

# Selected Writings of E. A. Speiser

Ephraim Avigdor Speiser, the renowned Assyriologist, archaeologist, and Biblical commentator, published these 38 articles in a variety of journals between the years 1924 and 1963. While studying the ancient Mitanni and Hurrians in northern Mesopotamia, he discovered and subsequently excavated the site called Tepe Gawra ("Great Mound), which was occupied between 5000 and 1500 B.C. Speiser was affiliated with the University of Pennsylvania as a professor (from 1928) and later as Chairman of the Department of Oriental Studies (from 1947 until his death in 1965).

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Available at Internet Archive are other works by Speiser, especially his *Introduction to Hurrian* (1940 - 1941): [E. A. Speiser's studies](#), at archive.org

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The Translation and Etymology of Uşurtu

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who talks freely." מְלִיץ was an official who was chosen for his office, as certain officials are chosen in these days, because he was a fluent speaker. The word means free-talker, mediator, advocate, ambassador, diplomat. There is no reason to think that it means an interpreter in the strict sense of the word.

In looking into this matter it occurred to me that לִיץ is related to לִישׁ, from which we get לְשׁוֹן (cf. פּוֹשֵׁן = פּוֹשֵׁן; and רָעַע = רָעַע = רָעַע); and that probably לְצוֹן is akin to לְשׁוֹן. On consulting Dr. C. J. Ball's *Book of Job* (1922) I find some measure of support for my contentions that לִיץ means "to talk freely," that מְלִיץ means "one who talks freely," and that לְצוֹן is related to לְשׁוֹן. Ball still clings to the translation "interpreter," but he suggests that the primary sense was perhaps simply *speaker* (he does not say *free speaker*, and makes no reference to לִיץ). He adds that "the Canaanite לִיץ may be akin to לעז Ps. 114<sup>1</sup>, and even to לְשׁוֹן the *tongue*, as the organ of speech" (p. 378).

Coming back to the passage, Gen. 42:23, it seems to me that מְלִיץ here denotes some official intermediary or go-between, and not an interpreter, and that the passage should be translated: "And they did not know that Joseph *heard* them, for the intermediary was between them." Joseph did not hear them, either because he was separated from his brethren by the intermediary, or because the intermediary, being a talker by profession, drowned their words.

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### THE TRANSLATION AND ETYMOLOGY OF UŞURTU

Verse 79 of the First Tablet of Creation (Text *KAR* 162, 117), which reads *Ina ki-iš-ši simate*<sup>1</sup> *ad-ma-an uşurate*<sup>2</sup>, is translated by Professor Luckenbill in *AJSL*, XXXVIII, 19, as "In the abode of fates, the dwelling of canons." The word "canons" in this connection is cumbersome enough to prompt the translator to add humorously in a footnote, that "a prize should be offered for a good English rendering of *uşurate*." The difficulty, however, can be obviated by a closer inquiry into the etymology of the Assyrian word.

The root *eşeru* has been connected with the Hebrew verb עָצַר. (For literature cf. Muss-Arnolt and Yahuda's article in *ZA*, XVI, 240 ff.) It was pointed out that the meanings "to enclose, hold under protection," which the Assyrian word may bear, have their parallel in the idea of

<sup>1</sup> NAM-MEŠ.

<sup>2</sup> GIŠ-ĤAR-MEŠ.

“restraint” (and “protection”; Yahuda), which the Hebrew root is known to convey. The sense of “ruling despotically,” in which *eşeru* most frequently occurs, could, it is argued, be derived from the above applications of the related roots.

However, it can be shown that the two roots disclose more direct affinities with regard to this latter meaning. In I Sam. 9:17 יַעֲצֵר in the phrase יַעֲצֵר בְּעַמִּי is generally taken in the sense of “ruling over something,” while a derivative of the verb in this particular meaning is seen by some in the difficult יָרַשׁ עֲצָר (Judg. 18:7) which they consequently translate: “possessing authority” (cf. the R.V. *kimḥi*, and Ibn Janah, who lists in his *Dictionary*<sup>1</sup> a great many more passages in the Bible where עֲצָר occurs, according to him in the above sense).

The analogy between עֲצָר and *uṣurtu*, a noun derived from *eşeru*, is quite obvious. Yahuda misses the point entirely in comparing the latter with Arab. حَصَصَ, “to encompass, surround.”<sup>2</sup> For *uṣurtu* does not only mean “enclosure,” but it is primarily used in the sense of “a place where absolute power is exercised,” then this “power, authority” itself. This automatically connects the noun with the verb *eşeru*. That the meanings “restraint, enclosure,” whose relationship is obvious in itself, often go together is further demonstrated by the synonymous root *kalū*, Hebr. and Aram. כָּלָה, Arab. كَلَّ, all meaning “to restrain,” while the nouns derived from them denote “enclosure, prison,” etc. It is interesting that Arab. كَلَّ also means “to protect,” thus establishing the fact that ideas of restraint, rule, and protection were originally, to the ancient Semite, almost identical.

There is yet another quarter from which we get some help, rather unexpectedly. In the Museum of the University of Pennsylvania there are two small tablets (8642, 9021) containing Sumerian royal inscriptions of Ur-ninib and Bur-Sin respectively, which present practically identical material in somewhat differing phraseology, whence a few synonymous expressions. (They are both found in Thureau-Dangin: *Sumer. Akkad. Königs-inschriften*, pp. 204-5.) The inscription of Bur-Sin reads (ll. 6, 7): *me su-el Nun<sup>ki</sup>-ga*, “who makes pure the decisions of Eridu,” while the corresponding phrase in Ur-ninib has (l. 5): *giš-ḥar Nun<sup>ki</sup>-ga ki-bi-gi*, “who restores the authority of Eridu.” The two phrases are found in the same context in Barton’s *Babylonian Inscriptions*,<sup>3</sup> 11, Obv. 1. 5. *é-an-ki-bi-da giš-ḥar-bi ni-ḥar me-el-šu ba-e (sum?)* The line may be translated in view of the preceding: “The House of Heaven and Earth, its authority he established its pure decision instituted.” Now *giš-ḥar* occurring in those examples as a synonym of *me (puršu)* is precisely the ideogram used in our text for *uṣurtu*.

<sup>1</sup> *Sepher Haschoraschim*, ed. Bacher, Berlin, 1896.

<sup>2</sup> *Op. cit.*, p. 259, footnote.

<sup>3</sup> Yale University Press, New Haven, 1918.



Bearing these facts in mind we should have little difficulty in translating *uṣurate* in our passage by "authority." As *šimate* primarily means "decision," we get a well-balanced sentence: "(. . . they sat) In the abode of Decision, the dwelling of Authority."<sup>1</sup>

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<sup>1</sup> The singular in English is here best suitable for the rendering of the corresponding Assyrian plurals, especially in the case of *uṣurate*. Cf. Hebr. זקנים, "old age," נערים, "youth."



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## A NEW FACTOR IN THE HISTORY OF THE ANCIENT EAST

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In the spring of the year 1925 excavations were conducted on a small tell in the neighborhood of Viran Shehr about 10 miles South-West of Kerkuk. The area uncovered proved to be a part of a larger ancient city known as *Nuzi*. The expedition was a joint undertaking of Iraq Museum and of the American School of Oriental Research in Baghdad. Dr. Chiera, the Annual Professor of the School for the year 1924-5 was in charge of the excavation.

The material brought to light consists of over a thousand cuneiform tablets, a large quantity of pottery and some bronze implements. A general description of the site explored has been given in a recent number of the *BULLETIN* of the Schools of Oriental Research. A detailed presentation must be reserved for a special volume.

Work on the tablets was begun immediately after they arrived here from Baghdad. These valuable documents are, unfortunately, rather poorly preserved. In the first place, the tablets are all of unbaked clay which, in addition, is not always of a good quality. It would often crumble in the hands of the Arabs who were unable at times to distinguish the clay tablets from the surrounding dirt. Moreover, the house in which they were found had been destroyed by fire. The roof had caved in crushing underneath it the jars in which the tablets were kept. And at length worms—one is almost tempted to say the original "bookworms"—did not have the refinement to discriminate between the inscribed clay and the plain dirt, frequently boring their way through the body of the tablets. All of which, needless to say, does not make decipherment an easy and attractive task. However, when the dirt is cleaned away the documents appear much more legible than it would seem likely at first. As is natural in a find of this size, there is usually a number of records belonging to the same general type. A well preserved tablet might thus furnish the clue to the reading of some troublesome lines or even for the supplying of minor gaps in difficult and damaged tablets.

The material represents the private archives of a prominent family. The records are composed in a dialect of Accadian. But even a superficial reading of the tablets reveals immediately that the language of the documents was not the mother tongue of the people who had them written. The dialect of the tablets from *Nuzi* betrays complete indifference to some of the most fundamental principles of the Accadian language. The phonology points unmistakably to a non-Semitic substratum. One might say that the Nuzians

spoke their Accadian with hopelessly foreign throats.<sup>1</sup> Many of the technical terms employed in the tablets are obviously taken over from another, unrelated language.<sup>2</sup> And lastly, the overwhelming majority of the proper names belongs to a people that, linguistically at least, could have nothing in common with the Semitic population of Mesopotamia.

What then was the original language of the *Nuzians*? Do the proper names represent an entirely new language or are they to be assigned to one of the numerous dialects known to have been in use at one time or another in this eminently polyglot section of the Ancient East? For it is only recently that we have come to appreciate the value of the Biblical account which places the tower of Babel in Mesopotamia. But the primordial confusion said to have been brought about by the builders of the ill-fated structure still seems to attach to many of the problems connected with the study of the languages and peoples of the Near East. The racial and linguistic affinities of the Sumerians and the Elamites, the Cassites and the people of Gutium, the Mitanni and the people of Urartu;<sup>3</sup> the interrelationship of the Assyrians and their Cappadocian colonies, of the Babylonians and the Western Semites; and lastly the classification of the numerous dialects and peoples made known through the inscriptions of Boghaz Keui;<sup>4</sup> these are but a few of a truly imposing array of problems for the historian and philologist alike.<sup>5</sup>

<sup>1</sup> This is true of nearly all Accadian records composed in non-Semitic countries or by non-Semitic peoples. Cf. especially the Cappadocian inscriptions (literature in Contenuau, *Trente tablettes cappadociennes*, Paris 1919, pp. III f., and Julius Lewy, *Studien zu den altassyrischen Texten aus Kappadokien*, Berlin 1922, p. 2, further the Accadian treaties from the archives of Boghaz Keui in Weidner, *Politische Dokumente aus Kleinasien*, Boghazköi-Studien 8-9, Berlin 1923.

<sup>2</sup> Cf. the "Mitanni" glosses in the letter from *Tunip*, Messerschmidt, *MVAG*, 1899, 4, pp. 119-121.

<sup>3</sup> It is quite likely that some of the smaller tribes of Mesopotamia had languages and dialects of their own. But it will take more than a handful of proper names to *prove* the existence of a new language. The argument of Landsberger that the people of *Harshi*, *Humurti*, and *Kimash* spoke hitherto unidentified languages is for that reason inconclusive. See his otherwise excellent article 'Über die Völker Vorderasiens im dritten Jahrtausend,' *ZA*, 35, 230.

<sup>4</sup> Hrozny, *Über die Völker und Sprachen des alten Chatti-Landes*, Bogh. St. 5, Leipzig 1920; Forrer, "Die Inschriften und Sprachen des Hatti-Reiches," *ZDMG*, 76, 174 ff.

<sup>5</sup> For other more recent discussions of the ethnic and linguistic problems of the ancient Near East see Hugo Winckler, "Suri," *OLZ*, 1907, 281 ff., "Die Arier in den Urkunden von Boghazköi" *OLZ*, 1910, 292 ff., *Vorderasien im zweiten Jahrtausend*, *MVAG*, 1913, 4; Ungnad, "Zur Geschichte der Nachbarstaaten Babyloniens" zur Zeit der Hammurapi Dynastie, *BA*, VI, 5, pp. 1 ff.; Eduard Meyer, *Geschichte des Altertums*, v. 2, 3 ed. 433 ff.; Landsberger, op. cit.; Lewy, "Zur Geschichte Assyriens und Kleinasiens im 3. und 2. Jahrtausend" *OLZ*, 1923, 533 ff. For the bearing of the new studies

In the first days of our work on the Nuzi tablets it was noticed that certain names of cities appeared both with and without a final element, usually written *wa*. There could be little doubt that we had here a case ending or its equivalent. The ending *wa* is known from the Mitanni letter and from the Hurri sections of the Boghazkeui inscriptions.<sup>6</sup> In the former it has been taken as a locative<sup>7</sup> whereas the Hurrites seem to have employed it as a genitive.<sup>8</sup> Since the above two languages are admittedly very closely related, if not indeed actually identical,<sup>9</sup> the new tablets did not appear to represent a dialect which would have to be considered as isolated.

A further examination has confirmed our first and tentative assumption that we were dealing with a near relative of the Hurri-Mitanni group. Names similar to or even identical with those of the Mitanni letter have been found in the process of gradual decipherment of the material.<sup>10</sup> The unusually large number of theoforic names with *Teshup* points unmistakably in the same general direction. And lastly, a number of grammatical and etymological details, a discussion of which must be reserved for a special volume, is another important link in the long chain of evidence that enables us to establish the linguistic affiliations of the *Nuzians* beyond the possibility of dispute.

Politically the district was part of the country of *Arrapha*.<sup>11</sup> The tablet which furnishes us with this valuable bit of information also mentions *Hanigalbat* in a context which implies that the two states were at that time in an intimate relationship with one another. *Hanigalbat* is best defined as a geographical name for the country occupied by the empire of the Mitanni during the Amarna period.<sup>12</sup> *Arrapha* figures in our tablets as a rather near

on the pre-Biblical history of Palestine cf. Burney, *The Book of Judges*, (London 1918) pp. LV-CXVIII.

<sup>6</sup> For the reading *Hurri* instead of *Harri* see Ungnad *ZA*, 35, p. 133, n. 1, and *ZA*, 36, p. 101, n. 1. Lewy (*ZA*, 35, p. 145, n. 4) calls attention to the fact that the name of the people may have been preserved in the name of the city *Hu-ur-ra* occurring in *KAH* I 5, 1 ff. To this may be added the name of the god *Hu-ur-ra* found in the Mitanni treatise *KBo* I. 1 Rs. 41.

<sup>7</sup> See Messerschmidt, *loc. cit.* p. 97; Bork, *Die Mitannisprache*, 46.

<sup>8</sup> Forrer, *op. cit.* 224.

<sup>9</sup> Cf. the article of Johannes Friedrich on "Kleinasiatische Sprachen," 14 in Eberts' *Realexikon der Vorgeschichte* v. I, and Ungnad, *ZA*, 35, 133.

<sup>10</sup> For a study of the "Mitanni" proper names see especially Ungnad *BA*, VI. 5. 8 ff., and Gustafs, *OLZ*, 1912, pp. 241 ff., 300 ff., 350 ff.

<sup>11</sup> On the situation of *Arrapha* cf. Albright, *JAOS*, 45, 209 ff.

<sup>12</sup> Cf. Schachermeyer, "Zur geographischen Lage von Mitanni und Hanigalbat," *Festschrift Lehmann-Haupt* (1921) pp. 188-193. In the annals of the first millennium Hanigalbat is sometimes identified with the district of *Melitene*, West of the Upper Euphrates. This is, according to Schachermeyer, due to the fact that when



neighbor of *Hanigalbat*. Evidently, therefore, the center of gravity of the latter country was, at least for the time in question, nearer to the Tigris than to the Euphrates. Now this corresponds precisely with what we know about the geographical position of Mitanni. The friendly relations of the two states are especially interesting since, as we have seen, the two countries were also closely connected linguistically.<sup>13</sup>

It has been indicated previously that there is also no demonstrable difference between the languages of the Mitanni and of the Hurri if we are to judge from the material now extant. The land of the Hurri is generally sought in Armenia.<sup>14</sup> The language of the Vannic inscriptions appears to have been a younger branch of the same linguistic group although we must reserve final judgment on the subject until the entire material has been published.<sup>15</sup> An important linguistic group is thus revealed to have covered the large area extending from Armenia down South to Mesopotamia, and from there to the lands East of the Tigris. What was until recently the isolated people of Mitanni, confined for the most part to Northern Mesopotamia now appears as but one member of an unexpectedly large family whose expanse alone would argue a profound influence upon the ancient history and civilization of the Near East. Fortunately, we are not left here entirely to conjecture.

after the collapse of the Mitanni empire, the population of that country sought refuge in *Melitene*, the name of their country followed the unfortunate exiles.

<sup>13</sup> The name *Hanigalbat* is also written *Haligalbat* and *Hanagalbat*, which is undoubtedly due to the phonetic peculiarities of the language to which the name belongs. Cf. Forrer, *op. cit.* 236, and Weidner, *Bogh. St.* 6. 77 n. 1. The country *Hani* to which the foreign conquerors of Babylon who put an end to the reign of the First Dynasty carried the images of *Marduk* and his consort *Sarpanit* is, no doubt, an abbreviation of *Hanigalbat*. It may be further connected with the *Hana* on the Middle Euphrates, cf. Meyer, *op. cit.* 454. For the nationality of those early conquerors of Babylon this fact is of the greatest importance. We have seen that *Hanigalbat* is later the center of the Mitanni empire. It is also generally admitted that the foreign invasion in question was due to the same people who founded that empire (Winckler *MVAG*, 1913, 4. 35). The Babylonians speak of them as the *Hatti*, and scholars have been calling the same ethnic group Teshup-Hittites. This term is, strictly speaking, not as incorrect as it is apt to be misleading. Now that we have reserved the term "Hittite" for the language (and people) of the bulk of the inscriptions from Boghaz-keui (quite erroneously, as it is now generally admitted), we must not confuse with that group the "Mitanni" and their relatives. To the Babylonians and Assyrians *Hatti* was a very general term. Even the inhabitants of Asdod are called "faithless *Hatti*" by Sargon (Winckler *ibid.* 42). The Bible uses the term "Hittite" in the same general sense (cf. Ungnad, *Kulturfragen* 1. 7). For a more correct name for the Teshup-Hittites see below.

<sup>14</sup> See Ungnad, *ZA*, 36. 101 ff.

<sup>15</sup> Here too the god *Teshup* plays a very important part, being second only to the national god *Haldi* (cf. Winckler, *op. cit.* 68).

But before we proceed with the discussion it is essential to settle the problem of uniform terminology. Until the discovery of the Hurri material the language of the letter of Tushratta was quite naturally referred to as Mitanni. However, recent investigations have brought out the fact that the term may only be correctly applied to the empire which developed in the ancient land of Hanigalbat, but which may have been itself originally a part of the Greater Hurri state.<sup>16</sup> The people of Mitanni were for the most part Hurrites with whose language the dialect of Mitanni was, as we have seen, all but identical. Indeed, the name Mitanni may have been contributed by the foreign, Indo-European ruling class about which more will be said later. As a common designation for the language of the Mitanni letter and of the related proper names scholars have, therefore, been employing of late the name "Subarean," a term originally suggested by Jensen and resuscitated recently by Ungnad.<sup>17</sup> It can be shown, however, that this designation is a misnomer far more serious than Mitanni. The "Shubartu" of the earlier cuneiform inscriptions is a rather elastic geographical term variously applied to the mountainous districts of Northern Mesopotamia.<sup>18</sup> The name "Shubaru" for the people of those lands is apparently a later abstraction from the name of the land modelled by proportional analogy on some such pair of terms as *Elamtu* and *Elamu*. Such districts as that of Kerkuk from which the bulk of the published "Subarean" names is known to have come are not even included in the term "Shubartu."<sup>19</sup> The few lexicographical references to the so-called "Subarean" words, (introduced by the formula *ina SU*) contain in reality some perfectly good Assyrian expressions. This fact is noted by Jensen<sup>20</sup> himself although it is curiously overlooked by those who have made use of Jensen's material. As result we get some startling philological revelations which it is most difficult to take seriously.<sup>21</sup> In addition we know that the

<sup>16</sup> This is a necessary inference from the Mitanni treaty, cf. Winckler, *op. cit.* 63 ff., Weidner, *Bogh. St.* 8. 9 n. 6.

<sup>17</sup> *Kulturfragen* 1, 5.

<sup>18</sup> Landsberger, *op. cit.* 228, and Winckler, *OLZ*, 1907. 281 ff.

<sup>19</sup> *Ibid.* Hammurabi was the first one to introduce the term *Shubartu* as a common designation for the numerous principalities of Northern Mesopotamia instead of calling each by its own name (*ibid.* 230-231).

<sup>20</sup> *ZA*, 6. 60. n. 1.

<sup>21</sup> Cf. e. g., the chapter on "The Sumerian Revival" (XII) in *The Cambridge Ancient History*, v. I (1923), where the author does not know at this late date that the "Mitanni" and Hittite languages are not to be confused with one another (p. 452). He goes even further and gives Hittite credentials to the word *pitqu* 'son, child' which is at best a dialectic form of the good Accadian word *pitêqu* (cf. Delitzsch, *HWB* 390 b, and 555 a). The dynasty of Gutium may also be of Hittite origin according to the same writer (*ibid.* 670). Such irresponsible philological speculations are carried even further by the author of the chapter on the Hittites, *ibid.* v. II. 253 ff. The names

term "Shubartu" is used indiscriminately for Assyria at the time of Assurbanipal.<sup>22</sup> This alone would be quite sufficient to rule the "Subarean" out of court. But there are further equally weighty arguments. The most extensive literary remains of the linguistic group under discussion are the so-called Hurri sections of the archives of Boghaz Keui. The language of those inscriptions is definitely and repeatedly designated as Hurri (the adjective *hur-li-li* occurs 16 times according to Forrer.<sup>23</sup> Obviously this was the name by which their speech was known to the Hurrites themselves. For this very reason even so ardent a champion of the "Subarean" cause as Ungnad retains the name Hurri for the respective sections of the Boghaz Keui inscriptions. Curiously enough it was also Ungnad who first claimed absolute identity for the languages of the Hurri and of the Mitanni.<sup>24</sup> The glaring inconsistency of such a position is patent. On present evidence the name Hurri is the only correct common term for the entire linguistic group. This of course does not preclude the existence of entirely different names for the various tribes of Mesopotamia that may have used the Hurri language for purposes of daily intercourse or preserved Hurri elements in their proper names. The Assyrians and Babylonians spoke dialects of Akkadian and not, as we used to say, Babylonian or Assyrian. The people of the United States do not yet necessarily speak United States. Possible tribal subdivisions into separate political units do not prevent us from applying a well established general name for a larger group of people demonstrably related linguistically and very likely also ethnically.

There is one more point to be made in connection with the problem of the distribution of Hurrite tribes. After the time of the twelfth dynasty Egyptian records substitute for the older *Rezenu* the term *H-r* which ultimately comes to include Syria as well as Palestine.<sup>25</sup> This designation is now generally connected with the *Horites* of the Bible particularly since the identification of the Biblical tribe with "cave dwellers" has long been viewed with considerable scepticism.<sup>26</sup> Winckler's further identification of the *H-r-Horites* with the Hurri of the Boghaz-Keui inscriptions<sup>27</sup> was bound, however,

*Takuwa* and *Akit-Teshup* are, according to this writer "of Amorite sound!" The name *Shutatarra* "recalls the *Sutu*" and the country of which *Shutatarra* was ruler (*Kinza*) together with *Katna* whose prince bears such a name as *Aki-izzi* are, nevertheless, "probably Semitic states" (262-3). If all philologists drew conclusions with similar abandon there would be no linguistic or ethnic problems left for us to solve.

<sup>22</sup> Streck, *Assurbanipal*, I. 417. n. 3, 418. n. 2.

<sup>23</sup> *Op. cit.* 188, 195 ff.

<sup>24</sup> *ZA*, 36. 101.

<sup>25</sup> See Müller, *Asien und Europa*, 137, 148 ff., 240; Spiegelberg in *OLZ*, 1906. 106 f.

<sup>26</sup> For literature see Burney, *Judges*, LVII. n. 3.

<sup>27</sup> *MDOG*, XXXV. 49 ff.

to meet with serious objections so long as the Hurri were still taken for Aryans. Eduard Meyer was prompt to point out that the *Horite* genealogies of the Bible consist of Semitic names and cannot be attributed to an Indo-European population.<sup>28</sup> But our views on the ethnic relations of the people made known through the archives of the Hittite capital have changed considerably in the last few years. It is now the Hittites whose language we are forced to assign to the Indo-European group, at least as far as grammatical structure is concerned, whereas the linguistic material of the Hurrites has been found totally unrelated.<sup>29</sup> This removes out of the way an important objection to the assumption of a possible original relationship between the *Horites* and the Hurri.<sup>30</sup> The *Horite* names do not offer in this connection a really serious difficulty. In districts as far removed from the center of the Hurrite culture as the region of the Dead Sea we would naturally expect Semitization of names differing from those of the rest of the population. We know this to have happened even in sections with a solid Hurrite stock. In the material from Nuzi we frequently find bearers of thoroughly Semitic names amidst hosts of purely Hurrite relations. Besides, the Semitic character of the *Horite* names may not be as thoroughgoing as it is claimed to be. A number of elements might just as well belong to the Nuzi material. The common name  $\text{𐎶𐎵}$  to give here just one example, is remarkably reminiscent of the Hurrite name *Taisheni* with which we meet frequently in the Nuzi tablets. It is also worthy of notice that, as Meyer points out, animals played an important part in the life of the *Horites*. This can still be traced through such names of cities as *Ophra* 'gazelle,' *Ayyalon* 'deer,' and the like.<sup>31</sup> Now it is precisely these animals that figure most prominently on the seal impressions of the tablets from Nuzi. Facts like these make it very probable that there was an important Hurrite element in the population of ancient Palestine, though one is not as yet justified to speak about it in positive terms.

The presence of Hurrite elements in Mesopotamia can be traced back to very ancient times. The name *Arisen* which is typical for that group is found on an inscription belonging to the time of the Dynasty of Akkad.<sup>32</sup> From then on Hurrites are found with increasing frequency. The tablets from Drehem, dating from the period of the Dynasty of Ur, mention them frequently.<sup>33</sup> At the time of the First Dynasty, and especially in the Kassite

<sup>28</sup> *Op. cit.* 467 end.

<sup>29</sup> Curiously enough, the very opposite is held by Winckler in *MVAG*, 1913. 4. 76.

<sup>30</sup> Now considered probable by Ungnad, *ZA*, 35. 138. n. 1.

<sup>31</sup> *Op. cit.* 467. As for the possible equation of  $\text{𐎶𐎵} = \textit{Taisheni}$  it should be added that *d* and *t* are not distinguished in our texts.

<sup>32</sup> *RA* 9. 1.

<sup>33</sup> Landsberger, *op. cit.* 229.

period, they seem to have been widely scattered throughout the cities of Babylonia.<sup>34</sup>

Were the Hurrites the original population of Mesopotamia? A tendency to consider them as such may be observed in some of the latest literature on the subject.<sup>35</sup> Decisive in this connection are said to be the names of the alleged founders of Ashur *Uspia* and *Kikia*, whose "Subarean" origin is all but universally assumed.<sup>36</sup> Similarly, the names of the kings of *Gutium* who ruled over Mesopotamia for a considerable part of the third millennium have been taken as an indication of the "Subarean" origin of the dynasty, following an extremely doubtful identification of the name of one of the kings by Christian.<sup>37</sup> We must beware of substituting "Pan-Subareanism" or "Pan-Hurritism" for the former "Pan"-menaces. There is as yet nothing in the material available to justify such an assumption. Recent excavations at Ashur have shown that the very oldest cultural influences at Ashur clearly point to Sumeria.<sup>38</sup> The period of *Uspia* and *Kikia* is represented by the third stratum, hence these kings are not to be mistaken for the real founders of Ashur.<sup>39</sup> What we do know is that Hurrite tribes occupied extensive areas of Mesopotamia as early as the third millennium. Under the leadership of an Indo-European ruling class they established in the second millennium the powerful Mitanni-Hurri empire which vied with Egypt and Hatti for the supremacy of the East.<sup>40</sup>

<sup>34</sup> Ungnad, *BA*, VI. 5. 8 ff. The general name of the group may have been preserved in the name of the country *Hurrâna* (South-West of Lake Urmia) which is mentioned as late as the obelisk of Shalmaneser, cf. Streck *ZA*, 15. 259.

<sup>35</sup> Ungnad, *Kulturfragen* I. 8.

<sup>36</sup> Doubted by Landsberger, *op. cit.* 239.

<sup>37</sup> Cf. his statement in the *Mitt. d. anthrop. Gesellschaft in Wien*, 53. 236. The relationship is assumed on the basis of an alleged similarity between the name of the Gutian king *Imbia* and those of the aforementioned "Mitannian" kings *Uspia* and *Kikia*. This is an argument which it is difficult to credit to so able a scholar as Christian. Apart from the fact that the names of the other known kings of Gutium do not resemble Hurrite names in the least (cf. the list of the kings of Gutium in the *Camb. Anc. Hist.* I. 670), the *ia* of *Imbia* which is here the only possible element of comparison is merely a hypocoristic ending that had originated most likely in Accadian and was transferred from there to Hurrite names (cf. Landsberger, *op. cit.* 230). Moreover, the first element of the name might be easily taken for Accadian, while there is not a single "Mitannian" name with which it could be connected. It is rather surprising that Lewy (*ZA*, 35. 147) accepted so rashly Christian's suggestion.

<sup>38</sup> W. Andrae, *Die Archaischen Ishtar-Tempel in Assur*, Leipsic, 1922, 117.

<sup>39</sup> *Ibid.* 118, Lewy, *Studien*, 47.

<sup>40</sup> For evidence bearing upon the existence of an Indo-European ruling class in Mesopotamia in the second millenium see the article of Eduard Meyer on "Die ältesten datierten Zeugnisse der Iranischen Sprache und der zoroastrischen Religion," *Zeitschrift für vergleichende Sprachforschung*, 42. 1-27; For the Indic gods Mithra,



That the Assyrians should be very intimately connected with that group, both racially and culturally, is only natural. The city of Ashur was surrounded from practically all sides by Hurrite settlements.<sup>41</sup> There can be no doubt that we are witnessing at present the emergence into the light of history of a practically new ethnic group whose importance was very great although it cannot be as yet adequately appraised. However, to speak here of ultimate origins is decidedly premature.

We have attempted in the preceding pages to sketch in very broad outlines a general background for the picture which the material from Nuzi enables us to reconstruct. To make possible a corresponding degree of orientation in time it remains for us to discuss briefly the problem of the dating of the tablets.

It has been indicated above that the material consists of documents of a private family. Consequently, we have no historical records on which to base our discussion.<sup>42</sup> We are compelled to rely entirely on what internal evidence the tablets may be found to contain. In this respect we are precisely in the same position with the students of the now famous and widely quoted Cappa-

Varuna, Indra, and the Nāsatiyā twins in the cuneiform inscriptions cf. the exhaustive literature in Weidner, *Bogh. St.* 8. 32. n. 2, to which should be added Ungnad, *Kulturfragen* I. 11. On the "Aryan" numerals and phrases in the tablet of "Kikkuli from Mitanni," found among the Boghaz Keui inscriptions see especially Sommer, *Bogh. St.* 4. 2-11, and Forrer, *l. c.* 247 ff. One of the most striking results in this connection is the definite establishment of the fact that these early Indo-European words do not show yet the Iranian change of *s* to *h*. Consequently, there cannot be at present any reasonable doubt that the Cassite sungod *Shurियash* is to be connected with Indic *Sūrya-s*. This, together with other facts which cannot be taken up here in detail, is conclusive proof that Indo-European influence was felt in the second millennium not only in Mitanni but also in Babylonia. (But the Indo-European connections of the Hittites belong to an entirely different source.) To Ungnad's supposition (*Kulturfragen* I. 12) that the name *Mitanni* itself may be ultimately connected with the *Medes* (mentioned in the cuneiform inscriptions as *Mat-ai* and *Ma-ta-ai*) one could add that the change of *a* to *i* in closed syllables may be observed in such Iranian words as *Misda-* for *Mazda-*, and *-pirna* for *-farna* (cf. Meyer, *l. c.* 6). But, unless some new material helps us to settle this question, the above identification must needs remain extremely problematical.

<sup>41</sup> Outside of the land Hanigalbat to the East, the existence of early Hurrite settlements has been established for the districts of Arbela, Simurru, Samarra and, of course, the region of Kerkuk, cf. Landsberger, *l. c.* 229. That *Ninua* was not an originally Semitic city is generally admitted, cf. Meyer, *Gesh.* 2. 610. That it was actually Hurrite may be seen from the characteristic ending *wa*, and also from the fact that the name *Ninuari*, i. e., "the Ninive-ite," appears frequently in the Nuzi tablets.

<sup>42</sup> To be sure, we do have a few dated tablets. However, for our present purposes this fact is of no importance as the dating is done according to the year of the local mayor (the *Hazanmu*), or, at best, after an otherwise unknown minor ruler of the district.

docian inscriptions. In the latter case we have, as is well known, extensive records of an Assyrian business colony in Asia Minor, also without any datable historic allusions. The date of those tablets was therefore considered as a debatable question until the discovery by Thureau-Dangin of the seal of Ibi-Sin king of Ur on one of the tablets.<sup>43</sup> The Cappadocian records, the French scholar argued, could not possibly be much later than the Sumerian king in question who reigned towards the end of the third millennium. This argument has since been accepted by almost every student of the subject. Now it so happens that one of the tablets from Nuzi bears an almost identical seal impression of Ibi-Sin. If we followed the reasoning of Thureau-Dangin we would be, accordingly, justified in placing our tablets in the closing centuries of the third millennium. To such an assumption, however, there are here some serious objections. With all due allowances for local variations of the cuneiform characters, the writing of the Nuzian tablets seems to point, nevertheless, to a later date. That seal cylinders need not necessarily be contemporaneous with the records on which they are found does not require especial emphasis. In the case of the Cappadocian tablets the evidence of paleography happens to support the date based on the seal of Ibi-Sin.<sup>44</sup> But this is merely a coincidence. One might say that the assumption of Thureau-Dangin and others is right not because of the seal but in spite of the seal. As far as the Nuzi tablets are concerned the seal impression in question furnishes little more than a *terminus post quem*. The opposite limit may be fixed by taking into account the political and social conditions as they are revealed in our tablets. Very instructive in this connection is the position of the Assyrians in Nuzi. This appears almost invariably to have been one of inferiority to the native population. We find frequently men with characteristically Semitic names, and expressly designated as coming from Ashur, selling themselves into slavery to one of the magnates of Nuzi. Particularly interesting is the fact that in such cases the people from Ashur are called *Habiru*, interesting both because this is the first time that the appellation *Habiru* is accompanied by purely Semitic names, and also because the bearing of these instances on the *Habiru* problem in general can hardly be overestimated. This, however, is a subject for a special study. There are other indications in the same direction. We are told in one of the tablets that Assyrians (this time not the *Habiru*) who could not fulfill their legal obligations were in the habit of fleeing to Ashur, a fact which does not speak well for the latter's political influence. To be sure, we find bearers of Semitic names appearing as witnesses before the court and holding responsible positions. However, they belong almost invariably to the native stock as the names of their parents or children conclusively show.

<sup>43</sup> *RA*, 8. 144 f.

<sup>44</sup> Cf. Pinches, *Annals of Archaeology* I. 51.

We thus get a very definite impression that to the Nuzians of our tablets Ashur meant next to nothing in spite of her comparative proximity. But such a state of affairs would have been impossible in the period of Assyria's ascendancy, whose beginnings we can trace to the middle of the 15th century.<sup>45</sup> This is, therefore, the *terminus ante quem* for the last generation of the tablets from Nuzi. There is little further evidence with a bearing on the date that can be adduced at present. As an argument from silence one may use the cumulative testimony of the proper names. The Hurri names are paralleled by some datable material from the period of the First Dynasty.<sup>46</sup> The Semitic names are also similar in character to those of the First Dynasty. There seem to be no Indo-European elements, while a few Kassite names can be clearly distinguished from the rest.<sup>47</sup> Taking all these facts into consideration we arrive at the conclusion that the Nuzi tablets are to be placed between the beginning and the middle of the second millennium. Beyond that it is not advisable to go at present.

Non-committal though the tablets are as regards their date they contain a wealth of information concerning the social conditions of the people by whom they were written. The material consists of a variety of types of records, as e. g., adoption documents, marriage contracts, tablets referring to transfer of property, lengthy legal decisions, and the like, thus enabling us to study the life of the Nuzians from many different angles. The family life of these people emerges with particular distinctness.

According to the testimony of the finds, the excavated area covered two houses belonging to closely related families whose history is unfolded for a period of five generations. These families were very well situated. Apart from the evidence of the written records, this fact is borne out by the very construction

<sup>45</sup> Cf. R. C. Thompson, *Camb. Anc. Hist.* II. 232.

<sup>46</sup> Ungnad, *BA*, VI. 5. 8 ff.

<sup>47</sup> This fact in itself does not yet place our tablets in the Cassite period. The country *Nullu*, which is mentioned not unfrequently in our tablets is undoubtedly to be identified with the *Lullu* of the other cuneiform texts (cf. Streck, *ZA*, 15. 289 ff.). The *Lul-lubî* (the ending *bi-i*, also written *me*, *me-e*, *ma-a*, and the like, with which may be compared the spelling *nu-ul-lu-a-i* of our tablets, is undoubtedly the Elamite plural ending, cf. Streck, *l. c.* 290, Hüsing, *OLZ*, 1903. 309 ff.) were the immediate Eastern neighbours of Arrapha which explains the close contact of the two countries. (The use of *n* for the initial *l* is paralleled by many examples from the Hurrite group, cf. *Haligalbat*, *Hanigalbat*, etc.; it may also be noted that the inhabitants of *Siparmena*, situated in the same district, had a reputation for inaccurate pronunciation, cf. Streck, *l. c.* 284). Now the *Lullu* spoke a dialect of the Elamite language, or as Hüsing puts it "North-West Elamite = Cassite" (*l. c.* 401) which could easily account for some infiltration of Cassite elements into Arrapha. Since *Lullu* is mentioned as early as the period of Naramsin (Streck, *l. c.* 290), it is obviously impossible to base even an approximate date on the mere occurrence of Cassite names in that district.

of the uncovered buildings. These included paved courtyards, servant quarters, spacious vestibules, and reception rooms, and were provided with running water, bathing facilities, and all the comforts which one is tempted to call "modern." The founder of the family wealth seems to have been a certain Puḫisenni. But he appears himself in very few documents and we know him chiefly as the father of Tehip-Tilla and Surki-Tilla, the owners of the adjoining houses.

Of all the descendants of Puḫisenni Tehip-Tilla is best known to us as he figures in practically one half of the documents. His brother and his children receive their share of attention but Tehip-Tilla always remains in the lime-light. One could write quite at length on "The House of Tehip-Tilla." He inherited, to begin with, a good-sized collection of houses, fields, and orchards, situated partly in the city of Nuzi, and partly in the scattered towns and villages nearby. We do not know how Puḫisenni came into the possession of his properties but we are left in no doubt as to how Tehip-Tilla and Surki-Tilla proceeded to increase the acquisitions of their father to the best of their ability. Without sufficient knowledge of the prevailing ethical and moral standards of the time, it would be hasty to pass judgment on the actions of these ancient "capitalists." At all events, it can be said that the actions of a Tehip-Tilla were strictly according to the letter of the law,<sup>48</sup> even if legal means were employed to circumvent existing ordinances, a further indication of the "modernism" of the Nuzians. One example will suffice to make this point clear.

There appears to have been a law in Nuzi forbidding the sale of inherited land. Its purpose was obviously to protect small landowners against the cupidity of the powerful ones, as well as to assist in preserving family possessions intact.<sup>49</sup> Out of a wholesome respect for this law Tehip-Tilla would never go on record as having actually bought land from the poor peasants. Instead, this law-abiding citizen had himself adopted as their child and took over the land of his adoptive parents. These "parents" received a "gift," generally consisting of some money, grain, or of a few head of cattle, and remained henceforward on their former lands cultivating them for their "child." The poor wretches give up, of course, all claim to ownership. The practice was a common one, and we find thus throughout the land a system of peonage with even worse results than those which the law had set out to avert. For such a mock adoption played into the hands of the landowners even better than a mortgage inasmuch as the land could never be redeemed. Actual mortgages are found in documents but they are not very common. The practice is con-

<sup>48</sup> How scrupulous the ancient Oriental was on that point is brought out by Winckler, *MVAG*, 1913. 4. 11.

<sup>49</sup> One is reminded here of the close Biblical parallels.

fined to the wealthy but these do not seem to have wasted any sentiment on each other. When a descendant of Puhisenni was hard pressed his relatives would help him only after the agreement had been duly authenticated by the seals of numerous witnesses, thus proving that even among brothers business was transacted in a very businesslike fashion.

If the relations among the more powerful interests were not excessively cordial, one can easily picture the amount of affection which the "adoptive parents" had for their "benefactors." This may be gathered from the numerous legal decisions which deal with the claim of the unfortunate peasants. But Tehip-Tilla does not seem to have been worried overmuch with such litigations. Unless one supposes that he did not care to advertise his legal setbacks by keeping the records of the cases he lost, one must assume that the rich had a way of their own with the judges when it came to cases against the poor. But even here an attempt was always made to save appearances.

A rich landowner kept strict accounting of all his transactions which serves to explain the large number of tablets found in the two houses. Every case of adoption was carefully recorded on a separate document, authenticated by the seals of a large number of witnesses. An "affidavit" was also taken in the court of justice, located in the main gate of the town, to the effect that the adoptive parent renounces all his rights to the property in question, and that in the future he shall raise no claim against the adopted. It is improbable that the poor peasants also received copies of these transactions. They must be satisfied with the barley which they received in exchange. In case of a lawsuit Tehip-Tilla had only to hunt up his records, which were carefully kept in jars or in reed-baskets, neatly labeled according to their contents, produce them in court and win his case.

Still occasions might arise in which it was either inexpedient or otherwise impossible to produce the written record. Then the statement of the peasant was opposed by a counter-statement of the landowner who would flatly deny the charge. In such cases the judges resorted to the method of trial by ordeal. We do not know how such trials were conducted. They were held at any rate in the "place of the gods" and must have been rather unpleasant, for invariably the peasant is said to have "feared the place of the gods" which was tantamount to the admission that he was in the wrong. He would be then fined a certain sum of money or a few head of cattle and given into the hands of the defendant until he could pay the fine. This usually meant servitude for life.

It can be easily seen that the position of the judges was not an enviable one when the defendant was as powerful as Tehip-Tilla. For in other cases they tried earnestly to deal justly with both parties concerned. In instances



where the dispute concerned out of town properties they would sometimes appoint special officers who were instructed to go to the mayor of the town in question and with the aid of the latter make a thorough investigation of the case.

Very interesting are the cases in which the landowners themselves are prosecutors. Here we usually have a departure from the general run of real estate grievances. The defendants are brought into court for a variety of reasons. Some had stolen animals or provisions; others had maimed plow oxen entrusted to their care. Two men are accused of having eaten a foal instead of reporting his birth to the legitimate owner; still others had accidentally damaged a chariot which had been left without a horse<sup>50</sup> near the gate of the city. The usual punishment in such cases is a rather heavy fine frequently resulting in slavery.

The condition of the Nuzian women differed little from that of the men. The rich ones, like the mother of Tehip-Tilla, followed the prevalent custom of having themselves "adopted." They could appear as witnesses and had seals of their own. But the poor women were just as badly off as the poor men. They were sold by their fathers into slavery and concubinage. Thus we find the son of Tehip-Tilla, who in many respects seems to have outdone his father, mentioning in one tablet the names of twenty-four members of his harem. In another contract the landowner undertakes to introduce the woman he had just bought as his wife to all the members of his household. The poor creature must have insisted that she would not enter his house practically as a slave. And well she had reason to fear that fate. When a woman was introduced into the house as the wife of one of the slaves the contract stated that, in case of the death of her husband she would be given to another slave, and then possibly to a third and a fourth one, but that she could not be driven out of the house. She was thus doomed to remain a perpetual "wife." Her children, needless to add, were to be born into slavery.

Slaves do not seem to have been protected by the law. They were used for various duties in the house as well as on the field and could be slain with impunity. In a list describing the movement of shepherds and their flocks we find three instances in which shepherds were killed by their masters. The circumstance is mentioned in a very casual manner approximately worded as the following: "Two shepherds of Tarmia; one he slew and the other went on with his flocks to the village so and so." The kind master seems to boast of his even temper in that he only slew one of his two servants in

<sup>50</sup> On the origin of the horse in Mesopotamia see now the article of A. Koster in the *Festschrift Lehmann-Haupt*, 158-167.

charge of his flocks. The same Tarmia was the guilty party in another similar act. Such little incidents did not affect the social standing of the masters, unless it was to give them a character for energy. Tarmia continues to keep his seat as judge in the court of justice.

The city had a mayor who was always on friendly terms with the more powerful citizens. He often appears as witness in the contracts of Tehip-Tilla and his family. Larger cities had their kings who were equally friendly with men of influence. The scribe of Tehip-Tilla is thus frequently mentioned as the scribe of the king.

The office of the scribe seems to have run in families. Or we should rather say that certain families specialized in that occupation. All the brothers and sons of Taya, the scribe of Tehip-Tilla, were likewise scribes and this is also true of other families of *tupsars*. There is even a town called "the city of scribes" which reminds one of the Biblical *Qiryath Sepher*. The method of recording various transactions is illustrated by two tablets one of which is almost the exact duplicate of the other, except that it is not complete. The scribe in question had not judged the length of the document correctly, and before he was able to make a complete report the entire tablet was inscribed. He, therefore, had to do the work over again on a larger tablet. The subject matter remains, of course, the same, but there are interesting variations in style and in spelling. Both records had been apparently made from memory.

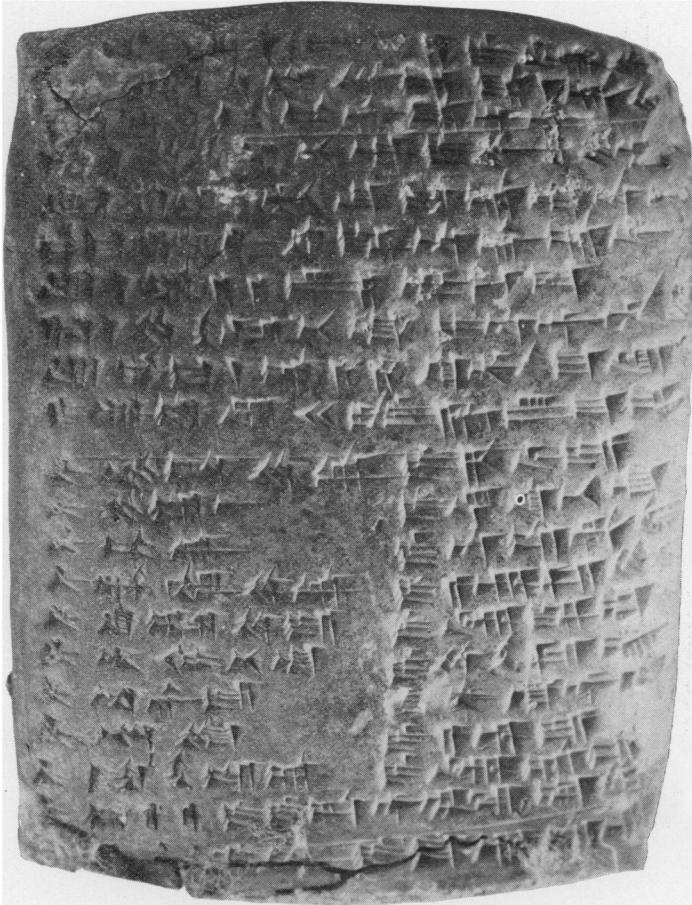
Tehip-Tilla seems to have had a long and successful career. His son Ennamati continued in his father's footsteps only displaying a little less sagacity and a little more sternness in his dealings with his alarmingly large "family." Takku, the son of Ennamati, appears to have had much less initiative than his illustrious predecessors. The influence of the family had already reached its highest point and was now declining rapidly. There are many more law-suits and the judges show much more interest in the claims of the opponents of the family than they had dared to do at the time of Ennamati or Tehip-Tilla. The "parents" seem to have taken heart, often boldly declaring that they had been deprived of their possessions by force. About the son of Takku we hear next to nothing. He had probably a very short time to enjoy what remained of the glory that had once been Tehip-Tilla's. For a relentless enemy, possibly the awakening Assyrian, was soon to overrun the city and raze it to the ground. The house of Puhisenni was never to be rebuilt after the conflagration that had swept the city. Two charred skeletons, one of a woman and the other of a small child, partly buried under the fallen roof, remained as mute witnesses of that catastrophe.

One can hardly overstate the importance of the contribution which the tablets from Nuzi make to our knowledge of the civilization of Mesopotamia

in the second millennium. The main importance of the find lies of course in the fact that the people whose life is so well portrayed in the tablets belong to one of the hitherto unknown races of the Ancient East. It has been long assumed that the differences between the laws of Assyria and those of Babylonia were due to the influence of the Non-Semitic inhabitants of ancient Mesopotamia.<sup>51</sup> A wealth of legal material belonging to that ethnic group will soon be available for careful study. The new material will help us bridge that large gap in our information about the half of the second millennium that separates the Amarna period from the time of the First Dynasty. The numerous seal impressions found on the tablets are a valuable source for the study of the art, and incidentally of the religion, of a new and important race. Additional light on such moot problems as the *Habiru* question may be also reasonably expected. But the work is as yet far from completed. A number of tablets is still to be deciphered and much of the deciphered material requires further and intensive study. But this much one can venture to say at present: when the entire material has been properly studied we shall have acquired considerable knowledge of the life and civilization of the people in question and the house of Puḫisenni will have earned its place in the history of the period.

<sup>51</sup> Kohler and Ungnad, *Assyrische Rechtsurkunden*, (1913) 466.

[OBVERSE]



Specimen of the tablets found at Nuzi

[REVERSE]



The Reverse shows the seal impressions which are unusually numerous and large.



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SOUTHERN KURDISTAN<sup>1</sup>

IN THE ANNALS OF ASHURNASIRPAL AND TODAY<sup>2</sup>

EPHRAIM A. SPEISER

I. THE SURVEY

The outstanding feature of the modern district of Sulaimania is its marked and complete uniqueness. Chorographically, linguistically, and economically the region differs decidedly from the remaining districts of south-eastern Iraq as well as from the strips of Persian hill-country on which it borders. With the physical geography of the land we shall deal presently. The current language is Kurdish. But the local dialect, known as Soran, is not at all at home with the other four subdivisions of the language spoken by the Kurds. So much so that the Kurds themselves designate the speech of Sulaimania as *Kurdi*, while the remaining dialects are known by the general name of *Kurmanji*.<sup>3</sup> And lastly, most of the district is blessed with a rich and perennial water supply, so rare a phenomenon in these parts.

Nature appears to have planned this sweeping aloofness of the region of Sulaimania.<sup>4</sup> The lie of the land encourages separatism to a pronounced degree. Formidable mountain ranges wall off the district from the rest of the world and the avenues of approach are few and far apart.

<sup>1</sup> If we consider the administrative districts into which modern Iraq is divided, the region discussed in the following pages is practically identical with the present district of Sulaimania.

<sup>2</sup> The present article is a direct result of one of the several surveying tours which I carried out during my stay in Iraq, while Annual Professor of the American School of Oriental Research in Baghdad. My warm thanks are due to the Guggenheim Foundation, whose Fellowship enabled me to work in the Orient for two years, and to the Dropsie College for covering the actual cost of the survey.

<sup>3</sup> Cf. E. B. Soane, *Kurdish Grammar* (London, 1913), Introduction; R. F. Jardine, *Bahdinan Kurmanji* (Baghdad, 1922), p. 1.

<sup>4</sup> Modern names are given in a popularized phonetic spelling, the forms found on official maps having been followed wherever possible. To take a typical example, only a few pedants will say today *Sulaimaniyya*; on the other hand, *Sulaimani* is a short cut discovered by British officials. The vast majority say *Sulaimania*. Etymological spellings are given only in instances where the meaning of a given name is of consequence. Old names, especially those found in cuneiform records, are printed in italics. By retaining the scientifically exact form throughout, this essay would have been rendered unnecessarily cumbersome, while the actual present pronunciation would then be unrecognizable in many cases.

The heart of the region is the valley of Tanjero, the right arm of the Diyala. Starting at the foot of the impressive Pir Omar Gudrun<sup>5</sup> the stream skirts Sulaimania on the south-west. The Asmir and Gwezha ranges flank the valley from the north, Baranand<sup>6</sup> guards it on the south. The Gwezha mountains expend themselves, however, near Muhan, leaving the north unprotected as far as the Awraman range, whose massive semi-circle protects the east also. A broad and regular basin is thus formed, which is an inspiring sight to behold. *Shahr-i-zur*, "the mighty place (city)" they used to call the section. A mighty place it has remained. The Zalm river rushes down to the Tanjero with the rich tribute of the Awraman mountains; secondary tributaries help to lay the foundation for the extraordinary fertility of the whole area. The Tanjero, thus powerfully reinforced, turns now determinedly southwards and breaks through the south-eastern wall of Shehrizor. Presently it is joined by the Sirwan, the Persian branch of the Diyala, and the united waters, henceforward known by their common name, sweep on past the Qara Dagh mountains towards Baghdad and the Tigris.

The gorge of the Diyala is one of the few avenues that lead to the well-sheltered basin just described. The Sirwan connects with the lands of ancient Media and the Diyala pursues its way to the territories of ancient Accad. The shortest route from Babylon must have entered Shehrizor through this gorge; it should be noted that the natural center of gravity in the valley of Tanjero lies in the neighborhood of Halebja and Gulambar (Khormal)<sup>7</sup> and not near Sulaimania which is fifty miles to the west.<sup>8</sup>

<sup>5</sup> The Kurds have reduced the name to Pir Mgrun.

<sup>6</sup> Also known as Gilzerda Dagh. In these parts there are often alternative names for mountains and rivers. The latter have frequently separate names for several particular sections. Thus the Tanjero is known as the Obara Chai in its early course; the Tauq Chai is Tainal until it passes the gorge of Basirra.

<sup>7</sup> The change of Gulambar to Khormal (gulambar > gurambal > gural > hural) is a good instance of the Kurdish tendency to reduce words *ad minimum*. This is true not only of proper names but also of words and phrases of Kurdish as compared with the cognate expressions in Persian. A similar radical evolution in place names has caused the name of the city Arbil to be pronounced by the Kurds Awler (arbil > arwil > awril > awlir); at times one also hears Hawler, as no cockney can outdo the Kurd in misplaced aspiration. Such cases as these should warn us against setting too much store by identifications of sites based on dubious similarity of sounds. If the comparatively recent Gulambar (a Persian word meaning 'the amber flower') has undergone such striking changes it is practically hopeless to recover from under the débris of Kurdish nomenclature what Lullu names there may have survived through three millennia. It is only in the most obvious instances that reliance may be placed on identifications which are supported only by phonetic resemblances.

<sup>8</sup> Gulambar is identified by Herzfeld with Nimarrah which lay on the main road



Two less important tracks fork off from Halebja: one goes west, across the Awraman, to Persia; the other leads north through Gulambar and Penjwin to lake Urmia. Both routes traverse difficult mountain territory and are suitable for caravans only.

Outside Shehrizor proper and against the mountains that form the north-eastern wall of the corridor of upper Tanjero, here but an insignificant stream, lies Sulaimania, the modern capital of the district. This town of some 12,000 inhabitants is comparatively recent. It was founded in 1779 by the once prominent Baban family. Sulaiman Pasha of Baghdad was the eponym of the new settlement.<sup>9</sup> Sulaimania is in a favourable position for a capital of the district. As we have seen, the town commands an opening into Shehrizor. The route from Halebja to Sulaimania continues in an almost straight line to the Lower Zab and the old *Nairi* lands across the river. The route is mountainous and difficult but by no means impenetrable for caravans. To the north, across the Asmir range against which the town is huddled, a track takes you up to the valley across where it meets the Muhan track and connects with the northern mountain districts. On the south there is a route across the Tanjero and the Baranand range to the valley of Qara Dagh, and from there on through Ibrahim Khanji to Kifri and the plain of the Adhaim.

The most important route, however, is the one to the west. Having passed the Tasluja obstruction you are in the plain of the Tainal (ancient *Radanu*). From here on the road proceeds through a narrow valley until a mountain barrier is reached with but one outlet to the outside world:<sup>10</sup> the impressive Bazian Pass (Fig. 1), the Pass of *Babite* of the cuneiform records. Once out of this easily defensible gate and in the valley of Chemchemical, your contact with the rest of the world is re-established. There will be no trouble in reaching Altun Kopri, 'The Golden Bridge' on the Lower Zab, if you strike the route to the north-west; the road to the south-west will take you to Kirkuk in the territory of ancient *Arrapha*.

The Bazian Pass at the extreme west of the district of Sulaimania is thus the counterpart of the Diyala-gorge gateway at the south-eastern end. The

that connected Ctesiphon with Ganzaca, two of the most important cities of the Sassanian Empire; cf. Ernst Herzfeld, *Paikuli* (1924), p. 8. The Iraq Government expects to build a road connecting Shehrizor with Khanaqin through the gorge of the Diyala.

<sup>9</sup> Cf. E. B. Soane, *Through Mesopotamia and Kurdistan in Disguise* (1924).

<sup>10</sup> There is another pass ten miles southeast of Bazian which is called Derbend-i-Basirra; it represents the gorge of the Tauq Chai through the Qara Dagh range. In importance, however, and in usefulness it does not compare with the Bazian Pass.

gorge connects with the territories that once belonged to the Babylonian sphere of influence. The pass opens upon old Assyrian districts: two main entrances to an important and coveted region, communicating with lands that were respectively controlled by mutual and traditional enemies.

The districts which run parallel to the valley of Tanjero may be dismissed with a few general remarks. To the south of Shehrizor and separated from it by the Baranand range lies the fertile valley of Qara Dagh (Fig. 2) which is bounded on the south by a mountain range of the same name. South of the Qara Dagh we have a third parallel valley which is usually designated as Sangaw. The Qara Dagh section gravitates decidedly towards Shehrizor. Sangaw's connections are rather with the south and west, the mountains to the north forming too formidable a barrier. This fact played a part in the division of that area into administrative districts or 'liwas': Qara Dagh is part of the liwa of Sulaimania; Sangaw belongs to Kirkuk although the valley is considerably nearer to Sulaimania in an air line.

The northern neighbours of Shehrizor have been mentioned in connection with the routes that lead in that direction. The country is distinctly mountainous but the divisions not so clear-cut as in the south. Consequently, the contact of Shehrizor with the north is a good deal more intimate.

The writer had the opportunity to study some of the archaeological remains in the region of Sulaimania from January 26 to February 16, 1927. The work had to be done hastily and on a restricted scale owing to the unsettled political conditions which then prevailed in that section of Iraq. A Kurdish insurrection was in progress at the time and travelling freely was out of the question. The circumstances of this local uprising are so characteristic of the district as to merit a brief description.

Until about the middle of the last century Sulaimania was ruled by a dynasty of semi-independent Kurdish Pashas. The geographical position of the district had, of course, much to do with the situation. But in 1851 the Turks unseated the local rulers and established in their stead a Qāim Maqām who was to be responsible to the central government. This afforded an unusual opportunity to an old family of Sheikhs that had established itself in Sulaimania some years earlier. Looked upon as religious leaders, they knew well how to make capital of the inherent fanaticism of the Kurds. Excesses were encouraged until many Jews and Chaldeans were forced to abandon their faith. With the growth of the Sheikhs' power went a steady increase in wealth. Eventually the Qāim Maqām became a mere puppet in the unscrupulous hands of the actual leaders of the land. The submission of the officials was not entirely unprofitable to them, and lucrative inactivity was doubly welcome to Turks of the old order.

The strong man of this Kurdish Saga was one Sheikh Sa'īd. Fully as astute as he was energetic, he proceeded to raise the power of the family to yet unprecedented heights. The rumor was spread abroad that the Sheikh possessed the power of divination. But his methods were far from saintly. Some would even have it that Sa'īd never ventured a prediction that could not be fulfilled presently with the aid of bullet or dagger.<sup>11</sup> In any case, the commercial life of Sulaimania was completely and effectively paralyzed and the town suffered from a reign of terrorism unheard of even in the Orient.

What Sheikh Sa'īd failed to take into account in spite of his great shrewdness was the fact that power has in each individual instance its definite point of saturation; also that the gods of the East are inordinately jealous. The uncrowned king of Sulaimania had grown to be more than a local potentate and the Sultan became sufficiently interested to look into the matter. But the lid was not to come down for a while yet. Irony had still a trick left with which to amuse Fate. Sheikh Sa'īd appeared before Abdul Hamid but the two rascals were too much alike. They understood each other perfectly and the Sheikh was sent home with fresh honors.

However, this blissful state of affairs was not to last very long. The revolution of 1909 which Abdul Hamid's despotism had finally brought about, made Turkey nominally constitutional. A heroic attempt was made to fill important government positions with honest men. Among those to go was the old and weak Wālī of Mosul. The new governor was happily an efficient man who was determined to clean up his district. The Sulaimania outrages did not escape his notice and he summoned Sheikh Sa'īd to Mosul to answer for his deeds. The proud Kurd, now past eighty, arrived in Mosul like a conquering prince. But here a street disturbance took place during which the Sheikh was murdered by an unknown hand.<sup>12</sup>

The Empire-wide agitation that followed does not interest us here. From accusers the authorities turned defendant. Sheikh Mahmud was appointed Sa'īd's successor and the misrule of the son soon outdid the father's best efforts. He made up in severity for what he lacked in astuteness. Besides, Mahmud has a single-track mind and this made matters even worse. For his particular obsession was a haunting conviction that he was born to become king of Kurdistan. Life in a world so peculiarly its own as Sulaimania could only serve to strengthen that feeling.

The end of the World War gave Mahmud his great chance. The British occupation force found it very difficult to deal with this proud, half-mad

<sup>11</sup> Cf. Soane, *Through Mesopotamia*, for the most comprehensive account on conditions in pre-war Sulaimania.

<sup>12</sup> See Gertrude Bell, *Amurath to Amurath* (1911), p. 250.

prince whose country was so natural and formidable a citadel. The absurd, gallant little man dared defy the British Empire. Two brigades were sent up to the Bazian Pass where the first battle was fought, as all battles for the possession of the Sulaimania district must be. Sheikh Mahmud was defeated, captured and exiled to India. Upon a solemn promise to conform he was, however, not only pardoned, a short time later, but also made Mutaşarrif, or governor, of the liwa. But this influential post and the revenue of a hundred villages failed to satisfy the man who would be king. Before long an independent government was set up again. There ensued long periods of wearying hostilities. Driven out from Sulaimania, Mahmud retreated to the mountains in the north-east and, having established his headquarters in Penjwin, he continued to harass the district for two more years. At last his resistance weakened. His Kurds began to grow restive. They would not pursue a vision on empty stomachs. The final and unconditional surrender came in June, 1927.

However, at the beginning of the year the outlaws were still at large. Strong convoys of armored cars kept Sulaimania in touch with the rest of Iraq. The interior of the liwa could not be reached without heavy escorts of mounted police. And in no case was it permitted, or for that matter advisable, to stray away from the convoy for several hundred yards. Under these circumstances an archaeological survey of the district was bound to be hasty and restricted.

The convoy with which I was to make the trip to Sulaimania left Kirkuk at dawn, on the 26th of February. It had rained heavily the day before and the slippery roads could ill support our heavy cars. What with the difficult grades, the heavy fog, and the need to keep the cars close together, our progress was painfully slow. Chemchemal was reached about noon but its splendid mound which must have once commanded the extensive valley could only be noted in passing. The ten miles that separate Chemchemal from the Pass of Bazian required close to two hours although a metalled road leads to the very entrance of the pass. As there were some twenty miles of dirt-track ahead of us the convoy leaders were not very hopeful as to what the rest of the journey held in store for us.<sup>13</sup>

At all events the officers counted on reaching Sulaimania by nightfall. But in the next three hours we advanced barely a mile. The mud was so heavy that time and again it was necessary to carry the cars and trucks over the

<sup>13</sup> In the summer of 1927 the road through the pass was considerably improved and traveling there will from now on be tolerable even in bad weather. At all events, it is not likely that a mail convoy will again be bogged in Sulaimania for three weeks, as was the case in March, 1927. Cf. Fig. 3.

bad spots by main force. No wonder that Ashurnasirpal speaks of those roads as *ša ana mêtîq narkabâti lâ šitkunu*.<sup>14</sup> They were not intended for wheels, certainly not in the winter. Although no one was prepared for a night out, the order to encamp was given shortly after sunset and the ten cars were eventually brought up together. In the meantime I had a chance to look around a little. In the pass itself there are still to be seen remains of the gate with which Abdurrahman Pasha fortified the entrance more than a century ago.<sup>15</sup> About a mile and a half west of the entrance a steep mound, Girdi Gopala (Fig. 4), rises close by the track. Its position identifies it immediately as the sentinel of the pass and the fragments of pottery with which the mound is covered suggests the period of Early Iron as the time of the foundation of the site which lies buried under it. The snow-covered top of Pir Omar Gudrun, 'Grandfather Omar,' is seen behind the northern wall of the pass. One hardly realizes that the peak is twenty miles away, for the impression it makes is as of a white head looking in over the shoulder of someone in front, as it were, and placidly contemplating the happenings down below in the high and narrow channel of the pass. And the all but impenetrable range which the pass has forced asunder is more than a mere dividing line across a territory of so many square miles: it is an ominous boundary meant to keep nations apart. This indeed is the real part in history that Bazian has been filling, constantly and efficiently.

Lying atop a mud-covered Ford van I was suddenly awakened from my musings by a feeling of intense cold that can, in these mountains, descend upon one without any warning. The rest of the night was wasted on vain attempts to keep warm. At dawn everything, our gum-boots included, was covered with a fine sheet of rime. However, our engines were the worst sufferers and it took us fully three hours to bring them to. From then on, throughout the cloudy forenoon, it was a continuous process of pushing and carrying and skidding. At length, the bridge on the Tainal was sighted and everyone heaved a sigh of relief: the remainder of the road to Sulaimania is mostly metalled.

About eight miles past the bridge the road is blocked by the Baranand range. The steep pass of Tasluja that takes one across is another serious obstacle to winter traffic (Fig. 5). While the cars were slowly working their way up I had a chance to climb the peak on the south of the pass, now occupied by a military post, to get a general view of the land ahead of us. In the meantime the mists had lifted, the clouds dispersed and the sun came out from its

<sup>14</sup> Annals II, 76.

<sup>15</sup> Cf. C. J. Rich, *Narrative of a Residence in Koordistan* (1836), I. 59.

three days' retreat. The glittering band of the Tanjero to the south-west and the level stretches to the north and north-east were visible for many miles. The landscape was dominated by the majestic Gudrun, now seen in full, with the Awraman range as counterattraction in the north-east. Between the two prominent landmarks, due east from Tasluja and against the opposite wall of the broad valley, lay Sulaimania, bleak and colorless.

When I got back to the road most of the cars had toiled their way up to the crest of the pass. Presently we were sliding down the eastern slope of the range. The rest of the journey was uneventful. From the road we noted the tall mound of Kelespi which rises ziggurat-like about three miles south-east of Tasluja. A masonry bridge, built in Turkish times, took us across the incipient Tanjero, here known as the Obara Chai. Soon afterwards we reached Sulaimania to rediscover the blessings of hot tea after two cold and strenuous days.

So far there had not been many mounds that could be noticed from the road. But there were enthusiastic reports about the number of ancient sites further down the Tanjero, or in Shehrizor proper. Both the British officers who knew that country thoroughly and the natives whom I questioned about it were unanimous in their opinion. It was, therefore, all the more disappointing to me to gather, upon further inquiry, that my chances for proceeding to Halebja were very slim. Most of the police were out on the annual sheep-count and few could be spared for the necessary escort. However, the political administrator, Captain Lyon, would not let this stand in my way. Keenly interested in archaeology himself, he put his administrative tour to the Halebja region several weeks earlier than he had planned originally so as to make it coincide with my trip. I was thus to enjoy for two weeks both his delightful company and his expert advice with regard to local conditions. As the trip was set for two days later I had that much time for exploring the immediate neighborhood of Sulaimania.

Eight miles south-west of the town lies the village of Jaishana which has lent its name to a series of caves, two miles farther. The caves occupy the topmost part of a protruding ridge of the Baranand Dagh. The entrances face north and, as Nature has arched them superbly in red limestone, they present to the valley below a very impressive front. Easily discernible from Sulaimania, the front part, when bathed in sunshine, is a marvellous sight, as of a golden façade of a fantastic castle rearing its head daringly towards the sky. The Sulaimanians will tell you wondrous things about these caves. They speak of horsemen carved out in dark niches, and of mysterious writing on the walls. But if you ask them whether they ever saw the things they describe, they will invariably give someone else as the source of their informa-

tion. None the less, however little store I set by these tales, I was glad of the opportunity to visit the caves.

Accompanied by eight mounted policemen and armed with official letters to the head of the village I arrived in Jaishana on the 29th of January, at noon, after a two-hour ride. The old *keokha* (headman) was rather sulky about our errand. He proceeded to guide us to the caves with reluctance, taking with him an escort of his own. Perhaps he anticipated punishment at the hand of the rebels for the help which he was compelled to render us.<sup>16</sup> The path to the caves was steep and winding. About one mile from the village there is a slit in the mountain wall, the beginning of a steep pass that leads to the caves and across the range. The entrance to the pass is barred by a huge mass of rock which is called by the natives *Qal 'at Hazar Merd*, 'The Castle of Thousand Men' (Fig. 6). It is indeed a natural fort and its western wall is perpendicular and 150 feet high. Inside the 'castle' there is one large reservoir and several smaller ones, all hewn out in the rock and regular. The main entrance is from the east. The whole is wonderfully fitted to defend the passage, a task which it must have been called upon to perform more than once. The Kurdish name harks back, no doubt, to some heroic exploits of a brave group of warriors.

The caves are about a mile up the pass. The last eight hundred feet, from the point where the path across the range branches off to the south, are exceedingly steep. There are actually three caves, of which the middle one has the largest entrance. All are excellently vaulted and the northern cave is said to be very long. In the hour's time that was left until sunset I could discover no trace of writing or sculptures. One of the dour *keokha's* escort insisted that he had seen both in the northern cave, adding, however, that the engravings were far inside the cave and could not be seen except at night and by a strong artificial light. As I had promised Captain Lyon to return to the village before nightfall, for safety's sake, nothing further could be undertaken on the spot. There is no need to emphasize the advisability of investigating the Jaishana Caves more thoroughly and with leisure.

The following day, on our way back, we stopped for several hours at the small, circular mound of Kani-Goma (Map 1), across the Tanjero. The mound lies on what must have once been the main route through the valley,<sup>17</sup> at a point convenient for crossing the gradually expanding river. Of the fragments of pottery found on the surface the blue-glazed ware was most

<sup>16</sup> Several instances of such reprisals were related to me during the trip.

