

# Forschungen zum Alten Testament

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160



# Historical Settings, Intertextuality, and Biblical Theology

Essays in Honor of Marvin A. Sweeney

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# Orientalism and the Hebrew Bible

## How the History of Science Dealt with the Historical Origins of the Idea of Laws of Nature

*Konrad Schmid*

### 1. Introduction

In the history of science, the emergence of the notion of “laws of nature” has often been considered, and the origins of that concept have usually been found in ancient Greek philosophy.<sup>1</sup> The pre-Socratics seem to attest a *logos*-like order of the universe; Plato is the first to use the term “laws of nature,” and especially the Stoics describe certain regularities in the cosmos that they identify as *theōrēmata*. The so-called Orient – especially ancient Israel and Mesopotamia – has remained largely out of view with regard to the historical origin of the idea of “laws of nature” – unjustly so, because the evidence tells us otherwise.

One can describe this situation in connection with Edward Said as an “Orientalism”:<sup>2</sup> the roots of the Western scientific tradition lie in the realm of what is quite tellingly identified as “classics,” to which the biblical and the cuneiform literature do not seem to belong.<sup>3</sup> This approach, whose focus on ancient Greece simply neglects the ancient Near East, including the Hebrew Bible, shall be illustrated by means of a few examples.

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<sup>1</sup> See, in more detail, Konrad Schmid, “Der vergessene Orient: Forschungsgeschichtliche Bestimmungen der antiken Ursprünge von ‘Naturgesetzen’,” in *Laws of Heaven – Laws of Nature: Legal Interpretations of Cosmic Phenomena in the Ancient World / Himmelsgesetze – Naturgesetze. Rechtsförmige Interpretationen kosmischer Phänomene in der antiken Welt*, ed. Konrad Schmid and Christoph Uehlinger, OBO 276 (Fribourg: Academic Press; Göttingen: Vandenhoeck & Ruprecht, 2016), 1–20.

<sup>2</sup> On the discussion of Said’s Orientalism thesis and a sophisticated description of scholarship on Orientalism from its beginnings to the present, see Robert Irwin, *Dangerous Knowledge: Orientalism and Its Discontents* (Woodstock: Overlook, 2006).

<sup>3</sup> Counter-examples include André Pichot, *Die Geburt der Wissenschaft: Von den Babyloniern zu den frühen Griechen* (Darmstadt: WBG, 1995), and Francesca Rochberg, *Before Nature: Cuneiform Knowledge and the History of Science* (Chicago: University of Chicago Press, 2016).

The *Dictionary of the History of Ideas*, for example, starts its entry on “Natural Law” with Greece and Rome without further ado.<sup>4</sup> The philosopher Michael Hampe, one of the authorities on the history of the concept of nature in the modern period, writes the following when he addresses the historical origins of the concept in his study entitled “Eine kleine Geschichte des Naturgesetzbegriffs” (“A Small History of the Concept of the Law of Nature”):

When one goes back to the premodern ancient usages of ‘nature’ and ‘law,’ then it becomes clear that the expression ‘natural law’ would have constituted an oxymoron in the semantic landscape of the time. For the Greek term νόμος represents a contrasting concept to φύσις since at least the 5th century BCE.<sup>5</sup>

Hampe’s basic argument of the contrast between νόμος and φύσις in Greek thinking cannot be discussed here, but one can easily recognize that what he calls “premodern antique usages” readily and without further discussion focus on *Greek* antiquity. Non-Greek sources do not come into view, and neither do cultural or historical connections between ancient Greece and the ancient Near East including ancient Israel.

Another example appears in the detailed treatment of ancient precursors to the modern conception of natural law undertaken in 1995 by Wolfgang Kullmann (“Antike Vorstufen des modernen Begriffs des Naturgesetzes”). His long article contains the following structure: “1. Introduction, 2. The Archaic and Classical Period, 3. Plato and Aristotle, 4. The Orator, Theophrastus, Aristotle’s Rhetoric, Stoics, 5. Dionysius of Halicarnassus, Philo, 6. Lucretius and Seneca, 7. The Imperial Period, 8. The Greek Church Fathers, 9. The Latin Church Fathers, 10. Conclusion.”<sup>6</sup> The essay advances through Greek and Latin antiquity, in order to conclude with the Greek and Latin church fathers. Mesopotamia, Israel, and Egypt are omitted. In 2010 Kullmann followed up on this essay with a monograph treating the conception of natural law especially in the Stoics,<sup>7</sup> which essentially expanded the chapter on the Stoics from the fifteen-year-old essay. This list of samples could easily be continued.

