



## Is There Magic in the Text? Ritual in the Priestly Pentateuch and Other Ancient Near Eastern Literature

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Résumé de l'article

"Magic" is a term that continues to feature in popular and scholarly circles, yet scholars continue to disagree vehemently about its definition and utility. This article uses the various definitions of magic as lenses through which to compare the ritual texts of the Priestly Pentateuch, ancient Egypt, and ancient Mesopotamia. The results offered illumine both the texts and the scholars who interpret them. Regardless of the definition employed, the biblical and other ANE ritual texts are quite similar, leading to the conclusion that magic should not be used as a dividing line between biblical Priestly and other ANE ritual texts.

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יִשְׁ-בָּה הַרְבֵּה מִשָּׁת



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## IS THERE MAGIC IN THE TEXT? RITUAL IN THE PRIESTLY PENTATEUCH AND OTHER ANCIENT NEAR EASTERN LITERATURE

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Is there magic in ancient Near Eastern (ANE) ritual texts?<sup>1</sup> The answer depends on whom you ask and what they consider magic. Rather than provide a definitive answer or pin down a single definition of magic, this article uses scholarly definitions of magic as a lens for comparing biblical and other ANE ritual texts as well as scholarly interpretations of them.<sup>2</sup> This case study is the first to compare damage control rituals in Mesopotamia, Egypt, and the Priestly texts (P)<sup>3</sup> through the lenses of the three most

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<sup>1</sup> I would like to thank the anonymous *JHS* reviewers for the helpful comments and critiques. Any infelicities that remain are my own. Here, it must be stressed that rituals prescribed or described in texts are not the same as rituals practiced in real life, and we have little record of how well the ritual texts match ritual performance.

<sup>2</sup> Magic is an especially fertile lens for comparing ritual texts since scholars increasingly associate it with ritual, either as a subset of ritual, integral to ritual itself, or in partially overlapping spheres like a Venn diagram. See, e.g., Einer Thomassen, “Is Magic a Subclass of Ritual?,” in D. Jordan, H. Montgomery, and E. Thomassen (eds.), *The World of Ancient Magic: Papers from the First International Samson Eitrem Seminar at the Norwegian Institute at Athens, 4–8 May 1997* (Bergen: The Norwegian Institute at Athens, 1999), 64; Paul Mirecki and Marvin Meyer, “Introduction,” in P. Mirecki and M. Meyer (eds.), *Magic and Ritual in the Ancient World* (Leiden: Brill, 2002), IX. Typical elements associated with magic and ritual overlap significantly. Many scholars also consider that the term “magic” is used most productively in making cross-cultural comparisons; see, e.g., Kimberly Stratton, “Magic Discourse in the Ancient World,” in B.-C. Otto and M. Stausberg (eds.), *Defining Magic: A Reader* (London: Equinox, 2013), 244 and the references cited therein.

<sup>3</sup> The nature and extent of the Priestly texts remain disputed. The present inquiry examines the Priestly texts in Genesis–Leviticus according to Martin Noth’s classic delineation of P (*The Chronicler’s History* [Sheffield: JSOT Press, 1987], 107–47; see also Anthony Campbell and Mark O’Brien, *Sources of the Pentateuch: Texts, Introductions, Annotations* [Minneapolis: Fortress, 1993], 21–90) and includes the associated Holiness Legislation (H) (following the more neutral rendering of Baruch J. Schwartz, *The Holiness Legislation: Studies in the Priestly Code* [Hebrew] [Jerusalem: Magnes 1999], 17–24). Rather than entering into

common scholarly approaches to magic. It is also the first to use these particular ritual texts to critique scholarly interpretations of magic. In other words, rather than comparing magic to ritual, it assesses ritual through the lens of magic and scholarly conceptions of magic through the lens of ritual. While much of the work is synthetic, it collects a vast array of data in a single place and it offers several contributions, both big and small.<sup>4</sup>

In particular, I compare the quintessential damage control ritual texts from the Hebrew Bible in the Priestly Pentateuch (P) (focusing on Leviticus 4–16) with those from Mesopotamia and Egypt, two of the most prominent and distinct regions of the ANE.<sup>5</sup> Regarding Mesopotamia, we consider the various Mesopotamian rituals designed to remove various ills from people. The *Šurpu* series offers remedies for *māmitu*, the “curse” a person inflicts on themselves through their misdeeds.<sup>6</sup> *Maqlû* (“burning”) and various related rituals combat the ill-effects of witchcraft.<sup>7</sup> *Namburbi* rituals aim to avert or minimize the effect of bad

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the debate on the extent of H outside of Lev 17–26 (compare Israel Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* [Minneapolis: Fortress Press, 1995] with Jacob Milgrom, *Leviticus 17–22* [New York: Doubleday, 2000], 1337–44; “HR in Leviticus and Elsewhere in the Torah,” in R. Rendtorff and R. Kugler [eds.], *The Book of Leviticus: Its Composition and Reception* [Leiden: Brill, 2003], 24–40; see also Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus* [Tübingen: Mohr Siebeck, 2007], 559–75), I simply treat all of the disputed texts as part of P. For the present discussion, I leave aside the debated P(-like) texts in Numbers (compare Noth with Knohl, *Sanctuary*, and Reinhard Achenbach, *Die Vollendung der Tora: Redaktionsgeschichtliche Studien zum Numeribuch im Kontext von Hexateuch und Pentateuch* [Wiesbaden: Harrassowitz, 2003]).

<sup>4</sup> I enumerate my particular contributions in the conclusion. Rather than make room for myself by denigrating scholarly positions, I acknowledge my debt to their work and hope that my critiques will add to their contributions and carry the discussion forward.

<sup>5</sup> While the Priestly Pentateuch (and esp. Lev 1–16) is a specific corpus, the ANE texts are disparate, serving different purposes and composed by different groups across time and space. Thus, the synthesis presented is artificial (and cannot be said to accurately represent any one moment or place). Nonetheless, it produces meaningful generalities that can be used to elucidate biblical texts, not in terms of positing dependence, but rather as more general ANE comparanda, setting the biblical Pentateuch alongside wider ANE perspectives. A more specific comparison between, e.g., the Priestly rituals and the Mesopotamian *Maqlû* or *Šurpu* would yield different, more specific results. Alternatively, if one were to focus on elucidating ANE texts, one may choose to compare specific ANE texts with biblical texts more generally.

<sup>6</sup> See Erica Reiner, *Šurpu: A Collection of Sumerian and Akkadian Incantations* (Graz: Ernst Weidner, 1958).

<sup>7</sup> I. Tzvi Abusch, *The Magical Ceremony Maqlû: A Critical Edition* (Leiden: Brill, 2015); *The Witchcraft Series Maqlû* (Atlanta: SBL, 2015); Daniel Schwemer, *The Anti-Witchcraft Ritual Maqlû: The Cuneiform Sources of a Magic Ceremony from Ancient Mesopotamia* (Wiesbaden: Harrassowitz, 2017). For other texts, see Daniel Schwemer, *Abwehrzauber und Behexung: Studien zum Schadenzauberglauben im alten Mesopotamien* (Wiesbaden: Harrassowitz, 2007); Tzvi Abusch and Daniel Schwemer, *Corpus*

omens.<sup>8</sup> The *udug-hul/utukku lemmutu* series and related rituals primarily combat illness brought by the demons and the dead.<sup>9</sup> Since they most accord with P, we focus on *Šurpu* rituals. Regarding Egypt, this article focuses on the removal of various ills from individuals.<sup>10</sup> Classically, scholars have called the Priestly rites “religion” and the other ANE rituals “magic.” However, as we will see, the texts do not support such a neat dichotomy, a fact that biblical scholars have begun to highlight.<sup>11</sup>

The damage control rituals in P deal narrowly with the effects of sin and impurity on individuals and the sanctuary, aiming to achieve forgiveness or cleansing and atonement, while the damage control rituals in Mesopotamia and Egypt are more expansive in scope. In Mesopotamia, rites labeled magic focus on warding off various human ills, generally excluding “religious” rites in the temple like purifications, lamentations, and the activation of cult statues, even though, as we will see, these practices meet their proposed definitions of magic.<sup>12</sup> With no emic term at their disposal, Assyriologists use the terms magic and ritual largely interchangeably. For example, the primary ritual texts (*āšiputu*) are also the primary source of information on magic and are translated alternatively as “exorcistic lore” or simply as “magic.”<sup>13</sup> Rather than serve as a value-laden term, magic is for many merely descriptive. Although the categories overlap in practice, Assyriologists often label texts as magical those that have been classified as neither religious nor scientific.<sup>14</sup> The

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of *Mesopotamian Anti-Witchcraft Rituals* (3 vols; Leiden: Brill, 2011).

<sup>8</sup> See Stefan Maul, *Zukunftsbewältigung: Eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)* (Mainz: Philipp von Zabern, 1994).

<sup>9</sup> See Markham J. Geller, *Healing Magic and Evil Demons: Canonical Uduḡ-hul Incantations* (Berlin: de Gruyter, 2016); see also JoAnn Scurlock, *Magico-Medical Means of Treating Ghost-Induced Illnesses in Ancient Mesopotamia* (Leiden: Brill, 2006).

<sup>10</sup> For a compilation of Egyptian magical texts, see Joris Borghouts, *Ancient Egyptian Magical Texts* (Leiden: Brill, 1978).

<sup>11</sup> See n. 24 for examples.

<sup>12</sup> See regarding lamentations Uri Gabbay, *Pacifying the Hearts of the Gods: Sumerian Emesal Prayers of the First Millennium BC* (Wiesbaden: Harrassowitz, 2014), Paul Delnero, *How to Do Things with Tears: Ritual Lamenting in Ancient Mesopotamia* (Berlin: de Gruyter, 2020); regarding the activation of cult images (*mīs pī* ritual), see Angelika Berlejung, *Die Theologie der Bilder: Herstellung und Einweihung von Kultbildern in Mesopotamien und die alttestamentliche Bilderpolemik* (Fribourg: University Press, 1998); Christopher Walker and Michael B. Dick, *The Induction of the Cult Image in Ancient Mesopotamia: The Mesopotamian mīs pī Ritual* (Helsinki: University of Finland, 2001); Hundley, *Gods in Dwellings*, 239–70.

<sup>13</sup> Daniel Schwemer, “Ancient Near East,” in D. Collins (ed.), *The Cambridge History of Magic and Witchcraft in the West: From Antiquity to the Present* (Cambridge: Cambridge University Press, 2015), 23.

<sup>14</sup> On the overlap between medicine and magic, see, e.g., Markham J. Geller, *Ancient Babylonian Medicine: Theory and Practice* (Chichester: Wiley-Blackwell, 2010), 161–67. Traditionally, Assyriologists have eschewed cultural anthropology altogether. See Rüdiger Schmitt, *Magie im Alten Testament* (Münster: Ugarit Verlag, 2004), 51–59, though cf.

catch-all category includes “curses, incantations and spells; divination<sup>15</sup>; human attempts at interaction with invisible beings of a lower order (“demons”); charms, amulets, talismans; cures involving *materia medica*.”<sup>16</sup> Their definitions likewise concern method, intent, and mode of causation rather than more social factors,<sup>17</sup> and most scholars label legitimate ritual practices magic.<sup>18</sup>

In Egypt, scholars have associated magic with the emic term *heka* (ḥkꜣ), which is integral to Egyptian religion.<sup>19</sup> *Heka* is a power that may be used to affect change in multiple situations, including creation itself and its maintenance in the daily solar cycle. Generally speaking, Egyptian magic has been classified as “rituals understood as attempts to intervene in the natural course of events by mobilizing *heka*.”<sup>20</sup>

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Wim van Binsbergen and Frans Wiggermann, “Magic in History: A Theoretical Perspective, and Its Application to Ancient Mesopotamia,” in T. Abusch and K. van der Toorn (eds.), *Mesopotamian Magic: Textual, Historical and Interpretive Perspectives* (Groningen: Styx, 1999), 3–34.

<sup>15</sup> The identification of divination with magic is a matter of debate, depending among other things on how one defines the terms. For many Assyriologists, though related, it is not “magic,” while many Classicists associate it with magic (cf. with regard to divination as a form of magic in biblical studies, Frederick Cryer, “Magic in Ancient Syria-Palestine – and in the Old Testament,” in M.-L. Thomsen and F.-H. Cryer [eds.], *The Athlone History of Witchcraft and Magic in Europe: Volume 1. Biblical and Pagan Societies* [London: Athlone, 2001], 114). In Assyriology, the distinction is at least in part due to the fact that they are the domain of different professionals: *bārū v. āšipū*. Regarding divination, see Stefan Maul, *Die Wahrsagekunst im Alten Orient: Zeichen des Himmels und der Erde* (Munich: Beck, 2013).

<sup>16</sup> Van Binsbergen and Wiggermann, “Magic,” 4; on the latter in Hittite culture, see Volkert Haas, *Materia Magica et Medica Hethitica: Ein Beitrag zur Heilkunde im Alten Orient* (2 vols.; Berlin: de Gruyter, 2003).

<sup>17</sup> For Mesopotamia, see Walter Farber, “Witchcraft, Magic and Divination in Ancient Mesopotamia,” *CANE* 4 (2001), 189–6; Schwemer, “Ancient Near East,” 19; cf. for Egypt, Robert Ritner, *The Mechanics of Ancient Egyptian Magical Practice* (Chicago: University of Chicago, 1993), 69.

<sup>18</sup> For example, “in Mesopotamia, magic is a legitimate part of religious thinking and acting” (Christoph Daxelmüller and Marie-Louise Thomsen, “Bildzauber im alten Mesopotamien,” *Anthropos* 77 [1982], 57; translated from German).

<sup>19</sup> See also *akbu* (ꜥḫw), which is effective speech or *heka* properly channeled (Jacco Dieleman, “Egypt,” in D. Frankfurter [ed.], *Guide to the Study of Ancient Magic* [Leiden: Brill, 2019], 89). Regarding *heka*, see with references Friedhelm Hoffmann, “Ancient Egypt,” in *The Cambridge History of Magic and Witchcraft*, 52–82; Dieleman, “Egypt,” 87–114.

<sup>20</sup> Dielemann, “Egypt,” 87. However, it would seem that like Mesopotamians, Egyptians had no concept of nature in the modern sense and by extension no concept of the supernatural (see regarding Mesopotamia Francesca Rochberg, *Before Nature: Cuneiform Knowledge and the History of Science* [Chicago: University of Chicago Press, 2016]). Perhaps it would be more precise to say that these rituals aimed to change the expected course of events, or what would have happened otherwise.

By contrast, perhaps since Christianity and Judaism remain living religions that draw from the Hebrew Bible, magic is often a value-laden term for biblical scholars. As a result, they traditionally have distanced magic from approved ritual. Today, scholars are divided about the presence of legitimate magic in the Hebrew Bible, falling into roughly three camps.<sup>21</sup> According to the traditional perspective, the Bible does not approve of magic. Magic is primitive and characteristic of Israel's neighbors, scholars argue, and the Bible has evolved to a point where it explicitly rejects magic.<sup>22</sup> The second and third perspectives do not argue for such a sharp distinction between Israel and the rest of the ANE; they contend that the Bible approves of magic in some contexts. However, they differ in their understanding of magic itself. According to one view, the Bible may have evolved, yet primitive magical elements remain.<sup>23</sup> According to the other, more recent perspective, magic is no more primitive than religion. For these scholars, rather than being the antithesis of religion, magic is far more expansive, overlapping significantly, if not entirely, with ritual and even religion. They argue that magic serves various positive functions, functions embraced by the biblical authors. For example, Ann Jeffers argues that "magic is what keeps the world together."<sup>24</sup> By identifying various

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<sup>21</sup> See the summary in Schmitt, *Magie*, 29–42 and more expansively regarding the ANE, 29–66; see more briefly, Rüdiger Schmitt, "The Problem of Magic and Monotheism in the Book of Leviticus," *JHS* 8 (2008), 2–12.