<sup>17</sup> The location of mounds makes it clear that the old route must have passed *Teppe Shuankara*, below *Tasluja*, from where it continued through *Kelespi* and *Kani-Goma* to *Arbat* and *Bingird*.

conspicuous, though the site itself probably goes back to pre-Persian days. At noon, a simple lunch was sent us by the head of the village of Kani-Goma, after which we started slowly for Sulaimania, arriving there late in the afternoon.

It was a fair-sized party that started out for Halebja early the following morning. Apart from an augmented convoy of police, Mr. Lyon took with him his secretary and his cook, while half a dozen muleteers were in charge of the baggage. After leaving Sulaimania the present road meanders on the southern slopes of the Gwezha range before emerging into the plain, near Arbat. The fine mound of Arbat indicated that we were joining the ancient route which passed through Kelespi and Kani-Goma. The old road was the more direct one; the present detour is merely a concession to the recently promoted Sulaimania. Today the tell supports a police post for which the neighborhood has a wholesome respect. Another such post, which was to be our stopping place for the night, has been erected on the mound of Bingird, near the village of Muhan, three hours ride to the east. By means of a system of similar stations the entire district is bound to be brought eventually under perfect control. It is highly significant that, in determining the sites of their police blockhouses, the present authorities could not do better than follow in the footsteps of the ancient rulers of the land; for the mounds on which the posts are built invariably occupy a position of strategic importance.

From Arbat on ancient mounds become increasingly common. Bistansur is three miles south-east; about a mile further in the same direction lies the regular and impressive site of Yasin Teppe, easily distinguishable from the others by its unusual size; Bingird is about four miles further east; and south of this line, across the Tanjero, appears another series of mounds, left there as if for balance. All this, however, is but an introduction to the great plenty that greets one east of the river bend, in the Halebja valley.

The Bingird Post (generally known as the Muhan Blockhouse, Fig. 7) was all primed up to receive our party. A special bungalow was set aside for us and our camp beds were installed there with true military efficiency. The Indian cook of Captain Lyon was soon at work and his offerings were greatly appreciated.

The following day was devoted to the exploration of the neighborhood. We returned to Bistansur where we separated for the day: Captain Lyon went down to the Tanjero to shoot, and I turned towards the mounds for archaeological game. The mounds to be examined were Bistansur, Yasin Teppe, and Bingird itself. Of these Yasin Teppe is by far the largest. (Map 2. Fig. 8.) It is 60 feet in height, practically rectangular in shape, the measurements on the top being about 600 x 660 feet. A wide



moat surrounds the site and two small brooks, together with the near-by flowing Tanjero, could take care, at all times, of the water problem. There is practically no pottery on the surface. Soundings brought up late Islamic ware. Guy Le Strange is undoubtedly right in identifying the site with the medieval city of Shehrizor, the capital of the Kurdish kingdom of the same name.<sup>18</sup>

In contrast to Yasin Tepe, Bistansur is rather small and irregular. There is a great deal of pottery, none of which is later than the Persian period. It belongs to the same era as Kani-Goma and the later strata of Bingird. But in point of importance Bingird outranks all the mounds of the neighborhood. A paramount factor is here the position of the tell: it is the key to several vital routes. Bingird blocks the entrance to a valley, known by the rather grim name of the Valley of Death,<sup>19</sup> which is the source from which those routes issue. One goes northwards through Barzinjah; another turns north-east to Kaolos and Penjwin; yet another one leads to the mound of Sarao, at the eastern end of the Valley of Death, from where it continues to Khormal. The importance of Bingird rests, therefore, on sound foundations; and the very position of the tell is sufficient proof that the above roads were in use at the time from which Bingird dates. Conical in shape, except for its recently flattened top to make room for the blockhouse, about seventy feet high, the mound hides undoubtedly many superimposed strata, the oldest of which go back necessarily to high antiquity. The latest level is certainly not later than the Persian period. In digging for the foundations of the blockhouse the police came upon several ancient seals, button-shaped and cylindrical. The description which the sergeant of the post gave me pointed to the usual Achaemenid make which is well known in these parts; but I was not able to see any of the seals myself.

The few hours of soundings at Yasin Tepe brought me for the first time into actual contact with the people of the land (Fig. 9). Months of further intercourse with the Kurds fully bore out my first impressions. Different though the several main divisions of the Kurds may be, some traits appear characteristic of the people as a whole. Physically, the Kurds of Iraq are almost without exception dark and shorthaired, their skulls wide and pronouncedly flat. As one British officer put it, 'The Kurds have no back to

<sup>18</sup> Cf. Guy Le Strange, *The Lands of the Eastern Caliphate* (1905), p. 191, n. 1. For the shape of the mound see Map 2. All the drawings as well as the map of the Zamuan Wars were very kindly prepared by Mr. E. Wilenski, the architect of the Harvard-Baghdad School Expedition to Nuzi.

<sup>19</sup> So named on account of a fierce battle between the Iraq Army and Sheikh Mahmud (in 1925) in which both sides suffered heavy losses.

their heads.' In looking at some typical specimens one cannot help thinking of the figures on the Hittite reliefs. But we had better cede to the anthropologists the right of drawing conclusions from these facts.

In disposition there is a vast difference between the Kurd and the Arab. If I may be excused for a somewhat sweeping generalization, the Kurd lacks the sense of humor which is so noticeable in the Arab. Hence the Arab is largely a child, at times of that delightful type which has been responsible for the Arabian Nights; the Kurd is massive and serious, like many of his mountain ranges; he takes everything with desperate earnestness, especially himself. Where the Arab laughs the Kurd will sulk; burglary, and sometimes murder, take the place of the raids of the Bedouin. The Arab's sense of connection with the rest of his people and with the world at large, his flare for the worldly, his occasionally instinctive feeling for form—degenerate often and just as often reborn in the memories of a great past and through the corrective of a prodigious literature—all these traits have no counterpart in the Kurd. However, settled political conditions and growing enlightenment may bring out hidden qualities for which the people of Kurdistan have hitherto had no adequate outlet.

Mr. Lyon's day on the Tanjero was a great success, and we had for our supper a good supply of snipe, black partridge and wild duck. Mr. Foote, the Special Service Officer in Sulaimania, who had joined Mr. Lyon for the day, helped to make the evening pleasant and animated, the talk centering around places and people in Northern Iraq.

The following morning we were off again for Halebja. As we waded through stream upon stream with stretches of soft, black soil spread out in between, the desirability of this part of Shehrizor required no further evidence. Nor was the unusually large number of mounds with which the plain is sprinkled a mystery to us any longer. Vast flocks of sheep and large herds of cows—otherwise rather uncommon in these parts—with here and there a silent, dark figure peacefully following a primitive plow, filled out the foreground. With a wealth of fruit trees on the enclosing mountains to boot, the plain simply invites invasions. That attacks upon it have not been as common as one might expect is only due to the natural strength of the position of Shehrizor.

On our way to Halebja we first passed Teppe Alma; three hours later we rode by the mound of Bakrawa, to which I shall return presently. The Qāim Maqām of Halebja had been advised of our visit, so when we arrived there late in the afternoon we found our quarters ready and a splendid dinner waiting for us. As the little town is one of the capitals of the Jaf Kurds a delegation of tribal chieftains, tall and richly dressed, soon arrived to call

on the Political Administrator. But we were quickly reminded that the gay, little town was not always a place of banquets and receptions. While the Kurdish *aghas* were being entertained the news was received that a policeman had just been killed in the course of supervising the count of sheep; the murderer had fled into the mountains. Mr. Lyon quickly organized a pursuing party, but a somber mood took possession of us for the rest of the evening.

The following day our party had to break up for some time. Mr. Lyon went on inspection down the Diyala and I turned back to the mound of Bakrawa to make some soundings in the meantime. (Map 3. Fig. 10.) Next to Yasin Tepe there is no more prominent tell in the whole of Shehrizor. In fact, the mound of Bakrawa is higher than Yasin Tepe, but the steep walls enclose here a smaller surface. The height and regularity of the tell are undoubtedly responsible for the rumors about the Tepe's hidden treasures, which are current among the natives. Unfortunately, these fairy tales are usually credited, and not by the natives only. Soon after the Armistice some treasure hunters organized a six months' campaign, which left a deep and narrow cut on the southern wall of the mound. Other surreptitious digs resulted in further mutilation of the site and left another cut on the northern wall and two tunnels from east and west, respectively. As far as I was able to ascertain no gushers were struck by the diggers, but enough damage has been done, just the same. The loss of some lives is also indirectly due to those excavations. Three Jaf tribesmen visited Bakrawa one day and decided to search the trenches in the hope of finding some overlooked objects. It was just after the rainy season; the high walls of the southern cut could barely support the accumulated moisture. No sooner had the Kurds entered the trench than the flimsy thing collapsed, burying the unfortunate sightseers underneath. Two corpses were eventually pulled out from under the débris, but the body of the third visitor has remained there until this day. Since that time the place has been generally avoided, and I had considerable difficulty in making up a small gang for soundings on the mound.

Of the five days which I spent at Bakrawa only one was entirely free from rain. In these circumstances there was little to do except studying the trenches left open by the treasure hunters. At the same time a gang of ten was opening a small trench from the top to obtain an idea of the later strata. In this way it was possible to work out a general outline of the chronology of the mound.

The most convenient starting point for a discussion of the date of Bakrawa is offered by a large well (Fig. 11) which was laid open by the diggers of the southern trench. The well is built of burnt bricks and is situated at a distance

of 130 feet from the beginning of the present slope. The circumference is 25 feet; the uncovered part of the well is 50 feet high; the total height could not be ascertained without deepening the trench. A similar structure is found in the western part of the tell. It is reached through the tunnel which was mentioned above, the distance from the opening being eighty feet. The tunnel itself is 60 feet up the slope. The circumference is in this case 35 feet.<sup>20</sup> It is not improbable that the eastern and southern sides of the mound hide two similar structures.

The top of the southern well is 24 feet lower than the top of the mound itself. A later generation buried the wells under a strong stone floor, sections of which are plainly visible in the southern trench. A similar floor is to be found 10 feet above the first one. Unfortunately, the treasure-diggers were not so obliging as to leave us a record of the remains that went with the floors. The small trench which my gang was able to sink in the few rainless intervals reached the depth of 18 feet. The glazed ware which is characteristic of the Persian Period makes its appearance at the depth of about 14 feet. This would justify a tentative assumption that the well-builders should be assigned to the beginning of the first millennium B. C.

The return journey may be dismissed with a few words. We rode back to Sulaimania where a heavy snowfall had in the meantime cut off all means of communication with the west. After being snowbound for five days we finally managed to get out of the town, reaching Kirkuk two days later, having pushed the Fords most of the way.

## II. THE ACCOUNT IN THE ANNALS

I have been hitherto rather long with the descriptions. Shehrizor as a whole has never been treated from the point of view of an archaeologist,<sup>21</sup> so I have taken the liberty of indicating in broad outlines the background for the events to which we shall now turn. Ashurnasirpal III made the acquaintance of the district with which we have just been dealing in the course of his three campaigns against Zamua. The Annals of that ruthless conqueror give us a fairly detailed record of those wars. (See Map 4.)

<sup>20</sup> The positions of both the tunnel and the open well are marked in the sketch of Bakrawa Tepe. Map 3.

<sup>21</sup> The admirable account of Rich referred to above does not deal with Shehrizor proper. After spending a long time in Sulaimania Rich and his party proceeded to Penjwin by way of the Gwezha Pass, north of Sulaimania. The descriptions of the areas covered by Rich have not lost their value and their freshness after more than a hundred years.

The campaigns are described in the second column of the Annals and begin with line 23. The section of the Monolith which describes the Zamuan wars contains several important variants and is a valuable source for comparison. The immediate cause of the wars is the refusal of Nûr-Adad, the prince of Dagara, to remain the vassal of Assyria. All Zamua follows suit. The Pass of *Babite* is fortified and closed up with a wall.<sup>22</sup> It is there that the initial battle must be fought. If the Assyrian fails to take the pass, Zamua is definitely lost to the Empire. On the other hand, the loss of the principal gateway to his country need not worry Nûr-Adad very much. His territory was full of natural fastnesses from which he could interest the invader. The rebels, then, had everything to gain while the chances of a complete failure on their part were rather remote. Their apparent recklessness was not without a show of reason; and Ashurnasirpal's task was by no means an easy one.

The Assyrian king did not underestimate his difficulties. The formidable pass could not long detain the invading troops. Fourteen hundred and sixty of the defending force were slain in the narrow passage; *Babite* and the fortresses *Uzi*, *Berutu*, and *Lagalaga* were taken by the Assyrians. This defeat must have shaken somewhat Nûr-Adad's confidence. He sought refuge on an inaccessible mountain. Ashurnasirpal pursued him as far as *Bâra*, which was also captured, yielding a large booty.<sup>23</sup>

This concluded the first campaign. On his way home Ashurnasirpal probably left garrisons in the fortresses which he had occupied; at all events, the second campaign continues where the first left off. But before we go on any farther it is advisable to consider briefly the topography of the first expedition. Apart from the passage of the Annals under discussion, there are two other documents which should be considered in this connection, viz., the itinerary K 4675 and the letter Harper 635.<sup>24</sup> The itinerary deals with a route east of the Tigris dividing the distance into daily stages. It is badly preserved and incomplete but nevertheless very valuable for our immediate purpose. The starting point is *Bagarri* and thence, through *Sarî* and *Arzuḫina*, the traveler arrived on the first day in *Tel-Arzuḫina*. The distance between *Tel-Arzuḫina* and *Dûr-SAL.ANŠU.KUR.MEŠ* was to be covered

<sup>22</sup> The fortifications which were erected in the pass by Abdurrahman Pasha (see above) furnish a very striking parallel.

<sup>23</sup> II. 27-33.

<sup>24</sup> The connection was first correctly appraised by Olmstead, *JAOS* 38, pp. 230 ff. When it comes to topography, however, it is often difficult to follow Olmstead, who in his identifications is inclined to make too much of precarious similarities of sounds.

on the second day. On the following day *Dûr-Talite* was reached by way of *Maturaba*. The next stage was from *Dûr-Talite*, through *Babite*, to *Lagab-galagi*. The crossing of the river *Radanu* and the trip to *Asri* was left for the fifth day. The journey from *Asri* to *Arakâi* occupied the sixth day, and from there it was a short stage to *Dûr-Ašur*. The rest of the tablet is very much broken up except for the name of the city *Dûr-Tukulti-apal-ešara*, which the itinerary reaches eventually.

The traveler of the Harper letter is more in a hurry as he gets from *Sari* to *Dur-Atanâte*<sup>25</sup> in one day and from there to *Asari* (obviously identical with the above *Asri*) on the following day.

That *Babite* corresponds to the present *Bazian* is now generally accepted.<sup>26</sup> As we have seen it is the only natural avenue from the west into the Tanjero valley; it would have been very difficult for Ashurnasirpal to take his chariots through the gorge of Basirra several miles to the south of Bazian; and lastly,

<sup>25</sup> *Dûr Atanâte* and *Dûr.SAL.ANŠU.KUR.MEŠ* are doubtless identical. The itineraries show that the same place must be referred to in both versions. The Nuzi tablets enable us to adduce here definite proof: we find there the equation of *SAL.ANŠU.KUR.RA* with *atanu*; also *atanu* is given in several instances as the feminine of *ANŠU.KUR.RA*. The form *sissētu* was, then, unknown in the neighborhood of Arrapha and *atanu* did duty for both 'mare' and 'she-ass'. Unfortunately I do not have the material ready to hand to quote tablet and line. *Dûr.SAL.ANŠU.KUR.MEŠ* should be translated *Dûr Atanâte* and the reading *Dûr Sissête* must be given up.

<sup>26</sup> So Olmstead, *loc. cit.*, p. 230, n. 48, Forrer, *Die Provinzeinteilung des assyrischen Reiches* (1921), p. 43. A different view is taken by Billerbeck, *Das Sandschak Sulaimania und dessen persische Nachbarlandschaften zur babylonischen und assyrischen Zeit* (1898), where *Babite* is identified with a pass west of Billi (p. 23). However, that pass is of no importance as far as the approach into Shehrizor is concerned. Billerbeck's monograph contains a very exhaustive treatment of the Zamua campaigns and the work is throughout painstaking and suggestive. Unfortunately, the maps with which Billerbeck worked and on which he based his own sketch of the country must have been very inaccurate, with the result that his topography is often faulty. Those scholars who based their work partially on Billerbeck's map naturally repeated his mistakes. Even Streck, whose excellent monograph on *Armenien, Kurdistan und Westpersien nach den Keilinschriften* is up to this day a veritable mine of information (published in *ZA*, Vols. 13-15), is not entirely free from Billerbeck's influence. Major C. J. Edmonds, of the Iraq Ministry of Interior, who knows the country exceptionally well and who kindly discussed with me various problems concerning the topography of Kurdistan, pointed out to me several serious errors in Billerbeck's otherwise admirable work. The suggestion, accepted by Olmstead (p. 230, n. 48), that 'the name *Babite* may be found in the *Biban* near *Altun Kopri*' is obviously far-fetched; cf. the apposite remarks of Streck (*ZA* 15. 283, n. 1). The suggestion of Sidney Smith made in the second chapter of his *Early History of Assyria* that *Babite* is to be placed at *Pai Takht* above *Sar-i-pul* is exceedingly fanciful.

the closing up of the pass with a wall is only feasible at Bazian. Abdurrahman Pasha did the same thing more than a century ago, and remains of masonry may be seen in the Bazian Pass to this day. From *Babite* to *Dûr-Talite* is a half day's journey according to the itinerary. This fact enables us to locate *Talite* with certainty in modern Chemchemal. Sargon mentions a *Dûr-Teliti* in a list of eastern cities of importance.<sup>27</sup> The considerable size of the Chemchemal mound also compels us to postulate for it an ancient site of no mean proportions.

Olmstead is probably right in identifying *Arzuḫina* and *Tel-Arzuḫina* with Goek Tepe Kebir and Şeghir, several miles east of Altun Kopri.<sup>28</sup> Even today the larger one of the two mounds is a landmark that no passer-by can fail to notice. *Dûr-Atanâte* must then be sought in Tepe Kuran, which lies on the direct road from Altun Kopri to Chemchemal. *Arrapha* (Kirkuk) is left out of the itinerary, since it lies too far south of the required route. Ashurnasirpal undoubtedly followed the general direction of our itinerary when he marched to *Babite*; the way through *Arrapha* was not practical not only because of the greater distance but also on account of the fact that at the time of the Zamua wars that city still acknowledged Babylonian supremacy.<sup>29</sup>

Of the fortresses which the Assyrians captured in the first campaign against Nûr-Adad I would identify *Berutu* with Gopal Tepe. No mound is more fit for the appellation of 'fortress' *par excellence*. *Lagalaga* is the *Lagabgalaga* of the itinerary and the *Tagalaga* of Harper 701. The alternative spellings of the initial consonant indicate a sound *tl*. This places the word in one of a larger group of languages, which includes proto-Hittite, Hurrian, and Elamite, where that phonetic phenomenon is well known. The modern village Ulubulagh lies exactly where the itinerary requires us to place *Lagalaga*; and, to judge from the widely differing spellings, the ancient Assyrians found the pronunciation of the name just as strange as the modern form appears to us today.

The position of *Bâra* will be best discussed in connection with the second campaign. Ashurnasirpal starts from *Kakzu* early in the fall of 881 and, having passed *Babite*, directs his troops towards the *Nişir* mountain.<sup>30</sup> That

<sup>27</sup> Display I. 20.

<sup>28</sup> *JAOS* 37, p. 183, n. 37.

<sup>29</sup> So Forrer, p. 46.

<sup>30</sup> The account says nothing about crossing the *Radanu*, although the river was certainly in the way. This need not mean, however, that the army did not cross it at all, as Olmstead (n. 49) concludes. Since the second campaign started early in the fall when the rivers are at their lowest, the crossing—so near the source of the stream—

mountain, 'which the Lullu call Kinipa,' is the famous mount of the Deluge Tablet (141) on which the Flood-ship finds a resting place. The identification of *Niṣir* with Pir Omar Gudrun may be considered as absolutely certain.<sup>31</sup> I have tried to indicate above how impressive the peak appears at close range. But its remarkably-shaped top, especially when snow-capped, also attracts the eye from a great distance. Often visible for more than a hundred miles, it was to the Babylonians the most natural place to perch their ark upon; the hub of the Universe has been placed at times in far less unusual spots.

The Assyrian reaches the foot of the mountain, where he encounters the Bunasians under their chief *Muṣašina*. The opponent on the other side of *Niṣir* is *Kirtiarā*, the ruler of *Larbusa*. In both cases Ashurnasirpal reports sweeping victories. However, the small number of towns which he claims to have captured (15) and the total of 498 enemies killed, makes one sceptical as to the exactness of the report. Following the expedition into the mountains 150 localities belonging to *Larbusa*, *Dûr-Lullumu*, *Bunais*, and *Bâra* are occupied by the Assyrians. The last event of the second campaign is a march from the camp at *Tukulti-Aṣur-aṣbat* to the distant mountains *Gamri* and *Edinu*, which form a part of the *Niṣpi* range.<sup>32</sup>

The identification of *Niṣir* with Gudrun fixes approximately the position of *Bunais* and *Larbusa*. The first must have extended up to the south-eastern slopes of the mountain, the other occupied the opposite side of the range. In this connection must be considered the brief account of Shalmaneser's III incursion into *Zamua*.<sup>33</sup> After crossing the *Kullar* mountains the king descends into *Zamua* through the pass of *Bunais* and captures the fortresses of *Niktiara* and *Nikdîma*. The vanquished flee to the sea (unnamed) where the Assyrians deal them a final defeat from vessels which had been hurriedly pieced together. It has been urged that the *Bunais* of Shalmaneser and *Bunasi* of Ashurnasirpal are identical.<sup>34</sup> Since in both instances the reference is to the region in the north-eastern end of *Zamua* the comparison is doubtless justified. The spelling *Bunisaï* in Ashurnasirpal's account (II. 24) adds a phonetic confirmation; the common ending in the names *Nikdiara* and *Kirtiarā*<sup>34a</sup> further suggests that we are in the same territory in both cases;

could not have occasioned enough trouble to require a special mention. But when the third expedition reached the *Radanu* in May, when the water is very high, the crossing was naturally stressed.

<sup>31</sup> So Billerbeck, p. 26, and Olmstead, p. 230, n. 48; Streck (*ZA* 15, 272) is over-cautious, but his work was completed in 1900, when but little material was available.

<sup>32</sup> Cf. *Annals* II, 33-49. *Edinu* of the Monolith is the *Etini* of the *Annals*.

<sup>33</sup> *Shalm.*, *Annals* 50-53; *Monolith* II, 75-78.

<sup>34</sup> By Hüsing in *OLZ* I, 360.

<sup>34a</sup> The ending itself is good Hurrian; cf. *Ninuari*, *Arraphari*, etc. in the Nuzi tablets.



and lastly, the occurrence of the name *Kolar*, which is borne today by a mountain range east of the lower Zab, in the latitude of Koi-Sanjak, exactly from where one would descend into north-eastern Zamua, completes the chain of cumulative evidence.<sup>35</sup> The 'sea' about which Shalmaneser speaks is then certainly the Lake of Zeribor; the pursuit followed the valley of Qaracholan or of Qizilja. The smallness of the present Lake of Zeribor, which might be urged against its identification with the 'sea,' presents in reality no serious difficulty. The lake has been shrinking constantly and for a long time. When Rich visited Zeribor as early as 1820 he was told by one of his guides that the lake has sensibly diminished in his own recollection. In the time of Shalmaneser it might have conceivably been the scene of an unpretentious naval battle.

The general location of *Bâra*<sup>36</sup> is indicated by the close connection of that town with *Bunais* and *Larbusa*. As *Bâra* is captured by Ashurnasirpal in his first campaign against Nûr-Adad, it should be sought near the western entrance into the Sulaimania valley, hence not far from Tasluja. In any case, *Bâra* seems to have been a convenient starting point for the second expedition which had as its object the clearing of the northern part of the

<sup>35</sup> See attached map (5). The suggestion of Billerbeck (p. 46) that *Kullar* must be sought southeast of Koi Sanjak is thus proved correct by the lucky survival of the old name of the mountain range in question. The pass must then be the famous Zinu Bolak Pass between the very high mountains Kuna Worch and Gojar, six miles south of the place where the Lower Zab is joined by the Qaracholan River. This would bring us north of Gudrun, where we have already located *Larbusa*, but names of passes and mountains are certainly older than political divisions; besides, the territory allotted to the principalities of *Larbusa*, *Bunais* and *Bâra* is comparatively limited and, within it, supremacy must have changed hands rather frequently. For practical purposes we have here, in reality, but one small country which at one time was known as *Bâra*, another time as *Bunais*, or the like.

<sup>36</sup> *Bâra* has usually been connected with *Til Bâri*, which according to the Synchron. History, III, 20, lay on the Assyro-Babylonian border, cf. Billerbeck 25, Olmstead 230, n. 49. Billerbeck looks for the place in the neighborhood of Koi Sanjak. Streck (ZA 15, 279) finds Billerbeck's suggestion very plausible but refrains from committing himself; he has no doubt, however, that *Bâra* and *Til Bâri* lay in the same neighborhood. I believe that Streck was right in that. *Til Bâri* may be identified with *Bargird* (Kurdish for 'Tel Bar') near the junction of the Lower Zab and the Qaracholan, a most natural place for the boundary between Babylonia and Assyria. But *Bâra* must be sought further south, east of Gudrun, since Ashurnasirpal strikes the town soon after passing *Babite*. The Assyrians speak of slaying 50 Barians in the plain *-ina seri-* (Ashurn. Annals II, 45), which again suggests the plain southeast of Gudrun. We shall, therefore, stand by the identification of *Bâra* with Girdabor. (See below.) That both *Bâra* and *Til Bâri* belonged to the same country was made probable in the preceding note.

valley. Among the defeated allies are also the *Dûr-Lullumai*, though their city is never mentioned by name. On the other hand, Ashurnasirpal closes his second campaign with an unexpected march from the city *Tukulti-Ašur-ašbat* without telling us how he had got there. The brand-new Assyrian name represents the city 'which the Lullu call *Arakdi*.' Is it likely that *Arakdi* also figured as *Dûr-Lullumi*, i. e., the fortress of the Lullu? Such an assumption would not be altogether unreasonable; however, the above-mentioned itinerary K 4675 leads to different conclusions, and there are other difficulties which will become apparent presently. I would therefore keep the two towns apart and identify *Dûr-Lullumi* tentatively with Kelespi. *Bâra* may be located at Girdabor, 'the mound of Bor,' which lies five miles south of the peak of Gudrun.

All things considered, Ashurnasirpal's second campaign against Zamua was not a great success. The few cities that he conquered had to be recaptured the following year. But we must also bear in mind that the entire expedition may have been in the nature of a reconnaissance to pave the way for a future campaign. The night ride in the *Nišpi* mountains could not have been more than a scouting trip. It is quite probable that Ashurnasirpal was satisfied with the results. Surely, he could not expect to do very much more, starting out so late in the season. All Zamua was not to be subdued in two months. Now that the way into Shehrizor has been cleared, and the enemy in the north temporarily paralyzed, was the time to prepare for a final and decisive blow.

Accordingly, the third campaign sets out in the following year as soon as the rains have ceased. The Assyrian king crosses the Lower Zab, enters Zamua through the Pass of *Babite*, and takes his troops across the river *Radanu*. After a full day's march Ashurnasirpal arrives at the foot of the *Simaki* range, where he receives the tribute of *Dagara*. Another strenuous march, this time at night, brings the Assyrian to the banks of *Turnad*; across the river is the territory of the rebellious prince Arashtua of *Amimali*. The capital is captured and its streets are colored with the blood of its inhabitants. Ashurnasirpal is now determined to strike terror into the hearts of the people of the land; his frightfulness shall deter them from another uprising. *Hudun* and *Kiširtu* are turned to ashes, the youth of the cities perish in the holocaust. All the villages of the valley are levelled with the ground, and the entire country 'as far as the Pass of *Hašmar*' experiences the heavy hand of the invader.<sup>37</sup>

But the destruction of the valley was of little use so long as the enemy

<sup>37</sup> Annals II, 49-60.

retained his mountain fortresses, from where he could always challenge the possession of the plain. Ashurnasirpal was well aware of that. He was also prepared for a fight to the finish. Hence the expedition into the mountains which follows close upon the defeat of Arashtua.

The king of the hill-country was Ameka, who resided in the city of *Zamri*. The road to that place led through a pass that separated the mountains *Lâra* and *Bidirgi*.<sup>38</sup> Ashurnasirpal storms the pass and captures *Zamri*, forcing Ameka to seek refuge on a high mountain. The Assyrians follow in pursuit and cross the river *Lallû*, beyond which extends the mountain *Edînu*, where Ameka hopes to bring the onrushing hosts to a halt. But Ashurnasirpal is not to be denied. Enriched with fresh spoils, the Assyrian army drives Ameka across the river *Edir* into the mountains *Suani* and *Elaniu*, where no Assyrian king had ever ventured before. Here the remainder of the Zamrite's possessions falls into the hands of the pursuers. In a desperate attempt to save his life Ameka climbs the mountain *Sabua* and Ashurnasirpal is satisfied to allow him to remain there; it was manifestly impossible to continue such a pursuit indefinitely. The dependencies of *Zamri*, including the cities *Arasitku*, *Ammaru*, *Parsindu*, *Iritu*, and *Suritu* offered greater attractions, no doubt. From *Parsindu* a minor expedition is directed against *Arzizu* and *Arsindu*, two cities situated in a formerly unexplored territory. The entire army is to reassemble in *Zamri*.

But the troubles of Ashurnasirpal were not to be over yet in spite of these victories. The Zamuans had still enough strength left to inconvenience the returning Assyrians by blocking the pass between the mountains *Lâra* and *Bidirgi*. Ashurnasirpal was forced to cut for his chariots a way alongside *Lâra* in order to get to his base in *Arakdi*. The reappearance of the troops in the plain was the signal for a series of cities to renew their tribute to the conqueror. But the less pacifically inclined continued to defy the Assyrian. They felt convinced that Ashurnasirpal had had enough of the mountains by that time and that he would not again leave the valley for another punitive expedition. Very likely they were quite right on the whole. They retreated behind the mountains *Aziru* and *Simaki* and established their headquarters in a newly fortified town, called *Mesu*. But the king was too much of a statesman not to realize that, to save his prestige, he must deal with the insurgents. Having brought his troops around the inhospitable ranges, he attacked the stronghold of the rebels from behind. *Mesu* was captured and the survivors were driven by the Assyrians down the slope of *Simaki* until the valley as far as the *Turnad* was covered with the corpses of the pursued.

<sup>38</sup> For the element *irgi* cf. the name *Winnirgi* (the wife of Puhishenni, father of Tehiptilla), in the Nuzi tablets.

Thus Ashurnasirpal succeeded at last in subduing the whole of the country. He celebrated the fact with a more constructive piece of work. The old city of *Atlila* was rebuilt and renamed *Dūr-Ašur*. Henceforward it was to be the grain capital of the rich area.

So much for Ashurnasirpal's own account. All in all, we may consider his version as substantially correct. An occasional failure may have been left out of the report, actual successes overstated here and there; but the official description enables us to reconstruct the general run of events with a reasonable approximation to certainty. At any rate, the country never recovered completely from the effects of the wars described above. Within half a century Zamua becomes one of the regular provinces of the Assyrian Empire. In the year 828 the high office of Eponym is held by one *Ilumukîn-ahû*, the governor of *Mazamua*.<sup>39</sup>

We still have to tackle the problem of transferring the scene of the third campaign from the Annals into an actual geographic area. The task is not an easy one. Complications arise from the constantly shifting scene of operations and the number of sites involved. This fact accounts probably for the diffidence with which the subject has been treated by former commentators. The suggestions offered have been, therefore, of necessity vague and unconvincing. Personally, I cannot presume to claim for my own results a finality that shall have settled the matter once for all. Individual sites cannot, for the most part, be identified definitely without excavations on the spot. In reality, such identifications are not in themselves vitally relevant. What is, however, of real consequence is the direction which Ashurnasirpal's final expedition to Zamua followed. If correctly diagnosed, the course of developments will enable us to gain an insight into the king's immediate aspirations; it would also furnish a means for the interpretation of the political influences that were at work in Zamua at the time in question.

The mountains that figure so largely in the battles of the third Zamuan campaign have hitherto been generally sought in the region south of Shehrizor.<sup>40</sup> On careful comparison of the Assyrian records with the geography of the country with which they deal, the southern theory proves to be untenable. It is far more probable that we should look for Ameka and his allies in the districts that rise to the north of the valley of Tanjero.<sup>41</sup> It will be seen that such an assumption is best suited to the documentary and geographic evidence at our disposal.

<sup>39</sup> Forrer 48.

<sup>40</sup> So especially Billerbeck, who is generally followed by Streck.

<sup>41</sup> For the development of *Turnad* into *Tanjero* see Streck, 275 f.

In order to appreciate Ashurnasirpal's strategy we must go back to a campaign with which the king inaugurated his reign. The very first war which the young ruler undertakes is directed against *Numme*, a mountainous and well-nigh inaccessible country. The fortresses and towns of that land are sheltered by the formidable mountains *Urini*, *Aruni*, and *Etini*. After the conquest of *Numme* Ashurnasirpal proceeds against *Kirruri* and *Kirhi*. The entire campaign terminates successfully and the king returns to his capital by way of Arbil.<sup>42</sup>

The direction of the above expedition can be followed without much difficulty. Thanks to Shalmaneser (Mon. II. 65) we are in position to locate *Kirruri* definitely between Arbil and Rowanduz. *Kirhi* is then north, *Numme* south of *Kirruri*. On his way to *Numme* Ashurnasirpal must have proceeded alongside the Lower Zab, which he probably crossed in the neighborhood of Koi Sanjak. From *Numme* the Assyrians marched northwards, and on their way home they used the direct route through Rowanduz and Arbil. The campaign had undoubtedly as its object the intimidation of the north-eastern neighbors of Assyria so as to leave young Ashurnasirpal a free hand for dealing with more serious problems in the west. Indeed, the Assyrians do not appear again in the east until three years later, when Zamua starts her stubborn revolt.

*Etini* appears to be the southernmost mountain of *Numme* reached by Ashurnasirpal. After the capture of *Zamri* the king ascends the same mountain in his pursuit of Ameka. A comparison of the two accounts compels us to place *Etini* north of Shehrizor.<sup>43</sup>

Instructive is, also, the progress of the Zamuan wars themselves. The first campaign—it will be remembered—resulted in the storming of the *Babite* Pass as well as in the capture of the fortresses to the east of it, on the direct road into the valley of Tanjero. The next step was to render further advance possible by forestalling unpleasant surprises from the north. This was accomplished in the course of the second campaign when the territory around Mount *Nisir* was explored and—for the time being at least—occupied. Ashurnasirpal sought obviously to establish contact with the lands which he

<sup>42</sup> Annals I, 46-68. Cf. Olmstead, *JAOS* 41, 361, n. 33, who takes a different view from the one adopted below.

<sup>43</sup> Even Streck (283) is forced to admit that by comparing the passages in which *Etini* is mentioned we obtain for the kingdom of Ameka a location north of the Tanjero, the assumption of two distinct ranges named *Etini* being less likely. In that case, however, it is impossible to place the other mountains into which Ameka retreats south of Shehrizor without being involved in contradictions. The country of Arashtua is correctly placed by Streck south of the Tanjero (280).

had visited a few years earlier, on his expedition against *Numme*. For further north flowed the Zab and communication with old Assyrian provinces was more simple from there. It was only the country in between, the mountains which formed the dividing line between the drainage areas of the Zab and the Tanjero, that caused the Assyrians some concern. As far as the south was concerned, Ashurnasirpal was markedly free from care.

With the road into Shehrizor thus opened and safeguarded, the conquest of that country was accomplished without much difficulty during the first half of the third campaign. But it was not enough merely to conquer Shehrizor: the coveted land had to be held or the strenuous campaigns had all been in vain. Where was the danger quarter? From his mountain recesses Ameka was able to control Shehrizor with ease; until *Zamri* was captured the possession of Shehrizor was a liability rather than an asset. Now we have seen that Shehrizor was most intimately connected with the mountain-country to the north. One of the mountains in question has been definitely located in the north; it was the north which really worried Ashurnasirpal. Danger lurked in the massive peaks that rise east of Gudrun. By subduing those parts the Assyrians could clear the wedge that split their dependencies on the Lower Zab and in the valley of Tanjero; and the rich and hardly-won Shehrizor would become safe for some time to come. With these points in mind there can be no reasonable doubt as to the position of the kingdom of Ameka.

Yet another argument is worth considering. The alternative theory which would place *Zamri* in the south is *a priori* untenable for two important reasons. In the first place, Baranand and Qaradagh, which run south of the Tanjero, are well-defined, solid ranges in which there is no room for the numerous individual mountains that are mentioned in Ashurnasirpal's account. Secondly, if *Zamri* is to be sought, with Olmstead, near Goek Tepe,<sup>44</sup> then the Assyrians wasted an enormous amount of effort in trying to reach it through Shehrizor. The best and shortest way to Goek Tepe from the west is entirely independent of the Bazian Pass, as it leads from Chemchemal directly south-eastwards. Moreover, the possession of Goek Tepe could have only the remotest bearing on the safety of Shehrizor.

We can now turn our attention to the topography of the third campaign. Shortly after they entered Zamua through the inevitable *Babite* Pass, the Assyrians crossed the river *Radanu*. It has long been known that Radanu

<sup>44</sup> P. 235, n. 55. Olmstead considers his case as proved by finding in the Sangaw Valley a Tamar, 'the modern representative of Zamru.' For Goek Tepe cf. Map 4, which has been furnished by Mr. Wilenski.

is to be identified with Tauq Chai. That part of the Chai which crosses the Bazian Pass-Sulaimania road is called the Tainal Chai. Close upon the rainy season the stream swells to considerable proportions. For the Assyrian chariots the crossing presented sufficient difficulty to merit a special mention in the records. On the same day the invading army arrives at the foot of the *Simaki* mountains. The range is separated from the *Aziru* mountains by a pass or a narrow valley in which lay the town *Mesu* where the Zamuans made their last stand against Ashurnasirpal. The name *Aziru* reminds one of the town *Asri* or *Aşari* mentioned in the itineraries which were summarised above. According to the document K 4675 the trip from *Lagabgalagi* to *Asri*, including the crossing of the *Radanu*, occupied one day. The Assyrians cover a similar distance (across the *Radanu* on to the foot of *Simaki* which adjoins *Aziru*) also in one day. It is therefore very probable that the mountain *Aziru* gave its name to a town which was built at its foot. On comparing distances, *Aziru* and *Simaki* must be identified with modern *Azmir* and its continuation, the Gwezha range. No other range suits the requirements even remotely. There is one further argument in favor of the above identification. Modern *Azmir* and ancient *Aziru* are so close that it will hardly be rash phonetics to consider the two names as one.<sup>45</sup>

While we are on the subject of the itineraries it will be convenient to give some thought to the position of *Tukulti-Aşur-aşbat*. The city 'which the Lullu call *Arakdi*' was, according to K 4675, one day's journey away from *Asri*. Since the last-named town must be sought in or in the neighborhood of Sulaimania,<sup>46</sup> a day's stage along the valley brings us up to the several mounds which lie within short distance of Muhan. Of those, Bingird is the most satisfactory choice for *Arakdi*, both by reason of the high antiquity of the tell as well as because of its remarkable position which was indicated in the preceding pages. Ashurnasirpal could not have chosen a better place for his headquarters. As a base for operations in Zamua the place was ideal. Not only could the entire valley be easily controlled from Bingird, but the site was also a most convenient starting point for expeditions into the vitally important mountain country in the north; for, as we have seen, the best tracks covering that territory all converge in Bingird.<sup>47</sup>

<sup>45</sup> The steps would be *azmiru* > *azwiru* > *aziru*, while the modern name would go back to a phonetically unaffected form. Cf. the word *litu* 'boundary' of the Nuzi tablets which developed from *limitu* < *liwitu*. Olmstead (233, n. 52) supposes a dislocation in the text because the account 'deals with *Simaki* and is still north of the *Turnat*.' We have seen that *Simaki* belongs properly north of the *Turnad*.

<sup>46</sup> Rich reports that Sulaimania was built on what had once been an ancient mound.

<sup>47</sup> Billerbeck places *Arakdi* in the plane of Kitschan (p. 24); Streck in the direc-

From his camp near Simaki Ashurnasirpal reaches a fordable spot on the *Turnad* under the cover of night. Arashtua was evidently taken by surprise. He did not expect the decisive battle before the main Assyrian army arrived in *Arakdi*. But while the posts from *Ammali* were keeping a watchful eye on *Arakdi* and Arashtua still believed himself far from danger, Ashurnasirpal effects the crossing of the river without continuing to *Arakdi*. Now a night march from the vicinity of Sulaimania will bring an army, quite comfortably, to the neighborhood of Yasin Tepe, where conditions for crossing are favorable. The plan appears to have worked splendidly, and for want of hard fighting, the Assyrians use up their excess energy on acts of unparalleled cruelty.

*Ammali*, *Hudun*, *Kisirtu* and the minor towns of the district must be sought on the right side of the Tanjero.<sup>48</sup> The modern village of Qisirtu has probably preserved without change the name of the ancient city. Nammal is close enough to *Ammali* and mounds like Girda Quchka and Shakir Tepe bear witness to the antiquity of this region. The *Hašmar* Pass which Ashurnasirpal mentions as the terminus of his latest conquests is hardly anything else than the Derbend-i-Khan, on the western side of the Diyala gorge.<sup>49</sup> The entire Arashtua episode was, then, enacted on the right bank of the Tanjero.

In settling scores with Arashtua and his allies, Ashurnasirpal occupies only a comparatively small number of towns. This corresponds with the character of the country where we have placed *Ammali* and her confederates; the strip of valley between the Tanjero and the Baranand Dagh is too narrow for a larger number of settlements. The richest and most spacious part of the valley, or Shehrizor proper, extends east of the bend of the Tanjero as far as the Awraman, and from Gulambar to the south, past Halebja. Here the number of ancient mounds and modern village is probably larger to the square mile, than anywhere else in Iraq. To the Lullu inhabitant, the Assyrian conqueror, or the Sassanian ruler, this section of the land was not less alluring than it is to the Kurd of today.

The most stubborn and determined of the Zamuan battles were waged against Ameka, king of *Zamri*. After the defeat of Ameka 150 towns, not

tion of Hurin (p. 85); Olmstead (6. 232, n. 51) suggests the place where the Tauq stream leaves the Qara Dagh; *i. e.*, at the Derbend-i-Basirra. None of these suggestions answers the topographic requirements which must be deduced from a comparison of all the relevant passages.

<sup>48</sup> So already Streck, p. 280.

<sup>49</sup> Practically the same conclusion in Billerbeck, p. 30; Streck, p. 287. Olmstead, in *JAOS* 41, 346, places the pass too far north.



counting fortresses, fall into Assyrian hands. No wonder that the defendants fought so desperately! But the prize at stake removes also all doubt concerning the position of the kingdom of Ameka. Shehrizor was the best populated province of *Zamri*. To occupy it, Ashurnasirpal had first to capture the mountain fortresses in the northern part of the kingdom. The possession of those strongholds carried with it the ownership of the plain of Shehrizor.

After these remarks it will not be difficult to follow the third campaign to its conclusion. Detailed identifications will not be possible because of the large number of names involved; but the general course of events can be now reconstructed with a sufficient show of reason.

On his march to *Zamri* Ashurnasirpal uses a pass between 'the mountains *Lâra* and *Bidirgi*.' When the return through the pass is blocked, the Assyrians blaze a new trail through the *Lâra* and descend to *Arakdi*. *Lâra*, then, is not far north from *Arakdi* and *Bidirgi* must be east of *Lâra*, overlooking Shehrizor. Consequently, *Lâra* must be identified with Kurdiwan and its southern extensions; *Bidirgi* corresponds to the massive group east of Kurdiwan which rises 6000 feet above sea-level. The pass in question is either that of Kaolos or else the narrow passage near Dollasur, three miles further north. In the neighborhood of Kaolos meet the routes that lead to Penjwin from both the Halebja region and Muhan; through Kaolos leads also the shortest route from Sulaimania to Penjwin. *Zamri* lay north of the pass, hence in the region of Ahmad Kulwan.

After the conquest of *Zamri* Ashurnasirpal crosses the river *Lallû* and pursues Ameka on the mountain *Etini*. *Lallû* can be therefore only the Tankabya River and *Etini* the high mountain west of Penjwin. The river *Edir* which defines *Etini* from the other side must be modern Qizilja and the mountains *Suani* and *Elaniu*, where Ameka vainly seeks to stop the Assyrians, may be identified with Kani Miran Dagh and its companion to the east. Ameka escapes eventually to the mountain *Sabua* and Ashurnasirpal prefers not to follow. A glance at the map will help us to understand the reason. The Assyrians had got as far as Bistan. To the north flowed the Shalar River and across it rose ranges even more formidable than the ones hitherto encountered. In these circumstances discretion was certainly the better part of valor. Instead of continuing on a wild-goose chase the Assyrians turn now to the far more grateful and profitable task of capitalizing their preceding victories. The remaining fortresses of Ameka are occupied and Parsindu,<sup>50</sup> which is one of them, receives an Assyrian garrison. I would

<sup>50</sup> This type of name seems to have been common in the district. Cf. *Arsindu*, II, 73, and *Hualsundu* of the itinerary K 4675 which lay between *Arakdi* and *Dûr-Ašur*,

identify *Parsindu* with modern Parazan on account of its position in the territory with which we have just been dealing. The several ancient mounds in the Qizilja valley may represent some of the remaining towns which the records mention by name. The 150 localities of which Ashurnasirpal proclaims himself master belong largely to Shehrizor, which becomes automatically the prey of the victors, though not without some difficulties. It may very well have been the people of Shehrizor who blocked the pass between *Lâra* and *Bidirgi* forcing the Assyrians to use a roundabout way to *Arakdi* (Bingird). But the ultimate subjugation of the plain was inevitable. So sure has Ashurnasirpal become of his grounds that he rebuilds now the old city of *Atlila*, which he renames *Dûr-Ašur*, with the main purpose of collecting there the grain of the rich country. This could be intended only for Shehrizor and there need therefore be no hesitancy in locating *Dûr-Ašur* in Bakrawa. According to the itinerary K 4675 it was an easy day's journey from *Arakdi* to *Dûr-Ašur*. The distance between Bingird and Bakrawa is about five marching hours.

Two minor expeditions remain to be dealt with for the sake of completeness. The first was undertaken from *Zamri* and was directed against Ata of *Arzizu*. The result was the capture of *Arzizu*, *Arsindu* together with ten minor places in the *Nišpi* Mountains. As *Nišpi* corresponds generally to the Awraman Dagh the land of Ata must be sought south-east of *Zamri*, hence in the neighborhood of Kal-i-Suren. The second expedition which terminated in the capture of *Mesu* was referred to above. Since *Mesu* was situated between the mountains *Aziru* and *Simaki* the position of that last stronghold of the Zamuans is not difficult to determine. The town must have lain near the eastern end of the Gwezha Pass which separates Azmir from Gwezha and takes care of the traffic from Sulaimania across the mountains into the Qaracholan Valley. The village of Waldana may be suggested as the approximate site of *Mesu*. The Assyrians probably got across the Gwezha range starting either from Bistansur or from Arbat. *Mesu* was captured and the few that managed to escape were driven through the Gwezha Pass back to the Tanjero, where the remainder was slain. Thus ended the last warlike exploit of Ashurnasirpal in Zamua.

Before this chapter is concluded attention should be called to the remarkable parallel which can be traced between the Zamuan wars and the recent

and which, in pronunciation, did not probably differ much from *Parsindu* (*hualsindu* probably equal to *falsindu*, *farsindu*). For a similar ending compare modern *Piskandi* near the formerly discussed Girdabor. For the itinerary K 4675 see further Peiser in the *Mitteilungen der Vorderasiatischen Gesellschaft* 6, 3, 40 ff.

rebellion of Sheikh Mahmud. Both the Sheikh of Dagara and Sheikh Mahmud contended against overwhelming odds; both carried with them the entire district east of Bazian; the initial battles were fought in the Bazian Pass and in both cases the local princes were defeated. For several successive seasons ancient Zamua and the modern district of Sulaimania were hoping against hope to free themselves from the powers against whom they had rebelled. The Zamuans made their last stand in the neighborhood of Penjwin and it was in Penjwin that Sheikh Mahmud's Kurds finally laid down their weapons. If it is indeed true that history tends to repeat itself the above instances furnish a striking illustration of this tendency.

#### *A Check-up From the Air.*

The preceding pages were written in the summer of 1927 in Jerusalem, where I had gone from Persia towards the end of July. On my return to Iraq, in October, I stopped in Beyrout to see Father Poidebard, who has been getting splendid results from an aerial survey of Syria. In the course of an hour the learned Father outlined before Professor Chiera, who was then also in Beyrout on his way to Kirkuk, and myself the advantages for archæological work to be derived from aerial surveying and the methods which, in his experience, have led to the best results. By way of illustration, we were shown scores of photographs which P. Poidebard had taken on his numerous flights. He had met with particular success in tracing Roman roads and camps, which showed plainly enough from the air but could be hardly followed up from the ground. We left the quiet study in the *Collège de St. Joseph* greatly impressed. It was plain that aerial reconnaissances could, in many instances, be exceedingly helpful in lessening the gap between theory and certainty; consequently, I was anxious for a chance to view from the air the scene of the Zamuan Wars, which I had seen in part from car and horseback, from mound and mountain, in the preceding winter.

When I was back again in Bagdad I spoke to Mr. R. S. Cooke, the Honorary Director of Antiquities, of the work which P. Poidebard was accomplishing with the generous support of the Syrian Government. I also expressed the opinion that a flight over the Sulaimania area would supplement admirably the information which I had gathered there previously. Mr. Cooke's interest in the work need not be stressed before friends of the American Schools. It remained, however, to impart this interest in a convincing manner to the Air Vice Marshal commanding the British Forces in Iraq, upon whose approval the proposed flight must needs depend. Fortunately, Sir Edward Ellington's sphere of interests is by no means limited by his high military rank; he did

not require persuasion. The flight was immediately sanctioned and Squadron Leader, F. H. Coleman, who had flown countless times over the once hostile district, was assigned to take charge of the trip. As the terrain over which we were to fly was mountainous and uneven the small bombing planes were chosen for the journey; a two-seater need not be afraid of a forced landing even in places where a descent would be suicidal to a larger plane. In consequence, our party was distributed in three airplanes. Mr. Cooke made himself comfortable in one, a second plane carried wireless equipment, while I took my place in the observer's seat behind Squadron Leader Coleman. A special aerial camera was fitted into my seat after I had received some instruction in using the apparatus.

We took off from the aerodrome in Hinaidi, near Baghdad, in the morning of November 23, 1927. The trip to Kirkuk was uneventful on the whole except for the striking panorama of Baghdad just at the start. I had gone over the same distance, by car and train, several times and it was not difficult to recognize from the plane the mounds that I had visited and studied several months earlier. We crossed the Hamrin Mountains, noted, a little later, the winding course of the Tauq Chai and landed, in another twenty minutes, in Kirkuk, on a well-kept landing ground.

It was our intention to fly over the Sulaimania area on the following morning. With the aid of the latest maps points of special interest were marked off and Mr. Coleman planned his route accordingly. We assembled on the flying field just as the sun was rising above the eastern hills and everything was got ready for the take-off. We waited only for the weather report; but the wireless from Sulaimania brought unfavorable news. The Rashaba was blowing—a wind known for its exceptional vehemence and peculiar to the part of the Tanjero Valley over which it was our intention to pass—which meant not only a very uncomfortable journey, but also poor visibility. It was therefore decided to wait a day in the hope that the Rashaba would die down in the meantime. The delay gave us the opportunity to circle over the excavations at Nuzi, where Professor Chiera was pursuing his studies of the Hurri-Mitanni, and the near-by mounds of Wiran-Shehr; taking photographs of the places of interest as we flew over them. Mr. Coleman's experience in bombing was invaluable for bringing the plane into the correct position for a vertical photo. On reaching the proper spot he would pull a string of which the other end was tied around my arm and all I had to do was to push the button of the camera and to change the plate immediately afterwards. The results of this uneven coöperation proved to be eventually very satisfactory.

The weather report on the morning following was to the effect that the Rashaba was still keeping everybody in Sulaimania indoors. Nevertheless,

Mr. Coleman gave the signal for the start, as he had pressing work at Hinaidi and had to get back there the same day. Our planes rose from the ground about an hour after sunrise and made straight for the hills in the east. Climbing steadily, we passed the Chemchemal Valley and then turned slightly southwards towards the Derbend-i-Basirra, as the gorge of the Tauq Chai through the Sagirma Dagħ is called. The plan was to fly parallel with the valley of Tanjero, crossing it below Arbat, in order to avoid the main force of the Rashaba. The grim walls of the gorge, contrasting strikingly with the gay, glistening streak of water through the middle of it, presented a lovely sight. It was clear that the passage-way was wholly inappropriate for an army with chariots. Nor could the gorge be conveniently barred up with a gate, as was the case with the Babite Pass. To our left was another break in the range: The Bazian Pass. There, fastened on both sides to massive walls of rock, stood the pillars of the gate that opened into the strange land to the east; a gate awe-inspiring and impressive, and appreciated by Nûr-Adad and Ashurnasirpal not less than by Sheikh Mahmud and the British strategists.

Presently we were over the Qara Dagħ Valley, narrow though inviting to the east, but increasingly inhospitable as it came nearer to the Diyala. As we flew over the Baranand range the Jaishana Caves were directly underneath. A minute later we had a full view of the valley of Tanjero. The long corridor from the Lower Zab to the Awraman Mountains lay spread out under our eyes in its full glory. The river wound along dreamily, embracing a bleak city in the crook of its arm. Mounds and villages lay peacefully side by side. Gudrun contemplated us with an unconcern that was quite natural with the undisputed master of that beautiful region. For Gudrun was no longer merely an imposing mountain. What we saw from above was a monstrous, rock-hewn eagle, its gigantic wings spread out to full length, the head bent slightly forward, as if to look down upon the wide lands over which he presided. The ancients who allowed Mount Nişir to defy the waters of the Flood showed indeed an eye for Beauty as well as a feeling for the Divine when they sang of the ark and of the place upon which it lighted.

From the air it was not difficult to understand why Shehrizor is considered the heart of the whole district. Towards the little basin sheltered by the Awraman the terrain inclines from all sides; it is a natural center of gravity. Nowhere else did we see an area that was so richly populated and so well watered.

We left the valley flying over Arbat and, after crossing the range in front of us, we continued in the direction of Barzinjah. From there we turned eastwards towards Mount Kurdiwan, following a path that winds through a

narrow gully and connects Barzinja with Kaolos. The route is not given on even the most recent maps, though it is the shortest way between Sulaimania and Penjwin. In ancient times this short cut was doubtless better appreciated, for on a peak which rises to the south of the gully are still to be seen extensive ruins of a masonry castle obviously built for the purpose of protecting the passage (Fig. 12). It was discovered a few years ago by an officer of the Royal Air Force and subsequently photographed. A tug at my arm indicated that the plane was in position for a fresh photo and I leaned down hastily in the cockpit to push the button. A short while afterwards the planes described a semicircle and headed towards Penjwin. As we flew over the long and narrow canyon north of Kaolos I was immediately reminded of the Annalist's description of the pass between the mountains Lâra and Bidirgi. The correspondence was remarkable indeed. I could almost visualize the plight of Ashurnasirpal's army when, barred from the natural passageway, it was forced to blaze a new trail through Mount Kurdiwan and return to Arakdi (Bingird) to recover from the effects of the strenuous campaign in the mountains.

On the way to Penjwin we followed the usual route across the Tankabya River. We continued on to the Qizilja River, noticing several mounds in the pretty Qizilja Valley. We had a fine view of the country around Bistan and of the formidable mountains beyond it which constitute the border between Persia and Iraq. Then we turned westwards, following for a while the course of the Qizilja. Underneath, between the two arms of the Qaracholan, rose a row of rugged mountains, covered with dwarf-oak, and separated at intervals by narrow ravines where a village would nestle, sheltered from the winds. Near one such village, Parazan, we observed a flat mound which may very well represent ancient *Parsindu*. We recrossed the Tankabya River having Kurigazhao on our left, Gudrun on our right, and a bewildering interplay of hill and valley underneath. Then we rose above the eastern wing of Gudrun and presently found ourselves back in the Sulaimania Valley. Ancient Bâra and her allies must have fought desperately before Ashurnasirpal succeeded in wresting from them these beautiful spots. Once more we were flying over a range, with Tasluja a little to the north. From here we followed the usual route by way of the Bazian Pass and in a half hour we landed in Kirkuk, having been favoured throughout our journey with perfect flying conditions in spite of adverse weather reports.

To sum up, the flight, apart from being a wonderful experience, proved very useful as well. I had a bird's-eye view of a large stretch of land, interesting and picturesque, which since the beginning of history has been the scene of many strange and stirring events. Any other method of traveling, the best

maps, and scores of descriptions, however vivid, would not have given me as clear and comprehensive an idea of the relief of the land. Moreover, much of what I had advanced as tentative theories was now raised to practical certainty. The topography of the Zamuan Wars and the interesting parallel between them and the recent battles in the region of Sulaimania will now, it is hoped, scarcely require an important revision.

In concluding, I wish to express my feeling of great indebtedness to the British civil and military authorities in Iraq for their sympathetic and eminently helpful attitude towards every phase of my work in that country. Working and wandering in the wide and open spaces of Mesopotamia or amidst the bold and barren mountains of Kurdistan has been to me a source of great personal enjoyment. I know that much of that pleasure was due directly or indirectly to the men who direct the various offices in Baghdad and to officers in charge of the administrative districts afield. It is in appreciation of these kind services that I have taken the liberty to dedicate the preceding pages to the British authorities in Iraq.



Fig. 1. The Bazian Pass

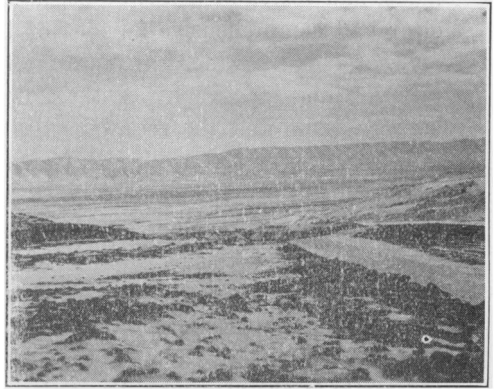


Fig. 2. A section of the Qaradagh



Fig. 3. Bogged in the Bazian Pass

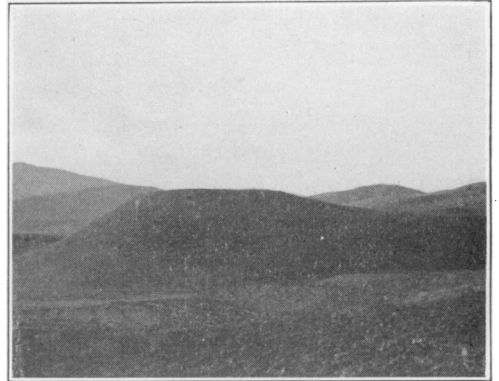


Fig. 4. Gopal Teppe, *Berutu*

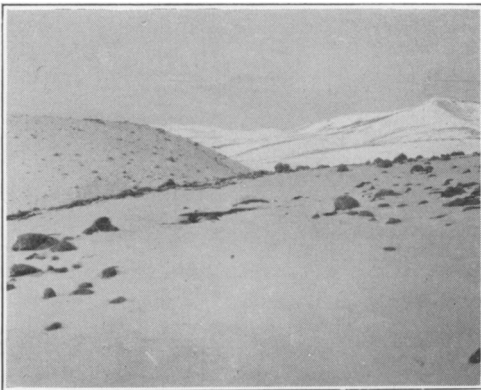


Fig. 5. Taslujah

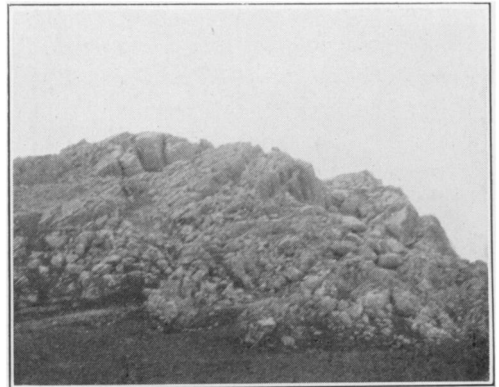


Fig. 6. Qal'at Hazar Merd





Fig. 7. The Muhan Blockhouse on the mound of Bingird, ancient *Arakdi*

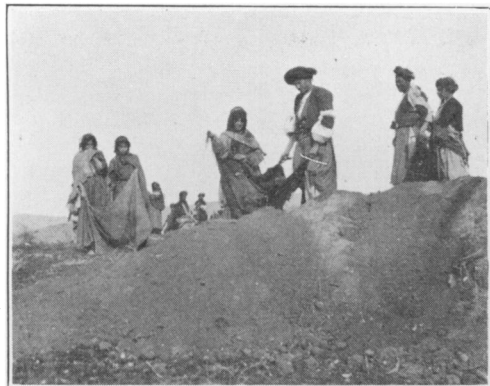


Fig. 8. On Yasin Teppe



Fig. 9. A Kurd from Sulaimania

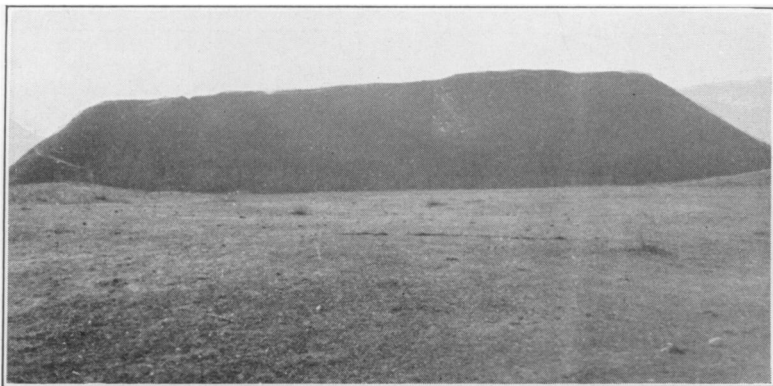


Fig. 10. Tepe Bakrawa, ancient *Dûr-Ašur*

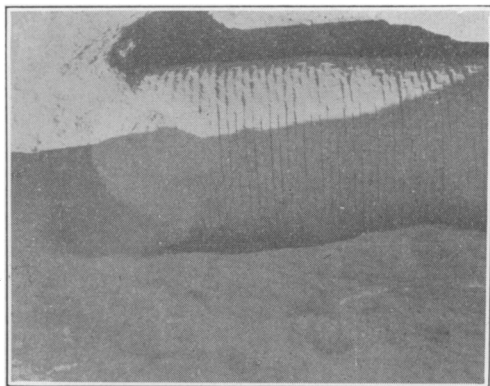


Fig. 11. A section of a well at Tepe Bakrawa

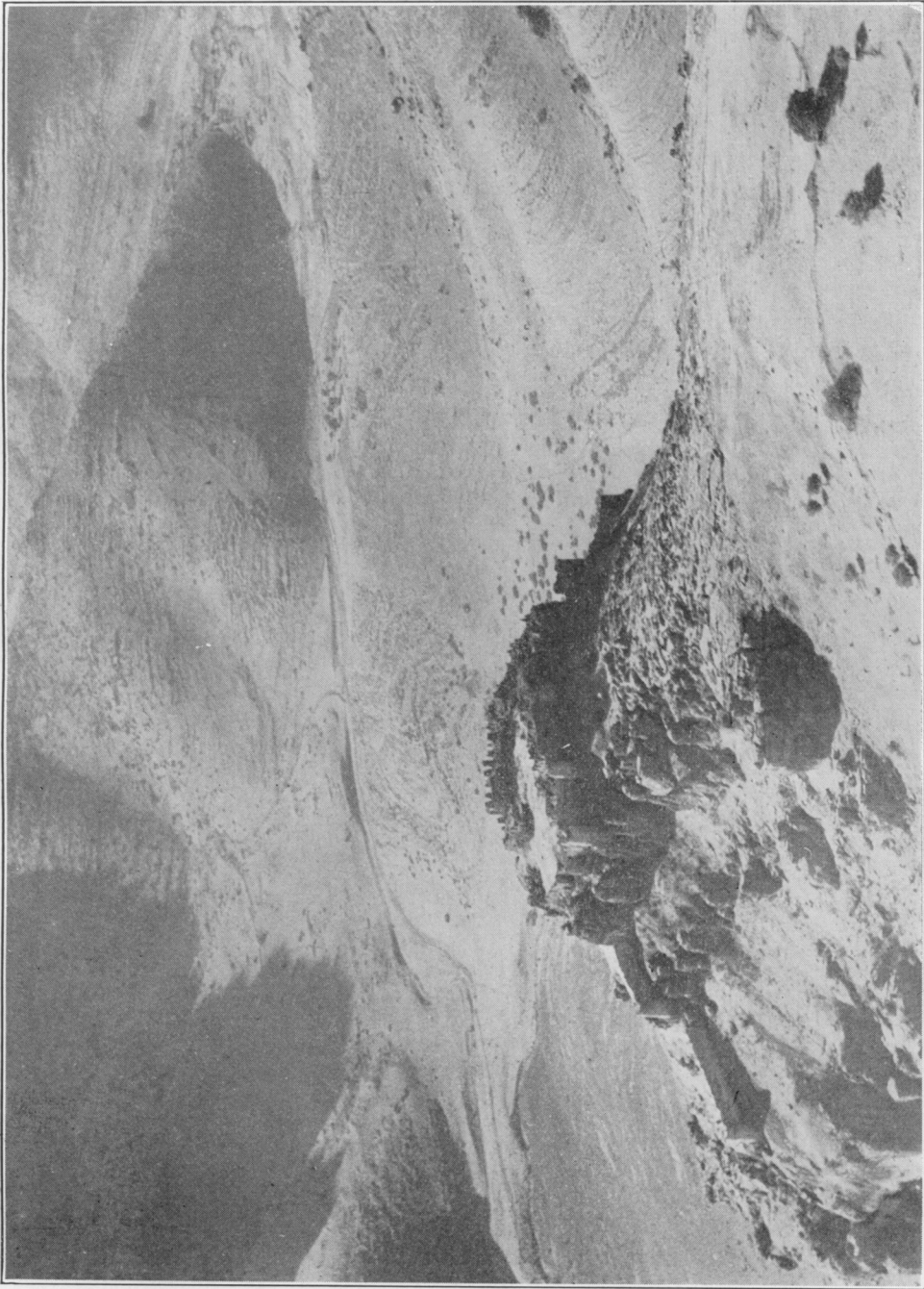
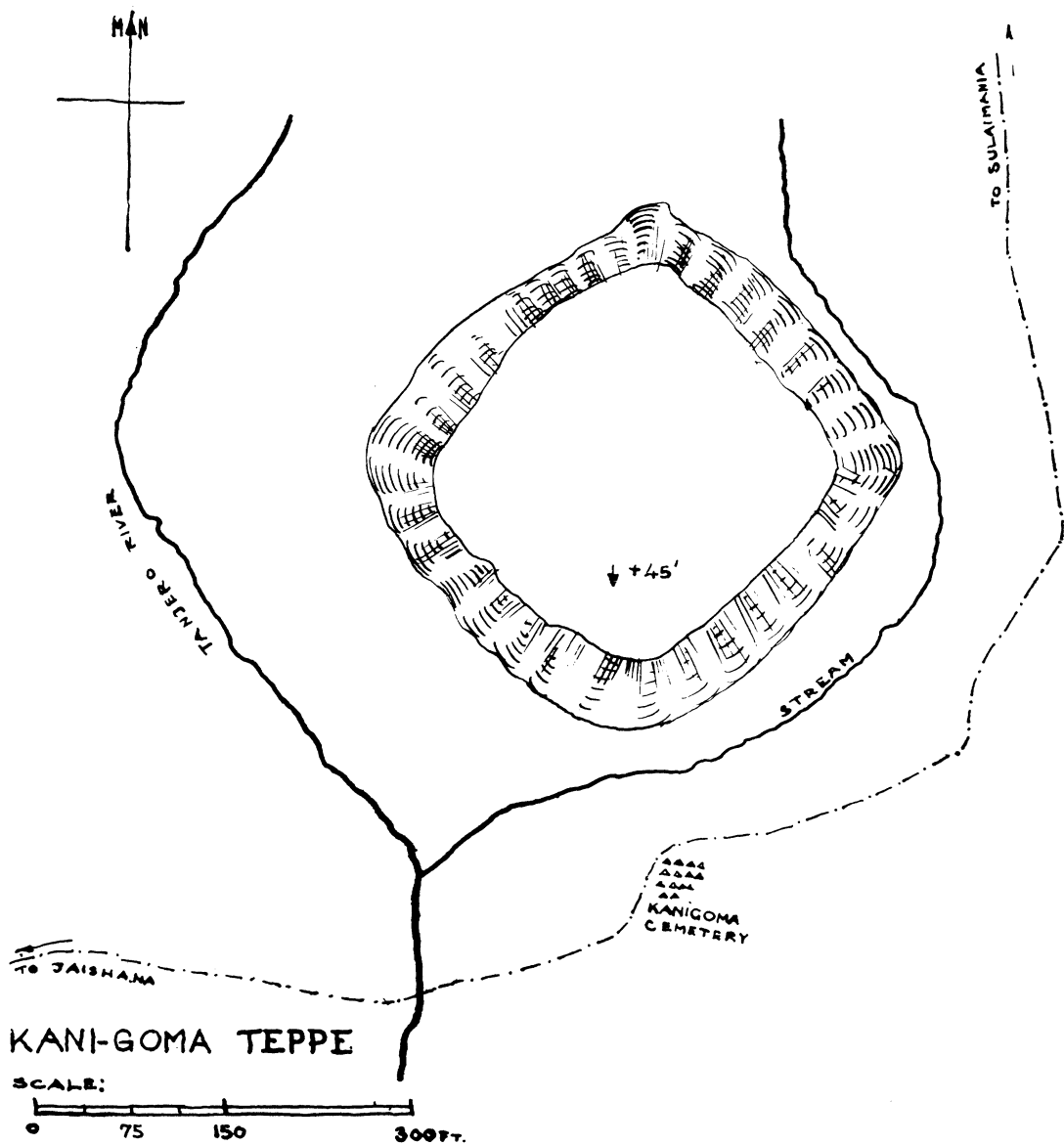
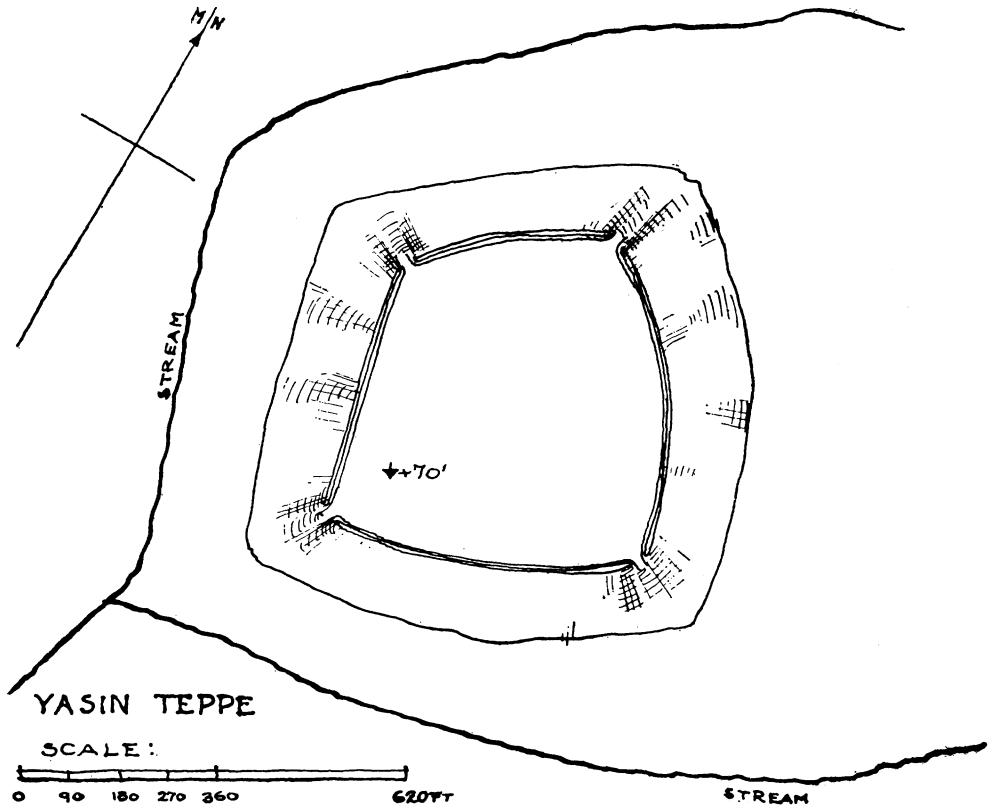


