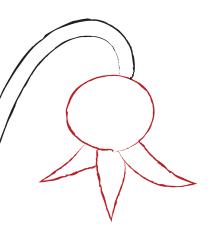
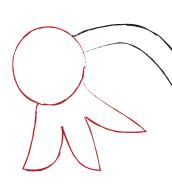


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# ISHTAR THE THOT: THE APPROPRIATION OF THE EPIC OF GILGAMESH BY THE MANOSPHERE

#### Susannah Rees

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#### **Abstract**

Online antifeminist forums, blogs, and social media sites are replete with references to and retellings of the Epic of Gilgamesh. These appeals to the Epic are used to endorse the misogynistic worldview propounded by the manosphere and to convey a cultural and intellectual heritage onto their explicitly antifeminist ideology. This article focuses on the characterization of Shamhat and Ishtar, who are viewed by these manosphere communities as paradigmatic of women's use of sexual capital to manipulate men. In documenting these appropriations of the Epic of Gilgamesh and the narrative strategies used in the manosphere retellings of it, this article seeks to highlight the insidious distortions of the myth and their deeply concerning consequences.



Antifeministische Online-Foren, Blogs und Sozial-Media-Sites sind voll von Verweisen auf und Nacherzählungen des Gilgamesch Epos. Das Epos wird hier verwendet, um ein in der Manosphäre vertretene frauenfeindliche Weltbild zu unterstützen und ein kulturelles und intellektuelles Erbe auf ihre explizit antifeministische Ideologie zu übertragen. In diesem Artikel konzentriere ich mich auf die Charakterisierung von Shamhat und Ishtar, die von diesen Gemeinschaften der Manosphäre als paradigmatisch für die Verwendung von sexuellem Kapital durch Frauen zur Manipulation von Männern angesehen werden. Indem ich diese Aneignungen des Gilgamesch Epos und die erzählerischen Strategien dokumentiere, die in den Manosphären-Nacherzählungen verwendet werden, hebe ich die heimtückischen Verzerrungen des Mythos und ihre zutiefst besorgniserregenden Folgen hervor.



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Susannah Rees



#### Introduction

The Epic of Gilgamesh is arguably one of the most generative narratives in all of human history. From its very inception, the Epic of Gilgamesh has been retold and adapted so that each period and location had its own version of the myth (Dalley 2008, 39). Indeed, the spread of finds, from the Akkadian tablets at Megiddo and Emar to the Hittite and Hurrian versions discovered at Hattusa, attest to the widespread popularity of the narrative (Dalley 2008, 45). Since its rediscovery in the mid-nineteenth century, there have been numerous retellings and adaptations of the myth in the form of novels, poetry, drama, opera, and films, all of which exist in several different languages. This is to say nothing of the proliferation of representations of Gilgamesh in visual media and artworks. Indeed in 2016, Gilgamesh even starred

<sup>&</sup>lt;sup>1</sup> For an overview of the reception history of the epic from 1884 to 2009, see Ziolkowski 2016. Michael Schmidt explores both the narrative of the Epic itself

in the immensely popular video game *Sid Meier's Civilisation VI* (Mol, Politopoulos, and Ariese-Vandemeulebroucke 2017, 214).

However, when studying the reception of the Epic of Gilgamesh there is a tendency to focus on these estimable cultural productions in order to defend the timeless appeal and enduring relevance of the original source-text and to overlook less palatable reinterpretations of the myth. Academia functions as a gatekeeper to authoritative and legitimate readings and largely ignores distressing instances of the (mis)use of texts like the Epic of Gilgamesh for deeply problematic and uncomfortable ends. This is perhaps born out of an understandable desire to associate ourselves as scholars with the cultural cachet of the myth and its reception, and likewise to distance ourselves from repugnant reproductions and abuses of the text.



In this article, I explore the ways the Epic of Gilgamesh is interpreted by online communities which exist within the manosphere network. I will demonstrate how these communities use their readings of the Epic of Gilgamesh in an attempt to confer an intellectual and cultural pedigree onto reactionary and explicitly antifeminist political manifestos and belief systems. In particular, I will focus on the characterization of Shamhat and Ishtar, who are read by the manosphere communities as archetypal women.<sup>2</sup> The gendered interactions and relationships in the manosphere's reading of the epic are subsequently used as a basis for normative claims about gender relations in the modern world.

as well its significance for and reception in the work of a number of modern poets (2019). Gilgamesh has also lent his name to a death metal band as well as a number of albums put out by the bands Aephanemer and Acrassicauda. For a discussion of the reception of the Epic of Gilgamesh in Star Trek, see Miller 2020. <sup>2</sup> I explore the characterization of Enkidu and Gilgamesh and the manosphere's understanding of their friendship in my article "Gilgamesh the Chad, Enkidu the Incel and the 5,000-Year-Old Red Pill" (in preparation). The complex issues surrounding the performance of masculinity and sexuality in both the ancient and manosphere contexts warrants more detailed analysis than can be addressed within the constraints of this article.

It might be argued, not unreasonably, that the retellings and reinterpretation of the Epic of Gilgamesh by manosphere communities are the product of deeply disturbing, misogynistic prejudice and as such are unworthy of serious, critical study. The manosphere readings lack academic rigour and, consequently, some might say that these reinterpretations have little relevance outside of a fringe, isolated online community. Nevertheless, the way manosphere communities are reading and retelling the Epic of Gilgamesh has a real-world impact not least through its use as a post hoc justification for "Gamergate", the campaign of networked harassment against female videogame developers and critics.3 For many of the manosphere readers and retellers, the narrative world of the Epic reflects a normative expression of gendered ideals from which modern society has deviated. According to this reading, the modern developments of feminism and gender equality represent an aberration when compared to the rest of human history. The antiquity of the Epic of Gilgamesh is treated as incontrovertible proof of the truth of the manosphere's understanding of gender dynamics. Consequently, manosphere interpreters frequently extrapolate from the gender performance of the characters in the Epic of Gilgamesh to make universal, cross-temporal, and cross-cultural claims about gender roles and performances. The very act of documenting the manosphere's appropriation of the Epic of Gilgamesh



<sup>&</sup>lt;sup>3</sup> See references to the Epic of Gilgamesh in comments on a thread entitled "How did Gamergate Start?," accessed August 2, 2021, https://www.reddit.com/r/KotakuInAction/comments/awhk06/how\_did\_gamergate\_start/. For an analysis and feminist critique of the events of Gamergate, see Chess and Shaw 2015. The attacks perpetrated by the manosphere are not confined to online spaces. In recent years there have been a number of high-profile and violent, real-world attacks including the murder spree committed by Elliot Rogers in 2014, whose autobiographical manifesto promotes incel ideology and intense misogyny (Myketiak 2016); the stabbing spree by British teenager and incel Ben Moynihan in June and July 2014 (O'Donnell 2019, 670; Van Brunt and Taylor 2020, 206) and Alek Minassian's use of a van to target pedestrians in Toronto in 2018 (Van Brunt and Taylor 2020, 212; Hoffman, Ware, and Shapiro 2020, 570). Most recently, the mass-shooting in Plymouth, UK, in August 2021 has drawn public horror. Sadly, these represent only the most high profile attacks; Van Brunt and Taylor document 54 attacks perpetrated by incels (2020).

and highlighting the omissions and distortions inherent within their readings is an act of resistance.<sup>4</sup>

Nevertheless, the question of how to ethically resist these claims and the appropriation of the text of the Epic of Gilgamesh by the manosphere more broadly is fraught with difficulty. On the one hand, it is tempting to emphasize the ancient cultural context of the composition and circulation of the myth in order to assert that it is not only undesirable but impossible to extrapolate values drawn from the thought-world of the epic to make normative claims about our own modern context. Under this paradigm, the epic is a time-capsule that allows the modern reader to peek into a world that is remote from our own. However, if the Epic of Gilgamesh is treated as extraneous to the modern world, it is easily appropriated by those who are dissatisfied with modernity. The myth's worldview can all too easily be cast as a golden age that its adherents seek to recapture.



On the other hand, it is tempting to counter these abhorrent manosphere retellings by offering a redemptive reading of the Epic of

<sup>&</sup>lt;sup>4</sup> Here I follow the method and objectives outlined and promoted by Classics platforms such as *Pharos* (http://pages.vassar.edu/pharos/) and the online journal Eidolon, which, in response to the appropriation of artefacts, texts, and historic figures from ancient Greece and Rome to validate alt-Right and anti-feminist ideologies, encourage scholars to not only document instances where Greco-Roman culture has been co-opted by various hate groups but also to expose the errors within these hate groups' readings. For a comprehensive discussion of the misappropriation of the classics, see Donna Zuckerberg's enlightening book, Not All Dead White Men: Classics and Misogyny in the Digital Age (2018). This phenomenon is, however, by no means unique to classical sources. Misogynist networks also frequently use appeals to texts which have achieved an almost canonical status in literature to justify and legitimize their insidious anti-feminist narrative. For instance, novels such as Anna Karenina (1877) are viewed as expressing a universal, cultural truth that women are destructive and morally abhorrent, while Lolita (1955) is adduced to explain the self-evident truth that "some girls are just slutty," For further discussion of the narrative strategies employed by the manosphere in relation to literature see, Nurminen 2019. However, to date, very little scholarly attention has been devoted to the (mis)use of ancient Near Eastern history and literature by the same hate groups.

Gilgamesh, highlighting features of the myth that are compatible with modern values. However, it is undeniable that some authentic aspects of the text and the cultural milieu of the epic are congenial to misogynistic politics in the present. It is, after all, hardly a novel observation that the ancient world does not meet our own, modern standards of gender equality. Approaching the narrative with uncritical admiration is a distortion of the text in itself.<sup>5</sup>

Nevertheless, the narrative of the manosphere retellings of the Epic has demonstrably evolved apart from textual controls, in part perhaps influenced by the popular reception of Gilgamesh in videogames such as *Sid Meier's Civilisation VI*. By blending the most basic units of the myth with the antifeminist tenets of the manosphere and disseminating them online, possibly on tablets of a very different kind, the manosphere has created a *mythmeme*. Therefore, one corrective which scholars of the ancient Near East can offer is to return to the text of the



of biblical texts in Anders Behring Breivik's manifesto (Strømmen 2017a; 2017b) and Strømmen and Ulrich Schmiedel's critique of the claims made to Christianity by the Far Right more broadly (Strømmen and Schmiedel 2020). While Strømmen's work offers a compelling, albeit terrifying, insight into the construction of "Crusader Christianity" it is notable that she does not explore the "hyper-masculine muscular Christianity" espoused by some substrata of the manosphere (Roose 2020, 105) nor the overlap which exists between the Far Right and the manosphere (Roose 2020, 84–85; Wetzel 2020) in-depth. Indeed, research by Hope not Hate and the Antisemitism Policy Trust demonstrates that anti-feminism and misogyny often act as a "slip road" to antisemitism and other forms of racism (Lawrence, Simhony-Philpott, and Stone 2021, 3).

<sup>&</sup>lt;sup>6</sup> In coining this portmanteau term, I draw not only on the structuralist concept of the "mytheme" but also the growing field of study on internet memes. Limor Shifman argues that "internet memes can be treated as (post)modern folklore, in which shared norms and values are constructed through cultural artefacts" (Shifman 2014, 15) and act as intertextual units of culture which blend pop culture and politics. "Memes diffuse from person to person, but shape and reflect general social mindsets. The term describes cultural reproduction as driven by various means of copying and imitation – practices that have become essential in contemporary digital culture" (Shifman 2014, 4).

Epic itself and attempt to identify possible sites of resistance towards manosphere retellings.<sup>7</sup>

I begin with an analysis of the manosphere and the interrelated but distinct communities which exist within it. This analysis not only contextualizes the online environments and groups in which these retellings of the Epic of Gilgamesh arise, but also helps to explain and elucidate the unique terminology and language used by members of the manosphere in which these retellings are often couched.

### The Manosphere



The term "manosphere" is used to refer to a consortium of interconnected organizations, blogs, forums, communities, and subcultures which exist in an online context (Ging 2019, 639). The term has readily been adopted by the communities themselves. Indeed, Ian Ironwood, a porn marketer and leading figure in the movement, is credited with popularizing the term in 2013 thanks to his self-published book *The Manosphere: A New Hope for Masculinity* (Ging 2019, 639–40). The members of these communities are predominantly but not exclusively male. Manosphere content is available on a number of online platforms and through a variety of different mediums, including Reddit, blogs, Twitter, 4Chan, 8Chan and YouTube channels. This is perhaps unsurprising given that the "online social networks represent the primary venue for moral and political discourse" in the modern world (Brady 2018, 1). The defining characteristic of this conglomeration of social media communities and websites, however, is

<sup>&</sup>lt;sup>7</sup> Unless stated, otherwise I refer to the Standard Babylonian Epic as "the text" and I follow A. R. George's translation (George 2003). Where relevant I note textual variations. In relation to manosphere retellings, I have reproduced all comments without correcting the spelling or grammar.

<sup>&</sup>lt;sup>8</sup> There are some groups, such as the Red Pill Women on the social networking platform Reddit, which are created by and for a female membership. However, these represent the exception rather than the rule. See the discussion in Jarvis and Eddington 2021.

their openly misogynistic agenda (Marwick and Lewis 2017, 13–14). In general terms, these communities espouse the doctrine that the widespread adoption of liberal, progressive ideals has led to the erosion of social order and traditional gender roles. This contributes to the perceived structural and institutional persecution of men. Indeed, the manosphere is characterized by an overwhelming sense of male victimhood and members view themselves as an embattled minority: an underdog against a prevailing misandrist culture (Marwick and Lewis 2017, 546–47).

Despite these shared political beliefs, it would be a mistake to view the manosphere as a monolithic entity. Indeed, Debbie Ging (2019, 644) identifies a number of distinct and yet intersecting strands within the manosphere which include groups such as Men Go Their Own Way (MGTOW), involuntary celibates (incels), Pick-up Artists (PUAs), Men's Rights Activists (MRAs) and Traditional Christian Conservatives (TradCons). The diffuse nature of the manosphere is a product of the overlapping networks generated by the cross-referencing and cross-pollination of sites (Ging 2019, 644).

MGTOW promotes a separatist philosophy and encourages men to denounce romantic relationships with women to undermine what they perceive as the prevailing gynocentric order (Lin 2017). The community views this decision as a form of self-actualisation and the commitment to abstain from interactions with women is seen as an active choice which, crucially, distinguishes them from incels, a group which is largely constituted of sexually disenfranchised white males (Hoffman, Ware, and Shapiro 2020, 572–74).

Incel groups are characterized by a sense of "aggrieved entitlement" (Vito, Admire, and Hughes 2018, 90–91). This stems from a perceived "sexual-attainment inequality" in the sexual marketplace (Witt 2020, 680). Incels subscribe to an evolutionary, biologically driven model of sexual interaction in which such intimacies are withheld from the incels as a result of selective pressures. According to this model, women sleep with the most attractive men available, referred to in the terminology of the community as an "Alpha" or "Chad," and so spurn the "Beta" men. These Beta men therefore suffer enforced and involuntary celibacy (Witt 2020, 680). Within this model, incel communities describe



women as "femoid," Within this, women are then further sub-divided into "Stacys" and "Beckys." So-called Stacys are identified as attractive women, who are often hyper-feminine and tend to be presented by the incel community as shallow. "Stacys" are women who are able to exert the most "erotic capital" (Menzie 2020, 8–9). By contrast, "Becky" is a more flexible term which is used broadly to represent women who are deemed to be average in their appearance but, as a result of unrealistic standards or feminist principles, are still unwilling to engage in sexual relationships with Beta men (Menzie 2020, 9–10). Incel groups frequently exhort violent retribution against women who reject them and the sexually successful men they are unable to compete with. These incitements to violence are often couched in the language of war, revolt, and terrorism (Bratich and Banet-Weiser 2019, 5019).



It is possible, at least in part, that the incel subculture emerged from the Pick-up Artists (PUA) movement (Bratich and Banet-Weiser 2019). PUAs share techniques for seducing women (Rüdiger and Dayter 2020). These techniques are often spuriously based on so-called scientific approaches such as neuro-linguistic programming (Denes 2011). These self-proclaimed PUAs teach less experienced men, known as Average Frustrated Chumps or AFCs, sexual manipulation through learning "the game" (Bratich and Banet-Weiser 2019, 5012). Women, who are often referred to as the "target" or "obstacle," are controlled through assertive strategies such as "negging" in which compliments are used to insinuate negative comments about the recipient to reduce her self-esteem and encourage her to seek approval (Rüdiger and Dayter 2020, 19). One of the key proponents of these techniques, self-proclaimed PUA, Daryush "Roosh V" Valizadeh, has even published articles arguing for the legalization of rape on private property (Roose 2020, 93).

By contrast, Men's Rights Activists (MRAs) organize collective action to address men's social issues and challenge perceived institutional

<sup>&</sup>lt;sup>9</sup> Femoid and its derivatives "foid," "femaloid" and "void," serve as an umbrellaterm for women. Femoid is a portmanteau of female and humanoids and represents an active attempt to deny the humanity of women. The term "void" arguably draws on the intellectual heritage of viewing women as an impoverished male form. See discussion of the term and its significance in Chang 2020, 6.

discrimination against men (Schmitz and Kazyak 2016). MRAs can trace their roots back to the emergence of the Men's Liberation movement in response to second-wave feminism in the 1970s which subsequently fractured into two factions: the pro-feminist group and the anti-feminist group, from which the MRA developed (Lumsden 2019, 96). The MRA movement is chiefly comprised of "angry, straight, white men" who feel aggrieved by the feminist project and believe masculinity is in crisis (Corston and Kimmel 2013, 379). The movement tends to coalesce around issues such as father's rights (Boyd and Young 2002; Boyd 2004; Collier 2009), domestic violence (Dragiewicz 2011), and, with increasing ferocity in the post-#MeToo era, rape culture (Gotell and Dutton 2016; PettyJohn et al. 2019, 612). However, within this sub-strand of the manosphere there are often contradictory and mutually exclusive stances. For instance, some members laud the traditional role of women as homemakers, wives, and mothers while others view this as parasitic (Lumsden 2019, 97). Some members promote the rejection of traditional, hegemonic masculinity while others celebrate the notion of men being "real" men (Lumsden 2019, 97-98).



Finally, Traditional Christian Conservatives (TradCons) promote a deeply conservative, religious ideology couched in the terms of the manosphere. For instance, the TradCon website *Masculine by Design* features blogposts concerning "the Red Pill" and "never marry a woman over thirty (NMAWOT)," as well as covering topics related to Bible studies and Christianity.<sup>10</sup> Thus, while the boundaries between these manosphere groups are permeable and there is often significant overlap in ideology and membership, there are also notable differences. Indeed, infighting between Christian and atheist, homophobic and pro-gay, pro- and anti-MGTOW, and PUA groups is not uncommon (Ging 2019, 644, 653).

<sup>&</sup>lt;sup>10</sup> The language of the "red pill" is borrowed from the Matrix and is used to refer to an "awakening" when a manosphere member realizes that he lives not in a patriarchy but in a gynocentric order. "Masculine By Design", accessed July 23, 2021, https://masculinebydesign.com/. For discussion of this TradCon website and others, see Ging 2019, 645.

#### Method

As part of her analysis of the online manosphere communities, Debbie Ging identified thirty-eight of the most cross-referenced manosphere websites, blogs, subreddits, and YouTube channels.11 These websites were searched for the key-terms "Gilgamesh," "Enkidu," and "Ishtar," These terms were selected because of the prominent role of these figures in the narrative. Of the sites identified by Ging, ten had posts or blogs which discussed the Epic of Gilgamesh (/r/TheRedPill, /r/ MGTOW, /r/KotakuInAction, The Return of Kings, MGTOW, Dalrock, A Voice for Men [AVFM], Vox Day, The Rational Male and The Red Pill Room). There was significant cross-posting on these sites to other discussions of the Epic on the subreddit /r/MGTOW2 and the blog Gynocentrism as well as a forty-minute talk entitled "The Politics of the Epic of Gilgamesh" published on YouTube delivered by Carl Benjamin who uses the handle "Sargon of Akkad." <sup>12</sup> In 2019 Carl Benjamin was selected as the UKIP candidate for Southwest England in the European elections, demonstrating the troubling permeation of manosphere ideology into mainstream politics (Klein and Pirro 2021).13

A further four of the platforms identified by Ging (MensRights-Movement, The Cydonian Signal, Sluthate, and PUAHate) are no longer active or publicly accessible. However, after their closure, a number of Sluthate and PUAHate former users migrated to a website named Lookism.net which contains references to the killing of the Bull of Heaven and postings of artwork depicting Gilgamesh and Enkidu



<sup>&</sup>lt;sup>11</sup> Ging used an inductive approach to identify these websites and employed repeated searching and cross-comparison over a six-month period. For detailed discussion of Ging's method, see 2019, 643–44, 654 n. 3.

<sup>&</sup>lt;sup>12</sup> "The Politics of the Epic of Gilgamesh," accessed April 14, 2021, https://www.youtube.com/watch?v=516YHWuh\_XA&ab\_channel=SargonofAkkad

<sup>&</sup>lt;sup>13</sup> For a detailed discussion of the construction of identity and UKIP's use of "exclusivist and essentialist notions of religion" to further their political agenda, see Strømmen and Schmiedel's discussion of the "hard right" in Britain (2020, 92–118).

<sup>&</sup>lt;sup>14</sup> Since writing this article, r/MGTOW and r/MGTOW2 have also been banned from Reddit for promoting hate and have been removed from the public domain.

killing the Bull of Heaven.<sup>15</sup> Other posts also contain comments such as, "Gilgamesh fucked your wife."<sup>16</sup> This brief survey alone highlights the extent of the insidious and pervasive use of the Epic by manosphere communities.

