2016

# Deut 27 and Ancient Media: The Torah Stones and the Meaning of Covenant

Melissa Ramos
*George Fox University*, mramos@georgefox.edu

# *Deut 27 and Ancient Media: The Torah Stones and the Meaning of Covenant*

***Melissa Ramos – UCLA***

***(Society of Biblical Literature: San Antonio, 2016)***

---

## Introduction

The tablets of the covenant are one of the most enduring symbols of the Hebrew Bible. In Deuteronomy 27 the command is given to inscribe on stones "all the words of the this torah": וכתבת על–האבנים את–כל–התורה הזאת. These stones are potent visual symbols in the Hebrew Bible, symbols of the enduring nature of the binding oath of the covenant made between God and the people. This paper will explore this connection between the ratification of covenant and the crafting of an iconic representation of the covenant on visual media. Special attention will be given to the command to inscribe the torah stones in Deut 27 and the command in Deut 6 following the Shema to write the commandments on physical objects such as doorposts, or *mezuzot*. This act of inscribing objects for display with the commandments was part of the ritual enactment of the covenant in Deut 27. And the main idea of this paper is that the crafting of iconic visual symbols played a significant role in the construction of the meaning of covenant in Deuteronomy especially.

Many studies have undertaken an examination of parallels between Deuteronomy and other ancient Near Eastern oath texts.[1] These examinations of the parallel content

[1] Classic studies of the parallels between ANE treaties and Deuteronomy include, for example, Rintje Frankena, "The Vassal-Treaties of Esarhaddon and the Dating of Deuteronomy," *Oudtestamentische Studiën* 14 (1965): 122-154; Christoph Koch, *Vertrag, Treueid und Bund: Studien zur Rezeption des altorientalischen Vertragsrechts im Deuteronomium und zur Ausbildung der Bundestheologie im Alten Testament* (BZAW 383; New York: de Gruyter, 2008); Bernard Levinson, "Esarhaddon's Succession Treaty as the Source for the Canon Formula in

between ancient Near Eastern treaties and Deuteronomy have yielded fruitful results; however, far fewer studies have considered both the content of the treaties and the objects on which they were inscribed. This treatment of texts apart from their physical inscriptions in the material record has led to a more literary-centric focus on the textual history of Deut 27-28. A more balanced approach is needed that examines content parallels, as well as artifact parallels in visual media. Furthermore, this paper contends that visual representations of covenant on visual media such as amulets, *mezuzot*, and magic bowls were part of the construction of the meaning of covenant in pragmatic religious practice.

## Part I: Repetition and Ritual

Chapters 27-28 of Deuteronomy provide a script of sorts for the ritual enactment of the covenant oath.[2] In the structure of the book as a whole, chapters 27-28 form the culmination, the pinnacle, of a series of speeches by Moses that frame the various compositional elements of the book. The legal material, the commandments, statutes, and ordinances are framed by Moses' persuasive rhetoric urging the community to hear the commandments and to do them.

---

Deuteronomy 13:1," *JAOS* 130 (2010): 337-347; Dennis McCarthy, *Treaty and Covenant: A Study in Form in the Ancient Oriental Documents and the Old Testament* (Rome: Pontifical Biblical Institute, 1963); George Mendenhall, "Covenant Forms in the Israelite Tradition," *Biblical Archaeologist* 17 (1954): 50-76; Karen Radner,"Assyrische ṭuppi adê als Vorbild für Deuteronomium 28, 20-44?" in *Die deuteronomistischen Geschichtswerke: Redaktions- und religionsgeschichliche Perspektiven zur "Deuteronomismus" – Diskussion in Tora und Vorderen Propheten* (ed. M. Witte, et al. BZAW 365; New York: de Gruyter, 2006), 351-378; Hans Ulrich Steymans, *Deuteronomium 28 und die adê zur Thronfolgeregelung Asarhaddons: Segen und Fluch im Alten Orient und in Israel* (OBO 145; Göttingen: Vandenhoeck & Ruprecht, 1995); D. J. Wiseman, "The Vassal-Treaties of Esarhaddon." *Iraq* 20 (1958): 1-99; Moshe Weinfeld, Deuteronomy and the Deuteronomic School (Winona Lake: Eisenbrauns, 1992), 59-157.