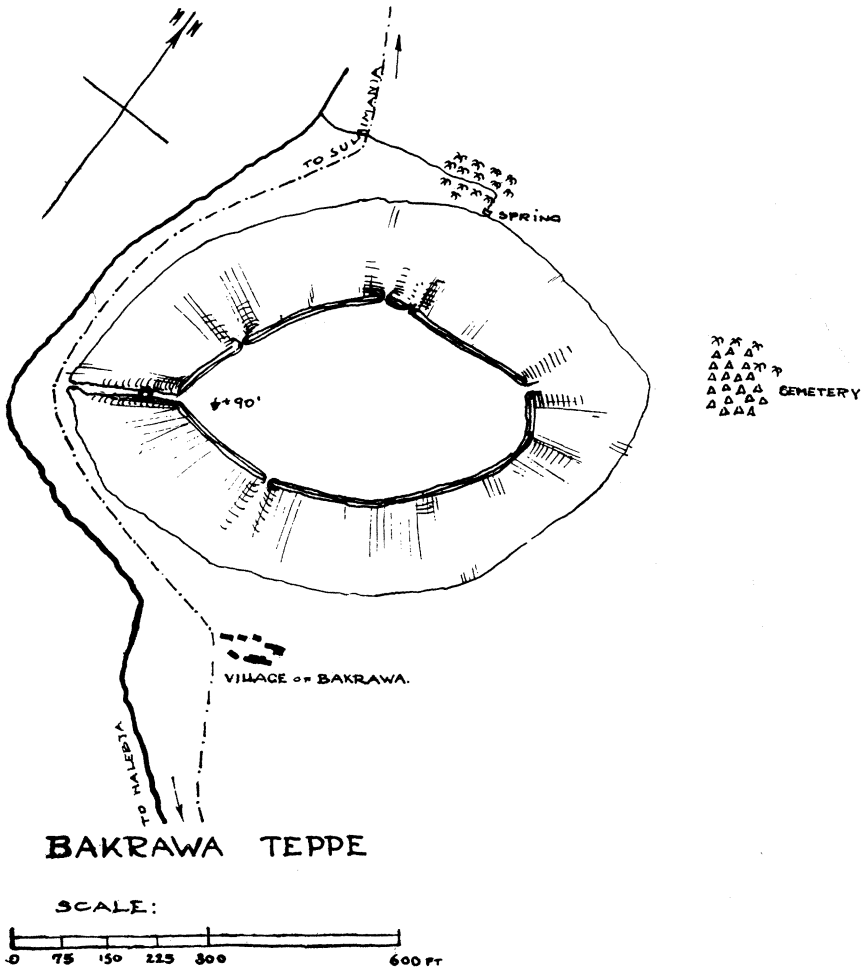
Fig. 12. Ruins south of Mt. Kurdiwan  
(Copyright by the British Royal Air Force)



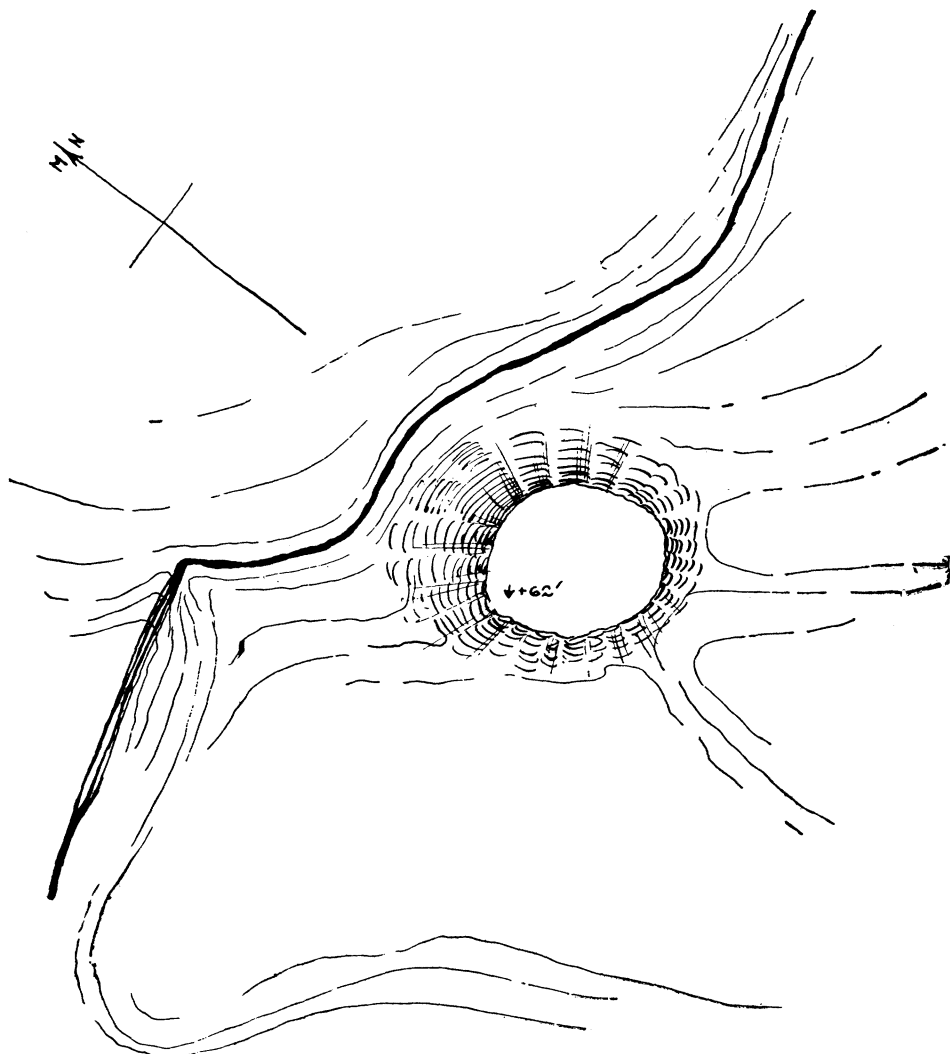
Map 1



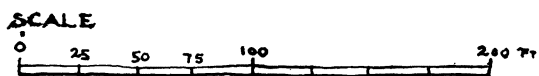
Map 2



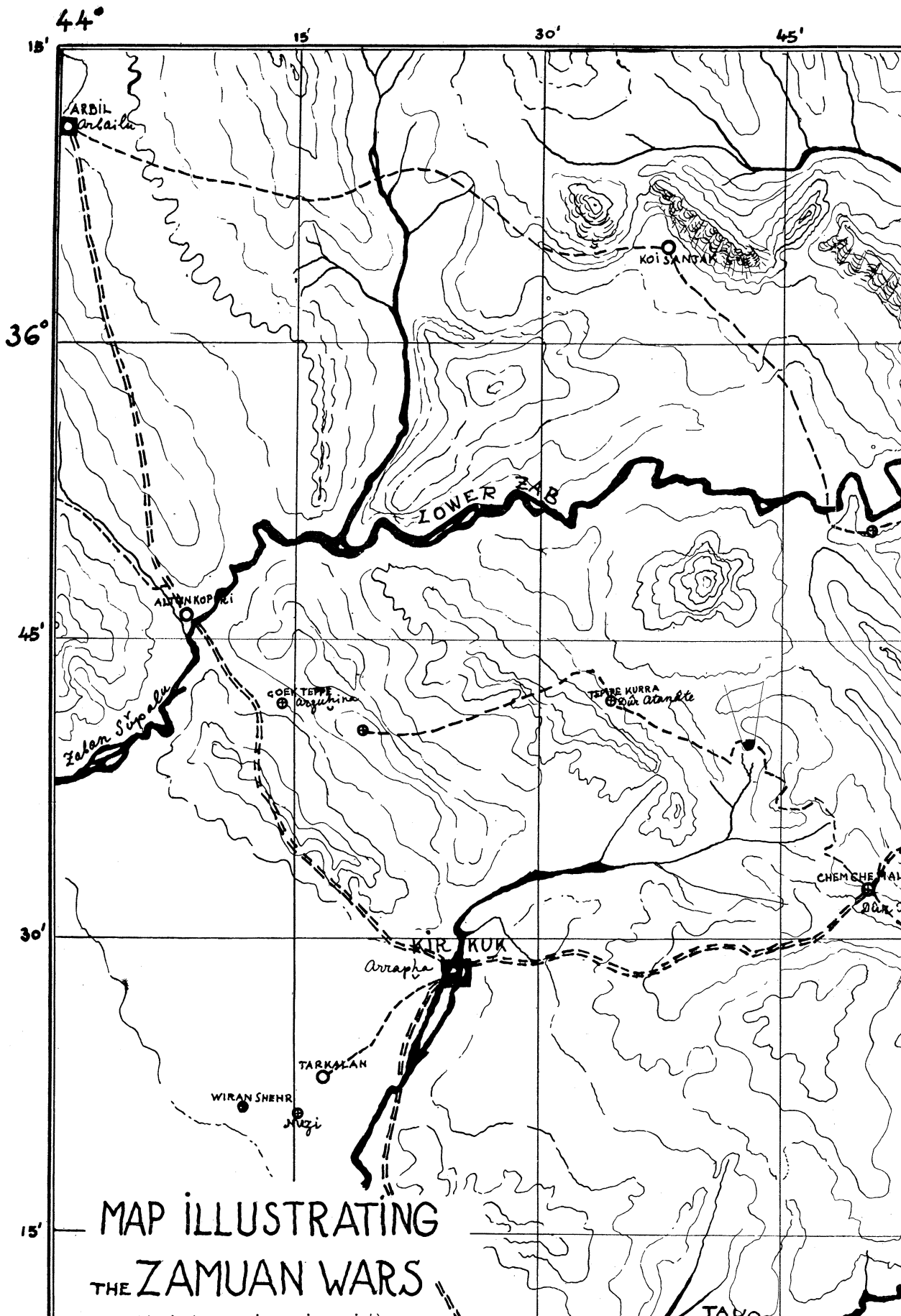
Map 3



GOEK TEPPE



Map 4



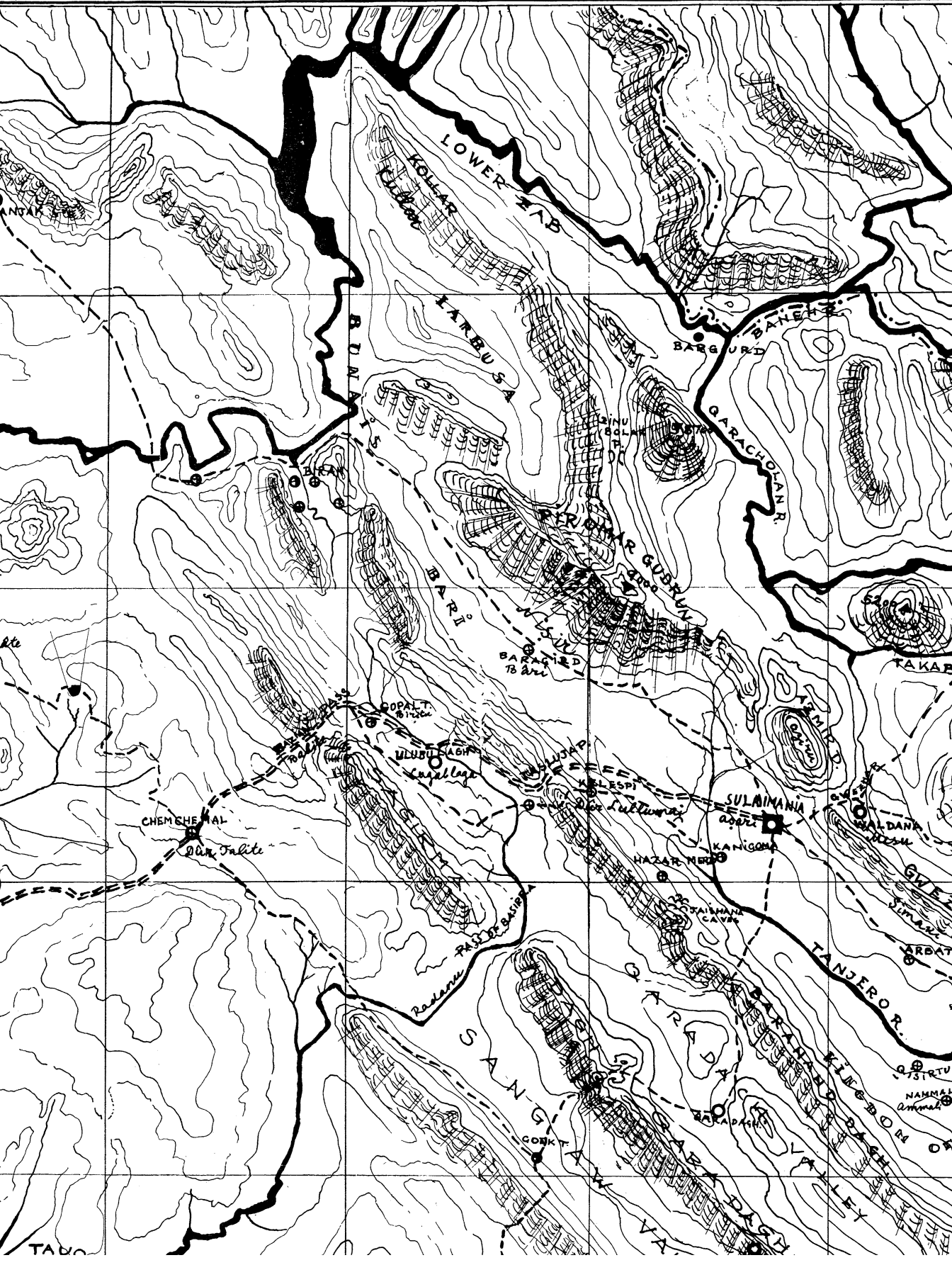


45'

45°

15'

30'



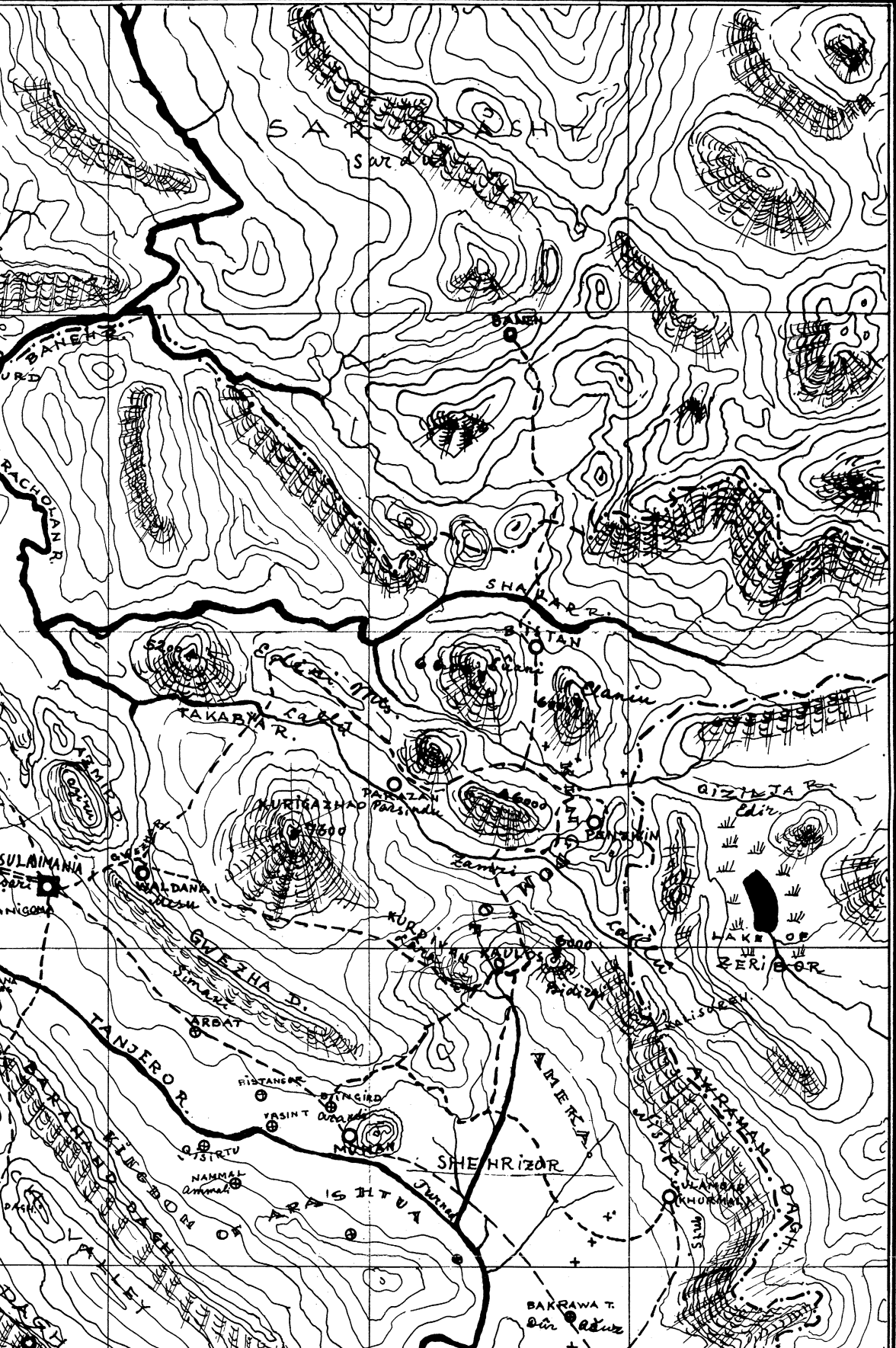
30'

45'

46°

15'

15'

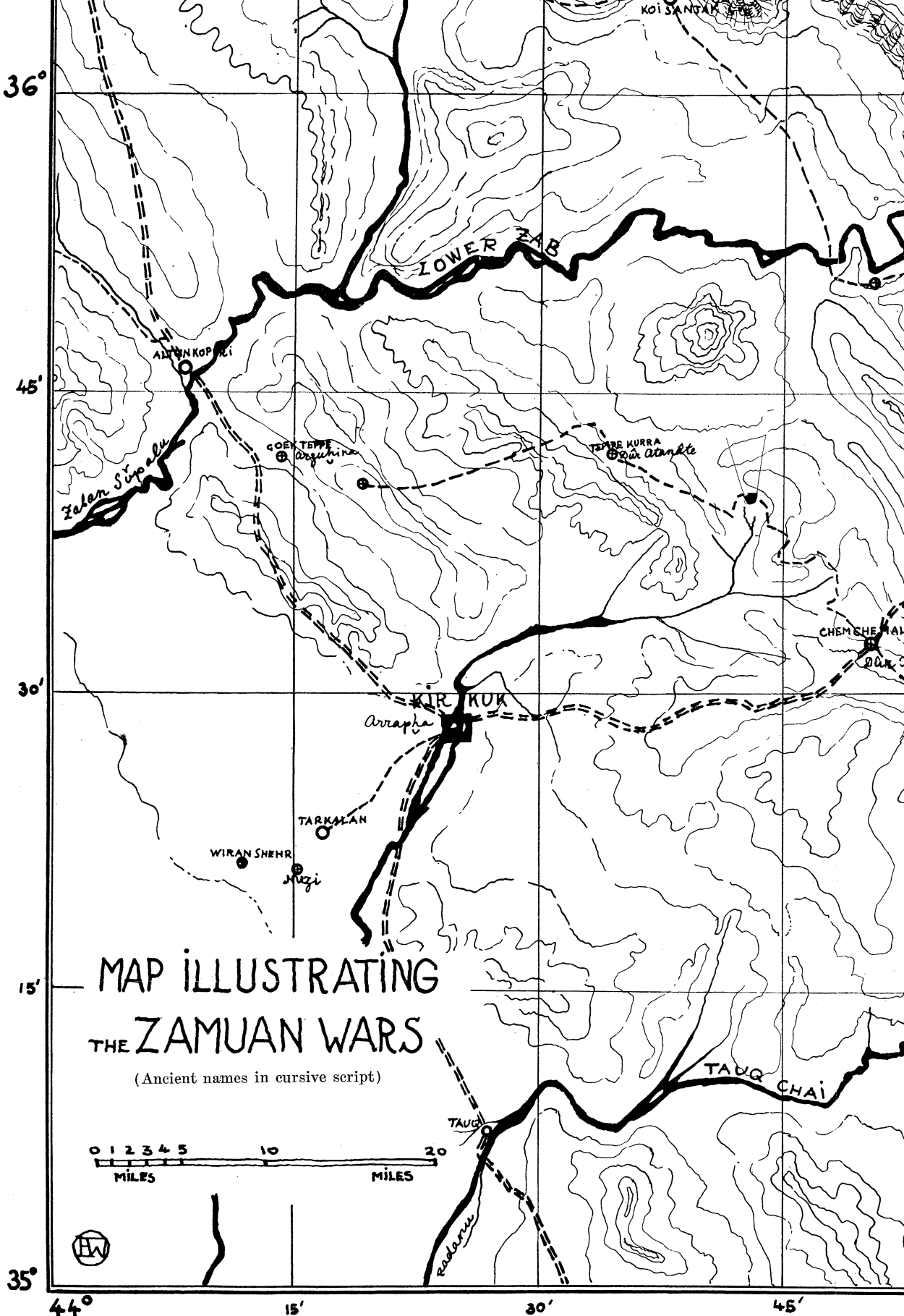


36°

45'

30'

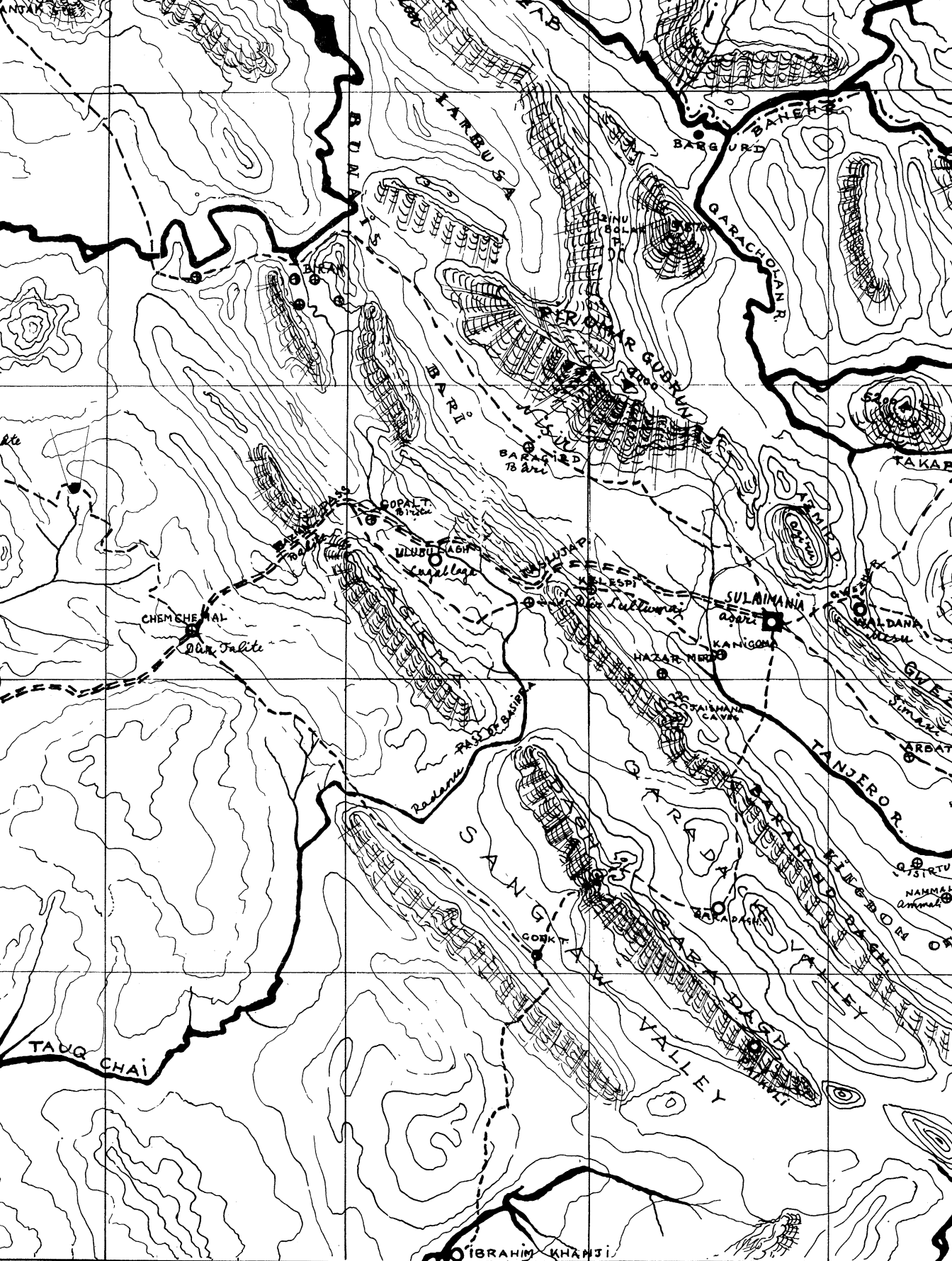
15'



# MAP ILLUSTRATING THE ZAMUAN WARS

(Ancient names in cursive script)



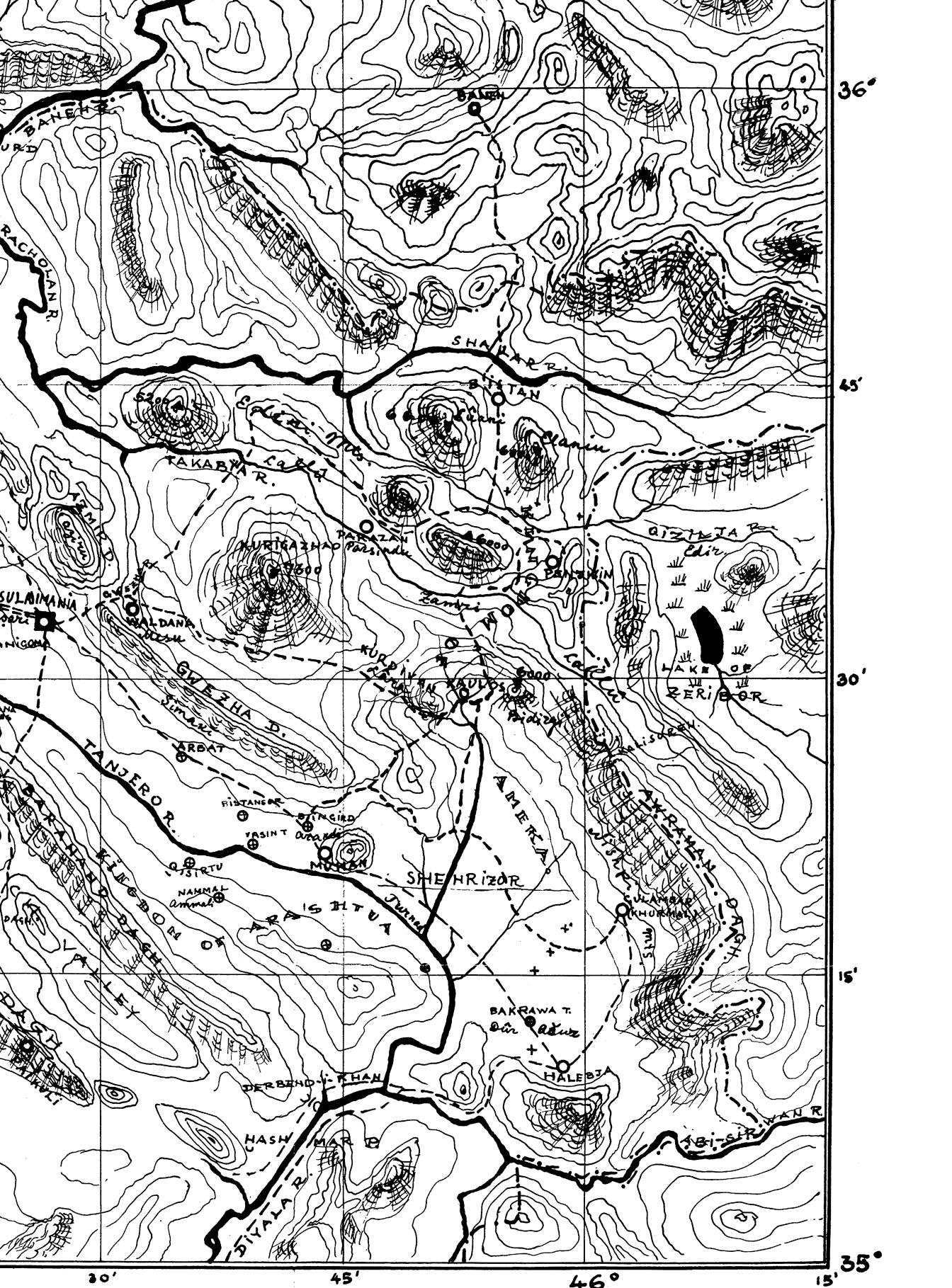


45'

45°

15'

30'



36°

45'

30'

15'

35°

30'

45'

46°

15'



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Selected "Kirkuk" Documents

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## SELECTED "KIRKUK" DOCUMENTS

EDWARD CHIERA AND EPHRAIM A. SPEISER

UNIVERSITY OF PENNSYLVANIA

IN THE SPRING of the year 1925 Professor Edward Chiera, under the joint auspices of the Iraq Museum and of the American School of Oriental Research in Baghdad, excavated in a small mound about eight miles southwest of Kirkuk, which later proved to be the ancient city of Nuzi. There the palace of a rich man was completely uncovered and, among other things, over one thousand cuneiform tablets were found in the ruins.

The twenty translations of Nuzi tablets which are offered in this article are part of a larger philological study of these recently discovered documents. The present advance publication is directly due to the unusual interest attaching to the material from Nuzi. As legal records of a hitherto unknown group of people which in many respects appears to have been the missing link in the history of ancient Mesopotamia, and being strikingly unorthodox in both contents and language, the tablets from the Kirkuk district are destined to claim for a long time the attention of the scholarly world.<sup>1</sup>

The autographed copies of the Nuzi texts are now in course of publication. The volume of translations is now ready for the press and will be printed immediately after the appearance of the texts.<sup>2</sup> It is hoped that the entire series, with the single exception of the volume on the Nuzian proper names, will be out within a year's time. In the meantime the present translations will serve as an introduction to the subject.

In selecting the texts for the article we were guided mainly by the desire to illustrate the main *types* of documents contained in the Nuzi material. As regards the *details* there is of course a great deal of variety in the majority of the types in question. To be sure, many of the two hundred "sale-adoptions" contain much that is

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<sup>1</sup> Cf. the article entitled "A New Factor in the History of the Ancient Near East," *Annual of the American Schools of Oriental Research*, Vol. V, pp. 75 ff.

<sup>2</sup> The entire series is being published by the firm of Paul Geuthner, Paris.

similar. On the other hand, however, the vast majority of the hundred "lawsuits" and of the hundred and fifty "declarations in court," to speak in round numbers, must of course be studied individually. Consequently, only a very general idea of the entire material can be obtained from the selections presented in this article.

The translations have been taken bodily from the main book. For that reason the footnotes are not as complete as they might be, although we were careful to select documents in which the notes are self-explanatory.

In our transliteration *pi* and *pé* represent the signs BI and BE. Nu. with a number following indicates the catalogue number of the Nuzi tablets. The methods of transliteration and the mode of transcription of the proper names are discussed in detail in the section of the main work which deals with phonology.

#### TRANSLITERATIONS AND TRANSLATIONS

##### SALE-ADOPTIONS

No. 1 (Nu. 685)

1)  $\text{tup-pí ma-ru-ti šá}^{\text{a}} \text{ku-ú-zu}$  2)  $\text{mâr ka-ar-mi-še}^{\text{a}} \text{te-ḫi-ip-til-la}$   
 3)  $\text{mâr pu-ḫi-še-en-ni a-na ma-ru-ti ipuš-ma}$  4)  $\text{ki-ma} \langle \text{zitti-šú} \rangle^{\text{a}}$   
 40  $\text{imêr eklâti}^{\text{coll}}$   $\text{i-na dimit}^{\text{b}}$   $\text{ip-ḫu-uš-ši}$  5)  $\text{ku-ú-zu a-na}^{\text{a}} \text{te-ḫi-}$   
 $\text{ip-til-la iddin(in)}$  6)  $\text{šum-ma eklâti}^{\text{coll}}$   $\text{pa-ḫi-ra-na ir-ta-šu-ú}$   
 7)  $\text{ku-ú-zu ú-za-ak-ka-ma a-na}^{\text{a}} \text{te-ḫi-ip-til-la i-na-an-ti-in}$  8)  $\text{û}$   
 $\text{te-ḫi-up-til-la a-na}^{\text{a}} \text{ku-ú-zu}$  9) 1  $\text{manû kaspi ki-ma} \text{ḫišti-šú}$   
 $\text{it-ti-in-aš-šú}$  10)  $\text{ma-an-nu šá ibalkatu(tu)}$  2  $\text{manê kaspi}$  2  $\text{manê}$   
 $\text{ḫuraši}$  11)  $\text{i-na-an-ti-in}$

15 witnesses (scribe *ta-a-a*), 4 seals.

a. omitted in the text. b. *AN-ZA-QAR*.

##### Translation

Tablet of sonship of Kuzu, the son of Karmishe. Tehiptilla, the son of Puhishenni, into sonship he took. As his share 40 *imers* of field in the district of Iphushi (5) Kuzu gave to Tehiptilla. If the fields have a claimant, Kuzu shall free them and give them to Tehiptilla. As for Tehiptilla, he gave to Kuzu 1 mina of silver as his reward. (10) Whoever withdraws shall pay two minas of silver and two minas of gold.



## Remarks

Line 4. For the reading of *AN-ZA-QAR* in out texts cf. *di-im-ti-šú*, Nu. 227. 13. To determine the exact meaning of the word we must therefore start with the original "pillar." This connotation is still evident in Nu. 770.21 where we read that the *AN-ZA-QAR* *šá N. ħé-pí* "the AN-ZA-QAR of N. was broken." Cf. also Nu. 766. 12: *mi-iz-ra iĥ-te-pé* "he broke the boundary-mark." The comparison of the two expressions points the way to the semantic development of the words. *Mišru*, originally 'boundary,' becomes specialized for the particular meaning 'boundary-mark.' '*Dimtu*' traveled in the opposite direction, developing from 'pillar,' through 'boundary-mark,' into the area enclosed within these special boundary marks, hence 'district.'

Districts were designated either by a general name, e. g. *dimit mahâzi*, or by the name of a prominent citizen. For the importance of the names of the districts in the life of the community, cf. especially Nu. 191.

Line 10. That our texts used forms of *balkatu*, rather than those of *nabalkutu* is shown by such transliterations as *bal-kat-tu* (Nu. 31. 15) and *bal-la-ka-tu*, Nu. 492. 13 and Nu. 577. 15.

No. 2 (Nu. 872)

## Transliteration

1) *ṭup-pí ma-ru-ti šá* 2) <sup>1</sup>*ni-iĥ-ri-ia mâr e-na-a-a* 3) *û šá*  
<sup>1</sup>*zi-li-ip-a-pu* 4) *mâr ip-ša-ĥa-lu* 2 *awêlûtu an-nu-ti šá ahê<sup>pl</sup>*  
 5) <sup>1</sup>*te-ĥi-ip-til-la mâr pu-hi-še-ni* 6) *a-na ma-ru-ti i-pu-šú-uš*  
 7) 2 *imêr* 6 *awiĥaru* <sup>a</sup> *eĥli i-na ta-a-a-ri mâdi* <sup>b</sup> *ina dimti* <sup>c</sup> 8) *šá*  
*a-ka-wi-pé i-na šú-pa-al dimti* <sup>c</sup> 9) *û wu-ru-uĥ-li šá dimti<sup>e</sup>-ma*  
 10) *šá ĥarrân dimti imitti* <sup>d</sup> (ti) *û šumeli* <sup>e</sup> 11) <sup>1</sup>*ni-iĥ-ri-ia û*  
<sup>1</sup>*zi-li-pa-a-pu* 12) *a-na* <sup>1</sup>*te-ĥi-ip-til-la ki-ma zitti-šu iddinu* <sup>f</sup> (nu)  
 13) *û* <sup>1</sup>*te-ĥi-ip-til-la* 3 *imêr* 1 (PI) 30 (KA) *še'ip<sup>l</sup>* 14) *a-na*  
<sup>1</sup>*ni-iĥ-ri-ia û a-na* 15) <sup>1</sup>*zi-li-ip-a-pu ki-ma ĥišti-šú-nu* 16) *it-ti-*  
*na-áš-šú-nu-ti* 17) *il-ka šá eĥli* <sup>1</sup>*ni-iĥ-ri-ia* 18) *û* <sup>1</sup>*zi-li-pa-a-pu*  
*na-šú-[ú]* 19) *šum-ma eĥlu pa-ĥi-ra-[na irtašî(ši)]* 20) <sup>1</sup>*ni-iĥ-*  
<sup>1</sup>*ri-ia [û]* 21) <sup>1</sup>*zi-li-pa-pu ú-[za-ak-ku-(ú)-ma]* 22) *šum-ma*  
<sup>1</sup>*ni-iĥ-ri-ia û* 23) <sup>1</sup>*zi-li-pa-pu ibalkatû* <sup>g</sup> 2 *manê kaspi* 2 *manê*  
*ĥuraši [ú-ma-al-lu-(ú)]*

Four witnesses and notation :

4 awêlûtu<sup>pl</sup> šibûtu<sup>h pl</sup> še'a<sup>pl</sup> iddinu<sup>f</sup> (nu) û ekla [ú-še-el-wu]

8 other witnesses (scribe *na-bu-na-sir*) ; 7 seals.

a. <sup>94</sup>APIN. b. GAL. c. AN-ZA-QAR. d. ZAG. e. KAB. f. SUM. g. KIBAL. h. IGI.

#### Translation

Tablet of sonship of Nihriya, the son of Enaya and of Zilipapu, the son of Ipshahalu ; these two men, who are relatives, (5) adopted Tehiptilla, the son of Puhishenni. Two *imers* and six *awiharus* of field, according to the large *tayaru*-measure, in the district of Aqawipe, (namely) in the lower part of the district and on the *wuruhli*-side of the district (10) to the right and to the left of the road of the district, Nihriya and Zilipapu gave to Tehiptilla as his portion. And as for Tehiptilla, three *imers*, one *pi* and thirty *gas* of grain he gave to Nihriya and to (15) Zilipapu as their reward. Nihriya and Zilipapu shall discharge the public service of the field. If the field have a claimant, (20) Nihriya and Zilipapu shall free (it). In case Nihriya and Zilipapu withdraw, they shall [pay] two minas of silver and two minas of gold.

#### Remarks

Line 4. For *ahê* in the sense of relatives, cf. Nu. 593. 3.

Line 7. The meaning of *ta-a-a-ri* (written also <sup>1st</sup> cf. Nu. 401. 18, 518. 6, 249. 5, etc.) must be considered in connection with that of *mindadi*. Cf. [*ina*] *mi-in-ta-di* GAL *ša êkallim*, Nu. 529. 5 and *i-na mi-in-ta-di ša êkallim* GAL, Nu. 495. 7 with *i-na 1st ta-a-a-ri* GAL *ša êkallim*, Nu. 518. 6. That *ta-a-a-ru* was some kind of a measure is made clear by Nu. 401. 18 f. where we read: *û eklati<sup>pl</sup> ina 1st da-a-a-ri ša êkallim ma-ti-it-mi* "and the field was measured with the *tayaru* of the palace." This interpretation of *ta-a-a-ru* is supported by the determinative *GISH* often prefixed to the word. The other word is plainly a derivation of the verb *madâdu* 'to measure' and should be read *mindâtu*, dissimilated from *middâtu*, cf. Hebrew מִדָּה. *Ta-a-a-ru* is either another general name for "measure" or else it may be the name of a special kind of measure. At any rate, its size is fixed by the palace and this again recalls a Biblical parallel, viz. שָׂקֶל הַמֶּלֶךְ. The adjective is *mâdu*, cf.

*i-na* <sup>18</sup>*ta-a-a-ri ma-an-tû*, Nu. 522. 4, where we have another instance of dissimilation of *d* to *n*.

Line 9. For *wuruḫli*, cf. Nu. 32. 6.

#### ADOPTION

No. 3 (Nu. 708)

1) ṭup-pí ma-ru-ti šá 2) Ḥa-na-du mâr ku-uš-ši-ia 3) Ḥu-ti-ia  
<sup>awel</sup>tappû <sup>a</sup>šú-ma 4) a-na ma-ru-ti i-te-pu-uš 5) um-ma Ḥa-na-  
 du-ma 6) mi-nu-um-me [eḫlâti]<sup>pl</sup> bîtâti<sup>ool pl</sup> 7) mi-im-ma  
 šú-un-šú zitti-ia 8) Ḥu-uš-ši-ia a-bi-ia 9) šá ia-ši šá it-ti-nu ũ  
 i-na-an-na 10) a-na-ku ramâni<sup>b</sup>-ia . . . . . 11) a-na  
 Ḥu-di-ia [at-ta-di]n-šú-nu-ti 12) a-di-i Ḥ[a-na]-du pa-al-du  
 13) Ḥu-di-ia i-pal-la-aḫ-šú 14) ũ Ḥu-di-ia i-na šatti ũ i-na šatti  
 15) 1 šubâta ki-i-ma lu-bu-ši-šú 16) 5 imêr še'i 2 imêr GIG  
 17) ki-ma ipir<sup>c</sup>-šú 18) a-na Ḥa-na-du i-na-an-ti-nu 19) im-ma-  
 ti-mi-e 20) Ḥa-na-du im-du-ut 21) ũ Ḥu-di-ia 22) i-pa-ak-ki-  
 šú-ma 23) ũ uḫ-te-bi-ir-šú 24) um-ma Ḥa-na-du-ma ṭup-pu  
 25) šá ši-im-ti-ia a-na Ḥu-di-ia-ma at-ta-din 26) ma-an-nu-um-  
 me-e ša i-na bêri<sup>d</sup>-šú-nu 27) ibalkatu (tu) 2 manê kaspi 2 manê  
 ḥuraši umallâ<sup>e</sup> 28) ṭup-pu arki šú-du-ti ina bâb<sup>f</sup> êkallim (lim)  
 i-na âl ilâni<sup>pl</sup> šá-ti-ir

7 witnesses (scribe *ta-e*); 7 seals.

a. *TAB.* b. *GIR.* c. *ŠE-BA.* d. *RI-BA-NA.* e. *DIRIG.* f. *KA.*

#### Translation

Tablet of sonship of Hanadu, the son of Kushshiya; he adopted Hutiya his companion. (5) And Ḥanadu said: "All the [fields] and buildings, my inherited portion, which my father Kushshiya gave (to me), these (10) I myself have now given to Hutiya." As long as Hanadu lives Hutiya shall serve him, and every year Hutiya (15) shall deliver to Hanadu one garment as his clothing, five *imers* of barley and two *imers* of wheat as his sustenance. When (20) Hanadu dies Hutiya shall weep for him and bury him. And Hanadu said: "The document (25) containing my will I have (herewith) given to Hutiya." Whichever of them withdraws shall pay two minas of silver and two minas of gold.

The tablet was written upon the *shuduti* in the gate of the palace, in the City of the Gods.

## Remarks

This tablet is a case of actual adoption. Hanadu gives to his friend, Hutiya, all his possessions, in exchange for an annuity in food and clothing.

Hutiya, who is obviously much younger (again in conformity with the documents dealing with actual adoption), undertakes also to take care of his funeral and the rites connected with it.

## ADOPTION FOR CONCUBINAGE

No. 4 (Nu. 308)

1) <sup>1</sup>a-ri-pé-ia mâr la- . . . . . 2) mâra(t)-zu <sup>sa1</sup>mu-šá-ti-il  
 3) a-na ka-al-lu-ti a-na 4) <sup>1</sup>te-ḫi-ip-til-la iddin(in) 5) ũ  
<sup>1</sup>te-ḫi-ip-til-la 6) <sup>sa1</sup>mu-šá-ti-il 7) a-na wardûti<sup>pl</sup>-šú . . . . .  
 8) áš-šá-at ũ a-tū<sup>a</sup> 9) <sup>sa1</sup>mu-šá-ti-il ba-al-la (sic!) 10) i-na bît  
<sup>1</sup>te-ḫi-ip-til-la lâ ú-uz-zi 11) ma-an-nu šá íbalkatu(tu) 12) 1  
 manû kaspi 1 manû ḫuraši ú-ma-al-la

10 witnesses (scribe *ar-ta-še-en-ni*) and notation:

23) 20 šikil kaspi za-ar-pu <sup>1</sup>te-ḫi-ip-til-la 24) a-na a-ri-pé-ia ki-mu  
 te-ir-ḫa-ti iddin-a-ne 25) ũ ki-mu 20 šikil kaspi mâra(t)-zu  
 iddin(in)

3 seals

a. *TUM*.

## Translation

Aripeya, the son of La. . . . ., gave his daughter, Mushatil, into daughtership and into bridship to Tehiptilla. (5) And as for Tehiptilla, Mushatil unto (one of) his slaves . . . . . shall be a wife. As long as Mushatil lives, (10) she shall not leave the house of Tehiptilla. Whoever withdraws shall supply one mina of silver and one mina of gold.

(Notation) (23) Twenty shekels of pure silver Tehiptilla gave to Aripeya as a bridal price, and for these twenty shekels he (Aripeya) gave away his daughter.

## Remarks

Line 9. *Ba-al-la* is most likely a case of associative interference.

The writer started to write *baḷat(u)* but thought of the

Sumerian equivalent *til-la* (generally written *BE-LA*). Hence the curious hybrid expression.

No. 5 (Nu. 751)

1) ʔup-pí ma-ar-tu-ti 2) û gal-lu-ti šá ʔa-kip-til-la mâr a-ri-ip-  
 ʔar-pa? 3) mâra(t)-zu <sup>sal</sup>wi-še-el-li 4) a-na mârtûti(ti) û a-na  
 gal-lu-ti 5) a-na ʔta-ak-ku mâr en-na-ma-ti it-ta-ad-nu 6) ʔta-  
 ak-ku <sup>sal</sup>wi-še-el-li 7) ʔa-áš-ʔu-mi a-na áš-šú-ti 8) a-na <sup>awel</sup>warad-  
 šú a-na ..... 9) ʔa-áš-ʔu-ú-mi a-na <sup>awel</sup>wardi a?na?  
 ma?-ru?-ti šá ip-šú a-na-din 10) û šum-ma ʔa-áš-ʔu ʔta-ak-ku-ma  
 11) a-na áš-šú-ta i-ta-ʔa-az-zu 12) 40 šikil kaspi<sup>pl</sup> ʔa-šá-ʔu-še-  
 en-nu a-na ʔa-kip-til-la a-šar ʔta-ak-ku il-te-gi 13) mi-nu-um-me-e  
 še-ir-ra-šú 14) šá uš-tu lib-bi šá <sup>sal</sup>wi-še-el-li 15) šá ú-uz-zu-ú  
 a-na ʔta-ak-ku 16) lu-ú amtûtu<sup>pl</sup>(tû) û lu-ú wardûtu<sup>pl</sup>(du)  
 17) û? ar-ka-az-zu šá <sup>sal</sup>wi-še-el-li 18) .... a-na ʔta-ak-ku-ma  
 19) ... <sup>sal</sup>wi-še-el-li 20) ..... uš-tu 21) bît ʔta-ak-ku  
 lâ ú-uz-zi 22) šum-ma <sup>sal</sup>wi-še-el-li bi-ir-ka 23) ir-ta-ši ʔa-kip-  
 til-la 24) a-bu-šú ú-za-ak-ka-ma 25) a-na ʔta-ak-ku i-na-an-ti-nu  
 26) ma-an-nu i-na be-ri-šú-nu 27) šá i-bal-ka-du 1 manû kaspi  
 28) 1 manû ʔuraši umallû<sup>pl</sup> 29) ʔup-pí ina abulli šá áltúr-ša  
 30) šá-ti-ir

9 witnesses (scribe *zu-un-zu*); 4 seals and notation:

42) û lišan-šú šá ʔa-kip-til-la-ma 43) 4 šikil kaspi te-ir-ʔa-az-zu  
 44) a-šar ʔta-ak-ku el-te-gi

#### Translation

Tablet of daughtership and brideship of Akiptilla, the son of Ariparpa; his daughter Wishelli, into daughtership and into brideship (5) he gave to Takku, the son on Ennamati. Takku, if he wishes, shall give Wishelli as wife to his slave . . . . ., and if he chooses she shall be given to a slave that has been taken into sonship. (10) Or, if he so desires, Takku himself may take her as wife. Forty shekels of *hashahushennu*-silver, (due) to Akiptilla, have been received from Takku. All the offspring (15) that come out of Wishelli become Takku's female or male slaves. The estate left by Wishelli . . . . . shall belong to Takku. As for Wishelli, . . . . . (20) . . . . . the house of Takku she shall not leave. If there be a claim against Wishelli, her father Akiptilla

shall free (her) (25) (and) deliver (her) to Takku. Whoever among them withdraws shall supply one mina of silver and one mina of gold.

The tablet was written in the gate of the city Tursha.

### MARRIAGE CONTRACT

No. 6 (Nu. 475)

1) ʔup-pí ri-ik-zi šá 2) ʔha-na-du mâr ta-an-te-ia 3) ri-ik-za a-na a-ʔa-ti-šú 4) <sup>sal</sup>ku-li-im-ma-du ir-ta-ka-az 5) a-na áš-šú-ti a-na ʔha-na-a-a 6) wardu šá ʔte-ʔi-ip-til-la 7) it-ta-din ũ ʔit-ʔi-ip-šarru 8) 40 šikil kaspi ʔa-šá-ʔu-še-en-ni 9) šá-at-ta šá-at-ti 10) 5 šiklu-TA-A-AN a-na ʔha-na-du 11) i-na-an-din-na-áš-šú 12) šum-ma ʔha-na-a-a i-ma-at ũ 13) a-na šá-ni-im mâr-i-šú ʔit-ʔi-ip-šarru 14) i-na-an-din-ši a-ti-i 15) <sup>sal</sup>ku-li-im-ma-du ba-al-ta-du 16) ũ iš-tu bît ʔit-ʔi-ip-šarru 17) lâ ú-uz-zi ar-ka-az-za 18) šá <sup>sal</sup>ku-lim-ma-du šá 19) ʔit-ʔi-ip-šarru-ma 20) šum-ma <sup>sal</sup>ku-lim-ma-du 21) [pa-k]i-ra-na irtašî(ši) 22) [ʔha-na]-a-du ú-za-a-ka-ka-ma 23) [ũ i-na]-an-din 24) [šá ibalkatu(tu)] ũ 5 <sup>sal</sup>amtûtu<sup>pl</sup> 25) [ú-ma-al-la]

Names of witnesses destroyed.

### Translation

Record of the (marriage) contract of Hanadu, the son of Tanteya; he made an agreement concerning his sister Kulimmađu (5) giving her as wife to Hanaya, the slave of Tehiptilla. Forty shekels of *hashahushennu* silver, each year (10) five shekels, Ithipsharru shall pay to Hanadu. In case Hanaya dies, Ithipsharru shall give her to his other son. As long as (15) Kulimmađu lives, she shall not leave the house of Ithipsharru. As for the estate left by Kulimmađu, that shall belong to Ithipsharru. (20) If Kulimmađu have a claimant, Hanadu shall free and deliver her. Whoever withdraws, four slave-girls (25) he shall supply.

### Remarks

Hanadu is shown by l. 13 to be the son of Ithipsharru who is under agreement to procure a wife for him. Cf. Nu. 160. 26, where there is a special clause calling for the parents to supply their son, who is a slave in the house of Ennamati, with a wife. The purchase

price of wives for slaves is at times considerably high (forty shekels in the present tablet) and the owners were often glad to shift the expense on the slave's parents. But then the children became the property of the father and not of the owner of the slave.

Line 8. *Ha-ša-hu-še-en-ni* occurs again in No. 5 (Nu. 751), where the amount is also forty shekels.

#### SLAVERY CONTRACTS (HABIRU RECORDS)

No. 7 (Nu. 409)

1) Šili-ku-pí <sup>awel</sup>ha-bi-ru 2) a-na ardu-ti pí-i-šú 3) û lišan-šú a-na bît 4) <sup>I</sup>te-ḫi-ip-til-la mâr 5) pu-ḫi-še-en-ni 6) ú-še-ri-ib-šú

11 witnesses (scribe *it-ḫa-pí-ḫi*); 5 seals.

#### Translation

Zilikupi, a Habiru, by his own word and wish, as a slave the house of Tehiptilla, the son of Puhishenni, entered.

#### Remarks

Line 2 ff. Literally: "his mouth and his tongue caused him to enter."

The phrase is synonymous with *ramaššu ušeribšu*, and is used to describe the act of hiring oneself out as slave. The Habiru figure in practically all of the Nuzi documents dealing with this subject.

No. 8 (Nu. 428)

1) <sup>sal</sup> <sup>II</sup>sin-pa-al-ti <sup>sal</sup>ha-bi-ru-ú 2) û i-na bît <sup>I</sup>te-ḫi-ip-til-la 3) ra-ma-àš-šú-ma a-na amtu-ti 4) ú-še-ri-ib-šú û šum-ma 5) <sup>sal</sup> <sup>II</sup>sin-pa-al-ti ibalkat-ma 6) û i-na bîti šá-ni-im-ma i-la-ak 7) [û?] <sup>I</sup>te-ḫi-ip-til-la inâ<sup>pl</sup>-šú 8) [šá <sup>sal</sup>] <sup>II</sup>sin-pa-al-ti i-na-ap-pa-al-ma 9) [û] a-na šîmi inattina(ti-na)-àš-šú

10 witnesses (scribe *ta-a-a*); 3 seals.

#### Translation

Sin-palti, a Habiru woman, entered of her own will the house of Tehiptilla as a slave. Now should (5) Sin-palti withdraw and go

into another house, Tehiptilla shall pluck out the eyes of Sin-palti and sell her for a price.

## Remarks

Line 3. For *ramaššu ušeribšu* cf. note on preceding tablet. The fact that Tehiptilla may permanently brand Sin-palti as slave and sell her only if she has broken her agreement is further proof that this type of documents deals with people who have hired themselves out as slaves. As their compensation is never mentioned, we must assume that they worked for their upkeep only. At all events, they are not to be confused with ordinary slaves.

## EXCHANGE

## No. 9 (Nu. 473)

1)  $\text{ṭup-pí šú-pé-ul-ti šá}$  2)  $\text{Ṭpa-i-til-la mâr gi-li-ia}$  3)  $\text{bîtâti}^{\text{coll pl}}$   $\text{it-ti Ṭte-ḥi-ip-til-la mâr pu-ḥi-še-en-ni}$  4)  $\text{uš-pé-i-lu bîtâti}^{\text{coll pl}}$   $\text{zitti-šu}$  5)  $\text{i-na lib-bi}^{\text{al}} \text{Ṭtúr-šá i-na urḥi}^{\text{a}} (\text{ḥi})$  6)  $\text{šá Ṭpa-i-til-la ũ a-na Ṭte-ḥi-ip-til-la id-din}$  7)  $\text{ũ Ṭte-ḥi-ip-til-la bîtâti}^{\text{coll pl}}$   $\text{i-na}$  8)  $\text{lib-bi}^{\text{al}} \text{Ṭtúr-šá-ma i-na}^{\text{al}} \text{šá-pa-nu}$  9)  $\text{ki-ma bîtâti}^{\text{coll pl}}$   $\text{šú a-na Ṭpa-i-til-la iddin (in)-šu-ma ũ}$  10)  $\text{šá ma-an-ni-im-me-e bîtâti}^{\text{coll pl}}$  11)  $\text{ub-ta-ḫa-ra ũ-za-aḫ-ḫa-ma}$  12)  $\text{a-ḥa-mi-iš i-na-din}$  13)  $\text{šá ibalkatu (tu)}$  10)  $\text{manê kaspi}$  14)  $\text{10 manê ḥuraši ũ-ma-al-la}$

10 witnesses (scribe *mu-gál-lim*); 6 seals.

a. *PESH.*

## Translation

Tablet of exchange of Paitilla, the son of Giliya; he exchanged houses with Tehiptilla, the son of Puhishenni. The houses of his inherited share (5) in the city of Tursha along the path of Paitilla, these he gave to Tehiptilla. And as for Tehiptilla, (his) houses (situated) within the limits of the city of Tursha, in the village of Shapanu, he gave to Paitilla in exchange for his horses. (10) He, against whose house there exists a claim, shall free and deliver (them), one to the other. Whoever withdraws shall supply ten minas of silver and ten minas of gold.

## Remarks

The verb employed here to denote exchange is *pêlu*  $\sqrt{*}$  *pa'álu*,



cf. *uš-pé-i-lu*, Nu. 961. 5; *uš-te-pí-i-lu*, Nu. 689. 4; *uš-te-pé-i-lu*, Nu. 803. 5 and *nu-uš-pé-il(-mi)*, Nu. 324. 6, etc.

Semantically we may compare Hebrew  $\text{הַפְּעֻלָּה}$  in the sense of "compensation." The noun is *šupeultu* (*ṭup-pí šú-pé-ul-ti*, Nu. 473), for *šupe'ltu*, the back vowel *U* having replaced the original laryngal.

#### SECURITY

No. 10 (Nu. 769)

1) ṭup-pí di-te-en-nu-ti šá 1<sup>mu-šú-ia</sup> 2) mâr ih-li-ia <sup>awel</sup>wardu  
 1<sup>te-ḫi-ip-til-la</sup> 3) mâr pu-ḫi-še-en-ni a-na 1<sup>mu-šú-ia</sup> 4) a-na  
 di-te-en-nu-ti iddin(in) 5) û ki-mu 1<sup>awel</sup>wardu 1<sup>mu-šú-ia</sup> 6) i-na  
 bît 1<sup>te-ḫi-ip-til-la</sup> a-ši-ib 7) šum-ma 1<sup>mu-šú-ia</sup> ši-ip-ra šá 1<sup>te-ḫi-</sup>  
 ip-til-la 8) i-zi-ib û mi-nu-um-me-e 9) ú-ri-ḫu-ul-šú šá <sup>awel</sup>wardu  
 û 1<sup>mu-šú-ú-ia</sup> 10) a-na 1<sup>te-ḫi-ip-til-la</sup> ú-ma-al-la 11) e-nu-ma  
 1<sup>mu-šú-ia</sup> ú-uz-zu-ú 12) 1<sup>awel</sup>wardu a-na 1<sup>te-ḫi-ip-til-la</sup> inadin(in)-  
 ma 13) û ú-uz-zí šum-ma ibalkat(at) 14) û 2 manê ḫuraši a-na  
 1<sup>te-ḫi-ip-til-la</sup> inadin

12 witnesses (scribe *ta-a-a*); 3 seals.

#### Translation

Tablet of security of Mushuya, the son of Ihliya; Tehiptilla, the son of Puhishenni, gave to Mushuya one slave against security. (5) Now, in exchange for that slave, Mushuya shall remain in the house of Tehiptilla. If Mushuya leave the service of Tehiptilla, all the upkeep of a slave Mushuya (10) shall replace to Tehiptilla. Whenever Mushuya desires to leave, he shall deliver to Tehiptilla one slave and shall leave. In case Mushuya withdraws, he shall pay to Tehiptilla two minas of gold.

#### Remarks

Lines 7 ff. Mushuya is free to leave the house of Tehiptilla if he is willing to pay for the upkeep of a slave to be put to work in his place. This arrangement is perfectly natural, as Mushuya's work in the house of Tehiptilla is only a repayment for the services of one of T.'s slaves. The cost of the upkeep of a slave amounted to one mina of bronze, cf. Nu. 463. 16: 1 *manê*

*er*<sup>pl</sup> *ú-ri-hul* *šá 1 úmi(mi) ú-ma-al-la*, "he shall pay one mina of bronze for the upkeep of one day."

Line 9. The meaning of *urihul* is established with sufficient clearness by the above passage. The *urihul* of oxen is dealt with in Nu. 39.7. In Nu. 326.36 we read of a man being held by his creditor for the upkeep of a horse. Cf. also Nu. 397.9 and 61.19.

## AGREEMENT

No. 11 (Nu. 90)

1) *ṭup-pí tam-ku-ur-ti šá* <sup>1</sup>*en-na-ma-ti* 2) *mâr te-ḫi-ip-til-la it-ti*  
 3) <sup>1</sup>*pu-i-ta-e mâr en-na-mi-il-ki* 4) *û it-ti* <sup>1</sup>*še-ḫa-al-te-šup* 5) *mâr na-i-te-šup áš-šum nišûtu* <sup>a</sup>-šú 6) *šá* <sup>sal</sup>*ḫi-in-zu-ri mâr*  
 7) <sup>1</sup>*ir-wi-šarru i-na bêri* <sup>b</sup>-šú-nu 8) *it-ta-am-ka-ru-ma* <sup>sal</sup>*i-ši-lib-bi*  
 9) *ga-tû še-ir-ri-šá û* <sup>1</sup>*mâr-ištar an-nu-tû še-ir-ri-šá* 10) [*šá*]  
<sup>sal</sup>*ku-ra-[al-li]* <sup>1</sup>*e-en-na-ma-ti* 11) *a-na* <sup>1</sup>*pu-i-ta-e û a-na* 12) <sup>1</sup>*še-ḫa-al-te-šup um-te-eš-ši-ir* 13) *û mi-nu-um-me-e awelûtu* <sup>c</sup> 14) *ri-hu-ti šá* <sup>sal</sup>*ḫi-in-zu-ri* 15) <sup>1</sup>*pu-i-ta-e û* <sup>1</sup>*še-ḫa-al-te-šup* 16) *i-na arki-šú-nu ú-ul* 17) *i-šá-zu-ú û šum-ma* 18) <sup>1</sup>*en-na-ma-ti áš-šum* 19) *awelûti* <sup>c</sup> *šá* <sup>sal</sup>*ḫi-in-zu-ri* 20) *it-ti ma-am-ma di-na* 21) *i-pu-uš* <sup>1</sup>*pu-i-ta-e* 22) [*û*] <sup>1</sup>*še-ḫa-al-te-šup* 23) [*it*]-*ti* <sup>1</sup>*en-na-ma-ti* 24) [*ina*] *dî-na-ti in-ni-mi-tû* 25) *dî-na i-pu-šu* <sup>1</sup>*en-na-ma-ti* 26) *áš-šum še-ir-ri-šá-šá* <sup>sal</sup>*ku-ra-al-li* 27) *i-na arki* <sup>1</sup>*pu-i-ta-e* 28) *û i-na arki* <sup>1</sup>*še-ḫa-al-te-šup* 29) *lâ i-šá-zi* <sup>1</sup>*pu-i-ta-e* 30) *û* <sup>1</sup>*še-ḫa-al-te-šup áš-šum* 31) *awelûti*<sup>pl</sup> -šú <sup>d</sup> *mi-im-ma šum-šú kaspi ḫuraši* 32) *i-na arki* <sup>1</sup>*en-na-ma-ti lâ i-šá-zu-ú* 33) *šá i-na bêri* <sup>b</sup> -šú-nu *ibalkatu(tu)* 34) *5 manê kaspi 5 manê ḫuraši umallû*<sup>pl e</sup>

Scribe *du-ra-ri*; 6 seals.

a. *NAM-LÛ-LÛ-SAL*. b. *RI-BA*. c. *NAM-LÛ-LÛ*. d. *NAM-LÛ-LU-MEŠ-šú*.  
 e. *DIRIG-LAL-MEŠ*.

## Translation

Tablet of agreement of Ennamati, the son of Tehiptilla; he and Puitae, the son of Ennamilki, as well as Shehalteshup, (5) the son of Naiteshup, concerning the women-folk of Hinzuri, the daughter of Irwisharru, came to an agreement among themselves: the woman Ishilippi together with her offspring and Mar-Ishtar, this being the offspring (10) of the woman Kuralli, Ennamati releases to Puitae and to Shehalteshup. As for all the remaining people of Hinzuri,

(15) Puitae and Shehalteshup shall not raise any claim against them. If Ennamati, concerning the people of Hinzuri, (20) have a lawsuit with any one, Puitae and Shehalteshup shall assist Ennamati in court (25) and plead the case (with him). As for Ennamati, he shall not raise claims against Puitae and against Shehalteshup concerning the offspring of Kuralli. Puitae (30) and Shehalteshup shall not raise claims against Ennamati on account of his people, whatever be their name, (or his) silver and and gold. Whoever among them withdraws shall supply five minas of silver and five minas of gold.

## Remarks

Line 24. *In-ni-mi-tû*, literally "shall stand firmly with E." IV, 1 from  $\sqrt{emêdu}$ .

## SALE

No. 12 (Nu. 364)

1) 5 imêr še'ī 30 manê anaki 2) 3? şubâte<sup>pl</sup> û 5 imerê<sup>pl</sup> 3) an-nu-du kaspu<sup>pl</sup> ki-mu 4) sîsi 'en-na-ma-ti 5) a-na 'tup-pî-ia mâr ħa-i-iš-te-šup 6) id-di-na-áš-šû-nu-ti 7) iš-tu ūmi(mi) an-ni-im 8) tup-pî-ia iš-tu sîsi 9) a-pî-il šá ibalkadu(du) 10) 1 sîsa damga(ga) umallû<sup>pl</sup>

6 witnesses (scribe *zu-un-zu*) ; 3 seals.

## Translation

Five *imers* of grain, thirty minas of lead, three (?) garments and five sheep, this money Ennamati (5) has given to Tuppiya, the son of Haishteshup for a horse. From this day on Tuppiya shall consider himself compensated for the horse. Whoever withdraws (10) shall supply one sound horse.

## Remarks

Line 9. The permansive of *apûlu* appears not infrequently in the Babylonian texts in the sense of "is satisfied," cf. Schorr, *Alt-babylonische Rechtsurkunden*, p. 511. The form is rare in the Nuzi texts.

Line 10. It is not unlikely that *DIRIG-MEŠ* is to be read *umallâ*, the plural sign merely serving to indicate the length of the final vowel. This secondary signification of the sign meets us

in these documents time and again. Cf. among others *TUK-MEŠ* for *irtaši*, Nu. 204.9.

## LOAN

No. 13 (Nu. 5)

1) 11 manê kaspi 2 şubâte<sup>pl</sup> 2) ʔki-mi-il-la-pí 3) mâr ku-uk-ki-pa a-šar 4) ʔhu-i-te mâr mu-ú-še 5) il-te-gi i-na arki(ki) 6) eburi(ri) SAG-DU 7) ʔki-mi-il-la-pí ina <sup>arab</sup>ú-lu-li-e 8) a-na ʔhu-i-te 9) i-na-an-din

5 seals (scribe *ta-e*).

## Translation

Eleven minas of silver (and) two garments Kimillapi, the son of Kukkipa from Huite, the son of Mushe, (5) received. After the harvest in the month Ululu, Kimillapi shall pay (back) to Huite the principal.

## DEPOSIT

No. 14 (Nu. 749)

1) 20 manê erí<sup>pl</sup> 2) 6 imêr še'í<sup>pl</sup> 3) ʔte-ḫi-ip-til-la 4) mâr pu-ḫi-še-en-ni ina muḫ-hi 5) ʔi-ri-ir-til-la mâr še-ka-rum 6) ir-te-iḫ ũ lišan-sú šá ʔi-ri-ir-til-la 7) a-na pa-ni daianê<sup>pl</sup> iḫ-ta-bi a-an-ni 8) šá-ki-in i-na muḫḫi-ia

4 seals.

## Translation

Twenty minas of bronze (and) six *imers* of grain Tehiptilla, the son of Puhishenni, (5) left with Irintilla, the son of Shekaru; and (this is) the declaration which Irintilla made before the judges: "Lo, it has been deposited with me."

## Remarks

Line 7. *A-an-ni* "behold," "lo" is identical with Hebrew לֹא.

## LAWSUITS

No. 15 (Nu. 82)

1) ʔtúr-še-en-ni mâr en-na-ma-ti 2) it-ti ʔši-mi-ga-ri mâr še-eḫ-li-til-la 3) i-na di-ni a-na pa-ni daianê<sup>pl</sup> 4) i-te-lu-ma um-ma ʔtúr-še-en-ni-ma 5) 1 littu <sup>a</sup> šá ʔta-ak-ku a-na 6) ka-ti ʔši-mi-ga-ri at-ta-

din 7) û litta<sup>b</sup> šá-šú i-na lib-bi 8) ir-ri ʾšī-mi-ga-ri it-ta-ši-šú-ma 9) ú ul-te-ib-bi-ir-šú 10) û im-du-ut û daianû<sup>pl</sup> 11) ʾšī-mi-ga-ri iš-ta-lu-uš 12) 1 littu<sup>a</sup> ʾtúr-še-en-ni a-na 13) ka-ti-ka it-ta-din-mi 14) û lišan-šú šá ʾšī-mi-ga-ri 15) a-na pa-ni daianû<sup>pl</sup> iḫ-ta-bi 16) litta<sup>a</sup> ʾtúr-še-en-ni a-na 17) ka-ti-ia it-ta-din-mi 18) û i-na lib-bi ir-ri 19) im-ta-ku-ut-ma û it-ti-ib-bi-ir-mi 20) û mi-it-mi û 21) û (sic!) litta<sup>a</sup> ú-ma-al-la-mi 22) i-na di-ni ʾtúr-še-en-ni 23) il-te-e-ma û daianû<sup>pl</sup> 24) ʾšī-mi-ga-ri ki-i lišan-šú 25) a-na 1 littu<sup>a</sup> šá ki-i 26) litti<sup>b</sup>-šú ip-šú a-na 27) ʾtúr-še-en-ni 28) it-ta-du-uš

5 seals (scribe *ki-in-ni-ia*).

a. *GUD-SAL*. b. *GUD*.