Manosphere communities frequently use the Epic of Gilgamesh to endow their ideology with cultural capital; they present their anti-feminist agenda as the natural outgrowth of the universal truths about masculinity and gendered relations which it purportedly conveys. As one commentor on the subreddit r/TheRedPill puts it: "The Epic of Gilgamesh is also called 'He who Saw the Deep,' in modern terms: 'He who Sees the Unknown,' It is, in my opinion, an ancestor of this subreddit."17 Crucial to this understanding of the Epic is the notion that the narrative world of the Epic reflects a normative expression of gendered ideals from which modern society has deviated. According to this reading, the modern developments of feminism and gender equality represent an aberration when compared to the rest of human history. The antiquity of the Epic of Gilgamesh is treated as incontrovertible proof of the truth of the manosphere's understanding of gender dynamics. Consequently, manosphere interpreters frequently extrapolate from the gender performance of the characters in the Epic of Gilgamesh to make universal, cross-temporal and cross-cultural claims about gender roles and performances. This fixed, static understanding of gender has been widely debunked by a growing body of work that emphasizes the highly socially and historically context-dependent nature of gender performance.18



<sup>15</sup> Accessed July 23, 2021, https://lookism.net/threads/tango-of-death.470870/

<sup>&</sup>lt;sup>16</sup> Accessed July 23, 2021, https://lookism.net/threads/do-you-even-realise-how-truly-fucked-you-are-when-you-are-ugly.559911/

Accessed April 20, 2021, https://www.reddit.com/r/TheRedPill/comments/ 40fhpa/dont\_get\_married\_advice\_from\_the\_worlds\_oldest/

<sup>&</sup>lt;sup>18</sup> See, for example, the work of Judith Butler (1990; 2004), Candace West and Don H. Zimmerman (1987; 2009), Raewyn Connell (1987), and James Messerschmidt (2005), the insights of which have been fruitfully applied to a growing body of work concerning gender in the ancient Near East (Bahrani 2001; Parpola and Whiting 2002; Bolger 2008; Budin et al. 2018; Svärd and Garcia-Ventura 2018).

### Shamhat and the Gynocentric Order

The civilizing of Enkidu is a focal point of manosphere retellings and interpretations. In his lecture, Carl Benjamin refers to this episode in the narrative as "the 5,000 year old red pill," pointing to a slide entitled "How women ruin everything," provoking much laughter and applause from his audience.19 This is a theme which is frequently repeated. For example, one comment states: "What I always thought was interesting about the story is that Enkido was taken to a group of prostitutes so that they could 'civilize' him. (sic) turn him into a pussy worshiper."20 Here Shamhat is anonymized and is reduced to a nameless individual among a group which not only reduces her agency within the narrative but dehumanizes her.21 Similarly, an appeal to the Epic of Gilgamesh is used to support the claim that "A woman will often use this knowledge to their advantage - using sex to influence men to get something is as old as Magic Vaginas (see how Enkidu got tricked, trapped, and 'tamed' in the Epic of Gilgamesh, over 5000 years old)."22 In the face of perceived sexual disenfranchisement, manosphere communities seem to read Shamhat's relationship with Enkidu as an archetypal example of women's perceived use of sexual capital to manipulate men.

The undercurrent of these comments seems to be that in a state of nature men exist apart from women in an almost paradisical state.



Accessed April 20, 2021, https://www.youtube.com/watch?v=516YHWuh\_XA&ab\_channel=SargonofAkkad

<sup>&</sup>lt;sup>20</sup> The use of "sic" is original to the post, as is the misspelling of Enkidu. "The Politics of the Epic of Gilgamesh," accessed April 1, 2021, https://www.mgtow.com/forums/topic/epic-of-gilgamesh/

It is interesting to note that the commentor unwittingly stumbles upon a scholarly debate concerning Shamhat's name, which literally translates as something akin to "voluptuous one" (Walls 2001, 19) or "flouring, luxuriant, lust" (Helle 2021, 243 n. 67). Lambert (1992, 128) suggests that *šamḥat* means "prostitute." However, given that the term appears consistently throughout the Epic in the absolute form, it seems more plausible that this represents a proper noun, however suggestive (Walls 2001, 20).

<sup>&</sup>lt;sup>22</sup> "50 Shades of Game: Why Feminists Hate The Book," accessed August 3, 2021, http://theredpillroom.blogspot.com/search?q=gilgamesh

This approach to the narrative is consistent with a common feature of manosphere rhetoric; an appeal to evolutionary psychology and genetic determinism. And yet, as Debbie Ging highlights, "the manosphere's engagement with this field is limited to the superficial interpretation and recycling of theories to support a recurring catalogue of claims: that women are irrational, hypergamous, hardwired to pair with alpha males, and need to be dominated" (Ging 2019, 649). The connection between these appeals to a natural order and the Epic of Gilgamesh is perhaps best illustrated in the sub-reddit r/TheRedPill in a post entitled "The Dynamics of Desire," Here, we find a detailed account of how male relationships are undermined by competition as a result of the actions of women:

In the primitive order, men become more desirable than women. Men lead, hunt, war, defend, and die. Those who achieve success do so disproportionately at the expense of other men. It is the attention of these men that women crave.

This is evident in all stories since the beginning of time. Men seek greatness; women seek great men. The Epic of Gilgamesh is the oldest and my fondest example. The men- Gilgamesh and Enkidu- try to best each other, and finding they cannot, grow to be close friends and quest for great deeds. The woman- Shamhat- introduces Enkidu to civilization by being fucked by him for seven days and nights.

Modern society has changed greatly, especially with marriage laws and the digital world. But the basic dynamic is still this. An Instagram model's legions of drooling orbiters mean nothing to her- they are in fact repugnant. All her display is aimed at attracting a rich man, and the next Chad. If they are the same person, all the better.<sup>23</sup>

Underpinning this reading of the text seems to be the precept that women are unable to achieve greatness independently and instead seek reflected glory in an almost parasitic way. The outlook is undeniably biologically deterministic. The appeal to the antiquity of the myth is used to bolster the claims that this reflects a natural order which has existed "since the beginning of time," and "the basic dynamic," despite



<sup>&</sup>lt;sup>23</sup> "The Dynamics of Desire," accessed August 2, 2021, https://www.reddit.com/r/TheRedPill/comments/8oxm3a/the\_dynamics\_of\_desire/

many modern advances, still exists. The biologically driven model of sexual interaction which exists at the root of much of the incel and wider manosphere ideology is here projected onto the encounter between Shamhat and Enkidu. The use of sex to manipulate Enkidu is treated as paradigmatic of the perceived sexual inequality which the manosphere so violently repudiates.

Ostensibly, there are elements of the Epic itself which might seem to cohere with this manosphere retelling. The encounter with Shamhat clearly weakens Enkidu and he is no longer able to run with the wild animals as before (I:197–200)—in some versions of the myth this abasement is explicitly described as "defilement" (I:199).<sup>24</sup> Indeed, Enkidu himself curses Shamhat on his deathbed for the loss of his "pure" nature and his subsequent weakness after his initiation into civilization (VII:130–31). Enkidu condemns Shamhat to never have a safe house or home, to exist in a state of childlessness on the literal margins of society, vulnerable to drunkards who will drag her through the mud (VII:102–31).<sup>25</sup> Surprisingly, given the manosphere's well-documented history of coordinated campaigns of online harassment against women (Marwick and Caplan 2018), the manosphere seems to show little interest in engaging in any depth with Enkidu's curse of Shamhat, and the curse is not included in the manosphere mythmeme.



<sup>&</sup>lt;sup>24</sup> The verb used here,  $\check{suhh}\hat{u}$ , occurs in MSS Fn and denotes "defilement through illicit sexual congress" (George 2003, 798), although in MS B we find ultahhit/t instead, which seems to convey a meaning akin to "was seized with fear" or "made himself jump" (George 2003, 551). For a detailed discussion of the different translational possibilities of this passage, see George 2003, 798, and Edzard 1985, 50–52.

<sup>&</sup>lt;sup>25</sup> Several scholars have attempted to reconstruct the experience of Mesopotamian sex workers from Tablet VI. For instance, Rivkah Harris suggests that "the curse and blessing of Enkidu reflect the ambiguous attitudes toward the prostitute and incorporate the realities of her life. Perhaps the curse of Enkidu describes the life of the poor prostitute whereas the blessing describes the prostitute...[as]...a woman of culture and artistic talents" (Harris 1990, 222 n. 14). Similarly, Gelda Lerner proposes that the blessing and curse may be mapped onto a distinction between "sacral sexual service" and "commercial prostitutes" respectively (Lerner 1986, 246). However, as Nicole Brisch points out, reconstructing history from literary texts is fraught with methodological difficulties (Brisch 2021, 78–79).

This lack of engagement with the text of the Epic, however, is perhaps one of the reasons for the lack of appreciation for the complex and nuanced role which Shamhat plays.<sup>26</sup> After Enkidu's curse against Shamhat, the sun-god Shamash intercedes on behalf of Shamhat, pointing out that Shamhat not only provided Enkidu with lavish clothing, food, and drink, but also "let you have for a comrade the fine Gilgamesh" (VII:138). Relenting, Enkidu then blesses Shamhat, predicting a future in which she will be showered with gifts from her numerous, wealthy admirers and ultimately succeed in seducing an affluent man (VII:151–61).

Enkidu's curse and Shamhat's rebuke are embedded narratives which recapitulate the events of Tablet I, albeit in a truncated form. At this juncture, the Epic itself presciently addresses the issue of ethical retellings of the narrative. While Enkidu's original, frustrated assessment offers fertile material for the manosphere's retelling, Shamash's rebuke offers a different version of the events of Tablet I. It seems that "there is an important lesson to be learned from this scene: moral judgements rely on storytelling... The way we tell our life stories can make a big difference; they are all that stands between justice and vitriol" (Helle 2021, 162–63). Enkidu's curse with its threat of violence bears a striking similarity to the online harassment and threats directed against women by manosphere communities. Like Enkidu's version of events, the vitriolic manosphere retellings of



There are two main loci concerning the significance of Shamhat for the narrative of the Epic of Gilgamesh around which scholarly debate tends to coalesce. The first is the extent to which Shamhat's sexual encounters with Enkidu are "tantamount to birth, as it precipitated his being, so to speak, 'reborn' as a human" (Worthington 2011, 411). For a detailed discussion of Shamhat's maternal characterization, see Harris 1990, 222–24. For counter-arguments, see Sonik 2021, 789–90. The second point of contention is the exact significance of Shamhat's designation as a *harimtu*, traditionally translated as "harlot," For further discussion, see Helle 2021, 210–11, and Brisch 2021, on whom Helle draws. Unsurprisingly, neither issue is the focus of manosphere discussions of the epic. Interestingly, while Shamhat is sometimes explicitly identified as a "prostitute" in manosphere retellings, this is not always the case, perhaps in an attempt to emphasize Shamhat's role as an everywoman.

Tablet I are the product of a frustrated, male perspective. Without the intervention of Shamash, it is Shamhat who will bear the awful consequences of Enkidu's retelling, much as the violent outpourings of the manosphere have real-world consequences for the victims of their targeted campaigns of harassment.<sup>27</sup> However, Shamash challenges this interpretation of events; asserting that it is only through Shamhat that Enkidu can experience the benefits of civilization, and it is only because of Shamhat that Gilgamesh's friendship is possible. This is incompatible with the manosphere logic that Shamhat has somehow ruined Enkidu. Through Shamash's retelling of Tablet I, a more just future is offered to Shamhat.<sup>28</sup> The Epic itself, therefore, offers us a model for intervention and how to challenge unjust retellings which denigrate women.



#### Ishtar the Thot

Gilgamesh's refusal to marry Ishtar and the subsequent battle with the Bull of Heaven (Tablet VI) has particular resonance for members of the manosphere communities. Indeed, it is the portion of the narrative around which the majority of comments and posts seem to coalesce. Summaries of Tablet VI proliferate across manosphere platforms such as the one found on the blog Gynocentrism:

The metaphors seem to boil out of this, the oldest of human stories:

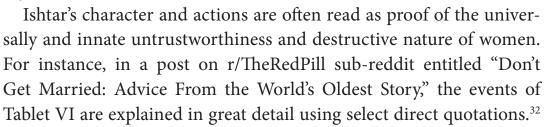
- Women exercise covert, rather than overt, power.
- Spurned women will unleash their fury on the men who spurned them, as well as others.
- Fathers will side with angry, abusive daughters over innocent men.

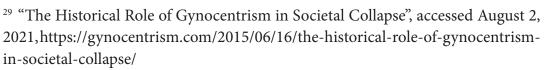
<sup>&</sup>lt;sup>27</sup> For a discussion of how the abuse exacted by manosphere communities occurs in both online and offline spheres, see Jones, Trott, and Wright 2019, 1907.

<sup>&</sup>lt;sup>28</sup> Although it could hardly be said that the future set out for Shamhat is idyllic, as Sophus Helle points out, even in this blessing Shamhat is "destined to disrupt family life" as the wealthy man she seduces will first leave his wife, the mother of his seven children (VII:161). Helle links this to Shamhat's role as a figure "at the threshold of society," disrupting the expected "social order of patriarchal households" (Helle 2021, 211–12).

- Women in power will give power to the dangerous and unproductive.
- Zombies are real!<sup>29</sup>

In the manosphere mythmeme, Ishtar's desire to marry Gilgamesh, much like Shamhat's characterization, is a way of exerting "covert power" and is therefore read as another example of the manipulative nature of women who seek to use their influence to act through men rather than as independent agents. Many of the manosphere retellings of Tablet VI emphasize the sexual elements of Ishtar's character and repeatedly refer to her as a "thot," a derogatory term for a promiscuous woman who has numerous casual sexual encounters or relationships. Again, this has resonance with its modern, manosphere audience; we find assertions that it is "...Good to know the Sumerians had to deal with cock carouselling damaged goods as well." The distorted manosphere worldview and perception of a modern, sexual market-place is blended with elements of the myth to produce a quite distinct mythmeme.





<sup>&</sup>lt;sup>30</sup> "Gilgamesh (the original MGTOW) rejected Ishtar (the goddess of THOTS)," accessed August 3, 2021, https://www.reddit.com/r/MGTOW/comments/a1rs1i/gilgamesh\_the\_original\_mgtow\_rejected\_ishtar\_the/. "The Politics of the Epic of Gilgamesh," accessed August 3, 2021, https://www.youtube.com/watch?v=516YHWuh\_XA&ab\_channel=SargonofAkkad



<sup>&</sup>lt;sup>31</sup> "Don't Get Married: Advice From The World's Oldest Story," accessed August 3, 2021, https://www.reddit.com/r/TheRedPill/comments/40fhpa/dont\_get\_married\_advice\_from\_the\_worlds\_oldest/

<sup>&</sup>lt;sup>32</sup> Although not explicitly cited, in the post itself the version which the author seems to quote from is the Penguin Classics edition of the Epic of Gilgamesh, (Sandars 1972).

The post argues that "...Gilgamesh is addressing not just Ishtar, but womankind itself (whom Ishtar embodies)" in his diatribe against her in VI:22–79.<sup>33</sup> A similar sentiment is reiterated on forums on the MGTOW website:

Within the first two minutes we hear of Ishtar, the goddess of love she's the epitome of all women throughout history...There's nothing new in the red pill. The basis for MGTOW philosophy has remained exactly the same since the dawn of writing. Women have always been the way they are. They've just got more rope now.<sup>34</sup>

The assertion that this episode occurs "within the first two minutes" is belied by the first five tablets of the Epic of Gilgamesh. Nevertheless, this distortion of the narrative structure highlights the centrality of Tablet VI in the manosphere's retellings of the epic and its import for their philosophy. This relevance is repeatedly emphasized both explicitly and implicitly through selective engagement with the text. For example, a commentor in a thread entitled "MGTOW isn't new and was followed even centuries ago!!" in the sub-reddit r/MGTOW2, also draws on Gilgamesh's assessment of Ishtar's character to draw conclusions about the universal nature of women:

Cuneiform script is the oldest form of writing and gives us the oldest story in the world, 'The Epic of Gilgamesh,' where Ishtar treats men either as lions (fighters) or horses (workhorses). Gilgamesh rejects Ishtar's suggestion that he should be her husband by pointing out how she has treated all her previous lovers, calling her a shoe that bites the foot. She then makes a false allegation of mistreatment to her father that causes Gilgamesh untold grief. Sound familiar?<sup>35</sup>



<sup>&</sup>lt;sup>33</sup> "Don't Get Married: Advice From The World's Oldest Story," accessed August 3, 2021, https://www.reddit.com/r/TheRedPill/comments/40fhpa/dont\_get\_married\_advice\_from\_the\_worlds\_oldest/

<sup>&</sup>lt;sup>34</sup> Accessed April 1, 2021, https://www.mgtow.com/forums/topic/epic-of-gilgamesh/

<sup>35 &</sup>quot;MGTOW isn't new and was followed even centuries ago!!" accessed August 3, 2021, https://www.reddit.com/r/MGTOW2/comments/gr43uv/mgtow\_isnt\_new\_and\_was\_followed\_even\_centuries\_ago/

Although this post contains no direct quotations, the reference to Ishtar's treatment of men as lions or horses (VI:51–56) as well as the "shoe that bites the foot" (VI:41) could suggest engagement with the text itself rather than a mere passing-knowledge of the myth.<sup>36</sup> It is interesting that the insult that Ishtar is akin to the "shoe that bites the foot" is selected rather than, for instance, Gilgamesh's assertion that Ishtar is "a palace that massacres[...]warriors" (VI:35); "bitumen that [soils] him who carries it" (VI:37); or "a waterskin that [wets] him who carries it" (VI:38). In an age of modern plumbing and professional armies, it is arguably the uncomfortable shoe of all of Gilgamesh's visual and descriptive metaphors which is the most easily recognizable and relatable in a modern context. This, arguably, reflects the manosphere's agenda to present the myth as relevant and, by extension, to assert that the ancient Near Eastern cultural values and attitudes towards women which underlie the Epic are also replicable in a modern society.

This is particularly evident in a post titled "Gilgamesh (the original MGTOW) rejected Ishtar (the goddess of THOTS)" in the sub-reddit r/MGTOW, which summarizes Tablet VI thus:

Let this be a lesson boys, none of us is greater than Gilgamesh and even he said no thank to the very goddess of fertility. It's well known that she was a THOT, still pretty much no one could resist her, after all, she was the very definition of sexy. What did she do in response? She went to her papa had him order a Devine bull to destroy Gil's city. However, after a long fight Gil and his best bro (who he valued above any woman or treasure, both of which he had in masses) defeated it. So be like Gil: smash and dash (perhaps not in this day and age with all the accusations going on), and remember, bros before hoes.<sup>37</sup>



<sup>&</sup>lt;sup>36</sup> In its ancient Near Eastern context, this phrase is likely an allusion to a divinatory omen that a poorly fitting sandal could have potentially fatal consequences (George 2003: 473).

<sup>&</sup>lt;sup>37</sup> "Gilgamesh (the original MGTOW) rejected Ishtar (the goddess of THOTS)," accessed August 3, 2021, https://www.reddit.com/r/MGTOW/comments/a1rs1i/gilgamesh\_the\_original\_mgtow\_rejected\_ishtar\_the/

This is characteristic of many of the strategies employed by manosphere readings and reflects the clear use of the Epic of Gilgamesh mythmeme in order to lend a cultural and intellectual pedigree to the separatist philosophy espoused by some elements of the manosphere. The mythmeme is not only treated as authoritative but also as a basis from which normative claims can be made about modern social values and gender dynamics. Gilgamesh's rejection of Ishtar is seen as an aspirational act, despite the temptations Ishtar poses. For the post's author, the moral is clear: male relationships should be prioritized above inter-gender relationships, the inclusion of women in society ultimately poisons these masculine relationships.

The assertion that Ishtar "went to her papa" after Gilgamesh's rejection and the caution required "with all the accusations going on" highlights another element of the myth which manosphere readers find particularly relatable: the threat of false allegations. The interaction between Ishtar and her father Anu (VI:80–114) is repeatedly returned to in these manosphere readings and retellings and is often depicted as Ishtar making a "false allegation of mistreatment" against Gilgamesh.<sup>38</sup> The language of false allegations is particularly loaded given the widespread belief among the manosphere communities that false accusations of rape and sexual violence are rampant (Gotell and Dutton 2016). In reality, false accusations are extremely rare (Lisak et al. 2010). Indeed, the high prevalence of rape and sexual assault, under-reporting of attacks, and low conviction rates all contribute to a "justice gap" for rape survivors who are routinely doubted and discredited (Gotell and Dutton 2016, 67).

Nevertheless, the manosphere mythmeme asserts that "Ishtar claimed the two of them raped her to the gods." This represents a significant departure from Ishtar's complaint in the original text: "O father, Gilgamesh has been heaping abuse on me, Gilgamesh kept recounting



<sup>&</sup>lt;sup>38</sup> "MGTOW isn't new and was followed even centuries ago!!" accessed August 3, 2021, https://www.reddit.com/r/MGTOW2/comments/gr43uv/mgtow\_isnt\_new\_and\_was\_followed\_even\_centuries\_ago/

<sup>&</sup>lt;sup>39</sup> "How did Gamergate Start?" accessed August 2, 2021, https://www.reddit.com/r/KotakuInAction/comments/awhk06/how\_did\_gamergate\_start/

things that insult me, things that insult and revile me" (VI:84–86).<sup>40</sup> Ishtar's response is treated as paradigmatic of women abdicating responsibility for their actions. For instance, in the sub-reddit r/MGTOW a response to a post titled "An excerpt from the epic of Gilgamesh" reads:

Of course she has to run back to her Dad and ask him to kill him over being rejected. Girls do this all the time. They'll insult everybody, but as soon as they feel 'wronged' they tell lies to another male to attack that male. Whether it's her dad, the police, or simply clicking the report button on facebook. They are such pathetic creatures.<sup>41</sup>

Similarly, a blog post on A Voice for Men equates Ishtar with "modern feminists" because "...she seeks to avoid direct responsibility for her actions." Likewise, a blog post on Return of Kings summarizes the encounter thus: "the divine princess Ishtar gets her daddy to take revenge on Gilgamesh for refusing her sexual advances, and he ends up losing eternal life. Babylon was a feminist dream." The irony that



<sup>&</sup>lt;sup>40</sup> It is interesting to note that the assessment of Ishtar's actions in mainstream ancient Near Eastern scholarship are not that dissimilar to the conclusions drawn by the manosphere. See, for instance, A. R. George's summary of Tablet VI in his influential critical edition of the epic: "Her reaction is that of an angry child. She runs off to complain to her parents of the rough treatment she has had to endure (80-6). Her father, Anu, knows his daughter well, for he suspects at once she was at fault (87-91). Ištar then demands the Bull of Heaven, the constellation Taurus, with which to kill Gilgameš in revenge (92-5). In order to get her way she threatens to release the dead from the Netherworld so that they overwhelm the living and eat them (96-100)" (George 2003, 474). A somewhat uncharitable reading, given Ishtar's supposed provocation of Gilgamesh was to find him sexually attractive and to offer to lavish wealth on him. Although, of course, George does not use this to make a normative claim about modern gender relationships.

