices,” the positioning of the brazier (or the pillar of fire) between the two halves of the sacrifice is suggestive of a relationship in which the divine partner voluntarily binds himself to keep his side of the covenant.¹⁰⁷ This enclosure of the divine party in a symbolic circle is also echoed in the arrangement of the ark that contained the tablets of the covenant. The *kapporet* that sat upon this ark was decorated with two facing cherubim from the space between which the voice of YHWH was heard to speak to the Israelites.¹⁰⁸

The full implications for the covenanted party of this “covenant” sacrifice are made explicit in Jer 34:18-20, where a covenant between the Jerusalemites and YHWH on the subject of freeing of slaves is described as having been signed by cutting apart a calf and having the princes of Judah and the people pass between the parts of the calf. Having done this, and then subsequently violated the covenant, those who had passed between were to become “like the calf which they cut in two, between whose two parts they passed,” that is, handed over to their enemies to be slaughtered and their corpses left for the birds. The divine equivalent to such a punishment would be to be reduced to otiose nonexistence by the cessation of the daily cult.

To summarize, in both Mesopotamia and Israel, although one might have supposed the god-centered part of the religion to take priority over the man-centered part, this was not, in fact, the case. Instead, the man-centered part of the religion was actually given priority when the needs of both parties to the relationship could not be satisfied at once, although this was not admitted directly before the deity.

Interpreting the Language of Offerings

In both Israel and ancient Mesopotamia, there were some sacrifices that were atypical from the point of view of the contents of the sacrifice and that were clearly intended to encode special messages to the divinity. Of these, the most

¹⁰⁶Gen 15:9-10, 17-18.

¹⁰⁷On this point, see esp. Moshe Weinfeld, “The Covenant of Grant in the Old Testament and in the Ancient Near East” in *Essential Papers on Israel and the Ancient Near East*, ed. F. E. Greenspan (New York: New York University, 1991), 69-102.

¹⁰⁸Exod 25:22; Num 7:89. Both passages are quite insistent that the voice of God emerged physically from between the cherubim.

obvious example in Israel is the ordeal for the suspected adulteress. This does not involve an animal, but does include an unusual variant of the cereal offering that normally accompanied the holocaust: “[the suspicious husband] shall bring his wife to the priest and shall take along as an offering for her a tenth of an ephah of barley meal. However, he shall not pour oil on it nor put frankincense over it,¹⁰⁹ since it is a cereal offering of jealousy, a testimonial cereal offering that testifies to wrongdoing.”¹¹⁰

The woman was to hold this offering with an uncovered head before YHWH while being made to swear a self-cursing oath over holy water mixed with dust from the floor of the sanctuary. When the priest burned a handful of the barley meal as a “token” offering, it brought in YHWH as guarantor to ensure that the woman either survived the ordeal or received her just punishment from the bitter water in which the text of the self-curse had been dissolved.¹¹¹

Perhaps the best examples of encoded rituals that do include an animal are the heifer, which was killed in a case of untraced murder, and the red heifer, whose ashes were used to purify those who had touched a dead body. Neither animal could have been put to work as a draft animal under the yoke.¹¹² The reason for these requirements, as with the requirements that the bull, whose hide was used to manufacture a Mesopotamian *kalû*'s copper kettledrum, had to be black and could not have been “struck with a staff or touched by a goad” (see above), flow naturally out of this common system of encoded offerings. The Mesopotamian bull was black because his hide was meant to absorb or drive away the evil of eclipses; the red heifer was red to symbolize blood;¹¹³ in both cases, a happy and unbeaten animal was obviously a better choice than an unhappy and possibly angry one.¹¹⁴

Meat and fat were the usual fare of divine meals. As sometimes happened in ancient Mesopotamia, when parts that did not have much meat or fat were being specially offered, we may presume them to also encode special messages to the divinity. A particularly clear case is the liver, which was presented to Anu in the course of the seventh-month *akītu*-festival at Uruk. This was laid on the

¹⁰⁹A quite reasonable explanation for this prohibition, as with the similar absence of oil and frankincense from the cereal offering, which is the poor man's substitute for the “sin” offering (Lev 5:11-13), is that YHWH would just as soon not have had to receive these offerings at all (see Levine, *Leviticus*, 29-30).

¹¹⁰Num 5:15. Another meaning of *zakāru* (“to invoke”) in Akkadian is “to make a declaration under oath” (in a court of law), i.e. “to testify.”

¹¹¹Num 5:11-31.

¹¹²Deut 21:3; Num 19:2; cf. also Deut 15:19.