#### Translation

Turshenni, the son of Ennamati, appeared before the judges in a lawsuit with Shimigari, the son of Shehlitilla, and Turshenni said: (5) "One cow of Takku I intrusted to Shimigari; and that cow Shimigari attempted to carry off from the shed, and while he was transporting it, (10) it died." And the judges questioned Shimigari: "Did Turshenni entrust to you one cow?" And (this is) the declaration which Shimigari (15) made in the presence of the judges; "Turshenni did entrust to me a cow, and it fell in the shed and, while it was being transported, (20) it died. But I shall replace the cow." Turshenni prevailed in the lawsuit and the judges, in accordance with his own declaration, (25) assigned Shimigari to Turshenni for a cow as sound as his cow.

#### No. 16 (Nu. 97)

1) [išur]-ki-til-la mâr te-ḫi-ip-til-la 2) [it]-ti ʾta-a-a mâr ri-mu-šarri 3) [ina] di-ni a-na pa-ni daianû<sup>pl</sup> i-te-lu-ú-ma 4) [um]-ma ʾšur-ki-til-la-ma a-bu-ia 5) [ʾte-ḫ]i-ip-til-la ʾka-wi-in-ni mâr ku-na-du 6) ʾit-ḫa-a-pu mâr pu-ḫi-še-en-ni 7) [a-na?] 1? imêr eḫli i-na dimit šú-ul-mi-ia-wa 8) [a-na] ma-ru-ti i-te-ip-šú-úš û 9) ʾta-a-a i-na arki(ki)-ia il-ta-zi-mi 10) û ni-iš šarri iz-za-ak-ra-an-ni-ma û 11) [iš]-tu lib-bi eḫli šá-a-šú uš-te-la-an-ni-mi 12) û um-ma ʾta-a-a-ma [lâ] bêl zitti 13) lâ bêl pu-ú-ri û lâ mi-im-ma a-na-ku-mi 14) <sup>sal</sup>ḫa-na-te aššat ʾ[šá]-an-ḫ[a-r]i [iz-ku-r]a-an-ni-ma 15) û ki-na-an-na iḫ-[ta]-bi [a]-li-ik-ma-mi 16) û i-na arki(ki) ʾšur-ki-til-la ši-zi-mi 17) ni-iš šarri zu-uk-

ra-áš-[šú]-mi û iš-tu 18) lib-bi eḳli šá-a-šú 19) šú-la-áš-šú-  
 um-mi 20) û a-na-ku <sup>1</sup>šur-ki-til-la ki-i lišan 21) <sup>sa1</sup>ḥa-na-te  
 ni-iš šarri az-za-ḳar-šú-mi 22) û iš-tu lib-bi eḳli [uš]-te-li-mi  
 23) û daianû<sup>pl</sup> <sup>sa1</sup>ḥa-na-te iš-ta-lu-uš 24) û iḳ-ta-bu-ú <sup>1</sup>ta-a-a a-na  
<sup>1</sup>šur-ki-til-la 25) ni-iš šarri a-na za-[ka]-ri áš(sic!)-pur-šú-mi  
 26) û û (sic!) um-ma <sup>sa1</sup>ḥa-na-te-ma <sup>1</sup>ta-a-a 27) a-na <sup>1</sup>šur-ki-  
 til-la áš-ta-par-šú-mi 28) û ki-na-an-na aḳ-ta-bi-mi arki(ki)  
<sup>1</sup>šur-ki-til-la si-zi-mi ni-iš šarri 29) zu-uk-ra-áš-šú-mi û iš-tu  
 lib-bi eḳli 30) šá-a-šú [šú]-la-[šú]-mi û daianû<sup>pl</sup> 31) <sup>1</sup>ta-a-a  
 iš-tu be-ri-ti i-na di-na-ti 32) uš-te-lu-uš û daianû<sup>pl</sup> a-na <sup>sa1</sup>ḥa-  
 na-te 33) iḳ-ta-bu-ú it-ti <sup>1</sup>šur-ki-til-la 34) di-na e-pu-uš-mi  
 um-ma <sup>sa1</sup>ḥa-na-te-ma 35) <sup>1</sup>ša-an-ḥa-ri mu-ti ši-im-[ta.] 36) iš-ti-  
 ma-an-ni-mi [eḳla] šá-a-šú 37) a-na ia-ši it-ta-n[a? a?]m?-mi  
 38) û daianû<sup>pl</sup> ṭup-pa-ti šá ši-mu-[ú]di 39) šá <sup>sa1</sup>ḥa-na-a-te iš-te-  
 mu-u 40) . . . . eḳla-šú ša <sup>1</sup>ša-an-ḥa-ri a-[na] 41) [ši]-ma-t[e]  
 iddin(in) û šú-mi <sup>1</sup>ḳa-wi-in-ni 42) û šú-mi <sup>1</sup>it-ḥa-a-pu šá <sup>1</sup>te-ḥi-ip-  
 til-la 43) a-na mâru-ti ipušú<sup>pl</sup>-šú i-na ṭup-[pa]-ti 44) šá  
<sup>sa1</sup>ḥa-na-te lâ šá-ti-ir û 45) lišan-šú-ma <sup>sa1</sup>ḥa-na-te iḳ-ta-bi  
 46) <sup>1</sup>ka-wi-in-ni i-na pa-na-nu mi-it-mi 47) <sup>1</sup>ša-an-ḥa-ri ši-i-ma  
 i-si-ma-an-ni û [a]-liḳ-ḳa-nu 48) eḳla šá-a-šú a-na ia-ši it-ta-ad-  
 na-an-ni-mi 49) û awêlûtu<sup>pl</sup> pa-šú-ni-e <sup>1</sup>ib-šá-ḥa-lu mâr šú-ul-mi  
 50) <sup>1</sup>te-ḥi-pa-pu mâr it-ḥa-a-pu <sup>1</sup>ḥa-ni-ú-ia 51) û <sup>1</sup>e-gi-gi marû<sup>pl</sup>  
 ar-te-šup <sup>1</sup>a-ri-pa-pu 52) mâr ma-li-ia a-na pa-ni daianû<sup>pl</sup> iḳ-ta-  
 bu-ú 53) eḳlu an-nu-um šá <sup>1</sup>ku-na-du-mi û <sup>1</sup>ḳa-wi-in-ni 54) a-na  
<sup>1</sup>ku-na-tû mâr rabu-mi û <sup>1</sup>ka-ni mâr-mi 55) û lišan-šú-ma šá  
<sup>1</sup>(sic!)ḥa-na-te iḳ-ta-bi 56) eḳlu šá <sup>1</sup>ku-na-du-mi <sup>1</sup>ka-wi-in-ni a-na  
 57) <sup>1</sup>ku-na-du mâr rabu-mi û <sup>1</sup>ka-ni a-bu-šú 58) šá <sup>1</sup>ša-an-ḥa-ri  
 mu-ti-ia marû-mi û 59) ki-me-e lâ eḳla-šú <sup>1</sup>ša-an-ḥa-ri a-na  
 aššati-šú 60) i-ši-im-ma iddin(in) û šú-mi <sup>1</sup>ka-wi-in-ni 61) û  
 šú-mi <sup>1</sup>it-ḥa-a-pu i-na ṭup-pa-ti-šú 62) lâ šá-ti-ir û daianû<sup>pl</sup>  
<sup>sa1</sup>ḥa-na-te 63) i-na eḳli šá-a-šú šá-áš-šum-ma i-te-ip-šú-uš 64) û  
 eḳla šá-a-šú a-na <sup>1</sup>šur-ki-til-la it-ta-ad-nu 65) û daianû<sup>pl</sup> <sup>sa1</sup>ḥa-na-te  
 [ki]-me-e <sup>1</sup>šur-ki-til-la 66) i-na lib-bi eḳli-šú ni-iš šarri iz-ku-ra-  
 áš-šú 67) û a-na 1 alpu a-na <sup>1</sup>šur-ki-til-la it-ta-du-uš 68) û um-  
 ma <sup>1</sup>te-ḥi-pa-pu-ma mâr <sup>1</sup>it-ḥa-a-pu 69) 2 imêr eḳli šá-a-šú <sup>1</sup>it-ḥa-  
 a-pu a-bu-ia û 70) <sup>1</sup>ḳa-wi-in-ni mâr [ku-na-du a-]na <sup>1</sup>te-ḥi-ip-til-la  
 71) iddinu(nu)-ma a-na ma-ru-ti i-[te-pu-u]š û daianû<sup>pl</sup>  
 72) awêlûtu<sup>pl</sup> pa-šú-ni-e [iš]-ta-a-l[u? û] iḳ-ta-bu 73) e-wu-ur-šú  
 šá <sup>1</sup>ka-wi-in-ni 74) ma-an-nu-um-mi eḳlâti<sup>pl</sup>-šú-ma an-be? . . . .

75) ú-ka-al-mi û um-ma pa-šú-nu-ma 76) <sup>1</sup>a-ri-pa-pu ta-áš-ru šá  
<sup>1</sup>ka-wi-in-ni-mi 77) eḫlâti<sup>pl</sup>-šú-ú-ka-al-mi û daianû<sup>pl</sup> 78) a-na  
<sup>1</sup>a-ri-pa-pu û a-na <sup>1</sup>te-ḫi-pa-pu 79) iḫ-ta-bu-ú al-ḫa-ma-mi û  
80) 2 imêr eḫli šá-a-šú-ma zu-uk-ḫa-ma-mi 81) û a-na <sup>1</sup>šur-ki-til-la  
id-na-a-mi 82) eḫla šá-a-šú ú-za-ak-ku-ma a-na 83) <sup>1</sup>šur-ki-til-la  
i-na-an-ti-nu

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7 seals (scribe *ú-ta-an-gal*).

#### Translation

Shurkitilla, the son of Tehiptilla, appeared before the judges [in] a lawsuit with Taya, the son of Rimusharri, and Shurkitilla said: "My father (5) Tehiptilla was taken [into] sonship by Kawinni, the son of Kunadu [and] Ithapu, the son of Puhishenni [to] (take possession of) two *imers* of field in the district of Shulmiya. But Taya raised claims against me (10) pronouncing against me the oath of the king and removed me from the field." And Taya replied: "I do not own a (preferred) portion nor a portion by lot nor anything at all. Hanate, the wife of Shanhari, summoned me (15) and spoke as follows: 'Go, raise claims against Shurkitilla pronouncing against him the oath of the king and remove him from this field.' And I, in accordance with the words of Hanate, (20) pronounced against him the oath of the king and removed him from that field." And the judges questioned Hanate and said: "Did you send Taya to Shurkitilla to pronounce the oath of the king?" (25) And Hanate answered: "I did send Taya to Shurkitilla and spoke as follows: 'Raise claims against Shurkitilla pronouncing against [him] the oath of the king and (30) remove him from the field.'" And the judges dismissed Taya from participation in the suit; and the judges spoke to Hanate: "Plead your case with Shurkitilla." And Hanate said: (35) "My husband Shanhari, in making a settlement upon me, deeded to me the field in question." And the judges examined the settlement document of Hanate. (40) And [as for?] the field [which] Shanhari had given in settlement, the names of Kawinni and the name of Ithapu who had adopted Tehiptilla, were not inscribed on the document of Hanate. And (this is) the statement (45) which Hanate made: "Kawinni had died before Shanhari made his settlement and this field was deeded to me subsequently. And the *pashune*-men

(namely) Ipshahalu, the son of Shulmi (50) Tehipapu, the son of Ithapu, Haniuya and Egigi, the sons of Arteshup, and Aripapu, the son of Maliya, said to the judges: "This field belonged to Kunadu, and Kawinni was Kunadu's first born son and Kani was (his younger) son." (55) And (this is) the statement which Hanate made: "The fields belonged to Kunadu and Kawinni was Kunadu's oldest son; but Kani, the father of Shanhari, my husband, was (also his) son." And because Shanhari, a field that was not his to his wife (60) had given in settlement, as the names of Kawinni and Ithapu were not inscribed on his document, the judges made for Hanate the threefold announcement concerning that field and the field in question they granted to Shurkitilla; (65) and because Hanate (caused) the oath of the king (to be) pronounced against Shurkitilla upon his field, the judges assigned her to Shurkitilla for one ox. And Tehipapu, the son of Ithapu, said: "The two *imers* of the field in question my father, Ithapu, and (70) Kawinni, the son of [Kunadu], gave to Tehipapilla and [took him] into sonship." And the judges asked the *pashunu*-men saying: "Is there (here) a relative (?) of Kawinni who . . . for his field (75) is responsible?" And the *pashunu*-men answered: "Aripapu, the *tashru* of Kawinni, is responsible for his fields." And the judges said to Aripapu and to Tehipapu: "Go, (80) free the two *imers* of that field and deliver (them) to Shurkitilla." They cleared the fields in question and delivered (it) to Shurkitilla.

#### Remarks

- Line 7. The real purpose of "adoption" is indicated here very plainly.
- Line 12 ff. Taya acted merely as an agent of Hanate. Note the distinction between *zittu* and *puru*.
- Line 47. *Isimáni* from *istimáni* through *issimáni*, by partial progressive and then by complete regressive assimilation. For the importance of priority claims Cf. Nu. 266. 25 ff.
- Line 62 ff. Hanate admits that Kawinni was the oldest son of Kunadu, but asks the court not to forget the fact that her husband Shanhari was also a son of Kunadu and had a share in the inheritance of his father. This sharply drawn distinc-



tion between the older and the younger son should be borne in mind in connection with the inheritance laws of the Nuzians.

Line 68. The meaning of *ša-áš-šum-ma* (for *šalsúma*) is illustrated by the ordinance given in the second tablet of the Old Assyrian Code, ll. 49 ff. According to the latter, before the title to a given property is transferred to another person, an announcement is to be made three times, inviting all those who have claims against the property in question to present them within a period of time to the proper authorities. After the time allowed, the title of the new owner becomes incontestable. That our text alludes to a similar procedure is made certain by Nu. 511, 789 and 957.

#### DECLARATION IN COURT

No. 17 (Nu. 501)

1) li-ša-an-šú šá 2) <sup>1</sup>a-li-ip-pí-ia mâr zi-iz-zi-ḥar-pa 3) i-na pa-ni ḥal-zu-uḫ-li-e 4) û ina pa-ni daianî<sup>pl</sup> 5) ki-na-an-na iḫ-ta-bi 6) it-ti <sup>1</sup>te-ḥi-ip-til-la ekla uš-te-pé-il-mi 7) 1 imêr 4 awiḥari ekli ina ḥarrâni ú-lam-mi 8) ina li-it eklatî<sup>pl</sup> šá êkallim 9) a-na <sup>1</sup>te-ḥi-ip-til-la at-ta-din 10) û <sup>1</sup>te-ḥi-ip-til-la 11) 2 imêr ekli ina na-aḫ-li šá mê<sup>pl</sup> 12) a-na ia-ši it-ta-ad-na 13) šá ma-an-ni-im-me-e eklu-šú 14) bi-ir-ka irtašî(ši) û ú-za-ka 15) uš-tu ûmi(mi) an-ni-im 16) an-nu-um ina arki an-ni-im 17) [lâ] i-ša-zi

3 seals (scribe *ta-a-a*).

#### Translation

The declaration of Alippiya, the son of Zizziharpa (which) in the presence of the elders and of the judges (5) he made as follows: "I have exchanged fields with Tehiptilla. One *imer* and four *awiharus* of field on the road to Ulamme, bordering on the field of the palace, I have given to Tehiptilla; (10) and Tehiptilla has given to me two *imers* of field on a brook of waters. He whose field has a claim (against it), shall free (it)." (15) From this day on, one shall [not] raise claims against the other.

No. 18 (Nu. 906)

1) um-ma <sup>1</sup>ma-at-te-šup mâr ḥi-il-pí-iš-šú-uḫ 2) šum-ma 8

immerê<sup>coll pl</sup> šá 3) <sup>1</sup>ta-mar-ta-e mâr na-gi-pu 4) i-na kirî<sup>pl</sup> i-na zitti 5) šá <sup>1</sup>tup-ki-til-la mâr ħi-il-pí-iš-šú-uh 6) <sup>1</sup>gu-ur-pa-za-ah mâr ħi-il-pí-iš-šú-uh-ma 7) lâ il-gi-ma û i-na kiri-šú 8) zitti-šú lâ it-ti-šú-nu-ti

9) um-ma <sup>1</sup>gu-ur-pa-za-ah-ma 10) šum-ma 8 [immerê<sup>coll pl</sup> šá <sup>1</sup>ta-mar-ta-e 11) i-na kirî<sup>pl</sup> i-na zitti 12) šá <sup>1</sup>tup-ki-til-la a-na-ku 13) el-gi-šú-nu-ti-ma û 14) i-na kiri zit[ti-ia] at-ti-šú-nu-ti-mi 15) û šum-ma i-na zitti-ia-ma 16) lâ i-ri-ú-ma û a-na-ku 17) lâ az-bá-du-šú-nu-ti-ma

18) áš-šum a-wa-ti an-na-ti 19) i-na nâr<sup>hur</sup>-ša-an 20) i-il-la-gu

5 seals (scribe *še-ir-ši-ia*).

#### Translation

Said Matteshup, the son of Hilpishuh: " (I swear that) eight sheep of Tamartae, the son of Nagipu, from the inherited orchards (5) of Tupkitilla, the son of Hilpishuh, Gulpazah, the son of Hilpishuh, took and placed them in his inherited orchard."

Said Gulpazah: (10) " (I swear that) I did not take the eight sheep of Tamartae from the inherited orchards of Tupkitilla and place them in my own inherited orchard. They pastured in my inherited orchard but I did not seize them."

Concerning these statements to the river Hurshan (20) they shall go.

#### Remarks

Line 2. *Šumma* in oaths is employed like the Hebrew **נִשְׁבַּעְתִּי** (נִשְׁבַּעְתִּי).

It expresses affirmation with *lâ* and negation without it. For a similar situation cf. Nu. 380.

The state of affairs appears to be as follows: Eight sheep of Tamartae disappeared from the orchards of Tupkitilla where they had been pasturing. Tupkitilla's two brothers, Matteshup and Gulpazah, were placed under suspicion. The former swears that Gulpazah appropriated the sheep, which the latter denies. To account, however, for the presence of the sheep on his property, Gulpazah claims that they had strayed there to feed, but that he did not take them as his own.

This explanation is not sufficiently convincing and the two

brothers have to submit to the ordeal by water. For another instance of the same type of ordeal, cf. Nu. 74.

## LETTER

No. 19 (Nu. 860)

1) a-na ʾšú-ur-te-šup 2) ʕi-bí-ma 3) um-ma ʾšar-ši-ia 4) ʾgur-pa-za-aḥ i-na 5) ʾil-ki? a-ši-im-mi 6) ũ ahê<sup>pl</sup>-šu a-na 7) ʾnarkabāti<sup>pl</sup> ʾš-bu-mi 8) ũ bal-ṭe-mi

Seal of šar-ši-ia

## Translation

Unto Shurteshup speak, so says Sharshiya: Gurpazah (5) is staying in the town of Ilki, and his brothers remained on the chariots and are in good health.

## Remarks

Line 5. *A-ši-im-mi* for *ašib-mi*, a case of assimilation frequent in these texts.

## HISTORICAL LIST

No. 20 (Nu. 696)

1) 2 ma-ti immerê<sup>coll</sup> <sup>pl</sup> 2 awêlûtu<sup>pl</sup> šá ʾwi-ir-zi-ia-e 2) iš-tu ʾtúr-ša a-na awêlûtu<sup>pl</sup> ʾš-šu-ra-a-ú 3) il-te-ku-ú i-na ʾḥa-pu-tap-pa ul-te-ri-bu

4) 5 awêlûtu<sup>pl</sup> šá ʾwa-ak-ri-ia mâr ú-a-az-zi 5) iš-tu dimit pí-i-e il-te-ku-ma 6) i-na ʾta-az-zu-e ul-te-ri-bu 7) 2 awêlûtu<sup>pl</sup> šá ʾa-pu-uš-ka mâr it-ḥi-ip-šarru 8) iš-tu dimti šá pé-e-lu-ú-tū 9) il-te-ku-ma i-na dimti šá ʾpur-na-mi-za-aḥ ul-te-r[i-bu] 10) 4 awêlûtu<sup>pl</sup> šá ʾu-na-ap-ta-e mâr al-ki-te-šup 11) ʾpu-ḥi-še-en-ni mâr wa-an-ti-ia 12) ũ ʾpu-ḥi-še-en-ni mâr ta-a-a it-ti mâri-šú-ma 13) iš-tu dimti šá ʾḥa-iš-te-šup <sup>a</sup> il-te-ku-ma 14) i-na ʾmaš-pa-a-ra ul-te-ri-bu

(15) ʾku-duk-ka mâr ú-zu-ur-me-šú ũ ʾa-ki-ia mâr ki-mil-li-ia 16) iš-tu ʾtúr-šá il-ku-ma <sup>b</sup> i-na ʾmaš-pa-ra ul-te-ri-bu 17) ʾni-im-ki-ia <sup>awel</sup>warad êkallim iš-tu ʾtúr-ša 18) i-na ʾmaš-pa-ra ul-te-ri-bu-ma

19) 50 immerê<sup>coll</sup> <sup>pl</sup> 2 awêlûtu<sup>pl</sup> rê'ûtu šá ʾpa-ak-la-pí-ti 20) mâr

en-na-ma-ti iš-tu dimit an-ta<sup>c</sup> 21) šá<sup>1</sup> te-ḫi-ip-til-la il-te-ku-ni  
i-na<sup>a1</sup> ta-az-zu KI-MIN<sup>d</sup>

22) dimtu šá<sup>1</sup> tar-mi-ia mâr ú-na-ap-še-en-ni 23) <sup>e</sup> 1 awêli-šú  
i-du-ku-uš ú ša-nu-ú 24) awêlu il-te-ku-ú i-na dimti šá<sup>1</sup> pur-na-  
za-aḫ<sup>f</sup> ul-te-ri-bu 25) 4 awêlûtu<sup>pl</sup> šá<sup>1</sup> ḫu-lu-uk-ka mâr zi-in-na-a-a  
26) ú i-na lib-bi-šú-nu išten(en) i-du-ku 27) ú 2 awêlûtu<sup>pl</sup> i-na  
a1ki-par-ra-ap-ḫi KI-MIN 28) ḫe-ik-ru šá<sup>1</sup> bêl-šuk-rum 29) iš-  
tu a1túr-ša il-te-ku-ma 30) i-na a1ki-par-ra-ap-ḫi ul-te-ri-bu  
31) warad-a1ištār<sup>g</sup> šá<sup>1</sup> tar-mi-ia 32) mâr ú-na-ap-še-en-ni iš-tu  
a1túr-ša 33) il-te-ku i-na a1ki-par-ra-ap-ḫi KI-MIN 34) EN-  
zi-ri<sup>awel</sup> rē'u šá<sup>1</sup> êkallim(lim) 35) i-du-ku-uš

36) Ia-ni-na-pí ú pal-du-ka-ši (sic!) 2 awêlûtu<sup>pl</sup> 37) šá<sup>1</sup> ta-ak-ku  
iš-tu a1túr-ša il-te-ku 38) i-na bît šá<sup>1</sup> šur-daian áš-bu

39) mâru-šu šá<sup>1</sup> šur-ki-til-la iš-tu kišti il-ku<sup>h</sup> i-na 40) a1maš-pa-ra  
ul-te-ri-bu 41) ta-a-a awêl<sup>1</sup> šá<sup>1</sup> ú-na-ap-ta-e i-na a1ki-par-ra-ap-ḫi  
KI-MIN<sup>i</sup> 42) ir-wi-ḫu-ta šá<sup>1</sup> it-ḫi-til-la mâr šuk-ri-ia 43) iš-tu  
a1túr-ša-ti<sup>j</sup> i-na a1ta-az-zu KI-MIN<sup>k</sup>

44) Ipu-ḫi-še-en-ni<sup>m</sup> ú 45) Ia-ni-na-pí iš-tu a1túr-ša 46) il-te-  
ku-ma i-na mu-ul-ḫa-a-ni áš-bu 47) ar-ši-mi-ka<sup>awel</sup> warad êkallim  
iš-tu 48) a1túr-ša il-ku-ma i-na a1ḫa-pu-pa KI-MIN 49) še-el-  
la-pa mâr šuk-ri-ia 50) iš-tu âli šá<sup>1</sup> ta-a-ku? il-te-ku-ma 51) i-na  
dimit mu-ul-ḫa-ni KI-MIN 52) dimti šá<sup>1</sup> na-nu-pé-ir-ra ḫe-pí  
53) ḫa-na-du it-ti še-ir-ri-šú il-te-ku-ma 54) i-na dimti šá<sup>1</sup> pur-  
na-mi-iz-za-aḫ KI-MIN 55) mâru-šú šá<sup>1</sup> šuk-ri-te-šup mâr šá-ma-  
ḫul 56) i-na ú-sal-li il-te-ku i-na a1ki-par-ra-ap-ḫi

57) ta-a-a ú šuk-ri-pa iš-tu 58) dimti šá<sup>1</sup> êkallim šá<sup>1</sup> a-aḫ kišti  
59) il-ku-ú i-na dimti 60) šá<sup>1</sup> pur-na-mi-iz-za-aḫ ul-te-ri-bu  
61) ḫa-ši-pa-pu ina ú-sal-li<sup>n</sup> 62) i-na a1ki-par-ra-ap-ḫi 63) ul-te-  
ri-bu 64) mâru-šú ḫa-lu-še-en-ni iš-tu a1túr-ša il-te-ku 65) i-na  
a1ki-par-ra-ap-ḫi ul-te-ri-bu 66) ki-pu<sup>awel</sup> warad êkallim iš-tu  
67) a1túr-ša il-te-ku . . . . 68) 2 ma-ti imêr še'i šá<sup>1</sup> ta-ak-ku i-na  
a1túr-ša 69) šá<sup>1</sup> šar-bu Ia-ḫu-ku-ia ka-tu . . . . . 70) šá<sup>1</sup> êkallim  
šá<sup>1</sup> bi-i kišti ina<sup>a1</sup> . . . . . il-te-ku 71) dimtu ša i-ri-mu ḫe-pí  
72) 2 awêlûtu 6 alpê il-ku-ú

Seal of *ta-ak-ku*.

a. For this tablet a duplicate has been found in Nu. 770. In l. 13 this reads *iš-tu áttár-ša il-te-ku-ma*. b. Var.: *il-te-ku-ú*. c. Var.: *dimiti šá an-ta-ni*. d. Var.: *ul-te-ri-bu-ú*. e. Var. adds: *he-pi*. f. Var.: *Ipur-na-mi-iz-za-hi*. g. Wr.: *Iwarad-íu*. h. Var.: *il-te-ku*. i. Var.: *ul-te-ri-bu*. j. Var. omits *ti*. k. Var.: *il-te-ku*. l. NU. m. adds: *warad ékallim (lim)*. n. Var.: *ú-sal-li ik-kiš . . .*

### Translation

Two hundred sheep (and) two men of Wirziae were removed from Tursha to the Assyrians (and) brought to the town of Haputappa.

Five men of Wahriya, the son of Wazzi, (5) were taken from the *píe*-district and brought into the town of Tazzue. Two men of Apushka, the son of Ithipsharru, were removed from the district of Pelutu and brought into the district of Purnamizzah.

(10) Four men of Unaptae, the son of Alkiteshup, (*viz.*) Puhishenni, the son of Wantiya and Puhishenni, the son of Taya, with their sons, were removed from the district of Haishteshup<sup>a</sup> and brought into the town of Mashpara.

(15) Kudukka, the son of Uzurmeshu, and Akiya, the son of Kimilliya, were removed from Tursha (and) brought to the town of Mashpara. Nimkiya, the servant of the palace, was (also) brought from Tursha to Mashpara.

Fifty sheep (and) two shepherds of Paklapiti, (20) the son of Ennamati, were taken from the anta-district<sup>b</sup> of Tehiptilla and brought<sup>c</sup> to the town of Tazzu. As for the district of Tarmiya, the son of Unapshenni,<sup>d</sup> one of its<sup>e</sup> men they slew and the other they brought into the district of Purnazah. (25) Out of the four men of Hulukka, the son of Zinnaya, one was slain and two men were brought<sup>f</sup> into Kiparraphi. Hekru, (a man) of Pelshukrum, was removed from Tursha and brought to Kiparraphi. (30) Warad-Ishtar (a man) of Tarmiya, the son of Unapshenni, they took from Tursha and brought<sup>f</sup> to Kiparraphi. Enziru, the shepherd of the palace, they slew.

(35) Aninapi and Paldukashi(d), two men of Takku, were removed from Tursha and placed in the house of Ashshurdayan.

The son of Shurkitilla was taken from the forest and brought to Mashpara.

(40) Taya, a man of Unaptae, was brought to Kiparraphi. Irwihuta, (a man) of Ithitilla, the son of Shukriya, was removed<sup>c</sup> from Tursha to Tazzu.

Puhishenni<sup>g</sup> and Aninapi (45) were taken from Tursha and placed in the *mulhanu* (district). Arshimiqa, the servant of the palace, was removed from Tursha and placed<sup>f</sup> in the town of Hapupa. Shellapa, the son of Shukriya, was removed from the city of Takku and placed<sup>h</sup> in the district of Purnamizzah. The son of Shukriteshup, the son of Shamahul, (55) was taken from the marshes to Kiparraphi.

Taya and Shukriya were removed from the district of the palace which is on the edge of the forest and brought to the district of Purnamizzah. Hashipapu was taken from the marshes and brought to Kiparraphi. His son, Halushenni, was removed from Tursha and brought to Kiparraphi. Kipu, the servant of the palace, was removed from Tursha. Two hundred *imers* of grain, belonging to Takku in Tursha . . . . . (the district) of the palace which is on the edge of the forest were taken to . . . . . (70) The district which he loved(?) was destroyed, two men and six oxen were taken away.

a. Var.: "frof Tursha." b. Var.: "district of Antanu." c. So variant. Texts reads *KI-MIN*. d. Var. adds: "it was destroyed" referring to the "boundary mark." e. Or "his" viz. Tarmiya's. f. Written *KI-MIN*. g. Var. adds: "The servant of the palace." h. Written *KI-MIN*.

#### GENERAL SUMMARY

Although the Nuzi tablets do not contain strictly historical material, a respectable amount of indirect historical information can be extracted from a number of passages. But no tablet in the entire collection compares in this respect with the present lengthy but unusually interesting document.

It is the swan song of the house of Puhishenni, reflecting the fall of the kingdom of Tursha and the sad plight of its aristocracy. The Assyrian (l. 2) is now the supreme master who despoils the country in a relentless manner. A large part of the population is transported by force into distant cities. Those who show the slightest opposition are killed without ceremonies (ll. 23, 26, 34). In vain do the nobles repair to forest fastnesses and marshes. Even

there does the enemy penetrate dragging away the fugitives to foreign lands (ll. 38, 55, 57, 68).

As we gaze at the seal impression of Takku—the only one on the long tablet—we can almost visualize that epigone of a once famous and powerful family, brooding over the catastrophe that crushed his country and his family. But a record of these outrages must be preserved, a sombre memento for the survivors, perhaps to remind them that such a disgrace is not to be left unavenged for long.<sup>a</sup> If heeded, such a pathetic appeal could only have resulted in an uprising against the invaders.

And is it now likely that such was indeed the course of events. For we know that, not long after Takku, Nuzi was levelled to the ground, never to be rebuilt again. Was it the last desperate attempt of the Nuzians to regain their independence that forced the Assyrians to such summary measures? Though not demonstrably certain, such an assumption would at least be extremely plausible.

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\* Indeed there must have existed a few copies of that "dirge." For another one of them—unfortunately fragmentary—is in our own possession (Nu. 770). It is a practically exact duplicate, except for the few instructive variants which are given in the transliteration.



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# NEW KIRKUK DOCUMENTS RELATING TO FAMILY LAWS

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## INTRODUCTORY

The work on the site of ancient Nuzi was begun by Professor Edward Chiera in the year 1925. The first campaign was conducted under the joint auspices of the Iraq Museum and the American School of Oriental Research in Baghdad. The inscriptional material brought to light in course of that expedition has been prepared for publication by Dr. Chiera. The initial volume of the first series appeared in 1927 under the title "Inheritance Texts" (Geuthner, Paris), and the remaining volumes will follow, it is hoped, in reasonably quick succession.

In the year 1927 a second campaign was started at Nuzi, led by the indefatigable Dr. Chiera, this time with Harvard University as the partner of the Baghdad School. The results proved so valuable and encouraging that the expedition has continued ever since, with Professor R. H. Pfeiffer and Mr. R. F. F. Starr as successive Directors. Recently, the University of Pennsylvania Museum has become an associate in the excavations at Nuzi. Each campaign has yielded so far a very considerable number of inscriptions, and the Nuzi tablets now constitute, as a result, one of the largest collections of cuneiform tablets dug up on a single site. The first volume of the Harvard-Baghdad School series, also by Dr. Chiera, was published in 1929 under the title "Texts of Varied Contents" (*Harvard Semitic Series*, V). It is with a group of documents contained in this recent publication that the present essay is primarily concerned.

I had the opportunity to study the contents of the Harvard volume several months before it was released, through the kindness of Professors Chiera and Lyon, who were good enough to place in my hands the original copies, and later the proof-sheets, as well as transcriptions of uncopied texts. Consequently, the 107 documents of which "Texts of Varied Contents" consists I had ready in transliteration and translation several months before the actual appearance of the copies. My original plan was to arrange the documents according to their subject matter in such groups as "Family Laws," "Security Transactions," "Court Proceedings," etc., each with a separate analytical introduction. The study was to have been prefaced with a comprehensive discussion of the grammatical peculiarities of the dialect of Kirkuk, and the

appendices were to contain a list and an analysis of the proper names together with a complete glossary. The whole would have been fairly representative of the various aspects of study offered by the Nuzi material, owing especially to the fact that the Harvard volume, upon which the entire discussion was being based, consists of records that are greatly varied in their contents. Professor Lyon expected to include the book in the Harvard Semitic Series.

However, it soon became apparent that the proposed publication would exceed considerably the limits as well as the scope of an average book. Both the grammatical discussion and the study of proper names require separate monographs. Other philological details cannot be evaluated adequately as long as thousands of Nuzi tablets still remain to be deciphered. Any attempt to discuss a given aspect of the Nuzi records with the hope of arriving at final conclusions is for the present bound to appear, under the circumstances, far more presumptuous than prudent. A series of "Vorarbeiten" will be essential before the study can be placed on a reasonably sound basis. Consequently, the original plan was discarded as entirely too ambitious.

The present paper is therefore in the nature of a tentative discussion based on a limited portion of the material published in the Harvard volume. The records selected relate more or less directly to the subject of *Family Laws*. They comprise 40 of the Harvard texts, which represent nearly one-half of the whole volume in view of the fact that a number of the records under discussion boast more than the average length. The texts fall into the following subdivisions:

1. Adoption.
  - a. Real Adoptions..... 1-8.
  - b. Sale-Adoptions ..... 9-18.
3. Settlement of Property (Wills)..... 19-24.
3. Marriage Records and Related Documents..... 25-32.
4. Miscellaneous Documents..... 33-40.

The work is divided into two parts; the first part gives a schematic presentation of the types of records in question and an analysis of their contents; the remainder contains the texts in transliteration and translation, followed by brief philological comments.

The descriptive part attempts to give a general summary of the contents from an essentially philological point of view. The numerous and intricate legal problems must be left to specialists in jurisprudence who have an Assyriological background, a group of scholars whose ranks are at present constantly increasing. A most notable contribution to the elucidation of the legal documents from the Kirkuk area has recently been made by the eminent German

jurist Paul Koschaker in his study entitled "Neue keilschriftliche Rechtsurkunden aus der el-Amarna-Zeit" (to be hereafter abbreviated as NKRA), which appeared in Leipzig in 1928. I have had occasion to refer to this work very frequently, and while I am unable to accept several of Koschaker's conclusions, I am fully and appreciatively aware of the benefits which I have derived from the above publication.

The philological notes have been reduced to the indispensable minimum. Extensive quotations would have increased greatly the size of the present essay, far beyond the space-limit of the ANNUAL. Moreover, owing to my forthcoming trip to Mesopotamia for another year's stay, there is a possibility that the thankless task of proof-reading may devolve upon a kind colleague, and verifying numerous references is apt to be a very inconsiderate legacy. Quotations from unpublished texts have been scrupulously avoided; exceptions have been made only in two or three significant instances. The following are the few abbreviations employed in this study:

- NKRA.....Koschaker, *op. cit.*  
 H.....*Harvard Semitic Series*, V.  
 Harvard.....Texts discovered by the Harvard-Baghdad School Expedition, unpublished.  
 Nuzi I.....Chiera, *Inheritance Texts*.  
 Gadd....."Tablets from Kirkuk," *Revue d'Assyriologie* XXIII (1926), 50 ff.

Other sources are cited in full. The fair-sized literature on the "Kirkuk" material is listed in NKRA pp. v-vi, 9 ff. To this may be added the writer's note on "A Letter of Saushshatar and the Date of the Kirkuk Tablets," *Journal of the American Oriental Society* 49 (1929), 269 ff.

The system of transliteration employed in the following pages is that of Thureau-Dangin, *Le Syllabaire Accadien* (1926). For additional symbols cf. NKRA p. vi, bottom. Uncertain readings, restorations, and translations are signified in italics, wherever the texts are concerned. Otherwise (notes and descriptive part) italics mark all foreign words; the numbers given to the documents included in the present paper are also printed in italics. In transcribing the determinatives, *m* indicates *man*, *f* stands for *woman*, and *c* for *city*. In all other instances the customary conventions are followed. In the translations the determinative for 'man' is omitted, but the others are included for the sake of clarity. Parentheses mark all entries that are not represented in the original text, such as numbers of lines, references to textual notes, etc.

In the transliteration of proper names, the stops are given as voiceless

unless they are definitely established as voiced, the latter being the case only with non-Hurrian names. The one exception is furnished by *gi*, which appears to have been differentiated from *ki*. In this connection it may be advisable to call attention to the fact that such transcriptions as *māhar ṭupšarrum* for the corresponding Sumerian ideograms are based on passages in which the words are spelled out phonetically (*ṭupšar-rum*). No matter how ungrammatical a rendering may appear, the attempt has been to follow the Nuzi usage, as deducted from the majority of given occurrences, rather than to read into the text the approved Akkadian constructions.

In conclusion, a few remarks may be in place with regard to the general character of the texts contained in the Harvard volume, as compared with the remaining material from Nuzi. There have been so far three main centers from which the excavators have obtained Nuzi tablets. The first one was the house of Tehiptilla (*T*) which furnished the material for Dr. Chiera's volume of *Inheritance Texts*. The second was an adjoining house, whose most noted occupant appears to have been Zigi, son of Akkuya; the excavators designate this house as *A*. All the texts of the Harvard volume have come from a single room in *A*, evidently the library or archive chamber. The third source of Nuzi tablets, and by far the largest and most productive one of the three, has been the main tell of the place. Now it is quite natural that the records discovered on the tell, which once contained the religious and administrative centers of the city, should bear a different character from those that have been found in private buildings. Thus the Nuzi mound (Yarghan Tepe) has yielded public documents of unusual importance, as is known from the preliminary announcements on the subject; the forthcoming publication of these texts is being awaited, therefore, with the keenest interest. The tablets from the houses *T* and *A*, on the other hand, are primarily records of a private nature. Yet it would be a mistake to assume that there is a thoroughgoing similarity between the contents of the two family archives. To be sure, both houses have yielded approximately the same *types* of documents; but there is a marked and distinct difference in *proportion* as far as the actual family records of the two houses are concerned.

This is particularly apparent in the case of the adoption documents. The overwhelming majority of the so-called *marātu*-tablets from the house of Tehiptilla deal with disguised property-sales under the cover of adoption, a practice that will be described in detail in the following pages. Records pertaining to real family relations are comparatively rare. It follows that the family of Tehiptilla were principally interested, we may safely say specialized, in real estate operations. This is not the case with the house of Zigi. The number of sale-adoptions is here rather small, to judge from the tablets hitherto

deciphered; such business dealings were in this case obviously of secondary importance. Instead, the personal relations between the various members of the family receive a good deal of attention. There is among the tablets from *A* a fair number of records of real adoption, marriage contracts, wills, *etc.* Consequently, we are enabled through the Harvard texts to gain a much better insight into the family life in ancient Nuzi than was possible to obtain from the archives of Tehiptilla. The inhabitants of the *A*-house were less intent on business; they appear to have been much more interested in the personal side of family life; they reveal to us more directly and ingenuously their intimate problems and aspirations.

And thus we are warned once again that no comprehensive picture of the life of a whole community, no matter how ancient, can be based on the records of a single group; such a picture must be of necessity one-sided. In the last analysis, we cannot disregard the personal equation.\*

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\* It is the author's pleasant duty to acknowledge that he owes numerous corrections and many helpful suggestions to the painstaking editorship of Professor Henry J. Cadbury.

## TABLE OF CORRESPONDENCES

NUMBER OF DOCUMENT		NUMBER OF DOCUMENT	
in the present study	in the Harvard volume	in the Harvard volume	in the present study
1.....	60	7.....	4
2.....	67	11.....	31
3.....	59	17.....	30
4.....	7	21.....	8
5.....	66	23.....	40
6.....	57	25.....	28
7.....	65	26.....	29
8.....	21	27.....	36
9.....	62	37.....	38
10.....	64	46.....	37
11.....	61	48.....	33
12.....	58	49.....	34
13.....	63	53.....	35
14.....	56	55.....	15
15.....	55	56.....	14
16.....	68	57.....	6
17.....	75	58.....	12
18.....	99	59.....	3
19.....	71	60.....	1
20.....	73	61.....	11
21.....	72	62.....	9
22.....	70	63.....	13
23.....	74	64.....	10
24.....	101	65.....	7
25.....	79	66.....	5
26.....	80	67.....	2
27.....	69	68.....	16
28.....	25	69.....	27
29.....	26	70.....	22
30.....	17	71.....	19
31.....	11	72.....	21
32.....	76	73.....	20
33.....	48	74.....	23
34.....	49	75.....	17
35.....	53	76.....	32
36.....	27	79.....	25
37.....	46	80.....	26
38.....	37	99.....	18
39.....	100	100.....	39
40.....	23	101.....	24

## 1. ADOPTION.

In considering the documents that deal with adoption, it is of importance to establish at the very outset the essential distinction between cases of actual adoption on the one hand,<sup>1</sup> and instances of nominal adoption on the other.<sup>2</sup> In the one class we have an actual transference of parental authority; in the other, the form of adoption is used to further other purposes. The Kirkuk documents contain both types of adoption and the present study includes an almost equal number of actual and nominal adoptions.<sup>3</sup> The two categories are treated, necessarily, under different captions.

## a. Real Adoption.

As summed up by Koschaker,<sup>4</sup> an act of adoption gives the adopted child the right to the inheritance of the property of the adoptive parent or parents; this may cover either the whole, or a specified part, of that property. By virtue of the same act the adopted child assumes the rights and obligations of the begotten children.

Before discussing such mutual rights and obligations of adoptive parents and adopted children as the present texts illustrate, it is advisable to give a schematic abstract of a Nuzi document dealing with real adoption. The following points enter generally into such a document:

1. *ṭuppi mārūti ša A; B ana mārūti ipuš (itepuš).*

Tablet of adoption belonging to A; he adopted B.

2. *eqlāti, bitāti* (description of the property that is involved) *A ana B ittadin (iddin).*

Lands, buildings (description of the property that is involved) A has deeded to B.

3. *šumma māru (mārū) ša A ittabši (ittabšū), ū rabū; šinnišu zitta iliqqi (iliqqū), ū B tertennu. šumma māru ša A lā ittabši, ū B ewiru.*

<sup>1</sup> Cf. especially the monograph of M. David entitled *Die Adoption im altbabylonischen Recht*, Leipzig, 1927.

<sup>2</sup> See the discussion in Koschaker, NKRA 52 ff.

<sup>3</sup> In the Kirkuk texts published prior to the Harvard volume the number of real adoptions was remarkably small; cf. David, *op. cit.* 109 f. In the Harvard volume, however, we get definite proof that Arrapha had its normal proportion of proper adoptions. It all depended on the family. The House of Puhishenni apparently specialized in land-sales as shown by the documents in Nuzi I; The Zigi family had evidently more varied interests, hence their archives afford a better-balanced picture of Nuzi life.

<sup>4</sup> NKRA 55.

If A has a son (sons) he (they) shall be firstborn <sup>5</sup> (*i. e.*, they shall have the rights of the firstborn); a double portion he (they) shall receive, and B shall be second <sup>6</sup> (*i. e.*, shall have the rights of the younger sons).

If A has no sons, B shall be the principal heir.

4. *adū A balṭu ū B ipallahšu.*<sup>7</sup>

As long as A is alive, B shall serve him.

5. *A māra šana nakara ina muḥḥi B lā ipuš.*

A shall not adopt another son in addition to B.

6. *mannummē ša ina bērišunu ibalkatu 1 manū kaspu 1 manū hurāšu* (or other fine) *umallā.*<sup>8</sup>

Whoever among them breaks the contract shall furnish one mina of gold and one mina of silver (or other fine <sup>9</sup>).

(7. *ṭuppu ina arki šūdūti ina <sup>c</sup>Nuzi* (or other place) *šaṭir.*

<sup>5</sup> For *ewiru* see the discussion in NKRA 14, VI a. Koschaker reads the word *ewuru*, as the middle sign can have either value. But this appears to me less likely than the reading with *wi*, particularly in view of the possible connection of the word in question with *ni-wi-ri*, Gadd 44. 3, which is noted by Koschaker himself. The latter is evidently a synonym of *zittu*; *ewiru* means 'heir,' while *niwuru* would be 'the inheritance portion.' The word occurs also as an element in proper names, cf. *e. g. Ewira-pili*, 11. 16. The phrase *ewirumma epēšu*, 2. 15 and Gadd 51. 9 has a reflexive significance 'to become heir' (see below). That the sign PI has in these texts the value *wi*, when not followed by a vowel, is shown by the writing of the common word *a-wi-ha-ri* as *a-mi-ha-ri* in Nuzi I 15. 7.

<sup>6</sup> For *tertenu* cf. 1. 11; 2. 10; 4. 15; 21. 8. That this word (Aramaism?) actually starts out with the meaning 'second,' as was suggested by Ungnad some time ago, is now definitely established by the following passage in H. 38. 3-4: *2 immerātisal ša 4-šunu baknu, 2 immerātisal ša 3-šunu baknu, 2 kalūmunita hurāpu ša tertennuti* '2 ewes which have been clipped 4 times, 2 ewes clipped 3 times, and two spring (= young) lambs that are seconds (*i. e.*, twice clipped).' For the verb from which *hurāpu* is evidently derived cf. the fine study of Landsberger in *Archiv für Orientforschung* III (1926), 164 ff.

<sup>7</sup> For the same clause in the Middle-Assyrian adoption documents cf. Ebeling, *Keilschrifttexte aus Assur juristischen Inhalts* (KAJI) 1. 7.

<sup>8</sup> This clause corresponds to the Middle-Assyrian *ša ina bērišunu ipasiluni*. To determine the correct case in which a noun was used with an accompanying numeral in the Kirkuk texts is a very perplexing task. In fact, there does not seem to have been any appreciable uniformity in usage. Perhaps the majority of instances show a nominative in such a combination; *e. g.*, 9. 9-11: *ū A. ana 3 awēlūtiv! annūti 10 šiqu* (*SU*) *kaspu šar-pu* (*sic!*) *iddinaššunu*; 2 *amtu damquā*, 38. 16. The use of the genitive as in *1 imēr eqli an-ni-i ukāl*, 3. 13, is rarer. It seems necessary, therefore, to retain in all such phrases the nominative, except where the texts indicate otherwise in full spelling. The documents published in KAJI show the same treatment with but rare exceptions; cf. *e. g.*, 3 *manū šar-pa*, *ib.*, 7. 15, where the accusative is logical enough.

<sup>9</sup> See below.



The tablet was written after the proclamation<sup>10</sup> in °Nuzi (or any other place).

These are for the most part the details that are considered in a typical adoption document. Many variations are of course possible. Thus the clause about adopting another son occurs only in 1, 2, and 7. The fine for breaking the contract is "6 sound oxen" in 6, instead of the usual mina of gold and another mina of silver. Adoption documents may also contain additional clauses; for instance, 2 is combined with a marriage agreement, 3 contains clauses that are otherwise found in wills, and 4 is introduced with a declaration of the father of the party to be adopted, whereby the son is excluded from sharing in the family property. Some omitted clauses may be understood as taken for granted, other omissions may be due to the negligence of scribes. The above schematic presentation is merely a picture of what an average Nuzi adoption document, complete and without any special provisions, contains generally.

We shall now pass on to a brief treatment of the individual clauses and of the more important departures from the accepted scheme. 1. As far as the title of this class of documents is concerned the word *mārūtu* 'sonship' is almost invariably employed. It must be noted, however, that the same word is also used to indicate nominal adoption, so that the rest of the tablet must be consulted before a decision can be reached as to which type of adoption is treated in each particular *mārūtu*. Instead of *ana mārūti itepuš* 6 has *ana mārūti iddin*, the contracting parties in this case being A, the father of B, and C by whom B is adopted. The phraseology of 5 is somewhat unusual. The adoptive parent is here the slave of S., whose wife N. is said to be adopted. In reality, however, the person who is actually adopted is a certain Shi., whereas N. receives merely a life interest in the property in question; but Shi. cannot eventually inherit the estate of his benefactor if he fails to "serve" N., a condition that is ordinarily imposed upon the adopted party. In that contingency N. may dispose of the property as she pleases. 8. is another document the wording of which departs from the usual scheme. In this case, however, we have not a *mārūtu* proper, but a declaration concerning the restoration into sonship of one (Z.) who had been originally adopted, but who later became disinherited (*qirbānšu ihtepe*) for some offense. Clauses threatening disinheritance will be discussed below.

<sup>10</sup> The correct meaning of *šūdātu* (Shafel of *idū*) was first given by Koschaker and Landsberger in NKRA 78. An unpublished text (Harvard 339) mentions the *šūdātu* of the palace, *i. e.*, a royal proclamation. For the practically synonymous term *andurāru* see below.

2. Following the title of the document, the *mārūtu* texts of this class usually define the property that the adopted party is due to inherit. On this point the true adoptions differ markedly from the other type. For, as Koschaker has pointed out,<sup>11</sup> in the sale-adoptions it is always a specified piece of property that figures in the transaction, whereas the person actually adopted becomes the sole, or joint heir of the entire estate of the adoptive parent. A typical example of the wording of this clause may be found in our very first document (lines 5 ff.); *minummē eqlātuia, bitātuia, mānaḥātuia*,<sup>12</sup> *kal ummanuia, ištēn mimmi-ia*<sup>13</sup> *ana Z. addin* 'all my lands, my buildings, the produce of my labors, all my domestics, one (part of) my entire property to Z. I have deeded.' This arrangement need not, however, be always the case, as Koschaker assumes.<sup>14</sup> In §. 5 ff. it is recorded that the adopted son is to receive only such property as was inherited by the adoptive parent, when the latter had himself become the beneficiary of an adoption. Subsequently, the adopted son shall receive two additional items (one imer of land and a maid-servant), which are in the meantime to be used by two women during the rest of their lives.

3. After the rights of the adopted to the property of the adoptive parents have been indicated, the relationship of the former to the begotten sons of the adoptive parents is occasionally defined. The norm seems to be that a son of the adoptive parent by the latter's wife, has the rights of the firstborn, and consequently becomes the principal heir, *ewiru*,<sup>15</sup> regardless of whether the adopted son is actually younger or not.<sup>16</sup> The adopted cannot enjoy, in that case, the privilege of the *māru rabū* and receive a double portion of the inheritance; he is a second(ary heir), *tertenu*,<sup>17</sup> and accordingly inherits a single portion only, which is sometimes termed *emūqu* 'portion, allotment.' But if the adoptive parent has no sons of his own, the adopted son becomes automatically the principal heir.

4. An important obligation of the adopted son is to honor and reverence

<sup>11</sup> NKRA 55.

<sup>12</sup> The semantic development of *mānaḥātu* 'result of toil' is paralleled by the Hebrew עֵיִלָּה.

<sup>13</sup> It seems best thus to transliterate NIGp1; cf., among others, *il-te-in NIGp1-šu*, Nuzi I 65. 4. The phrase means particularly 'movable property,' cf. 22 and 23. For *ištēn* in the sense of 'one share' see Meissner, *Privatrecht*, 97. 18.

<sup>14</sup> *L. c.*

<sup>15</sup> See above, note 5.

<sup>16</sup> Cf. texts 1, 2, 21.

<sup>17</sup> See above, note 6.

his new parents. This clause introduces another distinction between real and nominal adoptions. In documents, which are merely business transactions in the guise of adoption, there cannot be, of course, any mention of the obligations of children towards their parents. In real adoptions such stipulations are perfectly in place. Moreover, since the condition of sonship presupposes two parents, real adoptions go, at times, so far in reproducing that particular state as to assign a woman (one of the wives of the adoptive father) as one having authority (*ana abūti*<sup>18</sup>) over the adopted; this *e. g.*, is the case in 2. 37 and in 4. 17. Filial reverence is to be shown to this assigned co-parent fully as much as to the adoptive father. If the adoptive son fails to obey either of them, he may forfeit all his rights. The term for that forfeiture is *qirbāna hepū*, the adoptive parents being, of course, the ones who annul (*hepū*) the relationship. The precise signification of the noun employed in this connection is not sufficiently clear to me. The word is written *ki-ir-pa-nu(an-šu)*; if this form is considered as etymological, the only meaning that could then be assigned to the phrase would be 'to break a clod of earth.'<sup>19</sup> This might conceivably refer to some symbolic act whereby the relationship of the adopted to the adoptive parents could be officially terminated. However, such an explanation does not appear to me to be very plausible. It may be preferable to derive the word from the general Semitic root  $\sqrt{qrb}$  'to be near,' which is employed so frequently to denote both relationship and dedication. I am aware that the connection is not particularly transparent. At all events, whatever the precise meaning of the term, the general significance of the phrase is left in no doubt by the context. By the act of *qirbāna hepū*<sup>20</sup> a son loses all his rights to his father's estate. In 8 we read: *qirbānšu ina pānānu ehtepē, ū inanna ana mārūtīmma uttēršu ū māru rabū šū* 'formerly I destroyed his *qirbānu* (*i. e.*, my son's), but now I have herewith restored him into sonship, and he shall be the elder son.' The opposite of the action described by *qirbāna hepū* is, therefore, the restoration to full rights of sonship.

5. A clause safeguarding the rights of the adopted son binds the adoptive parent not to take another son in addition to the one who figures in the given agreement. It is found in 1, 2, and 7. The penalty for breaking this provision is implied in 7. The text is, however, worded in a telegraphic style, or

<sup>18</sup> Evidently a noun from the root *abū*, meaning 'expression of will.'

<sup>19</sup> The word occurs in a very obscure connection in a text translated by Koschaker and Ungnad, *Hammurabi's Gesetz* VI, p. 55: *ki-ir-ba-nam a-na(?) narim(?) is-su-u[k]* 'he cast a clod of earth into the canal(?)' Is this a topographical designation, or are we to see in it some symbolic allusion?

<sup>20</sup> Cf. 4. 27; 8. 3; 20. 24.

else it is defectively written; at any rate, the actual consequences of the infringement must be guessed. It seems that the adoptive parent risks the forfeiture of that part of property which is not deeded to the adopted son, in case another son is adopted subsequently.<sup>21</sup>

6-7. Little need be said about the fine for breaking the contract. The customary amount is one mina of gold and one mina of silver, but occasionally other objects of value may be substituted. The postscript stating that the document was written after the proclamation in a given place is characteristic not only of adoption contracts, but also of any other type of transactions in which a transfer of property is involved; *e. g.*, sale-adoptions, and the *tidennūtu*<sup>22</sup> tablets. The meaning of *ṭuppu ina arki šūdūti šatir* was solved by Koschaker and Landsberger very satisfactorily. The transaction is not consummated until due publicity has been given to it in an acknowledged place, such as the city gate. The word *šūdūtu* was first correctly interpreted by Landsberger as the Shafel of *idū*, in the sense of 'causing to know;' the abstract noun means 'proclamation.' The word occurs indeed in one text to denote an official edict of the king.<sup>23</sup> The purpose of such an act of publicity is made clear, among others, by 28. 24, where the word *anḍurāri* 'freeing, release' is substituted for *šūdūtu*. A *šūdūtu* is needed wherever the status of some property is to undergo any change.<sup>24</sup> It is a citation, requiring all who may have claims upon the property involved to present them, doubtless within a certain period of time, to the authorities; if such claims are not forthcoming, the property is released, and the transaction becomes valid. The *šūdūtu* leads therefore to the *anḍurāru*, the release required for the official consummation. A provision for such an act of publicity is made by the Assyrian Laws II, 6.

The occurrence of this clause in documents dealing with real adoption may appear surprising at first. If the assumption is true that the act of publicity

<sup>21</sup> One wonders if the *Korban* of Matt. 15. 5, and Mk. 7. 11, which is also mentioned as affecting the relationship of a child to his parents, does not go back to pre-Biblical times. To be sure, it is a case of elucidating ignotum per ignotius; but while the similarity is probably accidental, and though entirely different conditions are reflected in the Gospels (I am indebted to Professor Montgomery for comments on the above passages), we need not dismiss the matter without further thought.

<sup>22</sup> I am using the now customary transcription of the word merely because I cannot go here into a detailed discussion on the subject. But I am obliged to say in passing that I cannot accept the meaning and the etymology of the word as given by Koschaker, NKRA 131. I hope to present the relevant material in full in the near future.

<sup>23</sup> Cf. note 10.

<sup>24</sup> Cf. Koschaker, NKRA 67 ff.

was required for the consummation of a transaction that involved transference of property, how could the same clause apply to cases of true adoption? In 1 Zigi is the person who is adopted, in 2 and 3 the sons of Zigi are being admitted into sonship by third parties. Surely, members of so prominent a family as that of Zigi could not be treated as chattels so that the act of citation would apply to them. The difficulty is soon obviated if we compare the adoption documents that have the *šūdūtu* clause (1, 2, 3, 6) with those where the clause is missing (4, 5, 7, 8). It will be seen that the latter class consists of records in which no particular part of property is specified. On the other hand, 3 mentions an imer of land and a maid-servant that are given as life interest to two women, after whose death these gifts are to become the property of the adopted, with whom the document is mainly concerned. In 6 we are told that the adopted son is to receive 2 imer of land from the estate of the foster parent after the latter's death. In 1 and 2 the adopted is not an *ewiru* but a *tertennu*, and receives, consequently, only a specified portion of the inheritance. The conclusion seems, therefore, justified that wherever the publicity clause is appended to a document of actual adoption, the *šūdūtu* refers merely to the property that figures in the agreement and not to the parties concerned, unless the adopted happens to be a slave.

#### b. Sale-adoption.

As has been indicated above, the Nuzi type of nominal adoption has little else than the name in common with the institution of real adoption, which does bring about an actual change in the family relationships of the parties concerned. The common title for both categories is due to the fact that the Akkadian term *ṭuppi mārūti* 'tablet of adoption' covers the two varieties of this class. Apart from the name, both types of *mārūtu* texts share the provision concerning the fine for breach of the agreement, and the remark about the official proclamation (*šūdūtu*). In other words, the introduction and conclusion are substantially alike. But the remaining, and by far the most significant, clauses in the main body of the contract are constructed, in the two subdivisions of adoption, along essentially different lines.

Summed up briefly, the object of the Nuzi nominal adoptions is to provide a legally unimpeachable by-path for transferred ownership of property, the sale of which in a direct way was not sanctioned by the law of the country. The method by which such inalienable property was nevertheless acquired was indeed ingenious. It was simply to borrow for the outlawed transaction a form that the law recognized. Such property as was unpurchasable from the start could pass on from the owner to his legal heirs only. Consequently, it was in

the field of family rights that a norm for legalized sales of such property was looked for and found. The prospective purchaser had merely to get himself adopted by the owner of land or buildings under consideration in order to acquire title to that property. The seller became the adoptive parent, the buyer the adopted son; the transacted portion was the inheritance share (*zittu*). To preserve the appearance of adoption to the last detail, the seller's compensation could not, of course, be called the purchase price (*šimu*); but since nothing could legally prevent an adopted son from presenting a honorarium to his foster parent, the stipulated purchase price entered the records as such a grant (*qištu*). In consideration of these facts Dr. Chiera and the writer introduced for this type of disguised sales the term "sale-adoption,"<sup>25</sup> which has since been accepted by other scholars.<sup>26</sup>

It is of interest to inquire, at this point, into the reasons that prompted this clever method of getting around the law. Koschaker has found, I think, the correct solution in suggesting that the origin should be traced to a feudal order of things. Property granted under a feudal system being originally inalienable, the evasion described above became in course of time imperative.<sup>27</sup> As a matter of fact, the majority of sale adoptions include a clause concerning the continuation of feudal service (*ilku*)<sup>28</sup> after the property has changed hands, the task usually remaining with the seller, but not exclusively so, as Koschaker seems to imply.<sup>29</sup> At first sale-adoptions were probably limited to isolated instances; public opinion may even have branded them as unethical. Gradually, however, the procedure became a habit until the *quasi*-adoptions found their place as recognized forms of sales. Koschaker considers them as

<sup>25</sup> Cf. ANNUAL OF THE AMERICAN SCHOOLS OF ORIENTAL RESEARCH VI, 86 ff., and JAOS 47 (1927), 36.

<sup>26</sup> NKRA 54, and David, *Adoption* 109.

<sup>27</sup> *Ib.*, 60.

<sup>28</sup> A. Schott, *Orientalistische Literaturzeitung* 32 (1929): 854-5, objects to Koschaker's translation of *ilku* as 'Lehenslast,' suggesting instead 'Dienstbarkeiten irgendwelcher Art.' Both the objection and the suggested change appear to me equally unjustified. There is this further argument to be considered: The Hurrian synonym of *ilku*, as found in the Kirkuk texts, is *irwišši/a*. The word is composed of the element *irwi* and the ending *-šši*. Without the latter we find the simple noun in such proper names as *Irwi-šarri*, 12. 2. Now *irwi* is obviously identical with *iuri-š* 'king,' which occurs in the Mitanni letter of Tushratta; cf. already Gadd, p. 77; for the same transposition cf. the name *Arik-imri*, 38.23/*Arik-irme*, *ib.*, 25. Since the ending *-šši/še* has been established as the suffix of the past participle in "Mitannian" (cf. Bork, *Mitannischsprache* 88), *irwišši/ilku* must be taken as 'due to the king,' or the like, hence 'feudal tasks.' See also the writer's *Mesopotamian Origins* (1930), Chap. V, note 90.

<sup>29</sup> Cf. *e. g.*, 12. 11.

an instance of 'borrowed legal transactions' (*nachgeformte Rechtsgeschäfte*), where a new type of business is modelled on an older and accepted form.<sup>30</sup>

It remains to discuss the clauses that make up a complete sale-adoption. Since the wording shows here numerous variations, a general description will be, this time, substituted for the schematic presentation. The title (1) resembles the superscription of the real-adoption documents: *tuppi mārūti ša A* (one or more persons); (*ū*) *B ana mārūti ipuš (itepuš, itepšū)*. 'Tablet of adoption of A (one or more persons); he (they) adopted B.' In 15 the title has the form of a declaration, the two parents-sellers stating, *B ana mārūti nitepuš* 'We have adopted B.' The next clause (2) defines the property that is being transferred (*zittu*). As is to be expected in sales, the land or buildings are usually described minutely, with reference to both size and location.<sup>31</sup> In real adoptions such indications are gratuitous, as the adopted is due to come into either the whole or a definite share of the entire estate. The need for precise definition in sale-adoptions results also occasionally in the addition of a special clause which provides for the acceptance of the measurements indicated in the tablet, even if these should later prove to be inexact (*šumma eqlu mād lā inakkis, šumma šihir (māš, ) ū lā uradda* 'if the land is (too) large, it shall not be curtailed: if it is (too) small it shall not be enlarged.'<sup>32</sup> This latter provision is properly connected with the clause that guarantees safety from subsequent claims, which it indeed often follows in the documents.

After the *zittu* has been determined, the purchase-price (*qištu*) must be stated (3). This consists of money (silver, copper, bronze, lead), grain, clothing, etc., to all of which is applied the general term *kaspu* 'objects of value, goods' (= *bona*). No *qištu* is, of course, ever found in real adoptions. Nor do the documents of true *mārūtu* contain the clause that follows the provision about the *qištu*, or is at least implied where not specifically mentioned (4). The customary wording in this case is: *šumma eqlu (bitu) paqirāna (pirqa) irašši (irtaši), A uzakkama (uzakkūma) ana B inandin (inandinū)* 'If the land (buildings) has (have) a claimant (if there is a claim against . . .), A shall clear it (them) and restore to B.' While perfectly in place in a simple business transaction, such a clause would be unintelligible in an instance of actual adoption. Next in order comes the statement about the feudal service

<sup>30</sup> L. c. 64.

<sup>31</sup> Cf. 14. 5 ff., 15. 5 ff., and Nuzi I *passim*.

<sup>32</sup> For this clause, which in other documents is generally expressed by *litir limti-ma* 'whether it be too large or (too) small,' cf. Schorr, *Altbabylonische Rechtsurkunden* (1913) 112; San-Nicolo, *Die Schlussklauseln der altbabylonischen Kauf- und Tauschverträge* (1922) 208; and Koschaker, l. c. 56.

(*ilku*) connected with the transferred property (5). The seller continues usually to bear the feudal tasks (*ilka (ilku) ša eqli (bitāti) šāšu (šāšinā) A-ma naši* 'the feudal service of the land (buildings) in question shall be borne by A only). It seems strange at first that one should continue to be responsible for property of which one is no longer the owner. The difficulty is best explained by Koschaker, who points out that the transferred property was generally a small part of the seller's estate. Instead of transferring to the purchaser the property together with the fraction of *ilku* due on it, the seller continued to furnish the *ilku* of the entire estate;<sup>33</sup> the purchase price was probably increased accordingly. This arrangement concerning the feudal service was not, however, invariable. Apart from numerous omissions of the *ilku*-clause, the very opposite provision is made in 12: *ū ilka Zigi-ma* (the purchaser) *naši, ū hubbultum Zigi-ma umallā* 'As for the feudal service, Zigi only shall bear it, and the debt Zigi shall also bear.' Here the purchaser takes over the property with all the attached claims and mortgages. The estate is probably larger than the usual objects of sale-adoptions, for it is described as "the entire inheritance portion of I. (the seller), which was received from the estate (*ina bit(i)*) of N. (an adoptive parent?)"

Clauses 6 and 7 correspond to the same provisions in real adoption. The usual fine for a breach of the contract is again "one mina of silver and one mina of gold." An interesting variation is furnished by 16, where we read: *ša ibbalkatu bitāti iršūti šēa umalla* 'he who breaks the contract shall fill the farm-buildings with grain.' Another departure in the same document deserves special mention. L. 24 contains the following statement: *maḥar ᵀAdad, maḥar ᵀŠamaš, maḥar ᵀSin* 'Before Adad, Shamash, and Sin.' This solemn grouping of gods with the other witnesses is a peculiarity which the tablet shares with several other Kirkuk<sup>34</sup> texts that display some unorthodox traits, as well as with a few old-Babylonian documents. The *šūdūtu*-clause does not call for further remarks in addition to what was said in the preceding section. As was pointed out there, "proclamations" were original with business transactions of this type; in true adoptions they were merely accidental and secondary.

Before the discussion of adoption documents is concluded two other tablets remain to be considered. Although neither of them is designated as a *mārūtu*, the first is related to the sale adoptions and the other appears to presuppose an act of real adoption.

<sup>33</sup> NKRA 60.

<sup>34</sup> Cf. *ib.*, 11, 21.



The name given to 17 is *tuppi zitti* 'tablet of inheritance portion.' A deeds to B 8 awiharu of land, *kīma zittišu* 'as his portion,' and B gives to A in return lead and grain, also *kīma zittišu*, which, however, is most likely a scribal error for *kīma qīštišu* 'as his honorarium.' So far, then, the document resembles other Nuzi sale-adoptions. But the verb used with *kīma zittišu* is not the customary *iddin* (*inandin*); instead we find in the present tablet the phrase *unassaq-ma ilqi* 'he will choose and take,' where B is of course the one to "choose" his *zittu* and A to select his *qīštu*.

The above phrase has hitherto been known only from a few of the Middle-Assyrian legal documents. It is discussed at length by Koschaker, who has shown that the verbs apply in the Assyrian texts to the purchaser and not to the seller.<sup>35</sup> A type of group-ownership is implied in those documents, the family inheritance share not having been divided into individual portions. The property that is sold is part of the as yet undivided estate, and the purchaser acquires by virtue of the "choosing"-clause the right to the seller's share. To what extent these conditions may be reflected in our text 17, we lack as yet sufficient information to decide. The confusing, and probably confused, application of the entire phrase to both the transferred property and the purchase price points either to the novelty of this type of transaction, or else to the inexperience of the writer. The latter may have also been, conceivably, an Assyrian sojourning in Nuzi. Certainly it is characteristic that instead of the local expression designating forfeiture viz., *šaššumma itepuš*,<sup>36</sup> we find in

<sup>35</sup> *Ib.* 36 ff.

<sup>36</sup> The correct meaning was recognized by Gadd, p. 97, and Koschaker, NKRA 15, 73, against Chiera-Speiser *JAOS* 47. 54. Nevertheless, Koschaker's claim that the word is Hurrian and not Akkadian lacks, to my thinking, sufficient support. In the first place, there is an unpublished text (Nuzi 516. 4) in which the first element of the phrase is spelt out *ša-la-aš-šu-um-ma*. There is even more conclusive evidence for connecting the word with the Akkadian term for 3, but I cannot, in justice to the readers, continue citing unpublished texts. However, it may be possible to establish the point on the basis of the published material. In H 30. 28, and 32 there occurs the expression *šinamūm(ma) itepuš* (*KAK*). The context makes it obvious that the phrase is to be translated 'he shall duplicate' in one instance, and 'he shall renew' in the other; the correct Akkadian idiom in such a case would be *ušanni*. *Šinamu* must consequently be related to the word for 'two'; cf. also the noun *šinamā* 'representative,' which shows a semantic development similar to that of *tertenu*. *Šaššū-mma/šalaššū-mma* probably contains a similar formation from the word for 'three.' How the phrase came to mean 'to forfeit' is rather obscure. Perhaps the intermediate stage was 'to hand over to a third party.' Cf. the post-Biblical  $\text{שׁוֹלְחַן}$ .