<sup>&</sup>lt;sup>41</sup> "An excerpt from the epic of Gilgamesh," accessed August 2, 2021, https://www.reddit.com/r/MGTOW/comments/6uzw2k/an\_excerpt\_from\_the\_epic\_of\_gilgamesh/

<sup>&</sup>lt;sup>42</sup> "How Surviving the Zombie Apocalypse is like MGTOW," accessed August 3, 2021, https://avoiceformen.com/featured/how-surviving-the-zombie-apocalypse-is-like-mgtow/

<sup>&</sup>lt;sup>43</sup> "Why Social Justice is Satanic and We Need Religion to Defeat It," accessed August 3, 2021, https://www.returnofkings.com/71337/social-justice-is-satanic-and-we-need-religion-to-defeat-it

many of these manosphere sites also contain posts decrying women who reject the sexual advances of men is apparently lost on the authors of these posts.

Interestingly, a number of comments on a manosphere retelling of this section of the narrative praise Anu's response to Ishtar's initial request to be allowed to avenge herself against Gilgamesh: "...probably may favorite part was that+how little bitch runs to her dad(Anu),only for him to say: Dafuq y u so mad hoe? All he said was true lololololol." In this manosphere retelling we find: "Anu basically replies 'lol what did you expect? Everything he said about you was true, ya dumb bitch.' But Ishtar literally threatens to raise Hell and unleash the dead upon the living, so he relents..." Here, much like the treatment of the episode concerning Shamhat and Enkidu, we find the manosphere highlighting and emphasizing the theme of men being pitted against one another as a result of the actions of women. Anu is praised for his instinct to side with the male protagonists Gilgamesh and Enkidu instead of his daughter Ishtar.

Ishtar's threat to raise the dead is also a popular motif among manosphere readings. Indeed, a blog post on A Voice for Men reads the entirety of Tablet VI in light of this "zombie apocalypse," hailing the trope as particularly salient and relatable for manosphere readers. The author likens many of the experiences of a zombie apocalypse, such as a wife turning insane, the loss of children, the erosion of social order, and a loss of hope for the future, to the perceived challenges and injustices manosphere adherents face.<sup>46</sup>

The prominence of Tablet VI in the manosphere mythmeme is perhaps unsurprising; there are elements of the Epic itself which



<sup>&</sup>lt;sup>44</sup> "Don't Get Married: Advice From The World's Oldest Story," accessed August 3, 2021, https://www.reddit.com/r/TheRedPill/comments/40fhpa/dont\_get\_married\_advice\_from\_the\_worlds\_oldest/

<sup>&</sup>lt;sup>45</sup> "Don't Get Married: Advice From The World's Oldest Story," accessed August 3, 2021, https://www.reddit.com/r/TheRedPill/comments/40fhpa/dont\_get\_married\_advice\_from\_the\_worlds\_oldest/

 $<sup>^{46}</sup>$  "How Surviving the Zombie Apocalypse is like MGTOW," accessed August 3, 2021, https://avoiceformen.com/featured/how-surviving-the-zombie-apocalypse-is-like-mgtow/

might seem to cohere with this manosphere retelling. The "kneejerk misogynism" of Gilgamesh's response (Abusch 2021, 15) is quite possibly "the most abusive and irreverent discourse in Mesopotamian literature" (Leick 1994, 258). In his assessment of the Gilgamesh Epic, Benjamin Foster argues that: "Gilgamesh is not hysterically rejecting Ishtar, but rather is talking to her as if she were a girl still in school" (Foster 1987, 35). While it seems doubtful that the manosphere retellings engage with the text at a text-critical level, it is equally not difficult to see how this assessment might be attractive to manosphere adherents. The term "girl" is disproportionately more likely to be used than "boy" to refer to an adult (Sigley and Holmes 2002, 145), and in manosphere contexts this discourse is employed particularly to infantilize adult women and subordinate them to their male counterparts (Krendel 2020).

The manosphere's emphasis on Gilgamesh's rejection of Ishtar as a lens through which to read the entire Epic is not wholly incongruous with the scholarly assessment of the significance of the episode for the narrative arc of the Epic. Gilgamesh's rejection of Ishtar is as an "interpretative crux in most commentaries on the epic since readers must explain the hero's reaction in accordance with their own hermeneutical approaches" (Walls 2001, 44). Many scholars interpret Ishtar's sexual advances as a threat to Gilgamesh's masculinity, if not his life (Harris 1990, 227; Leick 1994, 262; Abusch 2021, 11–57). In proposing marriage and offering gifts to Gilgamesh, Ishtar has "behaved like a man" (Harris 1990, 227; Leick 1994, 258). 47 In evoking the fate of



<sup>&</sup>lt;sup>47</sup> Given that there is only one other example of a marriage proposal preserved in Akkadian literature, namely Ereshkigal the Queen of the Netherworld's proposal to Nergal the god of plague, it is hard to determine to what extent Ishtar's proposal represents a departure from gendered norms (Helle 2021, 213). As Samuel Greengus argues when comparing actual marriage contracts and formulas to the accounts presented in these myths, "our literary sources may faithfully mirror the activities of life; but they may also contain invention and fantasy" (Greengus 1969, 517). Nevertheless, Gwendolyn Leick argues that there is a "striking literary parallel" between these two texts (Leick 1994, 260). Based in part on his comparison between them, Tzvi Abusch argues that Gilgamesh rejects Ishtar's proposal because she is trying to trick him into becoming a functionary of the

Ishtar's former lovers (VI:42–79), Gilgamesh seemingly illustrates the dangers of female sexuality, as represented by Ishtar (Leick 1994, 262; Bahrani 2001, 153–54). Both issues speak to deep-rooted, manosphere anxieties: the erosion of social order and traditional gender roles and the excessive power women accrue through their sexual capital. It is easy to see how these concerns might appeal to manosphere readers and why Gilgamesh has been adopted as a mouthpiece for modern antifeminist ideology.

An alternative scholarly approach to Gilgamesh's rejection of Ishtar is to suggest that it signifies a transformation of his character from a brash hedonist to a responsible hero concerned with higher pursuits (Foster 1987: 36; Leick 1994, 263; Nissinen 1998, 23–24). In this paradigm, Ishtar represents "lavish and sex-hungry city culture" and by rejecting her, Gilgamesh indicates that his "relationships with women and women's world are now replaced by an accentuated masculine asceticism" (Nissinen 1998, 23–24). In overcoming his lust, Gilgamesh opts instead for male companionship with Enkidu. In some quarters, this has been read as indicative of a possible homoerotic relationship between Gilgamesh and Enkidu (Walls 2001, 37–49).<sup>48</sup> Within the manosphere, this rejection of female company is treated as significant by those who espouse a MGTOW separatist philosophy; Gilgamesh is emblematic of the decision for men to go their own way. It is interesting to note, however, that the possibility of a homoerotic relationship



Netherworld (Abusch 2021, 11–57). However, given that Ishtar embodies both sexuality and death and the manifest tensions between the two concepts, it is perhaps unsurprising that her proposal might allude to death and draw on the overlap between wedding and funeral imagery. It is, therefore, overly reductive to suggest that her proposal should be read as simply as a piece of trickery or to "resolve the symbolic ambiguities in one direction or the other" (Walls 2001, 41). <sup>48</sup> The exact nature of the relationship between Gilgamesh and Enkidu has been a matter of debate since Thorkild Jacobsen labelled their relationship "homosexual" (Jacobsen 1930, 70). For further discussion, see Walls 2001; Nissinen 1998; and Ackerman 2005. For critiques of the anachronistic use of the terms "homosexual" and "heterosexual" when talking about ancient Mesopotamia see Helle 2021, 171–72.

between Gilgamesh and Enkidu is not discussed in these manosphere retellings.<sup>49</sup>

While it is undeniable that there are elements of the epic which seem to correspond with the troubling tenets of the manosphere ideology, it is also perhaps the Epic itself which offers us a potential site for resistance. In Gilgamesh's discourteous refusal, we find another embedded narrative: the story of Ishullanu and Ishtar (VI:64-79). The story of Ishullanu and Ishtar is "a miniature; in it are condensed most of the important events and speeches of the story of Gilgamesh and Ishtar" (Abusch 2021, 39).50 Gilgamesh scathingly parallels his experience with that of Ishtar's former lover Ishullanu. In both cases it is Ishtar who gazes lustfully at the object of her desire and initiates the encounter (VI:6, 67); in both instances she uses food metaphors to attempt to entice the man (VI:8, 68); she is subsequently rejected in harsh terms by both Ishullanu (VI:70-74) and Gilgamesh (VI:22-79). Gilgamesh then recounts how Ishullanu is punished by Ishtar for his insolence (VI:75-78). Given that Gilgamesh is aware of the fate which befalls Ishullanu, his retelling to bait Ishtar is, at best, ill-thought through: "telling Ishullanu's story specifically to offend a goddess is a spectacularly bad use of it" (Helle 2021, 159).

The spectacularly foolish nature of this retelling is even more apparent when we consider the literary antecedent of Ishullanu and Ishtar: the Sumerian myth of Inanna and Shukaletuda (Volk 1995, 53–64; Pryke 2017, 147). In both stories, Ishullanu and Shukaletuda are the son of a gardener working for the goddess's family (VI:64–6; lines 90–94).<sup>51</sup> However, in the Sumerian version, Shukaletuda is an inept



<sup>&</sup>lt;sup>49</sup> I treat the reception of the characters of Gilgamesh and Enkidu in the manosphere mythmeme in greater depth in "Gilgamesh the Chad, Enkidu the Incel and the 5,000-Year-Old Red Pill" (in preparation). I argue that the relationship between Gilgamesh and Enkidu in the manosphere retellings serves as a microcosm of the debate in manosphere communities surrounding competing models of the ideal masculinity and the metrics by which it should be measured.

<sup>&</sup>lt;sup>50</sup> Tzvi Abusch (2021, 33–41) offers a detailed discussion of the narrative irony involved here.

<sup>&</sup>lt;sup>51</sup> Here I follow Konrad Volk's edited version of the myth (1995).

gardener (line 96) who is overcome by his lust for Inanna and rapes her while she sleeps (lines 117-25). There is no way in which this sexual intercourse can be understood as consensual; it is clear that Inanna's vulva is bound and covered (lines 118-19). Indeed, Shukaletuda's ultimate punishment and death at the hands of Inanna is indicative that he has perpetrated a rape (line 296).<sup>52</sup> By stark contrast, in Gilgamesh's version, Ishtar invites Ishullanu to touch her vulva (VI:69) and it is Ishtar's vengeful actions which render Ishullanu unable to tend the garden (VI:78). Thus, "the very elements of Gilgamesh's story which are most damning of the goddess—her attempt to seduce Ishullanu and her prevention of his ability to tend the garden—are expressed in a manner that is sympathetic to the goddess in Inanna and Shukaletuda" (Pryke 2017, 147-48). Indeed, Konrad Volk argues that Gilgamesh's retelling of the story of Ishtar and Ishullanu represents an intentional distortion of the narrative of Inanna and Shukaletuda which is intended as a conscious climax of his insulting response to Ishtar (Volk 1995, 62). Although, as Volk acknowledges, this presupposes that the version of Inanna and Shukaletuda we have was also known by the author of Gilgamesh (Volk 1995, 62).53



While there are undoubtedly challenges in talking about rape in ancient contexts, Alhena Gadotti (2009) compares the sexual encounter between Inanna and Shukaletuda to other descriptions of rape in Sumerian literature such as *Enki and Ninhursag* and *Enlil and Ninlil* to argue that these sexual encounters should be understood as rape. Gadotti points out that in each case the perpetrator uses either force or stealth due to a conspicuous lack of consent and the perpetrator is subsequently punished (2009, 81–82).

This presupposition has not been universally accepted. While C. J. Gadd suggests that the story of Ishullanu and Ishtar has "a background in folk-lore", he argues that there is "hardly enough in all of this to justify any close comparison between Shukalletuda and Ishullanu" and suggests that "if the comparison has any point it lies perhaps in the opposite conduct of the characters, especially of the goddess—in the Sumerian story her wrath is justified by the sacrilegious assault of a mortal; in the Semitic story it has no justification at all but is the mere caprice of a promiscuous and vindictive female" (Gadd 1966, 117–18). Similarly, echoing Gadd, Tzvi Abusch states that "even granting that Ishullanu and Šukalletuda may be parallel or related personages…I did not find it particularly useful to draw upon the tale of *Inanna and Šukalletuda*" (Abusch 2021, 39 n. 66).

Much as the manosphere adherents seem to find their own experiences mirrored in the Epic of Gilgamesh, Gilgamesh finds parallels between his experience reflected in the story of Ishullanu and Ishtar. Like the manopshere mytheme, Gilgamesh twists the narrative of a pre-existing mythic text in order to weaponize the story. Gilgamesh characterizes Ishtar as an example of the dangers of unbounded female sexuality, rather than a rape victim who is assaulted. Meanwhile, Ishullanu is cast not as sexual predator but as an unwilling victim. Gilgamesh's narrative mirrors the rhetoric espoused by the manosphere and in particular the reversal of the victim-perpetrator roles. Manosphere outlets frequently amplify stories of female perpetrators of sexual violence while simultaneously dismissing allegations against male perpetrators as false allegations in order to claim erroneously that it is men who are the real victims of sexual violence (Gotell and Dutton 2016, 74). This aggrieved and deluded sense of victimhood is, in turn, used as a justification for targeted online campaigns of harassment against women (Marwick and Caplan 2018, 547).



Once again, it is the Epic itself which seems to offer a potential site for resistance against these problematic retellings. In retelling this taunting and distorted version of the myth of Inanna and Shukaletuda, Gilgamesh makes an ill-judged and fatal error which leads to destruction and loss. Although Enkidu and Gilgamesh prevail over the Bull of Heaven, the divinely ordained death of Enkidu in Tablet VII highlights the ultimate consequences of Gilgamesh's failure to properly engage with the narrative or to consider the consequences of his retelling of it. In reading Tablet VI as a narrative about the dangers of women falsely reporting rape, the erosion of traditional gender roles, and the excessive power women accrue through their sexual capital, the manosphere adherents commit the same error and the results are undeniably destructive.

#### **Conclusions**

In order to combat the pernicious spread of manosphere ideology, it is necessary to unpick the rhetoric that is promulgated by the manosphere (Tomkinson, Harper, and Attwell 2020). This includes the co-option of

ancient Near Eastern texts that are used to underwrite their extremist, antifeminist worldview. Elements of the Epic of Gilgamesh have been blended with tenets of the manosphere ideology in order to produce a mythmeme that has evolved independently of textual controls. In order to resist these insidious online retellings, we must return to the text of the Epic.

However, in doing so we cannot claim the myth as proto-feminist. Indeed, many elements of the Epic are convivial to a misogynistic outlook and within the Epic itself "male spheres of power are created by the violent exclusion of women," Consequently, "the epic indulges in the literary fantasy that every time a woman speaks, she decides the fate of men, perhaps to justify why women must be silenced" (Helle 2021, 213). Nevertheless, perhaps due to the complex textual-history of the Epic of Gilgamesh and the scribal culture which produced so many versions of it, the narrative does display a keen awareness of issues of ethical retellings and the consequences of storytelling more broadly. Although they could never have anticipated the modern manosphere mythmeme, in an ancient context "the authors and editors reflected seriously on their literary heritage and found in it new possibilities for themselves and their audiences. What they borrowed, they modified and put to use in novel ways" (Tigay 2002, 249).

There is, therefore, a certain irony that the two episodes that the manosphere has opted to retell most frequently are also the junctures at which the Epic of Gilgamesh displays a metanarrative awareness about the ethics and the consequences of storytelling. Through Shamash and Enkidu's discussion of how the events of Tablet I should be understood and how Shamhat's character should be evaluated, we are offered a model for ethical retelling. By contrast, in Gilgamesh's repurposing of Inanna and Shukaletuda, we can find a cautionary tale about the dangers and destructive consequences of distorting these texts. From the very earliest periods, the authors and redactors of the Epic of Gilgamesh have been concerned about how to retell the narrative. It is this which allows us to hold a mirror to the manosphere mythmeme and to highlight the omissions and distortions inherent within manosphere readings and, in turn, the illogical ideology that exists behind them.



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# THE 1920 ANTIQUITIES ORDINANCE OF PALESTINE AND THE YEAR 1700 FOR ANTIQUITIES: NEW DISCOVERIES

### Raz Kletter

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## **Abstract**

The Antiquities Ordinance (Law) of 1920 was instrumental for the archaeology of Palestine in the British Mandate period. It was highly successful in having significant influence, for many years, on the antiquities legislation of Jordan and Israel after 1948. This law has hardly been studied so far, except for one detail—the setting of the year 1700 CE for defining antiquities. Based on many as yet unpublished documents from several archives, I discuss in this article the complex origins of the 1920 Antiquities Law. Contrary to the current scholarly consensus, it was created by many agents (historians, archaeologists, legal experts, politicians, military men), working since 1918 in Egypt, Palestine, Britain, and the international peace conferences held after World War I. The law was a compromise between the desire to facilitate the excavation, trade, and export of finds (for the benefit of Western institutions) and the wish to protect sites and keep finds in Palestine (for the benefit of local populations). The year 1700 CE was not a measure taken against protecting the area's (late) Ottoman heritage, but a reasonable choice at a time when the discipline of historical archaeology did not exist yet.



Das Antikengesetz ('Antiquities Ordinance') von 1920 war für die Archäologie in Palästina während der britischen Mandatszeit von großer Bedeutung. Das Gesetz hatte über viele Jahre hinweg großen Einfluss auf die Altertumsgesetzgebung in Jordanien und Israel nach 1948. Dieses Gesetz ist bisher kaum erforscht worden, abgesehen von einem Detail - der Festlegung des Jahres 1700 n. Chr. für die Definition von Antiquitäten. Auf der Grundlage zahlreicher, bisher unveröffentlichter Dokumente aus verschiedenen Archiven erörtet dieser Aufsatz die komplexe Entstehungsgeschichte des Antikengesetzes von 1920. Im Gegensatz zum derzeitigen wissenschaftlichen Konsens wurde es von vielen Akteuren (Historikern, Archäologen, Rechtsexperten, Politikern und Militärs) geschaffen, die seit 1918 in Ägypten, Palästina, Großbritannien und auf den internationalen Friedenskonferenzen nach dem Ersten Weltkrieg tätig waren. Das Gesetz war ein Kompromiss zwischen dem Wunsch, Ausgrabungen, Handel und Export von Ausgrabungsfunden zu ermöglichen (zum Nutzen westlicher Institutionen) und dem Wunsch, Fundstätten zu schützen und Fundstücke in Palästina zu behalten (zum Nutzen der lokalen Bevölkerung). Die Jahreszahl 1700 n. Chr. war keine Maßnahme gegen den Schutz des spätosmanischen Erbes der Region, sondern eine vertretbare Entscheidung zu einer Zeit, als der Fachbereich der historischen Archäologie noch nicht existierte.



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# THE 1920 ANTIQUITIES ORDINANCE OF PALESTINE AND THE YEAR 1700 FOR ANTIQUITIES: NEW DISCOVERIES

Raz Kletter



## Introduction

In 1920, a new scheme for archaeology was activated in Palestine under the new British civil government headed by Herbert Samuel, the first High Commissioner. It included the creation of the Department of Antiquities of Palestine (henceforward, DAP), the Antiquities Law (AO 1920),¹ and the Archaeological Advisory Board.² The first director of the DAP, John Garstang, presented it as a miraculously fast development:

Within a few days of the establishment of a Civil Government in Jerusalem in July, 1920, His Excellency the High Commissioner called

<sup>&</sup>lt;sup>1</sup> Officially termed "Antiquities Ordinance" and herein referred to as the "1920 Law."

<sup>&</sup>lt;sup>2</sup> Garstang 1921, 1922; Albright 1922; Luke and Keith-Roach 1922, 74–75; Ben Arieh 1999; Gibson 1999, 126; Thornton 2015; Yücel 2017.

for proposals from the Director of the British School of Archaeology [Garstang] with a view to the organization of a Department of Antiquities. In ten days this Department was created; shortly afterwards an Archaeological Advisory Board was constituted, and within a few weeks an Antiquities Ordinance was promulgated. (Garstang 1922, 57)

Scholars have accepted this presentation uncritically.<sup>3</sup> Dotan Halevy (2016; 2018, 93; 2021, 48) even suggested that the 1920 Law was based on former Ottoman laws. Naturally, every new law dialogues with former laws, but in the aftermath of World War I the winners were not inspired by the laws of their beaten enemies. The discourse of the 1920 Law with former Ottoman laws was all about replacement, not continuation. The 1920 Law was a new creation of the winners.

The 1920 Law was instrumental in shaping archaeology in British Mandate Palestine. Many of its stipulations were adopted in the later antiquities laws of Israel and Jordan, and remained valid for many years. Surprisingly, it was hardly studied until now, except for one detail: the definition of antiquities as objects that date prior to 1700 CE. Was this a necessary, even "objective" decision (Braun 1992, 32), or did it lead to the tragic neglect of late Ottoman remains (Lewis and Gibson 2016; Irving 2017, 105)? Or was it a malicious date, intentionally depriving objects of heritage status (Halevy 2018, 94)? For many of us today, it is a loaded, ethical issue: we feel that this date divides arbitrarily between similar things, which are all "heritage." We feel that the 1920 Law defines some heritage objects as worthy of protection and conservation and others as unworthy. But did such an ethic, and such a sentiment, exist in 1920?