¹¹³See also Milgrom, *Leviticus 1-16*, 272.

¹¹⁴Note that in the first case, the stream by which the heifer was killed had never to have dried up and the nearby ground had to be never plowed or sown, meaning that they were also undisturbed and hence equally unstressed (Deut 21:4).

dais and then taken away by the diviner and the priest of Adad, doubtless to ensure veracity in omens for the coming year.¹¹⁵

Also periodically attested is the special offering of the heart of a sacrificed animal, as with the offering of a piglet for the demoness Lamaštu and that of a virgin she-goat for the goddess Ištar. The goddess, at least, got her heart cooked;¹¹⁶ the demoness had hers rudely stuffed raw into the mouth of her figurine.¹¹⁷ The piglet offered to Lamaštu was certainly intended as an object on which her misplaced affections (the cause of her deleterious effects on human babies) might be safely lavished.¹¹⁸ In the case of Ištar, it is to be remembered that the goat is the characteristic animal of her hapless lover (and husband) Dumuzi.

As with us, for ancient Mesopotamians “heartache” was a sign of one unhappy in love, as in the following diagnosis:

DIŠ NÍG.ZI.IR ŠUB.ŠUB-*su* ZI.MEŠ-*šú* LUGUD.MEŠ NINDA KÚ A
NAG-*ma* UGU-*šú* NU DU-*ak* ^u-*a* ŠĀ-*bi* i-*qab*-*bi* u *uš-tam-na-ab* GIG *ra-mi* GIG
ana NÍTA u SAL I-*ma* (“If depression continually falls upon him, his breath is continually short, he eats bread (and) drinks water but it does not agree with him, he says ‘Ua my heart’ and he is dejected, he is sick with lovesickness; it is the same for a man and a woman”; TDP 178: 8-9; K 2203+3257: 9-10).

The “love” element involved would explain why the heart is the focus of these particular offerings. Note also the heart and lungs of a sheep that are offered to the god Iškur for seven days during the celebration of his marriage to his NIN.DINGIR and her installation as his priestess.¹¹⁹

Equally striking is the offering of two sheep heads to Marduk to “calm” the divinity at every stage of his movements during his *akītu*-festival.¹²⁰ The heads of sacrificial animals seem to have been set aside normally, to judge from an occasional ritual in which the *āšipu* is instructed to take some of its hair for a transfer rite, but to be careful not to move it in the process from the place where it had been put after the sacrifice.¹²¹ Note also that a post-sacrifice ritual

¹¹⁵Racc. 92 r. 2-3.

¹¹⁶Farber, 57:20, 62:87; cf. 57:29-30.

¹¹⁷D. W. Myhrman, “Die Labartu-Texte,” ZA 16 (1902): 164 iv 7-8, 192 r. 22.

¹¹⁸In the course of the ritual, she is also “married” to a black dog (ibid., 16.192 r. 22). Note also Ebeling, 23/1:45/46:8, 11, where a figurine of illness is “married” to a piglet.

¹¹⁹Emar VI.3 no. 369:50-51. If, as seems likely, the bull of the Kislimu procession ritual (G. Çağırğan and W. G. Lambert, *Journal of Cuneiform Studies* 43-45:93/94: 6-13 and passim) represents Nergal, then the sheep’s heart burned on a reed torch (94:38) would be a reference to his impending marriage to Ereškigal.

¹²⁰Köcher, 194:20-31. Note also Emar VI.3 no.369:28, 49-50; 370:61; cf. 395:11 (at the enthronization of priestesses).

¹²¹“You make a sacrifice. You set out the shoulder, the caul fat and (some of) the roasted meat. . . . When the fumigant has begun to smolder (and) the incense burner has finished its portion, you do not move the head of the sheep from where it was placed (but

was performed over the head of the divinatory sheep (see above).

Similarly, when Anu returned to his temple in the seventh-month *akītu*-festival, he received *merdītu*-offerings of an ox and a sheep at several stages of his peregrinations within the temple. The animals were sacrificed in his presence and the heart of the ox and head of the sheep were set before him. The heart was covered with a golden *malītu*-bowl of *mašhatu*-flour and the head had a libation of wine poured over it (*redū*) from a *maqqu*-bowl.¹²² It was the general practice in ancient Mesopotamia for defeated enemies to be beheaded¹²³ and for the heads to be sent to the king. We know, moreover, from the epigraph of a lost relief of the Neo-Assyrian king Aššurbanipal that it was customary for a ceremony to be performed in which the king poured out a libation of wine over these heads.¹²⁴ What more appropriate offering could be offered to a god being welcomed home in the course of an *akītu*-festival than the hearts of his subjects and the heads of his enemies?¹²⁵