While the verb is Akkadian (*epēšu*), and though the first element of the phrase may be either Hurrian or Akkadian, the usage is undoubtedly Hurrian. We have seen that the meaning may be also reflexive or passive, cf. *ewirumma epēšu* 'to become heir.'

this text the phrase *qāssu ištu zittišu itellu* 'his share of the inheritance he shall forfeit,' which is good Assyrian.<sup>37</sup> But the evidence of one document cannot be conclusive either way.

The next tablet is entitled *tuppi tamgurti* 'tablet of agreement.' The contracting parties are a certain Manniya, and Ilanu son of Tayuki, whom we meet in the greater part of the *tidennūtu* documents found in the Harvard volume. The contract concerns the acquired property of Tayuki, father of Ilanu: Manniya is to receive a double share of that property and Ilanu one third. The acquisitions made by the estate after the death of Tayuki are to be equally divided by the two heirs. This latter provision seems to indicate a certain type of group ownership. But what is to account for the double share to be received by Manniya? The simplest solution, it seems to me, would be to assume that Tayuki originally adopted Manniya, deeding to him a double portion of all his acquired property. Perhaps a document to this effect will yet be discovered among the remaining and as yet undeciphered Nuzi texts at Harvard.

## 2. SETTLEMENT OF PROPERTY

The next class of family rights to be considered here covers the disposition of property in favor of members of the family under the authority of the owner. That authority may be either parental or marital, and the property settled upon one or more of the dependants may consist of the entire estate under consideration,<sup>38</sup> or of a definite part thereof.<sup>39</sup> Slaves, objects of value, such as money and clothing, *etc.*, also figure in these documents,<sup>40</sup> sometimes to the exclusion of lands and buildings. The testator is generally the father, but the mother, too, has in certain circumstances the right of making a settlement. The beneficiaries are for the most part the children of the testators, both begotten and adopted; occasionally also the wives, and in one instance

A close parallel in formation is furnished by the Hittite combination of a second supine with a form of the verb *dā(i)* 'to place.' Cf. *e. g.*, *ḫulliṣkuwan tiyer* 'they fought', *walḫiṣkiwan daiš* 'he smote.' The comparison is not so far-fetched when it is borne in mind that both the Hittites and the Arraphans contained an Anatolian substratum. The idiom may have developed in both instances from the same source. But here we enter much too speculative a field.

<sup>37</sup> The same expression occurs in Nuzi I 82. 6.

<sup>38</sup> Cf. *e. g.*, 20, 21.

<sup>39</sup> *E. g.*, 20, 22.

<sup>40</sup> So in 22.

the mother.<sup>41</sup> The settlement (*šimtu*) becomes thus, in the widest sense of the word, a will.<sup>42</sup>

The Harvard volume contains five documents that are expressly designated as *tuppi šimti* 'tablet(s) of disposition, settlement.'<sup>43</sup> Corresponding to the great variety of items settled, there is no strict uniformity in the wording of these documents. The introductory clause, however, is standardized: *tuppi šimti ša A, šimta ana B išim(mi)*; 'Tablet of settlement of A, a settlement in favor of B (beneficiary or beneficiaries) he made.' The beneficiaries are son(s) and wife (19, 20), sons alone (21), wife alone (22), and adopted sons (23); the testator is in the last mentioned document the foster mother, in the remaining records of this group the father (husband).

Then follows the description of the property settled and, where there are several heirs, the order of division among the individual beneficiaries. The wife receives a life interest in whatever share is willed to her, the ultimate heirs being the sons. At times, as is the case in 19, the record specifies which son is to take over the deceased mother's portion; the remaining sons are thereby excluded from that particular portion. Or else (20), the document merely indicates that on the death of the mother each son is to inherit according to his allotment (*attamannu ki emūqišu*<sup>44</sup> *zitta iliqqū*). The distribution among the sons may be also left to the discretion of the mother. However, in that case the property involved is relatively unimportant: thus in 19, after one part of the testator's property has been divided between Zigi and his mother, with Zigi receiving a double portion and a right to the remainder after the woman's death, a disposition is made of another part of the estate. Here Zigi receives again a double portion, while the remaining third is divided equally between the writer's wife and a third party; it is with regard to that one-sixth of a portion that the woman may follow her own judgment in allotting it to whichever son has "served" her. In 22 the wife of the testator is allowed to deed her share to whomever she pleases (*ašar libbišu inandin*). But the share consists in this case of a maid and of the personal effects of the woman, no mention being made of any real estate; even so, the generosity in

<sup>41</sup> Text 23.

<sup>42</sup> The special term for 'will' is in these tablets *šimumāku*, 21. 47; 22. 13.

<sup>43</sup> Texts 19-23.

<sup>44</sup> Written GIR. The meaning is settled definitely by the parallel clause *attamannu ki qātišu iliqqi* 'each according to his share shall receive,' 21. 37-38. Cf. also Code of Hammurabi XIV rev. 82, 89: *ki-ma e-mu-uq xi-it-ti-ša* 'according to the strength (amount) of her share.' Koschaker's restoration of Gadd 23, 24 is to be corrected to: *ma-an-[nu ki-i]emūqi-pl-šu na-ši* 'each shall bear according to his allotment,' that is to say 'proportionately.'

willing the maid outright, has good reasons behind it. For we learn from 24 that the slave-girl in question (Miniku) had been purchased by Tilkushhe (the wife of the author of the *šimtu*) for money brought by the woman from the house of her father (*ištu kaspi ša bīt abiša*). Nevertheless, it was necessary for the husband (Akapshenni) to give his wife full title to the girl in a special deed, in order to prevent his sons and eventual heirs to the estate from claiming Miniku together with the rest of the property. By an interesting coincidence, the will of Tilkushhe has also come down to us.<sup>45</sup> The beneficiaries who are named in that *šimtu* are the sons of Tilkushhe, Shelluni and Akawatil. Both are adopted children, in reality blood-relations of Akapshenni. We are in possession of the *mārūtu* in which the adoption of Shelluni is recorded (4). The adopted is a son of Zigi, hence a brother (obviously a younger one) of Akapshenni; the other beneficiary, Akawatil, is the son of Ellu, another brother of Akapshenni. It appears that Akapshenni did not have sons of his own, which accounts for the adoptions, as well as for the two documents in which Tilkushhe appears as an exclusive beneficiary and a testator.

The settlements in favor of members of the same family point to a determined effort to keep the property within the clan. Special clauses may be inserted in the *šimtu* documents to prevent the family share from getting into the hands of strangers. In 21. 50 ff. we read that if any of the sons of Zigi (the writer of the *šimtu*) sells his share for a price, he shall forfeit his property. According to 20, Zilipkiashe, wife of Zigi, is given the right to punish her sons if they fail to "obey" her; in no case, however, may she disinherit her children and give any part of the estate to a stranger. The same strong feeling about the preservation of the family heritage is reflected in the documents dealing with true adoption. According to 2 Shurihil, the brother of Zigi, adopts Shennima son of Zigi. The very next document (3) is a *marūtu* of Shennima; the person adopted in turn is Arzizza, another son of Zigi. In 4 we are informed of the adoption of the afore-mentioned Shelluni by Akapshenni, the two being sons of the same prolific Zigi. So pronounced a spirit of clannishness must have been a contributing factor to the absence of direct sales of property, and consequently to the prevalence of sale-adoptions.

To return to the *šimtu* records, it follows from the character of these documents that they could be revoked. The "disposition" was an act on the part of the head of the family, concerning members subject to his authority. There was nothing to keep the father from changing his mind, for one reason or another, and from altering his will. It does not surprise us, therefore, to read in 21. 48 f.: *tuppu annumma tuppu ū šanū tuppu lā tuppu* 'This docu-

<sup>45</sup> Text 23.

ment only is the (valid) document, and any (the) other document is no document.' In this instance it is not difficult, I think, to discover the reason for the above remark. The speaker in 21 is the oft-mentioned Zigi, who is also the author of the *šimtu* found in 20. In this latter document the wife of Zigi is appointed executrix of the estate as well as chief beneficiary. It appears that the woman died, however, before her husband, and a new will became necessary. On the other hand, it is also possible that the clause of 21 was aimed against some persons whose records have not been found or deciphered, and that a settlement unknown to us is being annulled by the declaration in question.

### 3. MARRIAGE RECORDS AND RELATED FAMILY DOCUMENTS

Although not many in number, the tablets comprising this group enable us to obtain a fairly clear, if in spots fragmentary, picture of the norms which regulated marriage in ancient Arrapha. 25 and 26 are direct marriage contracts, 27 is called a "sistership" tablet, 28-31 are declarations involving marriage and sistership agreements, and 32 is a "dowry" transaction. In this discussion we must also include the previously mentioned tablet no. 2; it is entitled *tuppi māruti* and has been, therefore, grouped with the other records dealing with adoption. But the second half of the tablet is given to a marriage agreement and, curiously enough, this combined adoption-marriage document is the only record in the volume in which marriage is not combined with a business transaction. In the remaining texts under discussion the element of purchase enters prominently into the arrangement.<sup>46</sup>

The contracting parties are the guardian of the girl that is being acquired, on the one hand, and the new master on the other. The girl may be obtained from her father, or else from her brother (undoubtedly owing to the father's not being alive at the time). The person under whose authority the girl is to pass as a result of the contract may acquire her as wife for himself, his sons, his slave, or for any other (unnamed) third party. Accordingly, the girl becomes the wife (*aššatu*), daughter and daughter-in-law (*mārtu ū kallatu*), or simply "sister" (*aḥātu*), if her future has not been determined at the time of the writing. The status of the object of these agreements depends thus on the purpose for which she is obtained, and the name of the transaction may vary accordingly. Moreover, the authorship of the document by the girl's old or new master is sometimes found to influence the superscription. Thus 27 is called *tuppi aḥāti ša A.* 'tablet of sister(ship) of A.' because it is his sister whom A. is giving away to H. The name can have nothing to do in this case

<sup>46</sup> See below.

with H. since, according to 26, the girl is acquired as wife (*ana aššūti*) and not into sistership. With this may be contrasted 25, which is entitled *tuppi kallūti* 'tablet of sister-in-lawship;' here it is again a "sister" that is being taken over by a certain S., but the document is written by the prospective father-in-law and not by the brother. When the record is drawn up by both parties, as *e. g.*, in 26, the title again reflects these circumstances: *tuppi riksi ša A. itti H. ina bērišunu irtaksūs* 'Tablet of marriage contract, which between them A. and H. have contracted.'

When we come to consider the contents of our marriage records, it is important to bear in mind the distinction between marriage among free citizens as compared with marriage among slaves. The best instances of the former type are recorded in 2 and 26. It was indicated above that 2 is a combination *mārūtu-aššūtu*. Shurihil adopts his nephew<sup>47</sup> Shennima and makes over to him a portion of his entire estate. Linked with the adoption is a marriage agreement which obligates Shennima to take as wife a certain Gilimninu, very probably the daughter of Shurihil. The document goes on to specify the rights and privileges of the bride. If Gilimninu bear Shennima any children, he shall not take another wife; those children are to be the sole heirs to the entire property. Should, however, the marriage prove barren, the wife shall give her husband as concubine a girl from the Lullu country. The offspring of the concubine is protected by a special clause from possible malice on the part of Gilimninu; the young ones (*šerru*) of the Lullu wife shall not be sent away by Gilimninu. That is to say, G. may not expel from the house and deprive them of an eventual share in the property. If Shennima violates the agreement, G. shall leave him, taking with her the contents of her *qannu*,<sup>48</sup> that is virtually her dowry.

Considerably more mercenary is the marriage contract preserved in 26. A. sells his sister B. as wife to H. In exchange A. is to receive a price amounting to 40 shekels of silver, which is called *hašahušennu*. Of this a part is to be retained by A. as his *terḫatu*, while the remainder (*riḫtu*)<sup>49</sup> is to be tied for

<sup>47</sup> In 21. 23 Zigi, father of Shennima, refers to Shurihil, the adoptive parent of Shennima, as his brother. However, Zigi is son of Akkuya (cf. 19 and ff.), while Shurihil is known as the son of Ellaya (34. 1). The term "brother" is then evidently to be understood as "cousin," just as "son" may also mean "grandson," and "descendant" in general. This rather loose usage of terms of relationship in these texts often increases the difficulty of precise identification of the parties under discussion.

<sup>48</sup> Girdle, or hem of the dress, in which the bridal price was sewed up and kept by the bride; see below.

<sup>49</sup> It may be tempting at first glance to consider *riḫtu* as a distinct kind of bridal

B. in the girl's *qannu*, *ana mulūgūti*. Here we get a series of technical terms that require further explanation.

Let us first consider the *terḥatu*. In the cuneiform literature the word bears generally the meaning of 'bridal purchase-price' to be paid to the bride's guardian (father or brother).<sup>50</sup> It is obvious that the above meaning of *terḥatu* does not fit the context in 26. For the purchase-price is here clearly the *ḥašahušennu*, and the *terḥatu* is only a part of it. Perhaps *terḥatu* is to be taken in the Arrapha documents as part payment (consisting apparently of one-half of the total amount), which goes to the girl's guardian; the remainder is to be kept for the bride herself, doubtless as provision in case of divorce. This is certainly the case in 26. For the present, however, we lack sufficient material to set up this usage as a general rule for Arrapha.

Upon the proper understanding of the term *terḥatu* in our texts depends, to a certain extent, the interpretation of the nature of marriage in Arrapha. If the word denotes the purchase-price that is actually to be paid to the father (or brother) of the bride, marriage is still in the purchase stage. If, on the other hand, the older name is retained, but the institution has developed so that the money is to be saved for the bride, we are bound to assume a gradual emancipation of the purchase marriage into an institution which recognizes the woman as the subject and not merely the object of the agreement.<sup>52</sup> In the case of the Assyrian Laws Koschaker has made it probable that such an emancipation was actually in progress at the time. Now Koschaker believes that the same conditions should have obtained in Arrapha. Where we find

gift, which Koschaker has indeed done. On further examination, however, it becomes absolutely certain that the word has in these instances, too, its customary meaning of 'remainder,' and nothing else. In 26. 12, and in 31. 28 this connotation is obvious beyond dispute; the 'remainder' refers there to the balance of the purchase-price paid by the husband, which is saved for the bride after the share of the girl's guardian has been deducted. The same may be inferred for the text in Contenau, *Textes cunéiformes du Musée du Louvre* IX 6. 14, though the fragmentary condition of that document does not admit of a definite interpretation. As regards Nuzi I 78. 13, which has misled Koschaker (NKRA 91, note 7), the difficulty is only superficial, caused no doubt by the slightly damaged condition of the text; but the reconstruction is comparatively simple. Zikipa gives his sister Hinzuri to Hutarraphi *ana aḥātūti*. In return Z. receives goods valued at 20 shekels (SU) of silver. Then he makes the following statement: "The remaining (*riḥtu*) 20 shekels of the money for my sister Hinzuri have been tied in her own *qannu*" (12-14). This is an exact parallel to our text 26.

<sup>50</sup> Cf. Koschaker, *Rechtsvergleichende Studien zur Gesetzgebung Hammurapis*, (1917) 136 f., 178; *id.*, *Quellenkritische Untersuchungen zu den "altassyrischen Gesetzen,"* (1921) 56 ff. Cf. also É. Cuq, *Journal des Savants* 1927: 342.

<sup>51</sup> Cf. Koschaker, NKRA 91, note 7.

<sup>52</sup> *Quellenkritische Untersuchungen* 57.

the *terhatu* received by the father, this is to be explained by the fact that the marriage in such instances was not a full-right marriage, the husband being either the son or the slave of the party purchasing the woman, and not a free and independent citizen. However, to judge from 26, Koschaker's theory cannot be substantiated in full. H. who acquires a right to B. takes the girl as wife (*ana aššūti*) for himself and not for one of his dependants. We have seen that the *terhatu* is actually to be paid to the brother of the bride. At the same time, the payment is only part of the total purchase-price, while the bride is to be provided for from the remainder. This may be the clue to the explanation of the problem. Marriage in Arrapha had become partially emancipated from the purchase stage; the prospective husband continues to pay for his bride, but part of the money is converted into the *mulūgu*. Gradually the *mulūgu* comes to include the whole of the bridal price. At the time from which our records date, only half of the distance to that goal has been covered. It is quite probable that the same was true of contemporary Assyria. It must be remembered that the Arrapha texts antedate the Assyrian Laws quite considerably, long enough to allow for the complete evolution of marriage from its semi-purchase stage as represented in Arrapha.

From the preceding it is not difficult to establish the character of *mulūgu* in the document under discussion. That will become even clearer if the whole clause in question is cited. In lines 11 ff. we read: *minummē kasapšu rihtu ša B. ana mulūgūti, ū ana qannišu ana B. irtaksūmi* 'All the remaining money (received) for B is *ana mulūgūti*, and in her *qannu* for B. it has been tied (sewed) up.' Here *ana mulūgūti* can only mean 'as dowry,' i. e. money brought by the bride into the house of her husband. This meaning is established for *mulūgu* in the records from outside of Arrapha beyond any serious doubt.<sup>53</sup> In the above case the money, we are told, is to be tied up in the *qannu* of the bride, which is most likely the hem of her garment. If the wife leaves her husband (cf. 2. 41 f.), or if she is divorced, she takes with her the contents of the *qannu*; the word becomes thus practically interchangeable with *mulūgu*. The latter word may also have another, derived, significance as will be shown below.

It remains now to discuss the meaning of *ḥašahušennu*. We have seen that this word denotes the entire bridal price. The question remains whether any kind of purchase-price could in Arrapha be called by that name. Although the material is still scanty, I think it likely, that *ḥašahušennu* signifies

<sup>53</sup> See Koschaker, *Rechtsvergleichende Studien* 175; cf. also the post-Biblical 𐤁𐤏𐤍 𐤁𐤏𐤍 which shows a still further broadening of the meaning of *mulūgu*.



primarily the price that is paid to the bride's brother, evidently because the father is no longer alive. In the documents of the Harvard volume in which the term is found, the brother is in fact the recipient of the money.<sup>54</sup> Gadd 54. 11 is an exception to this rule, but this can be explained, to my thinking, without great difficulty.<sup>55</sup> If this supposition about *ḥašaḥušennu* is correct, it would be very tempting to compare the Hurrian word *šennu* 'brother' with the last element of *ḥašaḥušennu*. The term is, at all events, Hurrian. For the present, however, we cannot attain absolute certainty about the matter.

So much for the terminology of these documents. A few individual records are still to be dealt with separately. In 25 we have a *tuppi kallūti*. Sharteshup gives his sister Shuwarninu<sup>56</sup> to Ilanu, and receives for her 40 shekels of silver *kīma ḥašaḥušenni*. Ilanu will choose for the girl a husband from among his sons; Shuwarninu is thus obtained as a prospective daughter-in-law, hence the title of the document. Appended is a clause binding Sharteshup to free his sister from any legal claimants she may have, which makes of the document a typical record of sale. This type of marriage contract must, therefore, be distinguished from records previously discussed. The prospective bridegroom in such a purchase-marriage is a dependant of the purchaser, who becomes the father-in-law.

A statement which both types of marriage records may have in common is occasionally found in contracts where the bride is obtained from her brother. It occurs in the above *kallūtu*, and also in connection with the full-right marriage of 26, as supplemented by 28. The latter tablet is a declaration of A., summing up before witnesses the contents of the same agreement that is preserved in 26. Now in 28. 14 ff. the girl is made to declare, "With my consent my brother A. has given me to H. as wife." In the *kallūtu* (25. 27 f.) Shuwarninu simply states, "I am the sister of Sharteshup"; the object of the declarations is probably the same in both instances, *viz.* to protect the party taking over the girl from possible future complications.

A more pronounced case of purchase-marriage than the above *kallūtu* is furnished by the much-discussed 26. In addition to acquiring B. as wife, H. obtains from A. another sister of his, K., *ana mārtūti* 'into daughtership.' The term is here synonymous with *ana kallūti*. H. may in turn sell K. as

<sup>54</sup> 25. 12; 26. 8; the transaction described in the latter text is confirmed in 27 and 28.

<sup>55</sup> It is entirely probable that the girl for whom T. is to pay the *ḥašaḥušennu*-money to N. was the latter's sister, cf. *ad loc.*

<sup>56</sup> This is one of the very few names in the Kirkuk tablets which may contain Indo-European elements (*suwar*), though even this is far from certain.

wife to anyone he chooses, provided that the purchaser is not a slave (l. 39). A *ḥašahušennu* consisting of 20 shekels of silver is to be paid to the brother of K. as soon as the woman has had marital relations with her husband (*itti matišu itanaḡalu*). It is interesting that the price is to be paid after the copula carnalis. The total of 20 shekels is probably one-half of the amount which H. expects to receive from the future husband of K.; the remainder will be retained by H., thus emphasizing the purely business-like character of the whole transaction.

A somewhat similar condition is implied in 29. The document is in form of a declaration on the part of the woman Z. who seems to have offered herself into "sistership," *ana aḥātūti*, to a certain A. When Z. has been married, A. will receive for himself (*ū ikkal* 'and he shall use') 20 shekels of silver from the husband, while another 20 shekels of silver is to be paid by the husband to E. the brother of Z.

Another *mārtūtu* is referred to in 30. The terms of this transaction are not entirely clear, as they are made partly dependent on the outcome of a lawsuit. A. gives his daughter U. to K., *ana mārtūti ū ana makannūti*. K. is to give to A. some clothing in return, and in addition he is to represent A. in a lawsuit. If K. is successful, he will acquire full right to the girl; he will be able to give her to wife to whomever he chooses, and the price for her he will retain for himself. What happens if the suit is lost is a little uncertain, the text being partly damaged. It appears that K. would in that case receive 10 shekels of silver for his efforts.

In conclusion there remain to be discussed two texts in which the word *mulūgu* occurs in rather peculiar contexts. In 31.17 and in 32.5 we read of an imer of land given to the woman A. *ana mulūgi*, the principals in the two documents being the same persons. If we take the word in the sense of "dowry," the sequel in 32 will cause difficulty; for in return for the land A. gives to P., her father, certain goods *kima qīštišu*. The transaction resembles, then, a sale-adoption, except that instead of calling the purchased land *zittu*, it is termed in this case *mulūgu*. The latter word cannot mean "dowry" in the strict sense of the term, since the land denoted by it is transferred, according to 31, to another woman instead of being kept for marriage purposes. Evidently we have here another instance of disguised property sales, this time clad in the terminology of marriage customs. The question might arise why the form of sale-adoption was not employed here as in so many other cases. However, if we consider the fact that A. is the daughter of P., we will appreciate the difficulty of a situation where a man would have to adopt his own daughter. The expedient of a nominal *mārūtu* could not be used very well

in this case; but on the analogy of sale-adoptions, there could be formed sale-endowments, the *mulūgu* being just as much a fictitious dowry as the *zittu* was an unreal inheritance portion. Legally unauthorized sales of property were negotiated through the medium of family transactions, the particular form depending on the given circumstances. The *mulūgu*-sales shed additional light upon the subject of sale-adoptions, indicating at the same time the extent to which such practices were in vogue, as well as the resourcefulness of the people who introduced them.

#### 4. MISCELLANEOUS TEXTS

Unlike the preceding records, the documents numbered 33-40 do not constitute a well-defined class of texts relating to family rights. Indeed, the connection of the present group with the foregoing documents is rather loose. Here we have no longer contracts that furnish a direct source for the reconstruction of the legal status of the Arraphan family. Instead we find in this class records of litigations resulting from breaches of such contracts; an equity case between two claimants to a certain inheritance, where the rival claims cannot be supported by the necessary witnesses; and lastly, several texts concerning slave-girls, who figure prominently, as we have seen, in wills and records of similar nature. The present texts have, therefore, only an indirect bearing upon the problem of family laws. This source of information is merely secondary; but it is, nevertheless, valuable on account of the illustrative details which it furnishes.

Text 33 may be used as a case in point. A certain Paitilla is appointed head of a committee sent out by the judges to Shurihil, upon whose affairs several of the preceding documents have cast a certain amount of light. The question at issue is the alleged repudiation by Shurihil of his nephew Shennima,<sup>57</sup> whom he had adopted according to text 2. In fact, on the strength of that adoption, Shennima is denied his share in the property of his father Zigi.<sup>58</sup> Consequently, the case is brought before the judges who instruct Paitilla to obtain further details on the subject. Shurihil has apparently no alternative, for he reaffirms his adoption of Shennima.

An interesting sidelight is furnished by the attitude of Tuppaya, wife of Shurihil. A statement by her, to the effect that her husband had actually adopted Shennima, is given in a postscript to the text in question. Whether that affidavit was taken as a precaution, to preclude future disputes, or whether Tuppaya had her own reasons for forcing her husband's hand, we can scarcely

<sup>57</sup> Cf. note 47.

<sup>58</sup> See 21. 24 f.

tell at present. At any rate the couple do not seem to have enjoyed great marital felicity. For according to another document (34) Tuppaya (so to be read rather than Ummaya<sup>59</sup>) eventually left Shurihil and returned to the house of her father Arzizza. The latter is summoned before the judges, but he absolutely refuses to appear. The upshot of it all is that the woman is made to go back to her husband.

These family transactions, and family differences, become even more complicated when we gather that Shennima in turn deeds the property acquired from Shurihil to his brother, or half-brother, Arzizza; adoption is here too the medium for the transaction (cf. 3). Now we have seen that Arzizza was also the name borne by the father of Tuppaya. Could it be that we are dealing in both instances with the same person? If this fact could be established, we would have a plausible clue to the differences between Shurihil and his wife. For Tuppaya would have been in that case about forty years younger than her husband (who was uncle of the Arzizza of text 3). Unfortunately we do not have the name of Tuppaya's grandfather, the father of the other Arzizza, and a definite identification is therefore impossible. But we can hardly complain about this; as it is, we have deduced as much information as is consistent with a certain degree of delicacy.

Text 35 is not without interest in connection with the position of women in ancient Arrapha. A certain Akaya brings suit against one Kinni. Akaya had acquired the girl Haluya from her father Puhishenni as wife. Now Kinni insists that he has legal claims on Haluya, who happens to be his niece. Puhishenni is summoned and he testifies that Akaya had indeed obtained Haluya from him. To get at the bottom of the case further testimony is elicited. It is brought out that Puhishenni had acquired his own wife, who was to bear him Haluya, from Kinni, her brother. In course of time Haluya's mother died, whereupon Kinni claimed the girl. It is not quite clear what the legal basis of that claim was; at all events, the court rules that, inasmuch as Haluya's mother had been rightfully acquired from Kinni, the latter is not entitled to the daughter.

A curious aspect of marital troubles is presented in 36. Kushuhari, a servant of K., had apparently great difficulty in obtaining the woman who had

<sup>59</sup> It is true that 34. 3 has *Tup/Um-ma-a-a*; but line 31 gives *Tup-pá-a-a* instead. In 33. 42 we have *Tup-pa-a-a* very clearly. In both documents the woman is wife of Shurihil and daughter of Arzizza; it is evident that the reference is in both instances to the same person. The only noticeable difference is graphic; the scribe of 33 employed *pa* where the writer of the following tablet preferred *pá*, which is not always easy to distinguish from *ma*.

been purchased for him, presumably by his master. At length a constable<sup>60</sup> is sent with Kushuhari to help him get his bride. But instead of delivering the girl, her guardian (it is not stated whether he was the father or the brother) strikes Kushuhari three times. The constable chooses to remain neutral, merely reporting the incident to the judges.

A dispute concerning inheritance is recorded in 37. Zigi claims that the property of his great-grandfather Kariru has come down to him through his father. Warhimatka (name of a woman), evidently some relation of Kariru, sets up a rival claim. Since Zigi is unable to produce the necessary witnesses, the judges assign two-thirds of the disputed property to Zigi and one-third to Warhimatka. The latter, however, does not accept the decision, and the case is apparently referred to a higher court. The document recording the dispute is termed 'memorandum,' *tahsiltu*.<sup>61</sup>

The remaining three texts deal with slave-girls. According to 38, E. gives to A. a servant-girl by the name of Ulamashshi, as full payment of a debt. What is particularly interesting about this document is the description of U. as a girl "from the country of the Kassites." This statement is of great value historically; cf. comments *ad loc.* Text 39 also mentions a slave-girl by the name of Ulamashshi, but it is not certain whether the reference is to the same person.

Lastly, 40 records the gift by Zigi of the girl Yalampa to two women. According to 3, the same girl is presented to another person, probably at a later date. Slave-girls were evidently in great demand as personal servants in the harems of wealthy Arraphans.

These remarks conclude the analytical portion of the present essay. In the following pages the texts are given in transliteration, with translations and brief philological notes.

<sup>60</sup> The term for 'constable,' 'sheriff,' or the like is *awēlmazzatuḫlu* or *manzatuḫlu*; it shows the same characteristic Hurrian element (*u*)*ḫlu* which is found, among others, in the common *ḫalzuḫlu* and in proper names like *Eḫli-Teshup*, *Eḫli-papu*, etc. Of the Akkadian designations for officials, current in these texts, we may call attention to *mūru* (cf. H. 50. 11), which is probably the same as *mu'erru* 'overseer.' The word stands for a kind of police office; one such official in *Mushapu*, cf. *l. c.*, and H. 45. 11.

<sup>61</sup> The *tahsistum* documents are found among the Cappadocian tablets. In the Kirkuk material they are usually followed by three seal-impressions, without any names of witnesses. They represent abstracts of cases for later reference. Incidentally, that many of the witnesses mentioned in our texts are judges or other city officials is made clear by 33. 2 ff., and especially line 9.

## 1 (H 60)

(1) [ṭup-pí] ma-ru-ti ša (2) [ᵐE]-ḥe-el-te-šup mār P[u-ḥi-i]a (3) [ᵐZi]-gi mār Ak-ku-ia a-na (4) [ma-r]u-ti i-te-pu-uš ù (5) [mi-n]u-um-me-e eqlātu<sup>pl tu₄</sup>-ia (6) [bītātu]<sup>pl tu₄</sup>-ia ma-na-ḥa-tu₄-ia (7) [ka-l]u-um-ma-nu-ia išten<sup>m</sup> mimmi-ia (8) [a-na]ᵐZi-gi addin<sup>dim</sup> šum-ma (9) [mār]-šú ša ᵐE-ḥe-el-te-šup it-tab-šu (10) [ù]šinni<sup>ni</sup>-šu zitta i-liq-qì (11) ù ᵐZi-gi te-ir-te-en-nu (12) šum-ma mārū<sup>pl</sup> ša ᵐE-ḥe-el-te-šup (13) la it-tab-šú ù ᵐZi-gi-ma e-wi-ru (14) ù ᵐE-ḥe-el-te-šup ma-ra na-ka₄-ra (15) ša-na i-na muḥ-ḥi ᵐZi-gi la i-pu-uš (16) a-du₄-ú ᵐE-ḥe-el-te-šup bal-ṭu₄ (17) ù ᵐZi-gi i-pal-la-aḥ-šu (18) šubāta i-la-ba-aš-šu ma-an-nu-um-me-e (19) i-na bi-ri-šu-nu ib-bá-la-ka₄-tu₄ (20) 1 manū kaspu 1 manū ḥurāšu (21) ú-ma-al-la ṭup-pí i-na (22) arki šú-du₄-ti i-na bá-ab a-bu-ul-li (23) ša₇-ṭi-ir

(24) maḥar An-ni-šu mār Ḥa-ma-an-na (25) maḥar A-kip-šarri mār E-gi-gi (26) maḥar Ḥa-ši-pa<-pu> mār Ar-še-eḥ-li (27) maḥar [ — — ]-ia mār Še-en-na-ia (28) maḥar [Te-ḥe-eš-še]-en-ni mār Ú-na-a-a (29) maḥar [ — — — ]a mār Arad-ku-pí (30) maḥar [ — — — ] mār Ḥu-um-mu-ru (31) maḥar [ — — — mār Š]ú-ru-ka₄-a-a (32) [ — — — — — ]še (33) aban Na-an-na[-taḥ ṭupšarru]

Some seals destroyed.

[Tablet] of adoption of [E]helteshup son of P[uhiy]a; [Zi]gi son of Akuya he a[do]pted: "Accordingly, (5) [a]ll my lands, my [build]ings, [an]d my earnings, my domestics, one (part) of all my property, to Zigi I have given." In case Ehelteshup has any sons (of his own) (10) a double portion they shall receive, and Zigi shall be second. If Ehelteshup has no sons, then Zigi shall be the (principal) heir. And Ehelteshup, another strange (= adopted) son (15) in addition to Zigi shall not acquire. As long as Ehelteshup is alive, Zigi shall serve him; with garments he shall provide him. Whoever among them breaks the contract (20) shall furnish one mina of silver and one mina of gold.

The tablet was written after the proclamation in the entrance of the gate.  
10 witnesses (partly destroyed); seals destroyed.

4. *Ū*: In the Kirkuk texts, the copula is often used to take up an interrupted thread, or to express result. A precise rendering is difficult in many instances; 'hence,' 'whereby,' and certain pronominal forms, have been introduced in the translations as admittedly feeble substitutes. *Ma* is generally an emphasizing particle.

7. *Mimmuia*: see above, note 13.

11. *Tertennu*: cf. note 6.

12. *šumma*: literally 'given that . . .' but for the sake of simplicity the rendering 'if' will be retained for the most part.

13. *Ewiru*: see note 5.

15. *Ipuš*: incorrectly for *ēpaš*.

20. For the case used with numerals see note 8.

23. *Šaṭir*: One of the disadvantages of Thureau-Dangin's system of transliteration is the necessity which that system imposes of giving an etymological transcription at all costs. The text reads in the present instance *sa-ṭi-ir*, instead of which we are obliged to write the rather barbarous *ša<sub>7</sub>-ṭi-ir*. There is ample evidence to prove that *š* was pronounced *s* in ancient Arrapha, as a rule, doubtless under the influence of Hurrian; cf. e. g., 18. 17; 19. 1.

33. *Ṭupšarru*: one would naturally expect the genitive, but cases like *qāt . . . ṭupšar-rum* (27. 23) show that grammatical niceties were frequently disregarded; cf. also 4. 47, 12. 25, 24. 18. Even such an anomaly as *ina bābi labiru* is possible; cf. 20. 43-4.

## 2 (H 67)

(1) ṭup-pí ma-ru-ti ša [<sup>m</sup>Zi-gi] (2) mār Ak-ku-ia mār-šú <sup>m</sup>Še-en-[ni-ma] (3) a-na ma-ru-ti a-na <sup>m</sup>Šu-[ri-ḫi-ilu id-din] (4) ù <sup>m</sup>Šu-ri-ḫi-ilu <sup>m</sup>Še-en-ni[-ma] (5) mi-nu-um-me-e eqlāti<sup>pl</sup> ti an[*nu-ti*] (6) ma-na-ḫa-ti-šu mi-im-ma šum-šú<sup>(a)</sup> (7) ištēn<sup>en</sup> mimmi-šú a-na <sup>m</sup>Še-en-ni-ma iddin<sup>din</sup> (8) šum-ma mār-šú ša <sup>m</sup>Šu-ri-ḫi-ilu it-tab-ši<sup>(a)</sup> (9) rabū šinni<sup>ni</sup>-šú zitta i-liq-qì (10) ù <sup>m</sup>Še-en-ni-ma te-ir-te-en-nu ki (11) emūqi-šu-ma zitta<sup>pl</sup> i-liq-qì (12) a-du-ú <sup>m</sup>Šu-ri-ḫi-il bal-ṭù (13) ù <sup>m</sup>Še-en-ni-ma i-pal-la-aḫ-šu (14) im-ma-ti-me-e <sup>m</sup>Šu-ri-ḫi-ilu [im-tu-ut] (15) ù <sup>m</sup>Še-en-ni-ma e-wi[-ru-um]-ma e-pu-uš (16) ù <sup>f</sup>Gi-li-im-ni-nu a-na aš-šu[-ti] (17) a-na <sup>m</sup>Še-en-mi-ma nadin<sup>din</sup> šum-ma <sup>f</sup>Gi-li-im-ni-nu ú-la-ad (18) ù <sup>m</sup>Še-en-ni-ma aš-ša-ta ša-ni-ta la i-ḫa-az (19) ù šum-ma <sup>f</sup>Gi-li-im-ni-nu la ú-la-ad (20) <sup>f</sup>Gi-li-im-ni-nu sinništa ša <sup>mat</sup>Nu-ul-i [-a-ú] (21) a-na aš-šu-ti a-na <sup>m</sup>Še-en-ni-ma i-liq-qì (22) ù še-ir-ri <sup>f</sup>Gi-li-im-ni-nu l[a] ú-ma-ar (23) mi-nu-um-me-e mārū<sup>pl</sup> ša libbi <sup>f</sup>Gi-li-im-ni-nu (24) [a-na <sup>m</sup>Še]-en-ni-ma ú-la-[ad ù] (25) [mi-nu-um-me]-e eqlāti<sup>pl</sup> bītāti<sup>coll</sup> [*mi-im-ma*] (26) [*sum-šu a-na*] mārī<sup>pl</sup> na-ad-nu [ù] (27) [*šum-ma m*] a-ra lá ú-la-ad [ù] (28) mārāt-sú ša <sup>f</sup>Gi-li-im-[ni-nu i-na] (29) eqlāti<sup>pl</sup> bītāti<sup>coll</sup> ištēn<sup>en</sup> mimmi i-liq-q[ì<sup>(a)</sup>] (30) ù <sup>m</sup>Šu-ri-ḫi-ilu mā-ra ša-ni-[a-na] (31) i-na muḫ-ḫi <sup>m</sup>Še-en-ni-ma la i-pu-uš (32) ma-an-nu-um-me-e i-na (33) be-ri-šu-nu ib-bá-[la-ka-tu] (34) 1 manū kaspu 1 manū ḫurāšu umallā (35) ù <sup>f</sup>Ia-la-am-pa a-na amtūti<sup>pl</sup> a-na (36) <sup>m</sup>(<sup>b</sup>) Gi-li-im-ni-nu na-ad-nu ù (37) ù (<sup>b</sup>) <sup>f</sup>Ša-ti-im-ni-nu a-na a-bu-ti itepuš (38) a-du bal-ṭu<sub>4</sub> i-pal[-la-aḫ-šú]<sup>(a)</sup> (39) <sup>f</sup>Ša-ti-im-ni-nu [ — — — ] la i-ḫé-ip-pí (40) šum-ma <sup>f</sup>Gi-li-im-ni-nu ú-la-ad ù <sup>m</sup>Še-en-ni-ma (41) aš-ša-ta ša-ni-ta i-ḫa-az (42) qa-an-na-šú ša-SAG-ma ú-uš-ši

(43) maḥar It-ḥi-ip-šarri mār Ar-ta-še-en-ni (44) maḥar Tar-mi-ia mār Šuk-ri-ia (45) maḥar It-ḥa-pu mār Nu-uz-za (46) maḥar Mār-<sup>d</sup>Ištar<sup>(e)</sup> mār A-ta-a-a (47) maḥar Ni-nu-a-ri mār Ar-te-eš-še (48) maḥar Ša-tù-ia mār Zi-gi (49) maḥar A-ar-ta-e mār En-na-mil-ki (50) maḥar A-ki-ia mār šarri<sup>ti</sup> (51) maḥar Ar-zi-iz-za mār Ka<sub>4</sub>-ri-ri (52) maḥar Na-an-na-ṭaḥ ṭupšarru (53) māru<sup>pl</sup> ri-ḥu-tù ša <sup>m</sup>Zi-gi i-na eqlāti<sup>pl</sup> [ù] bitati<sup>coll pl</sup> (54) ša ištēn<sup>en</sup> mimmi la i-qar-ri-ib-šu ṭup-pí [ina arki] (55) šu-du-ti ša<sub>7</sub>-ṭi-ir  
 Seals of the witnesses named in lines 43-46, 48, 49, and:  
 (58) aban <sup>m</sup>Eh-li-pá-pu <sup>awēl</sup>ḥa-zi-a-an-nu

a. Probably nothing else followed. b. Sic! c. *Ú*.

Tablet of adoption belonging to [Zigi] son of Akkuya; his son Shenni[ma] as son to Shu[rihil he has given.] And Shu[rihil], as far as Shennima is concerned, (5) all *these* lands, his earnings, whatever their description, one (portion) of it all to Shennima he has given. If Shurihil has a son (of his own,) firstborn (he shall be;) a double share he shall take. (10) Shennima shall then be second and according to his allotment his inheritance share he shall take. As long as Shurihil is alive, Shennima shall serve him. When Shurihil [dies,] (15) Shennima shall become h[eir.] Further, <sup>f</sup>Gilimninu as wife to Shennima has been given. If <sup>f</sup>Gilimninu bears (children,) Shennima shall not take another wife; and if <sup>f</sup>Gilimninu does not bear, (20) <sup>f</sup>Gilimninu a woman of the Lullu as wife for Shennima shall take. As for (the concubine's) offspring, <sup>f</sup>Gilimninu shall [*not*] send (them) away. Any sons that out of the womb of <sup>f</sup>Gilimninu [to She]nnima may be bor[n, (25) all the] lands, buildings, [whatever their description,] to (these) sons are given. [In case] she does not bear [a s]on, then the daughter of <sup>f</sup>Gilim[ninu of] the lands and buildings one portion shall take. (30) As for Shurihil, another son in addition to Shennima he shall not adopt.

Whoever among them breaks [the contract] shall furnish one mina of silver and one mina of gold.

(35) Moreover, <sup>f</sup>Yalampa as handmaid to <sup>f</sup>Gilimninu has been given, and <sup>f</sup>Shatimninu for supervision has been assigned. As long as she is alive, she (Yalampa) shall se[rv]e her;] and <sup>f</sup>Shatimninu [. . . .] shall not annul.

(40) If <sup>f</sup>Gilimninu bears (children) and Shennima takes another wife, her "bundle" she shall *pick up* and she shall leave.

10 witnesses.



(53) The remaining sons of Zigi with the lands and buildings of the (above) one (part of the) property shall not interfere.

The tablet was written after the proclamation.

8 seals.

This important document is unfortunately defective in several places. The reconstructions must be considered as conjectural for the most part.

1. The wills of Zigi, the dominant character of the entire family, are to be found in 20 and 21.

17. *Nadin* rather than *ittadin*, since a passive is required. A masculine verbal form with a feminine subject is also *na-ad-nu*, line 36.

18. A Lullu woman was practically synonymous with 'slave-girl.' For full material on the Lullu cf. the writer's *Mesopotamian Origins*, ch. IV.

37. For *abūtu* see above, note 18.

42. *Qannu* is a near equivalent of "dowry," cf. note 48 and remarks *a. l.*; *ša-SAG-ma* must contain a verb, though what that may be is difficult to say. Perhaps *ša* is really an imperfectly written ligature for *i-na*, in which case the verb in question would be *i-na-saq* 'shall choose.'

54. *Shall not interfere*: literally 'shall not come near it.'

### 3 (H 59)

(1)  $\text{tup-pi ma-ru-ti } \text{ša}^m \text{Še-en-ni-ma}$  (2)  $\text{mār Zi-gi } \text{ù}^m \text{Ar-zi-iz-za}$  (3)  $\text{mār Zi-gi-ma a-na ma-ru-ti}$  (4)  $\text{i-te-pu-uš um-ma}^m \text{Še-en-ni-ma-ma}$  (5)  $\text{mi-nu-um-me eqlāti}^{\text{pl ti}} \text{ù} \text{bītāti}^{\text{coll pl ti}}$  (6)  $\text{ša}^m \text{Šu-ri-ḥi-il a-na ia-ši } \text{ša}$  (7)  $\text{a-na ma-ru-ti i-te-ip-šá-an-ni}$  (8)  $\text{ù i-na-an-na a-na-ku a-na}$  (9)  $\text{mAr-zi-iz-za at-ta-din}$  (10)  $\text{1 imēr eqlī i-na } \text{ša-pá-at ḥi-ri-ti}$  (11)  $\text{a-na } \text{fŠi-wi-ir-ki-a-še mār-ti-ia at-ta}[-\text{din}]$  (12)  $\text{a-di-i } \text{fŠi-wi-ir-ki-a-še bal-tu}_4$  (13)  $\text{1 imēr eqlī an-ni-i ú-ka}_4\text{-al}$  (14)  $\text{e-nu-ma } \text{fŠi-wi-ir-ki-a-še imtūt}^{(a)}$  (15)  $\text{ù}^m \text{Ar-zi-iz-za 1 imēr eqlī an-ni-i i-liq-qī}$  (16)  $\text{ù um-ma}^m \text{Še-en-ni-ma-ma}$  (17)  $\text{fIa-la-am-pá am-ti-ia}$  (18)  $\text{a-na } \text{fZi-li-ip-ki-a-še}^{(b)}$   $\text{ummi-ia}$  (19)  $\text{at-ta-di-in a-di-i}$  (20)  $\text{fZi-li-ip-ki-a-še bal-tu}_4$  (21)  $\text{ù fIa-la-am-pá i-pal-la-aḥ-šu}$  (22)  $\text{e-nu-ma } \text{fZi-li-ip-ki-a-še imtūt}^{(a)}$  (23)  $\text{ù}^m \text{Ar-zi-iz-za fIa-la-am-pá}$  (24)  $\text{i-liq-qī}$  (25)  $\text{tup-pi ina arki šu-du-ti}$  (26)  $\text{a-šar abulli } \text{ša}^c \text{Nu-zi } \text{ša-te}_4\text{-ir}$

(27)  $\text{maḥar Eḥ-li-te-šup mār Ta-i-še-en-ni}$  (28)  $\text{maḥar } \text{Ḥa-na-a-a mār Ka}_4\text{-a-a}$  (29)  $\text{maḥar } \text{Šuk-ri-te-šup mār A-ki-ia}$  (30)  $\text{maḥar } \text{Ḥa-na-a-a mār Ka}_4\text{-ri-ru}$  (31)  $\text{maḥar } \text{Ḥa-na-a-a mār Ar-wi-ia}$  (32)  $\text{maḥar Ar-taš-še mār It-ḥi-iš-ta}$  (33)  $\text{maḥar Ut-ḥap-ni-ra-ri mār Eḥ-li-te-šup}$  (34)  $\text{maḥar Ur-hi-ia mār A-ḥu-ia}$  (35)  $\text{maḥar Eḥ-li-te-šup mār Ša-tù-gi-wi}$  (36)  $\text{maḥar Tù-ra-ar-te-šup tupšar-rum}$  (37)  $\text{mār Gi-el-te-šup}$

Seals of the witnesses named in lines 34, 27, 29, 32, 33, 36, and of Annishu son of Hamanna (42 b) <sup>awēl</sup>ma-šar abulli.

a. *BA .BAD.* b. Copy has *li*, a scribal error.

Tablet of adoption of Shennima son of Zigi, whereby he adopted Arzizza, also son of Zigi.

And thus (says) Shennima: (5) "All the lands and buildings, which Shurihil (deeded) to me on taking me into sonship, I am now giving to Arzizza. (10) One imer of land, on the bank of the canal, to my daughter <sup>f</sup>Shiwirkiashe I have given. As long as <sup>f</sup>Shwirkiashe lives, she shall retain that one imer of land. When <sup>f</sup>Shwirkiashe dies, (15) Arzizza shall receive the one imer of that land." Thus further (says) Shennima: "My handmaid <sup>f</sup>Yalampa to Zilipkiashe, my mother I have given. As long as (20) <sup>f</sup>Zilipkiashe is alive, Yalampa shall serve her; when Zilipkiashe dies, Arzizza shall take <sup>f</sup>Yalampa."

(25) The tablet was written after the proclamation in the gate of <sup>c</sup>Nuzi.

9 witnesses and signature of scribe; 7 seals, the last one being the gate-keeper's.

7. For the adoption of Shennima cf. the preceding document.

17. For the transfer of Yalampa to two other women see 40.

25. Note *tuppi* for *tuppu*, probably influenced by the numerous cases in which the word is followed by a genitive.

#### 4 (H 7)

(1) um-ma <sup>m</sup>Zi-gi-ma mār Ak-ku-ia (2) mār-ia <sup>m</sup>Še-el-lu-ni a-na (3) ma-ru-ti a-na A-kap-še-en-ni (4) mār Zi-gi nadnu<sup>nu</sup> i-na eqlāti<sup>pl</sup>-ia (5) ù i-na bītāti<sup>pl</sup>-ia la sù-um-mu-uḫ (6) ù la i-zu-uz-zu šum-ma <sup>m</sup>Zi-gi (7) i-na ur-ki <sup>m</sup>Še-el-lu-ni i-ša-as-sí (8) 1 manū kaspu 1 manū ḫurāšu (9) a-na <sup>m</sup>A-kap-še-en-ni ú-ma-al-la (10) um-ma <sup>m</sup>A-kap-še-en-ni-ma šum-ma mār-ia (11) ša ú-ul-la-du<sub>4</sub> i-bá-aš-ši (12) rabū ù 2 ziāti<sup>pl</sup> i-liq-qì (13) lu-ú-u aš-ša-as-sú ša <sup>m</sup>A-kap-še-en-ni (14) ma-ra ša ú-ul-la-du<sub>4</sub> ù rabū (15) <sup>m</sup>Še-el-lu-ni te-ir-te-en-nu (16) <sup>f</sup>Til-ku-uš-ḫé mārāt Ma-li-ia (17) a-na a-bu-ti a-na <sup>m</sup>Še-el-lu-ni i-te-pu-uš (18) a-du<sub>4</sub> <sup>m</sup>A-kap-še-en-ni ù (19) <sup>f</sup>Til-ku-uš-ḫé bal-ṭu<sub>4</sub> (20) ù <sup>m</sup>Še-el-lu-ni i-pal-la-aḫ-šu-nu-ti (21) šum-ma <sup>m</sup>Še-el-lu-ni i-na pí-i (22) ša <sup>m</sup>A-kap-še-en-ni ù <sup>f</sup>Til-ku-uš-ḫé (23) la i-še-im-me šum-ma a-na pa-ni daiāni<sup>pl</sup> (24) ú-še-el-lu-šu-nu-ti (25) šum-ma ša-ni-a-na šum-ma šašši<sup>ši</sup>-šu (26) ú-še-el-lu-šu-nu-ti (27) ù qí-ir-ba-an-šu ša (28) <sup>m</sup>Še-el-lu-ni <sup>m</sup>A-kap-še-en-ni (29) ù <sup>f</sup>Til-ku-

uš-hé (30) i-hé-ip-pé-šu-nu-ti (31) ma-an-nu-me-e i-na be-ri-šu-nu (32) ibal-katu<sup>tu</sup>, 1 manū kaspu (33) 1 manū ḥurāšu ú-ma-al-la

(34) maḥar It-ḥa-a-pu mār Wa-an-ti-ia (35) maḥar Eḥ-li-pa-<pu> mār Nu-pa-na-ri (36) maḥar Tu-ra-ri mār El-ḥi-ip-šarri (37) maḥar Eḥ-li-pa-pu mār Ut-ḥap-ta-e (38) ma-ḥar A-kip-šarri mār Bēl-kit-ta<sup>(a)</sup> (39) maḥar Ut-ḥap-ta-e mār Zi-gi (40) maḥar Gi-en-ni mār Ḥa-ma-an-na (41) maḥar A-kap-ta-e mār Wa-an-ti-ia (42) maḥar Ḥa-ni-ù mār Ka<sub>4</sub>-ak-ki (43) maḥar Ḥu-pí-ta mār Ḥa-ma-an-na (44) maḥar Te-ḥi-pa-pu mār Gi-el-ša-pu (45) maḥar A-pa-zí mār Ma-li-ia (46) maḥar Na-aš-wu KI.MIN maḥar Ur-ḥi-ia KI.MIN (47) maḥar Na-an-za-taḥ ṭupšar-rum

Seals of the witnesses in lines 35, 38, 39, 44-47, and of Zigi.

a. Or perhaps Hurrian: *BE.TAR.TA* (*Til-kit-ta?*)

Thus (says) Zigi son of Akkuya: "My son Shelluni into sonship to Akapshenni son of Zigi has been given; of my lands (5) and of my buildings he shall have no part or share. If Zigi raises claims on account of Shelluni, he shall furnish to Akapshenni one mina of silver and one mina of gold." (10) Thus (says) Akapshenni: "If I have a born son, he shall be the elder; accordingly, he shall receive a double share. Indeed which(ever) wife of Akapshenni bears a son, he shall be the elder; (15) Shelluni shall be second. <sup>f</sup>Tilkushhe daughter of Maliya for supervision to Shelluni has been assigned. As long as Akapshenni and <sup>f</sup>Tilkushhe live, (20) Shelluni shall serve them. In case Shelluni fails to obey Akapshenni and <sup>f</sup>Tilkushhe, if he causes them to appear before the judges; (25) if for the second and for the third time he causes them to appear, then the *relationship* of Shelluni Akapshenni and <sup>f</sup>Tilkushhe (30) shall annul. Whichever among them breaks the agreement shall furnish one mina of silver and one mina of gold.

15 witnesses; 8 seals.

What is particularly significant about this document is the fact that A. adopts, at the instance of his father, a brother of his own, apparently a younger one. It would be interesting to know whether sentiment or economic considerations played the main part in this transaction.

16. Tilkushhe is the wife of A.; cf. the will in 22. Thus *ana abūti* amounts practically to 'as co-parent,' although the noun is probably unrelated to *abu* 'father.'

27. For *qirbānu* (?) cf. notes 20-21 and the discussion *ad loc.*

30. *Iḥeppešunūti* for *iḥeppūšu*; this curious confusion between verb in plural + singular object suffix with singular verb and plural suffix is not uncommon in these tablets. Cf. e. g., *ziṭti-šunu* for *ziṭti-šu*, 16.4; *mārūpl* . . . *ipalaḥ-šunūti* for *ipalaḥū-ši*, the plural suffix being due to the plural subject, 20.13; *mārūpl* . . . *ušēši-šunu* for *ušēšū-ši*, *ib.* 30.

## 5 (H 66)

(1)  $\text{ṭup-pí mārū-ti}$  (2)  $\text{ša } ^m\text{A-kap-ur-ḫi}$  (3)  $\text{arad } ^m\text{Ši-il-wi-te-šup}$  (4)  $\text{ù } ^f\text{Na-aš-mu-un-na-a-a}$  (5)  $\text{aššat } ^m\text{Ši-il-wi-te-šup}$  (6)  $\text{a-na mārū-ti itepuš}^{u\text{š}}$  (7)  $\text{um-ma } ^m\text{A-kap-ur-ḫi-ma}$  (8)  $\text{mi-nu-um-me-e eqil ti-de}_4\text{-en-ni}$  (9)  $\text{ka}_4\text{-l[u]m-ma-ni-ia}$  1  $\text{mimmu-[i]a}$  (10)  $\text{pu-uḫ-ri-ia}$  (11)  $\text{a-na } ^f\text{Na-aš-mu-un-na-a-a}$   $\text{nadnu}$  (12)  $\text{šum-ma } ^m\text{Šu-ši-ia}$  (13)  $\text{Na-aš-mu-un-na-a-a}$  (14)  $\text{i-pal-laḫ-šu}$  (15)  $\text{mi-nu-um-mi-e ša p[ī ṭup-pí an-ni-i]}$  (16)  $\text{Na-aš-mu-un-na-a-a}$   $\text{a-na } ^m\text{Šu-ši-ia i-[na-an-din]}$  (18)  $\text{šum-ma } ^m\text{Šu-ši-ia}$  (19)  $\text{Na-aš-mu-un-na-a-a}$  (20)  $\text{la i-pal-la-aḫ-[šu]}$  (21)  $\text{mi-nu-um-me-e}$  (22)  $\text{ša pī ṭup[-pí an-ni-i]}$  (23)  $\text{ù } ^f\text{Na-aš-mu-un-na-a-a}$  (24)  $\text{a-šar ha-de}_4\text{-e i-na-an-din}$

(25)  $\text{um-ma } ^m\text{A-kap-ur-ḫi-ma}$  (26) 1  $\text{imēru } 5 \text{ awiḫari} \langle \text{sēu} \rangle^{pl(a)}$  2  $\text{RI.NI}$  [ — — ] (27) 1  $\text{sí-a-na-tum}$  1  $\text{sí-ri [-am ša]}$   $\text{siparri}$  (28)  $\text{ištēnū}^{nu}\text{-ti } ^i\text{eršī}$   $\text{an-nu-tum}$  (29)  $\text{ša nu-wa-aš-ši-wa ša } ^f\text{U-me-ia}$  (30)  $\text{ù i-na-an-na a-na } ^f\text{U-me-ia}$  (31)  $\text{nadnu}$

(32)  $\text{maḫar } ^m\text{Ir-wi-a-ri } ^{aw}\text{ḫin-ka}_4\text{-rum}$  (33)  $\text{maḫar } ^m\text{Ḫa-tar-te mār Še-na-a-a}$  (34)  $\text{maḫar } ^m\text{A-kap-še-ni mār Arta-še-ni}$  (35)  $\text{maḫar } ^m\text{Ḫa-na-a-a mār Ka}_4\text{-ti-ri}$  (36)  $\text{qāt } ^m\text{Ši-pur-ša mār Tar-mi-til-la}$

Seals of the above witnesses except Hatarte, and of *Ar-pu-ru-ša*,<sup>(b)</sup> the scribe.

a. Text has only three vertical wedges followed by *MEŠ*. The above reconstruction is, therefore, uncertain. b. In line 36 we have the scribal signature of *Ši-pur-ša*, while on the seal the scribe calls himself *Ar-pu-ru-ša*. Cf. note.

Tablet of adoption of Akapurhi servant of Shilwiteshup, whereby  $^f\text{Nash-munnaya}$ , (5) wife of Shilwiteshup, he adopted. Thus (says) Akapurhi: All the security lands, all my household, one (part of) everything that I own, (10) which I have amassed, to  $^f\text{Nashmunnaya}$  I have given. If Shushiya will serve  $^f\text{Nashmunnaya}$ , (15) everything [mentioned in this tablet]  $^f\text{Nashmunna[ya]}$  to Shushiya [shall give.] If Shushiya  $^f\text{Nashmunnaya}$  (20) does not serve, everything that is mentioned in [this] tablet  $^f\text{Nashmunnaya}$  may give to whomever she pleases."

(25) Thus further (says) Akapurhi: "One imer (and) 5 *awiḫari* <of grain,> 2 — —, one headdress, one armor of bronze, one bedstead, these (things,) which were — — — of  $^f\text{Umeya}$ , (30) now to  $^f\text{Umeya}$  I have given."

5 witnesses, the first one being a husbandman; signature of the scribe; 6 seals.

8. *Eqil tidenni* represents the interest in the lands held as security. Whatever may be the etymology of *tidennu/tidennūtu* (the first dental may be voiced and the second voiceless), the translation is ad sensum and not ad nomen.

10. *Puḫru* is probably synonymous with *mānaḫātu*; cf. 18. 6.

27. *sianātum* corresponds to Aramaic 𐤍 𐤓 𐤕 'a kind of headdress.'

29. *Nu-wa-aš-ši-wa* is untranslatable; it is probably a Hurrian word.

36. Is the *ši* in *šipurša* an error for *Ar*, the second part of the sign having been omitted by mistake? On the seal of the same person the name appears as *Ar-pu-ru-ša* (line 40).

## 6 (H 57)

(1) ṭup-pí ma-ru-ti ša <sup>m</sup>E-te-eš-še-en-ni (2) mār Na-ni-ia mār-šu <sup>m</sup>Pal-te-šup (3) a-na ma-ru-ti a-na <sup>m</sup>Til-la-a-a (4) mār Kip-ta-e iddin-nu ù <sup>m</sup>Til-la-a-a (5) <sup>m</sup>Pal-te-šup aššata ú-ša-aḫ-az-zu (6) ù a-du<sub>4</sub> <sup>m</sup>Til-la-a-a bal-ṭù (7) ù <sup>m</sup>Pal-te-šup i-pal-la-aḫ-šu (8) im-ma-ti-me-e <sup>m</sup>Til-la-a-a im-tù-ut (9) ù <sup>m</sup>Pal-te-šup aššat-sú qa-du še-ir-ri-šu (10) ù 2 imēr eqlāti<sup>pl</sup> ina <sup>c</sup>Za-mi-te i-li-iq-qì (11) ù šu-ú il-ka<sub>4</sub> it-ti mār<sup>pl</sup> <sup>m</sup>Til-la-a-a (12) na-ši ù šum-ma la na-ši (13) aššat-sú ù še-ir-ra-šu i-li-iq-qì (14) ù eqlāti<sup>pl</sup> i-iz-zi-ib ù ú-uṣ-ši (15) [ma]-an-nu-um-me-e ina be-ri-šu-nu (16) [iba]lkatu<sup>tù</sup> 6 alpā<sup>pl</sup> damqa<sup>qa</sup> ú-ma-al-la (17) [ṭup-p]í ina arki šu-du-ti (18) [ina] <sup>c</sup>Nu-zi ina bá-ab abulli (19) ša-tì-ir

(20) maḫar <sup>d</sup>Sin-ir-ra-me-ni mār E-r[i]-šu (21) maḫar Ṭab<sup>(a)</sup>-ar<sup>(b)</sup>-ra-ap-ḫé mār Ka<sub>4</sub>-pí-in-ni (22) maḫar Ku-un-nu-ia a-bu-ul-ta-nu (23) maḫar E-ḫe-el-te-šup mār Ta-i-še[-ni] (24) maḫar A-kap-še-en-ni mār Zi-gi (25) maḫar Šuk-ri-ia mār Sin-nap-šir ṭupšarru

a. *DUG.GA.* b. *ar* written twice.

Tablet of adoption of Eteshshenni son of Naniya; his son Palteshup into sonship to Tillaya son of Kiptae he has given. And Tillaya (5) for Palteshup shall procure a wife; and as long as Tillaya is alive, Palteshup shall serve him. When Tillaya dies, Palteshup his wife together with her offspring (10) and 2 imer of lands in <sup>c</sup>Zamite shall receive. He is, further, to bear the feudal tasks together with the sons of Tillaya; if he does not bear them, the lands he shall give up and he is free. (15) Whoever among them breaks the agreement shall furnish 6 sound oxen.

The tablet was written after the proclamation in <sup>c</sup>Nuzi, in the entrance of the gate.

7 witnesses; 7 seals.

16. The fine of "six sound oxen" is a departure from the usual norm of "one mina of gold and one mina of silver."

## 7 (H 65)

(1) ʔup-pí mārūti<sup>(a)</sup> (2) ša m<sup>m</sup>A-ku-ia<sup>(b)</sup> a-na mārūti<sup>(a)</sup> i-pu-šu (3) m<sup>m</sup>A-ri-ia a-na mārūti<sup>(a)</sup> i-pu-šu (4) i-na eqli ù *bitāti*<sup>(c)pl</sup> ù-sí-mi-ḥu-eš (5) m<sup>m</sup>A-ku-ia ù ma-ra-sú ma-la-ḥa-mi-iš i-zu-zu (6) m<sup>m</sup>Tu-ul-pu-na-ia (7) šu-ma ša-na ma-ra i-pu-uš i<na> eqli ù *biti*<sup>(c)</sup>

(8) maḥar Ki-ni-ia mār Pu-i-ta-i (9) maḥar Zi-pá-tá-al mār Pu-i-ta-i (10) maḥar A-kà-ia mār Ki-i-zu-ia (11) maḥar Še-kà-ru mār Pu-hi-še-ni (12) maḥar Za-ar-mi-ia ma-ar Ta-tù-'lum (13) maḥar Nu-ur-ri-ia mār Ha-lu<sub>4</sub>-še-en-ni (14) maḥar Šu-mi-ia mār Zi-pa-ia ša-gi (15) maḥar Ar-na-ma-ar mār A-pa-a-a-zi-ni (16) maḥar Nu-ri-ia mār d<sup>d</sup>Sin-tá-ak-la-ak (17) maḥar ʔl-i-ki<sup>(d)</sup>-ša mār d<sup>d</sup>Sin-tá-ak-la-ak (18) maḥar Ki-li-ip-šarri mār I-ša-ku (19) maḥar [ — — ] ḥa-ia mār Ki-in-ni-ia (20) maḥar [ — — — ]ia<sup>(e)</sup> nu-a-ri (21) maḥar Ma-ru-ka-ia mār A-pa (22) maḥar Sin-a-a-pá-rum mār Sin-tá-ak-la-ak (23) maḥar Sin-ibni ʔupšarrum

*a. TUR.* *b.* Written very badly, over an erasure. It should be pointed out that the whole tablet is written very poorly, apparently by a novice, or perhaps as a draft to be rewritten later, which may explain the absence of seals. *c.* The sign as it stands is *GIŠ*, but there can be little doubt that *Ḫ* is meant. *d.* Written *dī*. *e.* Or is *nu-a-ri* part of the name?

Tablet of adoption, whereby Akuya was taken into sonship; Ariya adopted him. Of his lands and his buildings he made him joint heir. (5) Akuya and his daughter shall receive equal portions, (As for) Tulpunnaya, *him* as second son he shall adopt with regard to land and building(s).

16 witnesses.

As stated above (textual note *b*), the tablet is full of errors and omissions; consequently, the translation is not entirely certain.

6-7. The above translation assumes that *šu-ma* is intended as a pronoun, and that the statement is complete. But in view of the defective writing of the tablet it is not impossible that *šu-ma* stands for *šum-ma*; in that case something like *šaššumma itepuš* would have to be supplied, the general sense being then 'if Tulpunnaya is adopted as the second son, the adoptive father shall forfeit his lands and buildings.'

## 8 (H 21)

(1) um-ma m<sup>m</sup>Ki-pá-al-ru-um-ti-ma (2) mār Ḫa-ni-ku mār-ia (3) m<sup>m</sup>Zi-ir-te-šup *qí-ir-bá-an-šu* (4) i-na pa-na-nu eḫ-te-pé (5) ù i-na-an-na a-na ma-ru-ti-im-ma (6) ut-te-ir-šu ù marū rabū šu-ú (7) 2-šu zitta i-liq-qí (8) ù al-lu-tu<sub>4</sub> mārū<sup>pl</sup>-ia (9) ri-ḥu-tu<sub>4</sub> i-na ar-ki m<sup>m</sup>Zi-ir-te-šup (10) ki-ma emūqī<sup>pl</sup>-šu-nu-ma zitta (11) i-liq-qú-ú

(12) maḥar Gi-el-til-la mār Gi-li-ia ḥa-za-an-nu (13) maḥar A-kap-še-en-ni

mār Zi-gi (14) maḥar Gi-el-te-ia mār Ar-zi-iz-za (15) [maḥar H]u-pí-ta mār [ — — — ] (16) [maḥar H]a-na-ak mār [še- — — ] (17) [maḥar In]-ni-ka<sub>4</sub>-a-a m[ār — — — ] (18) [maḥar <sup>d</sup>Nabū]-ilu<sup>(a)</sup> ṭup[šarru] (19) [maḥar — — — — — ]

Seals of the first six witnesses.

a. [AN.AK.] AN.RA

Thus (says) Kipalrumti son of Haniku: “(As regards) my son Zirteshup, I at first annulled his *relationship*; (5) but now I have restored him into sonship. He is the elder son and a double share he shall receive. And my other remaining sons after Zirteshup, (10) according to their allotment only, shall receive their portions.

6 witnesses and scribe; 6 seals.

1. The name could perhaps be also read Kipalrutupti; cf. e. g., *Ar-ru-tup-pá*, 21. 56. On the other hand, we have *A-ri-im-tu-ri* with *m* (32. 4, 6). Cf. also *A-ri-il-lu-um-ti*, H. 12. 11, and *Ar-ru-um-ti* H. 83. 2, and H. 91. 2.

4. We could also read *iḥtepe* ‘he broke, annulled;’ but in view of what follows the first person seems more logical.

12. Note the name of the *ḥazannu* who is the first witness. Was his participation due to the serious nature of the document?

9 (H 62)

(1) ṭup-pí ma-ru-ú-ti ša <sup>m</sup>Šuk-ri-ia [mā]r Zu-un-nu-ut-ti (2) ša <sup>m</sup>Še-el-wi-ia ù ša <sup>m</sup>Šu[-ru-*uk*]-ka-a-a (3) 2<sup>(a)</sup> awēlūtu<sup>pl</sup> an-nu-tu aḥhū<sup>pl</sup> (4) <sup>m</sup>Ak-ku-ia mār Ka-ti-ri ù <sup>m</sup>Šu-ri-iḥ-ilu (5) a-na ma-ru-ti i-te-ip-šu-šu-nu (6) ki-ma zitti-šu-nu 3 a-wi-ha-ri eqlu (7) i-na dimit Ka-ti-ir-ri (8) i-dì-na-aš-šu-nu

(9)<sup>(b)</sup> ù <sup>m</sup>Ak-ku-ia mār Ka-ti-ri (10) a-na 3 awēlūti<sup>pl</sup> an-nu-ti (11) 10 šiqļu<sup>(c)</sup> kaspu šar-pu i-dì-na-aš-šu-nu

(12)<sup>(b)</sup> ma-an-nu ša <ibalkatu> 1 manū kaspu 1 manū ḥurāšu (13) i-na-an-dì-in (14) šum-ma eqlu pa-qí-ra-na (15) ir-ta-ši ù 3 awēlūtu (16) an-nu-tu u-za-ak-ku-ma (17) a-na <sup>m</sup>Ak-ku-ia i-na-an-<dì-nu>

(18) maḥar <sup>m</sup>Ku-ma-mu mār Ar-ḥi[ — — ] (19) maḥar <sup>m</sup>Am-ma-ku mār Ū-lu-t[í — — ] (20) maḥar <sup>m</sup>Ta-a-ú-ki mār Hap-pi-š[e-en-ni] (21) maḥar <sup>m</sup>Pu-ḥi-še-en-ni mār Wa-an[-ti-ia] (22) maḥar <sup>m</sup>H]a-na-ak-ka mār Še-kà-ru (23) maḥar <sup>m</sup>A-ri-gi-el-pí (24) mār Tup-ki-ia (25) maḥar <sup>m</sup>Wa-qar-Bēli ṭupšarru

Seals of Shurukkaya, Tayuki, and the scribe.

a. Most likely a mistake for 3. It is not impossible, however, that the number refers to the *latter* 2. b. Marked on the tablet by a dividing line. c. *SU*.

Tablet of adoption of Shukriya son Zunnutti, of Shelwiya, and of Shu[ru]-kaya, these *three* men being brothers; Akkuya son of Katiri, and Shurihil, (5) they adopted. As their inheritance share, 3 awihari of land in the Katirri district they have given to them: and Akkuya son of Katiri, (10) to those 3 men 10 shekels of purified silver has given.

Whoever breaks the contract one mina of silver and one mina of gold shall furnish. If the land has a claimant, (15) these 3 men shall clear it, to Akkuya they shall deliver it.

7 witnesses; 3 seals.

