

THE TRIAL ON TRIAL
And
UNHOLY HOAXES

By Victor Sasson

A few months ago Oded Golan, the antiquities collector, contacted me via email. He enquired whether I would be willing to testify in court as an expert witness regarding the Jehoash inscription. Having given the request a little thought, I accepted the invitation. Recently I came back from my trip to Jerusalem. A couple of biblical scholars found a brief account of my experience interesting, and one of them even suggested making it public. I thought this was a good idea, and my personal account developed into the length it now has.

My testimony was given on the 26th of October of this year, 2008. My purpose was to defend my reading of the text of the tablet, my own independent research, which I undertook and completed in 2003. The study was published in *Ugarit Forschungen* 35 in 2004. I should mention that I had never heard of Mr. Oded Golan before 2003, and never had any contact with him, nor met him, prior to the latter part of 2008, when he himself contacted me for the first time.

Prior to my testimony on October 26, the judge in the case, A. Farkash, already had a copy of my CV and a list of my publications, handed to him by the defence lawyer. In addition to my doctoral thesis on the language of Hebrew inscriptions, completed in 1979, I have been publishing on Hebrew and Aramaic inscriptions for about thirty years. My independent research has been unsupported by any institution, even though over the years I have applied for a couple of grants. Epigraphic research – especially of longer texts - for me was, and still is, an irresistible, literary challenge; a literary as well as a scholarly explorative work undertaken for the sheer excitement and love it affords me personally. Not getting funding for my time-consuming research studies granted a sense of freedom from the shackles of being beholden to institutions and individuals. I spoke my mind, and my research has been readily accepted, over the years, by the most influential scholarly journals in the field.

As a witness, I first gave a brief account of my scholarly background. The defence lawyer, Mr. Lior Bringer, asked some relevant questions regarding the Jehoash tablet. I answered his questions truthfully and to the best of my ability. Soon the prosecuting lawyer, Mr. Dan Bahat - a tall, clever-looking fellow - took over, and the cross-examination began. This man, clearly had read my Jehoash research and was intent on treating me – or rather, mistreating me – as an accomplice to a crime. As an expert witness for the defence, sworn to tell the truth in court, I was not at all prepared for the tricky questions, ugly innuendoes, aggressive manner, and cheap legalistic maneuvers that this prosecutor employed throughout my testimony. But he kept saying he was only asking “simple” questions.

Mr. Bahat asked numerous questions regarding the text of the Jehoash tablet, which I answered or tried to answer. Some of his questions were hair-splitting questions, couched in language that sought to mislead or ensnare (this aspect of the cross examination is often blurred or clouded in the printed court transcripts). Often they were deliberately framed in a way difficult to grasp, especially as they were addressed to me in

a hostile manner. I did my best to keep cool and collected. When I mentioned further textual evidence from the Book of Chronicles in support of the Jehoash inscription, he objected saying that was not part of my 2003 published research article. I had no idea that I was to stick to that research study. He said he was not prepared for the new piece of evidence I was presenting to the court. I could of course have answered that I was not fully prepared for whatever tricky questions he was asking. His objection to my new evidence proved to me that the prosecution was not interested in the TRUTH, to which I swore to tell in that court. The stance of the prosecutor was that the inscription was a forgery (manufactured by the defendant who was sitting in the courtroom) and he was going to prove this by hook or crook.

One of his desperate attempts at fabricating evidence to support his stance as a prosecutor was to try to pin something on me regarding the Internet and my epigraphic research, when in fact I have never ever published any research on the Internet. Every scholarly article of mine was submitted to a reputable, refereed journal. Mr. Bahat had full knowledge of that, yet he wanted to mention the word Internet for his own mean purposes.