<sup>22</sup> Classically associated with James Frazer's *The Golden Bough: A Study in Comparative Religion* (12 vols. New York: MacMillan, 1915). More recent notable commentators include Yehezkel Kaufmann, *Toledot Haemunab Hayisraelit* (Hebrew) (2nd ed. Jerusalem: Magnes, 1952), 1.525–33, 539–45; Gerhard von Rad, *Theologie des Alten Testaments* (4th ed.; Munich: Kaiser 1957), 1.47–48; Milgrom, *Leviticus 1–16* (New York: Doubleday, 1991), 42–43.

<sup>23</sup> See notably Baruch Levine, *In the Presence of the Lord: A Study of Cult and Some Cultic Terms in Ancient Israel* (Leiden: Brill, 1974), 77–91. Levine here does not explicitly refer to magic as "primitive." However, in arguing for its presence and without rebutting the prevailing primitive understanding of magic, he implicitly labels it primitive or at least does little to combat this understanding.

<sup>24</sup> Ann Jeffers, "Magic and Divination in Ancient Israel," *Religion Compass* 1 (2007), 640; see also Joanne Kuemmerlin-McLean, "Magic: Old Testament," *ABD* 4 (1992), 468; Schmitt, *Magie*, 92–93, 395; "The Problem of Magic," 7; Thomas Römer, "Competing Magicians in Exodus 7–9: Interpreting Magic in the Priestly Theology," in T. Klutz, *Magic in the Biblical World: From the Rod of Aaron to the Ring of Solomon* (London: T&T Clark, 2003), 13; Shawna Dolansky, *Now You See It, Now You Don't: Biblical Perspectives on the Relationship between Religion and Magic* (Winona Lake: Eisenbrauns, 2008), 14, 55, 99; cf. Frederick H. Cryer, *Divination in Ancient Israel and its Near Eastern Environment: A Socio-Historical Investigation* (Sheffield: Academic Press, 1994), 117; Rüdiger Schmitt, *Mantik im Alten Testament* (Münster: Ugarit-Verlag, 2014); Marian Broida, *Forestalling Doom: "Apotropaic Intercession" in the Hebrew Bible and the Ancient Near East* (Münster: Ugarit-Verlag, 2014); Brian Schmidt, *The Materiality of Power: Explorations in the Social History of Early Israelite Magic* (Tübingen: Mohr Siebeck, 2016); Martti Nissinen, "Magic

accepted rituals as magical, this third perspective, increasingly prominent in scholarly literature, accords more with Assyriological and Egyptological standards.

Scholarly answers thus depend not only on how scholars define magic, but also how they interpret the texts. It should come as no surprise that, as with many important terms like religion and ritual, scholars cannot agree on a definition of “magic.” Magic, like beauty, is in the eye of the beholder.

### SCHOLARLY CONCEPTIONS OF MAGIC

Since it is especially difficult to solve an equation with two unknowns, I make no attempt here to define ritual.<sup>25</sup> Magic, however, requires more scrutiny. From an emic perspective, there is no single biblical or Mesopotamian term that approximates magic as we understand it.<sup>26</sup> In turn, scholars often use magic in etic or redescriptive ways. Etymologically, English “magic” comes from Greek *mágos* (and later and more commonly *mageía*), derived from Old Persian *magus*,<sup>27</sup> used pejoratively as a reference “to the activity of the Others.”<sup>28</sup> In more recent Western, especially English, parlance, magic formed part of the famous triad “magic-religion-science,” which came to represent the three lenses through which humans viewed their world. Beginning with the recognition that “religion” represented a different category than “science,” “magic” emerged as a third catch-all category, encompassing everything classified as neither science nor religion.<sup>29</sup> Thus, under the mantle of magic lay such

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in the Hebrew Bible,” in N. Nikki and K. Valkama (eds.), *Magic in the Ancient Eastern Mediterranean: Cognitive, Historical, and Material Perspectives on the Bible and Its Contexts* (Göttingen: Vandenhoeck & Ruprecht, 2021), 47–67.

<sup>25</sup> In the section on magic as alternative causality, we will examine some of the ways scholars use ritual and how these overlap with magic. Regarding ritual, see the now classic treatment of Catherine Bell, *Ritual Theory, Ritual Practice* (Oxford: Oxford University Press, 1992) and with regard to the biblical Priestly texts, Michael B. Hundley, *Keeping Heaven on Earth: Safeguarding the Divine Presence in the Priestly Tabernacle* (Tübingen: Mohr Siebeck, 2011), 17–37. Regarding taxonomies in Religious Studies more broadly, see Jonathan Z. Smith, “A Matter of Class: Taxonomies of Religion,” *HTR* 89 (1996), 387–403.

<sup>26</sup> As noted, Egyptian *heka* comes closest. Nonetheless, there are other emic or descriptive biblical terms like augury, divination, and mediums (see., e.g., Lev 19:26, 31) that have been associated with the etic or redescriptive “magic.” Regarding the more recent descriptive and redescriptive language, see briefly Brent Nongbri, *Before Religion: A History of a Modern Concept* (New Haven: Yale University Press, 2013), 21–22.

<sup>27</sup> See briefly Daniel Schwemer, “Magic Rituals: Conceptualizations and Performance,” in K. Radner and E. Robson (eds.), *The Oxford Handbook of Cuneiform Culture* (Oxford: Oxford University Press, 2011), 419.

<sup>28</sup> Jens Braarvig, “Magic: Reconsidering the Grand Dichotomy,” in *The World of Ancient Magic*, 59.

<sup>29</sup> As noted, the distinction is still borne out in Assyriological classifications.



disparate practices as incantations, invocation of demons, horoscopes, alchemy, and amulets.<sup>30</sup>

The long-standing distinction between magic and religion seems to be “a direct legacy from Christian theology and doctrinal polemics,” in which religion meant theologically correct (Protestant) Christianity and magic meant “false religion.”<sup>31</sup> “Tacitly assuming the existence of such a triad, scholars and intellectuals have tended to be favorable toward ‘science and rationality’, respectful toward ‘religion’, and quite negative about ‘magic’ (or whatever equivalent term they might use).”<sup>32</sup> This intellectual bias also carried over into lived reality, as colonial powers used the foil of native magic as a pretext for domination.<sup>33</sup>

In search of greater precision, scholars have offered definitions of magic that aim to incorporate all its disparate elements. Classically, scholars have contrasted magic with religion and defined and examined magic in three different ways: based on the people’s perceptions of the act; the content of the act; and how the act was understood to produce an effect.<sup>34</sup>

The first prominent classical theory, especially associated with Durkheim and Mauss, defines magic based on people’s perceptions of it.<sup>35</sup> It draws the line between magic and religion on social grounds, not the content of the words and actions. Religion represents socially accepted thought and practice, while magic is socially rejected thought and practice. Whereas religion

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<sup>30</sup> Wouter Hanegraaff, “Magic,” in G. Magee (ed.), *The Cambridge Handbook of Western Mysticism and Esotericism* (Cambridge: Cambridge University Press, 2016), 395–96.

<sup>31</sup> Hanegraaff, “Magic,” 396; cf. Stanley Tambiah, *Magic, Science, Religion, and the Scope of Rationality* (Cambridge: University Press, 1990), 12–15.

<sup>32</sup> Hanegraaff, “Magic,” 396.

<sup>33</sup> Margaret Wiener, “Hidden Forces: Colonialism and the Politics of Magic in the Netherlands Indies,” in P. Pels and B. Meyer (eds.), *Magic and Modernity: Interfaces of Revelation and Concealment* (Palo Alto: Stanford University Press, 2003), 140. While, as we will see, “ritual” carries negative associations, it remains less laden than “magic” because it is not part of the (Protestant) Christian-influenced dichotomy between religion and magic and because it was not prominent in colonial rhetoric.

<sup>34</sup> For a thorough survey of academic discourse on magic, see Bernd-Christian Otto, *Magie: Rezeptions- und diskursgeschichtliche Analysen von der Antike bis zur Neuzeit* (Berlin: de Gruyter, 2011), 39–134; see also Graham Cunningham, *Religion and Magic: Approaches and Theories* (New York: New York University Press, 1999); Otto and Michael Stausberg (eds.), *Defining Magic: A Reader* (Sheffield: Equinox, 2012).

<sup>35</sup> Emile Durkheim, *The Elementary Forms of the Religious Life* (New York: The Free Press, 1967), 57–63; Marcel Mauss, *A General Theory of Magic* (London: Routledge, 1972), 24. See briefly Thomassen, “Is Magic a Subclass of Ritual?,” 56–58; Yuval Harari, “What is a Magical Text? Methodological Reflections Aimed at Redefining Early Jewish Magic,” in S. Shaked (ed.), *Officina Magica: Essays on the Practice of Magic in Antiquity* (Leiden: Brill, 2005), 98–100.

promotes communal solidarity, magic lacks social utility.<sup>36</sup> It is performed for the individual rather than the group. In short, the magician has a clientele, not a church.<sup>37</sup> In fact, rather than serving the common good, magic is unsocial or even antisocial.

The second approach defines magic based on content (and intent) and is most associated with Frazer's *Golden Bough*. Such scholars understand magic to work instrumentally or mechanistically. According to this understanding, performing the act automatically produces the intended result, leading from cause to effect. Divine permission is not required; and, if needed, it can even be coerced. By contrast, religion is relational and communicative in essence. Rather than coerce the deity to respond, religion negotiates and achieves its result by divine consent and assistance. Thus, according to this theory, "while magic intends to coerce the powers operating in the world, religion proposes to negotiate with the powers as deities."<sup>38</sup>

The third theory, associated with Lévy-Bruhl among others, defines magic based on people's perceptions of how the words and actions produce the intended result.<sup>39</sup> Lévy-Bruhl posits "participation," which is characteristic of magic and other human activities, as an alternative rationale to "instrumental causality."<sup>40</sup> Fundamentally, rather than working instrumentally, magic works according to a different logic.<sup>41</sup> According to Sørensen, "magic is about changing the state or essence of persons, objects, acts and events through certain special and nontrivial kinds of actions with opaque causal mediation."<sup>42</sup> In other words, magic works outside of expected Western cause-effect relations.<sup>43</sup> For example, according to standard empirical means,

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<sup>36</sup> Cf. Thomassen, "Magic," 56-57.

<sup>37</sup> Durkheim, *Les formes élémentaires de la vie religieuse* (Paris: Quadrige, 1994), 62.

<sup>38</sup> Thomassen, "Magic," 56.

<sup>39</sup> See esp. Lucien Lévy-Bruhl, *The Notebooks on Primitive Mentality* (Oxford: Blackwell, 1975), the summary in Wouter Hanegraaff, "How Magic Survived the Enchantment of the World," *Religion* 33 (2003), 371-74, and Scott Littleton, "Introduction" in L. Lévy-Bruhl, *How Natives Think* (Princeton: Princeton University Press, 1985).

<sup>40</sup> It is important to note that "participation" is not equivalent to magic. Instead, it characterizes an alternative rationality to the traditional instrumental causality found in every society in such diverse phenomena as the invocation of evil spirits and child's play.

<sup>41</sup> See E. E. Evans-Pritchard, *Witchcraft, Oracles and Magic among the Azande* (Oxford: Oxford University Press, 1937); Jack Goody, "Religion and Ritual: A Definition Problem," *BJS* 12 (1961) 142-64; Robert Horton, *Patterns of Thought in Africa and the West: Essays on Magic, Religion and Science* (Cambridge: Cambridge University Press, 1993); and see the overview in Tanya Luhrmann, *Persuasions of the Witch's Craft: Ritual Magic in Contemporary England* (Cambridge, MA: Harvard University Press, 1989), 345-56.

<sup>42</sup> Jesper Sørensen, *A Cognitive Theory of Magic* (Plymouth: AltaMira, 2007), 32; cf. Stanley Tambiah, "The Form and Meaning of Magical Acts: A Point of View," *HAAU: Journal of Ethnographic Theory* 7 (2017), 451-73.

<sup>43</sup> Cf. Ritner, *Mechanics*, 69.

manipulating blood merely makes a mess, while according to the logic of ritual or magic, it may render a person clean.

In recent years, each of these perspectives has met with significant opposition. The line between religion and magic as well as between ritual and magic has largely collapsed.<sup>44</sup> As a result, many have suggested abandoning the term “magic” altogether<sup>45</sup> for more appropriate emic language.<sup>46</sup> Others suggest we retain the term yet use it more carefully. They argue that “magic” remains necessary for comparative analysis, such as comparing the Hebrew Bible to ancient Mesopotamia and Egypt.<sup>47</sup> Despite sustained trenchant critiques, scholars in Anthropology, Cognitive Science, Classics, Biblical and ANE Studies continue to produce new studies on “magic.”<sup>48</sup>

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<sup>44</sup> See regarding post-Enlightenment notions Randall Styers, *Making Magic: Religion, Magic, and Science in the Modern World* (Oxford: Oxford University Press, 2004); see more briefly and generally David Frankfurter, “Introduction,” in *Guide to Ancient Magic*, 605.

<sup>45</sup> R. R. Marett, *The Threshold of Religion* (London: Methuen, 1914); Alfred Radcliffe-Brown, *Structure and Function in Primitive Society* (London: Cohen and West, 1956), 138; David Francis Pocock, “Foreword” to Mauss, *Magic*, 2; Charles Robert Phillips, “The Sociology of Religious Knowledge in the Roman Empire to A.D. 284,” *Aufstieg und Niedergang der römischen Welt* 16 (1986), 2711; John Gager, *Curse Tablets and Binding Spells from the Ancient World* (Oxford: Oxford University Press, 1992), 25; Marvin Meyer and Richard Smith, *Ancient Christian Magic: Coptic Texts of Ritual Power* (San Francisco: HarperSanFrancisco, 1994); Jonathan Z. Smith, “Trading Places,” in P. Mirecki and M. Meyer (eds.), *Ancient Magic and Ritual Power* (Leiden: Brill, 1995), 13–27; Rebecca Lesses, *Ritual Practices to Gain Power: Angels, Incantations, and Revelation in Early Jewish Mysticism* (Harrisburg: Trinity Press, 1998); Naomi Janowitz, *Magic in the Roman World: Pagans, Jews and Christians* (London: Routledge, 2001), 2–3; Richard Horsley, *Jesus and Magic: Freeing the Gospel Stories from Modern Misconceptions* (Cambridge: James Clarke, 2015), 99.

<sup>46</sup> Gager, *Curse Tablets*; Janowitz, *Icons of Power: Ritual Practices in Late Antiquity* (University Park, PA: Pennsylvania State University Press, 2002); Esther Eidinow, *Oracles, Curses and Risk among the Ancient Greeks* (Oxford: Oxford University Press, 2007); Silke Trzcionka, *Magic and the Supernatural in Fourth-Century Syria* (London: Routledge, 2007); Otto, “Towards Historicizing ‘Magic’ in Antiquity,” *Numen* 60 (2013), 308–47.

<sup>47</sup> See the summaries in Joseph Angel, “The Use of the Hebrew Bible in Early Jewish Magic,” *Religion Compass* 3 (2009), 784; Stratton, “Magic Discourse,” 244; see further Dorothy Hammond, “Magic: A Problem in Semantics,” *American Anthropologist* 72 (1970), 1349–56; Hendrik Simon Versnel, “Some Reflections on the Relationship Magic-Religion,” *Numen* 38 (1991), 177–97; Walter Farber, “Witchcraft,” *CANE* 4 (2001), 1885–910; Peter Schäfer, “Magic and Religion in Ancient Judaism,” in P. Schäfer and S. Kippenberg (eds.), *Envisioning Magic: A Princeton Seminar and Symposium* (Leiden, Brill, 1997), 19–43; Christopher A. Hoffman, “Fiat Magia,” in *Magic and Ritual in the Ancient World*, 179–94; Harari, “What is a Magical Text?”; cf. Sarah Johnston, “Describing the Undefinable: New Books on Magic and Old Problems on Definition,” *History of Religions* 43 (2003), 50–54.