11. 'Shekel' is expressed by SU as in the Amarna Letters; cf. Knudtzon, *Die el-Amarna Tafeln* (1915), p. 1522. The nominative *šar-pu* after 10 SU is worth noting.

### 10 (H 64)

(1) ʔup-pí ma-ru-ti ša Šuk-ri-ia ù (2) ša <sup>m</sup>Šu-ru-ka<sub>4</sub>-a-a <sup>m</sup>Ak-ku-ia (3) mār Kà-ti-ri a-na ma-ru-ti i-te-pu-uš (4) 6 a-wi-ḥa-ri eqlāti<sup>pl</sup> i-na <dimit> Kà-ti-ri (5) a-na <sup>m</sup>Ak-ku-ia id-dì-nu (6) ù <sup>m</sup>Ak-ku-ia a-na <sup>m</sup>Šu-ru-ka<sub>4</sub>-a-a (7) ù a-na Šuk-ri-ia 20 manū erū (8) 2 imēr šēū<sup>pl</sup> id-dì-nu (9) ma-an-nu ša ibalkatu<sup>th</sup> 1 manū kaspu (10) 1 manū ḥurāṣu išaqa<sup>(a)</sup>

(11) maḥar Šu-pá-a-a mār Ar-ta-a-ri (12) maḥar I-ri-šu mār Id-dì-nu (13) maḥar Nu-ri-ia mār Zi-ip-pa-ar-zi (14) maḥar Ti<sub>4</sub>-hi-pá-pu mār Ni-iḫ-ri-ia (15) maḥar Ta-a-e mār A-ri-ku-šu (16) maḥar Gi-li-ia mār Ka-ti-r[i] (17) maḥar Ta-a-a mār A-ri-ia (18) maḥar A-ru-ma-ri mār El-ḫi-ip-šarri (19) maḥar Še-el-wi-ia mār Ar-zi-ka<sub>4</sub>-ri (20) maḥar Šu-uk-ra-pu mār <sup>m</sup>Ḥu-ti-ia

Seals of the scribe (Arimmatka), of Tehipapu, Shukriya, and Nuriya.

#### a. *Ī.LAL.E.*

Tablet of adoption of Shukriya and of Shurukaya; Akkuya son of Katiri they adopted. 6 awihari of land in <the district of> Katiri (5) to Akkuya they have given. And Akkuya to Shurukaya and to Shukriya 20 minas of copper, (and) 2 imer of grain has given. Whoever breaks the contract shall pay (10) one mina of gold and one mina of silver.

10 witnesses; 4 seals.

12. The name *Irišu mār Iddinu*, 'He asked' son of 'He has granted' is worth noting.

### 11 (H 61)

(1) ʔup-pí ma-ru-ti ša <sup>m</sup>Tù-ra-ri mār Kà-wi-na-ni (2) <sup>m</sup>A-ku-ia mār Ka<sub>4</sub>-ti-ri a-na (3) ma-ru-ti i-pu-sú 3 awihari<sup>(a)</sup> eqlu (4) <sup>m</sup>Tù-ra-ri a-na



<sup>m</sup>A-ku-ia i-din (5) ù <sup>m</sup>A-ku-ia 20 šiqlu<sup>(b)</sup> kaspu ki-mu qīšti (6) a-na <sup>m</sup>Tù-ra-ri i-din (7) ma-an-nu-me i-na be-ri-šu-nu (8) i-bal-kà-tu 1 manū kaspu 1 manū ħurāšu i-na-din

(9) maḥar Šu-pá-<sup>(c)</sup>ia mār Ar-ta-ri (10) maḥar Ni-nu-a-ri mār Šupur-<sup>d</sup>Adad<sup>(d)</sup> (11) maḥar Ĥa-ma-an-na mār Ka<sub>4</sub>-wi-na-ni (12) maḥar Šur-ku-ma-ri mār Ka<sub>4</sub>-wi-na-ni (13) maḥar Ĥa-ma-an-na mār Šuk-ri-ia (14) ša eqla il-wu-ú (15) maḥar Ta-a-a mār E-en-ša-ru (16) ma-si-en-nu ša <sup>m</sup>E-wi-ra-pí-li (17) maḥar Šar-ri-ia mār Na-ni-ia (18) maḥar It-ha-pí-ḥé ṭupšarru (19) mār Ta-a-a

Seals of Ninuari, Taya, and the scribe.

*a. APIN. b. SU. c.* An *a* was first written before *ia*, but was subsequently erased. The scribe intended apparently to write *ia* as *a-a*, which is the usual procedure after an *a*-vowel, but later wrote *ia*, a sign which is otherwise used after dissimilar vowels. *d. DUBBIN. AN. IM.* Cf. Clay, *Personal Names of the Cassite Period* (1912), 146.

Tablet of adoption of Turari son of Kawinani; Akkuya son of Katiri he adopted. 3 awihari of land Turari to Akkuya has given. (5) And Akuya 20 shekels of silver, as honorarium, to Turari has given. Whoever among them breaks the contract shall pay one mina of silver and one mina of gold.

Names of 5 witnesses,

(14) who surveyed the fields.

3 other witnesses; 3 seals.

15. The full spelling of *E-en-ša-ru* is very valuable, as it indicates that the sign EN need not be transliterated *bēl* in these texts, except where the name is definitely Semitic. But how are we to be sure whether every Akkadian-sounding name is really Semitic? Certainly *šarru* or *abu* do not look Hurrian at first sight. Nevertheless, compounds like *En-šarru* or *Ehliḫ-apu* establish the non-Semitic character of these elements.

16. The witness is described as a *ma-si-en-nu* of E. The word is probably identical with *asennu/wasennu*, which means 'eunuch.'

## 12 (H 58)

(1) ṭup-pi ma-ru-ti ša (2) <sup>m</sup>Ir-wi-šar-ri mār Na-ḫi-iš-šal-mu (3) ù <sup>m</sup>Zi-gi mār Ak-ku-ia (4) a-na ma-ru-ti i-te-pu-uš (5) mi-nu-um-me-e zittu-šu (6) ša <sup>m</sup>Ir-wi-šar-ri i-na bīt (7) <sup>m</sup>Na-ḫi-iš-šal-mu ša i-li-qú-u (8) ù a-na <sup>m</sup>Zi-gi it-ta-dì-in (9) emūqa-šu ul-te-li ù emūq-šu (10) ša <sup>m</sup>Zi-gi il-ta-ka-an (11) ù il-ka<sub>4</sub> <sup>m</sup>Zi-gi-ma na-ši (12) ù ħu-ub-bu-ul-tum <sup>m</sup>Zi-gi-ma ú-ma-al-la (13) ma-an-nu-um-me-e ša i-na (14) bi-ri-šu-nu i-ba-la-ka-tu<sub>4</sub> (15) 1 manū kaspu ù 1 manū ħurāšu (16) ú-ma-al-la

(17) maḥar Ta-e mār Še-el-la-pá-i (18) maḥar Ip-ša-a-a mār E-ra-ti (19) maḥar Te-ḥu-um-še-en-ni mār Na-ni-ia (20) maḥar Ta-e-na mār E-ra-ti (21) maḥar U-na-ap-ta-e mār A-ri-wi-kál-še (22) maḥar Kār-ra-te mār Ki-pá-an-ti-il (23) maḥar Ur-ḥi-ia mār Ta-e (24) maḥar A-ri-ka-ma-ri mār Ka-ri-ru (25) maḥar Al-ki-te-šup ṭupšar-rum mār Wa-qar-Bēli

Seals of the witnesses given in lines 17, 20, 21, 22, 25.

Tablet of adoption of Irwisharri son of Nahishshalmu, whereby he adopted Zigi son of Akkuya: (5) The entire inheritance share which was received from the estate of Nahishshalmu has been given to Zigi. His own portion he (i. e., Irwisharri) shall cancel and the portion (10) of Zigi substitute; and Zigi shall bear the feudal tasks, and the debt Zigi shall repay. Whichever of them breaks the agreement (15) shall furnish one mina of silver and one mina of gold.

9 witnesses; 5 seals.

9-11. The passage means apparently that I. is to give up his rights to the portion in question by transferring them upon Zigi.

### 13 (H 63)

(1) ṭup-pí ma-ru-ti ša Ku-un-tal (2) mār I-wi-ra-tù-ú-pí <sup>m</sup>Ar-na-wa-ar (3) <sup>awšl</sup>Ha-ni-kal-bat a-na ma-ru-ti (4) i-te-pu-uš bītāti<sup>pl</sup> i-na lib-bi <sup>c</sup>Nu-zi (5) <sup>m</sup>Ku-un-tal a-na Ar-na-wa-ar ki-ma zitti-šu (6) id-dì-na-aš-šu ù Ar-na-wa-ar (7) a-na Ku-un-tal 20 šiqlu<sup>(a)</sup> kaspu id-dì-na-aš-šu (8) ma-an-nu-um <me> ibalkatu<sup>tu(b)</sup> 1 manū kaspu (9) 1 manū ḥurāšu išaḡal<sup>(c)</sup>

10) maḥar A-ḥu-ú-ni na-gi<sub>5</sub>-ru mār Ta-a-e (11) maḥar Ar-kà-pí-en-ni mār Ar-te-eš-šup (12) maḥar Ar-nu-ur-ḥi mār Tá-al-mu (13) maḥar Kà-pí-en-ni mār Ar-ti-ir-wi (14) maḥar Ar-ša-ši mār Wi-ir [ — — ] (15) maḥar Un-te-šup mār A-ku-š[e-en-ni] (16) maḥar Te-ḥi-ia mār A-ku-še-en-ni (17) maḥar A-ri-maš-ni<sup>(d)</sup> mār <sup>d</sup>Adad-ša[rru] (18) maḥar Wa-ar-te-eš-tar mār Sin-[ — — ] (19) maḥar Ha-še-taš[-] mār Ša[ — — ] (20) maḥar A-ri-im-ma-at-ka<sub>4</sub> [ṭupšarru]

(21) Seals of the scribe, Kuntal and Ahuni.

*a. SU.* Scribe wrote GA for BAL. *c. Ì.LAL.E.* *d.* Or are the two signs (written very closely together) to be taken as šuk?

Tablet of adoption of Kuntal son of Iwiratupi; Arnawar, the man of Hanigalbat, he adopted. Buildings within <sup>c</sup>Nuzi (5) Kuntal to Arnawar as

his portion has given; and Arnawar to Kuntal 20 shekels of silver has given. Whoever breaks the contract shall pay one mina of silver and one mina of gold.

11 witnesses; 3 seals.

1. For the reading *Kun-tal* rather than *Kun-ri*, cf. such names as *šati-kintar* and *Turi-kuntar*, 33. 4.

2. *Iwira-tupi*: the first element is probably identical with the corresponding part in *Ewira-pili*, 11. 16; see above, note 5.

3. For a full discussion of the name *Hanigalbat*, cf. the writer's *Mesopotamian Origins*, Chap. V; see also H. 35. 5.

#### 14 (H 56)

(Case)  $\text{tup-pu } \text{ša } 9 \text{ manū anāku}^{\text{pl(a)}} \text{ša}$

Šuk-ri-te-šup

<sup>abankunuk</sup> Šuk-ri-te-šup

Tablet

(1)  $\text{tup-pi ma-ru-ti } \text{ša}$  (2)  $^{\text{m}}\text{Šuk-ri-te-šup mār Ar-ru-um-ti}$  (3)  $\text{ù } ^{\text{m}}\text{Ku-un-nu mār Tar-mi-ia}$  (4)  $\text{a-na ma-ru-ti i-te-pu-uš}$  (5)  $\text{ki-ma zitti-šu } 8$  <sup>isawihari</sup>(b)  $\text{eqlu } \text{ši-qú-ú}$  (6)  $\text{ina } ^{\text{c}}\text{Nu-zi i-na } \text{ša-pá-at}$  (7)  $\text{a-tap-pí Sa-ra-e ina } \text{šu-pa-al}$  (8)  $\text{eqli } \text{ša } ^{\text{m}}\text{Wa-qar-Bēli}$   $\text{ina il-ta-na-an-nu}$  (9)  $\text{eqli } \text{ša } ^{\text{m}}\text{Wa-qar-Bēli-ma}$  (10)  $\text{i-na e-li-en-nu eqli } \text{ša}$  (11)  $^{\text{m}}\text{Aš-tar-te-šup ki-ma zitti-šu}$  (12)  $^{\text{m}}\text{Šuk-ri-te-šup a-na } ^{\text{(c)}}\text{Ku-un-nu i-din}$  (13)  $\text{ù } ^{\text{m}}\text{Ku-un-nu i-na } \text{ūmi}^{\text{mi}}$   $\text{an-ni-i}$  (14)  $9 \text{ manū anāku}^{\text{pl}}$   $\text{ki-ma}$  (15)  $\text{qīšti-šu a-na } ^{\text{m}}\text{Šuk-ri-te-šup}$  (16)  $\text{i-din um-ma } ^{\text{m}}\text{Šuk-ri-te-šup-ma}$  (17)  $\text{eqla}^{\text{(d)}}$   $\text{ša-a-šu a-na } \text{ti}_4\text{-de}_4\text{-en-nu-ti}$  (18)  $^{\text{m}}\text{I-la-an-nu mār Ta-i-ú-ki}$  (19)  $\text{ki-ma } 5 \text{ imēr } \text{šēi}^{\text{pl}}$   $\text{ki-ma}$  (20)  $20 \text{ manū } \text{šipāti}^{\text{pl}}$   $\text{ki-ma}$  (21)  $3 \text{ manū anāku}^{\text{pl}}$  (22)  $\text{ú-ka}_4\text{-al im-ma-ti-me-e}$  (23)  $5 \text{ imēr } \text{šēu}^{\text{pl}}$   $4 \text{ manē } \text{šipāti}^{\text{pl}}$  (24)  $3 \text{ manū anāku}^{\text{pl}}$  (25)  $^{\text{m}}\text{Ku-un-nu a-na } ^{\text{m}}\text{I-la-an-nu}$  (26)  $\text{ú-ta-ar eqla } \text{ša-a-šú}$  (27)  $\text{i-liq-qi } \text{šum-ma eqlu}$  (28)  $\text{pá-qí-ra-na i-ra-aš-ši}$  (29)  $\text{i-ra-aš-ši}^{\text{(e)}}$   $^{\text{m}}\text{Šuk-ri-te-šup}$  (30)  $\text{ú-za-a[k-ka}_4\text{]} [\text{i}] \text{l-ku } \text{ša eqli}$  (31)  $^{\text{m}}\text{Šuk-r[i-t]e-šup na-ši } \text{šum-ma}$  (32)  $\text{eqlu mād [la] i-na-ak-ki-is}$  (33)  $\text{šu-ma [eqlu] šiḫir la } \text{ú-ra-ad-dá}$  (34)  $\text{tup-pu ina arki}^{\text{ki}}$  (35)  $\text{šu-du-ti ina } ^{\text{c}}\text{Nu-zi}$  (36)  $\text{ša}_7\text{-tì-ir}$

(37)  $\text{maḥar Tar-mi-ip-ta-še-en-ni}$  (38)  $\text{mār Wi-ir-ri-iš-ta-an-ni}$  (39)  $\text{maḥar Ta-i-tìl-la mār Zi-ka}_4\text{-a-a}$  (40)  $\text{maḥar } \text{Ḫe-ir}^{\text{(f)}}$   $\text{-ka}_4\text{-an-ni mār } \text{Ḫu-pí-ta}$  (41)  $3 \text{ awēlūti}^{\text{pl}}$   $\text{mu-še-el-wu}$  (42)  $\text{maḥar [Ši]-mi-tìl-la mār Arad-}^{\text{m}}\text{Ištar}$  (43)  $\text{maḥar Ip-ša-ḫa-lu mār } ^{\text{(g)}}$   $\text{Ḫu-i-a}$  (44)  $\text{ma-an-nu-um-mi-e i-na } \text{bēri}^{\text{(h)}}$   $\text{-šu<nu>}$  (45)  $\text{ibalkatu}^{\text{th}}$   $1 \text{ manū kaspu}^{\text{pl}}$  (46)  $1 \text{ manū } \text{ḫurāšu}^{\text{pl}}$   $\text{umallā}^{\text{(i)}}$

Seals of the above witnesses except Wirishtanni; seal of SAG. KI, the scribe.

a. Supplied from the tablet. The copy shows traces of what seems to have been the beginning of *UD*; perhaps the scribe wrote *siparri* by mistake. b. *APIN*. c. The

scribe wrote a-šA by an easily explainable oversight. *d.* The copy has šA for šA. *e.* Repeated by mistake and then partly erased. *f.* Seal (line 51) gives *ri*. *g.* Before *hu* copy shows a partially erased sign that may have been *hē*. *h.* *RI.BA.NA*. *i.* The sign for *GUSKIN* is incomplete and *DIRIG.MEŠ* is written so closely after it as to give the appearance of a ligature.

(Case) Seal of Shukriteshup. Tablet of 9 minas [of lead] belonging to Shukriteshup.

Tablet of adoption of Shukriteshup son of Arrumti, whereby he adopted Kunnu son of Tarmiya. (5) As his portion, 8 awihari of irrigated land in °Nuzi, on the bank of the Sarae canal, below the land of Waqar-Bel (and) north of the land of that same Waqar-Bel, (10) above the land of Ashtarteshup, (this,) Shukriteshup as his portion to Kunnu has given. And Kunnu, on the same day, 9 minas of lead as (15) his honorarium to Shukriteshup has given. Thus (says) Shukriteshup: "That land, as security, Ilanu son of Tayuki in exchange for 5 imer of grain, for (20) 5 minas of wool, (and) for 3 minas of lead has been holding; whenever 5 imer of grain, 5 minas of wool, (and) 3 minas of lead (25) Kunnu to Ilanu will return, that land he shall take (as his own.) If the land has a claimant, Shukriteshup shall (30) fre[e it; the fe]udal tasks of the land Shuk[rit]eshup shall bear. If the land is large, it shall not be curtailed; if the land is small it shall not be enlarged.

The tablet was written after (35) the proclamation in °Nuzi.

Names of 3 surveying agents and of 2 other witnesses.

(41) Whoever among them breaks the contract shall furnish one mina of silver and one mina of gold.

7 seals.

2. *Arru-tup-ti* is also possible; cf. note to 8.1.

9. *-ma* is here an identifying particle: 'the same.'

18. Ilanu is party to nearly all *tidenutu* transactions contained in the Harvard volume.

46. For the plural sign indicating the long final vowel, cf. Klauber, *Politisch-religiöse Texte* 11.7; Gadd, p. 84, note 10. Cf. also 38.16, and H. 18.31; 39.18; 98.14.

### 15 (H 55)

(Case) ʾup-pu bitāti<sup>coll pl</sup> ša mHa-na-ak-ka<sub>4</sub> ù ša mHu-ti-ip-te-šup  
aban m<sup>d</sup>Nabū-nāšir ʾupšarru

#### Tablet

(1) ʾup-pi ma-ru-ti ša mHa-na-ak-ka<sub>4</sub> (2) ù ša mHu-ti-ip-te-šup māri<sup>pl</sup> ša  
m<sup>d</sup>Aš-tar-te-šup (3) m<sup>d</sup>Ni-iḫ-ri-ia mār At-ti-lam-mu (4) a-na ma-ru-ti ni-te-

pu-uš (5) ki-i-ma zitti bītāti<sup>coll pl</sup> ša lib-bi °Nu-zu (6) i-na šu-pa-al bītāti<sup>coll pl</sup> ša mUr-ḫi-ia (7) i-na su-ta-an ù i-na e-li-en (8) bītāti<sup>coll pl</sup> ša mNa-al-lu-ta-ri (9) i-na il-ta-an sú-ú-qi ša awēl<sup>u</sup>-za-an-du (10) ù i-na sú-qi ša-a-šu-ma kà-ši-id mi-ši-ir-šu-ma ú-ka<sub>4</sub>-al (11) a-na mNi-iḫ-ri-ia ni-it-ta-din (12) ù mNi-iḫ-ri-ia 9 imēr šēū<sup>pl</sup> (13) 40 manū anāku<sup>pl</sup> 20 manū siparru<sup>pl</sup> (14) u 2 šubāta damqā<sup>qā</sup> ki-i-ma (15) qīšti-šu-nu a-na mḤa-na-ak-ka<sub>4</sub> (16) ù a-na mḤu-ti-ip-te-šup (17) it-ta-din šum-ma bītāti<sup>coll pl</sup> ša-a-šu (18) pa-qi-ra-na ir-ta-ši mḤa-na-ak-ka<sub>4</sub> (19) ù mḤu-ti-ip-te-šup ú-za-ak-ka<sub>4</sub>-ma (20) a-na mNi-iḫ-ri-ia i-na-an-din (21) šum-ma bītāti<sup>coll pl</sup> ša-a-šu mād la i-na-ak-ki-is (22) ù šum-ma šihir ú-la u-ra-ad-dá (23) il-ku-ú ša bītāti<sup>coll pl</sup> ša-a-šu (24) mḤa-na-ak-ka<sub>4</sub> ù mḤu-ti-ip-te-šup (25) na-ši ù mNi-iḫ-ri-ia (26) la na-ši ma-an-nu-um-me-e (27) i-na be-ri-šu-nu ibalkatu<sup>tu</sup> (28) 10 manū ḫurāšu umallā (29) ṭup-pu i-na arki<sup>ki</sup> šu-du-ti eš-ši (30) a-šar abulli ša °Nu-zu ša-ṭi-ir (31) qāt mNabū-nāšir mār Ka<sub>4</sub>-si ṭupšarru

(32) maḥar mIl-a-nu mār Ta-a-i-ú-ki (33) maḥar mḤa-ši-ip-til-la mār Ur-ḫi-ia (34) maḥar mA-ki-it-ta mār A-ri-ik-ku-šu-uḫ (35) maḥar mGi-ena-a-pí mār At-ti-lam-mu (36) 4 awēlūtu<sup>pl</sup> an-nu-tum mu-šal-wu ša bītāti<sup>coll pl</sup> (37) ù na-di<sub>4</sub><na>-nu ša kaspi<sup>pl</sup> (38) maḥar mḤa-pí-ir-til-la mār Pu-ḫi-še-en-ni (39) ma-aš-ša-ar abulli (40) maḥar mA-ka<sub>4</sub>-wi mār Še-el-wi-ia

Seals of the above witnesses, of Hanakka and of Hutipteshup, and of the scribe.

(Case) Tablet of lands of Hanakka and of Hutipteshup. Seal of Nabu-Nasir, the scribe.

Tablet of adoption of Hanakka and of Hutipteshup, sons of Ashtarteshup: “We have adopted Nihriya son of Attilammu. (5) As (his) portion, buildings in °Nuzi, below the fields of Urhiya, south and above the fields of Nallutari, north of the street of the Uzandu-men, (10)—and where that street is reached, their boundary stops—(these) to Nihriya we have given.” And Nihriya, 9 imer of grain, 40 minas of lead, 20 minas of bronze, and 2 garments in good condition, as (15) their reward to Hanakka and to Hutipteshup he has given. If these buildings have a claimant, Hanakka and Hutipteshup shall clear them and (20) restore them to Nihriya. If these buildings are large, they shall not be curtailed; and if they are small, they shall not be enlarged. The feudal tasks of these buildings Hanakka and Hutipteshup (25) shall bear, and Nihriya shall not bear it. Whoever among them breaks the contract shall furnish 10 minas of gold.

The tablet was written after the new proclamation (30) in the gate of °Nuzi. Signature of Nabu-Nasir son of Kasi, the scribe.

Names of 4 witnesses.

(36) These 4 men are the surveyors of the buildings and the paying agents of the money.

Names of the gate-keeper and of another witness; 9 seals.

10. The line contains obviously a further indication of the position of the lands in question. The verb *kašādu* has here the value of 'reach,' 'arrive' as not infrequently in the Amarna Letters; cf. the index in Knudtzon. The translation of *ukāl* is in this instance conjectural.

17 ff. Note the constant use of singular pronouns and verbs with plural subjects.

29. For the *šādūtu eššu* 'the new proclamation', cf. Koschaker, NKRA 78, note 3. The exact significance of the phrase is uncertain.

### 16 (H 68)

(1)  $\text{ṭup-pí ma-ru-ti ša}$  (2)  $^m\text{Tu-ra-ri mār A-ri-pá-pu}$  (3)  $\text{ù ša } ^f\text{Hu-zi-ri aššat}^{st}$   $^m\text{A-pé-ia}$  (4)  $^m\text{Tá-a-ú-ki mār Ka}_4\text{-pá-tum}$  (4)  $\text{a-na mārū-ti } ^i\text{puš-šu ki-ma zitti-šu-nu}^{(a)}$  (5)  $\text{bītāti}^{pl}$   $\text{i-na ší-ri-ti ina } ^c\text{Nu-zi}$  (7)  $\text{a-na } ^m\text{Tá-a-ú-ki iddinu}^{nu}$   $\text{ù}$  (8)  $^m\text{Tá-a-ú-ki a-na } ^m\text{Tu-ra-ri}$  (9)  $\text{ù a-na } ^f\text{Hu-zi-ri ki-ma qīš[ti-šu-nu]}$  (10) 3 biltu 30 manū erū<sup>pl</sup> iddin<sup>(b)</sup> (11)  $\text{um-ma } ^m\text{Tu-ra-ri-ma pa-na-[nu]}$  (12)  $\text{a-bu-ia } ^m\text{Tá-a-ú-ki}$  (13)  $\text{a-na mārū-ti } ^i\text{puš-šu}$  (14)  $\text{ù a-na-ku i-na-an-na } ^m\text{Tá-a-ú-ki}$  (15)  $\text{a-na mārū-ti } ^e\text{puš-šu}$   $\text{ù ri-ḫi-ti}$  (16)  $\text{bītāti}^{pl}$   $\text{a-na } ^m\text{Tá-a-ú-ki addinu}^{nu}$  (17)  $\text{šum-ma bītāti}^{pl}$   $\text{pa-qí-ra-na ir-tá-ši}$  (18)  $^m\text{Tu-ra-ri}$   $\text{ù } ^f\text{Hu-zi-ri}$  (19)  $\text{ú-za-ak-ku-ma a-na } ^m\text{Ta-a-ú-ki}$  (20)  $\text{inandinu}^{nu}$   $\text{ù il-ka}_4$   $\text{ša bītāti}^{pl}$  (21)  $^m\text{Tu-ra-ri}$   $\text{ù } ^f\text{Hu-zi-ri}$  (22)  $\text{na-a-šu-ú ša ib-bal-ka}_4\text{-tu}_4$  (23)  $\text{bītāti}^{pl}$   $\text{ir-šu-ti šēa}^{pl}$   $\text{ú-ma-al-la}$  (24)  $\text{maḥar } ^d\text{Adad maḥar } ^d\text{Šamaš maḥar } ^d\text{Sin}$

(25)  $\text{maḥar A-kap-túg-gi mār } ^U^{(a)}\text{-gi}$  (26)  $\text{maḥar Ka}_4\text{-[n]á-tum mār Ar-ša-tù-ia}$  (27)  $\text{maḥar A-ri-ḫa-ma-an-na mār [ — — — ]me}$  (28)  $\text{maḥar A-kap-še-en-ni mār [ — — — ]}$  (29)  $\text{maḥar Šuk-ri-ia mār Tá[ — — — ]}$  (30)  $\text{maḥar Še-pí-ia mār Ip-š[a-ḫa-lu]}$  (31)  $\text{maḥar E-na-mil-ki mār E-n[i — — ]}$  (32)  $\text{maḥar Ši-nu-uḫ-ri amti}^{ti}$   $\text{e[kallim]}$  (33)  $\text{maḥar An-ni-šu mār E-ni-mil-ki}$  (34)  $\text{maḥar U-nu-mu-šá-lim ṭupšar-rum}$  (35)  $\text{arad ša } ^f\text{Zu-har-ti-ia}$  (36)  $\text{an-nu-tum awēlūtu}^{pl}$   $\text{ši-bu-tum ša bītāti}^{pl}$  (37)  $\text{mu-še-el-wu-ú}$   $\text{ù}$   $\text{šū-nu-ma erā}^{pl}$  (38)  $\text{iddinu}^{nu}$   $\text{ù } ^m\text{Tá-ú-ki qa-an-na-šu im-ta-ša-ar-mi}$

Seals of the witnesses mentioned in ll. 31, 30, 25, 29, and of the scribe.

(41)  $\text{abankunuk Tu-ra-ri bēl eqlāti}^{(c)}$

*a.* Sic! *b.* The edge is broken off and it is impossible to say whether there was here originally a phonetic complement. *c.* An obvious error for *bītātipl*.

Tablet of adoption of Turari son of Aripapu, and of <sup>f</sup>Huziri wife of Apeya; Tauki son of Kapatum (5) they adopted. As his portion, buildings in the

upper part of <sup>c</sup>Nuzi to Tauki they have given; and Tauki, as their honorarium, to Turari and to <sup>f</sup>Huziri (10) 3 talents, 30 minas of copper has given. Thus (says) Turari: "Former[ly,] my father adopted Tauki and buildings he gave (him); and now I (also) Tauki (15) have adopted, and the remaining buildings to Tauki I have given." If the buildings have a claimant, Turari and <sup>f</sup>Huziri shall clear them, to Tauki (20) they shall restore them; and the feudal tasks of the buildings Turari and <sup>f</sup>Huziri shall bear.

Whoever breaks the contract shall fill the farm-buildings with grain.

Before Adad; before Shamash; before Sin.

10 witnesses including the scribe, who is the servant of <sup>f</sup>Zuhartiya.

(36) These are the witnesses who surveyed the houses; they also delivered the copper. And Tauki made a mark with his hem.

6 seals.

4. For the incorrect number of the suffix, cf. note to 4. 30.

22-3. This type of fine is not customary in these texts.

24. Cf. Koschaker, NKRA 11 and 21.

34. Is the *U* in this name to be read ideographically? The sign has in the Hittite texts the reading *Tešup*. Perhaps *Samqanu-mušallim* is intended?

### 17 (H 75)

(1)  $\text{tup-pí zitti ša } \text{Ḫa-ma-an-na}$  (2)  $\text{mār Ar-na-ap-ḫi ù ša } \text{ḪA-pá-zi}$   
 (3)  $\text{mār Ma-li-ia 8 } \text{isawihari}^{(a)} \text{ eqlāti}^{\text{pl}}$  (4)  $\text{i-na ku-um-te ni-wi-na ša}$  (5)  $\text{i-na}$   
 $\text{ḫu-li ša ma-a-al-li ni-wi-ni}$  (6)  $\text{ka}_4\text{-ši-id ù A-pa-zi}$  (7)  $\text{ki-ma zitti-šu ú-na-}$   
 $\text{sà-aq-ma il-qì}$  (8) 18  $\text{manū erū ù 10 qā šēu}$  (9)  $\text{Ḫa-ma-an-na ki-ma zitti-šu}^{(b)}$   
 (10)  $\text{ú-na-as-sà-aq-ma il-qì}$  (11)  $\text{šum-ma eqlāti}^{\text{pl}}$   $\text{pa-qí-ra-na}$  (12)  $\text{i-ra-aš-ši}$   
 $\text{Ḫa-ma-an-na}$  (13)  $\text{ú-za-ak-ka}_4\text{-ma a-na } \text{ḪA-pá-zi}$  (14)  $\text{i-na-an-din ma-an-nu-}$   
 $\text{um-me-e}$  (15)  $\text{i-na bēri}^{(c)}$   $\text{-šu-nu [ibalkatu]}^{\text{tu}}$ , (16)  $\text{qāt-sú iš-tu zitti [i-te-el]-lu}$   
 (17) 1  $\text{manū kaspu 1 manū ḫurāšu ú-ma-al-la}$

(18)  $\text{maḫar Wu-uḫ-ri-še-en-ni mār } \text{Ḫa-ma-an-na}$  (19)  $\text{maḫar Al-pu-ma-ri}$   
 $\text{mār Ar-za-ar-wa}$  (20)  $\text{maḫar Un-te-ia mār } \text{Ḫa-ma-an-na}$  (21)  $\text{maḫar Še-en-}$   
 $\text{na-a-mār Gi-el-zi}$  (22)  $\text{maḫar Ik-ki-ia mār Gi-el-zi}$  (23)  $\text{maḫar A-ri-ḫar-me}$   
 $\text{mār Eḫ-li-ia}$  (24)  $\text{maḫar Ip-ša-ḫa-lu mār Eḫ-li-ia-ma}$  (25)  $\text{maḫar Šu-ḫur-ra}$   
 $\text{mār Na-a-a}$  (26)  $\text{maḫar Ur-ḫi-ia mār Ma-li-ia}$  (27)  $\text{maḫar Ta-ti mār Na-aš-wu}$   
 (28)  $\text{maḫar Tup-pí-ia mār Wu-uḫ-ri-še-en-ni}$  (29)  $\text{maḫar } \text{Ḫa-na-a-a mār}$   
 $\text{Ak-ku-ia}$  (30)  $\text{maḫar } \text{Samaš-nūri}^{(d)} \text{ tupšar-rum}$

(31)  $\text{an-nu-tu}_4 \text{ awēlutu}^{\text{pl}}$   $\text{ši-bu-tu}_4 \text{ na-din-na-nu}$  (32)  $\text{ša kaspi u mu-šal-wu}$   
 $\text{ša eqlāti}^{\text{pl}}$

Seals of the witnesses mentioned in lines 18, 19, 22, 25, 29, and 30.

*a. APIN.* *b.* An error for *qūšti-šu?* *il-qī*, which follows, is partially erased.  
*c. RI.PA* (sic). *NA.* *d. BIL.GAR.*

Tablet of inheritance portion of Hamanna son of Arnaphi and of Apazi son of Maliya; 8 awihari of land in the *niwini* compound, which (5) reaches the path of the *niwini* paddock, these Apazi as his portion shall choose and take. 18 minas of silver and 10 qa of grain Hamanna as his portion (10) shall choose and take. If the land has a claimant, Hamanna shall clear it and to Apazi he shall restore it. Whoever (15) among them [breaks] the contract, shall [forfe]it his part of the inheritance: he shall (also) furnish one mina of silver and one mina of gold.

13 witnesses.

(31) These are the witnesses who paid out the money and who surveyed the fields.

6 seals.

4-7. The passage specifies the exact position of the fields, but the phraseology is obscure.

10. For *u(i)nassaq il(iq)qi*, cf. Koschaker, NKRA 38 f.

16. The expression *qatsu itellu/illi* is good Akkadian idiom, but very rare in these texts. The usual expression is *šaššumma ipuš*, cf. above, note 36.

### 18 (H 99)

(1) *ṭup-pí ta-am-gu<sub>5</sub>-ur-ti* (2) *ša<sup>m</sup>Ma-an-ni-ia mār Tu-ul-tù-uk-ka<sub>4</sub>* (3) *ù ša<sup>m</sup>l̄-a-nu mār Ta-a-i-ú-ki* (4) *i-na be-ri-šu-nu it-ta-am-gu<sub>5</sub>-ru* (5) *um-ma<sup>m</sup>Ma-an-nu-ú-ia-ma* (6) *mi-nu-um-me-e pu-uḫ-ḫu-ur-šu* (7) *ša<sup>m</sup>Ta-a-i-ú-ki 2-šu a-na-ku* (8) *el-te-qì ù<sup>m</sup>l̄-a-nu* (9) *il-te-il-tum il-te-qì* (10) *ù i-na arki<sup>ki</sup> <sup>m</sup>Ta-a-i-ú-ki* (11) *mi-nu-um-me-e ša nu-up-te-eḫ-ḫi-ru* (12) *a-na-ku u<sup>m</sup>l̄-a-nu* (13) *mi-it-ḫa-ri-iš* (14) *ni-iz-zu-uz ù iš-tu ūmi<sup>mi</sup>* (15) *an-ni-i ma-am-ma* (16) *i-na arki ma-am-ma* (17) *la i-ša<sub>7</sub>-as-sí* (18) *ša ibalkatū<sup>pl tu<sub>4</sub></sup>* (19) *1 manū kaspu 1 manū ḫurāšu* (20) *ú[-ma-al]-la* (21) *ṭup[-pu i-na arki<sup>ki</sup> šu-d]u-ti* (22) *i[-na a-bu-ul-li ša] <sup>c</sup>Nu-zi* (23) *ša-ṭi-ir*

(24) [*maḫar <sup>d</sup>Šamaš-dāmiq<sup>iq</sup> mār*] *It-ḫa-pi-ḫé* (25) *maḫar <sup>m</sup>Šarru-Sín<sup>(a)</sup> mār Ar-ša-tù-ia* (26) [*maḫar Gi-ra-ar-t]il-la* (27) *mār Ḫu-ti-ip-t]il-la* (28) *maḫar A[r-ra-áp]-ḫa-ri mār Iš-ti-ri* (29) *maḫar Ḫu-ti-ia <sup>awē</sup>la-bu-ul-*



ta-an-nu (30) maḥar E-gi-gi mār Ḫu-ti-ia (31) maḥar In-ni-ka-a-a mār  
Arad-Ku-pí (32) maḥar Nu-ki-ša-šá mār En-na-ma-ti ṭupšarru

Seals of the above witnesses.

a. The sign on the seal (most of the missing names have been supplied from the seals) is *zi*. This might, of course, represent an inaccurate pronunciation of *sin*; but it is more likely that the sign represents the all but similar *nam*, which has also the value *sin*; cf. Thureau-Dangin, *Syllabaire Accadien* 63.

Tablet of agreement whereby Manniya son of Tultukka and Ilanu son of Tauki between themselves made an agreement. (5) Thus (says) Mannuya: "As for all the accumulations of Tayuki, I will take a double portion and Ilanu a single portion shall receive. (10) And after Tayuki, whatever we may accumulate, I and Ilanu shall evenly divide." And from this day on, (15) the one shall not raise complaints against the other. Whichever breaks the contract one mina of silver and one mina of gold (20) he shall furnish.

The tab[let] was written [after the proclamation in <sup>c</sup>Nuzi.]

9 witnesses (names partly destroyed); 8 seals.

9. *Itiltu* means here obviously 'one (portion)'; in 34.7 it is parallel with *šanina*, *šaššāna*, etc., evidently in the sense of 'at first,' or 'as the first one.'

## 19 (H 71)

(1) ṭup-pí ší-im-ti ša <sup>m</sup>Ak-ku-ia (2) mār Ka-ti-ri ša ší-im-ta (3) a-na <sup>m</sup>Zi-gi mār-šu ù a-na (4) <sup>f</sup>Ki-ra-še aššati-šu i-ší-im (5) i-na bītāti<sup>coll</sup> mādūti ša Ar-na-ší ša a-šar Ak-ku-ia aš-bu (6) aš-bu<sup>(a)</sup> <sup>m</sup>Zi-gi 2-šu i-li-iq-qí (7) ù <sup>f</sup>Ki-ra-še il-ti-il-tum (8) i-li-iq-qí a-di <sup>f</sup>Ki-ra-še (9) bal-tá-tu<sub>4</sub> ù i-na bītāti<sup>coll</sup> (10) ša-ši-na aš-ba-at šum-ma <sup>f</sup>Ki-ra-še (11) im-tu<sub>4</sub>-ut ù bītāti<sup>coll</sup> ša <sup>m</sup>Zi-gi-ma (12) ù mārū<sup>pl</sup> Ak-ku-ia ri-ḫu-tu<sub>4</sub> (13) i-na bītāti<sup>coll</sup> mādūti it-ti Zi-gi (14) ul i-zu-uz-zu ul i-qí-ri-bu (15) 1 amtu A-wa-šu-ḫur šu-um-ša (16) a-na <sup>f</sup>Ki-ra-še na-ad-na-at (17) mi-nu-um-mi-e šamnū<sup>pl</sup> erū<sup>pl</sup> (18) sí-ki-il-ta-ša ša <sup>f</sup>Ki[-ra-še] (19) a-na [<sup>f</sup>Ki-r]a-še-ma na-ad-[nu] (20) mi-nu-um-mi-e šubāti<sup>coll</sup> — — ] (21) a-na <sup>f</sup>Ki-ra-[še na-ad-nu — — — ] (22) Na-hi-iš-ša-al [-mu — — — ] (23) ut-te-ir di- — — — ] (24) ù <sup>f</sup>Ki-ra-še-m[a i-li-iq-qí i-na] (25) bītāti<sup>pl</sup> eqlati<sup>pl</sup> ma-na-ḫa-[tu — — ] (26) e- -ti i-na alpī<sup>pl</sup> šipāti<sup>pl</sup> — — — ] (27) <sup>m</sup>Zi-gi 2-šu i-li-iq-[qí ù] (28) Na-hi-iš-ša-al-mu ù <sup>f</sup>Ki-ra-še (29) ma-la-ḫa-mi-iš i-zu-zu u i-na (30) mārī<sup>pl</sup> Ak-ku-ia ma-an-nu ša <sup>f</sup>Ki-ra-še (31) i-pal-la-ḫu ù zi-ta-ša (32) <sup>f</sup>Ki-ra-še i-na-din mu-uš-ši-ir (33) bītāti<sup>coll</sup> mādūti ša apli-ma šu[m-ma] (34) <sup>f</sup>Ki-ra-še a-na mu-ti ú-ša-ab

(35) ṣubāti<sup>coll</sup> i-ḥa-ma-ṣú-ma e-ri-ši-ša (36) u-še-ṣú-uš ù bitāti<sup>coll</sup> ša  
 (37) A-ri-ia a-na Na-hi-iš-ša-al-mu na-ad-nu (38) ù ahhū<sup>pl</sup> ri-ḥu-tu<sub>4</sub> ul  
 i-zu-uz-zu

(39) maḥar Tar-mi-ia mār E-en-na-ma-ti<sub>4</sub> (40) maḥar Zi-gi mār <sup>d</sup>Sin-i-  
 qí-ša (41) maḥar Ū-tá-a-a mār Tu-ul-pí-ia (42) maḥar I-la-áb-ri mār A-ka-a-a  
 (43) maḥar Mu-uš-te-šup mār Ar-na-pu (44) maḥar Ṭāb<sup>(b)</sup>-mil-ki-a-bi  
 ṭupšarru

Seal of Tarmiya.

(46) aban Te-šu-ia mār šarri (47) aban Ur-ḥi-ia mār šarri (48) aban  
 Ni-'ri-ia mār šarri

(49) maḥar Ki-il-te-šup mār It-ḥa-pu (50) maḥar Mu-uš-te-šup mār  
 Ar-na-pu<sup>(c)</sup> (51) maḥar A-kí-ip-šarri mār Za-zi-ia (52) maḥar Šu-ur-ki-ip-šarri  
 mār [ — — — ]

*a.* Sic. *b.* DUG.GA. *c.* The same name occurs in line 43.

Tablet of Akkuya son of Katiri, whereby a settlement in favor of his son Zigi, and of his wife <sup>f</sup>Kirashe he made:

(5) Of the large buildings of Arnashi, which are in the possession of Akkuya, Zigi shall receive a double share, and <sup>f</sup>Kirashe a single (share) shall receive. As long as <sup>f</sup>Kirashe is alive, in those houses (10) she may dwell. When <sup>f</sup>Kirashe dies, then those houses shall become the property of Zigi; and the remaining sons of Akkuya shall not share the large buildings with Zigi, and they shall not have any claim upon them. (15) One handmaid, Awashuhur by name, to <sup>f</sup>Kirashe has been assigned. All the ointments, the copper objects, which <sup>f</sup>Ki[rashe] has acquired, to [<sup>f</sup>Kira]she have been granted. (20) [All the] clothes, [and the . . .] to <sup>f</sup>Kirashe [*have been granted(?)*]. [*All the . . . that(?)*] Nahishshalmu [ . . . ] has returned, <sup>f</sup>Kirashe shall also [*receive(?)*]. (25) [As regards the houses,] the lands, the acquisitions, [ . . . , ] the oxen, the wool, [ . . . . . , ] Zigi shall ta[ke] a double share, and Nahishshalmu and <sup>f</sup>Kirashe shall evenly divide (the remainder.) And among (30) the sons of Akkuya, whichever of them will serve <sup>f</sup>Kirashe, to him her inheritance portion <sup>f</sup>Kirashe shall deed; excepted are the large buildings of the principal heir. I[<sup>f</sup>] <sup>f</sup>Kirashe should marry (again,) (35) her clothes she may take away(?); he who is betrothed to her may cause her to leave. And the houses of Ariya are assigned of Nahishshalmu; the other brothers shall have no share in them.

9 witnesses; 4 seals.

It is unfortunate that this unusually interesting text is so defective in parts, which makes the interpretation difficult and uncertain.

5. The verb *ašābu* takes on in the Kirkuk texts a variety of finely differentiated meanings. In legal contexts the sense is 'to be available for assuming legal responsibility;' cf. Koschaker, NKRA 121 f; *ašābu ina muḥḥi A.* is virtually 'to be debited to A.'

9 ff. The gender of the suffixes is rather exceptionally correct in this tablet. The scribe, who bears the ambitious name Ṭāb-milki-abi, displays a more than average knowledge of Akkadian. If the name is a trustworthy indication, he was probably a Babylonian immigrant.

18. *Sikiltu* is a synonym of *mānaḥātu*, with a somewhat more specialized meaning. In the present instance the word signifies 'acquisition through gifts,' whereas *mānaḥātu* is etymologically 'earnings through work.'

20-25. The reconstructions in this passage are necessarily doubtful.

34-36. The general sense of the passage appears to be that should K. decide to marry after the death of the testator, she may take away her clothing and enter the house of the bridegroom (*erišu*). Does, however, *šubāti iḥamašu* mean 'she shall take the clothing'? Ordinarily the verb *ḥamašu* signifies 'to rob,' cf. H. 47.7; then there is *erū ha-mu-zu*, H. 16.5. The root is found in a strikingly similar phrase in Isa. 61.1:  $\text{הָרַגְתִּי בְּבָצָרָה}$  which is a crux of long standing. But if the comparison with the present passage is at all justified, the Biblical phrase might be translated 'with garments imported from Basra,' which fits the context very well.

36 f. For the property of Ariya, cf. text 7.

## 20 (H 73)

(1) ṭup-pí ši-im-ti ša (2) <sup>m</sup>Zi-gi mār Ak-ku-ia (3) ši-im-ta a-na aš-ša-ti-šu (4) ù a-na mārī<sup>pl</sup>-šu i-ši-im (5) um-ma <sup>m</sup>Zi-gi-ma mi-nu-um-me[-e] (6) eqlāti<sup>pl</sup>-ia bītāti<sup>coll pl</sup>-ia ma-na-ḥa-tu-ia (7) kà-lu-um-ma-ni-ia ù (8) ištēn<sup>en</sup> [mimmu]-ia a-na aš-ša-ti-ia (9) a-na <sup>f</sup>Zi-líp-ki-a-še na-ad-nu (10) ù <sup>f</sup>Zi-líp-ki-a-še a-na (11) 1 *sinništi<sup>ti(a)</sup>* [ ] mārū<sup>pl</sup> i-te-pu-uš (12) a-du<sub>4</sub> <sup>f</sup>Zi-líp-ki-a-še bal-ṭú (13) ù mārū<sup>pl</sup> ša <sup>m</sup>Zi-gi i-pal-la-aḥ-šu-nu-ti (14) im-ma-ti-me-e <sup>f</sup>Zi-líp-ki-a-še imtūt<sup>(b)</sup> (15) ù mārū<sup>pl</sup> [š]a <sup>m</sup>Zi-gi (16) at-ta-ma-an-nu ki-i (17) emūqi-šu zitta i-liq-qú-ú (18) ma-an-nu-um-me-e i-na lib-bi (19) mārī<sup>pl</sup>-ia i-na pí-i ša <sup>f</sup>Zi-líp-ki-a-še (20) la i-še-im-me ù <sup>f</sup>Zi-líp-ki-a-še (21) i-na bītī<sup>ti</sup> nu [ — — ] i-na-an-din (22) ab-bu-ta-šu-nu ú-maš-šar-šu (23) [ù] i-na šēpi-šu-nu i-na-an-di-nu (24) ù šu-ú qí-ir-bá-na (25) la i-ḥe-ip-pé (26) ù <sup>f</sup>Zi-líp-ki-a-še (27) mi-im-ma a-na awēli<sup>pl</sup> na-ka<sub>4</sub>-r[i] (28) la i-na-an-din ù <sup>f</sup>Ku-uk-ku-ka<sub>4</sub> (29) it-ti-šu-nu aš-bu ù (30) mārū<sup>pl</sup> bī[ti-i]a la ú-še-iš-ší-šu-nu (31) a-du<sub>4</sub> a-[na bīt a-bi]-šu i-la-ak (32) ù mārū<sup>pl</sup> la ik-kal-lu-ú<sup>(c)</sup> (33) amtu <sup>f</sup>Ši-ta-gi qa-du še-ir-ri-šu (34) ù 7 <sup>is</sup>awihari<sup>(d)</sup> eqlāti<sup>pl</sup> i-na e-li-en (35) dimti ù i-na ma-ag-ra-at-ti (36) ik-šu-ud a-na qí-it-ri (37) a-na <sup>f</sup>Zi-líp-ki-a-še na-ad-nu (38) ma-an-nu-um-me-e i-na libbi mārī<sup>pl</sup>-ia (39) <sup>f</sup>Zi-líp-ki-a-še i-ra-am (40) a-na an-ni-i i-na-an-din (41) 1 alpu ša a-na <sup>m</sup>A-ka<sub>4</sub>-a-a ša aš-b[u]

(42) a-na qí-it-ri a-na <sup>m</sup>Ar-zi-iz-za na-ad-nu (43) <sup>m</sup>Ar-zi-iz-za ḥarrāna i-na ba-bi (44) la-bi-ru u-uš-ší (45) um-ma <sup>m</sup>Zi-gi-ma mi-nu-um-me-e (46) zitti-ia i-na dimti a-na <sup>m</sup>Ar-zi-iz-za na-ad-nu

(47) maḥar Ḥa-ši-ia mār Hu-ti-ia (48) maḥar Ḥu-ti-ia mār A-ri-ip-šarri (49) maḥar Zi-iq-ni-ia mār Ša-ri-iš-še (50) maḥar Aḥ-ḥi-ia mār E-ra-ti (51) maḥar Ta-e-na mār E-ra-ti (52) maḥar Ip-ša-a-a mār E-ra-ti (53) maḥar Wi-ir-ra mār Ḥa-ši-ip [ — — ] (54) maḥar A-ri-ka<sub>4</sub>-ma-ri mār [ — — — ] (55) maḥar Še-ka<sub>4</sub>-ar [-til-la mār — — — ]

Seals of the witnesses mentioned in lines 47, 48, 52, 54, and of Zigi.

a. This seems the best reading as the text stands. b. *BA.BAD.* c. A suffix probably followed, but the end of the line is now broken off. d. *APIN.*

Tablet of settlement of Zigi son of Akkuya; a settlement in favor of his wife and of his sons he made. (5) Thus (declares) Zigi:

“All my lands, buildings, my acquisitions, all my outfit, one (part of these) my [possessions] to my wife, to <sup>f</sup>Zilipkiashe, has been deeded: (10) and Zilipkiashe for *one woman* [ — — ] *shall adopt*. As long as Zilipkiashe is alive, the sons of Zigi shall serve her. When Zilipkiashe dies, (15) the sons of Zigi shall receive their inheritance portions each according to his allotment. Whoever among my sons the voice of <sup>f</sup>Zilipkiashe (20) does not obey, <sup>f</sup>Zilipkiashe shall place him in *servant quarters*; the slave-mark shall be affixed and placed upon his (their) *foot*; but his relationship (25) shall not be annulled. And <sup>f</sup>Zilipkiashe shall not give anything to strangers. And as for <sup>f</sup>Kukkuka (who) dwells with them, (30) the sons of [my house] shall not cause her to leave. At the time when she wishes to return to [*the house of her father,*] (my) sons shall not prevent her. The handmaid <sup>f</sup>Shitagi together with her offspring, and 5 awihari of land in the upper (35) district, as it reaches the threshing place, as a gift to <sup>f</sup>Zilipkiashe has been given. Whomsoever among my sons <sup>f</sup>Zilipkiashe likes, (40) to that one she may give it. The ox that is now with Akaya as a gift to Arzizza is (herewith) given. As passage-way Arzizza shall use the old gate.” (45) Thus (concludes) Zigi: “My portion in the (above) district has been deeded to Arzizza.”

9 witnesses; 5 seals.

10. Although only one sign is missing, I can make little sense of the line as it stands. It may be that Z. is required to provide wives for her sons; or else, she may be endowed with special authority as regards her children.

21. The text is broken, and the translation ‘servant quarters’ is purely conjectural.

22. For the latest discussion of *abbuttu*, see David, *Adoption*, 48 ff. *Abbutta muššuru* corresponds to the more usual *abbutta šakānu*. In H. 35. 7-8 occurs the phrase *abbuttašu iltapat*.

23. If GIR is here correctly translated as 'foot,' then the "slave-mark" is in this case different from the usual kind, which was placed on the head (David, *l. c.*). As for the alternative reading *emūqu* 'strength,' it would hardly make sense in the present context. Cf. note 44.

24. For *qirbanu* (?), see notes 20-21 and the discussion *ad loc.*

31. The reconstruction is made practically certain by the context.

35. The noun *magrattu* 'threshing place,' from *garanu* (cf. Heb. גָּרָן) corresponds to the common Assyrian *adru* (Aram. ܐܕܪܘ; cf. Koschaker, NKRA 45.1). This meaning of *magrattu* is established clearly by the following passage in a long-known Kirkuk tablet: *i-ḡi-id i-na-aš-ši i-na ma-ag-ra-ti i-na-an-di-in* 'he shall harvest, bring in, and place on the threshing place;' cf. CT (Cuneiform Texts in the British Museum), II. 21.11-15. Koschaker (NKRA 68) transliterates the word *makrattu* without translating it.

## 21 (H 72)

(1)  $\text{ṭup-pí ṣi-im-ti ṣa [}^m\text{Zi-gi]}$  (3)  $\text{mār A[k-k]u-ia a-na mār}^{\text{pl}}\text{-[ṣu]}$   
 (3)  $\text{a-na }^m\text{E-el-lu } \dot{\text{u}} \text{ a-na [}^m\text{Ar-zi-iz-za]}$  (4)  $\text{ṣi-im-ta i-ṣi-im um-ma }^m\text{[Zi-gi-ma]}$   
 (5)  $\text{mi-nu-um-me-e eqlāti}^{\text{pl}} \text{ ti-i[a } \dot{\text{u}}^{(a)}]$  (6)  $^m\text{E-el-lu mār-ia rabū } \dot{\text{u}} [\text{ṣu-} \dot{\text{u}}\text{-ma]}$   
 (7)  $\text{ṣinni}^{\text{ni}}\text{-ṣu i-na zitti i-li-iq-[qī]}$  (8)  $\dot{\text{u}} \text{ }^m\text{Ar-zi-iz-za te-ir-t[e-en-nu]}$  (9)  $\dot{\text{u}}$   
 $\text{ki-ma emūqi-ṣu-ma i-li-i[q-qī]}$  (10)  $\text{um-ma }^m\text{Zi-gi-ma bītāti}^{\text{coll pl}} [\text{eqlāti}]^{\text{pl}}$   
 (11)  $\text{i-na lib-bi } ^c\text{Nu-zi u a-na mār-ia rabī}$  (12)  $\text{a-na }^m\text{E-el-lu at-ta-din}$   
 (13)  $\text{bitum}^{\text{tum}} \text{ wa-ra-tū-uš-ḥu qa-du ru-uk-bi-ṣu-ma a-na}^{(b)}$  (14)  $\text{i-na lib-bi}$   
 $\text{bītāti}^{\text{coll pl}} \text{ ṣa mādūti}^{\text{pl}} \text{ a-na }^m\text{Ar-zi}^{(c)}\text{-za}$  (15)  $\text{at-ta-din } \dot{\text{u}} \text{ ba-ab-ṣu}$  (16)  $^m\text{Ar-zi-}$   
 $\text{iz-za i-na sū-qí } \dot{\text{u}}\text{-ma-aš-ṣar}$  (17)  $\text{bītāti}^{\text{coll pl}} \text{ qú-ub-ba-ti i-na } ^c\text{Nu-zi}$  (18)  $\text{i-na}$   
 $\text{ṣi-ri-ti i-na li-it qú-ub-ba-ti}$  (19)  $\text{ṣa }^m\text{Zi-li-ia } \dot{\text{u}} \text{ a-na }^m\text{Ar-zi-iz-za}$  (20)  $\text{at-ta-din}$   
 $\dot{\text{u}} \text{ um-ma }^m\text{Zi-gi-ma}$  (21)  $^m\text{Ṣe-en-ni-ma mār-ia eqlāti}^{\text{pl}}\text{-ṣu}$  (22)  $\text{bītāti}^{\text{coll pl}}$   
 $\text{mi-im-mu ṣu-un-ṣu}$  (23)  $\text{ṣa }^m\text{Ṣu-ri-ḥi-il ṣa aḥi-ia il-qī}$  (24)  $\dot{\text{u}} \text{ i-na-an-na}$   
 $^m\text{Ṣe-en-ni-ma}$  (25)  $\text{i-na eqlāti}^{\text{pl}} \text{ ti i-na bītāti}^{\text{coll pl}}$  (26)  $\text{i-na mar-ṣi-it-ti ṣa}$   
 $\text{a-bi-ia}$  (27)  $\text{ṣa }^m\text{Ak-ku-ia la sū-um-mu-uḥ}$  (28)  $\text{it-ti }^m\text{E-el-lu } \dot{\text{u}} \text{ it-ti}$   
 (29)  $^m\text{Ar-zi-iz-za i-na mi-im-mu-ṣu-un-ṣu-ia}$  (30)  $\text{la i-zu-uz-zu bītāti}^{\text{coll pl}}$   
 $\text{qú-ub}<\text{ba}>\text{-ti}$  (31)  $\text{i-na } ^c\text{Nu-zi i-na ṣi-ri-ti}$  (32)  $\text{i-na li-it qú-ub-ba-ti ṣa}$   
 (33)  $^m\text{Mu-uš-te-ia mār Ta-mar-ta-e}$  (34)  $^m\text{E-el-lu } \dot{\text{u}} \text{ }^m\text{Ar-zi-iz-za}$  (35)  $\text{i-zu-}$   
 $\text{uz-zu-nu }^m\text{E-el-lu ṣinni}^{\text{ni}}\text{-ṣu i-liq-qī}$  (36)  $\dot{\text{u}} \text{ }^m\text{Ar-zi-iz-za ki-i qāti-ṣu i-liq-qī}$   
 (37)  $\text{i-na amāti}^{\text{pl}} \text{ at-tá-ma-an-nu ki-i}$  (38)  $\text{qa-ti-ṣu-ma i-li-iq-qī um-ma}$   
 (39)  $^m\text{Zi-gi-ma ṣum-ma }^m\text{Ṣe-en-ni-ma}$  (40)  $\text{i-na arki}^{\text{ki}} \text{ ṣa }^m\text{E-el-lu}$  (41)  $\dot{\text{u}} \text{ ṣa}$   
 $^m\text{Ar-zi-iz-za aš-ṣum eqlāti}^{\text{pl}}\text{-ia}$  (42)  $\text{aš-ṣum bītāti}^{\text{coll pl}} \dot{\text{u}} \text{ aš-ṣum mi-im-mu-ia}$   
 (43)  $\text{i-ṣa-as-ṣí } 2 \text{ manū kaspu } 2 \text{ manū ḥarāṣu}$  (44)  $^m\text{Ṣe-en-ni-ma a-na }^m\text{E-el-lu}$   
 $\dot{\text{u}} \text{ a-na}$  (45)  $^m\text{Ar-zi-iz-za } \dot{\text{u}}\text{-ma-al-la um-ma}$  (46)  $^m\text{Zi-gi-ma i-na } \dot{\text{u}}\text{mi}^{\text{mi}} \text{ an-ni}$   
 (47)  $\text{ṣi-mu-ma-ka}_4 \text{ e-te-pu-uš}$  (48)  $\dot{\text{u}} \text{ ṭup-pu an-nu-um-ma}$  (49)  $\text{ṭup-pu } \dot{\text{u}}$   
 $\text{ṣa-nu-u ṭup-pu la ṭup-pu } \dot{\text{u}}$  (50)  $\text{um-ma }^m\text{Zi-gi-ma ma-an-nu-um-me}$  (51)  $\text{i-na}$

libbi mārī<sup>pl</sup>-ia [ša eq]la] ù bīta a-na ši-mi (52) i-na-an-di[n i-na eq]lāti<sup>pl</sup>-šu i-na bītāti<sup>coll</sup>-šu ša-aš-š[um-ma itēpuš]

(53) maḥar Tar-mi-til-la mār A-kip-til-la (54) maḥar Še-ir-ši-ia mār Gi-el-te-šup (55) maḥar Ḫu-ti-ia mār Te-ḫi-pá-pu (56) maḥar Ša-ar-te-šup mār Ar-ru-tup-pá (57) maḥar A-kap-še-ni mār Zi-gi maḥar Ḫu[ — — — — ] (58) maḥar Ta-i-til-la mār Na-ḫi-ia maḥar Tup-še[ — — — — ] (59) maḥar Al-ki-te-šup mār Ha-iš-te-šup (60) qāt <sup>m</sup>Ša-ar-til-la tupšar[ru]

Seals of the witnesses mentioned in lines 59, 56, 55, 57, 54, and of the scribe; seal of Zigi.

(65) ṭup-pí i-na arki<sup>ki</sup> (66) šu-du-ti i-na ba-ab (67) abulli i-na <sup>e</sup>Nu-zi (68) ša-ṭi-ir

a. Perhaps *bītāticoll* is to be supplied instead. b. Obviously a scribal error. c. Sic!

Tablet of settlement of [Zizi] son of A[k]kuya; a settlement in favor of [his] sons, of Ellu and of [Arzizza] he made. Thus (says) Zigi:

(5) “(As regards) all (my) lands, Ellu (shall be) my eldest son, and a double share of the inheritance portion he shall take; and Arzizza is second, and according to his allotment he shall ta[ke.]” (10) Thus further (says) Zigi: “(My) houses [and land]s within <sup>e</sup>Nuzi, these to my elder son, to Ellu I have deeded. The chariot shed, which is among the large buildings, together with its riding gear, to Arzizza (15) I have deeded; the entrance thereof Arzizza shall leave on the street side. The stables in <sup>e</sup>Nuzi, in the upper part, bordering on the stables of Ziliya, these to Arzizza (20) I have deeded.” And thus further (says) Zigi; “My son Shennima received the lands, the buildings, and the other property of my brother Shurihil; and now Shennima (25) of the lands, the buildings, the property of my father Akkuya, shall not be joint heir; with Ellu and with Arzizza in my property (30) he shall not share. The stables in the upper part of <sup>e</sup>Nuzi, bordering on the stables of Mushteya son of Tamartae, Ellu and Arzizza (35) shall divide; Ellu shall take a double portion and Arzizza according to his share shall take. Of the handmaids, each according to his share shall take.” Thus further (says) Zigi: “If Shennima (40) against Ellu and Arzizza on account of my lands, my buildings, and my (movable) property will complain, two minas of silver and 2 minas of gold Shennima to Ellu and to (45) Arzizza shall furnish.” Thus further (says) Zigi: “On this day I have made a will, and this tablet is indeed the (valid) tablet, and any other tablet is no tablet.” And (50) thus (declares) Zigi: “Whichever among my sons sells land or building for a price, his lands and his buildings he shall forfeit.”

9 witnesses and signature of the scribe; 7 seals.

(65) The tablet was written after the proclamation in the entrance of the gate, in <sup>c</sup>Nuzi.

This is the basic text for the reconstruction of the family tree of Zigi. Fortunately, the context is comparatively clear.

13. The word *waratušhu* is apparently Hurrian, but the meaning is established by the context.

15. For a similar provision concerning the approach to the house, cf. 20. 43-44.

17. *Qubbātu* is a cognate of *qabū* 'stable.'

26. *Maršittu* 'acquisition,' (cf. *puḫru*, *mānaḫātu*, *sikiltu*), as opposed to inherited property.

36. *Qātu* 'share' in place of the more usual '*emūqu*.'

42. *Mimmu* is here 'movable property,' as opposed to lands and buildings.

47. *Šimumāku* (also in 22. 13) 'will,' in a more specialized sense than *šimtu*.

## 22 (H 70)

(1) Ṭup-pí ši-im-ti ša <sup>m</sup>A-kap-ša-[en-ni] (2) mār Zi-gi ši-im-ta a-na  
(3) aš-šu-ti a-na <sup>f</sup>Til-ku-uš-ḫé (4) i-ši-im-mi um-ma <sup>m</sup>A-kap-še-e[n-ni]-ma  
(5) mi-nu-um-me-e šamnū<sup>pl</sup>-ia (6) immerū-ia ši-a-na-ti-ia (7) nam-zi-ti-ia  
ú-nu-tù (8) ša bīt a-ḫi-ia<sup>(a)</sup> ù amtu-ia (9) <sup>f</sup>Me-ni-ku an-nu-tù a-na  
(10) sinništi aš-ša-ti-ia a-na <sup>f</sup>Til-ku-uš-ḫé (11) at-ta-din-mi ù <sup>f</sup>Til-ku-uš-ḫe  
(12) a-šar lib-bi-šu i-na-an-din (13) ma-an-nu-um-me-e aš-šum ši-mu-ma-ki  
(14) an-nu-ti i-na arki-šu ša <sup>f</sup>Til-ku-uš-he (15) i-ša-as-sí 1 manū kaspu  
(16) ù 1 manū ḫurāšu ú-ma-al-la (17) ú-ma-al-la<sup>(b)</sup>

(18) [maḫar] Ḫa-ni-ú mār A-[ri-]ip-še-el-li (19) maḫar Ar-ši-mi-ka<sub>4</sub> mār  
Nu-pá-na-ni (20) maḫar Tu-ra-ar-te-šup mār Ta-te-šup (21) maḫar Ar-nu-zu  
mār Ku-uš-ki-pa (22) maḫar Ḫap-pí-ia mār Ḫa-ni-ú (23) maḫar Pu-ḫi-ia  
mār Gi-el-te-e-a (24) maḫar Zi-gi mār Ḫa-bi-ra (25) maḫar Še-el-lu-ni mār  
Zi-gi (26) maḫar Ir-ra-zi ṭupšar-rum arad ekallim<sup>lim</sup>

Seals of the above witnesses.

a. Or are these signs transposed for *ḪI.A-ia*? The sense would then be "of my houses," which appears preferable. b. Sic!

Tablet of settlement of Akapshe[nn]i son of Zigi; a settlement in favor of his wife, of <sup>f</sup>Tilkushhe, he made. Thus (says) Akapshe[nni]: (5) All my ointments, my sheep, my headdresses, my vessels, the implements of the house of *my brother*, and my handmaid <sup>f</sup>Miniku, these to (10) my wife, to <sup>f</sup>Tilkushhe I have deeded; and <sup>f</sup>Tilkushhe may dispose of them to whomever she pleases."

Whoever on account of this will, against <sup>f</sup>Tilkushhe (15) raises any claims, shall furnish one mina of silver and one mina of gold.

9 witnesses, the last one being the scribe, 'the servant of the palace.' 9 seals.

### 23 (H 74)

(1)  $\text{ṭup-pí šī-im-ti ša}$  (2) <sup>f</sup>Til-ku-uš-hé aššat<sup>at</sup> ša <sup>m</sup>A-kap-še-en-ni (3)  $\text{šī-im-ta a-na mārī}^{\text{pl}}\text{-šu}$  (4) a-na <sup>m</sup>Še-el-lu-ni ù a-na (5) <sup>m</sup>A-kà-wa-til šī-im-ta (6)  $\text{i-šī-im-mu um-ma}$  (7) <sup>f</sup>Til-ku-uš-ḥe-ma (8)  $\text{mi-nu-um-me-e si-kil}^{(a)}\text{-ti ma-na-ḥa-tù}$  (9)  $\text{ištēn}^{\text{en}}\text{-šu}^{(b)}$  ša mu-ti-ia ša <sup>m</sup>A-kap-še-en-ni (10) <sup>m</sup>A-kap-še-en-ni a-na ia-ši (11) ša iddinu<sup>nu</sup> ù i-na-an-na a-na-ku (12) a-na <sup>m</sup>Še-el-lu-ni ù a-na (13) <sup>m</sup>A-ka<sub>4</sub>-wa-ti<sup>(c)</sup>-til at-ta-din-mi (14) <sup>m</sup>Še<sup>(d)</sup>-el-lu-ni it-ti-ḥa-mi-iš (15) <sup>m</sup>A-ka<sub>4</sub>-wa-til mi-it-ḥa-ri<iš><sup>(e)</sup> (16) i-zu-uz-zu-um-ma (17) <sup>f</sup>Til-ku-uš-hé-ma 1 amti-ia (18) <sup>f</sup>Mi-ni-i-ku i-na qí-it-ri (19) a-na <sup>m</sup>Še-el-lu-ni (20) na-ad-nu um-ma (21) <sup>f</sup>Til-ku-uš-hé-ma (22) kasap-šu ša <sup>f</sup>A-zu-li mār<sup>t</sup>i-ia (23) i-na qí-it-ri a-na (24) <sup>m</sup>A-ka<sub>4</sub>-wa-til na-ad-nu (25)  $\text{ṭup-pí i-na arki}^{\text{ki}}\text{ šu-du-ti}$  (26) i-na <sup>c</sup>Nu-zi ša<sub>7</sub>-ṭi-ir

(27) maḥar Eḥ-li-te-šup mār Ta-a-a (28) maḥar Ìl-ab-ri mār Ta-a-a (29) maḥar Dūr<sup>(f)</sup>-<sup>d</sup>Adad mār Šar<sup>(g)</sup>-ri-iš-še (30) maḥar Ḥu-ia mār Zi-líp-til-la (31) maḥar Ḥé-ir-ri-gi mār A-ri-im-ma-ḥé (32) maḥar Tar-mi-te-šup mār Šarru-mālik<sup>(h)</sup>

Seals of the above witnesses.

*a.* The entire word is written over an erasure; the first and the third signs are quite clearly *si* and *ti*, but the middle sign has two wedges too many for *kil*. However, in view of 19. 18 there can be little doubt that *sikilti* is to be read here. *b.* It is not necessary to assume that *mimmu* has been omitted, though this is, of course, not impossible. Cf. *iš-te-en i-li-qí-e-ma*, Meissner, *Privatrecht* 97. 18. *c.* The scribe started out to write *ti-il*, but ended with the more common *til*. *d.* Written *lu*, probably in anticipation of the third syllable. *e.* Omitted by haplography; cf. the last sign of the preceding line. *f.* Is D. a brother of Ziqna-dAdad, son of Šarišše (H. 88. 10), or is *Dūr* to be read *Ziqna*? *g.* *IM.* cf. the preceding note. *h.* *AD.GI.* T. is evidently the scribe, though not indicated as such. The seals correspond exactly to the witnesses, so that the last seal (*kunuk ṭupšarri*) must be assigned to the last witness.