Having finished with his long and arduous questionings and futile attempts to trivialize, confound and confuse, this prosecuting lawyer began reading my article silently, while everyone, including the judge, waited for him to ask a question (these long pauses in the proceedings are not mentioned in the published court transcripts). This went on, I think, for something like fifteen minutes. At one point he asked a question that had nothing to do with epigraphy, a question that I could not fathom at all. I turned to the judge and said so. It's possible the judge, too, could not understand the question, so he asked the lawyer to repeat it. The purpose of the question was, no doubt, to confuse and disorient. At one point I could not help it but burst into laughter as I heard a thoroughly ridiculous question that Mr. Bahat unashamedly put to me.

When I wanted to quote Ada Yardeni regarding what she had said about the script used in the Jehoash tablet, Mr. Bahat objected. When I wanted to quote Joseph Naveh about palaeography in a 1980 article written by him, the prosecutor objected vehemently, and only with the forceful intervention of the judge I was allowed to do so (in fact the quote from Naveh was already in my 2003 article).

Mr. Bahat, feeling frustrated by an honest and genuine expert on literary Hebrew inscriptions, saw no other way but to turn to petty casuistry and quibbling in order to score some points in court. Even though I had declared that I am an expert on the language of inscriptions, the prosecutor kept harping on palaeography, attempting to show that the mixed script of the Jehoash is a forgery. I pointed out that the Eqrone inscription has a mixed script, or a script that is not easy to identify, and yet it is considered by all scholars to be genuine.

At this late juncture in my testimony, he turned to asking utterly nonsensical, hairsplitting questions that drove the judge, at least once, if not twice, to shout angrily, even furiously, at Mr. Bahat, telling him to stop it. The specific issue now was about ostraca, an issue Bahat himself introduced, not I myself. Even though I said I had not researched the specific ostraca Bahat mentioned (and ostraca had nothing to do with my research on the Jehoash text), he kept pestering with questions. Apparently he thought he had found a weakness which he could exploit. The anger displayed by the judge quite

surprised me (the judge's display of anger is not mentioned in the court transcripts). Here is my translation of what the judge shouted at Mr. Bahat:

Judge: Mr. Bahat, this is completely unnecessary! Your last comment was completely unnecessary! Sir, don't answer me! Your last comment was completely unnecessary regarding an expert witness who is on the witness stand, giving testimony. Excuse me! (Then turning to me) Professor Sasson, you wanted to complete your answer, right? Please do so.

After more than two hours on the stand (in a confining corner of the relatively small courtroom) - at times I had to sit on account of exasperating, convoluted or irrelevant questions and the lack of fresh air - I was finally thanked by the judge. He wished me a Happy New Year. The Jewish new year had just began.

As I have mentioned in my research article on the Jehoash, a governmental appointed committee of sundry scholars can in no way adjudicate the authenticity of an inscription. Public relations and comradeship would play a major part in the process – as in fact it did. Indeed, our Akkadian scholar from the University of the Negev claimed that the committee's unanimous verdict of forgery was like the miracle of the Septuagint's translation of the Hebrew Bible, when every member of that committee submitted the same translation! As far as I know, no member of the committee that was appointed in 2004 was a professional epigrapher, someone who has at least published several detailed research studies of major inscriptions over a period of some years. Similarly, a court of law is not the place to ascertain authenticity. A professional lawyer is not, and cannot pretend to be, an epigrapher. The court is a place where the prosecuting lawyer has already passed judgement, and his sole goal is to score legal points at all costs. To establish the authenticity of a controversial epigraphic text may take years and solid, published research by professional epigraphers. Throwing about 'big' names from 'big' universities in support of a forgery is not the way to go about it – this is in fact what Y. Goren and N.A. Silberman did in their highly dramatic piece, 'Faking Biblical History' in *Archaeology* magazine (56, no. 5, September-October, 2003). That approach is patently false. It is cheap journalese, and it is misleading.

I must comment about the published court transcripts. They are available in Hebrew only. Although I read, write, and speak Hebrew (as well as Arabic) I gave my testimony in English, as all my research was done, written, and published in English. The simultaneous interpreter that was assigned to me did, on the whole, a good job, (I had to correct her once, so did Mr. Bahat, and so did the judge - regarding different matters). I think that my testimony was also recorded on tape. And yet, the published transcripts in Hebrew display misspellings of words and names, misunderstood or garbled sentences, possibly omissions, and so forth. I find this incomprehensible.