[2] See my dissertation for the argument that Deut 27-28, along with other ancient Near Eastern treaties, are written as scripts and were performed orally along with ceremonial elements: Melissa Ramos, *Spoken Word and Ritual Performance: The Oath and the Curse in Deuteronomy 27-28* (Los Angeles, University of California: UCLA, Ph.D. diss., 2015), 8, 30, 43, 60-82, 91-100.

> **27** Then Moses and the elders of Israel charged all the people as follows: Keep the entire commandment that I am commanding you today. **2** On the day that you cross over the Jordan into the land that the Lord your God is giving you, you shall set up large stones and cover them with plaster. **3** You shall write on them all the words of this law when you have crossed over, to enter the land that the Lord your God is giving you, a land flowing with milk and honey, as the Lord, the God of your ancestors, promised you. **4** So when you have crossed over the Jordan, you shall set up these stones, about which I am commanding you today, on Mount Ebal, and you shall cover them with plaster. **5** And you shall build an altar there to the Lord your God, an altar of stones on which you have not used an iron tool. **6** You must build the altar of the Lord your God of unhewn stones. Then offer up burnt offerings on it to the Lord your God, **7** make sacrifices of well-being, and eat them there, rejoicing before the Lord your God. **8** You shall write on the stones all the words of this law very clearly. (Deut 27:1-8)

There are two aspects of chapter 27 that I wish to highlight: First of all, the repetition of the command to inscribe the stones; and, secondly, the ritual and cultic setting for the crafting of the torah stones. Various explanations have been offered for the repetition of the command to erect and inscribe the stones first in verses 2-3, again in verse 4, and a third time in verse 8.

Whether one concludes that this indicates a compositional seam in the text or a tool of the script, as I have argued, the effect is the same: emphasis. [3] The command to erect and inscribe the stones is repeated three times to indicate its significance. Observe also that in verse 2 the command is given to set up *large* stones, not small notes on an ostracon or scratches on a small tablet – rather, to erect large stones, to cover them in plaster, and to inscribe them with *all* the words of this law. And the emphasis is further heightened in verse 8 that commands that the words of the law be written *very clearly* (באר היטב) What the text describes here is a large and especially clear visual display on stone, an imposing visual symbol of the solemn oath to be sworn.

And not only is the command to inscribe the stones emphasized through linguistic indicators and repetition, the command to inscribe the stones is also part of a set of ritual

[3] Ramos, *Spoken Word and Ritual Performance*, 8, 27-30, 45-74.

instructions for the covenant ratification ceremony. This ceremony is to take place after the people cross the Jordan and enter into the ancient city of Shechem, that was flanked by two mountain peaks, Mount Ebal and Mount Gerizim. The command to erect and inscribe the stones in verses 2-4 is followed by the command to build an altar and to make sacrifices on it as part of a cultic celebration, a festival with "rejoicing before the Lord." This command to hold a cultic celebration is then followed by a script for the enactment of the covenant with parts for various officiants to play: representatives of half the tribes are to ascend Mt. Gerizim and the other tribes are to ascend Mt. Ebal. And then the Levites are to read aloud the curses and the blessings that accompany the covenant oath. So, within the world of the narrative, the inscribing of the stones as a visual display is part of the ritual enactment of covenant, part of the ceremony that ratifies the oath, and part of its enacted performance. The crafting of similar kinds of inscribed visual media accompanied the ratification of treaty oaths in the ancient Near East and provides us with some clues as to the meaning of the ritual act of inscribing a covenant oath.