Tablet of settlement of <sup>f</sup>Tilkushhe wife of Akapshenni; in favor of her sons, of Shelluni and of (5) Akawatil a settlement she made. Thus (declares) <sup>f</sup>Tilkushhe:

"All the gains (and) acquisitions, one (share) from my husband Akapshenni, (10) which Akapshenni gave to me, now these to Shelluni and to Akawatil I have given. Shelluni together with (15) Akawatil evenly shall divide." Thus



further (says) <sup>f</sup>Tilkushhe: "A handmaid, <sup>f</sup>Miniku, as a gift to Shelluni (20) has been given." Thus again (says) <sup>f</sup>Tilkushhe: "The money for <sup>f</sup>Azuli, my daughter, as a gift to Akawatil has been given."

(25) The tablet was written after the proclamation in <sup>e</sup>Nuzi.

6 witnesses; 6 seals.

The preceding document gave Tilkushhe the right to dispose of her husband's movable property as she pleased. The present record shows how T. made the division. It is worthy of notice that everything remains within the family.

4. Shelluni is an adopted son, as is made clear by text 4.

9. *Išten* and *išten mimmu/i* mean 'moveable property,' as may be clearly seen by comparing the present document with the preceding one.

## 24 (H 101)

(1) <sup>f</sup>Mi-ni-i-ku amtum<sup>tum</sup> (2) <sup>f</sup>Til-ku-uš-<sup>h</sup>é aššat<sup>at</sup> (3) <sup>m</sup>A-kap-še-en-ni iš-tu<sub>4</sub> (4) kaspī<sup>pl</sup> ša bīt<sup>it</sup> a-bi-ša (5) a-na ši-mi il-te-qí-šu (6) ù i-na-an-na <sup>m</sup>A-kap-še-en-ni (7) <sup>f</sup>Mi-ni-i-ku a-na <sup>f</sup>Til-ku-uš-<sup>h</sup>i-ma (8) i-din mārū<sup>pl</sup> <sup>m</sup>A-kap-še-en-ni (9) i-na zitti la i-na-an-du-uš (10) <sup>f</sup>Til-ku-uš-<sup>h</sup>i-ma a-šar libbi-ša (11) a-šar <sup>h</sup>a-aš-<sup>h</sup>u i-na-an-din-ši

(12) maḥar Tar-mi-ia mār <sup>d</sup>Amurru-ga[mil]<sup>(a)</sup> (13) maḥar It-<sup>h</sup>a-a-pu mār Ka-ak-ki[-ia] (14) maḥar <sup>h</sup>Ha-ni-ú mār A-ri-ip-še-el-li (15) maḥar A-ki-ia mārat Ša-wa-a-a<sup>(b)</sup> (16) maḥar Ši-ir-ra-<sup>h</sup>ḫi-mār <sup>h</sup>Ha-ni-ú (17) maḥar E-en-na-ma-ti mār Pu-<sup>h</sup>i-še-en-ni (18) maḥar <sup>d</sup>Nabū-ilu<sup>(c)</sup> ṭupšar-rum (19) mār <sup>d</sup>Sin-nap-šir

Seals of the above witnesses except Akiya and Ennamati.

a. AN.MAR.TU.Š[U]. b. Perhaps to be read *ša Wa-a-a?* c. AN.AK.AN.RA.

<sup>f</sup>Miniku, a handmaid, <sup>f</sup>Tilkushhe wife of Akapshenni for money from her father's house (5) purchased. And now Akapshenni has given <sup>f</sup>Miniku to <sup>f</sup>Tilkushhe (outright.) The sons of Akapshenni shall not include her in the inheritance portions. (10) <sup>f</sup>Tilkushhe may give her to whom her heart desires.

8 witnesses; 6 seals.

## 25 (H 79)

(1) ṭup-pí kál-lu-ti ša (2) <sup>m</sup>Ša-ar-te-šup mār Zi-wi-ir-ka<sub>4</sub>-tum (3) a-<sup>h</sup>a-sú <sup>f</sup>Šu-wa-ar-ni-nu (4) a-na kál-lu-ti a-na <sup>m</sup>I-la-nu (5) mār Ta-ú-ki <iddin> ù <sup>m</sup>I-la-nu (6) 40 šiqlu<sup>(a)</sup> kaspu ki-ma kaspi ša (7) <sup>f</sup>Šu-wa-ar-ni-nu a-na

(8) <sup>m</sup>Ša-ar-te-šup i-na-an-din (9) ù <sup>m</sup>I-la-nu 36 manū anāku (10) ki-ma alpi 24 manū anāku (11) ki-ma imēri 10 immeru ù 10 šiqu<sup>a</sup>) kaspu (12) ki-ma ḥa-ša-ḥu-še-en-ni (13) a-na <sup>m</sup>Ša-ar-te-šup i-na-an-din (14) lib-bi ša kaspi ša alpi (15) i-na ūmi<sup>mi</sup> an-ni-i 19 manū anāku (16) <sup>m</sup>I-la-nu a-na <sup>m</sup>Ša-ar-te-šup iddinu<sup>nu</sup> (17) ù <sup>m</sup>I-la-nu <sup>f</sup>Šu-wa-ar-ni-nu (18) a-na māri-šu a-na aš-šu-ti i-na-an-din (19) ma-an-nu ina lib-bi māri<sup>pl</sup>-šu (20) ḥa-aš-ḥu a-na aš-šu-ti i-na-an-din (21) šum-ma <sup>f</sup>Šu-wa-ar-ni-nu (22) pá-qí-ra-na irtašiši (23) <sup>m</sup>Ša-ar-te-šup (24) <sup>f</sup>Šu-wa-ar-ni-nu ú-za-ak-ka<sub>4</sub> (25) a-na <sup>m</sup>I-la-nu i-na-an-din (26) um-ma <sup>f</sup>Šu-wa-ar-ni-nu (27) a-na-ku a-ḥa-tù-ti (28) a-na <sup>m</sup>Ša-ar-te-šup (29) 5-ta-a-an šiqu<sup>a</sup>) kaspu (30) i-na šatti<sup>ti</sup> ù šatti<sup>ti</sup> (31) i-na-an-din ma-an-nu ina bē-ri-šu-nu (32) ibalkatu<sup>tu</sup>, 1 manū kaspu 1 manū ḥurāšu (33) umallā<sup>la</sup>

(34) maḥar Gi-el-šu mārāt Šarra-mu-li (35) maḥar Ḥu-ti-na-war mār E-te-eš-še-en-ni (36) maḥar A-ri-ip-še-ri mār Nu-ur-ta (37) maḥar Ia-lu mār Ki-pa-li (38) maḥar Ha-iš-te-šup mār Ar-te-šup (39) maḥar Mu-ut-ta mār Zi-en-ni (40) maḥar Tù-ra-ar-te-šup ṭupšarru mār It-ḥa-pí-ḥi

Seals of the above witnesses.

a. *SU*. b. Seal (line 42) reads *ir*.

Tablet of daughter-in-lawship of Sharteshup son of Ziwirkatum; his sister <sup>f</sup>Shuwarninu as daughter-in-law to Ilanu (5) son of Tayuki <he sold>. And Ilanu, 40 shekels of silver as the price for <sup>f</sup>Shuwarninu to Sharteshup shall pay. And Ilanu, 36 minas of lead (10) equivalent to one ox, 24 minas of lead for an ass, 10 sheep, (and) 10 shekels of silver, the "brothership" money, to Sharteshup shall pay. (15) Out of the money for the ox, 19 minas of lead Ilanu to Sharteshup has paid. And Ilanu shall give <sup>f</sup>Shuwarninu to his son as wife. To whomever among his sons (20) he wishes, as wife he will give her. If <sup>f</sup>Shuwarninu has a claimant, Sharteshup shall clear <sup>f</sup>Shuwarninu, (25) to Ilanu he shall restore her. Thus (declares) Shuwarninu: "I am sister to Sharteshup." 5 shekels of silver, (30) each year, he shall pay. Whoever among them breaks the contract shall furnish one mina of silver and one mina of gold.

7 witnesses; 7 seals.

For a full discussion of this and the following texts, cf. the introductory section 3 ("Marriage records").

34. *šarra-mu-li* represents probably *šar-amurri*.

## 26 (H 80)

(1)  $\text{tup-pí ri-ik-sí ša}$  (2)  ${}^m\text{Ak-ku-li-en-ni mār A-ki-ia}$  (3)  $\text{it-ti H̄u-ra-zu-zi}$   
 $\text{mār E-en-na-a-a <i-na>}$  (4)  $\text{be-ri-šu-nu ri-ik-sà ir-ta-ak-sú-uš}$  (5)  $\text{ù } {}^m\text{Ak-ku-}$   
 $\text{li-en-ni a-ḥa-as-sú}$  (5<sup>a</sup>)  ${}^f\text{Be-el-ta-ak-ka}_4\text{-du-um-mi a-na}$  (6)  $\text{aššūti}^{ti}$   $\text{a-na}$   
 ${}^m\text{H̄u-ra-uz-zi ittadin-šu}$  (7)  $\text{ù } {}^m\text{H̄u-ra-uz-zi 1 alpu 10 šiq̄lu}^{(b)}$   $\text{kaspū}^{pl}$  (8)  $\text{ḥa-ša-}$   
 $\text{ḥu-še-en-nu ki-mu-ú te-ir-ḥa-ti-šu}$  (9)  $\text{ša Be-el-ta-ak-ka}_4\text{-du-um-me}$  (10)  $\text{a-na}$   
 ${}^m\text{Ak-ku-li-en-ni i-na-an-din}$  (11)  $\text{um-ma } {}^m\text{Ak-ku-li-en-ni-ma mi-nu-um-me-e}$   
(12)  $\text{kasap-šú ri-iḥ-tù ša } {}^f\text{Be-el-ta-ak-ka}_4\text{-du-um-mi}$  (13)  $\text{a-na mu-lu-gu}_5\text{-ti}$   
 $\text{ù a-na qa-an-ni-šu}$  (14)  $\text{a-na } {}^f\text{Be-el-ta-ak-ka}_4\text{-du-um-me ir-ta-ak-sú-mi}$   
(15)  $\text{šum-ma } {}^f\text{Be-el-ta-ak-ka}_4\text{-du-um-me pí-ir-qa}$  (16)  $\text{ir-ta-ši } {}^m\text{Ak-ku-li-en-ni}$   
 $\text{ú-za-ak-ka}_4\text{-ma}$  (17)  $\text{a-na } {}^m\text{H̄u-ra-uz-zi i-na-an-din}$  (18)  $\text{šum-ma } {}^f\text{Be-el-ta-}$   
 $\text{ak-ka-du-um-me}$  (19)  $\text{māra}^{ra}$   $\text{ú-ul-la-ad } {}^m\text{H̄u-ra-uz-zi}$  (20)  $\text{aššata}^{ta}$   $\text{ša-ni-ta}$   $\text{ù}$   
 $\text{la i-liq-qí}$  (21)  $\text{šum-ma } {}^f\text{Be-el-ta-}<\text{ak}>\text{-ka}_4\text{-du-um-mi}$  (22)  $\text{māra}^{ra}$   $\text{la ú-ul-la-ad}$   
 ${}^m\text{H̄u-ra-uz-zi}$  (23)  $\text{aššata}^{ta}$   $\text{ša-ni-ta i-liq-qí}$  (24)  $\text{um-ma } {}^m\text{Ak-ku-li-en-ni-ma}$   
(25)  ${}^f\text{Ka}_4\text{-pu-la-an-za a-ḥa-ti-ia}$  (26)  $\text{a-na ma-ar-tù-ti a-na}$  (27)  ${}^m\text{H̄u-ra-uz-zi}$   
 $\text{id-na-aš-šú}$  (28)  $\text{ù } {}^m\text{H̄u-ra-uz-zi } {}^f\text{Ka}_4\text{-pu-la-an-za}$  (29)  $\text{a-na aššūti}^{ti}$   $\text{a-šar}$   
 $\text{ḥa-ši-iḥ-šu-nu}$  (30)  $\text{i-na-an-din-ma kaspū}^{pl-šú}$   $\text{i-liq-qí}$  (31)  $\text{im-ma-ti-me-e}$   
 ${}^f\text{Ka}_4\text{-pu-la-an-za it-ti}$  (32)  $\text{mu-ti-šu it-ta-na-a-a-lu šu-ur-ru-um-ma}$  (33)  $20$   
 $\text{šiq̄lu kaspu ha-ša-ḥu-še-en-nu}$  (34)  ${}^m\text{H̄u-ra-uz-zi a-na } {}^m\text{Ak-ku-li-en-ni i-na-}$   
 $\text{an-din}$  (35)  $\text{šum-ma } {}^f\text{Ka}_4\text{-pu-la-an-za pí-ir-qa ir-ta-ši}$  (36)  ${}^m\text{Ak-ku-li-en-ni}$   
 $\text{ú-za-ak-ka}_4\text{-šu-ma}$  (37)  $\text{a-na } {}^m\text{H̄u-ra-uz-zi i-na-an-din}$  (38)  $\text{ma-an-nu-um-me-e}$   
 $\text{ina be-ri-šu-nu ibalkatu}^{tu}$ , (39)  $1 \text{ manū kaspu } 1 \text{ manū ḥurāšu umallā}^{la}$   
 ${}^f\text{Ka}_4\text{-pu-la-an-zi a-na aššūti}^{ti}$   $\text{a-na } 1 \text{ ardi la inandin}$

(40)  $\text{maḥar } {}^m\text{Ak-ku-ia mār Ar-te-šup}$  (41)  $\text{maḥar Ši-la-ḥi mār Tup-ki-til-la}$   
(42)  $\text{maḥar Ut-ḥap-ta-e mār Ni-iḥ-ri-ia}$  (43)  $\text{maḥar Tù-ra-ri mār Ur-ku-tù}$   
(44)  $\text{maḥar Zi-in-zi-li-ka}_4 \text{ mār Ta-am-pu-ia}$  (45)  $\text{maḥar En-na-ma-ti mār}$   
 $\text{Ki-ik-ki-ia}$  (46)  $\text{maḥar Pu-ḥi-še-en-ni}$   $\text{ù maḥar Šuk-ri-ia mārū}^{pl}$   $\text{En-na-a-a}$   
(47)  $\text{maḥar Na-aš-mu mār A-kap-še-en-ni}$  (48)  $\text{maḥar Ši-il-wa-a-a mār}$   
 $\text{Ur-ḥi-ia}$  (49)  $\text{maḥar H̄u-ti-ia t̄upšarru mār Mu-uš-te-e-a}$

Seals of the witnesses mentioned in lines 40-44, 45-47, 50, and of Hirrikaya.

*a.* So in copy. *b.* GIN.

Tablet of (marriage-)contract of Akkulenni son of Akiya; with Hurauzzi son of Ennaya a contract between them they contracted. Accordingly, Akkulenni, (5) his sister Beltakkadummi as wife to Hurauzzi shall give. And Hurauzzi, one ox (and) 10 shekels of silver, of the "brotherhood" money, as the purchase price for <sup>f</sup>Beltakkadummi, (10) to Akkulenni shall pay. All

the remaining money of <sup>f</sup>Beltakkadummi, as her dowry, for <sup>f</sup>Beltakkadummi in her hem shall be tied. (15) If there is a claim against <sup>f</sup>Beltakkadummi, Akkulenni shall clear her and restore her to Hurauzzi. If <sup>f</sup>Beltakkadummi bears a son, Hurauzzi (20) another wife shall not take. If <sup>f</sup>Beltakkadummi a son does not bear, Hurauzzi may take another wife. Thus (says) Akkulenni: (25) “<sup>f</sup>Kapulanza, my sister, I have given to Hurauzzi into daughtership, and Hurauzzi, to whomever he wishes (30) may give her, and the money for her he shall receive.” When <sup>f</sup>Kapulanza with her husband has lain, straight-way 20 shekels of “brotherhood” money Hurauzzi to Akkulenni shall pay. (35) If there is a claim against <sup>f</sup>Kapulanza, Akkulenni shall clear her, to Hurauzzi he shall restore her. Whoever among them breaks the contract shall pay as fine one mina of silver and one mina of gold. <sup>f</sup>Kapulanza as wife to a slave is not to be given.

11 witnesses; 10 seals.

27. *Idnaššu* looks like an imperative. In reality, however, it stands for *adnaššu/addinaššu*. The confusion between the third and first persons is quite frequent.

### 27 (H 69)

(1) <sup>f</sup>tu-pí a-ḥa-ti ša <sup>m</sup>Ak-ku-li-en-ni (2) mār A-ki-ia ù a-ḥa-sú (3) <sup>f</sup>Be-el-ta-ak-ka<sub>4</sub>-du-um-mi (4) a-na a-ḥa-ti a-na <sup>m</sup>Ḥu-ra-az-zi (5) mār <sup>m</sup>En-na-a-a it-ta-din (6) ù <sup>m</sup>Ḥu-ra-az-zi 40 šiq<sup>lu</sup>(<sup>a</sup>) kaspū<sup>pl</sup> (7) a-na <sup>m</sup>Ak-ku-li-en-ni it-ta-din (8) šum-ma <sup>f</sup>Be-el-ta-ak-ka<sub>4</sub>-du-um-mi (9) pí-ir-qa ir-ta-ši <sup>m</sup>Ak-ku-li-en-ni (10) ú-za-ak-ka-ma a-na <sup>m</sup>Ḥu-ra-az-zi (11) i-na-an-din ma-an-nu ša ibalkatu<sup>kat-tu</sup> (12) 1 manū kaspu 1 manū ḥurāš<sup>u</sup> (13) ú-ma-al-la <sup>f</sup>tu-pu ina arki<sup>ki</sup> (14) šu-du-ti ina bá-ab(<sup>b</sup>) abullim<sup>lim</sup> (15) ša <sup>c</sup>Te-im-te-na ša-ṭi-ir

(16) maḥar Pu-i-ta-e mār Ú-na-ap-ta-e (17) maḥar An-ka<sub>4</sub>-li-li mār Eḥ-li-ia (18) maḥar A-ki-ia mār Ki-il-li (19) maḥar Ut-ḥap-ta-e mār Pu-ḥi-še-en-ni (20) maḥar E-ni-iš-ti-ta mār Ki-il-li(<sup>c</sup>) (21) maḥar Še-ḥi-el-te-šup mār Ta-a-a-ú-ki (22) maḥar Ar-ta-mu-zi mār Ut-hap-še (23) qāt <sup>m</sup>A-kam-mu-uš-ni <sup>f</sup>tu-pšar-rum

Seals of the above witnesses except Ankalili and Enishtita.

a. *SU*. b. Scribe wrote *GIS* by mistake. c. Copy has *te*; in view of line 19, and in view of the fact that *te* and *li* are sufficiently similar in these tablets, *li* seems to be the correct reading.

Tablet of sistership of Akkulenni son of Akiya, whereby his sister <sup>f</sup>Beltakkadummi as sister to Hurazzi (5) son of Ennaya he has sold. And Hurazzi

40 shekels of silver to Akkulenni has given. If there is a claim against <sup>f</sup>Beltakkadummi, Akkulenni (10) shall clear her and to Hurazzi restore her. Whoever breaks the agreement shall furnish one mina of silver and one mina of gold.

The tablet was written after the proclamation in the entrance of the gate (15) of <sup>e</sup>Temtena.

7 witnesses and signature of scribe; 6 seals.

### 28 (H 25)

(1) lišān-šu ša <sup>m</sup>Ak-ku-li-en-ni (2) mār A-ki-ia a-na pa-ni awēlūti<sup>pl</sup> (3) an-nu-ti ki-am iq-ta-bi (4) a-ḥa-ti-ia <sup>f</sup>Be-el-ta-ak-ka-di-um-mi (5) a-na aš-šu-ti a-na Ḥu-ra-az-zi (6) mār En-na-a-a at-ta-din (7) ù a-na-ku 40 šiqu<sup>(a)</sup> kaspu ša (8) a-ḥa-ti-ia ša <sup>f</sup>Belit-akkadi<sup>ki</sup>-ummi<sup>mi</sup>(<sup>b</sup>) (9) a-šar <sup>m</sup>Ḥu-ra-az-zi el-qì-mi (10) ù ap-la-ku-mi lišān-šu ša (11) <sup>f</sup>Be-el-ta-ak-ka-du-um-mi (12) a-na pa-ni awēlūti<sup>pl</sup> šībū<sup>pl</sup>-ti (13) an-nu-ti ki-am iq-ta-bi (14) ra-ma-ni-ia ù a-ḥu-ia (15) <sup>m</sup>Ak-ku-li-en-ni a-na aš-šu-ti (16) a-na <sup>m</sup>Ḥu-ra-az-zi iddin<sup>din</sup>-an-ni-mi (17) um-ma <sup>m</sup>Ḥu-ra-az-za-ma (18) aš-šum <sup>f</sup>Ka-ap-[lu-an-za] (19) i-na arki<sup>ki</sup> <sup>m</sup>Ak-ku-li-en-ni (20) la a-ša-as-sí ša i-na (21) be-ri-šu-nu ibalkatu<sup>tu</sup> (22) 1 manū kaspu 1 manū ḥurāšu (23) ú-ma-al-la ṭup-pu (24) ina arki <sup>an</sup>du-ra-ri<sup>(c)</sup> (25) i-na ba-ab a-bu-ul-li (26) ša <sup>e</sup>Ma-ti-ḥa ša<sub>7</sub>-ṭar

(27) maḥar Ar-te-a mār Nu-ri-a (28) maḥar Zi-li-pa-pu mār Tar-mi-ia (29) maḥar Ik-ki-te mār Wa-an-ti-iš-se (30) maḥar Ta-e mār A-kip-til-la (31) maḥar Ki-in-ni-ia mār El-ḥi-ip-šarri (32) maḥar Ḥu-ut-te-šup mār Ar-še-eḫ-li (33) maḥar Tup-ki-til-la mār Wi-ra-ni (34) qāt Tup-pí-ia ṭupšarru

Seals of the above witnesses.

a. *SU*. b. *NIN.A.GA.DE.KI.AMA*. c. One or two signs seem to have been completely erased.

The declaration of Akkulenni son of Akiya; in the presence of these men he spoke as follows: "My sister <sup>f</sup>Beltakkadiummi (5) as wife to Hurazzi son of Ennaya I have given; and from Hurazzi, 40 shekels of silver for my sister <sup>f</sup>Belit-Akkadi-Ummi I have received (10) and am paid."

The declaration of <sup>f</sup>Beltakkadummi (which) in the presence of these witnesses she made, as follows: "With my consent my brother (15) Akkulenni as wife to Hurazzi has given me."

Thus (says) Hurazzi: "Concerning <sup>f</sup>Kap[luanza,] against Akkulenni (20) I shall raise no claims."

Whoever among them breaks the agreement shall pay as fine one mina of gold and one mina of silver.

The tablet was written after the release (25) in the entrance of the gate of °Matiha.

7 witnesses and scribe; 7 seals.

The present record forms a group with 26 and 27.

24. The use of *andurāru* for the customary *šudātu* provides a very welcome and helpful variant. Cf. above, note 10.

### 29 (H 26)

(1) lišān-šu ša °Zi — — — (2) a-na pa-ni awēlūti<sup>pl</sup> ši-bu-ti an-nu-ti (3) ki-am iq-ta-bi (4) <sup>m</sup>A-ka<sub>4</sub>-wa-til mār El-li iš-tu sú-qí (5) la-lu-ia at-ta-dì-šu-ma (6) u a-na a-ḥa-tù-ti a-na ia-ši (7) e-te-pu-uš-mi ù (8) <sup>m</sup>A-ka<sub>4</sub>-wa-til ša ra-bi-ši-ia (9) i-ra-ab-bi-iš ša i-na an-ša-ri-ia (10) i-na an-ša-ar-šu ia-ši (11) ki-i a-ḥa-tù-ti i-ip-pu-šá-an-ni (12) a-na ia-ši ni-ra-ru-um-mi (13) ù <sup>m</sup>A-ka<sub>4</sub>-wa-til 20 šiq<sup>lu</sup>(<sup>a</sup>) kaspū<sup>pl</sup>-ia (14) a-šar awēl<sup>mu</sup>-ti-ia i-liq-qì-ma (15) ù i-ik-kál u 20 šiq<sup>il</sup>(<sup>a</sup>) kaspū<sup>pl</sup> (16) <sup>m</sup>El-ḥi-in-na-mar a-ḥi-ia ikkal(<sup>b</sup>) (17) ma-an-nu ša [i]-na be-ri-šu-nu (18) ibalkatu<sup>tu</sup> 1 amta damqa umalla<sup>la</sup> (19) ṭup-pu arki šu-du-ti (20) i-na °Nu-zi a-šar abulli (21) šá-ṭi-ir

(22) maḥar Hu[-ti]-pa-pu mār Pu-ru-sa (23) maḥar Te-ḥi-ip-til-la mār Zi-líp-til-la (24) maḥar Tar-mi-til-la mār Eḥ-li-te-šup (25) maḥar Wu-uḥ-ra-pu mār Tar-mi-te-šup (26) maḥar Šuk-ri-te-šup mār Ak-pa-ri-ia (27) ma-ḥar Ku-uš-ši-ia ma-šar ekalli (28) mār Ḥa-na-ia (29) maḥar Tar-mi-ip-ta-še-ni mār Wi-ir-ri-iš-ta-en-ni (30) maḥar Ši-ma-an-ni ṭupšarru

Seals of the above witnesses except the first one.

*a. SU. b. KA + GAR.*

The declaration which Zi — — in the presence of witnesses spoke as follows:

“(To) Akawatil son of Elli upon the street (5) *my strength* I offered, and as sister I have been adopted. And Akawatil shall *manage my possessions*; what is in my stores (10) is in his stores; since he has adopted me as sister he shall be of assistance unto me. And Akawatil shall receive from my (future) husband 20 shekels of the money (paid) for me, (15) and he shall have the usufruct thereof; and twenty shekels of silver my brother Elhinnamar shall use.”

Whoever among them breaks the agreement shall pay as fine one maid in good condition.

The tablet was written after the proclamation (20) in <sup>c</sup>Nuzi, in the gate.

8 witnesses; 7 seals.

The general sense of this document is clear enough, but the precise meaning of *lālu*, *rabišu*, and even *anšaru*, as these terms are employed in the above context, is not entirely certain.

4. *Ištu sūqi* obviously has the value of 'publicly.'

5. *Lālu* is not likely to have here its usual sexual connotation; perhaps the meaning is simply 'wealth.'

### 30 (H 17)

(1) um-ma <sup>m</sup>Ar-til-la-ma (2) mār Ni-iḫ-ri-ia (3) <sup>f</sup>Um-mi-tù-ra mār-ti-ia  
 (4) a-na ma-ar-tù-ti a-na (5) ma-ka<sub>4</sub>-an-nu-ti a-na (6) <sup>m</sup>Ka<sub>4</sub>-si-e mār Šar-  
 mu-uš-ta (7) it-ta-din ù a-na-ku (8) a-šar <sup>m</sup>Ka<sub>4</sub>-si-e ki-ma<sup>(a)</sup> (9) ma-ka<sub>4</sub>-  
 an-ni-ia il-te-en-nu-tum na-aḫ-la<sup>(b)</sup>-ap-tù (10) ù il-te-en-nu-tum še-nu  
 (11) el-te-qì-mi ù (12) <sup>m</sup>Ka<sub>4</sub>-si-e ki-ma pu-ḫi-ia (13) i-na di-na-ti at-ta-din-mi  
 (14) di-na iḫ-š<sup>uš</sup>-ma (15) šum-ma <sup>m</sup>Ka<sub>4</sub>-si-e i-na di-na-ti (16) il-te-'e-ma  
 (17) ù mār-ti-ia i-li-qì (18) a-šar ḫa-du-ú a-na (19) aš-šu-ti i-na-an-din  
 (20) kaspā-šu <sup>m</sup>Ka<sub>4</sub>-si-e (21) i-li-qì šum-ma <sup>m</sup>Ka<sub>4</sub>-si-e (22) i-na di-ni gi  
 [ — — — ] iḫ-š<sup>uš</sup> (23) 10 šiqu<sup>(c)</sup> kaspu a-šar [ — — ] (24) muḫ-ḫi  
 mār-ti-ia (25) i-li-qì (26) ma-an-nu-um-mi-e (27) i-na be-ri-šu-nu ibalkatu<sup>tu</sup>  
 (28) 1 manū kaspu 1 manū ḫurāšu (29) ú-ma-al-la ṭup-pu (30) an-ni-i a-šar  
 Ma-hi-ri-mār (31) i-na <sup>c</sup>Nu-zi ša-ṭi-ir

(32) maḫar <sup>m</sup>Tù-ra-ar-te-šup (33) mār Ni-zu-uk (34) maḫar <sup>m</sup>Ur-ḫi-te-šup  
 mār Ša-a-ta (35) maḫar <sup>m</sup>Tù-ra-ar-te-šup (36) mār It-ḫa-pi-ḫé (37) maḫar  
<sup>m</sup>En-na-ma-ti ù <sup>m</sup>Ka<sub>4</sub>-an-ni-pa (38) mārū<sup>pl</sup> A-ri-ḫa-ma-an-na

Seals of the above witnesses and of Ennamati.

a. After *ma* there are traces of a partly erased *al*. b. Text has *na* which is probably an oversight of the scribe rather than a variant pronunciation. c. *SU*.

Thus (says) Artilla son of Nihriya: “<sup>f</sup>Ummitura, my daughter, into daughtership as (5) *guaranty* to Kasi son of Sharmushta I have given. And I from Kasi in exchange for my *guarantee* one robe, (10) and one (pair of) boot(s) have received; and I have assigned Kasi in my stead to the court and he will appear in my lawsuit. (15) If Kasi prevails in the lawsuit, he will take my daughter and give her as wife to whomever he pleases; (20) the money for her Kasi will take. If Kasi [ — — — ] in the lawsuit, 10 shekels of silver from [ — — — ] for my daughter (25) he shall receive.” Whichever

among them breaks the contract shall furnish one mina of silver and one mina of gold.

This tablet was written (30) in the Mahirimar (*gate*) of °Nuzi.

5 witnesses; 6 seals.

5. *Makannūtu* and *makannu* are in a similar relationship to one another as *tidennūtu* and *tidenmu*; that is to say, *makannu* is the object received in a *makannūtu* transaction. In the present text the girl obviously represents a certain type of security. I would connect the two words with *kunnu* 'to confirm,' whence the translations 'guaranty,' and 'guarantee.' The formation of these Akkadian nouns is not entirely clear; it may have been influenced by some definite analogy.

22. The missing word, part of one of the numerous *-umma epēšu* formations, must have meant 'to lose in court.'

23 f. If the suit is won, K. receives the girl outright; if not, the girl may be redeemed for (*muhhi*) 10 shekels.

### 31 (H 11)

(1) um-ma <sup>f(a)</sup>A-ri-in-tù-ri-ma (2) mārat Pa-ak-ka<sub>4</sub>-a-a mārti-ia (3) <sup>f</sup>Tù-ur-pu-un-na mu-ti-ia (4) a-na ia-ši a-na hu-ša-ka-ši-ia (5) it-ta-din ù a-na-ku <sup>f</sup>Tù-ur-pu-un-na (6) a-na aš-šu-ti at-ta-din kaspā-šú (7) a-šar mu-ti-šu el-te-qi ù maras-sú (8) ša <sup>f</sup>Tu-ur-pu-un-na <sup>f</sup>E-lu-an-za (9) a-na ha-ri-im-tù-ti ba-al-tá-at (10) ù i-na-an-na <sup>f</sup>E-lu-an-za (11) a-na kál<sup>(b)</sup>-la-ti-ia a-na <sup>f</sup>Ma-at-ka<sub>4</sub>-šar (12) at-tá-din ù <sup>f</sup>Ma-at-ka<sub>4</sub>-šar (13) <sup>f</sup>E-lu-an-za a-na aš-šu-ti (14) a-na 1 awēli i-na-an-din u 40 šiqu<sup>(c)</sup> kaspi-šú (15) a-šar mu-ti-šu i-liq-qi ù ikkal (16) um-ma <sup>f(a)</sup>A-ri-in-tù-ri-ma (17) 1 imēr eqli a-bi-ia a-na mu-lu-gi<sub>5</sub> (18) a-na i<a>-ši i-di-na-aš-šu (19) ù i-na-an-na a-na-ku (20) a-na <sup>f(a)</sup>Ma-at-ka<sub>4</sub>-šar-ma (21) at-ta-din (22) ù <sup>f</sup>Ma-at-ka<sub>4</sub>-šar (23) ša pi<sup>i</sup> ṭup-pu ša-an-ni (24) a-na mārī<sup>pl</sup>-šu-nu i-na-an-din (25) a-na awēli na-ka<sub>4</sub>-ri la i-na-an-din (26) um-ma <sup>f</sup>A-ri-tù-ri-ma (27) kaspā ša <sup>f</sup>Ka<sub>4</sub>-an-zu<sup>(d)</sup> al-te-qi (28) u a-ka<sub>4</sub>-al u ri-iḫ-tù (29) kaspā ša <sup>f</sup>Ka<sub>4</sub>-an-zu<sup>(d)</sup> ša a-na <sup>f</sup>Ma-at-ka<sub>4</sub>-šar at-ta-din

(30) maḥar Ni-ih-pí-a-šu mār Ak-ku-aš-ku<sup>(e)</sup> (31) maḥar Tarmi-ia mār Gimil<sup>d</sup>Adad (32) maḥar E-te-ia mār Wa-aḫ-ri-še-en-ni (33) maḥar Ki-pa-li<sup>(f)</sup> mār Ta-a-a (34) maḥar Še-el-lu-pa mār Šuk-ra-pu (35) maḥar Ša-ar-te-sup mār It-ḫa-pí-ḫi ṭupšar-rum

Seals of the above witnesses except the scribe.

a. Written with the determinative for 'man.' b. After *kál* one sign is erased. c. *SU*. d. Cf. note below. e Or perhaps *Ak-ku-rum*? f. Written *lim* on the seal (line 37).



Thus (says) <sup>f</sup>Arinturi daughter of Pakkaya: "My daughter <sup>f</sup>Turpunna my husband for me *at my disposal* (5) placed. And I <sup>f</sup>Turpunna as wife have sold; the money for her from her husband I have received. And the daughter of <sup>f</sup>Turpunna, <sup>f</sup>Eluanza, is living as a hierodule. (10) Now <sup>f</sup>Eluanza as my daughter-in-law to <sup>f</sup>Matkashar I have given; and <sup>f</sup>Matkashar shall sell <sup>f</sup>Eluanza to a man as wife and 40 shekels of silver (15) for her from her husband she shall receive and use."

Thus (says) <sup>f</sup>Arinturi: "One imer of land my father to me gave as dowry; and now I (20) to the same <sup>f</sup>Matkashar have given it. And <sup>f</sup>Matkashar in accordance with the other tablet to their (*sic*) sons shall give it: (25) to a stranger she shall not give it."

Thus further (says) <sup>f</sup>Arinturi: "The money for <sup>f</sup>Kanzu I have received and used; and the remaining money of <sup>f</sup>Kanzu, belonging to <sup>f</sup>Matkashar, I have given (to her.)"

6 witnesses; 5 seals.

26. It is not clear what the relationship of Kanzu to the other parties may have been. The sign *qa* may be, after all, defective writing for *ilu*, in which case the name would be *Iluanzu*, identical with the above Eluanzu.

### 32 (H 76)

(1) <sup>m</sup>Pá-ak-ka-a-a mār Ar-te-šup ù (2) 1 imēr eqlāti<sup>pl</sup> i-na dimti ša (3) <sup>m</sup>Ar-te-šup ù a-na ma-ar-ti-šu (4) <sup>f</sup>A-ri-im-tu-ri a-na (5) mu-lu-gi<sub>5</sub> i-di-na-aš-ši (6) ù <sup>f</sup>A-ri-im-tu-ri il-te-nu-tu<sub>4</sub> še-nu (7) 1 šubāta<sup>pl</sup> 1 immera<sup>pl</sup> 1 šahā<sup>pl</sup> it-ti (8) 10 ku-ur-ki-za-an-ni-šu a-na <sup>m</sup>Pá-ak-ka-a-a (9) ki-ma qīšti-šu i-di-na-aš-šu

(10) maḥar Ar-wa-ti-ia mār Pá-lu-še-e-a (11) maḥar I-še-tal-ku mār Apil-<sup>d</sup>Adad (12) maḥar E-wi-en-na-an-ni<sup>(a)</sup> ša <sup>m</sup>Te-ḥi-ip-til-la (13) 3 awēlūtu an-nu-tu<sub>4</sub> mu-še-el-wu-ú (14) ša eqlāti<sup>pl</sup> (15) maḥar Kip-ta-e mār En-na-ma-ti (16) maḥar A-al-te-eš-šu-up (17) mār Šum-mi-ia (18) maḥar Ag-gi-en-ni mār Ū-gi (19) maḥar Gi-wi-ta-e mār Šum-mi-ia (20) maḥar Ta-e mār Ip-ša-ḥa-lu (21) maḥar A-ri-ia mār Ar-nu-zu (22) maḥar <sup>d</sup>Sin-ši-mi-ka<sub>4</sub> mār Ta-a-ku (23) maḥar Ū-na-pu mār Te-ḥu-up-še-en-ni (24) maḥar A-kap-tug-gi mār Ū-gi (25) maḥar Mu-uš-te-e-a ṭupšarru mār <sup>d</sup>Sin-ib-ni

Seals of the witnesses mentioned in lines 20-23, and of the scribe.

(30) ù ša <sup>m</sup>Ta-a-a-ú-ki (31) ka-sà-ap-šu ga<sub>6</sub>-mi-ir (32) ù an-nu-tu<sub>4</sub> awēlūtu ši-bu-tu<sub>4</sub> ša qà-an-na-šu im-šu-ru (33) ma-an-nu ša ibalkatu<sup>tu</sup> 1 manū kaspu 1 manū ḥurāšu išaqal<sup>(b)</sup>

a. Possibly not a proper noun. b. *Ī.LAL.E.*

Pakkaya son of Arteshup one imer of land in the district of Arteshup, this to his daughter <sup>f</sup>Arimturi as (5) dowry he has given to her. And <sup>f</sup>Arimturi, one (pair of) shoe(s), one suit of clothes, one pig-pen together with its 10 pigs to Pakkaya as his honorarium has given to him.

3 witnesses.

(8) These three men are the surveyors of the land.

8 further witnesses; 4 seals.

(30) As for Tayuki, his money is paid in full, and these witnesses made the impression with his hem.

Whoever breaks the contract shall pay one mina of silver and one mina of gold.

16. Note the full spelling of *-te-eš-šu-up*.

32. For the expression *qanna mašāru*, cf. Koschaker, NKRA 20 f.

### 33 (H 48)

(1) [um-ma <sup>m</sup>]Pa-i-til-la-ma mār Gi-li-ia (2) [<sup>m</sup>E]ḫ-li-pa-pu mār Nu-pá-na-ni (3) <sup>m</sup>Ḫa-iš-te-šup mār Pu-ḫi-še-en-ni (4) <sup>m</sup>Ša-ti-ki-in-tar mār Tù-ri-ki-in-tar (5) <sup>m</sup>Ut-ḫap-ta-e mār Zi-gi (6) <sup>m</sup>Tù-ra-ri mār E-mu-ia <sup>m</sup>Pa-a-a mār Pu-i-ta-e (7) <sup>m</sup>Ni-iḫ-ri-ia mār A-kap-túg-gi (8) <sup>m</sup>A-kap-túg-gi mār Ka<sub>4</sub>-ak-ki (9) 8 awēlū<sup>pl</sup> daiānū<sup>pl</sup> an-nu-tum a-na <sup>m</sup>Šu-ri-ḫi-il (10) mār El-la-a-a iš-tap-ra-an-ni-mi um-ma šu-nu-ma (11) 5 awēlū<sup>pl</sup> it-ti-ka<sub>4</sub> li-qa-am<sup>(a)</sup>-ma-mi (12) a-na <sup>m</sup>Šu-ri-ḫi-ilu qí-bí-ma-mi um-ma lu<sup>(b)</sup>-ú (13) daiānū<sup>pl</sup>-ma i-na-an-na bal-ṭá-ta-mi (14) ù i-na arki<sup>ki</sup>-ka<sub>4</sub> i-ša-as-sú-ú (15) šum-ma ak-ta-ta-ma-at-ki-mi (16) mār-ka ku-ul-li-im-an-ni-mi ù ni-i-nu (17) lu-ú ni-de<sub>4</sub>-mi <sup>m</sup>Eḫ-li-te-šup (18) <sup>m</sup>Šu-ur-te-šup mārū<sup>pl</sup> [T]e-ḫi-ip-til-la (19) <sup>m</sup>A-ri-iḫ-ḫa-a-a mār Šu-ru-uk-ka<sub>4</sub>-a-a (20) <sup>m</sup>A-kip-šarri mār A-ri-ia (21) <sup>m</sup>A-ar-ta-e mār E-en-na-mil-ki (22) 5 awēlūtu<sup>pl</sup> an-nu-tu it-ti-ia il-te-qì-mi (23) a-na <sup>m</sup>Šu-ri-ḫi-ilu aq-ta-bi-ma-mi (24) ù <sup>m</sup>Šu-ri-ḫi-ilu a-na pa-ni-ia (25) ù a-na pa-ni awēlūti<sup>pl</sup> an-nu-ti ki-na-an-na (26) iq-ta-bi <sup>m</sup>Še-en-ni-ma (27) mār Zi-gi mār-ia-ma i-na eqli-ia (28) i-na bīti-ia ù it-<sup>(c)</sup>ti-ia (29) ū mār-ia ša-nu ia-nu-um-ma (30) ù daiānū<sup>pl</sup> di-na ki-i pí-i (31) <sup>m</sup>Pa-i-til-la ù ki-i pí-šu-nu (32) 5 awēlū<sup>pl</sup> an-nu-u i-te-ip-šu (33) <sup>m</sup>Še-en-ni-ma i-na di-ni il-te-ma (34) ù daiānū<sup>pl</sup> i-na eqlāti<sup>pl</sup> i-na bītāti<sup>pl</sup> (35) ša <sup>m</sup>Šu-ri-ḫi-ilu a-na <sup>m</sup>Še-en-ni-ma mār Zi-gi <iddinu<sup>(d)</sup>>

(36) aban <sup>m</sup>Te-ḫi-ip-a-pu daiānu mār Eḫ-li-te-šup (37) aban <sup>m</sup>A-kap-túg-gi mār Ka<sub>4</sub>-an-ki<sup>(e)</sup> daiānu (38) aban <sup>m</sup>Ši-il-wi-te-šup mār Ak-ku-ia daiānu

(39) aban mUt-ḥap-ta-e mār Zi-gi daiānu (40) aban Eḥ-li-pa-pu mār Nu-pá-na-ni daiānu (41) qāt mŠe-ri-iš-a-ri mār Zi-ni

(42) lišān-šu ša ʿTup-pa-ia mārat Ar-zi-iz-za (43) aš-ša-at ša mŠu-ri-ḥi-il ki-na-an-na iq-ta-[bi] (44) a-an-ni-mi mu-ti-ia mŠu-ri-ḥi-il mŠe-en-ni-ma mār Zi-gi (45) i-na eqli-šu i-na bitī-šu a-na ma-ru-ti [itepuš]

*a.* Text has *bi* for which *am* can be easily mistaken. *b.* Or is this the scribe's error for *awēlu*? But see line 17. *c.* The *il* of the copy is obviously an oversight. *d.* This seems to be the addition required. *e.* Line 8 has *Ka-ak-ki* instead.

[Thus] (says) Paitilla son of Giliya: "Ehlipapu son of Nupanani, Haishteshup son of Puhishenni, Shatikintar son of Turikintar, (5) Uthaptae son of Zigi, Turari son of Emuya, Nihriya son of Akaptukki, Akaptukki son of Kakki; these 8 judges sent me to (10) to Shurihil son of Ellaya (and) thus they (instructed me,) 'Take with you 5 men and say to Shurihil, Thus (say) the judges: (Long) life to you now. There has been a claim against you. (15) If I may *trouble you*, declare to us your son so that we might verily know.' Ehlireshup (and) Sharteshup sons of Tehiptilla, Arihaya son of Shurukkaya, (20) Akipsharru son of Ahuya, Artae son of Ennamilki, these 5 men I took with me (and) I spoke to Shurihil. Shurihil in my presence (25) and in the presence of these witnesses declared as follows, 'Shennima son of Zigi is my (adopted) son as regards my fields and my buildings, and all that I have; there is no other son'."

(30) The judges pronounced judgment in accordance with the declaration of Palteya and with the statements of these men. Shennima prevailed in the lawsuit, the judges <assigning> the fields and buildings of Shurihil to Shennima, son of Zigi.

Seals of 7 judges and signature of scribe.

(42) The declaration of ʿTuppaya daughter of Arzizza, wife of Shurihil; she spoke as follows: "Yes, my husband Shurihil [adop]ted Shennima son of Zigi with regard to his land and his buildings."

4. Note the same final element in the names of both father and son; cf. also 34. 33. 13 f. It is evident that the judges desire to have Shurihil treated with the utmost politeness and diplomacy.

15. The line is very difficult to explain grammatically. The best I can do with the verb is to derive it from *kamātu* 'to oppress,' 'to trouble.' The suffix *ki* may have been substituted for *ka* under the influence of the following *mi*. The double *t*-form is least troublesome; in the Kirkuk texts it occurs in a hitherto unpublished document, in *ittatlak* (from *alāku*). I am fully aware that this explanation is far from being entirely satisfactory.

16. *Kullimanni*: literally 'show me.' The object is to get a definite declaration before witnesses that the adoption of Shennima is personally acknowledged by Shurihil.

## 34 (H 49)

(1) <sup>m</sup>Šu-ri-ḫi-i-lu mār E-il-la-a-a (2) i-na di-ni a-na pa-ni daiānī<sup>pl</sup>  
 (3) i-te-e-li um-ma <sup>m</sup>Šu-ri-ḫi-il-ma <sup>f</sup>Tup-pá-a-a<sup>(a)</sup> (4) aššati<sup>ti</sup> iš-tu bīti-ia  
 it-ta-ši-ma ba-lu-ia (5) ù i-na bit a-bi-ša (6) <sup>m</sup>Ar-zi-iz-za ta-at-ta-la-ak  
 (7) il-ti-il-tù daiānū<sup>pl</sup> <sup>m</sup>Eḫ-li-pá-pu mār Nu-pá-na-ni (8) a-na <sup>m</sup>Ar-zi-iz-za  
 iš-ta-ap-ru-uš (9) <sup>m</sup>Ma-i-it-ta mār Ni-iḫ-ri-ia ša-ni-na (10) <sup>m</sup>Te-ḫi-ia mār  
 Gi<sub>5</sub>-mi-la-dá ša-aš-ši-a-na (11) ù ra-bi-a-na <sup>m</sup>Eḫ-li-te-šup (12) mār Te-ḫi-  
 ip-til-la iš-ta-ap-ru-uš (13) 4 awēlūtu<sup>pl</sup> an-nu-tù ma-za-tù-uh<sub>3</sub>-lu (14) daiānū<sup>pl</sup>  
 a-na <sup>m</sup>Ar-zi-iz-za (15) iš-ta-ap-ru-šu-nu-ti (16) um-ma ma-za-tù-uh<sub>3</sub>-lu-ma  
 a-na (17) <sup>m</sup>Ar-zi-iz-za ni-ta-la-ak-mi (18) ù ni-iq-ta-a-bi (19) lišān-šu<sub>4</sub> ša  
<sup>m</sup>Šu-ri-ḫi-il (20) li-qa-am-ma-mi ù al-ka<sub>4</sub>-am-mi (21) um-ma <sup>m</sup>Ar-zi-iz-za-  
 ma-mi (22) ú-la-a-mi i-na di-ni (23) la a-la-ak-mi ù (24) awēlūtu<sup>pl</sup>  
 ma-za-at-tù-uh<sub>3</sub>-li-e (25) <sup>m</sup>Ar-zi-iz-za awēlūti<sup>pl</sup> ši-bu-ti (26) ul-te-ši-i-mi  
 ki-i-me-e (27) ni-il-ta-na-sí-šu-mi (28) ù a-na a-la-ki la i-ma-gu<sub>5</sub>-ru-uš<sup>(b)</sup>  
 (29) i-na di-ni <sup>m</sup>Šu-ri-ḫi-il (30) il-te-e-ma ù aššat-sú (31) <sup>f</sup>Tup-pá-a-a il-te-qì  
 (32) aban <sup>m</sup>Ut-ḫap-ta-e mār Zi-gi (33) aban <sup>m</sup>Ša-ti-ki-in-tar mār Tu-ri-  
 ki-in-tar (34) aban <sup>m</sup>A-mu-ša-pi mār Ḫu-ti-ia (35) aban <sup>m</sup>Ni-iḫ-ri-ia mār  
 A-kap-túk-ki (36) qāt <sup>m</sup>En-na-ma-ti

a. The name is *Tup-pa*— rather than *Um-ma*—, cf. lines 31, and 33. 42. b. Sic!

Shurihil son of Ellaya appeared in court before the judges. Thus (declared) Shurihil:

“<sup>f</sup>Tuppaya, my wife, left my house without my consent (5) and went away to the house of her father Arzizza.”

The judges, at first Ehli-papu son of Nupanani sent to Arzizza; as the second one, Maitta son of Nihriya; (10) Tehiya son of Gimil-Adda, third; and fourth, Ehliteshup son of Tehiptilla they sent. These 4 men, as constables, the judges to Arzizza (15) delegated. And thus the constables (declared): “We went to Arzizza and we said, ‘The declaration of Shurihil (20) take and come.’ But Arzizza (spoke) thus, ‘No, indeed, to the court I will not go.’ And (as for us,) the constables, (25) Arzizza caused witnesses to hear that we summoned him, but that he would not consent to go.”

In the lawsuit Shurihil (30) prevailed and his wife <sup>f</sup>Tuppaya he took back.

4 seals and signature of the scribe.

3. For the reading *Tuppaya* instead of *Ummaya*, see above, note 59.  
 13. For *manzatuḫlu*, cf. above, note 60.  
 24 ff. The statement is involved, but the translation is sufficiently certain.

## 35 (H 53)

(1) <sup>m</sup>A-ka<sub>4</sub>-a-a mār El-li (2) [it-ti <sup>m</sup>]Ki-in-ni mār I-zu-za-a-a (3) [i-na di-ni] a-na pa-ni daiān<sup>pl</sup> (4) i-te-lu-u-ma um-ma A-ka<sub>4</sub>-a-a<sup>(a)</sup> (5) <sup>m</sup>A-ka<sub>4</sub>-a-a-ma <sup>f</sup>Ḥa-lu-ia (6) a-na kál-lu-ti a-šar (7) <sup>m</sup>Pu-ḫi-še-en-ni mār Te-ḫi-ia el-te-qì-mi (8) ù [i]-na arki-ia aš-šum <sup>f</sup>Ḥa-[lu-ia] (9) <sup>m</sup>Ki-in-ni il-ta-na-as[-sì] (10) ù daiānū a-na <sup>m</sup>A-ka<sub>4</sub>-a-a (11) iq-ta-bu <sup>m</sup>Pu-ḫi-še-en-ni (12) li-qì-mi ù <sup>m</sup>A-ka<sub>4</sub>-a-a (13) <sup>m</sup>Pu-ḫi-še-en-ni it-ta-ab-la-mi (14) ù daiānū<sup>pl</sup> <sup>m</sup>Pu-ḫi-še-en-ni (15) iš-ta-lu-uš um-ma <sup>m</sup>Pu-ḫi-še-en-ni-ma a-na-ni-mi (16) <sup>f</sup>Ḥa-lu-ia a-na kál-lu-ti (17) a-na <sup>m</sup>A-ka<sub>4</sub>-a-a at-ta-din (18) ù <sup>f</sup>A-zi-na ummu-šu ša <sup>f</sup>Ḥa-lu-ia (19) a-na ia-ši aš-ša-tù-um-mi (20) ù <sup>f</sup>A-zi-e-na aššati-ia a-na ia-ši (21) <sup>f</sup>Ḥa-lu-ia it-ta-li-id (22) ù a-na-ku <sup>f</sup>A-zi-e-na (23) iš-tu 20 šubātī ta-aḫ-ḫa-a-ú (24) uš-te-ši-mi u <sup>m</sup>Ki-in-ni a-ḫi-šu (25) — — na a-na aš-šu-ti (26) a-na ia-ši-ma it-dì<sup>(b)</sup>-mi (27) ù daiānū a-na <sup>m</sup>Ki-in-ni (28) iq-ta-bu <sup>f</sup>A-zi-e<-na> a-ḫa-at-ka<sub>4</sub> (29) a-na aš-šu-ti a-na <sup>m</sup>Pu-ḫi-še-en-ni (30) ta-at-ta-dì-mi ù um-ma (31) <sup>m</sup>Ki-in-ni-ma a-an-ni-mi (32) <sup>f</sup>A-zi-e-na a-ḫa-ti-ia a-na aš-šu-ti (33) a[-na <sup>m</sup>P]u-ḫi-še-en-ni at-ta-din (34) [ù] kaspū<sup>pl</sup> a-šar <sup>m</sup>Pu-ḫi-še-en-ni (35) [el-t]e-qì-mi ù a-ḫa-ti-ia (36) [im-t]u-ut ù daiānū<sup>pl</sup> (37) [a-na <sup>m</sup>]Ki-in-ni iq-ta-bu (38) a-[ḫa]-at-ka<sub>4</sub> mi-it-mi u kas[pū]<sup>pl</sup> ša ša-el-ti — [ — — ]<sup>(c)</sup> (39) ki-i lišān-šu ša <sup>m</sup>Ki-in-ni (40) <sup>m</sup>Pu-ḫi-še-en-ni i-na di-ni il-te-e-ma (41) ù daiānū <sup>f</sup>Ḥa-lu-ia a-na a-bi-šu-ma (42) a-na <sup>m</sup>P[u-ḫi-še-en]-ni it[-ta-ad]-nu (43) aban <sup>m</sup>Pa-i-te-šup aban <sup>m</sup>Še-en-na[-til] (44) aban <sup>m</sup>Šuk-ri-ia aban <sup>m</sup>Ha-ši-ip-ta-še-en-ni (45) qāt <sup>m</sup>Tù-ra-ar-te-šup

a. The name is repeated dittographically. b. There follows a partially erased sign, but nothing seems to be missing in this word, as a comparison with *at-ta-di-mi* in line 30 indicates. c. Little can be made of the traces of the three signs that follow.

Akaya son of Elli [with] Kinni son of Izuzaya appeared [in court] before the judges, and Akaya (5) (spoke) thus: “<sup>f</sup>Haluya as bride from Puhishenni son of Tehiya I received; and against me, concerning <sup>f</sup>Ha[luya,] Kinni has been raising claims.”

(10) And the judges said to Akaya, ‘Produce Puhishenni.’ And Akaya brought Puhishenni. And the judges Puhishenni (15) questioned, and thus Puhishenni (replied:): “Yes, I gave <sup>f</sup>Haluya to Akaya as bride; now <sup>f</sup>Azena,

the mother of <sup>f</sup>Haluya was my wife, (20) [and] my wife <sup>f</sup>Azena bore to me <sup>f</sup>Haluya. And I had brought out <sup>f</sup>Azena for 20 *tahhau* garments. And Kinni, her brother, (25) gave to me *Azena*(?) as wife."

And the judges said to Kinni, 'Did you <sup>f</sup>Azena, your sister, as wife to Puhishenni (30) give?' And thus Kinni (replied:) "Yes, I gave my sister <sup>f</sup>Azena as wife [to] Puhishenni, and the money for her from Puhishenni (35) [I re]ceived; but my sister [die]d." And the judges said to Kinni, 'Your sister is dead, and the money for — — — [ — — — ].'

In accordance with the declaration of Kinni, (40) Puhishenni prevailed in the lawsuit, and the judges <sup>f</sup>Haluya to her father, to Pu[hishenni, assign]ed.

4 seals and signature of scribe.

25. The first two signs are partly erased; the remaining traces do not seem to indicate *A-zi-* (*Az-in-*, however, is quite possible), but that is what is obviously required by the context, especially in view of the following *-na*.

39. I cannot suggest a satisfactory reconstruction and translation for the second half of this line.

### 36 (H 27)

(1) um-ma daiānū<sup>pl</sup>-ma ša °Kār-ra (2) <sup>m</sup>Ku-šu-ḥa-ri arad ša (3) <sup>m</sup>Ki-li-iš-gi a-na pa-ni<-ni<sup>(a)</sup>> (4) i-te-lu ù <sup>awēl</sup>ma-an-za-at-tu-uḥ-lu (5) a-na <sup>m</sup>Ku-šu-ḥa-ri ni-id-dì<-in<sup>(b)</sup>> (6) a-na aššati-šu it-ta-ta-aq-quí (7) a-na aššati-šu a-na li-qì (8) ki-ma aš-ša-as-sú <sup>m</sup>Ku-šu-ḥa-ri (9) i-li-iq-qì šašši-šu i-na ú-ma-ši (10) <sup>m</sup>Ki-ri-ip-še-ri (11) mār Ar-ru-tup-pa (12) <sup>m</sup>Ku-šu-ḥa-ri im-ḥa-aš (13) ù <sup>m</sup>Ar-te-ia (14) <sup>awēl</sup>ma-an-za-at-tu-uḥ-lu a-wa-ta (15) ut-te-ir <sup>m</sup>Ku-šu-ḥa-ri (16) šašši-su i-na u-ma-ši (17) <sup>m</sup>Ki-ri-ip-še-ri (18) im-ḥa-aš (19) [ù a-]na-ku a-dá-ga<sub>5</sub>-al (20) ki-i i-ma-ḥa-aš

(21) <sup>aban</sup>kunuk <sup>m</sup>Ar-te-šup (22) <sup>aban</sup><sup>m</sup>Na-an-te-šup (23) <sup>aban</sup>kunuk <sup>m</sup>Zi-li-ip-šarri (24) <sup>aban</sup>kunuk <sup>m</sup>Ḥu-ti-[ — — ]

(25) qāt <sup>m</sup>AN.A.GAL ṭupšarru (26) <sup>awēl</sup><sup>m</sup>ma-an-za-at-tu-uḥ-lu di-in-šu la e-pu-uš

*a.* Omitted by haplography. *b.* After the sign *di* there is an erasure where *in* may have originally stood.

Thus (say) the judges of °Karra: "Kushuhari servant of Kilishgi before us appeared; and a constable (5) to Kushuhari we assigned; to his wife they went, to take his wife. Because his wife Kushuhari would take, three times with a (10) *staff* Kiripsheri son of Arrutuppa struck Kushuhari. And

Arteya the constable the word (15) brought, 'Kushuhari struck Kushuhari three times with a *staff*, and I saw that he struck (him.)''

4 seals and signature of scribe.

(26) The constable did not settle his case.

6. The verb appears to be derived from *etēqu*.

19, 26. The constable witnessed the assault, but did not attempt to interfere. The maxim that discretion is the better part of valor was evidently not unknown to the Arraphans.

### 37 (H 46)

(1) [<sup>m</sup>Zi]-gi mār Ak-ku-ia (2) [it-t]i <sup>f</sup>Wa-[ar-ḥi]-ma-at-ka<sub>4</sub> (3) [i-na d]i-ni a-n[a pa-ni] (4) daiānī<sup>pl</sup> aš-šu[m eqlāti<sup>pl</sup>]<sup>l</sup>-ti (5) ša <sup>m</sup>Ka<sub>4</sub>-ri-ru i-te-lu-ma (6) u[m-ma] <sup>m</sup>Zi-gi-ma (7) a-bu-ia eqla ša-a-šu (8) a-na ia-ši id-dī-na-am-mi (9) ù daiānū<sup>pl</sup> ši-bu-ti-šu (10) ša <sup>m</sup>Zi-gi i-te-ir-šu (11) ù ši-bu-ti-šu (12) ša Zi-gi ia-nu (13) ù daiānū<sup>pl</sup> a-na Zi-gi (14) iq-ta-bu-ú a-lik-mi (15) eqlāti<sup>pl</sup> ša <sup>m</sup>Ka<sub>4</sub>-ri-ru (16) it-ti <sup>f</sup>Wa-ar-ḥi-ma-at-ka<sub>4</sub> (17) [z]-u-uz-mi ù (18) [at]-ta 2 qà-ta-tù (19) li-qì-mi ù <sup>f</sup>Wa-ar-ḥi-ma-at-ka<sub>4</sub> (20) il-ti<sub>4</sub>-il-tum li-il-qì-mi (21) ù <sup>f</sup>Wa-ar-ḥi-ma-at-ka<sub>4</sub> (22) i-na eqli zu-a-zi la i-ma-an-gur (23) ṭup-pi ta-aḥ-sí-il-ti

(24) <sup>aban</sup>kunuk <sup>m</sup>Ša-ti-ki-in-tar (25) <sup>aban</sup>kunuk <sup>m</sup>Ḥa-iš-te-šup (26) <sup>aban</sup>kunuk <sup>m</sup>Tù-ra-ri

[Zi]gi son of Akkuya [wit]h <sup>f</sup>Wa[rhi]matka [in] court be[fore] the judges concerning the [land]s (5) of Kariru appeared. Thus (declared) Zigi: "My father that land did give to me." And the judges witnesses (10) from Zigi requested; but Zigi had not any witnesses. So the judges said to Zigi, 'Go and (15) divide the lands of Kariru with <sup>f</sup>Warhimatka; you shall take two shares and <sup>f</sup>Warhimatka (20) one share shall receive.' But <sup>f</sup>Warhimatka would not agree to the division of the land.

A memorandum note.

3 seals.

5. Kariru is a great-grandfather of Zigi; the other two generations are represented by Katiri and Akkuya.

### 38 (H 37)

1) um-ma <sup>m</sup>En-na-mu-ma (2) mār A-ri-iḥ-ḥa 1 šú-ḥa-ar-tù amtum<sup>tum</sup> (3) ša <sup>m</sup>A-pu-uš-ka<sub>4</sub> mār I-la-a-nu (4) ina muḥ-ḥi-ia aš-bu ù i-na-an-na (5) 1 šu-ḥa-ar-tum amtum<sup>tum</sup> <sup>f</sup>Ú-la-ma-aš-ši šu-un-šu (6) ša <sup>mat</sup>Ku-uš-šu-

uḫ-ḫa-i (7) ša pí-i ṭup-pí-šu ša (8) <sup>m</sup>A-pu-uš-ka a-na <sup>m</sup>A-pu-uš-ka (9) at-ta-din ù <sup>m</sup>A-pu-uš-ka il-te-qì (10) šum-ma šu-ha-ar-tù<sup>pl</sup> ša-a-šu (11) pí-ir-qa irtaši<sup>š</sup> šu-ha-ar-tù (12) ša-a-šu-ma <sup>m</sup>En-na-mu (13) ú-za-ak-ka<sub>4</sub>-ma a-na (14) <sup>m</sup>A-pu-uš-ka i-na-an-din (15) ša ibalkatu<sup>tu</sup> (16) 2 amtu damqu<sup>qd</sup> umallā<sup>pl</sup> (17) tup-pu ša šú-ḫa-ar-ti (18) ḫu-ub-bu-li-šu ša <sup>m</sup>En-na-mu (19) il-te-qì ú a-na pa-ni šibūti<sup>pl</sup> ti (20) an-nu-ti iḫ-te-pé

(21) maḫar <sup>d</sup>Sin-in-dì-na mār Ma-lik-nāšir (22) maḫar Zi-me mār A-ni-KUR (23) maḫar A-ri-ki-im-ri<sup>(a)</sup> mār Tar-mi-ia (24) maḫar Zigi mār Ḫa-na-a-a (25) maḫar Pal-te-šup mār Ut-ḫap-ta-e

Seals of the above witnesses, of Ennamu, and of the scribe.

a. The seal (line 27) gives the very interesting variant *-ir-me*, connecting this element with the well-known Hurrian word *irwi*, Nuzian *irwi* 'prince, ruler.'

Thus (says) Ennamu son of Arihha: "One young slave-girl has been due from me; and now (5) a young slave-girl, <sup>f</sup>Ulamashshi by name, a Kassite, in accordance with the tablet of Apushka, to Apushka I have given, and Apushka has taken her." (10) If there is a claim against that slave-girl, Ennamu shall clear her and restore her to Apushka. (15) He that breaks the contract shall furnish 2 handmaids in good health.

The tablet concerning the slave-girl, (it being) the document of debt of Ennamu, was taken and in the presence of these (20) witnesses it was destroyed.

5 witnesses; 7 seals.

6. The spelling *Kuššu-ḫai* is of great interest. In the first place, the first vowel is *u* instead of the usual *a*, which would indicate that the form *Kaššu* was not universal; cf. also the Greek form *Koσσαίοι* and the Biblical *כּוּשְׁשִׁי* where that name does not apply to Ethiopia. The ending *-ḫai* represents the Hurrian gentilic suffix. Cf. the author's *Mesopotamian Origins*, ch. V. The name Ulamashshi is not Kassite but Babylonian; the girl is called Kassite only because contemporary Babylonia was ruled by a Kassite dynasty; cf. Weidner, *Altorientalische Bibliothek* I, p. 57, note 7.

### 39 (H 100)

(1) <sup>f</sup>Ū-la-ma-aš-ši amat (2) ša <sup>m</sup>Ū-na-ap-te-šup mār Te-ḫé-eš-še-en-ni (3) ù ša <sup>f</sup>Ši-ma-a-a (4) ù <sup>m</sup>Tù-ra-ar-te-šup mār Ma-li-ik-nāšir (5) a-na ši-mi il-qì (6) ù 25 šiqlu kaspū<sup>pl</sup> ši-mu (7) ša <sup>f</sup>Ū-la-ma-aš-ši (8) a-na <sup>m</sup>Ū-na-ap-te-šup (9) a-na <sup>f</sup>Ši-ma-a-a i-na-an-din (10) šum-ma <sup>f</sup>Ū-la-ma-aš-ši (11) pá-qí-ra-na i-ra-aš-ši (12) <sup>m</sup>Ū-na-ap-te-šup (13) ù <sup>f</sup>Ši-ma-a-a (14) ú-za-ak-ku



a-na (15) a-na<sup>(a)</sup> ᵐTù-ra-ar-te-šup (16) i-na-an-din ma-an-nu-um-me-e (17) i-na bēri<sup>(b)</sup> -šū-nu (18) ibalkatu<sup>tù</sup> 1 amta umallā<sup>pl</sup>

(19) aban<sup>kunuk</sup> Ši-ma-a-a (20) aban<sup>kunuk</sup> SAG.KI ṭupšarru (21) aban<sup>kunuk</sup> Ū-na-ap-še (22) aban Ar-mu-uk-ka<sub>4</sub> mār A-kap-še-en-ni (23) aban<sup>kunuk</sup> Ut-ḥap-ta-e mār A-kip-ta-še-en<-ni> (24) aban<sup>kunuk</sup> Ta-i-te-šup mār Ir-wi-šarri (25) aban<sup>kunuk</sup> Ši-il-wa-a mār Tar-mi-te-šup

a. Sic! b. *RI.BA.NA*.

†Ulamashshi slave-girl of Unapteshup son of Teheshshenni and of †Shimaya, her Turarteshup son of Maliknasir (5) for a price purchased; and 25 shekels of silver, the price of Ulamashshi, to Unapteshup (and) to †Shimaya he shall give. (10) If Ulamashshi has a claimant, Unapteshup and †Shimaya shall clear (her), (15) to Turarteshup they shall restore her. Whoever among them breaks the agreement shall furnish one slave-girl.

7 seals.

16. *They*: the Akkadian text has the singular form instead.

19. *SAG.KI* stands evidently for *SAG.AN.KI*; cf. *Ka-ak-ki* and *Ka-an-ki*, 33.8 and 37.

#### 40 (H 23)

(1) um-ma ᵐAr-zi-iz-za-ma (2) mār Zi-gi (3) †Ia-la-am-pa (4) amti-ia a-na †Ku-uk-ku-ia (5) ù a-na †Ši-ta-na-aš-te (6) na-ad-nu 1 ta-ap-*t*[e] [ša]šamna<sup>pl</sup> (7) ma-lu-ú a-na (8) †Ši-ta-na-aš-te (9) ù a-na †Ku-uk-ku-ia (10) na-ad-nu

(11) maḥar Zi-li-ip-til-la mār Z[i]-li-ia (12) maḥar Ḥu-ti-ia mār A-ri-ip-šarri (13) maḥar A-kap-še-en-ni mār Zi-gi (14) maḥar Ta-i-til-la mār [ — — — ] (15) maḥar Tù-ra-ri (16) mār Ip-šá-ḥa-lu (17) maḥar [ — — — — ] (18) qāt [ — — — — ṭupšarru]

Seals of the witnesses of lines 11, 13, 14. Two other seals destroyed.

Thus (declares) Arzizza son of Zigi:

“†Yalampa, my handmaid, to †Kukkuya (5) and to †Shitanashte has been given. One pitcher full of oil to †Shitanashte and to †Kukkuya (10) has been given.”

7 witnesses and signature of scribe (partly destroyed); 5 seals.

6. *Taptu* is probably identical with the *tāpatu* of the Amarna Letters; cf. Knudtson, *op. cit.*, 1529.

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Traces of the oldest cultures of Babylonia and Assyria

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## Traces of the oldest cultures of Babylonia and Assyria.

By E. A. Speiser (Philadelphia).

Although it lasted not more than fifteen working days, the trial excavation at Tepe Gaura, two miles east of Khorsabad, yielded very interesting results. This is undoubtedly due to the fact that the mound in question is the oldest site in Northern Iraq that has yet been dug. Fully two-thirds of Tepe Gaura cover remains of the Aeneolithic Period. As the mound is 66 feet in height it affords us an opportunity to study about a thousand years of pre-Bronze civilizations. Even so modest an undertaking as a trial dig is, in this case, capable of shedding some light on an entirely dark period.

I do not intend to deal at present with the excavation as a whole. A detailed account of it will appear in the forthcoming *Annual of the American Schools of Oriental Research*<sup>1</sup>. My present purpose is merely to point out, as briefly as possible, the facts that have some bearing on the oldest cultures of the Mesopotamian area.

Tepe Gaura proved to have been successively occupied by three distinct cultures which I shall call Gaura I, II, and III. Each is subdivided into a number of layers and each culture covers about a third of the mound.

The identity of Gaura I cannot be doubted after a glance at Pl. XVI, figs. a and b.

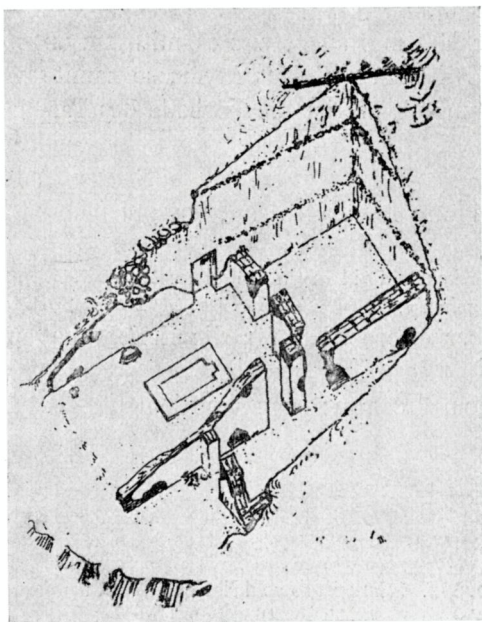


Fig. 1.