In this paper, I study the complex origins of the 1920 Law on the basis of many as yet unpublished documents of the period from several archives in Israel and the United Kingdom.<sup>4</sup> The study leads to a new



<sup>&</sup>lt;sup>3</sup> Kersel 2010, 88; Halevy 2016; Lewis and Gibson 2016.

<sup>&</sup>lt;sup>4</sup> Documents published here for the first time are marked with an asterisk (\*). Yücel 2017 and Sigalas 2021 referred to three files (FO141/687, FO608/116, and FO608/276), but did not discuss the 1920 Law. I marked documents from these files as "newly published" only when, to the best of my understanding, they were not discussed by them.

understanding not only about the year 1700 CE for defining antiquities, but also about the nature of this law as a compromise between different opinions of the many agents (military men, politicians, archaeologists, historians, legal experts, etc.), who worked on it in various institutions in Egypt, Palestine, and Britain, and the international peace conferences held after World War I.

### The Foundations

The transition from Ottoman to British Palestine was complex, but for archaeology it was a sea change. This point should be acknowledged—without justifying colonial ideology.<sup>5</sup> During the war, Britain gave conflicting promises to the Arabs and to the Jews while planning to divide the Levant between itself and France. The underlying problems were evident by 1920, though the Mandate text was only approved in 1922 and peace with Turkey only ratified in 1923.<sup>6</sup>



Palestine suffered heavily in the war, when towns and tells were fortified and bitterly fought over, like Nebi Samuel and Gaza (Figs. 1–2).<sup>7</sup> Until July 1920, it was under the military rule of the British Army (commanded in the region by General Allenby) as the "Occupied Enemy Territory Administration, South" (OETA.S).

The first initiative of the new regime, concerning antiquities, was cleaning and repairing works in the Old City of Jerusalem by the

The Ottomans were colonials and Orientalists too; see Eldem 2010, 2017. I do not accept the suggestion to refer to the Mandate as the "Post-Ottoman" period (Halevy 2021). If we follow this suggestion, we might also refer to the 1950s in Israel as the "Post-Mandate" period, because there were many continuities in legislation, administration, etc. Yet, nobody doubts that 1948 marked a new period in Palestine. Worse, how would we object to calling the Ottoman period the "Pre-Mandate" period? Halevy's suggestion is part of a general trend, which seeks to blame the British for whatever they did, or did not do, in Palestine. Continuities exist between every two consecutive periods in human history, and names of periods must reflect their essence, not what was before or after them.

<sup>&</sup>lt;sup>6</sup> Lieshout 2016; MacArthur-Seal 2021.

<sup>&</sup>lt;sup>7</sup> Grainger 2006; Woodward 2006.





Figure 1: Turkish Trenches near Tell Abu Hureireh in the Negev (John D. Whiting, 00122u, Library of Congress)

Pro-Jerusalem Society, which was founded by Ronald Storrs, the Governor of Jerusalem.<sup>8</sup> Storrs also published on April 8, 1918, a notice forbidding changes to and the destruction of buildings in the Old City (Ashbee 1921, 77).

Garstang and others at the time mentioned that the birth of the 1920 Law involved many agents:

Some of the best brains, English, French, Italian, American are at work on this [...] The idea is to take the experience of Egypt based on French regulations, and the collective wisdom of European and American scholarship, and "go one better" for Palestine. (*The Time*, February 5, 1919)<sup>9</sup>

<sup>&</sup>lt;sup>8</sup> Ashbee 1921, 1924; Storrs 1937, 327; Jacobson 2011; Baram 2012; Mazza 2018, 403–6.

<sup>&</sup>lt;sup>9</sup> This article was reprinted in *Palestinian Exploration Quarterly* 51, no. 2 (1919): 82.

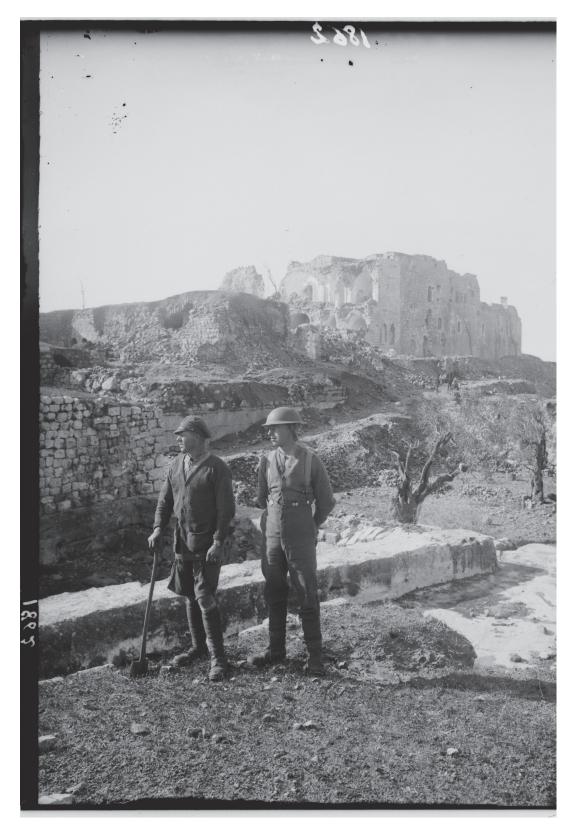




Figure 2: Nebi Samuel after the Bombardment (Eric Matson, matpc02237, Library of Congress)

The Antiquities Ordinance was based not only upon the collective advice of numerous specialists, both archaeological and legal, but embodied the results of experience in neighbouring countries, enabling us to modify, as occasion required, the provisions that have not worked satisfactorily elsewhere. (Garstang 1921, 147)<sup>10</sup>

Garstang (1921, 147; 1922, 58) praised two basic principles of the 1920 Law: (1) Palestine's monuments and antiquities belong to Palestine and its citizens; and (2) the "encouragement offered to scientific workers," namely, the "liberal provisions for division of finds" (cf. Albright 1922, 9). Excavators were given a "fair share," which they could export. However, the second principle contradicted the first, and this contradiction stemmed from the different interests of those who shaped the 1920 Law.



The first initiative came from Commander David Hogarth in Cairo in a "Note on Projects for Antiquity Laws in Occupied Territories." Hogarth warned that future governments should not exploit archaeological excavations. Doing so will make the excavators feel exploited and develop antagonism, which works against the government. Since excavations employ native labour and enrich the country, future antiquities laws should divide equally the costs of expropriating sites for excavations. The government should also pay half the costs of labour and reises. Governments should take a share of the finds in direct relation to their participation in the costs. 12

Just a few days later, General Arthur Money, Chief Administrator of OETA.S, issued a proclamation—No. 86—for the conservation of ancient monuments and the preservation of antiquities. It was the first

<sup>&</sup>lt;sup>10</sup> See also Garstang 1922, 58; Luke and Keith-Roach 1922, 74.

David G. Hogarth (1862–1927), Keeper of the Ashmolean Museum since 1909, served during the war in the Naval Intelligence Division and the Arab Bureau. From 1919 to 1925, he was President of the Royal Geographic Society.

<sup>&</sup>lt;sup>12</sup> \*TNA FO141/687/6, Hogarth, November 26, 1918. Hogarth knew that Allenby did not want to allow archaeological excavations until the Mandates were settled. Applicants were refused (e.g., \*ATQ170, Mackay to District Officer of Nazareth, February 9, 1920).

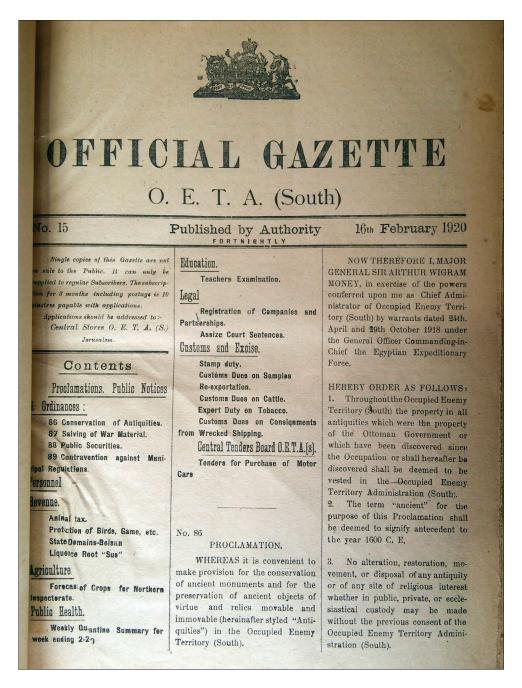


Figure 3: Proclamation 86 of OETA (South), *Palestine Gazette* 15 (February 16, 1920). Note the date 1600 CE.

British antiquities legislation for Palestine (Fig. 3).<sup>13</sup> Proclamation 86 defined "ancient" as antecedent to 1600 CE and vested all the antiquities in OETA.S (Art. 1–2). It forbade any alteration, disposal, or restoration of antiquities or sites of religious interest, unless by permission (Art. 3).

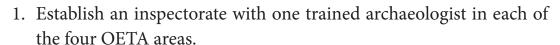


<sup>&</sup>lt;sup>13</sup> Proclamations 1920, 4, December 1, 1918; ISA M18/12; Ashbee 1921, 78–79.

Finders of antiquities had to report them within 30 days. The administration could buy the antiquities, "duly compensating" the finders, or let them keep the antiquities (Art. 4–5, 9). The proclamation forbade causing destruction or damage to ancient monuments and sites (Art. 6), and traffic in antiquities except under licence (Art. 7). Transgressors could face up to one year imprisonment and/or a fine of £500 (Art. 8). The proclamation replaced, so far as it applied, the former Ottoman law (Art. 10–11).

We do not know the origins of Proclamation 86. Various archaeologists wrote to OETA.S with suggestions, but mostly at a later date. Was Proclamation 86 motivated by Hogarth? Did he perhaps attach a draft of it (with his note of November 26, 1918) that did not survive?

In February 2019, Hogarth sent another letter, recommending immediate steps in a memorandum to Gilbert Clayton, the Chief Political Officer of OETA.S:



- 2. Guard sites and monuments by special police.
- 3. Begin a general survey and declare "public monuments" in order to protect them.
- 4. Consider the difficult issue of trade and dealers. Prohibiting the export of antiquities completely was impracticable. It is better to declare all antiquities (after definition) as government property. Antiquities that the government does not want can be sold to dealers. Dealers shall be registered and inspected, as in Italy and Greece.
- 5. Confiscate all the antiquities found, sold, or purchased in contravention of the law, but pay for duly declared discoveries which the government wishes to keep.
- 6. Establish guarded storehouses for antiquities; ultimately each OETA area will need a museum.
- 7. Since no law or police force can completely stop clandestine dealing and smuggling, the government should be fair and pay properly.<sup>15</sup>



<sup>&</sup>lt;sup>14</sup> TNA FO141/687/6, Garstang, April 1, 1919, 18; Ben Arieh 1999, 140, 149.

<sup>&</sup>lt;sup>15</sup> \*TNA FO141/687/6, February 11, 1919.

Was Hogarth unaware, in February 1919, of Proclamation 86 of December 1918, which already defined "antiquities"? He added a "Skeleton Proclamation or Law" with 11 articles, as if Proclamation 86 did not exist (Fig. 4) (App. 1). Some articles were similar to those of Proclamation 86:

- 1. Antiquities are property of the government.
- 2. Antiquities are "structures and products of human handiwork [...] which were in existence before the 17th (?) Century AD" (this implied before 1600 CE, with a question mark. But on the margins the words "end of the" were added in pencil, hence, 1700 CE).
- 5. Finders must declare new finds; the government can acquire them, or let the finders keep them.
- 6. The sale or export of antiquities without permission are prohibited.
- 10. Anyone who damages antiquities is liable to punishment.

The "new" articles were as follows:

- 3. The government could expropriate sites and antiquities, indemnifying the owners.
- 4. Archaeological excavations were prohibited, except under licence.
- 5. Rates of payment were stipulated for finders, and a complex mechanism was described in cases of disputes, in order to prevent finders from asking for exorbitant prices.
- 7–10. Acknowledging dealing, under licence and supervision, the government can buy/sell antiquities from/to dealers and also sell objects to the public through the (future) museum.



<sup>&</sup>lt;sup>16</sup> The proclamations of OETA.S were not issued strictly chronologically. There was, as yet, no official gazette for OETA.S (it appeared only in July 1919, and this proclamation was printed in Gazette 15 of February 16, 1920). However, the proclamation carries the date December 1, 1918, and we have no evidence to suggest that this date was pasted on a much later proclamation. On the legal system in Palestine in this period see Bentwich 1921.

3, of bumen handiwork, movable or immovable, which were in existence before the 17th (?) century A.D. and still remain, in whatever condition of repair. J. Notwithstanding the above, all antiquities which, prior to the issue of this proclamation, were in private possession, whether they be immovable structures etc. or portable objects, shall be considered private property. But the Covernment shall have the right to preemption of any such structures or objects as it desires to claim for public monuments or for exhibition in its public museums and of removing the same, if movable, indemnimuseums and of removing the same, if movable, indemnifying the owner for any damage done in process of removal. The rate of preemption shall be fixed by the Government. All excavation of ancient sites and all excavation undertaken with a view to the discovery of antiquities is hereby prohibited, except under license from the Government - Any antiquities found in contravention of this order become the absolute property of the Governi.e. found bona fide by accident after the issue of this Proclamation must be declared to the Government withindays. The Government Inspector shall examine such objects and assess their value. Of this value three quarters (or one half) shall revert to the finder or owner of the objects and one half) to the Government. While the Government has the right of pre-emption of such objects at three quarters (or one half?) of the assessed value, should it not wish to exercise this right, it shall receive in cash/the half) value of the objects so assessed. Should the finder or owner dispute the Government valuation and be unwilling to sell it on its basis, he can himself fix a price, but in this case the Government, if unwilling to purchase at the new value, shall be entitled to one half of that value payable in cash by the owner. No antiquities may be sold or exported without Covernment permission. Any person attempting unauthorised sale or export of such shall be liable to punishment and the antiquities shall be confiscated. No dealers in antiquities shall carry on business without a license from the Government. This license can be suppressed at any time and without any reason for such action being made public. All objects purchased by dealers shall be by them submitted to the Covernment which shall put into operation Clause 1 - 10 if the objects have not already been dealt with under these seas Clauses. Thereafter, such objects as remain in the hands of the dealers can be sold and exported

Figure 4: "Skeleton Proclamation or Law" by Hogarth (TNA FO141/687/6). "Before the 17th Century," meaning 1600, was fixed to "end of 17th century," that is, 1700



11. Government inspectors may inspect private collections and require remedy of instances of neglect.<sup>17</sup>

Following Hogarth, a second proclamation of ten articles was published by General Money on March 18, 1919. It forbade excavations without a licence (Art. 1), gave the administration the right to acquire and remove antiquities under compensation (Art. 2), and set due compensation when acquiring antiquities from finders (Art. 3). Government inspectors were given authority to check collections of private dealers and religious bodies (Art. 4–5). The selling and export of antiquities were forbidden, unless by licence (Art. 6), as was causing damages to antiquities (Art. 7). The licences of dealers could be revoked at any time (Art. 8). This second proclamation supplemented Proclamation 86 and was a direct response to Hogarth's recommendations.

Also following these recommendations, a commission of three archaeologists was established in February 1919 to survey ancient monuments in Syria-Palestine. Lieutenant (later Captain) Ernest J. H. Mackay, Raymond Weill, and Reginald Engelbach performed a partial survey in the Beirut area (in OETA West) and reported on it on February 28, 1919 (Griswold 2018, 126–27). Another result of Hogarth's recommendations was the forming of the Inspectorate of Antiquities. Hogarth exerted a strong influence in this period, but this was about to change with the forming of the Archaeological Joint Committee.



<sup>&</sup>lt;sup>17</sup> \*TNA FO141/687/6, Hogarth, February 11, 1919.

Reich 1995, 184; it did not appear in Proclamations 1920 and did not carry a number, but was mentioned by Garstang in \*TNA FO141/687/6, April 1, 1919, 18. Mackay (1880–1943) is known mainly for his later work in the Indus Valley. He worked with Matthew Flinders Petrie in Egypt and in World War I was a captain in the Medical and Camel Corps. He left Palestine due to disagreements with Clarence Fisher at Beisan (Possehl 2010). Raymond Weill (1874–1950) was a French Jewish Egyptologist who excavated in Jerusalem on behlf of Baron de Rothschild. Reginald Englebach (1888–1946) was an Egyptologist and engineer.

## The Archaeological Joint Committee

In December 1918, by the initiative of Lord Curzon at the Foreign Office, the Archaeological Joint Committee (AJC; also referred to as the Joint Archaeological Committee) was established by the British Academy.<sup>20</sup> At the time, the Middle East was divided between the War Office (the Hejaz), the Foreign Office (Palestine, Syria), and the India Office (Mesopotamia). In March 1921, the Middle East Department of the Colonial Office took over.<sup>21</sup> The AJC had 29 representatives from 16 UK institutions.<sup>22</sup> It was to advise about antiquities in areas conquered from Turkey and other matters like reorganizing the Egyptian Service of Antiquities.<sup>23</sup> The chair was the influential Sir Frederic Kenyon, President of the British Academy and Head of the British Museum.

Soon the AJC delivered a memorandum titled "The International Control of Antiquities Existing in Countries under Turkish Rule" in preparation for the Paris Peace Conference.<sup>24</sup> An economic bloom was expected and, hence, increased danger to antiquities. A "properly administered Law of Antiquities" for Turkey was a necessity.

The AJC found defects in current Turkish law: finders had to transfer the finds at their own expense to the nearest *konak* (official residence). Many destroyed the antiquities instead. The rigid prohibition of export led to smuggling. The AJC claimed that its proposal would solve this problem through "an equitable distribution" of finds.<sup>25</sup>

These defects were supposedly "magnified a thousand-fold" by an "inefficient and corrupt" administration. Turkey's defeat was an op-



<sup>&</sup>lt;sup>20</sup> Lord Curzon, Head of the British Foreign Office (1919–1924), was interested in antiquities (Bennett 1995, 101–21). He passed the 1904 Ancient Monuments Preservation Act in India, saved Tattershall Castle, and supported new laws to protect England's heritage.

<sup>&</sup>lt;sup>21</sup> McTague 1983, 38; Bennett 1995, 109.

<sup>&</sup>lt;sup>22</sup> Including the British Academy, the British Museum, the Royal Asiatic Society, and the Palestine Exploration Fund (full list in Hill 1920, 28).

<sup>&</sup>lt;sup>23</sup> \*TNA FO141/687, January 11, 1919; Kenyon 1920, 5; Gibson 1999, 128.

<sup>&</sup>lt;sup>24</sup> \*FO 141/687/6, January 11, 1919; accepted at the Egyptian High Commission on February 19, 1919.

<sup>&</sup>lt;sup>25</sup> \*TNA FO141/687/2, AJC memorandum, #2.

portunity to "remedy this deplorable state of affairs" by not allowing the Turks to handle antiquities! An International Commission for Antiquities would take charge<sup>26</sup> with overbearing powers to:

- 1. Revise the Turkish Law of Antiquities.
- 2. Issue permissions for excavation and exploration.
- 3. Nominate inspectors, surveyors, and (likely native) "caretakers".
- 4. Control the export of antiquities.
- 5. Purchase antiquities for Turkish museums or release them for sale abroad.
- 6. Supervise the division of finds between Turkish museums and excavators.
- 7. Administer local museums.

The International Commission for Antiquities would include representatives of countries active in Middle Eastern archaeology: France, Britain, Italy, Russia, the United States, and "eventually" Germany and Austria. Greece could "put a claim," and Belgium and Denmark earned a place through the work of distinguished individuals. As for Turkey, the AJC patronizingly stated: "The interests of her antiquities would probably be better served if she were represented either not at all, or by the delegates of other powers in rotation." Turkey could finance the International Commission for Antiquities, though, since Turkey's neglect was its cause and Turkey would benefit: illicit smuggling would be replaced by museums and "civilized travellers." <sup>28</sup>



<sup>&</sup>lt;sup>26</sup> An alternative was to let the United States serve as a trustee—an option considered then in general, not just for antiquities.

<sup>&</sup>lt;sup>27</sup> \*TNA FO141/687/6, January 11, 1919, #V–VI.

The AJC suggested also to divert, "naturally," the money given to the Imperial Ottoman Museum from seized antiquities and fines to the commission (ibid, #VII) and impose a tax on the export of antiquities. Accordingly, the Foreign Office drafted "archaeological desiderata" for a peace treaty with Turkey, but some voices warned that it went too far (\*TNA FO608/116/6, January 2 – February 3, 1919).

While lands such as Mesopotamia, Armenia, Syria, Palestine, and Macedonia must remain "in the hands of civilized powers," little was said about them at this stage. We see in this proposal the spirit of empire, which was grounded in Orientalism and colonialism. The Turks were made the opposites of science and civilization. The Ottoman Empire would be split between the winners. Native populations would live in "provinces" ruled by civilized powers, furnishing low-level "caretakers." In the area left for Turkey, the Turks would pay for the management of their antiquities by foreigners. Eventually, Germans and Austrians would join this commission of civilized nations—but not any "native" country. We also see how division and the trade in antiquities played a major role in this proposal. The AJC, representing British institutions, wanted to ensure the flow of antiquities to Britain.



In February 1919, the AJC presented a constitution for the proposed "International Commission for Antiquities." It would sit in Istanbul (preferably at the Imperial Museum), report to the League of Nations, and include three members. The expenses will be covered by the future areas concerned: a Neutral Zone (Istanbul/Bosporus), Turkey, and Armenia.<sup>30</sup>

The AJC next drafted a document titled "Main Principles for a Law of Antiquities" for Turkey, which all the future Mandates were to follow (App. 2).<sup>31</sup> The nine principles defined antiquities as human-made objects or constructions earlier than 1700 CE (Art. 1); promised rewards to those who report findings (Art. 2); forbade the sale and export of antiquities, except to the International Commission for Antiquities, while recognizing dealers, that is, legal trade in antiquities (Art. 3); stipulated that those who damage ancient sites would be liable to a penalty (Art. 4); forbade unauthorized digging in antiquities sites under penalty (Art. 5); and encouraged expropriation for excavations under "equitable terms" (Art. 6). Excavations would be made by persons of sufficient

<sup>&</sup>lt;sup>29</sup> \*TNA FO141/687/6, AJC memorandum, #VIII.