**Part II: Artifact Parallels on Ancient Media**

The inscribing of stones was a widespread phenomenon in the first and second millennia BCE in the ancient Near East. A wide array of objects were inscribed, such as royal annals, reliefs, boundary stones, sarcophagi, legal stipulations, stelae, and amulets. Many objects were inscribed with blessings and curses suggesting a link between the practice of inscribing stones and the rituals of blessing and cursing both in the ancient Near East and in the wider Mediterranean.[4] While we have no extant artifact

[4] Moshe Weinfeld, "The Emergence of the Deuteronomic Movement: The Historical Antecedents," in *Das Deuteronomium: Enstehung, Gestalt und Botschaft (*N. Lohfink., ed., Leuven: Leuven University Press, 1985), 79-81. Weinfeld's important work on Greek foundation narratives and oaths demonstrates that such Mediterranean treaties were ratified with a ritual

corresponding to the stele described in Deut 27, the repeated command to erect and inscribe stones suggests importance was placed upon the making of the inscription, if only within the narrative world of Deuteronomy itself. Specifically I will mention three artifacts, three pieces of inscribed visual media with strong parallels to the torah stones described in Deut 27.

*The Sefire Treaty: An Oath Stele*

While most exemplars of treaties from the Iron Age are clay inscriptions, the 9th century Aramaic treaty stele from northern Syria provides an example of an object similar to the one described in Deut 27: an oath and accompanying curses inscribed on a stone stele.[5] The stele is comparatively large (over 4 feet high and more than 2 feet in width at its widest point) and, thus, would not have served as an administrative copy but was most likely meant for public display. In terms of its representation on visual media and its content, the Sefire stele is perhaps the strongest parallel to the object described in Deut 27:1-8. With regard to content, the treaty genre, in general, shares many features with Deuteronomy overall such as lists of conditional stipulations for the terms of the oath, an emphasis on obeying its terms, and lengthy sets of curse formulae. In particular, some of the curse formulae in the Sefire stele share parallels with curse formulae in Deut 28.[6] The element of visibility was at the center of the act of inscribing objects placed in

---

ceremony also involving sacrifices at an altar, as well as the erection of a stele inscribed with blessings and curses also.

[5] Simo Parpola and Kazuko Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths* (SAA 2; Helsinki: Helsinki University Press, 1988), XLIII. Another representative of the oath stele genre is the 9th century Neo-Assyrian treaty between Šamši-Adad of Assyria and Marduk-zakir-šumi of Babylon inscribed on polished black stone.

[6] Christoph Koch, *Vertrag, Treueid und Bund: Studien zur Rezeption das altorientalischen Vertragrechts im Deuteronomium und zur Ausbildung der Bundestheologie im Alten Testament* (BZAW 383; Berlin: de Gruyter, 2008), 284-285. Koch demonstrates a strong parallel between the list of pests named in Deut 28:38-42 and Sefire I A:27-28. Koch argues that this and other

accessible locations and oath inscriptions containing curses, in particular. The use of visual symbols to represent these oaths and curses was a practice found in widely in the ancient Near East.

*The Succession Treaty of Esarhaddon: Oath Tablets*

The next type of artifact with similarities to the torah stones of Deut 27 is the exemplars and fragments of clay tablets inscribed with the Succession Treaty of Esarhaddon or the STE. This treaty oath was imposed upon nations conquered by the Neo-Assyrian Empire particularly during the 7th century BCE. Several versions of the oath in written inscription have been discovered. Tablets displaying the Succession Treaty have been found not only in Nineveh, the royal capitol of the Neo-Assyrian Empire, but also the sites of Tell Tayinat and Tyre in the northern Levant.[7] While the written media differ, stone stele versus clay tablet, many of the other elements of the physical artifact of the Succession Treaty are contiguous with the artifact described in Deut 27. The Succession Treaty features both a corpus of legal stipulations agreed to by oath-makers and a lengthy list of curses that would be come activated should the treaty oath be violated by the oath-makers. Furthermore, the extant exemplars (and fragments) of the STE were placed in temples and were intended for purposes of display.[8] This combination of legal material and blessings and curses inscribed on an object and placed

---

parallels demonstrate a shared scribal culture in the ancient Near East. A more in-depth discussion of these parallels will be presented in Chapter Four.