Less than a week after I had given my testimony in Jerusalem, I learned that Judge A. Farkash advised the Prosecution to reconsider their case or to drop it altogether. I am tempted to think that my own testimony in the trial contributed something towards that decision.

UNHOLY HOAXES FROM A NIMBLE JOURNALIST

Several weeks after my court testimony in Jerusalem, I chanced to read an opinion piece entitled 'Hoaxes from the Holy Land' (Los Angeles Times, Nov. 29, 08), written by someone who knew how to rehash information that branded the Jehoash a forgery. I had never heard of this Nina Burleigh before. She spoke of 'nimble defence attorneys' who sought to prove (among other archaeological objects) the authenticity of the Jehoash inscription. It struck me as insipid, shallow and thoroughly unreliable, written by a third rate journalist who dared to venture into one of the most specialized fields in Semitic Studies - Hebrew and Aramaic epigraphy. Nina Burleigh's article is a burlesque, paraded as a well-informed opinion piece. In fact she has no informed opinion of her own to speak of. A professional journalist would present a balanced, unbiased account of the controversy. This one pontificates, using abusive language, and passing judgement on experts in a field she knows absolutely nothing. What this journalist gave us was a piece of her own confused mind, mixed with misinformation and insults.

This is what she says about both the prosecution and the defence in the Jerusalem trial: "So prosecutors ...collected a long list of archaeologists and epigraphers... These men and women ...were no match for nimble, expensive attorneys ...working for the defence." I have already dealt with the question of epigraphers in my scholarly research, mentioned above. Let me just make a point here about the prosecutor and the defence lawyer.

As my account of my own experience in the Jerusalem court has clearly shown, it is the Prosecution that has been playing a nimble, tricky game, not the Defence. If one cares to consult the testimony of that Akkadian scholar from the University of the Negev, one will see that the defence lawyer, Mr. Bringer, urged his witness in the cross-examination to say whatever he wished to say. This is in complete contrast to the prosecutor's stance, Mr. Bahat, who barred me from presenting whatever evidence I wished to present in court. Readers interested in checking this point may wish to consult my book *King Jehoash and the Mystery of the Temple of Solomon Inscription*, p. 122, where there is a translation of the court transcript.

I happen to be an observant Jew, native to the Middle East, mindful of Jewish customs and values. My views about the political situation in the Middle East are generally known from whatever I have written and published on the subject. In brief, and to focus on the issue at hand, I definitely oppose those who wish to destroy Muslim shrines in order to re-build the Temple. Those who wish to do so are mostly East European fanatic Jews who are foreign to the soil and culture of the Middle East. Further, I have never been in the business of looking for biblical artifacts and inscriptions with the aim of supporting the events narrated in the Hebrew Bible. I do not need any such proof or support for my beliefs. Nor is it appropriate to mix science with politics, or with beliefs.

Towards the end of her article, Burleigh unashamedly states: "Sober and serious biblical scholars need to take steps to shield the public from their more ruthless colleagues." This is one of the most insipid and outrageous accusations she makes. I assume she would include me personally as one of those ruthless colleagues for doubting the Jehoash text to be a forgery. And she ends her mumbo-jumbo piece with: "The only trouble is, in this field, disinterested individuals are the rarest finds of all." What does she

know of this field of Semitic Epigraphy and of those very few who engage in it? If she is searching for a “disinterested” professional epigrapher, let her look no further – here he is. But she can expect nothing from me but contempt. She also has the gall to speak of ‘characters’, when she herself is shamelessly feeding misinformation and cheap gossip to the general, unsuspecting public.

May God protect and shield us from dishonest and deceptive prosecutors, and from third-rate, nimble, and abusive journalists who prostitute their pens in specialized fields about which they know nothing!

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