Heads and hearts also feature in a riverine offering to the Pleidies found in a Neo-Assyrian ritual to avert the ominous consequences of mold growing on the wall of a house:

You cut (the throat) of a russet adult male goat before the stars, saying "Receive, Sibitti, great gods; dissipate this evil" and you scatter juniper on a censer (burning) *asāgu*-thorn coals. He (the house owner) carries the uncooked shoulder, the heart, the head and the fetlocks in his right (hand) and he carries flour, dates (and) *sasqu*-flour in his left. He goes to the bank of the river and steps into the water and takes off his clothing and immerses himself facing upstream and he releases the shoulder, the heart, the head and the fetlocks. He immerses himself facing downstream and

you pull out hair from its forehead and you let it fall either on an unclean person or on someone who is full of *saharšubbū*. When you let it fall (on him) nobody is to see" (W. R. Mayer, "Das Ritual BMS 12 mit dem Gebet 'Marduk 5,'" *OrNS* 62 [1993] 315:7, 321:96-98).

¹²²*Racc.* 90:30-33, 91:21-r. 3; cf. Lackenbacher, *RA* 71. 41:29-31 (Istar's *akītu*). It is presumably this pouring out of the libation onto the animal being offered rather than onto the ground or into a second vessel as in ordinary sacrifices, which gives this particular sacrifice its name. Note also "you pour (*redū*) a *merdītu*-offering over the death wound of the sheep" (*BBR* no. 1-20:75).

¹²³So too with the god's enemies—note the fate of the two figurines that occupied the god Nabū's cella during the Babylonian New Year's festival (*Racc.* 133:214-216).

¹²⁴E. F. Weidner, "Assyrische Beschreibungen der Kriegs-Reliefs Aššurbanaplis," *AJO* 8 (1932/3): 180 no. 14. Similarly, libations were poured out by the Assyrian king over the bodies of slain lions and bulls, also "kings" in their own realms. Another of Aššurbanipal's relief epigraphs refers to this latter ceremony as a *muhhuru*, the term also used for the presentation of the heads of enemy kings (see *CAD* M/2:176a s.v. *mng.* 1a).

¹²⁵Note also Menzel, *T* 77 ii 11-14, where the king is instructed to go to the heads, apparently of the sheep that have been sacrificed in the course of the rite (part of the Assyrian *akītu*-festival) and to pour a libation of an alabastron of water, beer, wine, milk, and blood over them.

releases the flour, dates and *sasqu*-flour.¹²⁶

In this case, the fact that all of the meat, including the shoulder, is uncooked suggests that what is going on is less a sacrifice, properly speaking, which in ancient Mesopotamia would invariably have involved cooked meat (see above) than a transfer rite involving an animal surrogate disguised as an offering.¹²⁷ This suggestion is reinforced by the way in which the disarticulated bits of carcass are treated. It was frequently the practice in ancient Mesopotamia to use an animal substitute as a carrier to get an evil wherever it was going (usually the Netherworld) either directly by killing and burying it or indirectly by putting it into somebody else's grave, leaving it out in some wasteland, or throwing it into a nearby river.¹²⁸

Thus a sacrifice to a Netherworld divinity always presented the possibility of a concomitant purificatory dumping of one's problems on the recipient of the offerings. If such a secondary benefit was desired, one way of signaling this was to use in the sacrifice an animal, such as the pig, which was otherwise closely associated with purificatory rites.¹²⁹ Another way of making one's intentions clear in this regard was to use uncooked meat since there could be no question of any human participant eating any of the meat of such a purificatory sacrifice.

Other practices also suggest the transferal of evils as the primary motivation for the "offerings" to the household gods in this antimold ritual. Note the purificatory washing of the affected householder over two of the other "offerings":

On that day, you cut (the throat) of a red (variant: yellow) sheep¹³⁰ before Išum in the heart of the house, saying 'May Išum receive this' and then you put the head and fetlocks into beer and you bury (them) individually and you have that [person] stand over (them) and you pour (the contents of) the holy water basin over him."¹³¹

¹²⁶Maul, § VIII.10:62-71.

¹²⁷Similar rituals may be the source of many of what are conventionally referred to as foundation deposits; see R. S. Ellis, *Foundation Deposits in Ancient Mesopotamia* (New Haven: Yale University Press, 1968), 42-45, 130. With p. 44, it is highly unlikely that the gazelle found under the floor of the palace of Aššurnāširpal at Nimrud has anything to do with the *mashultuppū*—the latter was intended to soak up evil influences lurking in the house for disposal elsewhere and, for that reason, will hardly have been buried on location.