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<sup>4</sup> See Paul Foriers and Chaim Perelman, “Natural Law and Natural Rights,” *DHI* III:14.

<sup>5</sup> Michael Hampe, *Eine kleine Geschichte des Naturgesetzbegriffs*, STW 1864 (Frankfurt: Suhrkamp, 2007), 51 (translation K.S.).

<sup>6</sup> Wolfgang Kullmann, “Antike Vorstufen des modernen Begriffs des Naturgesetzes,” in *Nomos und Gesetz. Ursprünge und Wirkungen des griechischen Gesetzesdenkens: 6. Symposium der Kommission “Die Funktion des Gesetzes in Geschichte und Gegenwart,”* ed. Okko Behrends and Wolfgang Sellert, AAWG.PK III/209 (Göttingen: Vandenhoeck & Ruprecht, 1995), 36–111 (translation: K.S.).

<sup>7</sup> Wolfgang Kullmann, *Naturgesetz in der Vorstellung der Antike, besonders der Stoa: Eine Begriffsuntersuchung* (Stuttgart: Steiner, 2010).



One can fairly say that *neglecting* the Orient is comparably well rooted in the Western tradition of the history of science. It is, however, correct that the very term of “laws of nature” (τοὺς τῆς φύσεως νόμους) appears first in ancient Greek texts. Plato’s *Timaios* (83e) mentions it – probably for the first time – but in a rather unspectacular context. This indicates that the term did not have a programmatic or foundational meaning. Plato describes diseased excretions of all kinds in humans and explains them as follows:

all these substances (sc. diseased excretions) are natural instruments of diseases, when the blood does not naturally nourish from foods and drinks, but its mass takes on the opposite, against the laws of nature (παρὰ τοὺς τῆς φύσεως...νόμους).<sup>8</sup>

In this case the “laws of nature” are applied to humanity and its organism rather than to physics. The term is used metaphorically and lacks the universal dimension that characterizes the speculations on order such as those by the pre-Socratics. They, however, do not employ the term νόμοι “laws.” Anaximander speaks of the cosmos as organized κατὰ τὸ χρεῶν (“according to necessity”) and Heraclitus uses the term *logos*.

Aside from the pre-Socratics and Plato, especially the Stoics have a reputation for arguing for a natural order to the cosmos: “The stoics understand [sc. the Heimarmene] a chain (εἰρμός) of causes that is an unbreakable order and reciprocal connection.”<sup>9</sup> On the other hand, the specific terminology of natural laws is missing here, though the cosmic order is conceived of as governed by norms. However, as Susanne Bobzien has rendered more precisely,

[t]he stoics are often assumed to have grounded their determinism on the idea of an all-encompassing set of ‘laws of nature’, similar to some modern theories of determinism, and that such a concept lies behind Philopator’s principle. The assumption of such laws is an essential feature of those theories of determinism that are based on universal regularity. However..., what comes closest to modern laws of nature in early Stoic philosophy, the theorems (θεωρήματα) are precisely not causal laws, but superimposed regularities. Furthermore, ...we have no signs that Philopator developed a concept of empirical laws of nature.<sup>10</sup>

Therefore, some reservations remain warranted even for the traditional, but short-sighted argument that ideas of “natural laws” were first articulated among the ancient Greeks: while the conception of a lawful order of the world is discernible among the Greeks, it is still strongly dynamic and socially shaped.

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<sup>8</sup> Platon, *Timaios*. *Griechisch / Deutsch*, ed. Rudolf Rehn and Thomas Paulsen (Leipzig: Reclam, 2003), 83e (translation: K.S.).

<sup>9</sup> Rainer Nickel, ed., *Stoa und Stoiker*. Vol 1, *Griechisch-lateinisch-deutsch* (Düsseldorf: Artemis & Winkler, 2008), 510–11 (translation K.S.).

<sup>10</sup> Susanne Bobzien, *Determinism and Freedom in Stoic Philosophy* (Oxford: Clarendon, 1998), 374.