[7] Lauinger, "Preliminary Thoughts," 5-14; idem., "Esarhaddon's Succession Treaty," 87-123; Parpola and Watanabe, *Neo-Assyrian*, 24-27.

[8] Jacob Lauinger, "Preliminary Thoughts, on the Tablet Collection in Building XVI from Tell Tayinat," *Journal of the Canadian Society for Mesopotamian Studies* 6 (2011): 5-14; Joan Oates and David Oates, *Nimrud: An Assyrian Imperial City Revealed* (London: British School of Archaeology in Iraq, 2001). Hittite treaty tablets were also deposited before statues of deities, implying that these tablets were displayed in a manner similar to the STE tablets. For example, see the treaty 6a, section 13 in Gary Beckman, *Hittite Diplomatic Texts* (SBL Writings from the Ancient World 7; Atlanta: Scholars Press, 1999), 46.

in a cult site demonstrate important points of contiguity for Deut 27. First, the threefold combination of written artifact, legal stipulations, and curses fits strongly with the material in Deuteronomy. Secondly, the artifact was hung or erected in a cult site suggesting that it was connected to cult practice and ritual performance.

The connection between the physical artifact of the treaty inscription and the ritual enactment of the oath is one that is shared by the STE and Deut 27. It remains a possibility that the performance of the STE was part of the annual Akitu Festival, given that the Akitu temple is mentioned in one of the copies of the treaty (VAT 11449).[9] Similarly, Deut 27 provides a layout for a covenant ritual enactment that included preliminary preparations for the oral recitation of the curses including the erection of an altar, the offering of sacrifices, and the inscribing of a stone stele with "all the words of this torah." Thus, the physical artifact with the inscription served as a visual representation of the treaty and the curses undertaken by the swearing parties.[10] The public display of the artifact within the borders of the conquered territory and in a visible place of religious worship perhaps reinforced the connection between the self-curses and the divine power that enforced the terms of the oath. Thus, the physical writing (and sealing) of the inscription served a rhetorical, or persuasive function, and perhaps was perceived to serve even a transformative function. Jacob Lauinger writes of the Succession Treaty tablets:

> The act of sealing the *ṭuppi adê* was transformative. The exemplars of STE became Tablets of Destinies upon being sealed with the Seal of Destinies, and the

[9] See, for example, Jacob Lauinger, "The Neo-Assyrian *adê*: Treaty, Oath, or Something Else?" *Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 19 (2013): 111-115; Simo Parpola, "Neo-Assyrian Treaties from the Royal Archives of Nineveh," *JCS* 39:2 (1987): 163.

[10] Lauinger observes that tablets used in the display of the STE, the *ṭuppi adê*, had a distinctive design: a rotation along the vertical axis, and three royal seals representing chronological stages of the empire of Aššur. Lauinger, "The Neo-Assyrian *adê*," 108.

> stipulations inscribed on them were consequently transformed from mundane directives into the actual destinies…[11]

The dramatic enactment of the curses, the ritual oaths sworn, and the inscribing and sealing of the artifact would have imbued the inscription with the numinous power of the divine enforcer of the oath. The visual representation of the *adê* or *berit* thus served as an iconic representation of the stipulations and the terrifying consequences of violating the sworn agreement.[12] Furthermore, the act of inscribing and/or sealing the stele or the tablet likely was thought to imbue the object with divine power, thus transforming the object itself into an icon of the divine power enforcing the covenant and its terms.