<sup>&</sup>lt;sup>30</sup> \*TNA FO608/2/3, Kenyon to Louis Mallet, Folios 141, 144–45. The Foreign Office doubted that such a commission would be possible (\*TNA FO608/2/3, Mallet to Kenyon, March 5, 1919).

<sup>&</sup>lt;sup>31</sup> \*TNA FO608/82/3, Folio 201, February 19, 1919.

archaeological experience, or representatives of learned societies (Art. 7). Finds from excavations would be divided between the excavators and the commission; excavators could export their portions (Art. 8). They would have to furnish scientific publications within "a reasonable period" (Art. 9).<sup>32</sup> Most of the articles (5–9) dealt with excavations by scholars, while Proclamation 86 said nothing about that. Hogarth's suggestion only forbade excavations, except under licence (Art. 4).

The AJC had the ear of Britain's politicians in London: its influence was increasing. However, another important player joined the field in March 1919: John Garstang, an archaeology professor at Liverpool University. Garstang was invited by Lord Curzon (Head of the Foreign Office) to advise on the antiquities of Palestine.<sup>33</sup> Garstang produced in April 1919 a scheme "for the control of Archaeology in Palestine," which was approved by Allenby.<sup>34</sup> It called for the "constitution of an official Department of Antiquities," setting the vision as well as the practical structure of the future DAP and Archaeological Advisory Council. Garstang stated that one of the first duties of the Advisory Council "will be to draft a Law of Antiquities." However, Garstang was not involved at this stage with the ongoing work on new legislation.



# The Plan of Captain Mackay

In May 1919, the chief administrators of OETA met in Haifa. Antiquities occupied a tiny portion of their discussions. It was agreed that a uniform procedure for antiquities should be applied in all the OETA areas.

<sup>&</sup>lt;sup>32</sup> \*TNA FO608/2/3, Kenyon to Louis Mallet, Folios 141, 144–45, February 19, 1919.

<sup>\*</sup>TNA FO141/687/6, General Money, April 1919, and Garstang, memorandum, April 4,1919; *The Palestine Post*, December 7, 1926; *Palestine Exploration Society* 52–53, 1920, 102. The school was established in 1919 with Frederic Kenyon as President and Garstang as Head (Ben Arieh 1999; Thornton 2015, 77; Yücel 2017). Note that Garstang was not asked to deal with legislation.

<sup>&</sup>lt;sup>34</sup> TNA FO141/687/6, 1.4.1919; and Clayton to Curzon, April 7, 1919.

<sup>&</sup>lt;sup>35</sup> TNA FO141/687/6, Garstang, April 4, 1919.

Proclamation 86 of OETA.S and the scheme devised by Garstang could serve as the model.<sup>36</sup>

Stemming from Hogarth's recommendations of February 1919, an "Inspectorate of Antiquities" was announced in August 1919.<sup>37</sup> Ernest Mackay, who was to be the "Custodian of Antiquities," became responsible for OETA.S and a portion of OETA East, including Damascus. He was responsible for collecting archaeological information for the Allied Powers and their future governments; preventing plundering and traffic in antiquities; and safeguarding monuments. He was forbidden from doing excavation or restoration. In December 1919, Mackay started a survey of monuments in Jerusalem and Hebron for several months, eventually handing in a 70-page report.<sup>38</sup> Most of the monuments were Islamic, and the excavators of the Mandate period would hardly pay attention to them.



Mackay wrote a plan titled "Proposals for Provisional Regulations of a Service of Antiquities." It was part of a larger document, and the first four pages are missing.<sup>39</sup> Mackay envisioned a "Service" attached to a Department of Public Education or Public Works with inspectors, site *ghaffirs*, and a central museum (Part I, Art. 1–3). The Service would carry out a survey of "historical" and "underground" monuments, register them, declare some as state property, and be responsible for their upkeep and excavation. Those damaging monuments shall be punished (Part II, Art. 4–12). The trade and export of antiquities would be forbidden, unless approved by means of a certificate. Trade was to cease, though individuals could still keep and inherit private collections, and buy objects from the state or from other collectors (Part C, Art. 13–18).

Detailed rules would apply to excavations (Part D, Art. 19–28) carried out by the Service itself, by a licensed foreign state, or by a qualified learned society or body. Finds from excavations would be divided

<sup>&</sup>lt;sup>36</sup> \*TNA FO141/783/2, May 12, 1919.

<sup>&</sup>lt;sup>37</sup> TNA FO608/2/3, Folios 240–242; OETA.S Gazette 5, September 16, 1919, 4.

<sup>&</sup>lt;sup>38</sup> \*ATQ1512; \*ATQ SRF78.

<sup>&</sup>lt;sup>39</sup> \*ATQ Box1/ATQ93. It was given to Father Louis Vincent (1872–1960) (the famous French Archaeologist of the École Biblique in Jerusalem) in December 1919; we do not know the date of writing.

equally, but the Director of the Service would choose what to retain. Excavators could export their share, but must submit seasonal reports and a published (final) report within two years. The Service would organize museums "in the most important centres" (Part E, Art. 29–30). Museums could acquire objects from the "frozen" stock of dealers, from the state, or as donations.

The plan shows that the practical measures for the creation of a "Service" (the French equivalent to "Department") could not be detached from the concomitant legislation of an antiquities law.<sup>40</sup> The stress on the protection of monuments and the carrying out of surveys fits Mackay's work, and the liberal use of Turkish terms (e.g., in Art. 5 and 11) reflects the transitional period of 1917–1920.

Garstang's scheme was coherent. But this can hardly be said about Mackay's plan. Its horizons were limited (perhaps it seems so because of the missing first pages). Garstang stressed the universal importance of the antiquities of Palestine, while Mackay did not lift his eyes beyond the chief administrators of the OETA. Mackay's definition of "antiquities" (Art. 13: "any object marked by human hands prior to 1500 AD") came after the term was already used. Article 17 was repetitive. Several terms were interchangeable ("historical monuments," "visible archaeological treasures," "ancient buildings"), and the separation of "historical" from "underground" monuments was arbitrary. Some stipulations were clumsy, like Article 30: museums could sell "duplicates," but since the profits would go to the Service, why should they bother? Registering and supervising stocks of dealers would be difficult, and "frozen" dealers, once turned into "collectors," could still sell objects to other collectors.

Mackay asked Father Vincent to read the plan. Vincent praised it, except for a few comments. "Monuments" should be better defined. For example, one can hardly be interested in public buildings, chapels, *madrassas* (schools), and so on of the last century or two. These,



<sup>&</sup>lt;sup>40</sup> The two go hand in hand in general, not just for the 1920 law. An antiquities law is necessary in order to give a legal basis to the work of an antiquities department. An antiquities department is necessary in order to see that the antiquities law is being implemented.

for Vincent, were not "serious archaeological remains". Communities should be warned (in Art. 10) that they would have to remove, at their expense, recent installations in cemeteries on important sites, in order to allow for excavations.<sup>41</sup> Mackay's plan was kept in the files and was likely known to Garstang, but had a limited impact on the 1920 Law.

### The Paris Peace Conference

In early 1919, the proposals of the AJC for the International Commission for Antiquities regarding an antiquities law for Turkey were presented by the British delegation at the Paris Peace Conference.<sup>42</sup>

An informal committee of Hogarth (Britain), William Buckler (United States), René Cagnat (France), and Roberto Paribeni (Italy)<sup>43</sup> discussed the proposed law, and issued eight principles based on the AJC's draft, with some innovative features.<sup>44</sup> Turkey and the Mandates



<sup>&</sup>lt;sup>41</sup> \*ATQ Box1/ATQ93, Father Vincent, January 3, 1920.

The conference (January 18, 1919 to January 21, 1920) included 32 nations, 52 commissions, and 1,646 sessions. However, the "Big Four" (Britain, France, Italy, and the United States) made the important decisions in informal meetings. Mathilde Sigalas (2021, 192–96) treats this period from an American perspective, but with mistaken statements. For example, that the British and French governments "started to draft the law in 1920"; that the DAP was "divided into two decision-making branches, the Director and the Archaeological Council"; and that the Advisory Board had a "committee" and a "president" (?). Sentences like "The whole supervision of the archaeology in Palestine relied on close collaboration between American, British and French diplomatic and archaeological organisations" (Sigalas 2021, 198) are incorrect.

William Hepburn Buckler (1867–1952) was a lawyer, classical archaeologist and diplomat, and member of the Sardis Expedition (Luke 2019, 41–77). Professor of the Collège du France and a member of the Académie des Inscriptions et Belles-Lettres, René Cagnat (1852–1937), was a classical historian specializing in Latin inscriptions and the history of North Africa. Professor Roberto Paribeni (1876–1956) was a museologist and archaeologist. He worked an inspector and museum director in Rome and Naples, and in the 1920s he was Italy's General Director of Antiquities and Fine Arts (Luke 2019, 62).

<sup>&</sup>lt;sup>44</sup> TNA FO608/82/3, Folio 174, April 14, 1919.

were supposed to enact their antiquities laws on the basis of these eight principles, which were approved almost verbally in 1920 (Butler and Bury 1958, 510–11). These principles passed to the Commission for the Mandates as "General Principles of a Model Law of Antiquities for the Near and Middle East" (reproduced in Hill 1920, 98–9), eventually becoming Article 421 of the 1920 Treaty of Sèvres (Sèvres 1920) (App. 3).

The eight principles defined antiquities as "any construction or any product of human activity earlier than the year 1700" (Art. 1). Finders of antiquities who reported them would be rewarded (Art. 2). Export was allowed under permit (Art. 3). Those who damaged antiquities would be liable to a penalty (Art. 4). Digging for antiquities was prohibited, except by authorized persons with archaeological experience. The authorities would not discriminate between excavators by nationality (Art. 5 and 7). Land of historical or archaeological interest could be expropriated under "equitable terms" (Art. 6). Finds from excavations would be divided according to a proportion set by the authorities (Art. 8). The most innovative, and quite idealistic feature, was provided in Article 2: "The law for the protection of antiquities shall proceed by encouragement rather than by threat."

The eight principles were based on the AJC's proposal, but Hogarth was present in Paris and participated in their drafting. Professor William Westermann of the American delegation proposed adding an American member to the International Commission for Antiquities. Otherwise, his proposal repeated the AJC's text, but he used the term "Department of Archaeology", which was also the term employed in the eight principles). Acting fast, the AJC drafted in April 1919 the "Law of Antiquities for Palestine," which took into consideration the eight principles. TNA FO608/2/3, Folios 177–83). With 50 articles, it was far more detailed than anything that had been suggested earlier. Here was the profound contribution of the AJC to the 1920 Law (Fig. 5).



<sup>&</sup>lt;sup>45</sup> \*TNA FO608/82/3, Folios 164-66, March 15, 1919.

<sup>&</sup>lt;sup>46</sup> William Linn Westermann (1873–1954) was Professor of Ancient History at the University of Wisconsin. He kept a diary in Paris, as did many of his fellow delegates (Cooper 2006).

<sup>&</sup>lt;sup>47</sup> \*TNA FO608/2/3, Folios 177-83.

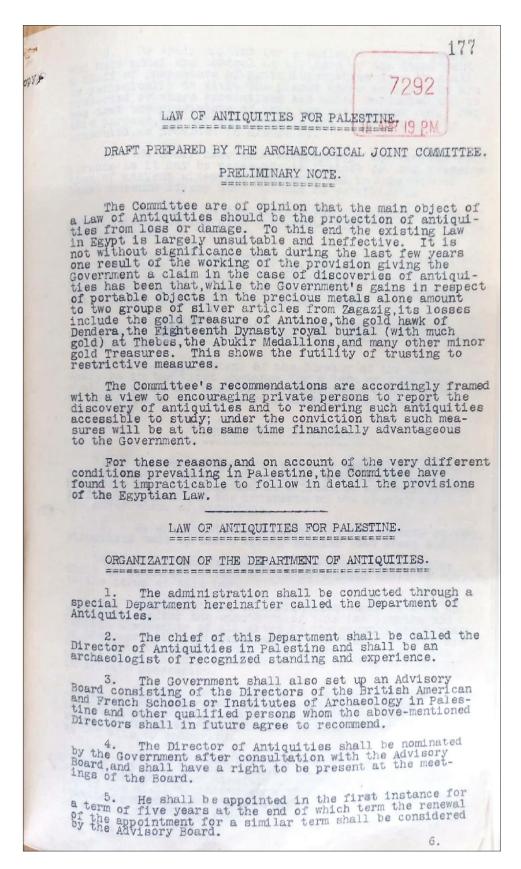
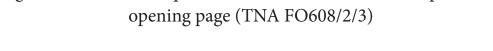


Figure 5: "Law of Antiquities for Palestine" of the AJC, April 1919, opening page (TNA FO608/2/3)



The first part of this draft (Art. 1–11), on the organization of the future "Department of Antiquities," envisioned a director (an archaeologist of "recognized standing and experience") and a head museum curator, with inspectors, conservators, and museum curators under them. The director would control the "National Museum of Antiquities in Jerusalem" with the help of an "Advisory Board."<sup>48</sup> Article 12 expressed a beautiful principle:

Subject to the provisions or exceptions enacted by the present Law, all antiquities on or in the soil in Palestine shall be regarded as a Trust to be administered by the Government, in the interest of the country and for the advancement of knowledge.

Antiquities were defined as "human-made objects or constructions earlier than about 1500 AD" (Art. 13). The Department of Antiquities would prepare a schedule of antiquities sites, except those on private property. If it wanted to preserve sites on private land, it must either reach an agreement with the landowners, expropriate the land for 1.5 times the market value, or remove the remains and indemnify the owner for any damage caused. Finders of antiquities were to report to the Department and be "suitably rewarded." Though antiquities would be "vested in the Government," finders could become owners (after Art. 16, 49). The value of antiquities would be assessed by the Department and in cases of disputes by an arbitrator from the Advisory Board.

The largest part of the proposed law concerned archaeological excavations (Art. 22–43). Authorization for excavation would be given to learned societies/institutions or individuals of proven competence with institutional guarantees. Excavators would have to hand in a full scientific report within two years of the excavation and a summary report "acceptable for publication" on each season within four months of the end of the season. Applicants must specify the exact excavation areas and show that they have enough labour for the planned work. The Department could expropriate private land for excavations. Excavators



These articles were modelled on the scheme that Garstang handed for the creation of a Department of Antiquities.

could receive permits for two sites at the same time (Art. 30).<sup>49</sup> They had to leave the areas "in satisfactory condition" at the end of the excavation. The draft recognized smaller excavations—"soundings"—from which the Department would keep all the finds (Art. 29). The proposed law called for a "fair" division of finds. The Department would choose the objects needed for the National Museum, but they could not amount to more than half the total value of the finds. The excavators could export their shares of the finds freely.

Five articles concerned trade in antiquities (Art. 44–48). Dealers had to acquire a licence or else be treated as finders. Licences were to be renewed annually and could be revoked by the director. Dealers had to report any object worth (in their estimation) £10 or more. Finally, two articles (49–50) set a low export tax (5 percent) on antiquities exceeding the value of £10, while cheaper finds and finds from licensed excavations would be exempt.

In the preamble, the AJC stated that the main aim of an Antiquities law was to protect antiquities. To this end, they stated, the existing Egyptian law was "largely unsuitable and ineffective." The AJC mourned its recently added provision, which gave the Egyptian government "a claim in the case of discoveries of antiquities." Claiming that conditions were different in Palestine, the AJC dismissed the usefulness of the Egyptian law for its purposes. Without going into details about the national awakening in Egypt,<sup>50</sup> we can see here the same tendency noticed earlier, when the AJC dismissed the Turkish law. The criticism was biased: the AJC wanted to ensure the flow of antiquities to Britain. They wanted to do this by giving the excavators half the finds (in value), exempting them from export tax, and setting a low tax only on expensive antiquities.

This proposal was sent to OETA.S, and revised within a short time (probably very slightly) by Garstang and two lieutenant colonels,



<sup>&</sup>lt;sup>49</sup> Excavators had to fulfil all the conditions, even if they excavated on their own private land (Art. 28). In that case, however, they could keep all the finds.

<sup>&</sup>lt;sup>50</sup> Goode 2007; Reid 2015; Doyon 2018.

Edward Gabriel and Crichton.<sup>51</sup> Still during the Paris Peace Conference, Garstang met the French delegate Alfred Coville (Director of Higher Education)<sup>52</sup> on January 8, 1920, and received from him a document on the issue of collaboration, which was approved (in March 1920) by the French authorities and by the AJC. It concerned archaeological and philological research in the former Ottoman countries in Asia, excluding Persia. It called for "an effective cooperation and coordination of research" between English, American, and French scholars. As an "absolute principle," all scholars would be treated equally in all the future Mandates. Each Mandate would establish a Department of Antiquities, which would be responsible for the control of excavations, the conservation of monuments, and the creation of museums. The departments should follow similar regulations, and each would be supervised by a "technical committee" of three members representing the main Allied Powers (Britain, France, and the United States).<sup>53</sup>



## **Drafting the Law in Palestine**

Unfortunately, our knowledge about this stage is limited: drafts are mentioned in the relevant documents, but are hardly included. An "Archaeological Commission" was appointed by OETA.S on April 27, 1920, and met on May 20, 1920.<sup>54</sup> It recommended forming a sub-

<sup>\*</sup>TNA FO141/687/6, Garstang, April 4, 1919, 17, 19; draft not attached. Sir Edmund Vivian Gabriel (1875–1950), soldier and art collector, descended from the Garibaldi family. He served in India and in Italy and in the Aegean Squadron in World War I. From 1918 to 1919, he was Assistant Administrator in OETA.S, but resigned because of his pro-Arab stance. In World War II, he was an attaché in the British Air Commission in Washington.

<sup>&</sup>lt;sup>52</sup> Alfred Coville (1860–1942) was a French historian and administrator. After teaching in several universities he served in the Government since 1912, and was Director of Higher Education in 1917–1927.

<sup>&</sup>lt;sup>53</sup> \*ISA M9/571, Dispatch 343, 9; \*TNA FO608/276/3, Folios 609–10. This remained a utopia – the future Mandates developed separate archaeologies, and no "technical committees" were ever established.

<sup>&</sup>lt;sup>54</sup> \*IAA Box1/ATQ93, minutes by Storrs.

commission for drafting the Antiquities Law comprising Garstang (President), Lieutenant Colonel Norman Bentwich (Legal Secretary),<sup>55</sup> Major E. Mills (Military Governor, Gaza), Captain Mackay (Convenor); Father Vincent, and Dr. William Albright.<sup>56</sup>

The subcommission met on June 30, 1920. Garstang reported on the visit of Joseph Chamonard, Adviser on Antiquities to the High Commissioner for Syria, aimed at "obtaining parallelism on the prospective Laws of Antiquities" for the two Mandates.<sup>57</sup> The subcommission agreed about division of finds: after excavation, the Director of Antiquities shall choose the objects needed for the "National Museum" and then make a "fair division" of the rest. The subcommission recognized dealing in antiquities under licence and recommended establishing a sale room in the "State Museum." Finders of antiquities must report to the state; the antiquities would be kept by them, or acquired by the state for a generous reward.<sup>58</sup>

Frederic M. Goadby (Drafter of Laws) was added to the next meeting of the subcommission on August 3, 1920.<sup>59</sup> Goadby presented a draft law, "to which various amendments" were made. Goadby next prepared a final draft of the "Ordinance relative to Antiquities of Palestine," which was discussed by the Archaeological Commission at its last meeting (August 13, 1920). Present were Colonel Storrs (President); Norman Bentwich, Fredric Goadby, Father Vincent, Dr. William Albright, Major Legge (Director of Education); John Garstang (Director of Antiquities), and William J. Johnson (Treasurer). Goadby read the draft clause by



Norman Bentwich (1883–1971) was a major in the Camel Transport Corps, Attorney General of Palestine from 1920 to 1931, and Professor of the Hebrew University from 1932 to 1951.

<sup>&</sup>lt;sup>56</sup> \*ATQ Box 1/ATQ93, minutes, May 20, 1920; Major Badcock to Garstang, June 19, 1920.

Joseph Chamonard (1866–1936) was a French archaeologist who excavated in Greece and in 1915 at Eski-Hissarlik (Gallipoli) with French troops. In 1920, he became the first Director of the Antiquities Service in Syria, but was soon replaced by Jean Charles Virolleaud (Griswold 2020, 152).

<sup>&</sup>lt;sup>58</sup> \*ATQ Box 1/ATQ93, minutes by Garstang, June 30, 1920.

<sup>&</sup>lt;sup>59</sup> \*ATQ Box 1/ATQ93, August 4, 1920; also in \*ISA M2/2.

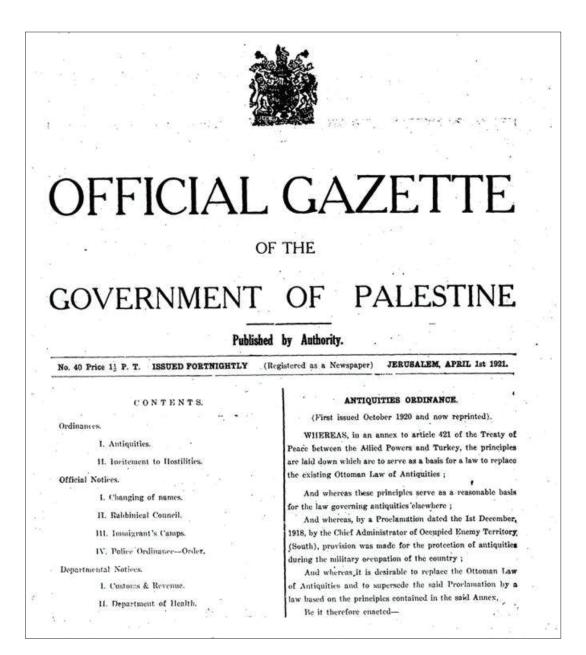


Figure 6: Antiquities Ordinance 1920, the Preamble (reprinted in the *Palestine Gazette* 40, 1921)

clause; certain amendments were made, and the amended draft was sent to the High Commissioner for approval.<sup>60</sup>



 $<sup>^{60}</sup>$  \*ATQ Box 1/93, Storrs, August 21, 1920. The text sent to the Foreign Office in August (in FO141/687/6) was equivalent to the law as published in the Gazette in October.