## 2. Edgar Zilsel's Pioneering Work

To be fair, though, this tendency to *exclude* the Orient is not without exception in the history of science dealing with the origins of laws of nature. One figure in particular who deviates from the main trend was the Austrian philosopher Edgar Zilsel, who lived from 1891 to 1944. His essay "The Genesis of the Concept of Physical Laws," published in 1942 during his American exile, proves especially interesting.<sup>11</sup> He traces the pre-history and history of the concept of laws in and of nature from the Hebrew Bible into the seventh century CE. Even the span of this investigation alone is remarkable, as it does not start with the Greeks. His sensibility for the Hebrew Bible was motivated by his orthodox Jewish upbringing in Vienna, from which he detached himself increasingly in his adulthood in favor of Marxist views.

Surprisingly, Zilsel first *relativized* the significance of the pre-Greek history of the concept of natural laws in a very general manner: "To primitive and oriental civilizations the notion of natural law was completely unknown."<sup>12</sup> It is even not entirely clear whether "primitive" and "oriental" are used here as synonyms or as complements.

Zilsel then proceeds, however, *de facto* to contradict this statement by devoting three pages to biblical conceptions of lawful processes in nature<sup>13</sup> and views these as follows:

The roots of our concept go back to antiquity. They consist in a few passages of the Bible and the *Corpus Juris*.<sup>14</sup>

He cites the following biblical verses:

As he [i.e. God] gave the wind its weight  
and determined the measurement of the water  
as he created the limit for the rain  
and a way for the lightning and thunder... (Job 28:25–26)

Round about the water he drew a boundary,  
where light and darkness separate. (Job 26:10)  
I dug him [sc. the sea] a basin  
and gave him gate and cross bar. (Job 38:10)

And I said: Until here and not further!  
here your proud waves must subside. (Job 38:11)

You have set a boundary that they [i.e. the waters of the primordial flood] do not overstep,  
never again will they cover the earth. (Ps 104:9)

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<sup>11</sup> Edgar Zilsel, "The Genesis of the Concept of Physical Laws," *Philosophical Review* 51 (1942): 245–79.

<sup>12</sup> Zilsel, "The Genesis," 245.

<sup>13</sup> Zilsel, "The Genesis," 247–49.

<sup>14</sup> Zilsel, "The Genesis," 247.

...as he set a boundary for the sea,  
and the water did not overstep his command,  
as he established the foundations of the earth. (Prov 8:29)

For I place the sand as the boundary of the sea,  
as an eternal barrier that it may not overstep.  
and the waves surge back and forth,  
they cannot reach anything,  
and though its swells roar,  
they will not overstep it. (Jer 5:22)

In these passages, Zinsel identifies the conception of a lawful determination of nature by God. Especially meaningful in his perspective is the fact that the Vulgate in two texts uses the term *lex*, a fact which he highlights explicitly:

Job 28:26: ... quando ponebat pluviis legem

Prov 8:29: ... et legem ponebat aquis

Noteworthy in these texts is the fact that both the *regularity* of nature and its *non-regularity* (i.e., the roaring waves) serve as expressions of God's lawful order. Lawful processes in nature do not follow their own laws but rather the legal promulgation of God, who can cause both regularities and irregularities. In a certain sense, the Hebrew Bible thus reflects the difference between *creatio prima* and *creatio continua*, i.e., between the first creation and the ongoing creation: God imposes his law onto nature during the act of creation, but he continues to act as a creator by maintaining and controlling his creation. Obviously, this double notion of God's actions in nature demonstrates the basic and most important difference between the perception of law in these biblical texts on the one hand and in modern physics on the other hand:

The conception of physical law as it is used in the modern natural sciences, does not have notions of command and obedience.<sup>15</sup>

However, Zinsel remains convinced:

We have met with the most ancient stage of the concept of physical law in nine verses of the Old Testament. [Job 28:25–26; 26:10; 38:10–11; Ps 104:9; Prov 8:9; 8:29; Jer 5:22] The influence of the Bible on occidental thinking is immense.<sup>16</sup>

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<sup>15</sup> Edgar Zinsel, *Die sozialen Ursprünge der neuzeitlichen Wissenschaft*, ed. Wolfgang Krohn (Frankfurt am Main: Suhrkamp, 1976), 66; this statement does not appear in the original English essay; cf. "These observations refer to certain empirical regularities and would not be so different from the statements made in modern physical laws, if only the regularities were specified" (Zinsel, "The Genesis," 249).

<sup>16</sup> Zinsel, "The Genesis," 248.

Zilsel is probably right in determining the Bible's influence as "immense," but, as we have seen, his insight has barely found its way into the history of science.