<sup>48</sup> There is even a journal dedicated to it, *Magic, Ritual, and Witchcraft*, published by the University of Pennsylvania.

While scholars who continue to use magic have refined their arguments, they continue to argue along similar lines: in terms of social understanding, content, and alternative causality.<sup>49</sup> Since scholarly understandings of magic are disparate, we will examine damage control ritual using the three primary lenses.<sup>50</sup> As we do, we will discover that each lens illumines different aspects of the ANE ritual texts and that regardless of the approach we take to magic, the results overlap more significantly than we often assume. We also will assess the utility of each interpretation of magic.

### MAGIC AS SOCIALLY REJECTED PRACTICES

We now turn to definitions of magic based on its social reception. As noted, while the label “magic” has traditionally had primitive, pejorative connotations (e.g., in contrasting magic with religion), “magic” in more recent scholarly discourse is a neutral category, implying neither moral turpitude nor primitiveness.

Rather than expect a strict adherence to an archetype, more recent scholars have recognized that magic looks different in different societies. Nonetheless, there must be a shared set of traits to meaningfully speak of magic cross-culturally. Thus, instead of identifying strict criteria for magic, scholars have tended to identify practices as magical based on family resemblance.<sup>51</sup> In other words, although they may differ in detail, there is a critical mass of similarities, similarities that overlap with traits often associated with magic, that justifies labeling them “magic.”<sup>52</sup>

The social understanding of magic is especially prominent among scholars of late antiquity, though it has found less foothold among Hebrew Bible and ANE scholars.<sup>53</sup> Their position

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<sup>49</sup> Some scholars also combine definitions.

<sup>50</sup> These lenses are by no means exhaustive and many of the theorists that fall under each category are omitted. Rather than assess or explore each magical theory, the present article uses them as a heuristic device to better understand ritual. The magic as alternative causality section will be included under a single heading ANE and Priestly material since it applies equally to all ANE damage control rituals.

<sup>51</sup> Versnel, “Some Reflections”; Harari, “What is a Magical Text?,” 2005; Bernd-Christian Otto, “General Introduction,” in *Defining Magic*, 1–13; Jan Bremmer, “Preface: The Materiality of Magic,” in D. Boschung and J. Bremmer (eds.), *The Materiality of Magic* (Paderborn: Wilhelm Fink, 2015), 11.

<sup>52</sup> Cf. the original use of the family resemblance by Wittgenstein; the similar approach to religion of Ninian Smart, *Worldviews: Cross-cultural Explorations of Human Beliefs* (3rd ed. New York: Pearson, 1999); for priests, see Michael B. Hundley, “Priest/Priestess,” in *Vocabulary for the Study of Religion*, ed. K. von Stuckrad and R. Segal (Leiden: Brill, 2016), 3.122–25.

<sup>53</sup> See recently regarding late antiquity, Bremmer, “Preface,” 7–19. See respectively regarding the Hebrew Bible, Mesopotamia, and Egypt Stephen D. Ricks, “The Magician as Outsider in the Hebrew Bible and the New Testament,” in *Ancient Magic*, 131–43; Daniel Schwemer, “Mesopotamia,” in *Guide to Magic*, 36–64; Dieleman, “Egypt,” in *Guide*, 87–114. Frankfurter (“Ancient Magic in a New Key: Refining an Exotic

builds on the evidence in Greek culture, where *mageia* came to be associated with all ritual practice deemed illegitimate.<sup>54</sup> A dichotomy was thus set up between “our” religion and rituals and “theirs,” labeled “magic” and understood as the illegitimate practices of others, both within one’s own society and especially from foreign contexts.<sup>55</sup> For such scholars, magic is defined primarily, perhaps even solely, based on society’s attitude toward it.<sup>56</sup> In other words, the label “magic” and a practice’s legitimacy are matters of social location. We begin our examination with a survey of Mesopotamian and Egyptian perspectives before taking a closer look at the biblical Priestly texts.

### MESOPOTAMIA

Mesopotamian texts prohibit witchcraft (*kešpu*, that is, harmful or black magic), and particularly those who practice it (*kaššāpu/kaššāptu*, “warlock”/“witch”) (e.g., in CH 2).<sup>57</sup> In fact, MAL A 47 states that practicing witchcraft warrants the death penalty.<sup>58</sup> Rather than being dismissed as ineffectual, witchcraft was considered so effective that it required elaborate rituals to counteract it—most prominently the first millennium BCE *Maqlû* (“burning”).<sup>59</sup>

People attributed to witchcraft such disparate phenomena as unknown illness; “headache and vertigo; shooting pains in various limbs; paralysis and numbness; stomachache and nausea, despondency, anxiety and states of confusion; excessive salivation, phlegm and bleeding gums; low libido and impotence; social isolation and failure.”<sup>60</sup> Since witchcraft defiled and bound the victim, “reflecting the widespread concept of illness as a state of being bound and impure,”<sup>61</sup> anti-witchcraft rituals sought to

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Discipline in the History of Religions,” in *Guide*, 3–20), editor of volume with Schwemer’s and Dieleman’s contributions, eschews definitions, arguing that magic be used as a heuristic device, with rejected practice as the primary lens. However, one wonders how magic can be a heuristic device if we cannot agree on what it is.

<sup>54</sup> See briefly Schwemer, “Magic Rituals,” 419.

<sup>55</sup> Cf. Braarvig, “Magic,” 51.

<sup>56</sup> Harari, “What is a Magical Text?,” 100.

<sup>57</sup> For the text in translation, see Martha Roth, *Law Collections from Mesopotamia and Asia Minor* (Atlanta: Scholars, 1997), 81; M. E. J. Richardson, *Hammurabi’s Laws: Text, Translation and Glossary* (London: T&T Clark, 2004), 43. Regarding rejected practice in Mesopotamia, see especially Schwemer, “Mesopotamia.”

<sup>58</sup> Translated in Roth, *Law Collections*, 172–73. See also the Succession Treaty of Esarhaddon and the Laws of Urnamma (Schwemer, “Mesopotamia,” 41–42).

<sup>59</sup> Abusch, *Magical Ceremony; Witchcraft Series*. For other texts, see Daniel Schwemer, *Abwehrzauber*; T. Abusch and D. Schwemer, *Corpus* (3 vols.; Leiden: Brill, 2011-).

<sup>60</sup> Schwemer, “Mesopotamia,” 53. In keeping with the belief that evils could have multiple sources, none of these ills are exclusive to witchcraft.

<sup>61</sup> *Ibid.*, 44.

purify and release the patient, sending the afflictions back to their source.<sup>62</sup>

Witchcraft was likely prohibited not because of method or (in)effectiveness, but rather its perceived aim, to harm individuals.<sup>63</sup> Aggressive rituals, whereby “the ritual client gains superiority, strength, and attractiveness,” occupied an ambivalent gray area between the approved actions of the exorcist-priest (*āšipu*) (and physician [*asū*]) and illegal witchcraft.<sup>64</sup>

The *āšipu* primarily dealt with complex illnesses and other adversities.<sup>65</sup> As the representatives of the urban elite alongside the *asū*,<sup>66</sup> *āšipu* are the dominant figures in the textual record as early as the second millennium. Although other ritual specialists like the snake charmer (*mušlahhu*), owlman (*eššebū*), necromancer (*mušelu*), and the female *qadištu* and *naditu* appear in incantation literature, no texts of their own survived.<sup>67</sup> Thus, what little we know of them comes from their rivals. Unsurprisingly, *āšiputu*, the textual record of the *āšipu*, marginalizes these alternative specialists as shady characters who are accused of practicing witchcraft against patients.<sup>68</sup> Rather than serving as an outright prohibition, this polemical language likely functions more as a form of negative advertising. Mesopotamians did not forbid as illegitimate (or even ineffective) alternative ways (e.g., of removing the ill-effects of witchcraft). Of all the ritual specialists only witches and warlocks are forbidden professions, likely because their actions were considered harmful.<sup>69</sup> While witchcraft remained illegal, people were far more concerned with combating the negative effects of witchcraft than identifying individual wit-

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<sup>62</sup> Ibid., 40, 49.

<sup>63</sup> Indeed, in many ways the methods employed by those practicing witchcraft and those seeking to counteract them mirrored each other (cf. the caution in Abusch and Schwemer, *Corpus*, 1:20).

<sup>64</sup> Schwemer, “Ancient Near East,” 29, 39–41; cf. “Mesopotamia,” 41.

<sup>65</sup> Schwemer, “Mesopotamia,” 37. While defensive rituals against various ills were central, they also handled liminal rites “for inducting or re-inducting persons or objects to the sacral sphere of the temple cult” and “aggressive rituals to manipulate other person or to increase one’s own power and attractiveness” (40–41).

<sup>66</sup> Schwemer, “Mesopotamia,” 39.

<sup>67</sup> Ibid., 41.

<sup>68</sup> Marten Stol, “Review of R. A. Henshaw, *Female and Male: The Cultic Personnel. The Bible and the Rest of the Ancient Near East*,” *Bibliotheca Orientalis* 56 (1999), 668–69; Schwemer, “Ancient Near East,” 27–28; “Mesopotamia,” 41; see further *Abwehrzauber*, 76–79. With no voice in preserved written tradition, their portrait is largely negative. Nonetheless, it remains unclear whether the people had such a dim view of them.

<sup>69</sup> Schwemer, “Ancient Near East,” 28.

ches.<sup>70</sup> As such, few cases emerge where individuals were prosecuted as witches.<sup>71</sup>

With the rise of *āšiputu*, the corpus became increasingly authoritative (even canonical), such that the view it promoted became the “right” or most effective way. As the focus of many such texts, the role of the witch took on new importance. In fact, *āšiputu* heightens its potency for rhetorical purposes. According to Abusch, witchcraft originated in popular belief before being incorporated into the *āšipu*’s lore (*āšiputu*) during the second millennium. Within this system where power resided with the gods, the witch became not just a human criminal, but also a menace to the gods themselves.<sup>72</sup> With the increasing danger of the witch, a potent remedy became increasingly necessary. By making the witch a cosmic menace, individuals no longer had the resources to combat her themselves. The *āšiputu* posited the power of the great gods mediated by the *āšipu*-priests as the most effective solution.<sup>73</sup> By stressing the problem and providing the most “trustworthy” solution to it, the *āšipu*-priests made themselves virtually indispensable. Thus, instead of prohibiting rival practices, they rose to prominence by promoting their way as the best means of combating witchcraft.<sup>74</sup> The *āšipu*-priests heightened the danger and put it into the divine realm, which they were more suited to handle than their rival ritualists.<sup>75</sup>

### EGYPT

While witchcraft was prohibited in Mesopotamia, all ritual or “magical” practices were permitted in Ancient Egypt, even acts designed to harm others, a position that remained consistent from the Old Kingdom until the Roman period.<sup>76</sup> For example,

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<sup>70</sup> The patient often professes that they do not know the perpetrator (e.g., *Maqlū* ii:208) even though the ritual suggests they may have their suspicions, thereby professing their innocence in the matter and in sponsoring aggressive rituals (Schwemer, “Mesopotamia,” 49–50).

<sup>71</sup> Schwemer, *Abwehrzauber*, 118–27; “Mesopotamia,” 55–57.

<sup>72</sup> Tzvi Abusch, “Witchcraft and the Anger of the Personal God,” in T. Abusch and K. van der Toorn (eds.), *Mesopotamian Magic: Textual, Historical, and Interpretative Perspectives* (Groningen: Styx, 1999), 83–121, esp. the summary on 114.

<sup>73</sup> Cf. Abusch, “Witchcraft,” 114.

<sup>74</sup> Mesopotamian and Egyptian divine competition functions similarly. Texts promote specific gods as the best without denying the existence or viability of other deities. In fact, the most extreme texts build on existence and viability of other gods to promote a single deity. They say that the single deity can do what the other gods can do collectively (see, e.g., the hymn to Ninurta [SIT 118 re], *Enūma eliš*, and the Egyptian solar hymns); see briefly regarding Mesopotamia Michael B. Hundley, “Here a God, There a God: Conceptions of Divinity in Ancient Mesopotamia,” *AoF* 40 (2013), 99–100; see more fully *Yahweh among the Gods: The Divine in Genesis, Exodus and the Ancient Near East* (Cambridge: Cambridge University Press, 2022).

<sup>75</sup> See Abusch, *Mesopotamian Witchcraft*, 10–25, esp. 14.

<sup>76</sup> There was no differentiation between white and black, private and public, magic (Ritner, *Mechanics*, 20–21, 30–35; Dieleman, “Egypt,” 113).

during the reign of Ramesses III, a group used a liturgical manual from the king's library in a coup attempt. In the surviving interrogation records, they were tried for treason, not witchcraft.<sup>77</sup>

In ancient Egypt, *heka* was the primordial power used to create and maintain the ordered world.<sup>78</sup> Freely available to deities, humans too could harness and direct *heka* through ritual, as long as they knew the proper procedure.<sup>79</sup> Itself morally neutral, *heka* could be used in positive or negative ways, depending on the intentions of the ritualist.<sup>80</sup> Apep used *heka* to undermine creation as did demons and hostile humans to bring disease and misfortune to the world and the people who inhabited it.<sup>81</sup> Foreigners too could wield *heka*.<sup>82</sup> For example, the Demotic *Adventures of Setne Khamwas and his son Si-Osire* pits a Nubian sorcerer against an Egyptian one.<sup>83</sup> Nonetheless, while Egyptians acknowledged hostile and malevolent ritualists, there was no discourse against deviant ritual, accusations of witchcraft, or legislation against it.<sup>84</sup> The text casts the Nubian as villain because of his foreign status, not because of the power he employs.<sup>85</sup>

Nonetheless, hostile *heka* served as the impetus for preemptive curse rituals.<sup>86</sup> In the temples and among private citizens, ritualists framed their efforts as restoring order.<sup>87</sup> As in Mesopotamia, they put the threat on a cosmic level and cast their countermeasures as cosmically restorative. On the one hand, this rhetoric highlighted the importance of the Egyptian *heka*-workers and the power of their rituals.<sup>88</sup> On the other, it offered moral justification for aggressive rituals, recasting them as preemptive

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<sup>77</sup> Ritner, *Mechanics*, 192–99; Robert Ritner, “Magic,” in D. Redford (ed.), *The Ancient Gods Speak: A Guide to Egyptian Religion* (Oxford: Oxford University Press, 2002), 194; Pascal Vernus, *Affairs and Scandals in Ancient Egypt* (Ithaca: Cornell University Press, 2003), 108–20; Dieleman, “Egypt,” 106.

<sup>78</sup> Dieleman, “Egypt,” 87–93.

<sup>79</sup> See briefly *ibid.*, 87.

<sup>80</sup> Robert Ritner, “Egyptian Magic: Questions of Legitimacy, Religious Orthodoxy and Social Deviance,” in A. Lloyd (ed.), *Studies in Pharaonic Religion and Society in Honour of J. Gwyn Griffiths* (London: Egypt Exploration Society, 1992), 189–200; “The Religious, Social and Legal Parameters of Traditional Egyptian Magic,” in *Ancient Magic*, 43–60.

<sup>81</sup> Dieleman, “Egypt,” 96–103.

<sup>82</sup> *Ibid.*, 99–101.

<sup>83</sup> pBM EA 10822 vso; translated in William Kelly Simpson, *The Literature of Ancient Egypt: An Anthology of Stories, Instructions, Stelae, Autobiographies, and Poetry* (3rd. ed.; New Haven: Yale, 2003), 470–89.