¹²⁸See J. Scurlock, "Animal Recipients, Carriers, and Substitutes," in *Animals in Ancient Mesopotamian Religion*, ed. B. J. Collins A History of the Animal World in the Ancient Near East (Leiden: Brill, 2002), 371-386.

¹²⁹For more details, see my "167 B.C.E.: Hellenism or Reform?" *Journal for the Study of Judaism in the Persian Hellenistic and Roman Periods* 31 (2000): 125-161.

¹³⁰Išum seems to be in charge of the hearth; the color of fire is therefore appropriate for his sacrificial animal. Cf. the choice of a red heifer (combined with other red offerings, such as cedar wood and scarlet yarn) for the production of the ashes that are to be used for purificatory purposes in Num 19.

¹³¹Maul, § VIII.10:34-38. The "outer gate" of the translation is an interpolation.

A black she-goat whose forehead is white (variant: entirely black)¹³² you slaughter at the doorposts of that house for Ištar, saying "Receive, Ištar" and then you bury the head and fetlocks in the threshold and you have that person stand over (them) and you pour (the contents of) the holy water basin over him.¹³³

The riverine offering to the Pleiades of the antimold ritual is paralleled in the Neo-Assyrian *mis pi* by the following curious offering to Ea: "You hollow out the thigh of a sheep and you put into it a copper axe, copper needle, a copper saw, (and) a turtle and tortoise of gold and silver. You sew it up and throw it into the river."¹³⁴

In this case, the object of transfer is a little less conventional. The tools, as one of the versions makes clear, represent those used by the craftsmen to manufacture the god's statue,¹³⁵ and Ea is to "take them away from (the god's) body."¹³⁶ The accompanying ritual "cutting off" of the hands of the craftsmen allows us to "translate" this encoded offering as follows: "I did not make (the statue), Ninagal (who is) Ea, the divine smith, Ninildu who is Ea, the divine carpenter (etc.) made him."¹³⁷

The parallel with ancient Mesopotamian uses of uncooked meat in offerings to Netherworld spirits suggests an emphasis in ancient Israel, where it was the practice to offer raw meat to YHWH (see above), on sacrifice as a means of transferring sins, guilt, or other problems from the sacrificer to the priests, altar, and sanctuary via the sacrificial animal. It was perhaps for this reason that the flesh of "sin" offerings that were intended for the priest or for the community as a whole, which, by this understanding, would have been particularly saturated with transferred evils, was not eaten but burned outside the camp (see above).¹³⁸ Correspondingly, the flesh of minor "sin" offerings, which was eaten by the priests with the explicit intent "that you might bear the guilt of the community,"¹³⁹ was attended by unusually strict precautions (e.g.,

¹³²The black color may be an indicator of chthonic connections. There is not a great deal of information available on the colors of sacrificial animals in ancient Mesopotamia (see F. Blome, *Die Opfermaterie in Babylonien und Israel* (Rome: Pontificio Instituto Biblico, 1934), 1:158-160); however, the association of black with the Netherworld is fairly universal and sorts well with the generally gloomy atmosphere that ancient Mesopotamians believed to prevail there.

¹³³Maul, § VIII.10:49-53.

¹³⁴Walker and Dick, 74: 8-9; 43: 78-80.

¹³⁵Ibid., 42-43: 68-80.

¹³⁶Ibid., 44: 88-93.

¹³⁷Ibid., 76: 49-52; 50: 179-186.

¹³⁸On this point, see also Levine, *Leviticus*, 21-22. Aaron was protected from contamination by a gold plate worn on his forehead (Exod 28:38; see Sama, 184).

¹³⁹Lev 10:17-18. Sifra comments: "The priest eats of the sin offering and the donors thereby secure cleansing" (cited in Levine, *Leviticus*, 62). It was presumably for

scouring and rinsing or breaking the cooking utensil).¹⁴⁰

The practice of reserving the meat of "sin" and "guilt" offerings for priests was understood similarly to what the pre-Reformation English called "sin eating": "In the county of Hereford was an old custome at funeralls to hire poor people, who were to take upon them the sinnes of the party deceased. . . . [A] loafe of bread was brought out and delivered to the sinne eater, over the corpse, as also a mazar bowle, of maple, full of beer (which he was to drink up) and sixpence of money; in consideration of whereof he took upon himself, *ipso facto*, all of the sinnes of the defunct. . . . This custome alludes, methinks, something to the scapegoate in the old lawe, Levit. XVI. 21-22."¹⁴¹ Compare Hosea's angry words: "[T]hey feed on the sin of my people and are greedy for their guilt."¹⁴²