### 3. The Hebrew Bible

However, he surprisingly makes no mention of the *most obvious* text passages for his topic that can be found in the Hebrew Bible. The following passages are even more striking than Zilsel's examples, as they very explicitly apply *legal* language to cosmic phenomena:<sup>17</sup>

Thus says Yhwh,  
 who made the sun to light for day,  
 the regulations (חֻקֵי) of the moon and the stars to light in the night,  
 who puts the sea into movement,  
 so that its waves roar,  
 Yhwh Sabaoth is his name:  
 If these regulations (חֻקֵי) from me could disappear,  
 declaration of Yhwh,  
 then so also the descendants of Israel cease forever,  
 to be a nation before me. (Jer 31:35–36)

Thus says Yhwh: If my covenant with day and night does not persist, if I have not established the regulations (חֻקֵי) of the heavens and the earth, then I would also reject the descendants of Jacob and David, my servant, such that I would no longer take rulers from his descendants to place over the descendants of Abraham, Isaac, and Jacob. But I will restore their fortunes and have mercy on them! (Jer 33:25–26)

Have you in your life ever commanded the morning (צֹהַר),  
 shown the dawn its place. (Job 38:12)

Do you know the laws (חֻקֵי) of the heaven,  
 and do you assert its dominion on earth? (Job 38:33)

Praise him [sc. Yhwh], sun and moon,  
 praise him, all you shining stars.  
 praise him, you heavens of the heavens  
 and you, water above the heavens.  
 they should praise the name of Yhwh,  
 for he commanded (צִוָּה) and they were created.  
 He established them forever and eternally,  
 he provided an order (חֻק), and no one is able to violate it. (Ps 148:3–6)

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<sup>17</sup> This appears quite clearly in Hebrew Bible studies: "In jener Welt droben bestehen 'Ordnungen' oder Naturgesetze, die natürlich von Gott gegeben sind (vgl. Jer 31,35f; 33,25; Ps 148,6)." Georg Fohrer, *Das Buch Hiob*, KAT XVI (Gütersloh: Gütersloher Verlaghaus Mohn, 1963), 508. The importance of this text for the history of science is not, however, recognized sufficiently.

Obviously, the terms for “to command” (צוה), “regulations” (חקות), and “order” (חק) belong to the realm of legal terminology. The root צוה “to command” stands behind the expression “commandment” (מצוות); the Torah consists of 613 מצוות. “Regulations” (חקות) designate the legal statements within a collection of laws.<sup>18</sup> In terms of the dating of these Hebrew Bible texts, there is a controversial discussion that cannot be addressed here, but one can assume with high probability that all these texts arise from postexilic origins. In absolute terms, they are hardly earlier than the sixth century BCE.<sup>19</sup> The universal interpretation of natural phenomena in the form of laws in the Hebrew Bible to some degree probably presupposes the experience of Persia’s universal and lawful hegemony, which was considered to be analogous to God’s universal and legal rule of the cosmos. In ancient Greece, democracy seems to be the background of the idea of nature’s legal and lawful organization. In the Hebrew Bible, it is the decentralized, partially autonomous legal management of a worldwide empire – Persia – whose individual parts live according to their own stipulations, that serves as a model for legal interpretations of the cosmos.

#### 4. Mesopotamia

Ziessel’s contribution, as important as it was, did however not take into account the Mesopotamian evidence for the idea of laws of nature and the cosmos which, to a certain extent, can be excused by the publication date of his article, 1941. The Hebrew Bible did not invent this conception of a legal organization of nature. Instead it was already anticipated in Mesopotamian texts.

A fragmentary, but also sufficiently clear example appears first in the text K 7067, to be dated to the second millennium BCE, which Wayne Horowitz edited in his volume *Mesopotamian Cosmic Geography*:<sup>20</sup>

Ea in the Apsu ...

The Great Gods took council and their d[ecisions.]

The stars, like a beaut[iful] glo[w of]

<sup>18</sup> One may also mention Ps 19, which evokes the impression of the description of a correspondence of natural laws and Torah at least through its compositional juxtaposition of creation and law. Finally, one may also recall creation by speech in Gen 1, which seems to imply the conviction that the world has an intelligible, textual structure and its order can, so to speak, be read. See Mark S. Smith, *The Priestly Vision of Genesis 1* (Minneapolis: Fortress, 2010), 64–71.

<sup>19</sup> See the overview in Konrad Schmid, *The Old Testament: A Literary History* (Minneapolis: Fortress, 2012).