<sup>84</sup> Dieleman, “Egypt,” 87.

<sup>85</sup> *Ibid.*, 91.

<sup>86</sup> Regarding curse rituals, see *ibid.*, 103–12.

<sup>87</sup> *Ibid.*, 91, 94. See regarding private citizens, Panagiotis Kousoulis, “The Function of *hꜥkꜣ* as a Mobilized Form in a Theological Environment: The Apotropaic ‘Ritual of Overthrowing Apophis,’” in Z. Hawass (ed.), *Egyptology at the Dawn of the Twenty-First Century* (Cairo: American University in Cairo, 2003), 362–71.

<sup>88</sup> See below under Magic as Alternative Causality for further examples of ritual rhetoric.



or even defensive in nature, even when they targeted private individuals.

Rituals presented their actions as a necessary response to an urgent threat to order. This threat alternatively may be considered an “external enemy, such as a demon or hostile foreigner, but also as a physical or mental impairment, such as hunger, thirst, weariness, or death.”<sup>89</sup> Curses against various potentially harmful forces as “human beings, social groups, dangerous dead, demons, deities, or even malicious thought and slander”<sup>90</sup> cast their objects as enemies, who “initiated violence or opposed the proper rules of nature.”<sup>91</sup> Thus, unlike in Mesopotamia, aggressive rituals followed clearly sanctioned ritual practices.

Nonetheless, while *heka* was available to everyone, the priests were able to leverage their position, as in Mesopotamia, to ensure their central importance. Only the literate could read and apply magical texts, and the literate priests were their keepers, who carefully kept them out of the wrong hands.<sup>92</sup> In Egypt, even more than in Mesopotamia, the priests were able to make themselves indispensable without stigmatizing other practices since they were the authors, editors, and custodians of the essential ritual texts.<sup>93</sup>

### ***THE PRIESTLY PENTATEUCH***

Since magic as a category in Western discourse was largely forged by Christian polemics, themselves informed by biblical polemics, one might expect scholars to employ the social definition of magic. However, biblicists now and in the past often eschew such definitions in favor of those based on content and causality.<sup>94</sup> When we turn to the Priestly texts (P), there does not appear to be magic according to the social definition at first glance. Leviticus 1–16 prescribes officially approved ritual, and thus by definition is not magical. At the same time, the issue of legitimate versus illegitimate ritual is certainly prominent in Leviticus, even more so than in Mesopotamia. Leviticus itself is far more than a worship manual. Indeed, its primary goal was likely not to explain, but to persuade its audience of the superiority of the Priestly system.<sup>95</sup> Rather than simply promoting its

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<sup>89</sup> Dieleman, “Egypt,” 87–88.

<sup>90</sup> Ibid., 103. See further Ritner, *Mechanics*, 111–80; Yvan Koenig, *Magie et magiciens dans l'Égypte ancienne* (Paris: Pygmalion, 1994), 131–85; Christoffer Theus, *Magie und Raum: Der magische Schutz ausgewählter Räume im Alten Ägypten nebst einem Vergleich zu angrenzenden Kulturbereichen* (Tübingen: Mohr Siebeck, 2014), 64–87.

<sup>91</sup> Ibid., 112; see regarding curses, Dielemann, “Egypt,” 103–12 with references.

<sup>92</sup> Hoffmann, “Ancient Egypt,” 55–56. Harnessing *heka* also required special knowledge, skills, and effort (Dielemann, “Egypt,” 91).

<sup>93</sup> Ritner, *Mechanics*, 194–95.

<sup>94</sup> Cf. Ricks, “Magician,” for a rare exception.

<sup>95</sup> Since we have very little evidence of the Priestly ritual legislation beyond the texts that promote it, it remains an open question whether it was ever (intended to be) practiced. Perhaps the Priests expected people to perform the rituals, or the legislation legitimated the Priestly

way as the best, the Priestly texts appear to go further in their rhetoric. Whereas Mesopotamians prohibit harmful practices, they do not outlaw alternative methods of producing positive results. Leviticus, by contrast, seems to accept only certain divinely approved practices. The Priests effectively limit successful remedies to various issues to the Priestly system in the Priestly tabernacle.<sup>96</sup> In other words, to remedy sin and serious impurity, one must follow Priestly rules; no other way would do.<sup>97</sup>

The system and its rhetoric work on the assumption that sin and impurity are real burdens that weigh on the individual and must be removed to return the person to a state of equilibrium.<sup>98</sup> P argues that the only way to achieve wholeness is to follow Priestly protocol.<sup>99</sup> In minor cases of impurity, becoming clean requires waiting and washing. More serious cases require offerings in the tabernacle complex to achieve atonement and either forgiveness in the case of sins or cleansing in the case of impurities.<sup>100</sup>

In line with the Priestly rhetoric, any alternative ritual becomes illegitimate and, perhaps more tellingly for the people, less effective. P not only guarantees the effectiveness of the ritual system by placing the legislation in the mouth of God, it also suggests that atonement, divine forgiveness, and divine cleansing are vital and can be received in no other way. Whereas elsewhere they are often two of the more minor sources of affliction, in P sin and impurity are the only pollutants. Unlike in Mesopotamia

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claim to ritual privilege. There is also some debate whether the Priestly texts constitute a system. For a defense of this position, see Jacob Milgrom, *Leviticus* (3 vols.; New York: Doubleday, 1991-2001); Hundley, *Keeping Heaven*; "Sacred Spaces, Objects, Offerings, and People in the Priestly Texts: A Reappraisal," *JBL* 132 (2013), 749-67, with the acknowledgment that the system was not comprehensive and, especially if we include the P(-like) texts in Numbers and H texts in Lev 17-26, not entirely consistent.

<sup>96</sup> Cf. Schmitt, "The Problem of Magic," 8-9.

<sup>97</sup> It is important to note that the Priestly "monopoly" likely existed only in theory. In later Jewish traditions, people continued to use alternative methods. In essence, they went outside of prescribed channels when those channels were unavailable or insufficient for their current needs. Nonetheless, given the general success of the biblical campaign, they avoided using prohibited terms and employed the sacred power of Scripture to enact transformation (esp. the words, stories, and names of God); see the convenient summary with references of Angel, "Hebrew Bible," 785-98; see more fully Gideon Bohak, *Ancient Jewish Magic: A History* (Cambridge: Cambridge University Press, 2011); Yuval Harari, *Jewish Magic before the Rise of Kabbalah* (Detroit: Wayne State University, 2017).

<sup>98</sup> See with references Hundley, *Keeping Heaven*, 179-81. Regarding the various metaphors for sin, see esp. Joseph Lam, *Patterns of Sin in the Hebrew Bible: Metaphor, Culture, and the Making of a Religious Concept* (Oxford: Oxford University Press, 2015).

<sup>99</sup> Before Sinai, prosperity springs from obedience. With the tabernacle, obedience takes the form of following Priestly protocol, which is more tabernacle-focused and more explicit.

<sup>100</sup> Hundley, *Keeping Heaven*, 149-58.

and Egypt, the Priestly system does not offer primary healthcare; it does not offer cures for the victim's various ailments (e.g., skin disease). Rather, it deals with the consequences, isolating the individual until the disease passes and dealing with the effects, impurity, so that the individual can rejoin society (Lev 13–14). It thus indicates that another step is necessary for wholeness, removing impurity or sin. P thereby elevates their importance by making them the central issue, which matters more than healing, rather than making them secondary. P also cleverly introduces the ill-defined *kpr* (“atonement” or “clearing”) as goal in addition to cleansing or forgiveness. People may not know precisely what it is, but they know that they need it and can receive it in no other way.<sup>101</sup>

Since illness is a tangible problem, the effectiveness of healing rituals may be verified. However, since sin and impurity are immaterial, the results are unverifiable by conventional means.<sup>102</sup> One can only point to a subjective interpretation of events (e.g., reading the signs and one's level of fortune) or subjective feelings.<sup>103</sup> Thus, the rhetoric is especially potent. P makes the intangible problems tangible, introduces the need for the ill-defined *kpr*, and promotes its system as the only solution to both.

As in Mesopotamia and Egypt, more than simply promoting a system, the Priestly texts promote certain persons at the expense of others. The approved priests from the Aaronid line alone could perform meaningful ritual action in the tabernacle. Nonetheless, the priestly privilege was carefully circumscribed.<sup>104</sup> Even the right people performing ritual the wrong way could prove fatal (Lev 10).

As the Priestly texts devote so much attention to promoting the priests and the Priestly system, we may expect that they also would denigrate alternatives, especially other ways of accessing the divine and its power. Instead, P spends its time explicating and promoting its system while ignoring alternatives. Nonetheless, I argue Leviticus 10 implies that anything not commanded is illegitimate and faces divine censure. Nadab and Abihu offer

<sup>101</sup> Cf. *ibid.*, 191; see further 186–92.

<sup>102</sup> For Czachesz and Uusimäki, falsifiability form constituent parts of their definitions and thus would separate P from other ANE practice; István Czachesz, “A Cognitive Perspective on Magic in the New Testament,” in I. Czachesz and R. Uro (eds.), *Mind, Morality and Magic: Cognitive Science Approaches in Biblical Studies* (Durham: Acumen, 2013), 165–66; Czachesz, “Magic,” in R. Uro, J. Day, R. DeMaris and R. Roitto (eds.), *The Oxford Handbook of Early Christian Ritual* (Oxford: Oxford University Press, 2018), 188–89; Czachesz, “Magical Minds: Why We Need to Study Magic and Why It is Relevant to Biblical Studies,” in K. Valkama and N. Nikki (eds.), *Magic in the Ancient Eastern Mediterranean: Cognitive, Historical, and Material Perspectives on the Bible and its Contexts* (Göttingen: Vandenhoeck & Ruprecht, 2021), 23–24; Elisa Uusimäki, “Blessings and Curses in the Biblical World,” in *Magic*, 161.

<sup>103</sup> In addition to other factors like the resulting well-being and subjective state of mind of the supplicant, a ritual may be considered successful when an authority figure prescribes the ritual and the people believe in its efficacy (cf. Tambiah, “Form,” 468–69).

<sup>104</sup> See Dolansky, *Now You See It*, 62–67.

“strange fire, which [Yahweh] had not commanded them” (*’eš zārāh ’āšer lō’ šimwāh ’ōlām*) (10:1). By implication, Yahweh executed them for performing ritual activity that had not been sanctioned officially. By extension, only ritual activity officially prescribed in relation to Yahweh, his house, or his possessions is acceptable. Anything else is illicit and invites divine retribution.

Nonetheless, because P is limited in what it regulates, various other activities like healing lie outside of its purview. Leviticus 17–26 (the related Holiness legislation [H]) largely addresses the sundries, offering additional prohibitions, some of which may be classified as “magic.”<sup>105</sup> Alongside a wide-ranging list of taboos regarding such topics as sexuality, personal property, cult images, sacrifice, blood, and harvesting, H forbids certain practices associated by scholars with magic in contradistinction to religion (19:26, 31; 20:9; 24:10–16, 23).<sup>106</sup>

Unfortunately, the precise identification of the prohibited actions in Leviticus 19 remains unclear.<sup>107</sup> *Nhš* may refer to an incantation or some form of divination, while the other terms in Leviticus 19 seem to relate to divination.<sup>108</sup> Leviticus 20 and 24 refer to proscriptions against cursing one’s parents and God. Thus, H prohibits harmful cursing or black magic, securing privileged divine information or power outside of accepted channels, and perhaps incantations to effect change.

In each case, the text does not deny the efficacy of such practices. Instead, alternative religious practice is unacceptable because it does not accord with the holiness of Yahweh and the holiness expected of his people Israel (19:2).<sup>109</sup> The reason why

<sup>105</sup> H too prescribes appropriate ritual practice. However, it does not overtly legislate against alternative means of achieving purification, forgiveness, or atonement. Since there is only one legitimate and effective way, the multiple prohibited paths need not be enumerated.

<sup>106</sup> Schmitt, *Magie*, 345–55, 389; Dolansky, *Now You See It*, 45–47; cf. Ann Jeffers, *Magic and Divination in Ancient Palestine and Syria* (Leiden: Brill, 1996), 78, 81.

<sup>107</sup> See, e.g., Milgrom, *Leviticus 17–22*, 1686–89, 1700–1702.

<sup>108</sup> Cf. Schmitt, *Magie*, 110–12, 345–46, 389 and Milgrom, *Leviticus 17–22*, 1686–89, 1700–1702. There is some debate about whether divination qualifies as magic. Here, we include divination in our discussion for explanatory purposes.

<sup>109</sup> Deuteronomy 18 offers a fuller list of forbidden practitioners, again associated by scholars with magic (Jeffers, *Magic and Divination*, 8–11; Schmitt, *Magie*, 339–45; Thomas Römer, “Das Verbot magischer und mantischer Praktiken im Buch Deuteronomium (Dtn 18,9–13),” in T. Naumann and R. Hunziker-Rodewald [eds.], *Diasynchron: Beiträge zur Exegese, Theologie und Rezeption der Hebräischen Bibel. Walter Dietrich zum 65. Geburtstag* [Stuttgart: Kohlhammer, 2009], 311–27; Simone Paganini, “Ein Gesetz zum Schutz der korrekten Kulthandlungen: Zauberei, Magie und andere verbotene Praktiken in Dtn 18,9–14,” in J. Kamlah, R. Schäfer and M. Witte [eds.], *Zauber und Magie im antiken Palästina und in seiner Umwelt* [Wiesbaden: Harrassowitz, 2017], 309–42). The text rejects them because they are associated with the abominable practices of foreigners (18:9–14): Ranfrid Thelle, “Reflections of Ancient Israelite Divination in the Former Prophets,” in M. Jacobs and R. Person Jr. (eds.), *Israelite Prophecy and the Deuteronomistic History: Portrait, Reality*

is unspecified. In this case, the concluding statement, “I am Yahweh,” provides sufficient grounds (19:26, 31). In other words, if asked why, the text might say because God said so.

In Leviticus, in addition to being the only legitimate ritual professionals, the Priests alone are given access to divine information and only from Yahweh. For the Priestly texts, Aaronid priests are Moses’ legitimate successors as intermediaries between Yahweh and Israel (Exod 25–31, 35–40; Lev 1–16). Moses hears directly from God the necessary cultic legislation (Lev 1:1) and the priests enact it (e.g., Lev 4:5–12, 16). When communication is necessary, the priests may cast lots (16:8) or use the urim and thummim (Exod 28:30; Lev 8:8; Num 27:21) to access divine information.

The Priestly Texts thereby demarcate the primary ways of accessing divine (and otherwise inaccessible) power and insight, seemingly as an expression of religious competition, promoting their way and forbidding alternatives.<sup>110</sup> In many cases, alternative religious practices are not necessarily prohibited because they are ineffective, but rather because they are considered illegitimate. In fact, although there are no effective alternatives for achieving purification, forgiveness, and atonement, prohibited methods of obtaining privileged information and power may be effective. For example, in the Priestly narrative, Egyptian magicians replicate some of Moses’ and Aaron’s miracles (Exod 7:8–13, 19–24; 8:5–7).<sup>111</sup> Elsewhere in the Hebrew Bible, a medium like the one prohibited in Leviticus 19 seems to effectively summon Samuel from the dead, who then provides accurate information about the future (1 Sam 28).<sup>112</sup> In both contexts, the actions work without priests, even without Yahweh. While Saul’s circumvention of accepted protocol is roundly rejected and serves as grounds for him losing his dynasty (28:16–19), the Egyptian practices in Exodus 7 receive no direct censure. The Egyptian practices are merely shown to be inferior to the power of Yahweh (8:15).<sup>113</sup> Together these texts have a dual focus, to

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*and the Formation of History* [Atlanta: SBL, 2013], 26–29). The Deuteronomistic History (Judges–2 Kings) carries the rhetoric further. It uses many of the same terms as in Deuteronomy 18, where they serve as the reasons for the expulsion of the pre-Israelite inhabitants of the land (18:12). In the Deuteronomistic History, indulging in these divinatory practices serves as sufficient grounds for the destruction of Israel and Judah (2 Kgs 17:17; 21:6).