Conclusion

Two conclusions suggest themselves from this survey of the evidence in comparative perspective. One is that it is not necessary to resort to alleged historical developments or cultural borrowings to explain the sacrificial system of ancient Israel. Although there were indubitably historical developments and although cultural borrowings were probably inevitable, once the instructions for the various forms of ancient Israelite sacrifice have been placed back into their proper Ancient Near Eastern context, most of the apparent anomalies disappear and the sacrificial system as we have it described for us is revealed, with a few very minor exceptions, as a coherent whole.

This is not to say that the system as we have it was necessarily generated all at once. Large parts of it might have been, but even if they were not, a concerted effort would certainly have been made to incorporate new developments seamlessly into the existing system. Only where these efforts of assimilation failed should we be able to discern a disjunction. An example of such a disjunction which we have seen above is the Deuteronomistic centralization of the cult in Jerusalem, which produced a ruling requiring the boiling of the Pascal sacrifice. This modification itself echoed an earlier modification of sacrificial procedure that

this reason that it was the officiating priest alone, and males of his family, who were to eat of it (see above).

¹⁴⁰Lev 6:19-22. On this point, see also Milgrom, *Leviticus 1-16*, 403-407.

¹⁴¹For more details, see John Brand, *Observations on the Popular Antiquities of Great Britain*, 3d ed. (London: Henry G. Bohn, 1853-1855), 2:246-248. On the parallel and its implications, see also Milgrom, *Leviticus 1-16*, 622-625.

¹⁴²Hos 4:8. The "guilt" offerings made at the reconsecration of the accidentally defiled Nazirite in Num 6:11-12 or slaughtered to provide the blood for the daubing of blood and oil on the cured "leper" in Lev 14:14-18 would have been eaten by the priests, thus drawing off any remaining impurities from the sacrificer. The fact that the Nazirite had to shave his head before his vows were completed, thus depriving the priest of his share of the sacrifices that would have accompanied the ritual burning of the hair, may also have entered into consideration when assigning the type of offering that was required when there was accidental, indirect contact between the Nazirite's consecrated head and a dead body.

accompanied the Levitical regularization of the cult and that replaced roasting in the open field with boiling near a legitimate sanctuary.¹⁴³

Second, although there are clearly numerous differences, if only in the greater wealth of details and number of different types of sacrifice in ancient Mesopotamia, it is obvious that there is a significant overlap between sacrificial practices in Israel and in ancient Mesopotamia, especially in the later periods. The reason for these similarities in cultural praxis is not difficult to find, namely, that Morton Smith was correct in arguing that Israelite religion was not inessential philosophy different from that of its mighty neighbor, barring such obvious dissimilarities as the institution of *herem*, the high esteem accorded to a "bedouin," fiercely egalitarian and nomadic way of life, and the substitution of a single and iconic deity for the many statuesque gods of ancient Mesopotamia. In both cases, man found his life complicated by the existence of a spirit/spirits that actively sought contact with him, whose anger and ill will were greatly to be feared, but a relationship with whom promised great benefits in the here and now. In both cases, the basic relationship was a contractual one, of benefit to the spirit as well as to humanity, and cemented by "covenant sacrifices." The spirit could expect the human community to conform to certain behavioral and cultic rules and to provide him with food and shelter. In return, the spirit could be counted on for general benevolence and assistance to the community as a whole, an arrangement readily recognizable to practitioners of salvation religions as "religion." Equally importantly, however, the provision of a regular cult, punctuated by daily feedings and periodic celebrations ("regular offerings"), made the spirit available to individual members of the community for private contracts for practical ends ("occasional sacrifices").

¹⁴³A possible third example is the "sin" offering description of Num 15:22-29 that appears to represent a modification of Lev 4:13-25. The private "sin" offering of a female animal by the individual sinner is the same in both passages, but the prince's he-goat offering of Lev 4:22-26 seems to have disappeared. Assuming that this is not simply a mangling of the text but an intentional change, the former prince's "sin" offering of a he-goat seems to have been added to the community's bull offering in order not to deprive YHWH of his wonted sacrifices. Since both animals could not be "sin" offerings, the more valuable one was turned into a holocaust offering, with the result of downgrading the community "sin" offering to the category in which the carcass was not burned outside the camp, but instead eaten by the priests. For more discussion, see Milgrom, *Numbers*, 402-405.