The Mandate over Palestine was approved on April 25, 1920, at the San Remo Conference. The eight principles of Paris—Sèvres Article 421—became, almost verbatim, Article 21 of the Mandate for Palestine.<sup>61</sup> Article 21 demanded the enactment of a Law of Antiquities within 12 months, but Palestine already had a law, which was enacted on October 15, 1920 (AO 1920) (Fig. 6).

# **Drafting a Published Law**

Surprisingly, publishing the 1920 Law was not considered a final act, though the publication had all the features of a law and declared itself as such in the preamble ("to replace the Ottoman Law of Antiquities […] by a law"; emphasis added). Discussions continued with the AJC about a law for Palestine, reflecting the same earlier tensions. I present them here in brief.<sup>62</sup>

In November 1920, Sir Kenyon sent the observations of the AJC—61 comments, five pages—about the "proposed ordinance" to the Foreign Office. The AJC was especially worried about the "severe provisions of clauses 10–13": honest finders should not be "deprived" of antiquities. Another major issue was Article 30, about the "unequal" division of finds from excavations. The AJC also wanted to allow excavators to be able to dig two sites simultaneously and to reduce the export tax from



<sup>61</sup> Hill 1920, 95-99; Mandate 1922; Bentwich and Goadby 1924, 252.

<sup>&</sup>lt;sup>62</sup> See also Ben Arieh (1999, 147–49). One should not confuse the Archaeological Commission that drafted the Antiquities Law until August 1920 with the Archaeological Advisory Board, which met for the first time on September 20, 1920.

 $<sup>^{\</sup>rm 63}$  \*ISA M1/570, Kenyon to Curzon, November 6, 1920.

<sup>&</sup>quot;It is obvious that no excavator will dig on the conditions here laid down," wrote the AJC; its minimum demand was a 50–50 division (\*ISA M1/570). AO 1920 was reprinted in the *Palestine Gazette* 40, April 1, 1921; no reason was given why (there was no change in the 1921 reprint concerning division or export). British laws of the period did not limit the export of antiquities from England, probably because the empire was accustomed to importing, not exporting, antiquities (Brodie 2002, 187–88).

10 to 2 percent (exempting objects worth less than £5). Hogarth also read the ordinance and made several comments. Herbert Samuel was instructed to carefully consider all the comments. Though, if Palestine were to choose to amend the existing ordinance, better wait until the entry into force of the Mandate, "so that the changes might then appear to have been inspired by the terms of the Mandate."

Minor points of difference were solved in a meeting held on February 18, 1921, and Garstang suggested other compromises.<sup>66</sup> The division of finds remained a bone of contention: the AJC demanded a larger share for excavators. Garstang said quite bluntly that the law should support scientific work, not "the filling of foreign museums." He suggested that the issue be resolved not in the text of the law, but by an "amicable" policy. He also argued that his amendments were required in order to fit the French and American views on the matter.<sup>67</sup>

The French views concerned Syria. Garstang met with the French and reported, as a success, that they were modifying their proposed law for Syria-Lebanon to conform to "the regulations laid down" for Palestine.<sup>68</sup> The French were divided too: Chamonard wished to keep, for several years, all the finds from excavations for local museums,<sup>69</sup> but the French High Commissioner objected and the current draft allowed export.<sup>70</sup> In another meeting in Paris on December 5, 1920, a compromise was reached about division. The Secretary of the British Commission in Paris (Hill) together with the French Commission and Garstang discussed, on March 18, 1921, the French and British



<sup>&</sup>lt;sup>65</sup> \*ISA M1/570, J. A. C. Tilley to Samuel, November 12, 1920.

<sup>66 \*</sup>ISA M9/571, Dispatch 343, Garstang to Samuel, September 19, 1921.

<sup>67 \*</sup>ISA M9/571, Dispatch 343, September 19, 1921.

<sup>&</sup>lt;sup>68</sup> \*ISA M9/571, Dispatch 108, August 24, 1920; Dispatch 296, August 24, 1921; \*TNA CO733/5/26.

<sup>69 \*</sup>ISA M9/571, Dispatch 343, September 19, 1921, 10.

<sup>&</sup>lt;sup>70</sup> \*ISA M9/571, Dispatch 343, September 19, 1921; Griswold 2020; see also \*TNA CO733/6/29. In July 1920, the law was still in draft form and Garstang sent excerpts of it to Chamonard, telling him about the AJC's demands and that he was looking out for the interests of the Palestine Museum.

"drafts."<sup>71</sup> The French pointed out that their draft fitted the formerly reached "entente," while the British draft for Palestine was much more generous about export. In reply, the British explained that the "drafts of the Palestine Law" that the French saw were only "preliminary and provisional notes, while "the final draft as now promulgated bore witness of material alteration." The French withdrew their objections, but expressed the wish that the British would modify their text in order to establish "parallelism between the two drafts."<sup>72</sup>

The Advisory Board decided about certain amendments to the published law.<sup>73</sup> On August 3, 1922, the Colonial Office (Churchill) ordered the Palestinian government to prepare a Law of Antiquities in accordance with the provisions of Article 21 of the Mandate text. A draft law, stressing encouragement rather than threat (with some other changes), agreed upon by the AJC and the Advisory Board, was sent to London.<sup>74</sup>

Yet, though "last" amendments were mentioned in 1924,<sup>75</sup> the 1920 Law remained valid until it was modified in 1929 (by AO 1929). It gave the necessary legal basis to the work of the DAP. Palestine was lucky—the Antiquities Law for French Syria was only passed in 1926.

#### **Conclusions**

The 1920 Law was created by diverse agents (archaeologists, historians, military administrators, museum managers, politicians, and legal experts) from several Western nations, working in Egypt, Palestine, Britain, and the international peace conferences held in the aftermath of World War I.



<sup>&</sup>lt;sup>71</sup> Reaching "complete agreement as regards the outstanding differences of principles in the Antiquities Ordinance of the two mandatory areas of Palestine and Syria" (\*ISA M23/4995, Garstang, April 1921).

<sup>&</sup>lt;sup>72</sup> \*ISA M9/571, Dispatch 343, September 19, 1921, 14.

<sup>&</sup>lt;sup>73</sup> \*ISA M9/571, Dispatch 311, September 3, 1921.

<sup>&</sup>lt;sup>74</sup> \*ISA M10/575, Dispatch 158, February 16, 1923; cf. \*ISA M2/2.

<sup>&</sup>lt;sup>75</sup> \*ATQ Box 3/ATQ741, Annual Report 1924.

Proclamation 86 of OETA.S defined the *terminus ante quem* of antiquities as 1600 CE, and so did Hogarth in February 1919 (fixed to 1700 CE in the margin). Earlier dates existed in the Cypriot 1905 Law (1571 CE; Hill 1920, 97) and in the Greek 1899 Law ("Medieval Hellenism," implying 1453 CE; Voudouri 2010, 552). In their "Law of Antiquities for Palestine," the AJC proposed 1500 CE, as did also Mackay in his plan. The date 1700 CE appeared in the AJC's principles of April 1919; it entered the "canonical" eight principles of Paris and Sèvres—and the 1920 Law of Palestine.

The date 1700 CE was a "liberal" option in comparison to 1500 or 1600 CE. It reflected consideration, not ignorance. No date is objective, but almost everyone at the time, including the Turks, British, Egyptians and Americans, did not consider objects and buildings from the eighteenth and nineteenth centuries as antiquities. For example, even at a much later date, Mahmud Ahmed, the Egyptian architect responsible for the repairs to the Al-Aqsa Mosque from 1938 to 1942, refused to protect Crusader remains. He believed that they were medieval, and there were hundreds of similar buildings in Cairo that were, in his opinion, worthless.<sup>76</sup>

The date 1700 CE had a British origin: it did not stem from foreign countries/colonies (this was first noticed by Halevy 2016).<sup>77</sup> The 1908 Royal Commission on the Historical Monuments of England defined its work as "from the earliest times to the year 1700." The period was extended in 1921 to the start of the Georgian period in 1714 (Sargent 2001, 59–60). At the time, this date separated worthwhile antiquity from a recent period that was unworthy of protection:

Prejudice against anything that was built after 1700 was all too typical at the time. Georgian Architecture was considered very ugly and not worth mentioning let alone preserving. (Ross 1995, 13)

When the "eight principles" were discussed on March 16, 1920, the French diplomat Philippe Berthelot took an exception, since "he re-



<sup>&</sup>lt;sup>76</sup> \*ATQ530, July 25, 1940.

<sup>&</sup>lt;sup>77</sup> On colonial jurisprudence as an influence on British law, see Likhovski 2020.

garded 18th century art in Turkey as particularly deserving of protection." However, this minority opinion was forcefully rejected:

Signor Scialoja questioned whether anything made in the 18th century merited the appellation antiquity" while "Lord Curzon said that, as the clauses dealt with antiquities, he would prefer '1600' rather than '1800'. The clauses did not deal with artistic merits, but he suggested that as the clause was the work of experts it might be better to accept it as it stood." (Butler and Bury 1958, 510)<sup>78</sup>

The date 1700 CE was not an intentional measure against Ottoman heritage. The same date was used in Britain at the time, causing the neglect of "late" British heritage! If the British wanted to disacknowledge Ottoman heritage, they would have employed the beginning of the Ottoman period (1516 CE) and not 1700 CE.<sup>79</sup> One must also mention that the 1920 Law allowed the special declaration and protection of some post-1700 CE remains as antiquities. Indeed, the Mandate authorities declared and restored the important late Ottoman walls of Acre.

After 1948, Israel "blue-copied" the Mandate (1929) Law, using the same year of 1700 CE.<sup>80</sup> Yet, the Israeli Department of Antiquities under Shemuel Yeivin started already in 1948 to prepare a new law. For various reasons, this work continued for many years, and the new Israeli law was only enacted in 1978. Until then, various ideas were promulgated.



<sup>&</sup>lt;sup>78</sup> Philippe Berthelot (1866–1934) was Secretary to the Ministry of Foreign Affairs. Vittorio Scialoja (1856–1933) was an Italian jurist and politician, senator, Minister of Justice, and in 1919–1920, Minister of Foreign Affairs. Any separation between "art" and "antiquities" is, of course, highly arbitrary.

An example of taking care of Ottoman heritage was the expensive, large-scale, and long-term conservation of the Jerusalem city walls from 1922 until 1947, except for a few difficult years during the Arab Revolt and World War II (\*ISA M4/4145;\*ISA M9/4145;\*ISA M10/4145;\*ATQ1933, etc.). Many Ottoman-period buildings and monuments were Muslim holy sites. The Mandate text stipulated that the Mandate government must not interfere with such sites, and hence it did not manage or finance their conservation and restoration. Yet, the DAP often cooperated in restoration projects of the Wakf authorities, usually helping with modest donations and expert advice.

<sup>&</sup>lt;sup>80</sup> For archaeology in Israel in this period, see Kletter 2006.

At first, Yeivin suggested setting the legal date to 1800 CE.<sup>81</sup> Soon after, a moving date (objects older than 150 years) was suggested.<sup>82</sup> At the time, it actually implied the same date of 1800 CE (1950 minus 150). In the 1960s, a moving date of 200 years was proposed.<sup>83</sup> By 1976, when the draft of the law reached discussion in Parliament before its enactment, the suggested date was 1800 CE, and behind it was the aim of including and protecting important Ottoman remains, such as the walls of Tiberias and Acre.<sup>84</sup> But the date finally chosen was 1700 CE.

Setting a terminus ante quem for defining "antiquities" is common to many antiquities laws. Without such a date, there is no clear criteria that set "antiquities" apart from other objects. Consider the case of the Ottoman Antiquities Law of 1884.85 It defined antiquities very loosely in paragraph 1 as remains left by ancient populations: coins, historical inscriptions, statues, tombs, decorative objects of clay, stone and other materials, weapons and tools, statuettes, rings with stone inlays, temples, circus buildings, theaters, palaces, aqueducts, bodies and objects found in tombs, burial mounds, mausoleums, and pillars. The Ottomans wanted to prevent the taking of antiquities to Western countries, but were not averse to taking them to Istanbul. Hence, the law forbade the export of antiquities found in the Ottoman Empire. A loose definition of antiquities without a date might give undue, arbitrary powers to authorities to force a sale, confiscate, or prevent the sale/export of private property. A moving date complicates matters by turning, on a daily basis, objects that are not antiquities into antiquities



For example, \*ISA GL44865/7, August 1948; cf. \*ISA G9/1755, ca. March 1949. The date 1800 CE, though not said explicitly, meant Napoleon's campaign in Egypt and Syria. It would shift from a date relevant to Britain to one relevant to Israel/Palestine.

<sup>&</sup>lt;sup>82</sup> \*ISA GL44865/7, draft, March 14, 1949 and July 4, 1950.

<sup>&</sup>lt;sup>83</sup> For example, \*GL44865/8, meeting of December 2, 1963.

<sup>&</sup>lt;sup>84</sup> Minister of Education and Culture A. Yadlin, Protocol of the 8th Knesset Meetings, third meeting, July 26, 1976.

<sup>&</sup>lt;sup>85</sup> Young 1906, 389–94; Ben Arieh 2000, 280–82. It was the third Ottoman law concerning antiquities. The first was issued in 1869, and the second in 1974 (Stanley-Price 2001).

(it has benefits, but is a modification and not a solution that avoids the setting of a legal date).

The 1978 Antiquities Law of the State of Israel adopted the date 1700 CE, which was useful for not preserving certain "late" remains (Kletter and Sulimani 2016). Accordingly, "late" remains were often underrepresented in archaeological museums in Israel.<sup>86</sup> However, the same date, and later 1750 CE, was also accepted by Jordan and the Palestinian Authority. Appreciation of "late" remains came slowly, thanks to the invention and development of historical archaeology.<sup>87</sup>

The 1920 Law was a colonial creation of the winning allies, which took care of the interests of Western archaeologists and institutions. However, it also reflected a genuine intention to improve the treatment of antiquities in Palestine for the benefit of its inhabitants. This was reflected in the compromises about the division of finds and export. The Mandate regime was a colonial regime, but it should not be grasped as a monolithic entity. Concerning archaeology, the Mandate period set a new era. The British antiquities legislation of this period improved significantly the documentation and protection of ancient sites and finds. Its success is evident from its long influence, for many years after 1948, on Israel, Jordan, and the Palestinian Authority.

Studies of the 1920 Law should pay attention to its complex origins, discussed here for the first time. They can cover many issues beyond the chosen legal date for defining antiquities, including development, policies toward legal and illegal excavations, relations to other laws, and implementation (I touched here on the division, trade, and export of antiquities). It seems that such studies are merely starting.



<sup>86</sup> Kletter 2015, 175; 2017, 95–96; Sulimani and Kletter 2022, 62–64.

Palestinian archaeology is, in some aspects, a mirror image of Israeli archaeology. To remedy the matter of 1700 CE, after many years the 2018 Palestinian Heritage Law sets a date of 1905 CE for antiquities. Yet, "on the ground," due to economic hardships and rushed development, many remains are damaged or destroyed, including late Ottoman remains. In Israel, post-1700 CE sites are being treated by the Council for Preservation of Heritage Sites. However, this is not supervised by the state's archaeological authority, and most of the sites selected for treatment reflect one-sided heritage (Kletter and Kolska Horwitz, Forthcoming).

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#### **Archival Sources**

- ATQ Israel Antiquities Authority Archive, Jerusalem.
- CO Colonial Office, The National Archive, Kew, London.
- FO Foreign Office, The National Archive, Kew, London.
- ISA Israel State Archive, Jerusalem.
- SRF Israel Antiquities Authority Mandatory Archive, Jerusalem.
- TNA The National Archive, Kew, London.



### Appendix 1: "Skeleton Proclamation or Law"

D.G. Hogarth (TNA FO141/678/6, 11.2.2019)

- 1. All antiquities are property of the Government.
- 2. Antiquities are all structures and products of human handiwork, movable or immovable, which were in existence before the 17th (?) Century A.D. [=before 1600; in handwriting, on the margins, "end of the", implying 1700] and still remain, in whatever condition of repair.
- 3. Notwithstanding the above, all antiquities which, prior to the issue of this proclamation, were in private possession, whether they be immovable structures etc. or portable objects, shall have the right to pre-emption of any such structures or objects as it desires to claim for public monuments or for exhibition in its public museums and of removing the same, if movable, indemnifying the owner for any damage done in the process of removal. The rate of pre-emption shall be fixed by the Government.
- 4. All excavations of ancient sites and all excavation undertaken with a view to the discovery of antiquities are hereby prohibited, except under license from the Government. Any antiquities found in contravention of this order become the absolute property of the Government.
- 5. All antiquities of the nature of "Treasure Trove", i.e., found "bona fide" by accident after the issue of this Proclamation must be declared to the Government within \_\_\_\_\_ days. The Government Inspector shall examine such objects and assess their value. Of this value three quarters (or one half?) shall revert to the finder or owner of the objects and one [added: quarter or] half to the Government. While the Government has the right of pre-emption of such objects at three quarters (or one half?) of the assessed value, should it not wish to exercise this right, it shall receive in cash the [added: quarter or] half of the objects so assessed. Should the finder or owner dispute the Government valuation and be unwilling to sell it on its basis, he can himself fix a price, but in this case



- the Government, if unwilling to purchase at the new value, shall be entitled to one half of that value payable in cash by the owner.
- 6. No antiquities may be sold or exported without Government permission. Any person attempting unauthorised sale or export of such shall be liable to punishment and the antiquities shall be confiscated.
- 7. No dealers in antiquities shall carry on business without a license from the Government. This license can be suppressed at any time and without any reason for such action being made public.
- 8. All objects purchased by dealers shall be by them submitted to the Government which shall put into operation Clause 9 and 10 [deleted, instead: 5] if the objects have not already been dealt with under these Clauses [fixed to: this clause]. Thereafter, such objects as remain in the hands of the dealers can be sold and exported.
- 9. The Government Inspectors have the right to examine at any time the stock-in-trade of any dealer in antiquities; the withholding from inspection of any objects in stock shall entail upon the holder the loss of his license. Antiquities acquired by the Government under Clause 5, and not required for the national collections, shall first be offered to the licensed dealers for sale by auction, a reserve price being put upon them. Should this price not be received, the objects shall be disposed of through the Museum Sale Room. Objects thus sold to dealers shall be exempt from any duty or liability, and are free of export [tax].
- 10. Damage done to any antiquity, whether movable or immovable, which comes under the definition in Clause 1, renders the agent liable to punishment.
  - (N.B. The legal experts must draft this; This should be made to apply equally to antiquities in private hands – see Clause 3.)
- 11. The Inspector shall have the right at his discretion to visit any antiquity in private possession if he has reason to think it is not being properly safeguarded or kept in repair, and to call on the owner, under penalties, to take the necessary measures to remedy his neglect.



## Appendix 2: "Main Principles for a Law of Antiquities"

The Archaeological Joint Committee (TNA FO608/82/3, 19.2.2019)

- 1. "Antiquity" shall mean any object or construction made by human agency earlier than about A.D. 1700.
- 2. Any person who having discovered an antiquity reports the same to the nearest officer of the Commission shall be suitably rewarded;
- 3. No antiquity may be sold within the country except to the agents of the Commission, or to persons holding licences under the Commission; nor shall any antiquity be exported from the country except by persons holding certificates to export.
- 4. Any person who negligently or maliciously destroys, defaces or in any way damages any ancient monument or any site which is known or which he has reason to believe to contain antiquities, shall be liable to a penalty.
- 5. No clearing of ground or digging on a site known or believed to contain antiquities, whether with the object of finding antiquities or not, shall be allowed except to persons authorized by the Commission, under penalty.
- 6. Equitable terms for expropriation, temporary or permanent, shall be fixed, guarding against fictive or merely colourable claims of ownership.
- 7. Authorization to dig for antiquities shall only be granted to persons whom the Commission considers to be of sufficient Archaeological experience or to representatives of some learned society or institution.
- 8. The proceeds of excavations shall be divided in a proportion (to be fixed hereafter) between the excavators and the Commission. The former shall receive for his portion a certificate and licence for export of his portion.
- 9. The individual, society or institution responsible for the excavators shall be pledged to produce within a reasonable period a scientific publication of the results, under penalty of non-renewal of the authorization to excavate.



## Appendix 3: "General Principles of a Model Law of Antiquities for the Near and Middle East"

Treaty of Sèvres, 1920, Article 421

Note: "Turkish Government/Department" replaced by "Mandate Government/Department", to fit a discussion focused on Palestine.

- 1. "Antiquity" means any construction or any product of human activity earlier than the year 1700.
- 2. The law for the protection of antiquities shall proceed by encouragement rather than by threat. Any person who, having discovered an antiquity without being furnished with the authorisation referred to in paragraph 5, reports the same to an official of the competent Mandate Department, shall be rewarded according to the value of the discovery.
- 3. No antiquity may be disposed of except to the competent Mandate Department, unless this Department renounces the acquisition of any such antiquity.

  No antiquity may leave the country without an export licence from
  - No antiquity may leave the country without an export licence from the said Department.
- 4. Any person who maliciously or negligently destroys or damages an antiquity shall be liable to a penalty to be fixed.
- 5. No clearing of ground or digging with the object of finding antiquities shall be permitted, under penalty of fine, except to persons authorised by the competent Mandate Department.
- 6. Equitable terms shall be fixed for expropriation, temporary or permanent, of lands which might be of historical or archaeological interest.
- 7. Authorisation to excavate shall only be granted to persons who show sufficient guarantees of archaeological experience. The Mandate Government shall not, in granting these authorisations, act in such a way as to eliminate scholars of any nation without good grounds.