<sup>20</sup> Wayne Horowitz, *Mesopotamian Cosmic Geography* (Winona Lake: Eisenbrauns, 1998), 147–48.

The vast heavens [...]  
 From sunrise to sunse[t]  
 They multiplied the width by the height.

Despite the fragmentary nature of this text, one can recognize that it appears to trace the ordering of the celestial world back to divine ordinances.

One should also mention Tablet 5 of the so-called Babylonian creation epic *Enuma Elish*, which does not focus primarily on the creation that comparative studies with the Bible find so interesting, but instead on the manifestation of Marduk's supremacy over the divine world. This tablet reads as follows:

He [sc. Marduk] made the position(s) for the great gods,  
 He established (in) constellations the stars, their likenesses.  
 He marked (ú-ad-di) the year, described its boundaries,  
 He set up twelve months of three stars each.  
 After he had patterned the days of the year,  
 He fixed (ú-šar-šid) the position of Neberu to mark the (stars') relationships.  
 [...]  
 He made the moon [sc. Nannar] appear, entrusted (to him) the night.  
 He assigned (ú-ad-di-šum-ma) to him the crown jewel of nighttime  
 to mark the day (of the month):  
 Every month, without ceasing, he exalted him with a crown.  
 At the beginning of the month, waxing over the land,  
 You shine with horns to mark six days,  
 At the seventh day, the disk as [ha]lf.  
 At the fifteenth day, you shall be in opposition,  
 at the midpoint of each [month].  
 When the sun [sc. Shamash] f[ac]es you from the horizon of heaven,  
 Wane at the same pace and form in reverse.  
 At the day of di[sappeara]nce, approach the sun's course,  
 On the [ ] of the thirtieth day, you shall be in  
 conjunction with the sun a second time.  
 I d[e]fined the celestial signs, proceed on their path,  
 [...] approach each other and render (oracular) judgment.  
 [...] (*EE* V.1–22)<sup>21</sup>

The regularity of the celestial movements and the course of the moon are described here as the results of Marduk's legislative design. However, it is sufficiently clear that the stars and moon *could* conduct themselves differently, if they so desired. Therefore the star Neberu – which means Jupiter – must keep watch so that none of the celestial bodies “sin,” which means to trespass Marduk's laws. Unlike modern laws of nature, these ancient laws of nature could be broken.

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<sup>21</sup> Translation by Benjamin R. Foster, “Epic of Creation,” *COS* 1.111:390–401.

The text that follows these regulations proves especially interesting, for it goes on to describe irregular natural phenomena such as the raging of the wind and of rainstorms:

[...] The spittle, Tiamat [...]
   
Marduk [...] collected it and made it into clouds.
   
To raise the raging wind, to cause heavy rainfall,
   
to make mists steam, to pile up her spittle (as snow?),
   
he assigned to himself (*û-ad-di-ma ra-ma nu-uš*), put under his control. (*EE V.46, 50*)

Both storms and heavy rainfall are subject to Marduk's direct jurisdiction: the relevant terminology (*wadû* D-stem "to assign") in *EE V.52* is the same as in *EE V.3, 13*.

The regularities and irregularities of heavenly and natural phenomena are not explained through the presence or absence of divine order, but rather with different hierarchical levels of divine responsibility: the *deeper* the anchor of responsibility, the *more regular* the corresponding phenomenon, for there are control mechanisms. Irregularities rest on the intervention of superior authorities of the divine world.

An eloquent example appears in the text of *EE IV.17–28*, where Marduk is addressed by his divine parents:

"O Lord, spare his life who trusts in you,  
 But the god who has taken up evil, snuff out his life!"  
 They set up among them a certain constellation,  
 To Marduk their firstborn they said (these words),  
 "Your destiny, O Lord, shall be foremost of the gods,  
 Command destruction or creation, they shall take place.  
 At your word the constellation shall be destroyed,  
 Command again, the constellation shall be intact."  
 He commanded and at his word the constellation was destroyed,  
 He commanded again and the constellation was created anew.  
 When the gods, his fathers, saw what he had commanded,  
 Joyfully they hailed, "Marduk is king!"