<sup>110</sup> Cf. Brian Schmidt, “Canaanite Magic vs. Israelite Religion: Deuteronomy 18 and the Taxonomy of Taboo,” in *Magic and Ritual in the Ancient World*, 249; Dolansky, *Now You See It*, 54–57, 64.

<sup>111</sup> The text uses the seemingly pejorative sorcerers (*mākaššāpīm*), cognate with the Akkadian term for practitioners of harmful magic (Schmitt, *Magie*, 107–9), to label them unacceptable and dangerous, not wholly ineffective. If the verb *nhš* in Lev 19:26 is a denominative of *nhš* (“serpent”), the prohibition may be connected to this one (though it uses *tannin* instead) as both may involve the manipulation of snakes.

<sup>112</sup> Because acceptable means of securing divine information fail (dreams, urim, and prophets [28:6]), Saul seeks out a medium.

<sup>113</sup> Cf. the conflict between the Nubian and Egyptian *heka*-workers, the latter of whom proves to be superior.

show that while effective for foreigners and even Israelites, alternative practices are forbidden to Israelites and ultimately inferior to Yahweh's accepted channels. In turn, for the Priests, Yahweh is the only source of legitimate ritual action, and only the approved priests have direct access to his superior insight and power.<sup>114</sup> P and H (and other biblical texts) thereby reject practices that circumvent Yahweh, his priests, and his system, as well as priestly practice that deviates from his precise protocol.

However, while not explicit in P or H, harnessing supramundane power via performative curses may be legitimate, especially if uttered in God's name.<sup>115</sup> In 1 Kings 2:24, Elisha's curse in the name of Yahweh proves effective, bringing about the death of 42 boys (cf. Gen 9:25; Josh 9:23). Such curses may be invoked by upstanding men of God with no censure at all. H only prohibits cursing one's parents and God, not those who seemingly deserve it. Perhaps, as in Egypt, some forms of cursing are legitimate.

### **COMPARISON OF ANE TEXTS<sup>116</sup>**

Each ANE context promotes certain practices and practitioners at the expense of others, especially using written rhetoric for the purposes of religious competition. Nonetheless, each differs in the extent it is willing to go to denigrate alternatives. In ancient Egypt there is no term for rejected ritual practice since no practice or practitioner is officially rejected. Thus, according to the social definition of magic, there would be no magic at all. However, there is magic in ancient Mesopotamia and the Priestly texts. Mesopotamia preserves a term for illicit ritual practice—"witchcraft"—and practitioners—"witches and warlocks," which refer to harmful magic and magicians. Instead of being illicit, alternatives to the *āšipūtu* and *āšipu* are merely marginalized. While the Priestly texts have no single categorical term for rejected practice, they use various terms to describe certain illicit actions and actors. This diffusion of terms may be a result of the greater scope of illicit practice. Rather than simply prohibit those who harm others, the Priests are far narrower in what they allow, censoring all but the approved priests and commanded Priestly rituals. In their monolatrous system, which promotes worship of

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<sup>114</sup> Regarding Yahweh as the only source of legitimate ritual action, see Schmitt, *Magie*, 350. The severe limitations on licit practice seem to appear relatively late in Israelite history; they are especially associated with times of crisis, where Israelite identity and existence came under threat. Schmitt (*Magie*, 122) notes that the Bible says nothing against normal magicians until the time of Isaiah (see further 335–81; cf. Jeffers, *Magic and Divination*, 251). Here, I do not attempt to date the Priestly (or Deuteronom[ist]ic texts), only noting that they likely took shape after the fall of northern kingdom of Israel.

<sup>115</sup> Cf. Schmitt, *Magie*, 209–305, who identifies miracles as magic.

<sup>116</sup> Comparing contexts in no way argues for Priestly superiority. Instead, it highlights the common ground and the differences, many of which derive from the Priests' monolatrous outlook and the rhetoric used to promote it.

a single god, there is no place for legitimate competition.<sup>117</sup> The priests have a theoretical monopoly to ensure not just singular worship, but also singular worship in the appropriate ways administered by the appropriate people.

This monolatrous rhetoric extends to the potential sources of affliction, which are far more expansive in the wider ANE. For example, in ancient Mesopotamia and Egypt, in addition to witchcraft, affliction may come from the gods, demons, oneself, or the dead. In order to find an appropriate remedy, it is best to find the appropriate source.<sup>118</sup> In P, while various practices are condemned, witches are not blamed for people's hardships. Instead, humans are responsible for their own affliction, while Yahweh alone metes out the punishment. Even in the rare case where another being may be responsible (e.g., Azazel in Lev 16), the source is irrelevant as the supplicant must turn to Yahweh alone for the remedy; Azazel merely receives the goat laden with human pollution (16:8–10, 21–22).<sup>119</sup> In their monolatrous system, there is no place for other non-human (or hostile human) forces to be held responsible, as their presence may lead worshipers to direct their attention away from Yahweh.

In addition to limiting the source of affliction, P also limits the acceptable sources of aid. The Priestly Pentateuch only accepts divine power from a single source, Yahweh, while in the rest of the ANE it is multidirectional. For example, in Mesopotamia, supplicants may turn to a multitude of gods for aid, though Ea/Enki, Marduk/Asalluhi, and Shamash are the most common, or even to the demon Pazuzu. In the Pentateuch, the single approved god of Israel is the only acceptable source. Turning elsewhere is prohibited, no matter how effective it may be. Thus, in comparison with the wider the ANE, the Priestly Pentateuch severely limits the source of affliction and aid as well as the accepted procedures and ritual personnel.

The scope of Priestly ritual is likewise far narrower, dealing with sin and impurity rather than all manner of ailments. It only bans alternative means of accessing the deity in his home and for securing forgiveness and cleansing, to which H adds various sundries. Thus, P's system simultaneously has less reach and can be

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<sup>117</sup> Monolatry, exclusive worship of a single god, is a more appropriate term than monotheism, the belief in a single god, since the Priestly texts seem to acknowledge other divine actors (Gen 1:26; Ex 12:12). See regarding monolatry in non-Priestly Genesis and Exodus, Hundley, *Yahweh Among the Gods: The Divine in Genesis, Exodus and the Ancient Near East* (Cambridge: Cambridge University Press, in press). While banning practices because they conflict with monolatry is not the same as banning them because they are magical, banning rival practices makes them magical by the social definition.

<sup>118</sup> When that source remains unidentified, the individual may mention every conceivable possibility in prayer (see, e.g., the confession of an unknown mistake in *Šurpu* ii).

<sup>119</sup> Hundley, *Keeping Heaven*, 196. In this case, the people are responsible for their own sins, and their impurities of unknown origin are in fact not sent to Azazel (16:21–22), lest he be understood as their source or as the one who can remove them.

said to offer a more convincing guarantee, since the ills it addresses are immaterial and their removal difficult to verify.

### MAGIC BASED ON CONTENT

We now turn to definitions of magic based on the content of the actions. We focus on the most common idea that magic is mechanistic while religion is relational, which has lost some traction in recent scholarly discourse yet remains in use, often combined with other definitions.<sup>120</sup> Tambiah adds some nuance to the position by positing performativity, i.e., that certain words and actions are effective simply by being enacted.<sup>121</sup> Broida proffers magical agency as an explanation for efficacy of various speech acts. Similar to Tambiah, Broida suggests that certain speech acts have “causative illocutionary force.”<sup>122</sup> In what follows we consider: do rituals work by themselves, do they require divine intervention, or are they simply a means of securing divine intervention?

### MESOPOTAMIA AND EGYPT

Generally speaking, ritualists believe that rituals will work if properly executed.<sup>123</sup> Rather than dismissing the ritual, ritualists

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<sup>120</sup> For anthropological approaches, see Mauss, *Magic*, 117; Stanley J. Tambiah, *Culture, Thought and Social Action: An Anthropological Perspective* (Cambridge: Harvard, 1985), 60; Ninian Smart, *Dimensions of the Sacred: An Anatomy of the World's Beliefs* (London: Fontana, 1997), 72; see the recent textbook Rebecca and Philip Stein, *The Anthropology of Religion, Magic, and Witchcraft* (3rd ed.; London: Routledge, 2011), 138, 141, 145, which even claims that magic “involves the direct manipulation of the supernatural” (145); cf. Max Weber, *Economy and Society* (Berkeley: University of California Press, 1978), 422. See regarding the Hebrew Bible, Bob Becking, “‘Touch for Health...’: Magic in II Reg 4,31–37 with a Remark on the History of Yahwism,” *ZAW* 108 (1996):47–48; Dolansky, *Now You See Me*, 35; Broida, *Forestalling Doom*, 46–47, 232–33; see also Versnel, “Some Reflections”; “Beyond Cursing: The Appeal to Justice in Judicial Prayers,” in C. Faraone and D. Obbink (eds.), *Magika Hiera: Ancient Greek Magic and Religion* (New York: Oxford University Press, 1991), 60–106.

<sup>121</sup> Tambiah, *Culture*, 78–79; “Form,” 451–73; Tambiah builds on the work of J. L. Austin, *How to Do Things with Words* (Oxford: Clarendon, 1962); see also John Skorupski, *Symbol and Theory: A Philosophical Study of Theories of Religion in Social Anthropology* (Cambridge: Cambridge University Press, 1976), 152.

<sup>122</sup> Broida, *Forestalling Doom*, 233. Nonetheless, she later demurs, qualifying her statement by saying that speech acts work because of some form of divine participation (237).

<sup>123</sup> See generally Stein, *Anthropology*, 140–42; see regarding what ritual does rather than simply what it means Bell, *Ritual Theory*, 43, 168; Caroline Humphrey and James Laidlaw, *The Archaic Actions of Ritual: A Theory of Ritual Illustrated by the Jain Rite of Worship* (Oxford: Clarendon, 1994), 88; Adam Seligman, Robert Weller, Michael Puett, and Bennett Simon (eds.), *Ritual and Its Consequences: An Essay of the Limits of Sincerity* (Oxford: Oxford University Press, 2008), 4–6; Hundley, *Keeping Heaven*, 22; see regarding the assumed efficacy of the Mesopotamian *namburbis*, Broida, *Forestalling Doom*, 92–94.



often attribute failure to various other factors like infelicities in ritual procedure or selection.<sup>124</sup> People rarely question how ritual works or why they perform it a certain way. Instead, they focus on correct ritual procedure and the desired result. On a fundamental level then, all ritual seems to work automatically. However, in various cases and for various reasons, especially to enhance ritual efficacy, ritualists add explanations that describe how ritual works.<sup>125</sup>

When we turn to ANE incantations and interpretive statements, we see that many practices labeled “magic” do not function as mechanistically as traditionally assumed. Schmitt goes so far as to say that ANE magic only works with divine support.<sup>126</sup> Within both Mesopotamia and Egypt, “magicians” seek to harness privileged power and information that is more accessible to the gods than humans. Especially in situations with high stakes, when the procedure is unclear, or the results uncertain, they buttress ritual efficacy in various ways. In many cases, their attempts are replete with direct appeals to the divine, as well as associations with the divine and with mythological divine precedents.<sup>127</sup> For example, the *Šurpu* ritual series designed to remove the ill-effects of a curse brought on by the afflicted’s offenses consists primarily of divine addresses and its functionality depends on divine intervention.

Thus, ANE ritual texts are communicative and to some degree rely on divine intervention (or at least approval) to work. Nonetheless, the prominence of the relational aspect in ANE ritual does not mean that the rituals are not at all mechanistic, i.e., that they do not work *ex opere operato*.<sup>128</sup> In some cases, divine participation may be assumed, while in others it may be unnecessary. In Mesopotamia, ME (*paṣṣu*) was understood to be the ordering, creative power of the universe.<sup>129</sup> While deities could

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<sup>124</sup> Regarding ritual failure, see Ute Hüsken (ed.), *When Rituals Go Wrong: Mistakes, Failure, and the Dynamics of Ritual* (Leiden: Brill, 2007).

<sup>125</sup> See further under Magic as Alternative Causality. See also Hundley, “Divinized Instruments and Divine Music: A Study in Occasional Deification,” *JNES* (forthcoming).

<sup>126</sup> Schmitt, *Magie*, 90–92; “The Problem of Magic,” 8; see also Broida, *Forestalling Doom*, 237.

<sup>127</sup> See further under Magic as Alternative Causality regarding explanations for ritual efficacy.

<sup>128</sup> The balance between mechanistic and relational ritual also seems to have fluctuated over time. In Mesopotamia in particular and also in Egypt to a lesser extent, there was a tendency to associate ritual and ritualists more closely with certain deities in (later) times of empire, especially when divine hierarchies emerged more clearly, when the universe itself was understood to be governed more by personalities than abstract powers. As a result, incantations rooted in nature became prayers addressed to the gods. See Abusch, *Mesopotamian Witchcraft*, 11; see also Maul, *Zukunftsbewältigung*.

<sup>129</sup> Van Binsbergen and Wiggermann, “Magic in History,” 20–23; cf. NAMTAR (*šimtu*) (“fate”) in the time of the empire (Jack Lawson, *The Concept of Fate in Ancient Mesopotamia in the First Millennium: Toward an Understanding of Šimtu* [Wiesbaden: Harrasowitz, 1994]). While some of their claims are debatable (see JoAnn Scurlock, “Some Thoughts on

use ME to effect change in the world, ME existed apart from them and was not completely or solely under their control.<sup>130</sup> This concept in some ways competed with NAMTAR (*šimtu*) (“fate”) in which a high god (occasionally other gods) allocated tasks and determined the fates or destinies of gods, humans, and the universe.<sup>131</sup> In the early second millennium BCE, ME lost ground to NAMTAR, ostensibly putting the gods in control of the universe and its power. However, despite the shift, humans maintained some individual agency and were able to tap into other divine power and insight, seemingly without divine assistance.

Guarded especially by Ea/Enki, this ability was imparted to humans in a limited way. Adapa (attested from the Old Babylonian to Neo-Assyrian periods, ca. 1400–600 BCE), for example, could manipulate nature without divine help, breaking the wing of the South Wind.<sup>132</sup> This “knowledge of the secrets of heaven” was imparted to sages like Adapa and was the privileged possession of the scribes who included ritual and divination experts like the *āšipu* and the *hārū*. A text even refer to Ea as the author of *āšiputu*, while from the third millennium to the late first the *āšipu*’s incantations repeat the dialogue between Ea/Enki and Marduk/Asalluhi, which they were somehow privy to, perhaps by eavesdropping.<sup>133</sup> Their knowledge enabled them to perform acts to tap into divine power and information.<sup>134</sup> For example,

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Ancient Mesopotamian Magic and Religion,” *Bibliotheca Orientalis* 59 (2002), 477–80; Schwemer, *Abwehrzauber*, 152–54), van Binsbergen and Wiggermann nonetheless adduce important evidence for mechanistic magic.

<sup>130</sup> See similarly Ugaritic KTU 1.100, where even El the high god lacked the ability to undo the witchcraft of snakebite. Gregorio del Olmo Lete (*Incantations and Anti-Witchcraft Texts from Ugarit* [Berlin: de Gruyter, 2014]) argues that at Ugarit magic was originally atheistic (i.e., outside of divine control) and that it was gradually incorporated into the divine system by incorporating a god of magic, Horon.

<sup>131</sup> Van Binsbergen and Wiggermann, “Magic in History,” 20; see further Lawson, *Fate*.