A similar phenomenon underlies the writing of incantations in the ancient world. As Daniel Miller observes, "in the case of written incantations, *we may call the written form of the incantation itself* 'logographic ritualization'... encoded and expressed in the written medium itself..."[13] Thus, the act of writing down the ritual oath may be connected with the physical manipulation of materials as a means of increasing the efficacy of the oath performance's effectiveness. Indeed, the rituals in the religio-political treaty and covenant texts are dependent upon the divine realm to enforce the privileges and punishments that are so carefully enumerated in the ritual script and the logographic ritual display. While political entities have their own enforcers in the form of armies, a

---

[11] Ibid., 110.

[12] Perhaps the visual representation of the oath is also connected to the shape of the STE tablets. Lauinger observes that better-preserved tablets of the *iqqur ipuš* series found along with the oath tablet at the Tell Tayinat temple had an "amulet shape." The tablets from this collection seemed to serve as display pieces. Lauinger wonders about the function of the "divine tablets" themselves: "Was the oath tablet displayed here simply as a votive offering or to put it under the protection of the gods? Or… perhaps used in rituals renewing the loyalty oath… Or could it even have been an object of veneration in its own right?" ("Preliminary Thoughts," 10-12).

[13] Daniel Miller, "Incantations in Ancient West Semitic Corpora and the Hebrew Bible: Continuity and Discontinuity" (PhD. diss., University of Michigan, 2006), 40-41. Author's italics.

large number of the curses specified in the Succession Treaty, Deuteronomy 27-29, and *Sefire* could only be inflicted by divine force (such as madness, blindness, insomnia, bad weather, etc). Thus, it is not the threat of a powerful army that ratifies even a political treaty such as the STE or *Sefire*, but rather the divine powers called upon to witness the treaty and participate in its enactment. These divine powers, divine enforcers of the covenant are thus represented also in the physical form of the inscription, even if no iconography is depicted of the deity.

## Part III: Inscriptions with Excerpts from Deuteronomy

Up to this point we have discussed the text of Deut 27 and parallels from the material world of the Hebrew Bible; however, no extant torah stones from ancient Israel or Judah have been uncovered. This leads us to wonder whether the torah stones took any material shape outside of the world of the narrative. The commands within Deut 6 following the Shema and the practice of inscribing objects with excerpts from Deuteronomy in ancient Judaism suggest that the inscribing of the torah as portrayed in Deut 27 indeed took shape in religious practice. This practice of inscribing objects placed on doorposts, or *mezuzot* is an ongoing practice within contemporary religious communities that is rooted in an very ancient one. I will mention three types of objects within a very broad time frame, but found within ancient Israel and in the context of religious practice.

### *Amulets*

The first group of objects I want to mention are amulets. Deut 6 commands the people to hear the commandments, to keep them, to teach them to children, and also to bind them as a sign (אות) on the hand, and affix them to the forehead as an emblem

(טטפת), and also to write them on the doorposts of houses. This suggests the inscribing of the covenant, the commandments, in private, personal religious practice. This type of inscribing can be seen in visual media from the Iron II period in the Levant in the Ketef Hinnom amulets. These small, silver amulets were found in an excavation in a burial context in Jerusalem. The two amulets contain small, silver scrolls inside bearing inscriptions with blessings.[14] Among the inscribed blessings is one that reads "who keeps the covenant and Graciousness toward those who love him and keep his commandments." This same blessing formulation can be found in Deut 7:9. Thus, the representation of covenant on visual media was indeed practiced in and around the time of the composition of the Hebrew Bible, in this case likely for apotropaic purposes.

*Samaritan Mezuzot*

Perhaps the closest parallel to the torah stones can be found in the stone *mezuzot* inscriptions from the Samaritan community. These inscriptions date to a much later period, such as this one in the slide from the 6-7th century CE, however their use of the same type of visual media as the the torah stones in Deut 27 is striking: large stones erected in public locations such as the entrance to synagogues. These Samaritan *mezuzot* feature excerpts from Deuteronomy and some specifically includes some excerpts the Ten Commandments. [15] The inscribed stones are also large in size such as one *mezuzah* housed in the Israel Museum that measures approximately 14 inches by 16 inches.[16] The use of inscribed visual media to represent the solemn covenant oath in religious communities demonstrates the antiquity of this practice.