Marduk's dominion over the gods manifests itself in his ability to make a constellation disappear and reappear again.<sup>22</sup> The fact that he provides lawful regularities in the heavenly and natural world is the basic premise of the fact that extrapolation in the observation of the heavens or nature is possible: whoever observes the heavens or nature can predict what will happen. The

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<sup>22</sup> Matthias Albani, "Kannst du die Sternbilder hervortreten lassen zur rechten Zeit...?" (*Hi 38,32*): Gott und Gestirne im Alten Testament und im Alten Orient," in *Das biblische Weltbild und seine altorientalischen Kontexte*, ed. Bernd Janowski and Beate Ego, FAT 32 (Tübingen: Mohr Siebeck, 2001), 209.

flourishing of divination in the ancient Near East builds its case on this conviction.

The notion of the world's fundamental regularity apparently triggered the use of legal language in the business of divining the future. Divinatory oracles include a protasis introduced by *šumma* ("if"), followed by an apodosis ("then"), and this grammatical structure reproduces the basic elements of legal language, as is evident, for example, from the famous Codex Hammurapi. Stefan Maul, the Assyriologist from Heidelberg, has plausibly described this feature in the following words:

All complex sentences of this kind [sc. "if" – "then"] mean that the connection established by the linkage of the protasis and apodosis presents the disclosure of a lawfulness of the dynamic structure of the world in the ancient Near Eastern worldview.<sup>23</sup>

This fundamental correspondence between divinatory and legal language also appears in the analogous descriptions of the activities of the sun god Shamash on the one hand and the judicial activities of human judges on the other hand: Shamash the sun god is the guarantor of creational order. In prayers he is often described as *muštēšīru*, "the one who brings into order" (>*šutēšuru*, i.e., *ešēru* Št-stem). Maul comments:

Precisely this verb *šutēšuru* 'to bring into order,' is also the verb for the technical judicial term that describes the activity of a 'profane' judge, that is, the 'establishment of justice.'<sup>24</sup>

Shamash's creational order is thus a lawful one. The cosmos is structured according to legal principles of justice.

## 5. Conclusion

These legal interpretations of celestial and natural phenomena in Mesopotamia and ancient Israel clearly prompt the history of science to reassess the origins of the idea of natural laws in past scholarship: the idea of a legal organization of nature is not originally a product of the Greeks, but of the Babylonians and ancient Israelites.

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<sup>23</sup> Stefan M. Maul, "Omen, Omina," in *Reallexikon der Assyriologie* 10:45–88 (translation: K.S.). German original: "Allen Satzgefügen dieser Art ist in jedem Falle gemein, dass der durch die Verknüpfung von Protasis und Apodosis hergestellte Zusammenhang im altorientalischen Weltbild das Offenlegen einer Gesetzmässigkeit des dynamischen Weltgefüges darstellt."

<sup>24</sup> Stefan Maul, "Der assyrische König – Hüter der Weltordnung," in *Gerechtigkeit. Richten und Retten in ihrer abendländischen Tradition und ihren altorientalischen Ursprüngen*, ed. Jan Assmann et al. (Munich: Fink, 1998), 65–77, here 66 (translation K.S.); cf. also *šutēšuru* in CH XXIV.73, XXV.38 and V.16.



Of course, there are fundamental differences between ancient and modern understandings of law (some of which have already been mentioned) that need to be taken into account at this point. The legal interpretation of natural and cosmic phenomena in Mesopotamia and in the Bible follows *the ancient Near Eastern understanding* of law, which was not normative, but rather descriptive. Law was not placed above rulers in the ancient Near East, but instead held a position subordinate to them. Law was not a static, constant entity, but a malleable instrument of authority for an ancient Near Eastern king. Legal interpretation of celestial and cosmic phenomena in the ancient Near East and ancient Israel analogously follows the legislative activity of the particular deity, but in principle the heavenly bodies could also disobey their lawgivers.

The conception of constant natural laws that are not subject to change is the later result of a profound transition in the understanding of laws in the ancient world. This transition can be observed in the early democracies of Greece and in post-state Judah in the Persian period.<sup>25</sup> Law in these post-monarchic societies came to be understood as a normative authority that itself had binding effects. Only in the wake of this process in legal history was the notion of never-changing and absolutely binding natural laws established.

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<sup>25</sup> Konrad Schmid, "Divine Legislation in the Pentateuch in its Late Judean and Neo-Babylonian Context," in *The Fall of Jerusalem and the Rise of the Torah*, ed. Peter Dubovský, Dominik Markl, and Jean-Pierre Sonnet, FAT 107 (Tübingen: Mohr Siebeck, 2016), 129–53.