<sup>132</sup> Van Binsbergen and Wiggermann, “Magic in History,” 23. On Adapa and its complex history and interpretation, see Sara Milstein, “The ‘Magic’ of Adapa,” in P. Delnero and J. Lauinger (eds.), *Texts and Contexts: Approaches to Textual Transmission in the Cuneiform World* (Berlin: de Gruyter, 2015), 191–213; *Tracking the Master Scribe: Revision through Introduction in Biblical and Mesopotamian Literature* (Oxford: Oxford University Press, 2016), 76–109. See also Seth Sanders, *From Adapa to Enoch: Scribal Culture and Religious Vision in Judea and Babylon* (Tübingen: Mohr Siebeck, 2017).

<sup>133</sup> Regarding the text ascribing authorship to Ea, see K 2248; Wilfred G. Lambert, “A Catalog of Texts and Authors,” *JCS* 16 (1962): 59–77; see briefly regarding the divine dialogue, Geller, *Healing Magic*, 28; see more fully Adam Falkenstein, *Die Haupttypen der sumerischen Beschwörung: Literarisch Untersucht* (Leipzig: Zentralantiquariat der DDR, 1968), 53–70.

<sup>134</sup> Broida’s claim that the “magical” actions require divine aid to be effective (237) requires qualification. Having the gods as initiators of the ritual procedure does not mean they actively participate in its performance. It does not even mean that they willingly divulged their

some simple first millennium incantations (e.g., over ointment) make no mention of the divine, thus giving the impression that they too work without divine intervention.<sup>135</sup>

In Egypt, similar to ME, *heka* was a force prevalent in creation and used to create and sustain world order. However, unlike in Mesopotamia, *heka* remained prominent and largely unchanged as a concept from the Old Kingdom to Roman times.<sup>136</sup> While the gods had access to this power, it too was independent of them. *Heka* itself was personified as a god, one with the power to frighten the other gods.<sup>137</sup> Like ME, *heka* also was available to humanity, but in unequal measure. According to the Instructions of Merikare, *heka* was among the fundamental benefactions allotted by the creator to humanity for means of self-protection: “it was in order to be weapons to ward off the blow of the events that he made *heka* for them.”<sup>138</sup> In turn, as in Mesopotamia, humans could use *heka* via ritual without immediate divine intervention. They could themselves harness divine power and access divine information.

Instead of being available only to religious professionals, *heka* was theoretically available to all. In fact, some evidence indicates that the spells work simply by reading them, with no appeal to the divine or even ritual action. For example, in the First Tale of Setne Khaemwase, dating to the third or second century BCE, Naneferkaptah’s wife reads from her husband’s stolen book of power and activates the spells without any apparent recourse to the gods or ritual action.<sup>139</sup>

While some magic may work either relationally or mechanistically, most rituals in Mesopotamia and Egypt, especially important ones, likely were believed to be a combination of both. When the outcome was insecure<sup>140</sup> or especially important, ritualists tended to use as many rhetorical means as possible to cover

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secrets. Instead, ascribing the procedure to the gods rhetorically renders it maximally effective whether or not the gods are involved. Another way to enhance efficacy in Mesopotamia and Egypt is role play, whereby the various ritual actors, words, and elements are associated with mythological figures. This does not mean that the gods participate, but rather that the ritualists draw on the power of mythological associations to enhance efficacy.

<sup>135</sup> Schwemer, “Ancient Near East,” 41.

<sup>136</sup> Ritner, *Mechanics*, 14–28.

<sup>137</sup> For attestations and epithets, see Christian Leitz (ed.), *Lexikon der ägyptischen Götter und Götterbezeichnungen* (Leuven: Peeters, 2002), 5:552a–556b.

<sup>138</sup> The Instructions of Merikare E 136–37, translated in Ritner, *Mechanics*, 20; see also Hoffmann, “Ancient Egypt,” 53.

<sup>139</sup> Translation in Miriam Lichtheim, *Ancient Egyptian Literature, Vol. 3: The Late Period* (Berkeley: University of California Press, 1980), 125–28; commentary in Hoffmann, “Ancient Egypt,” 54. As a result, great precaution was taken to make sure the texts did not fall into the wrong hands (see the Admonitions of an Egyptian Sage; Miriam Lichtheim, *Ancient Egyptian Literature, Vol. 1: The Old and Middle Kingdoms* [Berkeley: University of California Press, 1973], 155; Hoffmann, “Ancient Egypt,” 54).

<sup>140</sup> Certain conditions were beyond the *āšipu*’s powers. Even with

the bases, thereby ensuring greater efficacy, at least psychologically.<sup>141</sup> Supplication or communication with the gods was only a small part of the nexus of ritual. In addition to relying on divine intervention, some elements of ritual were considered efficacious in themselves. Ritual consisted of words, actions, and objects. Ritualists believed in the power of words to affect reality, especially in Egypt.<sup>142</sup> In addition to words of supplication, ritualists used words to make associations and harness supernatural power. Actions like destroying ominous signs or redirecting evil (e.g., through “scapegoats”) were believed to have an efficacy of their own, while certain objects were believed to possess amuletic properties that were inherently effective.<sup>143</sup>

For example, in the *Šurpu* series, composed as early as the late second millennium and designed to remove the effects of a curse brought on by an individual’s misdeeds, ritual actions and the accompanying incantations seem to work on multiple levels simultaneously.<sup>144</sup> Ostensibly, the ritualist and supplicant carry out the instructions given by the god Ea to his son Marduk, thereby mimicking divine practice (vi–vii). Ritual actions include unraveling onions, dates, goat hair, wool, and matting, which seem to have a mechanistic component as they unravel and thereby remove the pollutants by association.<sup>145</sup> Since they are associated with the pollutants, these objects are later burned (i:16–23; v–vi:69). The supplicant and priest also wipe various

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the removal of the ill effects of witchcraft, illness might remain (Schwemer, “Mesopotamia,” 61–63). The gods were seen as volatile beings (Gabbay, *Emesal*, 21–23) and their will inscrutable (*ludlul bel nēmiqī*).

<sup>141</sup> Hundley, *Keeping Heaven*, 119–34. See regarding lamentation rituals, Hundley, “Divinized Instruments” (forthcoming).

<sup>142</sup> See, e.g., punning in ancient Egyptian, where “wordplay was regarded as a highly serious and controlled use of language” (Jan Assmann, *The Search for God in Ancient Egypt* [Ithaca: Cornell University Press, 2001], 87); see also Sigfried Morenz, *Egyptian Religion* (Ithaca: Cornell University, 1973), 9–10; Waltraud Guglielmi, “Wortspiel,” in *LÄ 6* (1986), 1287–91; David Lorton, “The Theology of Cult Statues in Ancient Egypt,” in *Born in Heaven, Made on Earth: The Making of the Cult Image in the Ancient Near East*, ed. M. Dick (Winona Lake: Eisenbrauns, 1999), 134–35; Hundley, *Gods in Dwellings: Temples and Divine Presence in the Ancient Near East* (Atlanta: SBL, 2013), 177–78. See also regarding the Bible Schmidt, “Canaanite Magic,” 136–37; Isabel Craz, “Magic and Maledictions: Zechariah 5:1–4 in its ancient Near Eastern Context,” *ZAW* 128 (2016), 404–18.

<sup>143</sup> See, e.g., the elimination of impurities and the use of various materia magica; see respectively David Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* (Atlanta: Scholars, 1987), 31–74; Haas, *Materia Magica*.

<sup>144</sup> For the text, see Reiner, *Šurpu*. See also Isabel Craz, *Atonement and Purification: Priestly and Assyro-Babylonian Perspectives on Sin and its Consequences* (Tübingen: Mohr Siebeck, 2017).

<sup>145</sup> See regarding analogy David Wright, “Analogy in Biblical and Hittite Ritual,” in B. Janowski, K. Kock, and G. Wilhelm (eds.), *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testament* (Göttingen: Vandenhoeck & Ruprecht; Fribourg: Presses Universitaires, 1993), 473–506.

other substances including bread and flour on the supplicant's body, which absorb the evil. These now-infected substances are then burned or disposed of in a place where they cannot infect anyone (i:10–11; vii:54–68). The ritualist uses water to remove the affliction, enriched with the purifying powers of various metals, minerals, woods, plants, and stones (viii:84–90; ix). All the while, the ritualist recites incantations to increase the efficacy of ritual actions (ix). At the same time, the ritual is replete with appeals to the divine (e.g., ii–iv, viii). The text also credits the gods Ea and Marduk/Asalluhi with the final removal of the pollutants (v–vi:35–59). In fact, the human exorcist seems to be mirroring the divine exorcistic activity (cf. references to Marduk/Asalluhi as “the exorcist of the great gods” [iii:2, 184; viii:88]). The gods also are involved in neutralizing the negative effects of the items that are discarded rather than burned (vii:63–87).

Prohibited practices, at least in Mesopotamia, show no discernible difference to accepted practice. They too function both mechanistically and communicatively.<sup>146</sup> Thus, most Mesopotamian and Egyptian activities classified by scholars as magic, whether positive or negative, contain both elements.<sup>147</sup>

### ***THE PRIESTLY PENTATEUCH***

In P, relationship with Yahweh seems to undergird the system, as God moves into the neighborhood—into a house constructed according to his blueprint (Exod 25–31, 35–40)—and prescribes the house rules to ensure a profitable interchange (Lev 1–16).<sup>148</sup> However, the rituals themselves are explicitly more mechanistic than those in Mesopotamia and Egypt. Lacking words and incantations and with minimal, opaque explanatory clauses, Yahweh simply outlines the procedure and its expected result. P thereby suggests that correct ritual performance alone will ensure efficacy.

It remains unclear if they work because Yahweh provides ritual secrets (e.g., in the case of Adapa and the *āšipu*) or because Yahweh himself enables them to work. One could argue for hints of divine participation throughout. However, the data is ambiguous. Yahweh designs the system himself and in the inauguration of the tabernacle, an appearance of the divine glory bookends the ritual (Exod 40:34–38; Lev 9:23–24). By putting glory on both ends, the text either implies Yahweh's essential participation throughout or his presence only on special occasions, unnecessary in other instances. The language used to describe the tabernacle and people's ritual behavior in it is relational. The reference to the structure as “the Tent of Meeting”

<sup>146</sup> Schwemer, “Ancient Near East,” 42.

<sup>147</sup> The more important the problem and/or uncertain solution, the more likely the ritual will be multivalent.

<sup>148</sup> In Mesopotamia, divine prescriptions may be given to or intercepted by humans.

suggests that the people's presentation of offerings "before Yahweh" involves a relational encounter with the resident deity.<sup>149</sup> Alternatively, setting ritual action before Yahweh does not indicate that he takes part in it, only that his space is the only approved setting.

The goal language is also circumspect. The Priestly writers may have intentionally used the indirect 'al (often translated "for") with *kipper* ("atonement, clearing") to remove the element of causation from the priests.<sup>150</sup> Instead, the texts may imply that Yahweh is the silent partner or that the actions work on their own, in either case minimizing the priestly role. The use of the often-passive form of the verb for forgiveness (*nisalah*) also may deny priestly causation, again implying either divine participation or automatic efficacy. In contrast to the rest of the ANE, the priests may assume Yahweh's participation and therefore need not verbalize it. Nonetheless, the language is vague enough to imply the opposite conclusion: that the ritual works mechanistically as God designed it and that he is not actively involved beyond setting up the system.

If we accept the underlying communicative aspect, does this mean that Priestly ritual is purely relational? Probably not. In P, it is hard to say with any certainty, since interpretive statements are minimal and somewhat circumspect, especially compared to their more expansive ANE analogs. The Priestly texts often only outline the procedure to ensure proper performance and the expected outcome of the procedure (e.g., cleansing, forgiveness, atonement) to persuade people of their necessity. They say little about the mechanics of how the ritual works. In fact, even the divine participation must be argued for circumstantially.

The Priestly approach raises many unanswered questions. Among them, does ritual work automatically because the priests have Yahweh's secret formula, because Yahweh is invisibly pulling the strings, or a combination of both? In Leviticus 16:8, for example, when Aaron casts lots to apportion the goats, the text gives no indication of how the lots work. Instead, the text focuses on the result, one goat sent to Yahweh and the other to Azazel. Given the available data, it is impossible to provide definitive answers. Nonetheless, this should come as no surprise since the Priestly Texts use circumspection to enhance the appeal of both their system and its deity. Thus, how ritual works remains opaquer in the Priestly Pentateuch than in the rest of the

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<sup>149</sup> Hundley, "Tabernacle or Tent of Meeting? The Dual Nature of the Sacred Tent," in R. Gane and A. Tagger Cohen (eds.), *Current Issues in Priestly and Related Literature: The Legacy of Jacob Milgrom and Beyond* (Atlanta: SBL, 2015), 3–18.

<sup>150</sup> Making the verb *kpr* a transitive verb with a direct object would suggest that the actions of the subject, the priest, directly bring about the result, atonement. Inserting the indirect 'al suggests that priestly actions alone do not automatically cause atonement; the participation of the silent divine partner may be necessary. However, the use of *piel* instead of the causative *hiphil kpr* may also be indicative of Priestly reticence.

ANE, but it seems that the rituals themselves are a comparable combination of mechanistic and relational elements.

As with accepted ritual practice, there is often little indication if rejected practice is understood to work mechanistically or relationally. On the surface, illicit seems to differ little from licit practice. Taboo ritual action (i.e., not empowered by Yahweh) may prove effective (Exod 7:8–13, 19–24; 8:5–7; 1 Sam 28). However, actions requiring divine participation may fail because they do not follow accepted protocol or secure divine consent.<sup>151</sup> Elsewhere in the Hebrew Bible in 1 Samuel 4–6, Israel loses the ark presumably because they treat it mechanistically, that is, without entreating Yahweh before using it.<sup>152</sup> In 1 Samuel 13:8–15, by contrast, Saul attempts to ritually appeal to Yahweh, yet the ritual fails because he is not authorized to do so.<sup>153</sup> In other words, in instances where communication is necessary, rituals may fail because that communication remains unsolicited or occurs through rejected channels.

### COMPARISON

When examining rituals through the lens of content, biblical Priestly rituals seem more mechanistic than other ANE rituals, though both likely involve elements of automatic and relational efficacy. In Mesopotamia and the Priestly texts, there is no discernible difference in content between accepted and rejected practices. In each context, damage control rituals seek to harness divine power or intelligence.<sup>154</sup> Rituals give people agency, serving as a means of controlling the otherwise uncontrollable, of gaining some measure of security in an otherwise insecure world (at least psychologically).<sup>155</sup> On a surface level, rituals work automatically if performed effectively. However, when the stakes grow higher and the results less secure, ritualists add to the efficacy of actions with words and explanations, some of which suggest divine participation. How, and if, ritualists interpret ritual ultimately is thus more a product of pragmatics than ontology. In turn, ritual interpretations may range from purely mechanistic to purely relational, but most lie between the two poles. By the definition based on content, most ANE rituals are neither magical (purely mechanistic) nor religious (purely relational). Rather, they form a hybrid category characteristic of much of ritual.

While similar in many respects, the differences between ANE rituals that do emerge are telling. Whereas Egyptian and

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<sup>151</sup> Interestingly, in the New Testament, the sons of Sceva fail to exorcise demons likely because they used the name of Jesus and Paul yet had no connection to them (Acts 19:13–16).

<sup>152</sup> See Hundley, “Remembering the Lost Ark,” forthcoming.

<sup>153</sup> Cf. the death of Nadab and Abihu in Lev 10, who are authorized personal but not authorized to perform censuring that prompts divine punishment.

<sup>154</sup> The damage control rituals also share the goal of removing unwanted elements from the afflicted and/or the sanctuary.

<sup>155</sup> Cf. Bronislaw Malinowski, *Magic, Science and Religion and Other Essays* (Garden City: Doubleday, 1948).