---

[14] Barkay, Gabriel, et al. "The Amulets from Ketef Hinnom: A New Edition and Evaluation." *BASOR* 334 (2004): 41-71.
[15] See, for example, Graham Davies, "A Samaritan Inscription with an Expanded Text of the Shema'," Palestine Exploration Quarterly 131 (1999): 3-19.
[16] http://www.imj.org.il/imagine/galleries/viewItemE.asp?case=6&itemNum=396110

*Magic Bowls*

Another visual medium used to represent the covenant oath of Deuteronomy is the Aramaic incantation bowl. These bowls were made of clay and were typically inscribed with apotropaic blessing formulae that sometimes included iconography. The larger majority of these incantation bowls date to the Sassanid period from the fifth to the eighth centuries CE.[17] The inscribed text was most often written on the inside of the bowl in a spiral fashion. Some of the Aramaic bowls included biblical quotations and, indeed, some of the most popularly used biblical quotations come from Deuteronomy. And most of these are from either Deut 6 or Deut 28, the very texts that are connected with the ritual inscribing of objects in Deuteronomy itself.[18] These bowls were most commonly found buried near the entrances to a home, the four corners of a home, outer courtyards, or even stable areas to guard them with protective blessing formulae. Thus, these bowls served an apotropaic function as symbols of divine protection accorded to those who kept the commandments of the covenant. The object itself was, thus, understood to be imbued with the power of the divine and the symbol was thought to carry the full force of the covenant within its material form.

## Conclusion

The exemplars presented, both the ancient monumental inscription parallels to the torah stones from the biblical world and the exemplars from private religious practice, showcase the significance of representing the covenant on visual media. In fact, the crafting of torah stones, *tefillin*, and *mezuzot* are part of the commandments that make up

[17] Müller-Kessler, Christa. "The Use of Biblical Quotations in Jewish Aramaic Incantation Bowls," in *Studies on Magic and Divination in the Biblical World*. Edited by (Helen R. Jacobus, Anne Katrine de Hemmer Gudme, and Philippe Guillaime. eds.; Gorgias Press, 2013), 227-245.
[18] Ibid., 236ff.

the covenant oath in Deuteronomy. Thus, according to Deuteronomy, visual symbols of the covenant are part of fulfilling the covenant represented on them. The crafting of two types of visual media are commanded in Deut: the torah stones as public displays in a cult site and objects used in private and family life such as amulets or *mezuzot*. The objects crafted for use in the private sphere expressed one's personal or family devotion to the God of the covenant. Yet also in the case of amulets and Aramaic bowls these visual symbols were thought to carry divine power with a protective function of guarding a home or guiding one in the afterlife.

However, the torah stones described in Deut 27 and in the examples of the Samaritan stone *mezuzot* seem to have served a different role. Their display in prominent public spaces and in places of religious practice suggests a persuasive purpose. The display of the covenant reminded viewers of both the blessings and the curses undertaken in the solemn oath. Thus, the visual symbols of covenant in the public sphere may have served to invoke both desire for the blessing and fear of the curse. Whether public or private, the inscribing of the covenant on visual media was bound up with the meaning of the covenant itself. Enacting and heeding the terms of the covenant required the crafting of a visual symbol. Indeed, this iconic representation was part of the construction of the meaning of the covenant itself. The visual medium embodied the covenant and transferred the solemn oath spoken and heard into the material world. The use of stone perhaps symbolized the enduring and impermeable nature of the covenant. The crafted symbol then became a powerful force of rhetorical persuasion to remind and enforce the terms of the covenant for those forsworn.