8. The proceeds of excavations may be divided between the excavator and the competent Mandate Department in a proportion fixed by that Department. If division seems impossible for scientific reasons, the excavator shall receive a fair indemnity in lieu of a part of the find" (cf. Hill 1920:98–9; Bentwich and Goadby 1924:251–2).





# WHAT IS BEAUTIFUL IS GOOD? EXAMINING THE SIGNIFICANCE OF SARAH'S BEAUTY IN GENESIS APOCRYPHON 20:2-9

#### Hanna Tervanotko

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#### **Abstract**

The description of Sarah in *Genesis* Apocryphon 20:2–9 may be the only narrative containing a woman's physiognomic description that has been preserved in ancient Jewish texts. First, by reading the references in light of physiognomics, which assumes that physical aesthetics reflect inner qualities, I analyze the beauty preferences expressed in this text. I make use of physiognomic descriptions in ancient Near Eastern and Greek texts to uncover what the aesthetic preferences may have indicated in antiquity. Second, whereas others have proposed that the physiognomic examination concerns Sarah as a spouse, I argue that the description of Sarah's appearance does not concern her relationship with Abraham. Rather, the passage speaks of Sarah's own qualities, which the Egyptians are able to recognize thanks to their physiognomic examination; they examine Sarah as a possible spouse for the king and find her suitable. Also, based on Sarah's looks, the Egyptians conclude that she possesses wisdom.



La description de Sarah dans l'Apocryphe de la Genèse 20:2–9 est peut-être le seul texte juif de l'antiquité qui illustre la physionomie d'une femme. En lisant cette description à la lumière des études physionomiques, qui supposent que l'esthétique physique reflète les qualités intérieures, j'analyse les préférences de beauté exprimées dans le texte. Dans mon analyse, j'utilise des descriptions physionomiques issues de textes anciens du Proche-Orient et de la Grèce pour explorer ce que les préférences esthétiques auraient pu indiquer dans l'antiquité. Deuxièmement, alors que d'autres ont proposé que l'examen physionomique concerne Sarah comme épouse, je propose que la description de Sarah ne concerne pas sa relation avec Abraham. Le passage parle plutôt des qualités propres de Sarah, que les Égyptiens sont capables de reconnaître grâce à leur examen physionomique. Ils examinent Sarah comme une épouse possible pour le roi la trouvant convenable. De plus, sur la base de l'apparence de Sarah, ils concluent qu'elle possède la sagesse.



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# WHAT IS BEAUTIFUL IS GOOD? EXAMINING THE SIGNIFICANCE OF SARAH'S BEAUTY IN GENESIS APOCRYPHON 20:2-91

#### Hanna Tervanotko



#### Introduction

This article focuses on Sarah's portrayal in Genesis Apocryphon 20:2–9, a composition found among the Dead Sea Scrolls. I analyze the description of Sarah's beauty in light of physiognomics, a practice that assumes that physical aesthetics reflect inner qualities. Whereas scholars have previously suggested that Sarah's description reflects the author's physi-

<sup>&</sup>lt;sup>1</sup> I have worked on this article for many years, and several people helped me to develop my ideas. I want to thank Francis Borchardt, Helen Dixon, Katharine Fitzgerald, Rob Jones, and Elisa Uusimäki for their help. I also discussed the article's theme with the Helsinki-McMaster research seminar in Winter 2021 and at the SBL annual meeting in 2022, where I benefitted from the feedback of the other speakers, Anne Katrine de Hemmer Gudme and Atar Livneh and the participants of the session. Irene Quach-Soquier polished my French. Thank you also to the anonymous reviewers for their helpful suggestions.

ognomic awareness (Popović 2007, 286–87), the text's correlations with physiognomic practices have not been examined in detail. Further, by making use of the physiognomic descriptions in ancient Near Eastern and Greek texts, my goal is to uncover what the aesthetic preferences expressed in the Genesis Apocryphon may have indicated in antiquity.

Physiognomia (Gr. φυσιογνωμία) was a method of ancient science known throughout the Near East and the Eastern Mediterranean. This technique of divination, which observes people, their physical appearance, and their behavior, was used to judge a person's qualities and intentions. According to the physiognomic examinations preserved in ancient texts, an examiner would carefully analyze an individual's entire body, moving from the head to the toes. Through this analysis, the examiner would also discover "hidden" information about his or her inner life. Scholars have proposed that Mesopotamian and Greco-Roman physiognomic texts differed in the types of hidden information revealed through such examinations. For example, Mesopotamian physiognomic texts are more concerned with predictions for the future, whereas Greco-Roman physiognomic texts focus more on the nature of the individual—that is, revealing the individual's inner life.<sup>2</sup>

Scholars have argued that people turned to physiognomics in different circumstances. It is possible that physiognomic practitioners were consulted to gain information on matters regarding individuals' private lives, such as health, wealth, and happiness in antiquity (see below). Moreover, physiognomic examinations could also have had a political function. For instance, these types of examinations may have been used to control people's entry into different restricted spaces. Ulla Koch (2015, 283) has proposed that physiognomics was exercised in the Mesopotamian courts in an effort to help kings find trustworthy people. Jews of the Greco-Roman era were also familiar with this method. The



<sup>&</sup>lt;sup>2</sup> In Greco-Roman contexts, this technique "promises that it examines and perceives the quality of the mind from the quality of the body" (Swain 2007, 556–57). See Barton 1994, 100; Chandezon, Dasen, and Wilgaux 2014, 302. Aristotle established physiognomy as a science in Greek classical literature by explaining how different body parts and their sizes, shapes, and marks corresponded with various moral characteristics. See Cohen 1981, 42.

Dead Sea Scrolls contain texts in which physiognomic examinations are referenced.<sup>3</sup> Mladen Popović (2007, 237–39) has suggested that these texts attest to physiognomic examinations of individuals who wanted to enter the Qumran community.<sup>4</sup>

Sarah's description in Genesis Apocryphon 20:2-9, which analyzes her beauty from head to foot, I argue, aligns with the style of a physiognomic description, even though there are some differences between this and other physiognomic descriptions.<sup>5</sup> The connection between Sarah's description and physiognomics has been observed by a number of scholars. For example, Popović (2007, 286–77; see also Cohen 1981) has argued that the text demonstrates "physiognomic awareness," meaning that the writer of this passage would have been somewhat familiar with the technique of ancient physiognomics (e.g., its method of examining the body from the head to the toes). Popović concludes that, although the author may have had physiognomics in mind while composing the passage, the passage is not a physiognomic description of Sarah. Sarah's description in the Genesis Apocryphon differs from the other Jewish physiognomic texts preserved in the Dead Sea Scrolls, because the examination does not lead to an explicit divinatory prediction concerning Sarah's future.6 While I agree with this starting point, I argue that the Egyptian officials appear to discern Sarah's inner qualities, especially her wisdom (1Q20 20:7) from her physical appearance.



<sup>&</sup>lt;sup>3</sup> In ancient Jewish literature, this style most explicitly appears in 4QZodiacal Physiognomy (4Q186) and 4QPhysiognomy<sup>ar</sup> (4Q561). Popović 2007 is the most comprehensive study on physiognomics in ancient Jewish texts. See also, e.g., Scholem 1969; Schäfer 1988; Alexander 1996; Schmidt 1997; Catastini 2010.

<sup>&</sup>lt;sup>4</sup> Note that the nature and function of this community are debated. For a recent discussion, see, e.g., Schofield 2008.

<sup>&</sup>lt;sup>5</sup> Fitzmyer 2004, 193–97; Falk 2007, 80–100. For a summary of previous research, see Atar Livneh 2020a. Scholars have highlighted the tradition of ancient Jewish interpreters who used the name "Sarah" (e.g., Kugel 1997, 133). In this paper, I follow that practice. I will use "Sarai" only when citing the biblical text or other scholars.

<sup>&</sup>lt;sup>6</sup> An example of such a prediction is found, e.g., in 4Q186, which provides a forecast for the individual's future at the end of its descriptions, such as "he will be poor" (עני יהיה; 4Q186 1 2:9).

Thus, in my view, the text's connection with physiognomic practices is stronger than has been previously believed.

Several scholars have previously paid attention to Sarah's beauty in this passage. For instance, its affinities with ancient Near Eastern poetry, which celebrates beauty from head to toe, have been highlighted. While Sarah's description aligns with that poetic discourse, it lacks several features typically found in ancient love poetry. Furthermore, the celebration of Sarah's wisdom is atypical for that style.<sup>7</sup> The text's affinities with Hellenistic literature have also been an avenue of examination. Shaye Cohen (1981) has compared the description of Sarah to Philodemus's praise of Flora's beauty, and situates both passages in the context of Hellenistic writers' interest in the human body. Building on Cohen's work, Atar Livneh (2020a) further highlights the passage's Hellenistic interests and details how the author of Genesis Apocryphon 20:2-9 seems to have been aware of the descriptive conventions of femininity and feminine beauty espoused by Greco-Roman literature. The author of the Genesis Apocryphon also utilizes the style of classical Greek rhetoric in the form of exclamations when referring to Sarah's body parts. Thus, Livneh argues that the author consciously portrayed Sarah with Greco-Roman aesthetic conventions in mind.8

Meanwhile, numerous scholars have also highlighted the other qualities possessed by Sarah as she is described in the Genesis Apocryphon. For example, Anthony Lipscomb (2019) has argued that Sarah's description is inspired by the portrayal of the figure of Lady Wisdom in ancient Jewish texts, concluding that its author was in dialogue with the broader corpus of wisdom literature. Moreover, Jacqueline Vayntrub (2020) discusses detailed and systematic descriptions of female fig-



<sup>&</sup>lt;sup>7</sup> Goshen-Gottstein 1959; Nickelsburg 1996. Meanwhile, various compositions in the Song of Songs follow this style by comparing various body parts to, e.g., an animal, tree, flower, and fruit. See Song 4:1–7; 5:10–16; 6:4–7; 7:2–8.

<sup>&</sup>lt;sup>8</sup> Livneh 2020a argues especially Sarah's hair, fingers, and breasts are portrayed in accordance with the prevalent beauty conventions in the author's own world. I will engage with Livneh's observations in more detail below.

<sup>&</sup>lt;sup>9</sup> I will address this study in more detail below when discussing Sarah's wisdom in the Genesis Apocryphon.

ures, calling them "totalizing descriptions." Comparing Proverbs 31 to the description of Sarah in the Genesis Apocryphon, Vayntrub points out that both texts reflect an interest in bodily perfection. However, whereas the author of the Genesis Apocryphon does not, according to Vayntrub, explain the connection between wisdom and beauty, the author of Proverbs 31 rejects aesthetic beauty in favor of deeds and acquired wisdom.

In sum, scholars have demonstrated that the description of Sarah in Genesis Apocryphon aligns with numerous Hellenistic concepts, but the actual description of Sarah's beauty as a physiognomic examination has not been sufficiently addressed. In particular, despite the conclusion that the author of the Genesis Apocryphon was aware of physiognomics, the connection between Sarah's beauty and her inner life, including her wisdom, has remained unaddressed in detail. The question remains, how do aspects of Sarah's visible beauty correlate with her inner character?

In this article, I first analyze how Sarah's beauty in this text reflects ideal characteristics and capabilities attributed to her in the Genesis Apocryphon. Although some scholars are not sure about the purpose of this portrayal, similar to Popović I argue that it reflects a physiognomic description that connects traits of her beauty with her other qualities. Therefore, while analyzing how Sarah's aesthetic traits may refer to her qualities and skills, I make use of ancient Mesopotamian and Greek texts that preserve references to women's physical appearances.<sup>10</sup> Although there was no universal concept of beauty in antiquity and individuals surely had their own preferences, the purpose of this comparative analysis is to offer some clues of what kind of qualities Sarah's beauty could have symbolized when analyzed through the lens of physiognomy. This analysis has a particular importance because the Genesis Apocryphon is the only known Jewish composition of the Greco-Roman era that narrates a woman's physiognomic examination. Its portrayal of Sarah's beauty in this way demonstrates that Jews were aware of women's physiognomic examinations.



<sup>&</sup>lt;sup>10</sup> See, e.g., Barton 1994, 115–18; Swain 2007, 646–47; Chandezon, Dasen, and Wilgaux 2014, 297–313; Koch 2015, 283.

## "Yet, with all This Comeliness, She Possesses Great Wisdom" (1Q20 20:7): Sarah's Aesthetics in Light of Physiognomics

The Genesis Apocryphon is an Aramaic text found among the Dead Sea Scrolls that was composed during the third to the first century BCE (see Machiela and VanderKam 2018). Genesis Apocryphon 20:2–14 contains an expansion of Genesis 12:15—"When the officials of Pharaoh saw her, they praised her to Pharaoh"—where the Egyptian officials see Sarah for the first time and praise her beauty to the king.<sup>11</sup> In this context, the author of Genesis Apocryphon elaborates Sarah's beauty, and has the three councilors discuss her looks in much more detail:



- 2 How splen[did] and beautiful is the aspect of her face, and how [...]
- 3 [And] h[ow] supple is the hair of her head. How lovely are her eyes; how pleasant her nose and all the radiance of
- 4 her face [...] How shapely is her breast, how gorgeous all her fairness! Her arms, how comely! Her hands,
- 5 how perfect—how [lovely] is every aspect of her hands! How exquisite are her palms, how long and delicate all her fingers! Her feet,
- 6 how attractive! How perfect are her thighs! Neither virgins nor brides entering the bridal chamber exceed her charms. Over all
- 7 women is her beauty supreme, her loveliness far above them all. Yet with all this comeliness, she possesses great wisdom, and all that she has
- 8 is beautiful. (1Q20 20:2-8)<sup>12</sup>

The officials' account of Sarah is effective. After hearing them describe Sarah, the king desires Sarah and has her brought to him immediately.

<sup>11</sup> Following the Genesis Apocryphon terminology, I refer to "the king" throughout this article. Note that Genesis 12 refers to "Pharaoh" (פרעה). In addition, in this paper I analyze the Genesis Apocryphon independently from its connections to Genesis. For the relationship between the two documents, see, e.g., Machiela 2009.

12 Translation by J. T. Milik in Accordance 12. All translations follow the Qumran Non-Biblical Manuscripts translation of Accordance 12 unless otherwise indicated.

When the king sees Sarah, he is amazed at her beauty and takes her as his wife. By analyzing the officials' portrayal of Sarah's beauty in light of ancient physiognomics, where physical appearance can indicate various personal abilities, my goal is to uncover what kind of qualities the description may suggest. I will now make use of some cultural generalizations in order to offer some ideas about the significance of this literary portrayal of Sarah's beauty.

#### Hair

The portrayal begins with a description of Sarah's head and hair in lines 2–3. This aligns with the physiognomic text of 4Q186 1:4–6, where the author begins the description of the individual paying attention to the shape of the head and includes details of his hair and eyes. 13 Concerning Sarah in the Genesis Apocryphon, the audience learns that her face is splendid and beautiful (ושפיד לה צלם אפיהא), and that her hair is supple. First of all, inasmuch as the viewers are able to see Sarah's hair, she does not appear to cover her hair. Whereas there is no certainty about how often women covered their head, Atar Livneh (2020b: 461) argues that "the way hair is arranged and covered is also related to the control of female sexuality."14 Uncontrolled female figures, for example demons, are depicted with disheveled hair (TSol 13:1). In contrast to such wild and messy haired women, women whose hair is cut and/or shaped in ritualistic contexts are portrayed as being calm and in control as a result of such actions. And the opposite is also true: a priest dishevels a woman's hair as a part of a ritual, which determines her guiltiness for unfaithfulness in Numbers 5:18, and Deuteronomy 21:12 stipulates that the hair of a beautiful captive woman (אשת יפת תאר) has to be cut. In both contexts, cutting the woman's hair signifies a change in her status (Livneh 2020b).

From ancient images of women, it seems that long hair was preferred on women. Woman's hair is referred to as "a flock of goats, moving



<sup>&</sup>lt;sup>13</sup> For 4Q186, see note 3.

<sup>&</sup>lt;sup>14</sup> See also Myerowitz Levine 1995. Some texts, such as Isa 3:17, refer to uncovering as a punishment and as an act of humiliation. There is no command that women should cover their hair in the Hebrew Bible. See Bonner 1993.

down the slopes of Gilead" (Song 4:1). As the author appears to describe the movement of the hair, it is probable that the hair was assumed to be long. Further, Job's wife sells her hair to Satan for bread (T. Job 23:1–11). Hair had to be somewhat long to be sold. In addition, hair appears to play an important role when women beautified themselves. For instance, Judith is portrayed as combing her hair in Judith 10:3 in preparation for her seduction of Holofernes, and 3 Maccabees 4:6 refers to a bride perfuming her hair with myrrh.

For the authors of the Hebrew Bible, thick hair was one of the signs of male beauty (e.g., 2 Sam 14:26). Meanwhile the authors of the texts of the Hebrew Bible do not associate it as evidently with women. Rather, Livneh (2020a, 401–3) has explained that the reference to Sarah's supple hair aligns with the polarized conception of gender in the Greek physiognomic writings, where masculinity is associated with firmness and femininity with softness. Hair is a noted interest in the works of the second-century sophist author Polemon, who writes in his physiognomic treatise that for men thick hair implies strength, energy, and great-heartedness. Soft hair creates a contrast to this image and is found on women and weaker men (Barton 1994, 126–27).



#### Eyes

The author of the Genesis Apocryphon emphasizes that Sarah's eyes are lovely (כמא יאין להון לה עיניהא). Ancient Jewish texts seldom discuss the aesthetics of the eyes. One example we do have of such an interest in a woman's eyes is Genesis 29:16, where the author describes Leah's eyes with the term הכות As this term can be rendered, for instance, as "weak," "tender," or "soft," the exact significance of the term in this context re-

<sup>&</sup>lt;sup>15</sup> Saul M. Olyan (2008, 17) suggests that Song 4:1 ("Your hair is like a flock of goats, moving down the slopes of Gilead") could suggest that thick hair was also preferred for women. The quotations from the Hebrew Bible follow the NRSV translation unless otherwise indicated.

Note that hair is often of interest in the Jewish physiognomic texts, and thus played a role when an individual's inner life was assessed. See, e.g., 4Q561 3:1: "[and the hair of his head]"; 4Q561 3:4: "and the hair of his beard [will be] blac[k, (and) his lips]"; and 4Q561 7:2: "[... (his hair/his beard?) will be between ...] to reddish a[nd ...].

mains ambiguous. The LXX translators render the term "à $\sigma\theta$ eveĩ $\varsigma$ ," assuming the underlying Hebrew referred to Leah's short-sightedness. But it is also possible to understand the term as indicating the aesthetics of Leah's eyes or, in particular, the romantic look in her eyes.<sup>17</sup>

Ancient writers paid attention to eye movements in their descriptions, a quality that was believed to reflect a person's character. Such an interpretation is present, for instance, in depictions of allegorical female figures of the book of Proverbs and 4QWiles of the Wicked Woman (= 4Q184) in which the protagonist women lead men astray. In Proverbs, the eyes of the strange woman, of whom the author warns the audience, are portrayed as "winking" (קרץ בעיניר; 6:13) and "haughty" (עינים רמות); 6:17). Moreover, Proverbs 16:30 explains that "one who winks the eyes plans perverse things," and Proverbs 21:4 states that "haughty eyes and a proud heart—the lamp of the wicked—are sin." In a similar vein, 4QWiles of the Wicked Woman describes how the eyes of the protagonist female figure "dart here and there," saying that "she flutters her eyelids lewdly." Joan Taylor (2011, 175) explains that the woman's eyes here are described as being "manipulative." Similar to the woman of Proverbs, she "looks around for a man she can run after and trip up." While the women's descriptions in Proverbs and 4QWiles of the Wicked Woman are highly allegorical, the writers suggest that their eye movements can betray a distrustful inner life.18

Evidence from cognate cultures supports the importance of eyes in physiognomic discussions. Polemon includes a discussion on the eyes and claims that "eyes which move quickly indicate distress, low



<sup>&</sup>lt;sup>17</sup> See Tikva Frymer-Kensky, "Leah," in *Jewish Women's Archive Encyclopedia* at <a href="https://jwa.org/encyclopedia/article/leah-bible">https://jwa.org/encyclopedia/article/leah-bible</a>. Note that several translations of Genesis do not clearly follow either of these avenues to interpret the text. For example, the NRSV translates the term as "lovely."

<sup>&</sup>lt;sup>18</sup> On the female figure in 4Q184, see Goff 2006; Lesley 2012; Quick 2020. Popović (2007, 5 n. 13 and 287–88) emphasizes the author's interest in the female figure's body parts in 4Q184, and according to Popović, 4Q184 may be another example of a text that reflects physiognomic awareness. Also other texts of the Qumran collection include the idea of distrustful eyes. See, e.g., the Damascus Document 2:16: "not turning away through thoughts caused by the sinful urge and lecherous eyes."

suspicion, lack of sincerity and something between cowardliness and bravery ... but an eye whose gaze darts everywhere indicates love of sexual crimes and shamelessness" (Barton 1994, 108). In contrast to the eyes that predict troubles, Sarah's eyes are declared lovely, and those who observe her do not detect anything untrustworthy in them.

#### **Breasts**

Moving away from Sarah's face, the narrator describes her breasts (חדריה) in line 4 ("how shapely is her breast"). Breasts are a sign of female beauty, sexual pleasure, and fertility in ancient Jewish texts. The beauty of breasts appears especially in Song of Songs 4:5; 7:3, 7–8. Ancient Jewish authors describe breasts as objects of sexual pleasure. For instance, Proverbs 5:19 writes about the addressee's "wife of youth" (5:18): "May her breasts satisfy you at all times, may you be intoxicated always by her love." Further, the breasts are typically referred to as providing for children (e.g., Ps 22:9; Lam 4:3; contra Hos 9:14, which mentions a miscarrying womb and dry breasts) and are thus, at least to some extent, a symbol of fertility and prosperity. In ancient Greek medical texts, well-formed breasts indicate good female health, especially women's ability to feed their infants (Iavazzo 2009). Thus, an idealized description of female breasts can be read as a promise of family offspring, which in turn may signal prosperity for the family.