Mesopotamian rituals often confront concrete problems like illness or infertility, the Priestly rituals exclusively address immaterial problems and offer unverifiable solutions. As a result, one would expect the Priestly rituals to be more complex, but they are not. Compared to Egypt and Mesopotamia, the Priestly actions themselves are relatively simple, while words are largely absent. This simplicity may in part stem from the wealth disparity between Israel and its more prosperous neighbors, or simply be a result of more laconic Priestly texts, which do not preserve ritual utterances.

Priestly rituals also may be simpler and more mechanistic for rhetorical purposes. According to the Priestly Pentateuch, Yahweh himself designed the system and effectively guaranteed its success. Given the intangible and unverifiable nature of problem and solution, ritual rhetoric makes the results seem automatic, and any counterevidence could be attributed to human ritual failure. By contrast, in Egypt and Mesopotamia, the gods were only occasional allies of the afflicted. In many cases, they needed to be persuaded to participate since “the gods were not by their very nature allies of the patient.”<sup>156</sup> Even in cases where one could assume divine design or participation, the gods offered few guarantees. Instead of addressing entirely immaterial problems, one could assess whether their rituals effected cures for various illnesses and other physical or psychological conditions.<sup>157</sup> One also could not guarantee that they were performing the right ritual, warding off the right aggressor, or appealing to the correct deity.<sup>158</sup>

In addition, while in the Priestly system ritual remedies occurred in the divine estate, in the wider ANE, such rituals often featured elsewhere, frequently in carefully constructed, temporary sacred spaces that allowed for secure human-divine commerce. For example, in ancient Mesopotamia, ritualists often constructed a circle of flour and/or a reed hut.<sup>159</sup> They thereby sacralized otherwise common space to facilitate ritual

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<sup>156</sup> Schwemer, “Ancient Near East,” 42; see also more generally Hundley, *Keeping Heaven*, 121–22, 130–133. Regarding the concept of the volatile god, see Gabbay, *Emesal*, 21–23.

<sup>157</sup> Nonetheless, most illnesses and other ailments get better over time without treatment, suggesting that rituals enacted to combat them were effective. The Steins (*Anthropology*, 141) hypothesize that “in our society over 90 percent of all illnesses, including colds and fevers, will eventually disappear, with or without treatment.” In Mesopotamia as well, ritualists had a solid record of warding off portended conditions like adverse omens (Broida, *Forestalling Doom*, 93).

<sup>158</sup> Nonetheless, even for Egypt and Mesopotamia, as Czachesz asserts more generally (“Magic,” 195), “the efficiency of magic is protected by the irrefutable circular reasoning that magic succeeds only when all necessary conditions are fulfilled, and we know that all conditions have been fulfilled only if the magic succeeds.”

<sup>159</sup> See, e.g., the Mesopotamian *Šurpu* series (*Šurpu* i:3; v–vi:36–37; ix:87); cf. the Egyptian circumambulation rites (Ritner, *Mechanics*, 57–67).



interaction between human and divine. After the ritual, they dismantled the space, returning it to its ordinary function until another situation arose warranting its sacred re-appropriation. Because such structures were not in the divine residence, the gods must be convinced to appear and lend their aid.<sup>160</sup>

When the stakes were high individuals often adopted a maximalist approach to maximize the efficacy of their remedy, since there was no guarantee of success or assurance of divine cooperation. In the face of a remedy of uncertain efficacy, they hedged their bets, combining words and deeds with various explanations in the hopes that more activity and explanation would prove more effective.<sup>161</sup>

By contrast, the rhetoric of monolatry and the Priestly system obviate the need for elaborate rituals. By promoting exclusive worship, Yahweh permits no rivals. Positing a single relevant deity leaves no room for external causes of dis-ease, making the afflicted responsible for their own affliction. Since the deity prescribes the ritual and guarantees its success, the problem is immaterial, and the results unverifiable, a simple solution will suffice. The ritual works because Yahweh says it will. P also elevates the deity by minimizing the skill of the ritualists who succeed simply because they obey. Words, incantations, and multiple explanatory statements may imply priestly ritual power and that the deity may be manipulated, neither of which serves P's agenda. In another way, though, by elevating a single system at the expense of all rivals, the texts also elevate the priests. They may not be remarkable in their own right, yet they become remarkable as the only ones who may successfully perform the tasks Yahweh has prescribed. Instead of putting their energy into securing divine favor, the Priestly texts turn their rhetoric to convincing the people to follow the system.

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<sup>160</sup> There is also no guarantee that the gods would act equitably, so the supplicant took pains to establish the justness of their cause (Schwemer, "Ancient Near East," 42). Even in these makeshift sacred spaces, great care was taken to keep pollutants away from the deity. Because a high level of contact with the divine is necessary to convince the deity to reverse a portentous omen, the suppliant in the Mesopotamian *namburbû* rites must be especially careful in keeping his impurity separate from the gods (e.g., he cannot touch the purified earth; he stands instead on a carpet behind the offering altar at a safe distance from the deities, which serves to channel impurities into the ground after a favorable judgment) (Stefan Maul, "How the Babylonians Protected Themselves Against Calamities Announced by Omens," in *Mesopotamian Magic*, 127).

<sup>161</sup> Cf. Hundley, *Keeping Heaven*, 198 and regarding lamentations "Divinized Instruments."

### MAGIC AS ALTERNATIVE CAUSALITY

Defining magic in terms of alternative causality has become increasingly common in recent years, emerging alongside the desire to rehabilitate the term from its sordid past.<sup>162</sup> This definition has the benefit of applying to the majority of practices deemed magical, while avoiding defining magic negatively and subjectively (the social approach) or with the much-maligned distinction between automatic versus relational efficacy (the content approach). According to the definition based on causality, ritual and magic overlap significantly and in some cases may be coterminous. In fact, alternative causality may be the primary reason why scholars link them. The shifting definition also makes what constitutes magic in Mesopotamia and the Bible (and to a lesser extent Egypt) come into greater alignment.<sup>163</sup>

Biblical damage control rituals concretize abstract categories like sin, impurity, and pollution and address them through concrete actions.<sup>164</sup> In other words, they use the materials available to address immaterial problems that are nonetheless believed to be real. In order to address these problems, they work outside of instrumental cause-effect relations. For example, on an empirical level, the presentation of an offering and the manipulation of blood produce a bloody mess, whereas washing hands physically may remove dirt and blood. Through the lens of Priestly ritual, however, the same offering and blood manipulation can make a woman “clean” (Lev 12:7–9; cf. 4:4–12 for the

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<sup>162</sup> Regarding scholars for whom alternative causality makes up at least part of their definitions, see Ritner, *Mechanics*, 69; Schmitt, *Magie*, 92–93; Sørensen, *Cognitive Theory*, 32; Dolansky, *Now You See It*, 14, 55, 99; Schwemer, “Magic Rituals,” 428; “Ancient Near East,” 19; Anne Gudme, “A Kind of Magic? The Law of Jealousy in Numbers 5:11–31 as Magical Ritual and as Ritual Text,” in A. Gudme (ed.), *Studies on Divination and Magic in the Biblical World* (Piscataway: Gorgias, 2013), 144–45; Broida, *Forestalling Doom*, 21, 238–40; Foy Scalf, “Magic,” in E. Yamauchi and M. Wilson (eds.), *Dictionary of Daily Life in Biblical and Post-Biblical Antiquity* (Peabody: Hendrickson, 2017), 201; Paganini, “Ein Gesetz,” 311; David Frankfurter, “Introduction,” in *Guide to Ancient Magic*, 606. For anthropological support, see Evans-Pritchard, *Witchcraft*; Goody, “Religion and Ritual,” 159; Luhrmann, *Witch’s Craft*, 345–56; Pamela Moro, “Witchcraft, Sorcery and Magic,” in H. Callan (ed.), *The International Encyclopedia of Anthropology* (Hoboken: Wiley-Blackwell, 2018; DOI: 10.1002/9781118924396); Nissinen, “Magic,” 52; cf. Victor Turner, *The Forest of Symbols: Aspects of Ndembu Ritual* (Ithaca: Cornell University Press, 1967). Psychology also uses the term “magical thinking” to describe “beliefs in causal relationships that do not have an empirical basis: for example, among children or the mentally ill” (Moro, “Witchcraft”); cf. regarding alternate ways of knowing, Murray and Rosalie Wax, “The Magical World View,” *JSSR* 1 (1962), 179–88; Ariel Glucklich, *The End of Magic* (Oxford: Oxford University Press, 1997); Susan Greenwood and Erik D. Goodwyn, *Magical Consciousness: An Anthropological and Neurobiological Approach* (London: Routledge, 2015).

<sup>163</sup> See Schmitt, *Magie*.

<sup>164</sup> Cf. Turner, *Forest of Symbols*, who argues that magic deals with issues inaccessible on the real plane, but accessible on the ideal.

mechanics of the ritual). In Mesopotamia, as well, in the context of ritual, flour and bread can wipe away the negative effects of a curse (*Šurpu* i:10–11; vii:54–68), while in the same ritual unraveling an onion (and other objects) unravels the pollution by analogy (i:16–23; v–vi:69). According to Western empirical expectations, flour, bread, and onions seem a poor choice to cure ailments. However, through the lens of ritual they (and perhaps nothing else) may accomplish this goal.<sup>165</sup>

When articulated, efficacy in Mesopotamia and Egypt tends to be predicated on association.<sup>166</sup> Before exploring these connections, it is worth pausing to distinguish association from analogy. Scholars generally refer to analogical reasoning or magical analogies. However, analogy makes connections based on similarity, while often assuming no direct connection between the objects of comparison. Instead of simply resembling or representing the object of comparison, for example, the substitute figure is connected to the person's essence, such that what affects the image affects the person as well.<sup>167</sup> Association is perhaps a better term since it is broad enough to signify any relationship, whether a connection by analogy or some kind of ontological union.

In Egypt in particular, ritualists identify the current situation with mythic precedents—via connections between words, actions, implements, and mythical elements—such that the positive outcome of the mythical episode may be applied to the current situation to bolster efficacy.<sup>168</sup> In Mesopotamia as well, effective associations feature in damage control rituals.<sup>169</sup> For example, through role play the *āšipu* represents Ea during the *namburbi* rites, while various objects stand in for the aggressor in anti-witchcraft rituals.<sup>170</sup> Again, the ritual tradent in the *Šurpu* unravels various substances, thereby unraveling and removing the pollutants. By contrast, with no incantations and few explanatory glosses, Priestly causality is opaquer.<sup>171</sup> Once again, P

<sup>165</sup> See Wright, “Analogy,” for a comparison of analogical elements in biblical and Hittite ritual.

<sup>166</sup> Contact or contagion, by which things that have come into contact continue to influence each other when at a distance, also may be subsumed under association (e.g., the use of various substances as ritual sponges; see, e.g., Wright, *Disposal*) since contact is a form of association. Interestingly, association and contagion correspond to Frazer's much maligned theory of sympathetic magic (*Golden Bough*, 11–49).

<sup>167</sup> With regard to Mesopotamia, see with qualifications, Zainab Bahrani, *The Graven Image: Representation in Babylonia and Assyria* (Philadelphia: University of Pennsylvania, 2003); see more briefly and generally Hundley, *Gods in Dwellings*, 149–51, 370–71.

<sup>168</sup> Dieleman, “Egypt,” 91. See regarding analogical relationships in ritual Thomas Schneider, “Waffe der Analogie: Altägyptische Magie als System,” in K. Gloy and M. Bachmann (eds.), *Das Analogiedenken: Vorstöße in ein neues Gebiet der Rationalitätstheorie* (Munich: Karl Alber, 2000), 40, 60–75; briefly Dieleman, “Egypt,” 92–93.

<sup>169</sup> Cf. Broida, *Forestalling Doom*, 37–38.

<sup>170</sup> See regarding *namburbis*, Maul, *Zukunftsbewältigung*, 41; Schmitt, *Magie*, 74.

<sup>171</sup> We may thus speak of a “mystification of divine agency”

refuses to pull back the curtain to reveal the divine or ritual logic, instead insisting that the rituals work because Yahweh says they work.<sup>172</sup> Indeed, for the ritualists it likely would not matter how ritual works, only that it does. One generally offers explanations in times of uncertainty, such as when ritual seems to fail or its efficacy is questioned. Positing a clear protocol while leaving causal mediation unstated also gives the ritual staying power. It has both the authority of antiquity and malleability, such that interpreters may adapt their explanations to the context. An element of mystery likewise remains, which like a modern magician's trick lends ritual its "magical" quality.

This definition, though, implies a Western concept of causality informed by modern science, which may not be shared by ancient audiences. Rochberg argues that ancient Mesopotamians had no concept of nature and thus understood the world and causality within it differently.<sup>173</sup> A definition based on alternate causality then threatens to impose etic scholarly categories onto a culture that may view or explain their rituals differently. Broida's claim that "conflict with foundational intuitive science leads observers to call something 'magic'" may sidestep the issue.<sup>174</sup> In other words, she contends that "magic" is universally counterintuitive. One may learn its rules, yet until one does, intuitive science informs even infants that "magic" breaks the rules of the "ordinary world."<sup>175</sup> However, many activities not considered magic violate intuitive expectations until we understand them in their cultural context.

Alternative logic applies not just to magic, but also to most ritual and various other human activities like child's play (as Lévy-Bruhl himself noted in his later work), which appear counterintuitive without context.<sup>176</sup> For example, participants recognize that an exorcism, a wedding, a handshake, and a game of make-believe all work outside of intuitive cause-effect relations. An exorcism removes an evil spirit, a wedding and handshake accomplish respectively the abstract marriage and greeting, and a game of make-believe often produces enjoyment. In the case of a wedding and handshake as with much "magic," performing both according to accepted social standards produces an agreed upon result that would be difficult to accomplish according to empirical standards or in a way that is universally intuitive.

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(Broida, *Forestalling Doom*, 238–40; cf. Sørensen, *Cognitive Theory*, 32). Whereas Mesopotamian (and Egyptian) rituals ascribe agency to multiple sources, including human and divine, P refuses to ascribe agency at all, except obliquely.

<sup>172</sup> This corresponds to Broida's ritual agency, whereby rites are "considered efficacious because the gods have deemed them to be so" (*Forestalling Doom*, 232).

<sup>173</sup> Rochberg, *Before Nature*.

<sup>174</sup> Broida, *Forestalling Doom*, 22; see also 5–7, 236.

<sup>175</sup> *Ibid.*

<sup>176</sup> See esp. Lucien Lévy-Bruhl, *Carnets* (Paris: Presses Universitaires de France, 1949) and briefly Hanegraaff, "Magic," 395. Most also have a performative aspect to them, as they seem to achieve the intended result simply by being performed.

There is thus a problem with using alternative causality as one's primary definition. For example, Dolansky claims the magical premises underlying the Day of Atonement ritual are "undeniable," as are those of Priestly rituals including atonement sacrifices and blessings and curses, simply because there is "no physical, causal connection between the action and the desired result."<sup>177</sup> By the same logic, every modern handshake would be an act of magic. Schwemer adds that magical activity is designed to effect "an immediate change and transformation," which potentially adds greater precision.<sup>178</sup> However, a handshake, a wedding, a pre-performance ritual, and fan's rite to affect the outcome of a game all pursue an immediate transformation. Turning to explicit religion, the Eucharist works according to an alternative causality that would seem counterintuitive to the uninitiated, immediately transforming a wafer into the body of Christ. Although it meets the third proposed definition of magic in every respect, few Catholics would be comfortable calling it magic. In turn, while suitably broad to encompass much of what we consider ritual, the definition is perhaps too broad to distinguish magic from related phenomena.<sup>179</sup>

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<sup>177</sup> Dolansky, *Now You See It*, 82–95, quotations from 82 and 89 (Broida cites Dolansky's definition approvingly [*Forestalling Doom*, 21–22]). Although in many ways a helpful study, Dolansky's facile association is particularly problematic since her work is the most recent monograph on magic in the Hebrew Bible (Schmidt's *Materiality of Power* is more recent, yet it largely focuses on extrabiblical texts [and demonology] and eschews a definition of magic [2–13] [though it does associate magical and apotropaic traditions (112)]; his interpretation of magic builds on Peter Pels, "Introduction: Magic and Modernity," in B. Meyer and P. Pels [eds.], *Magic in Modernity: Interfaces of Revelation and Concealment* [Stanford: Stanford University Press, 2003], 1–38); see similarly Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (London: Routledge, 1966), 25–26, 41–57; Schmitt, *Magic*, 305–34.