#### Hands

Next, the description moves on to Sarah's arms (דרעיהא), hands (ידיהא), palms (אצבעת), and fingers (אצבעת) in lines 4–5, pointing out their beauty. Livneh (2020a, 398–401) suggests that Sarah's long and delicate fingers are another sign of her femininity and attractiveness. While I agree with Livneh, I further suggest that apart from the aesthetics the shape of Sarah's fingers could attest to her capabilities. Long and thin fingers are also mentioned in the physiognomic text 4QZodiacal



<sup>&</sup>lt;sup>19</sup> Song 7:3: "Your two breasts are like two fawns, twins of a gazelle." For references to breasts in Songs, see Gault 2019, 7–8, 103–10.

<sup>&</sup>lt;sup>20</sup> For breasts and sexual connotations, see also Ezek 23:3; Hos 2:2. See Brenner 1997, 32, 40–41.

Physiognomy, where they are a sign of a good future.<sup>21</sup> Significantly, in the collection of Mesopotamian Šumma Alu omen texts, a woman who had big fingers was seen as being less capable of doing handiwork than one with small fingers: "If a woman's fingers are unusually big: Her handiwork will not succeed," "If a woman's fingers are small: Her handiwork will succeed" (Koch 2015, 284). It is unclear if handiwork refers to textile work or to a broader range of domestic skills in this context. Regardless, the description of Sarah's long and delicate fingers in the Genesis Apocryphon aligns with the dominant beauty ideal, and suggests that she will succeed in her handiwork—unlike a woman with unusually big fingers.<sup>22</sup> Women's ability to master handiwork was considered very important in the ancient sources: Proverbs 31:10–31, for example, celebrates such a skill. Proverbs 31:13 reads: "She seeks wool and flax and works with willing hands."

#### Feet and Thighs

Finally, the description of Sarah's body continues moving down and addresses her feet (דגליהא) and thighs (שקיהא) in lines 5–6. This connection between feet and thighs appears to follow a specific rule that



<sup>&</sup>lt;sup>21</sup> 4Q186 2 1:4–5: "whose fingers are thin and long." Lines 7–8 of the text conclude that this individual has "eight parts [from the House of Light] and o[ne] [in the House of Darkness]." Similarities are also noted by Livneh 2020a. 4Q186 also mentions an individual who has thick fingers and has the majority of his "parts" in the "House of Darkness." 4Q186 1 3:3-6: "whose fingers are thick, whose thighs are thick and extremely hairy, and whose toes are thick and short: he possesses a spirit with [ei]ght parts in the House of [Darkness] and one from the House of Light."

Note that a connection to Sarah's handiwork is already suggested by Takamitsu Muraoka (1993, 39–48), who emphasizes Sarah's domestic skills and translates lines 7–8: "With all this beauty she has plenty of skill and all her handiwork is pretty." On the relationship between beauty and handiwork, see also Vayntrub 2020. No ancient Jewish author writes about Sarah's handiwork. Her cooking is mentioned in Gen 18, where the three men visit Abraham: "And Abraham hastened into the tent to Sarah and said, 'Make ready quickly three measures of choice flour, knead it, and make cakes" (Gen 18:6). This could indicate that the ancient authors assumed Sarah participated in some chores.

is also included in 4QWiles of the Wicked Woman, which describes its protagonist female figure with these body parts one after the other.<sup>23</sup> It is possible that round-shaped thighs were preferred because Song of Songs 7:1 praises a woman's thighs: "Your rounded thighs are like jewels, the work of a master hand."<sup>24</sup> The rest of the passage in Song of Songs also emphasizes round shapes, perhaps indicating that a bigger body type was preferred over a skinny one.<sup>25</sup> The author of 4QZodiacal Physiognomy writes that long and slim thighs were undesirable for a man. They, together with other signs, indicate that the examined individual belongs to the "house of darkness," and they are interpreted as visible signs of future poverty.<sup>26</sup>

It is possible that the thighs also have a sexual connotation in Genesis Apocryphon, as Benjamin Wright and Suzanne Edward (2015, 92) associate Sarah's thighs with the wedding chamber. The author of the text mentions the wedding chamber immediately after the reference to thighs in line 6. Moreover, Athalya Brenner (1997, 38) has argued that the term ירך ("thighs") can be understood as a euphemistic reference to female genitalia. Brenner suggests such a symbolism in Song of Songs 7:1–7. Such a connotation may also be present in Judith 9:2.<sup>27</sup> While



<sup>&</sup>lt;sup>23</sup> 4Q184 3: "are befouled with perversity, her hands grip corruption tight. Her feet come down to do evil, and to walk in the crimes of [... Her thighs are] pillars of darkness, a horde of sins is under her hem..." I acknowledge that the term "thighs" is a reconstruction, but given the literary context, it appears likely. Quick 2020, suggests that the reference to the feet may have a sexual connotation in this text. Brenner (1997, 37) discusses the euphemisms connected to the term ¬¬.

<sup>&</sup>lt;sup>24</sup> For the similarities between the Genesis Apocryphon and Song of Songs, see Cohen 1981, 46–47. Barton (1994, 115) points out how Polemon mentions "very fleshy hips" as the ideal female type.

<sup>&</sup>lt;sup>25</sup> Olyan (2008, 17–18) explains how "plumpness" was the preferred body type for men in the texts of the Hebrew Bible. This quality is not connected with women as explicitly.

<sup>&</sup>lt;sup>26</sup> 4Q186 2:5: "whose thighs are long and slender."

<sup>&</sup>lt;sup>27</sup> "O Lord God of my ancestor Simeon, to whom you gave a sword to take revenge on those strangers who had torn off a virgin's clothing to defile her, and exposed her thighs to put her to shame, and polluted her womb to disgrace her; for you said, 'It shall not be done'—yet they did it."

I am not fully convinced that the author of the Genesis Apocryphon refers to female genitalia in line 6, it is possible that the ancient author was aware of the heighted sexuality of the term.

Apart from the aesthetic preference, round-shaped thighs, similar to breasts, may have been seen as an indication of Sarah's fertility. Jewish texts that refer to childbirth mention thighs: "She who is the most refined and gentle among you ... will begrudge food to the husband whom she embraces, to her own son, and to her own daughter, begrudging even the afterbirth that comes out from between her thighs" (Deut 28:56–57). Hence, it is possible that round thighs were perceived as healthy-looking, and were a visible sign of fertility. Whereas women's ability to provide offspring is of interest to the authors of the ancient Jewish texts, the irony in the passage is, of course, that audience of this text would assumingly be familiar with Sarah's barrenness elaborated especially in Genesis 16 and Genesis 18. The author of the Genesis Apocryphon also hints at this in 22:33–34, where Abraham addresses his own childlessness. Meanwhile, the king's officers would not have known about Sarah's difficulties conceiving when they praised her beauty.<sup>28</sup>

Finally, after discussing various body parts, the writer of the passage concludes his description of Sarah in lines 7–8: "All that she has is beautiful" (ודלידיהא יאאי). Tamar Kadari (2018) has recently argued that it is not sufficient in many cultures to have one beautiful body part or aspect, but that there must be a total harmony in beauty.<sup>29</sup> This idea resonates with Genesis 29:17, where the author states that "Leah's eyes were lovely, and Rachel was graceful and beautiful" (ועיני לאה רכות ורחל היתה יפת תאר ויפת מראה), suggesting that Leah's lovely



<sup>&</sup>lt;sup>28</sup> Importantly, in the biblical narratives, the deity "opens" or "closes" the womb. Thus, childlessness does not depend on the human bodies but on divine agency. For fertility in the Hebrew Bible, see, e.g., Brenner 1997, 257–73; Havrelock 2008; Moss and Baden 2015, 21–69.

<sup>&</sup>lt;sup>29</sup> Kadari makes use of Umberto Eco's (2004, 61–3) discussion. Also, Olyan (2008, 18–19) emphasizes symmetrical beauty and lack of defects as the ideal look in the texts of the Hebrew Bible. The concept of harmonious beauty was known already in ancient Greece. See, e.g., Stansbury-O'Donnell 2014.

eyes could not compete with Rachel's overall beauty. Significantly, Sarah's description meets this requirement of overall harmonious beauty.

Apart from celebrating Sarah's aesthetic beauty, it seems that the writer of the Genesis Apocryphon, who demonstrates an awareness of physiognomic principles, suggests a correspondence between some aspects of her aesthetic beauty and her personal traits and skills. By examining Sarah's body, the author is able to communicate that her eyes are beautiful and different from the description of untrustworthy eyes. Thus, Sarah should be viewed as a trustworthy figure. The shape of her breasts and thighs may be sexually desirable. However, they can also signal fertility and possible continuity of the family lineage in the future. Similarly, her delicate fingers may be aesthetically beautiful, and can make the audience think about the touch of those fingers. Yet, according to Mesopotamian divinatory texts, such fingers would make Sarah capable of handiwork. Therefore, it is possible that the description refers to multiple qualities simultaneously. Significantly, Cohen (1981, 46) points out that the term "wisdom" can also mean "skill."30 These qualities make Sarah out to be an ideal character with different capacities that have the potential to make her and her family successful.



### "Thereupon, He Took Her as His Wife" (1Q20 20:9): The Function of Sarah's Aesthetic Examination

Above, I briefly mentioned scholarship in ancient physiognomics that suggests that this method of examination may have been used to control people's entry into restricted spaces in antiquity. Whereas Sarah's beauty in the Genesis Apocryphon passage has received a lot of attention, the possible divinatory function of this description in its literary

<sup>&</sup>lt;sup>30</sup> In Western culture, talking about a woman as a sexual being and as a mother do not belong to the same sphere. Meanwhile, we do not know how the ancients would have understood imagining female body parts, especially breasts used to feed children. However, I do not see a reason why one way to see the body, i.e., sexual, would exclude the other, i.e., pragmatic. I am grateful for Francis Landy, who drew my attention to these dichotomies.

context has not yet been explained. Previously, Popović (2007, 287) has suggested that the description of Sarah's beauty aims at demonstrating her "impeccable character as a wife." However, in my view, she is not viewed as Abraham's wife in the context where the Egyptians describe her. The Egyptians are not aware of Sarah's married status, as that is kept secret.<sup>31</sup> Hence, their praise of Sarah is not at all connected to Abraham (see also Machiela 2018, 229–30). Rather, in my view, the councilors appear to evaluate Sarah as a potential wife for the king. They try to determine whether she can be allowed to enter the palace and whether she is well suited for marriage to the king.

Due to manuscript deterioration, the exact context of Sarah's examination cannot be established. Genesis Apocryphon 19:27, which mentions eating and drinking, appears to refer to the councilors' meeting with Abraham. Yet, the end of line 20:8, "when the king heard Hyrcanos's words," assumes that the three councilors are back in the court. This could suggest that, according to the author, the councilors took Sarah to the court with them and would have examined her in detail there.<sup>32</sup>

Line 6 adds to this possibility that the officials examine Sarah as a potential spouse, because immediately after observing Sarah, they mention the bedroom of a newly wedded couple: "Neither virgins nor brides entering the bridal chamber exceed her charms." Their praise of Sarah indicates she surpasses the king's other partners in appearance.<sup>33</sup> My proposal, that Sarah is assessed as a possible partner for the king, finds support in ancient Mesopotamian texts. Koch (2015, 284) has suggested that in ancient Mesopotamia physiognomic experts could have been consulted when appointments were made at court or when



<sup>&</sup>lt;sup>31</sup> In Genesis Apocryphon 19:20, Abraham instructs Sarah: "In every [place] where [we shall go, say] concerning me, 'He is my brother.' Thus I may live because of you and my life be spared owing to you."

<sup>&</sup>lt;sup>32</sup> Gen 12:15 says: "When the officials of Pharaoh saw her, they praised her to Pharaoh. And the woman was taken into Pharaoh's house." This supports my suggestion that Sarah was examined in the court before being introduced to the king.

<sup>&</sup>lt;sup>33</sup> See Esth 2 for a description of girls in a king's palace where each is, in their turn, taken to the king.

weddings were prepared, in order to make sure candidates were not holding anything against the king.

Ancient Jewish texts do not include such narratives that report of such physiognomic examinations. Rather, physiognomy only appears explicitly in a few texts. Popović (2007) has demonstrated how only two texts from the Qumran collection provide technical forms of physiognomic descriptions, 4QZodiacal Physiognomy and 4QPhysiognomy, which I have referred to multiple times above. According to Popović (2007, 232–39), the purpose of these two technical texts was to provide additional information on individuals. Thus, such examinations could have been used, similar to the Mesopotamian texts, for social control. It is possible that these texts are witnesses to physiognomic examinations that were employed to scrutinize people entering the Qumran community and to prevent individuals from joining who were deemed dangerous or maleficent.



Apart from 4QZodiacal Physiognomy and 4QPhysiognomy that serve as witnesses to explicit physiognomic examinations, Popović highlights how other Jewish texts demonstrate an interest in the human body; these texts suggest that there was a growing interest in bodily signs in the Hellenistic era.<sup>34</sup> For example, Jewish awareness of physiognomic principles is present in Sirach (19:29–30): "People will be known by their appearances, and sensible people will be known when first met face to face. People's attire and hearty laughter and the way they walk proclaim things about them." Other ancient Jewish texts that, according to Popović, betray physiognomic consciousness include, for example, 4QBirth of Noah<sup>a,b</sup>, 1 Enoch 106, 4QBarkhi Nafshi<sup>a,c</sup>, and 4QWiles of the Wicked Woman. These texts are, like the Genesis Apocryphon, literary texts that have an interest in the connection between physical appearance and inner qualities.

As I have shown above, details about Sarah's body parts could align with the physiognomic texts in numerous details. Further, the literary context of the Genesis Apocryphon may speak to the use of physical ex-

<sup>&</sup>lt;sup>34</sup> Cohen 1981 also explores this growing interest for bodily signs in the Greek texts of the Hellenistic era. For more on divination in the Dead Sea Scrolls, see, e.g., Lange 1997.

aminations for social control. Notably, the Genesis Apocryphon's portrayal of Sarah highlights how her eyes do not betray any signs of being untrustworthy; she is not like a woman whose eyes betray plots against men or manipulation. Hence, the councilors cannot detect in her traits anything that would raise concerns about acting against the king.<sup>35</sup> As a result, they believe that they can allow Sarah to enter the court without preoccupations about the dangers she might bring.

Further, again according to Koch (2015, 283), physiognomic divination could have been practiced when marriages were being considered, possibly to check that the candidate did not have looks or behaviors that would prevent procreation.<sup>36</sup> Babylonian tablets that preserve physiognomic descriptions connect women's appearances to barrenness and possible labor difficulties (Popović 2007, 72–74). This background can help to explain the detailed interest in Sarah's looks. I demonstrated above that the description of Sarah's beauty especially highlights body parts that were deemed essential for fertility, such as her breasts and thighs. It is noteworthy that Sarah passes these tests and that she is deemed to be an ideal spouse for the king.

While Genesis Apocryphon 20:2–9 does not preserve any references to the exact context where the meeting occurs, the passage refers to councilors from the court who consult Abraham on goodness, wisdom, and righteousness.<sup>37</sup> Their interest in these topics suggests that they are professionals in the court who could have possessed some expertise in divinatory techniques. Many ancient Jewish texts portray court personnel, such as Daniel in the book of Daniel and Joseph and Pharaoh's



<sup>&</sup>lt;sup>35</sup> Wright and Edwards (2015, 93–94) mention that the audience of the narrative has a different perspective on Sarah's trustworthiness, since they know that she lies about her relationship with Abraham.

Also, the ancient Greek physiognomic texts show particular interest in women's ability to procreate (see Barton 1994, 115–18; Swain 2007, 646–47; Chandezon, Dasen, and Wilgaux 2014, 302–6).

<sup>&</sup>lt;sup>37</sup> Genesis Apocryphon 19:24–25: "Councilors from the Egyptian court [and advisers] of the Pharaoh of Zoan. They came having heard of [my] words and my wife, and kept plying me [with many gifts]. They as[ked] me [for knowledge] of goodness, wisdom, and righteousness, so I read to them the [Book] of the Words of Enoch."

magicians Exodus, the latter being knowledgeable in divination. Thus, such figures may also have possessed some expertise in physiognomy. The Egyptian officials conclude their appraisal of Sarah's body with the exclamation: "Yet with all this comeliness, she possesses great wisdom" (20:7). The detail about Sarah's wisdom is significant, since the text does not preserve any reference to Sarah speaking with them. In fact, Sarah's own voice is heard only twice in the preserved text. First, Sarah is recorded speaking with Abraham in 19:14-23, where Abraham elaborates the contents of his dream prior to their arrival in Egypt. The author has Abraham discuss his dream with Sarah, who asks him: "Tell me your dream so I may understand" (19:18). According to Joseph McDonald (2020, 167), Sarah's inquiry about Abraham's dream may imply that she wanted to acquire knowledge. Instead, I read this detail as an example of the emotional support that the author describes Sarah offering Abraham throughout the text.<sup>38</sup> In sum, as Sarah does not speak with the court councilors, the praise of Sarah's wisdom appears to be a conclusion that the officials can deduce from observing Sarah's physical appearance.39



The connection between beauty and wisdom fits well with the descriptions of female figures in Hellenistic-era Jewish literature. The mention of Sarah's wisdom is significant because ancient Jewish authors only use a few adjectives to describe female protagonists in these texts. Whereas in the narratives predating the Hellenistic era a woman's

<sup>&</sup>lt;sup>38</sup> Examples of Sarah's emotional support of Abraham become particularly noticeable during the second meeting, when Sarah communicates with the king. This is when she follows Abraham's instructions to her: "Notwithstanding, this is the kindness [that you can do for me]. In every [place] where [we shall go, say] concerning me, 'He is my brother.' Thus I may live because of you and my life be spared owing to you" (Genesis Apocryphon 19:19–20). Sarah lies about their relationship: "He is my brother" (20:10). It is striking that Sarah's only words in this passage aim at protecting Abraham; she does not speak on her own behalf.

<sup>&</sup>lt;sup>39</sup> Lipscomb (2019, 335) raises the possibility that the king's advisors get to know some of Sarah's qualities during their visit to Abraham. Due to manuscript deterioration, Sarah's role in the meeting cannot be confirmed.

attractiveness determined her desirability,<sup>40</sup> authors of the Hellenistic Jewish narratives interpreted female figures in more complex ways. For example, female protagonists of the ancient Jewish novellas, such as Judith, Esther, Susanna, and Aseneth, are described as beautiful in the narratives. Yet, their attractiveness is not the only characteristic attributed to them, as these heroines are also portrayed, for instance, as resourceful and pious. They even distance themselves from their beauty in certain situations.<sup>41</sup> Sarah's description, which expands the portrayal from the "beautiful" referred to in the Genesis narrative to wise, aligns with this style. Thus, it can be viewed as another example of a text where a woman's portrayal is not only reduced to her beauty (Cohen 1981).<sup>42</sup>

The author of the Genesis Apocryphon creates a representation of Sarah by rewriting her physical presentation. Although broadly speaking I agree with Popović's theory that the physiognomic examination concerns Sarah as a spouse, I argue that the description of Sarah's appearance does not concern her relationship with Abraham and is not restricted to her childbearing traits. Rather, the passage speaks of Sarah's own qualities, which the Egyptian officials are able to recognize thanks to their physiognomic examination. Thus, their conclusion that she possesses wisdom is based solely on their examination of Sarah's looks.



#### Conclusion

While we know that ancient Jewish authors were aware of the physiognomic examination as a method, so far there has not been evidence of it being applied to women. As pointed out above, the Genesis

<sup>&</sup>lt;sup>40</sup> Beauty (יפה) is an attribute frequently given to the female figures of the Hebrew Bible (Brenner 1997, 43–45). For beauty and female figures in the Hebrew Bible, see also Tervanotko 2015.

<sup>&</sup>lt;sup>41</sup> Judith is said to wear sackcloth in Jdt 8:5, and Esther takes off her splendid garments while praying, covers her head with ashes, and humbles her body (Add Est C) (Wills 1995, 13–16). See also Zsengellér 2015.

<sup>&</sup>lt;sup>42</sup> For Sarah's wisdom in the Hellenistic Jewish texts, see Tervanotko and Uusimäki 2018.

Apocryphon is the only ancient Jewish text reflecting a woman's physiognomic examination. Although it does not strictly follow the technical format of an examination as it is present for example in the 4QZodiacal Physiognomy and 4QPhysiognomy, it reflects a broad awareness of the method. I have argued that this awareness includes, apart from following the head-to-toe sequence, the author's knowledge of the relationship between the qualities of the body and the qualities of the mind. Similar to other texts where this technique is used to grant access to restricted spaces, I argue that the examination of Sarah serves a similar purpose in the Genesis Apocryphon. In my view, the king's councilors examine Sarah to assess her suitability as a spouse and conclude that she is an ideal spouse for the king for her beauty, abilities, and, most importantly, her trustworthiness. These matters, which concern health, wealth, and happiness, are key topics in the method of physiognomic analysis. More research on physiognomic awareness is needed in the future and will undoubtedly provide us with further insights into this interesting topic.



The style of physiognomic description, where idealized body parts are signs of internal and external positive qualities, generally aligns with Greco-Roman physiognomic texts. These texts also analyze correlations between an individual's looks and their nature. By highlighting this connection, the present study adds to the studies of Cohen and Livneh, who have previously demonstrated that Sarah's description was inspired by Greek literary traditions.

As "beauty is in the eyes of the observer," one cannot demonstrate that the author would have had one particular type of beauty preference in mind while composing the passage. Rather, my goal was to uncover some qualities in the text that could have indicated to its ancient audience Sarah's exceptionality and made her a desirable partner for the king. While the description celebrates aesthetic beauty, I argue that in the author's mind skills and beauty may be inseparable.

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