<sup>178</sup> Schwemer, "Ancient Near East," 19, who also notes the provisional nature of his definition; cf. Nissinen, "Magic," 54.

<sup>179</sup> Geller's definition—"the concept of magic (even without any associated terms) was easy enough to comprehend in antiquity as a system of ritual and recitations which had the power to alter the natural and social environment" ("Review of Frankfurter, *Guide to the Study of Ancient Magic*," *Bryn Mawr Classical Review*)—focuses on the effect and thus avoids the pitfalls of alternate causality. Nonetheless, this definition too is broad enough to include such things as the Eucharist. In addition, various modern rituals alter the social environment, and even may be said to alter the natural world (think, e.g., a ribbon cutting ceremony for a new pipeline). Cf. Michael F. Brown, "Thinking about Magic," in S. D. Glazier (ed.), *Anthropology of Religion: A Handbook* (Westport: Greenwood Press, 1997), 122: magic is "ritual procedures intended to produce palpable effects in the physical world." Like Geller's definition, many activities can be said to have a palpable effect in the physical world. Czachasz's definition has three constituent parts (see note 102 for references): magic produces an effect, includes explanations for how and why it works, and is falsifiable by modern scientific methods. By making magic falsifiable, he restricts its scope more than most, primarily to healing. Ironically, modern Western medicine also would meet his definition of magic, unless by falsifiable he simply

The alternative logic of ritual and magic as defining criteria especially illumines how we as scholars approach such phenomena. Ritual and magic are scholarly categories for things that do not seem to work in ways that we are comfortable with. However, like modern ritualists, ancient practitioners likely were more concerned with perceived results than how their actions produced those results. In some cases, no explanation was necessary, while in others they buttress ritual efficacy with various associational connections. For the participants, what we call ritual and magic solved real-life problems. In many cases, participants turned to ritual or magic when more “rational” activities were unavailable or deemed insufficient.<sup>180</sup> Mesopotamian and Priestly texts do not have a term for magic (or ritual) as we understand it, perhaps because they are not concerned with or even aware of such categories. Egyptian *beka*, the closest parallel, refers to the power to affect creation that practitioners want to tap into it, not the procedure, its acceptability, or its logic. Mesopotamian and Priestly texts contain language for harmful or prohibited practice because these categories matter to them. Unsurprisingly, though, they have far more terms for the issues addressed and their remedies—what the practitioners believe their actions accomplish—because they are of more practical concern.

Modern scholars identify certain actions and beliefs as ritual or magic often primarily because they appear nonrational, or more charitably the means seem disproportionate to the ends, i.e., they are inconsistent with modern, scientific paradigms.<sup>181</sup> We often suspect that they confuse correlation for causation. In fact, for many, nonrational is a nicer way of saying ineffective.<sup>182</sup> Thus, our definitions are related to how we view causality.<sup>183</sup> According to Sax, “ritual has come to be thought of in popular discourse as a kind of action that is ineffective, superficial, and/or purely formal, and this view is the unexamined premise behind much of ritual studies.”<sup>184</sup> In other words, “ritual is

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means that it does not work (even then medicine that does not produce the desired effect may be magic). Making an explanation a constituent part of the definition also seems limiting as explanations are often secondary and fluid, arising especially to enhance efficacy or to defend against challenges to its efficacy.

<sup>180</sup> When licit ritual or magic is unavailable or proves unsuccessful, a suppliant may use illicit means (see, e.g., biblical Saul and the medium of Endor [1 Sam 28]).

<sup>181</sup> See regarding ritual Steven Lukes, “Political Ritual and Social Integration,” *Sociology* 9 (1975), 290; William Sax, “Ritual and the Problem of Efficacy,” in W. Sax, J. Quack, and J. Weinholt (eds.), *The Problem of Ritual Efficacy* (Oxford: Oxford University Press, 2010), 4–6.

<sup>182</sup> Cf. Sax, “Ritual,” 5 regarding ritual; Sørensen (*Cognitive Theory*, 32) and Broida (*Forestalling Doom*, 238–40) are more charitable, speaking respectively of “opaque causal mediation” and “mystification of agency.”

<sup>183</sup> Defining ritual (and magic) according to alternative causality “links our intellectual problem and our definition of terms to our own social and cultural milieu” (Sax, “Ritual,” 5).

<sup>184</sup> Sax, “Ritual,” 6.

*assumed* to be ineffective, and it is in part this very ineffectiveness that constitutes the behavior as ‘ritual’ in the first place.”<sup>185</sup> If deemed effective, scholars often believe it accomplishes different things than the practitioners claim, such as enforcing hierarchy, establishing group solidarity, or providing psychological relief. As a result, while scholars cannot agree on how to define ritual, many believe that they know it when they see it,<sup>186</sup> though one is more likely to recognize another’s ritual than one’s own.

Scholars seem to see magic in a similar light as ritual. While scholars may be split over whether magic is profitable, many agree that it is nonrational and does not produce the results the practitioners attribute to it.<sup>187</sup> Thus, even many of the most charitable scholars cannot help but use some variant of “symbol” in their definitions.<sup>188</sup> In other words, they talk about what it symbolizes or represents as opposed to what it actually accomplishes instrumentally. When they allow for some measure of ritual efficacy, they often attribute it to the divine hand, such that human ritual action merely serves as “symbolic anticipation of a divine intervention.”<sup>189</sup> While they retain the term “magic,” they thus deny the very elements that made it magical in the first place, the ability to effect change in a way that more mundane actions cannot. This language often leaves the scholar less concerned with what the practitioners think the actions accomplish (since their expectations are irrational) and more with what we believe it represents. In turn, such an approach seems to say as much about us as scholars as the texts we investigate.

Rather than offer an outsider perspective on “how natives think,” it would be helpful to ask how natives themselves view causality or if they consider it at all.<sup>190</sup> Rather than dismiss native rituals and their explanations or explain them according to modern paradigms, it would be helpful to acknowledge the possibility that there may be means of effecting change that work

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<sup>185</sup> *Ibid.*, 6–7.

<sup>186</sup> *Ibid.*, 6.

<sup>187</sup> Uusimäki contends that magic’s “factual reality can be disproved” (“Blessings,” 161), which seems to suggest that it does not work, though she could merely mean that it is falsifiable; cf. the references to Czachesz in n. 102.

<sup>188</sup> For biblical and other ANE scholars who use symbolic language, see Schmitt, *Magie*, 92–93; Schwemer, “Ancient Near East,” 19; Nissinen, “Magic,” 52; cf. Ritner, *Mechanics*, 69; Dolansky, *Now You See It*, 14, 55, 99; Gudme, “A Kind of Magic?,” 144–45, who do not use the language of symbols yet employ similar logic; see also the symbolic anthropological approaches outlined in Cunningham, *Religion and Magic*, 55–76.

<sup>189</sup> Schmitt, *Magie*, 92–93 (translated from German); cf. Broida, *Forestalling Doom*, 237. Schmitt here may be trying to demystify magic by making the divine the only real agent. Indeed, if the ritual actions were merely symbolic, the divine would be necessary to achieve any meaningful result.

<sup>190</sup> Cf. the example in Cryer, “Magic,” 114–15, who offers a hypothetical example in the case of ritual failure. When ritual works as expected, such musings are unnecessary.

outside of the Western scientific paradigm, that may have influence beyond the psycho-social.<sup>191</sup> Barring that, as Rochberg and other more relativistic thinkers attempt to do, we should try to understand and even privilege native perspectives, while measuring our outsider perspectives alongside and against them.

Unfortunately, when examining the ANE, all that we have are the texts and our powers of reasoning and persuasion. While we may comment meaningfully on the pragmatic and multi-layered Mesopotamian and Egypt approaches, with few interpretive glosses much of P must remain obscure. To understand these native perspectives, we cannot help but import our own.

### **CONCLUSION**

This case study has used scholarly conceptions of magic to compare ritual and ritual to assess scholarly conceptions of magic. It supports the emerging consensus that magic is hard to disentangle from religion and science, and that biblical ritual is not appreciably different than other ANE rituals when viewed through the lenses of magic (the biblical distinctives seem to arise primarily from their monolatrous outlook). When we compare the “religious” ritual of the Priestly Pentateuch with the “magical” ritual of Mesopotamia and Egypt, we find significant overlap as well as some variety among regional expressions. In fact, when viewed through the lens of modern approaches to magic, the ritual texts under investigation differ in degree but not in kind, such that there is not enough difference to warrant using the different labels “religious” and “magical” to distinguish the Hebrew Bible from other ANE texts.

The social approach is explicitly subjective, its conclusions resting on native interpretations grounded in social location. It helpfully illumines what the corpora promote, prohibit, allow, and marginalize. It also helps to reveal their rhetoric. According to the social definition of magic, there is magic in Priestly and Mesopotamian texts, yet not Egyptian, since Egyptians do not explicitly reject any practice or practitioner. Of the three contexts, the Priestly texts are the most restrictive in what they cover, in the sources of affliction, and in whom and what they accept as remedies. I also suggest that the results of the biblical damage control rituals are less verifiable than those of their ANE counterparts, thus making a guarantee more plausible and their rhetoric potentially more potent.

I argue that Leviticus 10:1 provides an interpretive key. Nadab and Abihu perform a rite not explicitly commanded by Yahweh and are executed for it. By extension, everything not commanded regarding Yahweh, his house, or his possessions is illicit and invites divine retribution. H offers sundry legislation, including limiting access to divine information to the priests. In promoting a single deity and system, P prohibits all alternate

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<sup>191</sup> It may be beneficial to bracket out of the discussion whether rituals actually achieve what they claim, focusing instead on native perspectives.



deities, actions, and actors. Nonetheless, while each context differs in how much it prohibits, each also is engaged in religious competition, promoting a single way as the most profitable. The social lens, likely an unarticulated premise of the concept of magic in the first place, is fertile and often overlooked by Hebrew Bible scholars.<sup>192</sup> Nonetheless, one wonders if the label “magic” is more useful than “illicit practice” or more specifically “illicit ritual or religion.”

The content-based definition helps to uncover the complex ways that ANE ritualists understood their rituals, highlighting both similarities and differences. According to this definition, there is some evidence for purely mechanistic activity in each context, though in many cases the mechanism through which ritual works is either unarticulated or variable. In especially complex, important, or unassured rituals, ritualists often aggregate actions and explanations, including multiple mechanistic and relational ones. While Schmitt and Broida are right to highlight the relational side of ANE ritual, they swing the pendulum too far when they deny automatic efficacy.

I contend that P is surprisingly the most mechanistic and thus most “magical” since it eschews words and complex explanations in favor of comparatively simple and simply articulated actions. In other words, P presents the ritual as working seemingly automatically. Although divine participation may be implicit, the language itself is ambiguous and could be interpreted in different ways, such that the system may work automatically because Yahweh prescribed it or only through his participation in it. I attribute this Priestly simplicity primarily to its monolatrous rhetoric. In each context, though, the dichotomy between automatic and relational ritual breaks down, such that few of the texts deemed magical would qualify as such according to the content-based definition.

The definition based on alternative causality highlights that damage control rituals, whether deemed magical or not, work according to a different logic than Western scientific empiricism. It also brings biblical and other ANE approaches into closer alignment. When articulated, Mesopotamian and Egyptian efficacy seems predicated on various associations, which I suggest is a more apt term than analogy. Without ritual words and with few ritual explanations, Priestly understandings of causality remain elusive, likely purposely so.

In some cases, rather than illuminating ancient practice, this definition accentuates modern biases. In the past, alternative causality was a blatant way of denying ritual efficacy or explaining it in a way often foreign to the participants. While gentler, more recent scholarly discourse may implicitly support similar conclusions. They thereby threaten to efface or re-face native interpretations, often assuming the exclusive validity of the Western scientific paradigm. The definition also may be too broad or facile to be incisive. Magic extends to a whole host of

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<sup>192</sup> Its subjectivity is historically likely one of the reasons that scholars eschewed it for seemingly more objective lenses.

other activities that we would be loath to label magical from a handshake to the Eucharist. In addition, causality as a defining characteristic of magic (and ritual) demonstrates how magic and ritual are modern, artificial labels for ancient practices and beliefs. The question then arises whether they remain useful despite their manufactured nature.<sup>193</sup>

Magic, like religion, is an etic category with fuzzy contours, often forged under less than ideal circumstances.<sup>194</sup> Nonetheless, if we were to jettison all etic or redescriptive categories because they do not “carry neutral pedigrees, we [would not] have anything left.”<sup>195</sup> In turn, we must decide which terms are worth refining and which should be discarded, which are worth rehabilitation and whether such a rehabilitation would leave our refined definitions unrecognizable to lay audiences.<sup>196</sup>

Examining damage control ritual through the lenses of magic yields important results about the texts under investigation and the scholarly approaches to them, with further depths to be mined. Sustained, trenchant critiques have “failed to dislodge magic from its important place in the display case of anthropological theory” and one might add ANE and biblical studies.<sup>197</sup> Nonetheless, since magic is an etic term with significant historical baggage and scholars cannot agree on a definition or satisfactorily differentiate it from ritual or religion, I wonder if the term’s benefits are worth the cost. While each approach to magic profitably illumines different aspects of the texts under investigation, perhaps we would be better served addressing these texts according to the interpretive lenses offered—rejected ritual practice, content, and causality—without reference to magic. We may instead use the term ritual as an overarching category, with subcategories to further differentiate between different classes of ritual.<sup>198</sup> If we choose to retain “magic,” we should not use it as a dividing line between the Priestly and other ANE ritual texts since, by any of the definitions offered, one is not discernibly more magical than the other. Whatever we choose, we also must recognize that magic has and still is used to privilege certain texts, practices, and practitioners over others. We thus must be careful

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<sup>193</sup> While the merit of the term “ritual” is a topic for another day, I suggest that the term “ritual” is still useful precisely because rituals work in ways antithetical to modern, Western understandings of instrumentality and the term itself bears less historical baggage (cf. Sax, “Ritual”).

<sup>194</sup> Cf. Versnel, “Some Reflections,” 177: “magic does not exist, nor does religion. What do exist are our definitions of these concepts.” See regarding religion Nongbri, *Before Religion*.

<sup>195</sup> Frankfurter, “Ancient Magic,” 11.

<sup>196</sup> Cf. the shifting definitions of biblical monotheism.

<sup>197</sup> Brown, “Thinking about Magic,” 122.

<sup>198</sup> Ritual though may be imprecise since several things that we would classify as magic might not be deemed a ritual (e.g., wearing an amulet). Should we also introduce another category characteristic of things that we label magic, transformational ritual, since some scholars include transformation as a constituent part of their definitions (Sørensen, *Cognitive Theory*, 32; Schwemer, “Ancient Near East,” 19)?

to use magic cautiously and consistently, especially when we discuss biblical and other ANE ritual texts, since the term often has been used to posit distinctions not borne out by the texts themselves.<sup>199</sup>

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<sup>199</sup> While not a new warning, it needs to be offered again in the face of continued prolific and often inconsistent uses of the term.