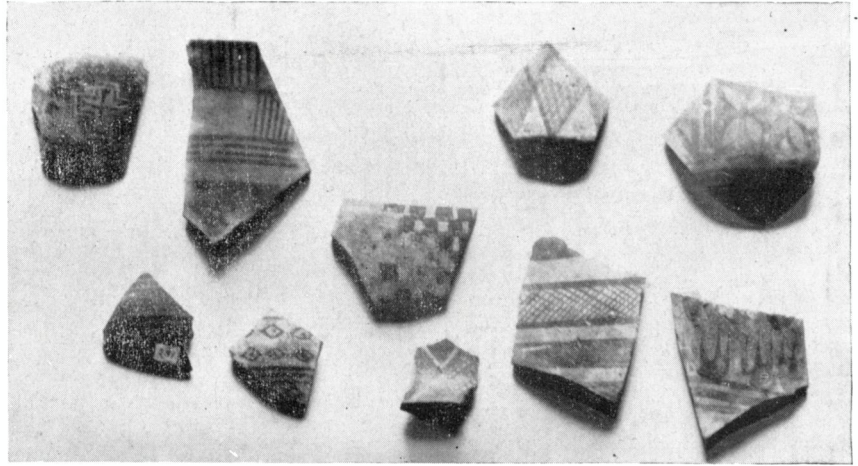
The most interesting of the Gaura cultures, and the one which is most difficult to compare with other known civilizations, is represented by Gaura II. A shrine, to which our trial trench fortunately led us, was the main structure of this period (Fig. 1). An open court-yard leads to the main chamber; on the sides it is flanked by two long and narrow storage rooms. In the center of the court-yard is a slightly elevated podium, probably for the statue of the deity. At the entrance to the main chamber was found a phallic object made of stone, clearly indicating circumcision. Near the door on the left side we came upon a remark-

The similarity to the so-called «Proto-Elamite» ware is so striking as to require no further comment. As in Susa the earlier layers feature the «geometric» decoration and the later ones yield «naturalistic» designs. There is, however, no sudden break between the two styles so that it is necessary to assume that, in this case at least, the geometric style gradually developed, or degenerated if one prefers it so, into the naturalistic attitude. Gaura I helps to establish the essential uniformity of the earliest civilization of the large area which stretches from Anatolia and Northern Syria to Anau and Susa. In view of this distribution it would be perhaps better to abandon the names «Susan» and «Proto-Elamite» and to adopt the more appropriate designation «Proto-Zagros» in accordance with the geographic location of the centers of this remarkable culture, which have been hitherto discovered.

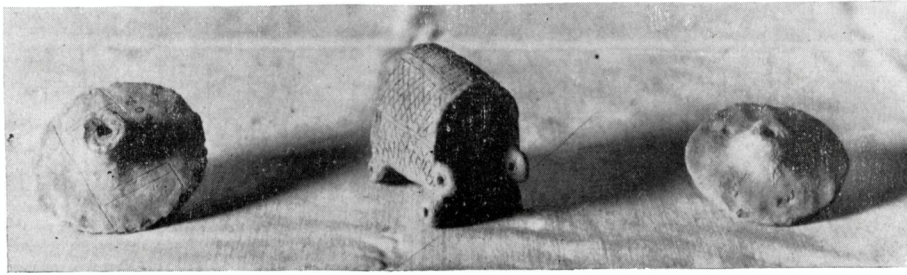
<sup>1</sup>) For a preliminary report cf. BASOR 29, p. 12-15; AFO IV, p. 245.



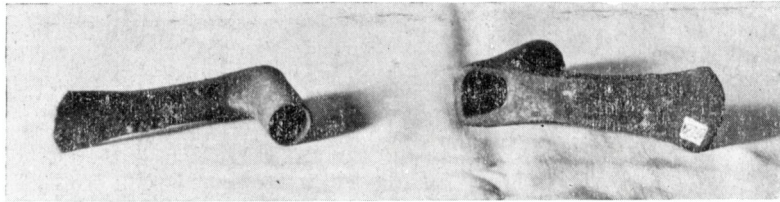
a.



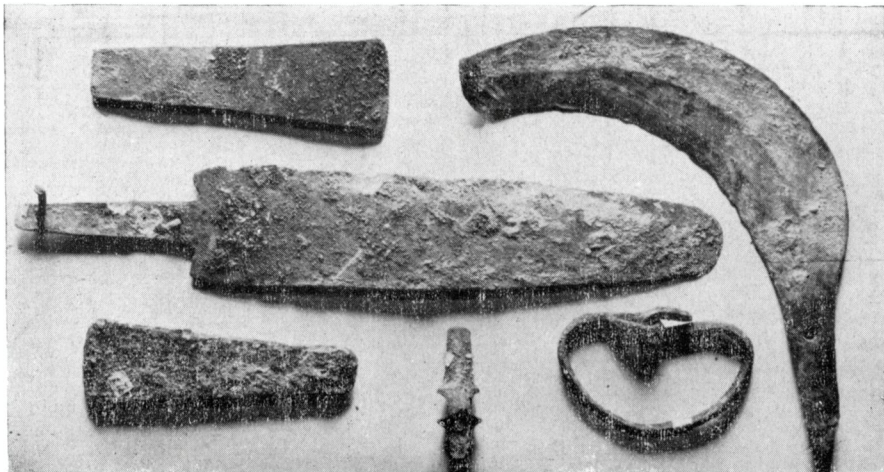
b.



c.



d.



e.



able pair of horns (Fig. 2), obviously intended for suspension by pegs for which two openings are plainly visible. The whole structure is of burnt bricks. Of the votive offerings found near the shrine I shall only point out a perfectly preserved « covered wagon » (Pl. XVI, fig. c). Of religious significance is undoubtedly the interesting « fountain-head » pot (Fig. 3). The water entering through the superimposed saucer spread in the tubular rim and emerged into the pot from the wellshaped ram's head. When the pot overflowed the water was caught in the outside channel which was fastened to the shoulder; the eight ducks attached to the outside wall, midway between the rim and the channel, appeared then as bathing under the stream. The water flowed out eventually through the small spout in the channel.

Gaura III need not detain us long. As soon as we began digging in the area which is enclosed by the strong retaining wall<sup>1</sup> that separates G II from G III we realized that we had advanced from the Aeneolithic Period into the beginning of the Bronze Age. Until then only flint implements and obsidian flakes had been forthcoming but not a trace of metal. In G III we found a great variety of bronze objects (Pl. XVI, figs. d, e). Three Sumerian seals of the first half of the third millennium, the shape and workmanship of the

bronzes, the retaining wall, and other general considerations lead us to the assumption that the appearance of G III is to be placed at the time of Sargon of Agade.

What remains to be considered is the identity of the authors of G II. The one thing that may be regarded as certain is that this obscure people came up from the south, that is to say from the plains of Babylonia. We have seen that the builders of the shrine insisted upon burnt brick as their material, although the place is rich in stone while bricks could not be produced without some degree of difficulty. Obviously they were harking back to a period when their temples had to be built of brick for want of any other building material; this condition obtains notably in Babylonia. The people of G II must, then, represent the early inhabitants of southern Mesopotamia who often, as at Gaura, had to contend with the makers of the painted pottery, remains of which are not absent from lower Babylonia.

To identify the shrine builders of G II with the Sumerians is all but impossible. The Sumerians are generally supposed to have brought with them the knowledge of metals and of writing; but at Gaura II there is no trace of either. Moreover, Sumerian remains offer no parallel to the picture of religious life — fragmentary as it is — that Gaura II enables us to reconstruct. The circumcised phallic object, the horns, the fountain-head pot, the arrangement of the shrine, are all unfamiliar among the Sumerians. The alternative suggestion would be that Gaura II represents a group of early Semites who left Babylonia before the appearance of

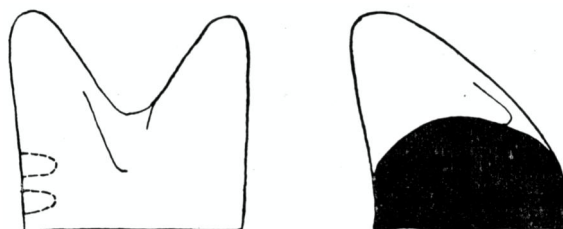


Fig. 2.

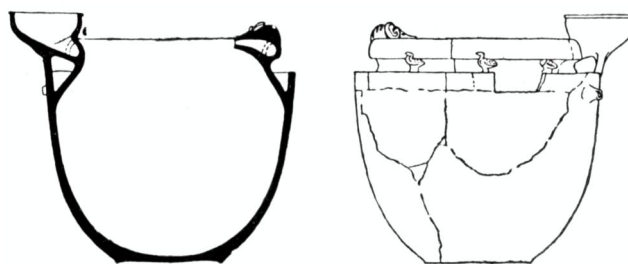


Fig. 3.

<sup>1</sup>) Fig. 1 shows the spot where the retaining wall breaks through the brick wall of the shrine.

the Sumerians. The above-mentioned indications of religious practises and customs seem indeed to point in that direction. The old question as to the priority in Babylonia of the Semites or of the Sumerians might have to be reopened, especially since Meissner has recently taken the skeleton out of the cupboard (AfO V, p. 1ff.). For the time being, however, the evidence is not copious enough to be conclusive either way; nor was it possible to marshal in the present note what evidence is actually available. This will be presented in the detailed report on the excavations at Tepe Gaura.

## Zum Fortleben hethitischer Tradition in der späteren Glyptik<sup>1</sup>.

Von A. Procopé-Walter (Leningrad).

Die Ermitage in Leningrad besitzt ein grosses, durchbohrtes Skarabäoid aus Chalcedon Sapphirin, Invent. Nr. 370, das aus der Sammlung von Professor Ross (Halle)<sup>2</sup> im Jahre 1865 erworben wurde. Seine Masse sind: Oval der Basis  $21 \times 18$  mm, Oval des oberen Randes  $22 \times 19$  mm, Höhe des Randes 10 mm, ganze Höhe 15 mm, Durchmesser der Durchbohrung 4 mm. So ist das Oval der Basis kleiner als das des oberen Randes, was an den Skarabäoiden des V. - IV. Jahrhunderts v. u. Z. meistens zu beobachten ist; unser Stück unterscheidet sich jedoch von diesen durch seine schweren, wenig raffinierten Formen. Sein abgeschrägter Rand ist nämlich sehr hoch, die Rückseite dagegen nicht besonders konvex, die beiden Ovale sind beinahe kreisrund, und das Loch für die Schnur ist ungemein gross. Einige Beschädigungen der Oberfläche sind hauptsächlich an den Rändern zu konstatieren.

Auf der flachen Basis des Skarabäoids ist ein Zweigespann eingraviert (Abb. 1). Zwei Männer stehen auf dem Wagen, von denen der vordere im Begriff ist, einen Pfeil von seinem Bogen fliegen zu lassen. Sein Körper ist von vorn dargestellt, wobei die Arme in entgegengesetzten Richtungen ausgestreckt sind. Der linke Arm hält den Bogen, ihm parallel liegt der Pfeil, der nur teilweise angedeutet ist; der eckig gebogene rechte Arm scheint die Sehne zu spannen. Die ganze Gestalt ist äusserst flüchtig behandelt. Hals, Arme und Oberkörper sind durch schmale Furchen angegeben, während die Hände fehlen. Der Kopf ist im Profil nach rechts gewandt. Ein zugespitzter Einschnitt bezeichnet wohl eher den Bart als das Kinn. Kopf, rechte Schulter und Haarschopf am Nacken sind durch kleine Kügelchen angedeutet, welche den Rundperlen auf neubabylonischen und assyrischen bzw. auch assyrisierenden Siegeln gleichen.



Abb. 1. Siegel der Ermitage, Invent. Nr. 370 (Abdruck).

Hinter dem Schützen steht das winzige Figürchen eines bärtigen Wagenlenkers im Profil; seine rechte Schulter ist ebenfalls durch ein Globolo bezeichnet. Der Oberkörper ist stark rückwärts gebeugt, als wenn er sich bemühte, den Lauf der Pferde aus allen Kräften zurückzuhalten. Dieses realistische Detail scheint mir um so bemerkenswerter, da man es nur selten

<sup>1</sup>) Vorgetragen in der Sitzung der Archäologischen Assoziation zu Leningrad am 7. April 1928.

<sup>2</sup>) Als der Sammlung Ross angehörig ist es bei Lajard (*Introduction à l'étude du culte public et des mystères de Mithra en Orient et en Occident*, Paris 1847, Tf. XLII, Abb. 2, S. 11) erwähnt, wo man eine Konturzeichnung davon findet.



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A Letter of Saushshatar and the Date of the Kirkuk Tablets

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## BRIEF NOTES

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### *A Letter of Saushshatar and the Date of the Kirkuk Tablets*

One of the most debatable problems arising from the study of the so-called "Kirkuk"<sup>1</sup> material has been the question of the date to be assigned to this steadily increasing group of documents. In their attempts to determine the period in which the tablets are to be placed, scholars have hitherto been obliged to rely on internal evidence alone, and opinions differ as to the interpretation of this type of evidence. Thus Chiera and Speiser, who in 1926 presented a preliminary digest of the material that Dr. Chiera had dug up in Nuzi the year before, suggested the end of the first half of the second millennium.<sup>2</sup> A little later Gadd<sup>3</sup> published the results of his very thorough study of the entire Kirkuk material that was accessible to him; he favored 1400 as the probable date of the inscriptions. A study of the *motifs* employed in the Kirkuk seals, of which the tablets bear numerous impressions, led Contenau to postulate a date identical to that which Gadd had suggested independently.<sup>4</sup> Albright<sup>5</sup> would place the new material somewhat later, with about 1300 as the lower terminus. And lastly, Koschaker,<sup>6</sup> whose recent monograph on the new legal sources from the Amarna period forms an exceedingly valuable contribution to the subject, assigns the Kirkuk documents to the 14th century, although he reserves the last decades of the 15th as

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<sup>1</sup> With the exception of about 50 tablets published by Gadd (see below), the extant "Kirkuk" records belong almost exclusively to *Nuzi*, now Yaghran Tepe, near the modern village of Tarkalan and about 10 miles SW. of Kirkuk. But since Kirkuk has become a "trade-name" for these documents, the misnomer will have to be tolerated and treated like "Hittite," "Aryan," and similar misleading connotations. There is also some disparity in the spelling of the name "Kirkuk"; the form "Kerkuk" is found quite frequently. The official British maps write "Kirkuk," which is based on the native spelling. For this reason the form with *i* appears preferable.

<sup>2</sup> Cf. *Annual of the American Schools of Oriental Research*, vol. VI, "A New Factor in the History of the Near East," p. 83 f.

<sup>3</sup> "Tablets from Kirkuk," *Revue d'Assyriologie*, vol. XXIII, p. 55.

<sup>4</sup> *La glyptique syro-hittite*, pp. 158 ff.; "Les tablettes de Kerkouk et les origines de la civilisation Assyrienne," *Babyloniaca*, IX, pp. 36 ff.

<sup>5</sup> *Journal of the Society of Oriental Research*, XI, 235.

<sup>6</sup> *Neue Keilschriftliche Rechtsurkunden aus der El-Amarna-Zeit* (1928), p. 19.



a possibility. A margin of about three hundred years has thus been left open between the earliest and the latest dates suggested. In view of the widespread interest which the Kirkuk inscriptions have created, and particularly owing to their historical and linguistic significance, a difference of three centuries is not wholly inconsiderable; a further narrowing down of the margin of probability is certain, therefore, to be appreciated by all who have given the subject some attention and thought.

The joint expedition of Harvard University and the American School of Oriental Research in Baghdad was so fortunate as to unearth in its first campaign an inscription that enables us to assign at last an absolute date to the Kirkuk documents. Among the many hundreds of tablets that were brought to light in course of the excavations, Dr. Chiera, the director of the expedition, noticed one with a particularly beautiful seal impression. With the interest thus aroused the contents of the tablet were also examined. Fully in keeping with the excellent seal, the inscription proved to be a message from a king. Moreover, the writer was not one of the more or less insignificant local chieftains, but a ruler of a well-known and powerful empire. Not to anticipate any more, the letter and the inscription on the seal are given below in transliteration and translation.

Text<sup>a</sup>

## H (arvard) 146.

- a-na mit-ḥi-ia qí-bi-ma  
 um-ma šarru-ma  
 ʿpa-a'-ḥa-ar-ra-še (KI)  
 ša a-na ʿam-mi-na-i-e ad-di-[in]
- 5 i-na-an-na iš-tu li-e-ti-šu  
 āla (KI) a-na m̄ú-gi at-ta-din  
 a-nu-um-ma m̄sa-ta-ú-at-ti  
 ḥal-zu-uh-lu ša ʿa-ti-lu (KI)  
 a-na pātē<sup>pl</sup>-šu-nu a-na šu-ú-li-i aš-ša-par
- 10 ki-na-an-na a-na m̄sa-ta-ú-at-ti  
 aq-ta-bi pāta-šu-mi  
 ša ʿam-mi-na-i-e šu-ú-ma-mi  
 m̄ú-gi-mi a-na pāti-šu-mi  
 ša am-mi-na-i-e-mi
- 15 lu la e-ir-ru-um-mi  
 ù ʿam-mi-na-i-e-[mi?]

- a-na pāti-šu ša m<sup>u</sup>-gi  
 lu la e-ir-ru-um-mi  
 ù a-na pāti-šu ša f<sup>a</sup>m-mi-na-i-e  
 20 ma-am-ma la e-ir-ru-ub  
 āla (KI)-ka<sub>4</sub> a-na pāti-šu a-na f<sup>a</sup>m-mi-na-i-e  
 at-ta-din  
 ù lu-ú ti-i-de<sub>4</sub> Seal  
 sa-uš-ša-tar  
 mār pâr-sa-ta-tar  
 šar ma-i-te-ni

## TRANSLATION

- To Ithiya speak:  
 "So (says) the king,  
 '(With regard to) <sup>c</sup>Paharrashe  
 which I gave to <sup>f</sup>Amminaye,  
 5 now, from its confines  
 I have assigned a town to Ugi.  
 Moreover, Satawatti,  
 the magistrate of <sup>c</sup>Atilu,  
 for the definition of their boundaries I have delegated.'  
 10 Thus to Satawatti  
 I spoke, The boundary  
 of <sup>f</sup>Amminaye determine.  
 Ugi upon the territory  
 of <sup>f</sup>Amminaye  
 15 shall not encroach;  
 and <sup>f</sup>Amminaye  
 upon the boundary of Ugi  
 shall not encroach.  
 Indeed, upon the boundary of <sup>f</sup>Amminaye  
 20 no one shall encroach.  
 Your (own) town to the district of <sup>f</sup>Amminaye  
 I have assigned,  
 and do you take notice.'"

Seal

Saushshatar,  
 Son of Parsatatar,  
 King of (the) Mitanni.

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<sup>a</sup> The transliteration is based on the system of Thureau-Dangin, *Le Syllabaire Accadien* (1926).

## PHILOLOGICAL NOTES

The number H 146 indicates one of the 370 tablets that Dr. Chiera transliterated on the spot while the excavations were in progress. Of these, 107 inscriptions have been published by Dr. Chiera as a volume in the Harvard Semitic Series. A concordance of the numbers of the records transliterated and of the tablets copied is appended to that volume. The present letter is not included among the texts already copied; it will be published in a future volume. I am greatly indebted to Dr. Chiera for his permission to use his transliteration in the present instance, pending the publication of the text.

1. The name *Ithiya* occurs in an inscription on a seal belonging to H 345. The inscription reads: *mit-ḫi-ia šar ar-r [a-ap-ḫi? . . .]*. It is entirely probable that Saushshatar addressed his letter to the ruler of Arrapha, who acknowledged the suzerainty of Mitanni.

3. Other occurrences of the same name in the Harvard material thus far transliterated are: *cpa-a'-ḫa-ar- [ . . . ]*, H 322.17; *cpa-ḫar-ra-aš-wa*, H 325.3; *cpa-ḫa-ar-ri-wa*, H 346.17, and *cpa-ḫa-ar-ra-aš-wa*, H 346.33. The form found in this letter betrays its western origin by the suffixed determinative KI which is characteristic of a number of the Amarna letters; cf. e. g., *cgubla*, index in Knudtzon, 1574. The Syrian provenance of the present tablet is probably also responsible for the guttural in the name of the city. As can be seen from the letters of Tushratta, the western Hurrians (Mitanni) employed gutturals, probably under the influence of West-Semitic; the eastern branch of the Hurri (Arrapha) was not exposed to such influences and gutturals are here, therefore, scarcely ever indicated.

The ending *wa* has the value of '(the town) of,' or the like; (*a*)š and (*a*)še are obviously forms of the nominative ending. The simple form of the name was presumably *Paharra/i*.

5. *li-e-ti-šu* stands for *liwitišu*; the construct state of this noun is, in these tablets, the very common (*ina*) *lit*.

8. *wḫalzuḫlu* certainly represents a profession, as is shown by the determinative. Koschaker's doubts (cf. *l. c.*, p. 15) are therefore unjustified. The word is found (with the determinative) in the Amarna letters, Kn. 30.10; 67.15. In the former instance it occurs in connection with the typical Hurrian name Akiya, and should help to remove what doubts there are that the writer of the document was a Mitanni ruler (cf. commentary *a.l*).

The *ḫ*. accept deposition of witnesses in conjunction with judges, or by themselves. They are consequently 'elders,' or even better 'magistrates.'

9. *šūli* goes back to *šulwi*, cf. note to 5.

12. As a verb is expected here, *šu-ú-ma-mi* is best regarded as an imp. of *√šāmu* rather than as a pronoun (*šū-māmi* 'it (is)').

21. The town referred to is of course that of Satawatti and not of Ithiya.

## NOTES ON THE LETTER

The interpretation of the message offers no particular difficulties. The king had formerly presented the woman Amminaye with the district of Paharrashe. A village in that district is now to be given to Ugi, whom the king apparently wishes to reward. The new boundaries are to be marked off by one Satawatti, the magistrate of the town of Atilu. To compensate Amminaye, however, for the loss of one of her possessions, Atilu is now assigned to the area of Paharrashe. Ithiya, a local dignitary to whom the letter is addressed,<sup>7</sup> is personally responsible for the carrying out of the king's orders.

Interesting as this letter is in itself, the great importance of the document is not due to its contents but rather to the signature; the inscription on the seal is unusually valuable for more reasons than one. In the first place, the date of the Kirkuk tablets can now be established with absolute certainty. Saushshatar is the first known king of Mitanni and his date is to be placed soon after 1500 B. C.<sup>8</sup> His contemporary Ithiya is probably the vassal ruler of Arrapha. The Nuzi records deal with at least five generations and we cannot tell as yet which of these synchronizes with the time of Saushshatar and of Ithiya. At all events the first two or three of these generations must now be placed in the 16th century. Nuzi, then, saw its best days a few hundred years earlier than the date which most scholars were inclined to allow it.

Significant is the comment which the letter furnishes as regards the political conditions of its time. Nuzi and the rest of Arrapha are under the unchallenged sway of Saushshatar. The Mitanni ruler is free to assign and to reassign districts and cities in Arrapha to whomever he pleases and the tone in which he addresses the local heads indicates that the king will brook no opposition. Ashur, which lay on the direct road from Mitanni to Arrapha, is completely ignored; obviously, Assyria was still in a state of submission and a province of Mitanni, precisely what we should expect in the 16th century. That the empire on the middle Euphrates was highly thought of in the West is abundantly illustrated in Egypt-

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<sup>7</sup> Cf. note to line 1.

<sup>8</sup> Thotmes IV marries the daughter of Artatama, who is Saushshatar's successor. Saushshatar, then, must have been a contemporary of Thotmes III, whose reign began in 1501 B. C.

ian and Hittite sources, as well as in the Amarna letters; but that it should extend as far East as Arrapha and Nuzi was hardly expected by anyone. The presence of Mitannian colonies east of the Tigris throws a new light on the size and strength of the kingdom of Saushshatar. The writers of the Kirkuk tablets were related to the Hurri-Mitanni not only linguistically but also politically.

The message of Saushshatar adds two new names to the growing list of Indo-European words preserved in cuneiform records.<sup>9</sup> Etymologically, the name of Satawatti, the magistrate of Atilu, may be simpler than that of Parsatatar; but historically the name of Saushshatar's father is of far greater importance. This is the first time that we can carry the Mitannian dynasty beyond its assumed founder, Saushshatar. It is indeed a curious thing that a comparatively obscure place east of the Tigris should supply this valuable bit of information, where the extant Hittite and Mitanni sources have hitherto failed us.

The last line of the seal is no less significant than the other two. Saushshatar calls himself here the king of *Maiteni*; this is evidently the uncontracted spelling of the name of the kingdom. Owing to the potential historical implications peculiar to this name, the discovery of an earlier form of the word is of considerable value. It is with this form that future attempts to solve the etymology of *Mitanni* will have to operate.<sup>10</sup>

Of more immediate consequence than the older writing of the name of the kingdom is the fact that Saushshatar remains king of *Maiteni*, although his country is consistently referred to in the Kirkuk documents as <sup>mat</sup>*Hanigalbat*. It follows conclusively that Hanigalbat was the geographical designation of the land, while Mitanni must have had a purely political connotation. In other words, the empire was that of the Mitanni but the country in which it was founded was Hanigalbat.<sup>11</sup> The introduction of the name *Maiteni* > *Mitanni* may now be attributed with greater plausibility

<sup>9</sup> For the latest discussion of and literature on Indo-European linguistic material from Syria and Mesopotamia see the article of Johannes Friedrich in *Reallexikon der Assyriologie*, pp. 144 ff.

<sup>10</sup> Ungnad, *Kulturfragen* 12, suggested that the name may be ultimately connected with that of the Medes.

<sup>11</sup> Cf. Chiera-Speiser, *l. c.*, p. 77; for latest literature on the subject see Koschaker, *l. c.*, p. 18.

than was hitherto possible to the Indo-European ruling class that founded the kingdom. The word may, then, be after all connected with the name of the Medes.<sup>12</sup> But until this suggestion, tempting as it may be, can be supported by more convincing arguments it will remain as doubtful as it is interesting.

On this point the seal fails to furnish more information. Considering the number of problems which the three short lines have helped to illuminate we cannot really complain if some questions still remain unsettled. When our brief discussion was published less than three years ago, its authors had little hope of finding a number of their tentative and cautiously put forward suggestions established so soon. The work at Nuzi is going on and any chance find may prove as valuable as this exceedingly helpful letter.

E. A. SPEISER.

University of Pennsylvania.

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<sup>12</sup> The passage from *Mat-ai* or *Ma-ta-ai* (the cuneiform designations for the Medes) to *Maite-ni* is simpler than to *Mita-ni*.

**Center for Advanced Judaic Studies, University of Pennsylvania**

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Some Prehistoric Antiquities from Mesopotamia

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## SOME PREHISTORIC ANTIQUITIES FROM MESOPOTAMIA<sup>1</sup>

BY E. A. SPEISER, University of Pennsylvania

I FIRST came upon Tepe Gawra late in April of 1927. I had been engaged until then in making an archaeological survey of northern Iraq at the instance of the American School of Oriental Research in Baghdad; the actual cost of the survey was borne by the Dropsie College. In the course of that survey I had visited and studied hundreds of ancient mounds, from the Persian border to the eastern limits of Syria. For my last surveying trip I had reserved that section northeast of Mosul of which Khorsabad, the ancient capital of Sargon II, is the center. Tepe Gawra was the last mound of that district to be examined.

I was not unprepared for surprises; for contrary to all previous expectations the entire section had proved to be covered with mounds which judging from the remains of pottery strewn on the surface, went back to remotest antiquity. The evidence was unmistakable; the potsherds bore the same designs that characterize the oldest ware of Susa, the so-called Proto-Elamite, as well as the ceramics from

<sup>1</sup> I have dealt briefly with the results of the excavations at Tepe Gawra in the *Bulletin of the American Schools of Oriental Research (BASOR)* 29, pp. 12-15. A few historical conclusions have been pointed out in a note for the forthcoming number of the *Archiv für Orientforschung*, Berlin. A detailed account of the expedition will appear in the next ANNUAL (vol. VIII) of the *ASOR*. The present note, although containing some unavoidable repetitions, has a definite object in view: The expedition to Tepe Gawra was financed by the Dropsie College. Consequently, one half of the objects discovered has come into the possession of the College, the remainder representing the legal share of the Iraq Government. It is not inappropriate, therefore, that a general commentary to these finds should appear in a journal that is published by the Dropsie College.

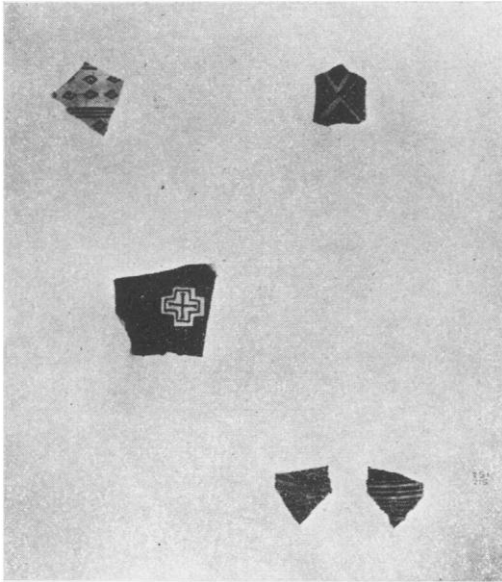


the lowest deposits of the oldest Babylonian sites. The area, then, which the upstart Sargon selected for his capital had been a flourishing and richly populated region three thousand years earlier.

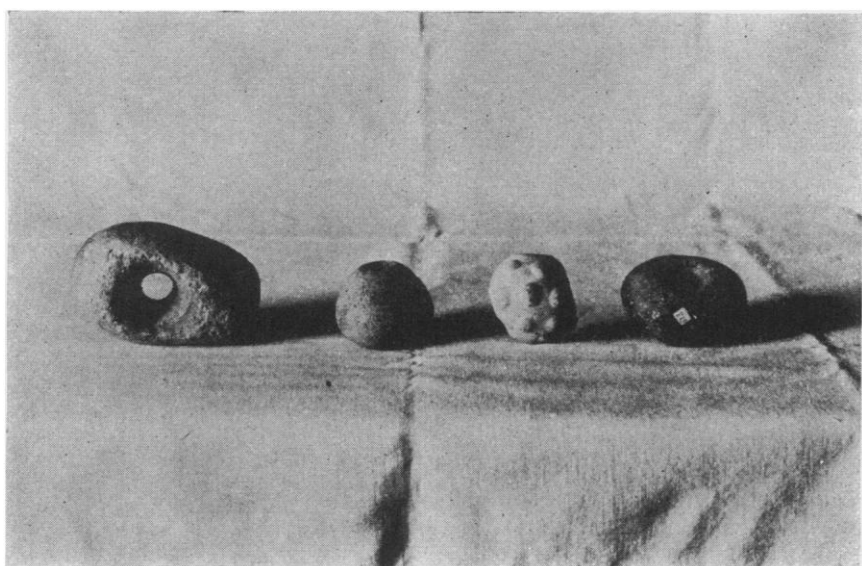
The fact that Tepe Gawra, too, showed remains of the same pottery was, therefore, not especially remarkable. However, the height and shape of the mound were very unusual; the other prehistoric sites were generally low and irregular as a result of more than five thousand years of exposure to the elements; but Tepe Gawra rose seventy feet above the level of the surrounding lands, its conical shape entirely unaffected by time. Here was indeed food for reflection. There could be no doubt as to the antiquity of the site; for numerous flints and obsidian flakes, strewn all over the surface of the mound furnished an eloquent confirmation of the evidence of the pottery. Moreover, the unusual height of the mound was an assurance that here must be hidden the record of many centuries prior to the introduction of metal; and lastly, the conical shape of the 'tell'—so characteristic of the Bronze Age—held out the promise that the transition from stone to metal might also be recorded in the upper strata of Tepe Gawra. In short, of all the ancient sites that I had visited, none appeared as promising for the purpose of excavations as 'The Great Mound,' named so, rather appropriately, by the local Kurds.

There is very little outdoor work that can be done in Mesopotamia after the end of April. When the temperature reaches 120 degrees in the shade, the heat is often difficult to bear even indoors. Consequently, all surveying and excavating had to be stopped until autumn; in northern Iraq cooler weather sets in with October, in the south it is often necessary to suspend work until late in November.

After a summer that was divided between Persia and Palestine I was back in Mosul early in October. My second



**Fig. 1.** Polychrome fragments from Gawra I



**Fig. 2. Stone weapons from Gawra I and II**

season in Iraq was to be devoted to the further study of the Hurrians, in connection with the second expedition to Nuzi headed by Dr. Chiera; also to an aerial archaeological survey of such sections as were inaccessible from the ground. But as neither of these tasks was to begin before the first of November, I had about three weeks time to give to Tepe Gawra. I had just enough money for a small excavation, having succeeded in saving several hundred dollars from the fund that Dr. Cyrus Adler had been instrumental in raising for the purpose of the survey. After the necessary preliminary negotiations with the government and with the owner of the Tepe, work was started on October 9 with a gang of about sixty workmen. With me were Mr. Emanuel Wilenski as architect, and young William Chiera, the son of the well-known archaeologist, as recorder. Ours was a small but happy party that had little to lose, and an unlimited range of scientific information to gain. The final results of this little 'dig' were to establish us as rather successful gamblers for scientific stakes. The value of the objects discovered is far in excess of the amount that was expended on the work; the scientific yield is far more precious, as a fair amount of light has now been shed on an all but unknown period in the earliest history of Mesopotamia.

During our two weeks work on Tepe Gawra a complete record was obtained of the successive occupations of the mound. The earliest strata carry us back to about 4000 B. C. E., the latest to the middle of the third millennium. Gawra, then, was already an ancient 'tell' at the time of Hammurapi and of Abraham; but therein indeed lies the importance of the site. The numerous layers of which the mound is built up take us through the period at the very dawn of civilization that is either very little known or, in some instances, entirely unknown. Their evidence leaves off, quite considerably, at a time when records begin to

pour in from other quarters. Our modest undertaking did not, of course, furnish us with all the information that the mound is obviously capable of disclosing; we were merely able to bring to light several trail-markers, so to speak. The extensive gaps that preliminary excavations will leave behind, of necessity, can be filled only through complete and thorough excavations of the sites examined, and of other mounds of the same period, with a record of long and continuous occupation.

Tepe Gawra proved to have been inhabited by three different peoples, each with a distinct, and easily distinguished, culture of its own. For the purposes of a general summary like this, it may be excusable to deal in round numbers by saying that each culture increased the height of the site by about one third, and that each survived there for about half a millennium. These cultures may be termed simply Gawra I, II, and III; their authors, if we take into account the most characteristic product of each civilization as represented at Gawra, may be called 'Pottery Painters,' 'Shrine Builders,' and 'Early Bronze People.' Since the use of metals is not introduced until Gawra III, it follows that both Gawra I and II still belong to the Stone Age, their particular period being known as Aeneolithic.

A discussion of the ancient inhabitants of Gawra, and of the resultant ethnic and historical implications, must be reserved for the detailed account of the expedition in the forthcoming Annual of the American Schools of Oriental Research. For the present, I should indicate that the Pottery Painters are known to have covered extensive sections of the East in very early times; they are identical with the so-called Proto-Elamites and they may have formed the aboriginal population of the Zagros mountains. In view of their distribution their civilization may perhaps be best referred to as Proto-Zagros. The Shrine Builders, who

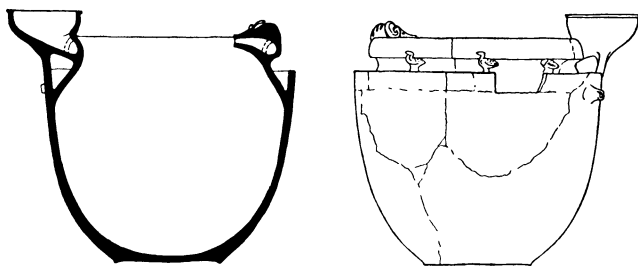


Fig. 3. Gawra II. "Fountain-head" vessel; general view and section

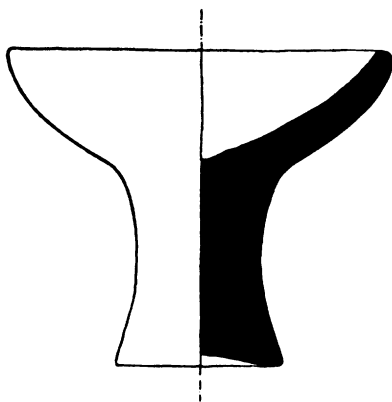


Fig. 4. Gawra II. Coal brazier found at the entrance to the Shrine

displaced the Pottery Painters, originally came from the South. They are most likely early Semites, or else a Hamito-Semitic group, who had come to Babylonia before the invasion of the Sumerians. Incidentally, the evidence of Gawra II seems thus to furnish indirect proof that the Semites preceded the Sumerians in Lower Mesopotamia. As for the Early Bronze People, they clearly represent the Sumero-Accadian culture of about the time of Sargon of Agade. It was undoubtedly the knowledge of metal that enabled the people of Gawra II to put an end to the high civilization of the Shrine Builders.

The main purpose of the present note is, however, to give a brief account of the objects that were dug up at Gawra, to serve as a general commentary to that share of the antiquities which is now in the possession of the Dropsie College. As has been already indicated, the most characteristic product of Gawra I is its painted pottery. Throughout the existence of this culture, which is represented on our site by seven clearly-marked levels, the better ware is consistently decorated with monochrome or polychrome designs. Very remarkable is the fact that the older the pottery, the finer the ware and the more original the decoration. The very lowest stratum furnished what were by far the most beautiful fragments, the decorative patterns being applied in sepia, with red occasionally added, upon an orange background. The style of the painting from this stratum, as well as from the levels that immediately follow, is geometric; in later deposits it shades off gradually into a naturalistic treatment. A good example of the geometric style is the 'double-axe *motif*;' most obviously naturalistic is the buff ware decorated with herons done in red. Both styles are undoubtedly, at least as far as Gawra is concerned, the



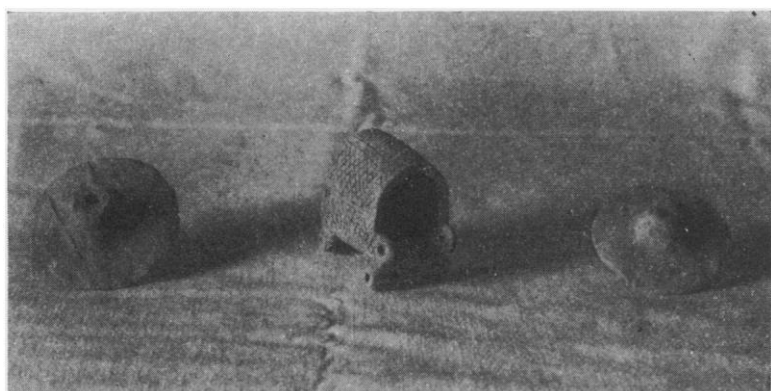
artistic expression of the same people.<sup>2</sup> The original inspiration that attended the invention of the painted decoration shows itself at its highest in the superbly conceived and executed 'orange on sepia' creations; when the early zest and vigor have worn off, the artist's work becomes increasingly conventional; at length he is satisfied with a frank reproduction of models from nature.

The use of painted pottery was confined only to special occasions; for ordinary, every-day uses plain ware was employed. A good instance of this is, among the objects at Dropsie College, an unpretentious little lamp, crude and irregular, conveying all the intimacy and appeal of its origin by human hands, and of the purpose for which it was fashioned. No similar object that has yet been found in Mesopotamia can claim higher antiquity.

Of the other objects with which Gawra I rewarded us, should be mentioned two terra-cotta figurines of a deity, probably a goddess; one of these is in the Iraq Museum with the local government's share of antiquities from Gawra. A perfectly preserved small plate of marble was found near a string of ivory beads, which may originally have lain in that plate. In passing may also be noted many interesting types of flint and obsidian implements.

The picture changes completely with the appearance of the Shrine Builders. The painted pottery disappears from the scene; perhaps the landscape with which the invaders had been familiar did not inspire colorful designs. Not that the Shrine Builders were without artistic inclinations of their own; only that they expressed them through a different medium and realized them for other ends.

<sup>2</sup> The same two styles are in evidence in the painted pottery of Susa. They are sufficiently distinct to have caused H. Frankfort (see his *Studies in Early Pottery of the Near East*, I) to assume two different peoples as originators of these styles. In this he is vigorously opposed by the French School. For the present we must remain aloof from these controversial matters.



**Fig. 5. Gawra II. "Covered Wagon"**

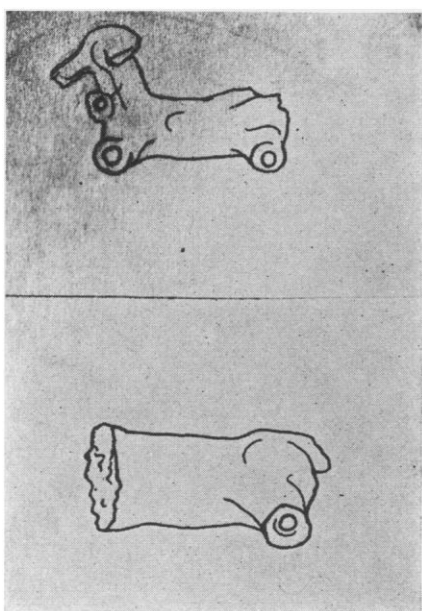


Fig. 6. Gawra II. Votive animal figurines

For the people of Gawra II were distinctly of a religious turn of mind. No sooner were they established in the district than they proceeded to bend all their efforts upon the erection of a temple to their deity, or deities. Prompted by a conservative and archaizing attitude, which is not unusual in religious practices, the Shrine Builders employed even the same building materials that their fathers had used. On the alluvial plain of southern Mesopotamia brick is the inevitable substitute for stone; hence bricks had to be used on Gawra as well, although good clay is in that neighborhood as abundant as stone and as easy to procure. It is not, therefore, at all surprising that the objects of that period, whether discovered within or without the temple compound, are almost invariably of a religious significance.

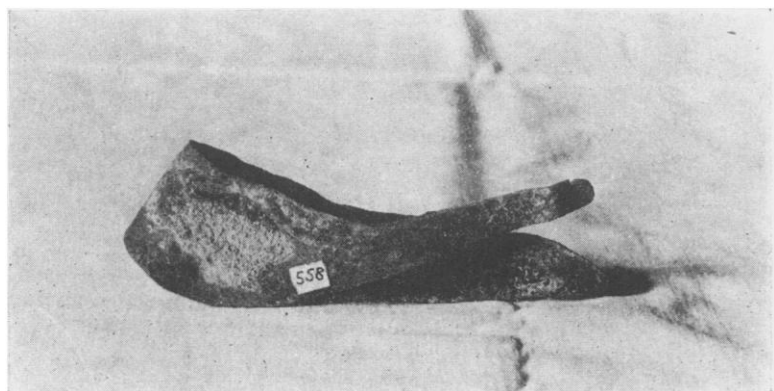
What is beyond dispute the most noteworthy and the most interesting of all the finds from Gawra II, or for that matter from the entire site, is what I have elsewhere named the 'fountain-head' vessel. Made of well-baked clay, and about three feet in height, the object represents a compact and ingeniously contrived fountain head. The water was first admitted through a well-shaped funnel into a tubular rim; from there it flowed out into the vessel itself through a splendidly executed ram's head, the mouth thrown wide open. Running water was apparently presupposed. The constant stream resulted in a continuous overflow and the outcoming water was caught up in an open conduit fastened to the shoulder of the vessel, ultimately running out through a small spout. Midway between the rim and the outside channel eight ducks are attached to the wall; when the 'fountain-head' is functioning the ducks appear bathing under the stream. It is difficult to determine at present the precise part that the vessel played in the ritual of the Shrine Builders. Some type of consecration by means of water, or the like, may have been responsible for this unique product

of the middle of the fourth millennium. At present the object is one of the principal show-pieces of the Iraq Museum, having been included in the government's share of the Gawra antiquities. As it is in a splendid state of preservation, the visitors to the Museum in Baghdad have now the opportunity to see the vessel in operation, just as it was more than five thousand years ago; special arrangements have been made for that particular purpose.

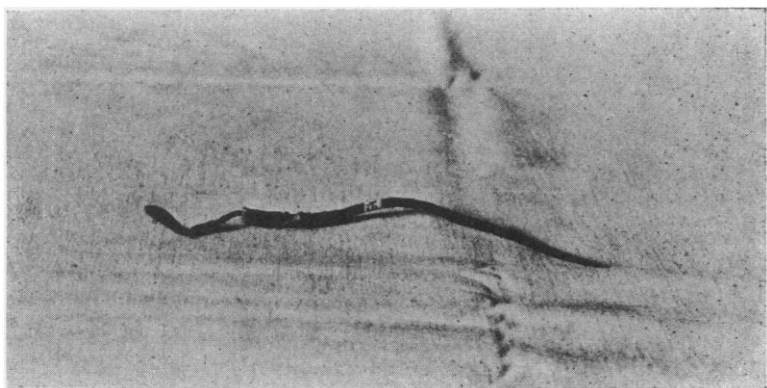
A large number of votive offerings further testifies to the emphasis which the Shrine Builders placed on matters religious. The most remarkable of these objects is a splendid example of a miniature 'covered wagon' with four wheels. These toy-like carriages were drawn by little dogs, also on four wheels; one such terra-cotta animal has also come down to us. There are numerous other animal figurines, from this period as well as from the two other deposits, widely differing one from the other in size and in shape. In a class with the little chariot should be placed a small bedstead found in the same room. Further excavations on the spot would doubtless bring to light an entire set of objects from this microcosm of the contemporary deities. Before passing on to the next civilization I should mention a large coal brazier of very hard-baked clay, and an impression in clay of the seal of the local priest; both objects were found in the temple court.

To move from Gawra II to Gawra III is to repeat one of the most momentous journeys in the history of mankind; it means emerging from the scope of stone into the limitless reaches of metal. The stone using Shrine Builders were scarcely a match for the Early Bronze People. Life, having quickened its pace, demanded increased efficiency; the pious, easy-going and leisurely ways of the by-gone days were no longer in harmony with the new order of things.

Before we had worked on Gawra III a half hour signs of



**Fig. 7. Gawra II. Bronze Sickle**



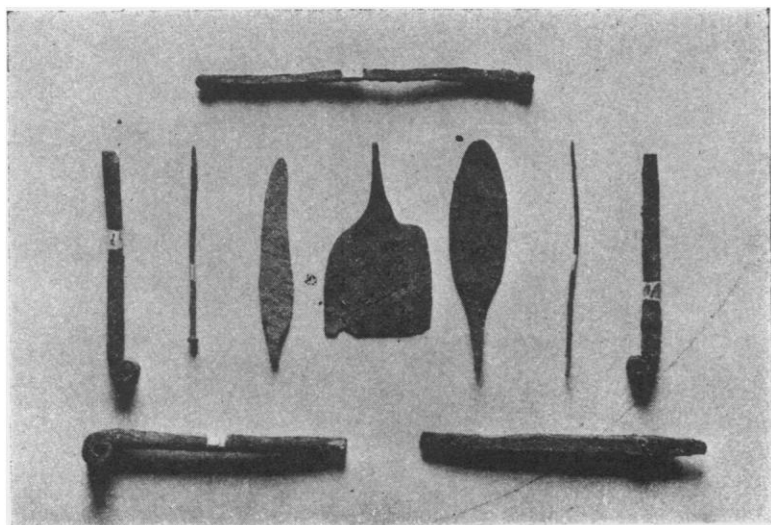
**Fig. 8. Bronze snake from Gawra III.**

the New Age came into evidence. "Metal, metal everywhere" would be an appropriate title for the third chapter of the life-history of the mound. Though we were sorry to have done with the temple, the fine condition of the bronzes put the whole camp in good spirits. Beautifully modelled axe-heads, without a trace of the devastating copper disease, are among the best ever uncovered in Mesopotamia. A skilfully fashioned diminutive pick-head seems to have been employed for finer work. A spear-head and a sickle, found side by side, demonstrated the two extremes in the application of the newly discovered material. Fine needles and massive hooks, sharp arrow-heads and delicate spatulae, chisels, blades, anklets, were coming up in quick succession. A small copper snake gave an indication of the religious propensities of the newcomers; pincers with the temper still in force testified to the skill of these ancient metal workers. From their homeland in the south the invaders had brought with them Sumerian cylinder seals, as well as the ability to cut them. Three such seals of an old type, representing an archaic adoration scene, a Gilgamesh *motif*, and a god pouring out the waters of the Two Rivers upon the thirsty plain, have been added to the collection of the Dropsie College. There is also an abundance of new types of pottery; but one need not enumerate all the objects.

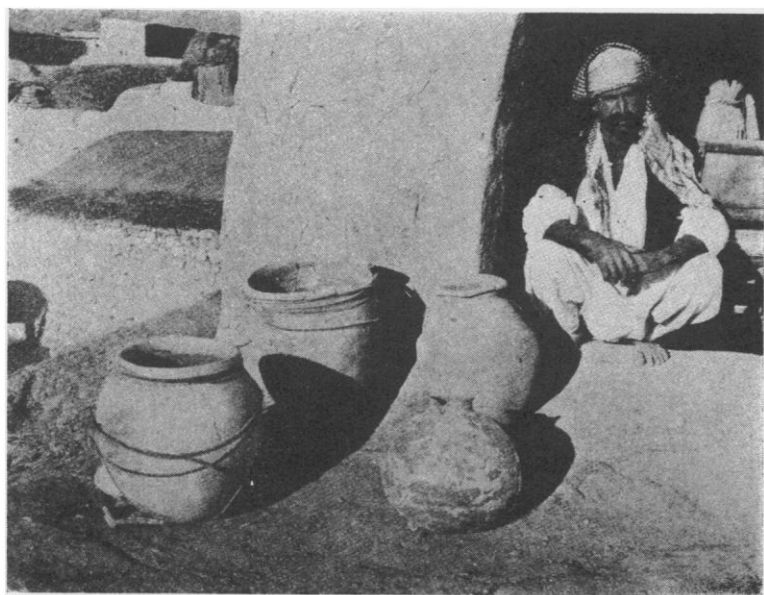
In course of time Gawra III was to go the way of her two predecessors, never to be reoccupied again. The mound remained forsaken and silent for more than four thousand years. At last the silence was broken by the persistent spade of the excavator. For two weeks Gawra spoke and we heard priceless reminiscences of long ago ages; for a mere fraction of a moment the mound was stirred from an age-long slumber. Now Gawra has been suffered to sink back into her former state. But fifteen centuries of so active a life as Gawra's, fifteen centuries that touch upon the school-



days of the race, are much too interesting for us to rest satisfied with mere episodes and incidents. We should like to have a connected history of those times. We have seen that Gawra, and her contemporaries as well, no doubt, can be persuaded to talk. The ancients are not unwilling to be stirred; it is our task to supply the necessary stimulus!



**Fig. 9. Small bronze objects from Gawra III**



**Fig. 10. Large pots from Gawra II**



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Ethnic Movements in the near East in the Second Millennium B. C. The Hurrians and Their Connections with the Ḫabiru and the Hyksos

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ETHNIC MOVEMENTS IN THE NEAR EAST IN THE SECOND  
MILLENNIUM B. C.

THE HURRIANS  
AND THEIR CONNECTIONS WITH THE ḪABIRU AND THE HYKSOS

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(DEDICATED TO THE MEMORY OF EDWARD CHIERA)

*I. Introductory.*

Seven years ago the ANNUAL came out with its first discussion of the Hurrians, in a joint article by Edward Chiera and the present writer, entitled "A New Factor in the History of the Ancient East."<sup>1</sup> Prior to the middle 'twenties Assyriologists had little provocation to concern themselves with the rôle of the Hurrians in Mesopotamia. The presence of that people in the country was attested, to be sure, by the occurrence of their peculiar proper names in a number of cuneiform documents. A certain relationship between the bearers of those names and the speakers of the principal language of the Mitanni had also been established. But the element was demonstrably foreign in Babylonia and there was no reliable information as to the part which it had played in ancient Assyria. Its infiltration was generally considered to be the inevitable result of trade relations with the north-west. The prediction of massed settlements of Hurrians to the north of Akkad would have been branded as visionary.<sup>2</sup>

With the publications of the tablets from the district of Kirkuk (ancient Arrapha) by Contenau<sup>3</sup> and Gadd<sup>4</sup> the situation was radically altered. Here was definite proof that the Hurrians were well established in the area east of the Tigris. Frequent references to this ethnic group in the archives from Boghazköi helped to place the whole matter in a different light.<sup>5</sup> With scarcely a note of warning, the area dominated by this people was seen to

<sup>1</sup> ANNUAL VI, 75-92, which gives an account of the older literature on the subject.

<sup>2</sup> Pioneering work on the subject was done by Ungnad; cf. BA VI, 5, pp. 8 ff., and *Kulturfragen*, 1, pp. 4-7.

<sup>3</sup> *Textes cunéiformes du Musée du Louvre* IX, 1-46.

<sup>4</sup> RA XXIII, pp. 49-161. For the other scattered "Kirkuk" texts cf. Koschaker, *Neue keilschriftliche Rechtsurkunden aus der El-Amarna-Zeit*, 9, n. 1. For general discussions of the material available at the time see Contenau, *Babyloniaca* IX, nos. 2-4, and Gadd and Koschaker, *op. cit.*

<sup>5</sup> The Boghazköi material is now listed by Sommer in his *Aḫḫijavā-Urkunden*, 42 ff.

expand at an alarming rate; many of our previous notions as to the balance of power in the Amarna period had to be rapidly readjusted so as to make room for "Mitannian" influences in eastern Anatolia and in Arrapha.<sup>6</sup> There was even danger to Palestine from the same quarter.

When our article was published in the ANNUAL of 1926, we had not seen the related studies of Gadd and Contenau; the three essays appeared practically at the same time. We had, however, at our disposal the rich material from Nuzi, in south-west Arrapha, which Dr. Chiera had discovered in the course of his first campaign on that site. More than a thousand tablets had been found during that initial season, as compared with approximately one-tenth of that number in the museums of London, Paris, and Berlin. Subsequent campaigns were to make correspondingly large contributions to the rapidly growing Nuzi collection.<sup>7</sup> By its sponsorship of the Nuzi excavations the American School in Baghdad became thus a vital factor in the study of the Hurrian migrations. It would be difficult to overestimate in this connection the part played by Dr. Chiera, the discoverer and decipherer of the Nuzi documents. His untimely death has just removed from American Assyriology one of its most brilliant and vivid personalities. May these pages serve as a sincere, even though wholly inadequate, tribute to his memory.

At the time of its appearance the title of our joint contribution may have seemed somewhat pretentious; I trust, however, that the tone of our presentation was sufficiently restrained to modify such an impression. Our purpose was to give a brief description of the contents of the tablets together with a tentative analysis of their historical implications. Since then progress in the field has been so rapid that a fresh analysis is now imperative. Earlier discussions must now be supplemented or modified. Our additional information

<sup>6</sup> Anglicized spelling of foreign names is employed in this paper wherever possible. This is generally the case with the several laryngals represented by *h*. Diacritical marks will be found only in philological discussions and in native terms; hence Hurri, but Hurrian, etc. In Arrapha, however, the mark is necessary to prevent confusion of the *ph* with the *f*-sound.

<sup>7</sup> So far there have been published five volumes of Nuzi texts discovered by American expeditions; four by Chiera (*Publications of the Baghdad School*, vv. I-III, and *Harvard Semitic Series V*), and one by Pfeiffer, *HSS IX*. Additional tablets from the Louvre have been published recently by Contenau, *RA XXVIII*, 27-39. Among the recent philological studies of these texts may be listed Kramer's *The Verb in the Kirkuk Tablets*, ANNUAL XI, 63-119, and two essays by the present writer in the ANNUAL X, 1-73, and *JAOS* 52, pp. 350-367; 53, pp. 24-46. Excellent legal discussions will be found in Koschaker, *op. cit.*, and in his contribution to the *Abhandlungen der Sächsischen Akademie der Wissenschaften XLII*, no. 1. There is also a considerable number of minor articles.

is for the most part the result of work done, or made available, within the last two or three years. It is time to survey the situation and to consolidate our gains, so to speak. Our working theories of a few years ago have become certainties by this time, or else been adjudged untenable. Parenthetically, the proportion of the latter is agreeably modest. With a wider and firmer foundation of fact to rely upon, the scope of these investigations may be now legitimately extended.<sup>8</sup> If the purely theoretical increment is proportionate and gradual, the expansion is not likely to prove too venturesome.

The argument which this paper wishes to pursue will fall thus naturally into two parts. Relevant facts will be reviewed in one section and the partly tentative superstructure will be confined to the other. In other words, the question of the Hurrians themselves will be taken up first, while the problem of interrelations with such migratory groups as the Ḫabiru and the Hyksos will be left for the latter part. As regards the Hurrians, the historical situation is now clear in its main outlines; precision in terminology and a narrowing of the chronological limits of their migrations may be listed as the outstanding desiderata. But the part of the Hurrians in the extensive movements of peoples during the second millennium B. C. still remains to be determined. Their participation in these wanderings is definite and beyond dispute; the extent, however, and the nature of their relations with the other groups in question continue to call forth widely divergent estimates and interpretations. In a study such as the present one an inquiry into the matter cannot be avoided.

The foregoing remarks have defined the character of this paper. The problems are mainly ethnic and historical and the methods to be employed will be adjusted accordingly. Philology and archaeology will furnish their quotas of source material, but the arrangement cannot be modeled very well after linguistic or archaeological studies. Pertinent details from both departments will continue to appear in their own settings.<sup>9</sup> In fact, owing to the importance of the subject and the constant additions to our sources, the number of contributors is steadily on the increase.

<sup>8</sup> A previous attempt at such an elaboration was made by the writer in *Mesopotamian Origins*, ch. V. It is probably the result of "making many books" that much of what has been written is not read at all. At any rate, a number of our conclusions have independently been duplicated by others, years after the appearance of our publications. While it is undoubtedly flattering to find oneself in agreement with prominent scholars, it is in sheer self-defense that certain claims to priority are herewith asserted, invidious though the task may be.

<sup>9</sup> With the publication of fragments of Hurrian vocabularies by Thureau-Dangin, *Syria*, 1931, pp. 234 ff., the problem of Hurrian phonology has become acute. I hope to take part in the discussion in the near future.

## II. *Hurri.*

In the earlier stages of Hurrian studies the most pressing problem was to recognize Hurrian material in the extant epigraphical sources, in order to determine the spread of that group in the culture lands of the Near East. Today there is scarcely any difficulty on the onomastic side and, consequently, the geographical boundaries can be established with a gratifying degree of certainty. Through our knowledge of Hurrian proper names we have arrived at the realization that the people in question were to be found, for the better part of the second millennium, scattered all the way from Anatolia to Elam and from Armenia to Egypt, interspersed with other ethnic elements or settled in colonies of their own. It is manifest that mere recognition of certain linguistic features need not presuppose thorough understanding of the language as a whole. We shall not be in a position to interpret Hurrian documents with reasonable confidence until the available material has become much more abundant than it is thus far. Nor can we hope for the time being to do justice to the dialectic differences within the language, which are inevitable over so wide an area as the Hurrians are known to have occupied. Hurrian sources from Nuzi, Ras esh-Shamra, and Boghazköi, naturally have their local peculiarities. These must for the time being be filed away for future consideration; as yet they cannot be adequately analyzed. But it is perfectly obvious that we are confronted in each case with members of the same ethnic group. Thus while a comparative study of Hurrian must await further developments, the time is ripe for an examination of the historical rôle of the Hurrians on a broader basis than has been possible heretofore. Philological and historical methods have come here to a parting of the ways.

It has just been indicated that Hurrian names and other linguistic elements can be recognized readily enough; but what are we to call them once they have been recognized? It is curious indeed that agreement as to terminology should appear more difficult than the actual identification of the elements involved; and yet this is precisely the case. A lengthy discussion with nothing more at stake than a mere name will not, as a rule, be worth the effort. In the present instance, however, a great deal happens to be implicit in the name, and I feel compelled to re-introduce the subject; for this is not a first attempt along these lines.<sup>10</sup> It will be made clear, I trust, in the following pages that with the people under discussion the correct name may furnish the key to a fuller understanding of their part in history. But there is a more

<sup>10</sup> See ANNUAL VI, 79 f., and *Mesop. Orig.*, 129 f., 136 f.; cf. also Hrozný, *Archiv Orientální (AOr)* I, 91 ff., III 285 ff. (where the earlier discussions on the subject are not mentioned, however).

urgent reason for returning to the problem. The number of terms now considered synonymous with or preferable to *Hurri* is bewildering in more ways than one, with the paradoxical result that the very wealth of names threatens to render the people nameless in the eyes of the confused reader. For what is the average student to make of it when he finds one and the same people, and its language, variously designated as *Hurri*, *Harri*, *Hurli*,<sup>11</sup> *Hurwu*, or *Murri*; *Shubaru*, *Subaru*, *Suri*,<sup>12</sup> and even *Su*;<sup>13</sup> *Mitanni*, *Mitlani*,<sup>14</sup> and the like, all in a formidable array of variations? The same volume of an encyclopedia may contain two or three of the rival terms in gay apposition;<sup>15</sup> how is the uninitiated to divine that the several authors have the same thing in mind? Until recently there may have been room for some differences of opinion on this vexing subject. At the present state of our knowledge, however, such gratuitous anarchy amounts to sheer extravagance.

Having discussed the matter at some length in previous publications,<sup>16</sup> I shall now only summarize the earlier results prior to adducing the latest, and to my thinking decisive, evidence. With as widely diffused a people as the Hurrians, it is clear that what we need is a comprehensive term qualified to represent the entire group and not only a particular subdivision. Hence *Mitanni* is automatically eliminated. This name applied properly to the well-known but short-lived empire in central Mesopotamia. Moreover, the designation was strictly political rather than ethnic or linguistic; if current at all in the latter connotations, *Mitanni* would not have been descriptive of the people that concerns us at present, but rather of the Indo-Iranian element to which the empire owed its organization.

Ignoring for the moment the claims of the Subaru group, we now turn our attention to *Hurri* and its alleged congeners. Here the problem is much more involved. The variety of forms encountered in this category springs directly from the polyphonus nature of cuneiform signs. The first syllable of the word is expressed in all cases where the reference is absolutely certain by a sign that is susceptible of several readings, the most common ones being *har*,

<sup>11</sup> This term was advocated by Ehelolf, *OLZ*, 1930, col. 323, n. 1; it is used, e. g., by Bossert in his *Šantaš und Kupapa*; but see below.

<sup>12</sup> Cf. Winckler, *OLZ*, 1907, cols. 281 ff.

<sup>13</sup> See Hüsing, *Die Völker Alt-Kleinasiens und am Pontos*, 23. It is to be regretted that this monograph appeared posthumously (1933), without having had the benefit of the author's final corrections. As it stands, the work is out of date by about ten years, which makes an enormous difference in a subject of this sort, particularly when the writer happens to be as erratic as he is brilliant.

<sup>14</sup> Cf. Bork, *JRAS*, 1928, pp. 51 ff.; but see *Afo* VIII, 308 ff.

<sup>15</sup> Cf. *Realex. d. Assyri.* I, 83 and 233.

<sup>16</sup> See above, note 10.



*hur*, and *mur*. All three have found ready followers, hence we read of the Ḫarri, the Ḫurri, and the Murri. The last-mentioned form may be discarded without further ado as the fantastic offspring of Amorite enthusiasts.<sup>17</sup> Not quite as harmless is the contest between the Ḫarri and the Ḫurri camps, especially because both readings are fraught with vital historical implications. Hugo Winckler, who ferreted out the word from among his Boghazköi documents, saw in it promptly a reference to the ancient Aryans.<sup>18</sup> Since there was independent evidence for the presence of Indo-Iranians on the scene,<sup>19</sup> Winckler's view carried great appeal. His reputation for uncanny insight into such matters did the rest, and Aryans disguised as Ḫarri still loom large in current publications in spite of some serious setbacks which the original theory has suffered.<sup>20</sup> For in the meantime the supposedly non-Aryan Hittites have turned out to be strongly Indo-Europeanized,<sup>21</sup> while Aryan elements have come up in Mitanni and in the neighboring countries. But the whole theory has become invalidated on other grounds as well. Most scholars are now aware of the fact that the language to which the alleged Boghazköi cognate of Indic *ārya* is applied cannot possibly be smuggled into the Indo-European family. And how could philology sanction the equation of *ḫarri* with *ārya*, the alleged *prima facie* evidence for the ethnic identification?<sup>22</sup> Moreover, we have seen that the reading with *ḫar* is far from certain. In point of fact, cuneiform usage of the period is overwhelmingly in favor of *hur*; with very few exceptions<sup>23</sup> the syllabic symbol in question is read *hur* in the records from Boghazköi. There is even a strong possibility that our very term occurs

<sup>17</sup> Cf. *Mesop. Orig.*, 131, n. 37.

<sup>18</sup> See above, note 12.

<sup>19</sup> Cf. now Mironov, "Aryan Vestiges in the Near East of the Second Millenary B. C.," *Acta Orientalia* XI, 140-217. The usefulness of this monograph is impaired by the author's inability to control the Near-Eastern sources.

<sup>20</sup> For some wondrous statements on the subject cf. Hüsing, *op. cit.*, 25 ff. (the Ḫ are simply "blondes"! ). The author identifies the group with the Horites of the Old Testament, but is entirely too magisterial with the Masoretic vocalization and ignores the Septuagint transliteration, for no better apparent reason than that he fancies the reading Hari (*sic*).

<sup>21</sup> For a discussion of the linguistic position of Hittite the reader may now be referred to the forthcoming *Hittite Grammar* by E. H. Sturtevant.

<sup>22</sup> For the sake of completeness, it must be stated that not all of those who prefer the reading *Harri* would imply thereby an etymological connection with *ārya*. In fact, there are but few who still share this position of Weidner, *AfO* V, 93, n. 3. But when Eduard Meyer (*Geschichte* II. 1 (1928), 6, and *passim*) and Forrer (*Reallex. d. Assy.* I, 233) continue to write *Harri* (Charri), although aware of the non-Aryan origin of the people, their reasons for so doing are obscure.

<sup>23</sup> For the exceptions see Sommer, *Aḫḫijavā*, 42, n. 1.

spelled out as *hu-ur* . . . , with *u* in the initial syllable.<sup>24</sup> As far as the troublesome name is concerned, there is, therefore, in the words of Ferdinand Sommer, "absolutely nothing in favor of *har-*, but some support for *hur-*."<sup>25</sup> I have quoted this ranking Indo-European philologist not only on account of the very thorough study of the subject which he has just made, but also because he would be the first to recognize the Aryans if they had left actually any terminological means of identification.<sup>26</sup>

There are further important arguments in favor of *Hurri*.<sup>27</sup> For the time being, however, we may let the matter rest on its present merits. The additional material is of too great historical import to be dragged needlessly into a wasteful dispute about a vowel.

The form of the second syllable of the name is not without its own complications. In fact we should speak of forms, as is made plain by a comparison of *hur-ri-* with *hur-la-*<sup>28</sup> and *hur-wu-u-*.<sup>29</sup> Fortunately the problems are now purely philological, though by no means simple. For our present purposes it will be sufficient to state that the first form is prevalent in Akkadian, the second in Hittite, and the third in native, i. e., "Hurrian" texts. The probability is strong that all three forms are cognates, Akkadian and Hittite being in this case based on the native word. We should like to know, of course, the precise value of the apparent semivowel in *hur(r)wu-*;<sup>30</sup> information on this point is not available for the present. Again it is logical to assume that in this case, too, *hur-ri* and *hur-la-* are respectively Akkadian and Hittite adaptations from Hurrian. If we are to be thoroughly consistent we should speak

<sup>24</sup> Hrozný, *AOr* III, 286; but see Sommer, *loc. cit.*, later modified, *ibid.*, pp. 383-5.

<sup>25</sup> Cf. note 23.

<sup>26</sup> The same may be said of the other prominent Hittite scholars, such as Friedrich, Götze, and Sturtevant.

<sup>27</sup> Cf. Sommer, *op. cit.*, 285. The argument based on the Greek transliteration *Xoppaios* was anticipated in *Mesop. Orig.*, 132 f. The Ras esh-Shamra passages cited by Sommer are indeed a welcome bit of support. But in order to make the comparison convincing, the historical connection must be established in addition to the phonetic correspondence of the terms; see below.

<sup>28</sup> The stem is *hurla-*, the adverb used for the language appears as *hurlili*. That Hittite *hurluṣ* corresponds to Akk. (*amēlūti*) *hurri* in the respective versions of the same text is now conceded by Sommer, *op. cit.*, 286.

<sup>29</sup> For the various spellings in the Tushratta letter, which presuppose *w* as the third consonant, see the Index to Knudtzon's *Amarna*, p. 1575.

<sup>30</sup> In the West-Semitic forms (Heb. *חֲרִי* and Ras esh-Shamra, no. 2, lines 12, 21, 28, *ḫri*) an original *u* (*w*) would be naturally assimilated to the gentile ending *i*. That *ḫri* is most likely a Nisbe-formation (*hurriiḫu*) is the view of Friedrich (*AfO* VIII, 239) against Sommer, *Aḫḫjavā*, 385. For important observations on the Ras esh-Shamra texts cf. Montgomery, *JAOS* 53, 97-123.

therefore of Hurrians, Hurlians, and Hurwians, depending on the language of the texts with which we may be dealing at the time. In strictly philological studies such niceties are indeed inevitable. It is obvious, however, that extremes of this sort could serve no useful purpose in a general discussion. When it comes to deciding between the three, the Hittite representative contains the obscure, very likely local, *l*-element;<sup>31</sup> on the other hand, the Akkadian correspondent approximates closely to the apparent original form; it has an exact Canaanite counterpart, as will be seen presently; moreover, it has been long in vogue, and it is thus entitled to the right of way.

It may be mentioned in passing that attempts have been made to establish the etymology of the term which has led to this lengthy discourse. The preceding remarks have indicated, I trust, the danger inherent in such an undertaking. Where the precise original form is still subject to doubt, it would seem premature to search for the meaning. Hrozný believes that he has found the key to it in Akkadian *hurru* "hole:" the Hurrians started out as "cave-dwellers." I can only reiterate my original doubts on this point, and my skepticism is now strengthened by recent remarks of Sommer.<sup>32</sup> Just why the Hurrians should have borrowed for their national designation a foreign term that is said to mean "troglodytes" remains as obscure and unpalatable as ever. If popular etymology played any part in the matter, it was a secondary development. In other words, the Akkadians may have associated their own *hurru* with the native name of the Hurrians, but not the other way around. The Hittites are hardly likely to have applied to their eastern neighbors a nickname originated by the remote Akkadians. It will be recalled that the identical play on words has figured prominently in the case of the biblical Horites, who cannot be kept out of this discussion very much longer. For our purposes the issue raised by Hrozný is of no real moment, and we need fear little criticism if we fail to digress any further from the main path.

With *Ḫurri*, then, happily out of our way, the contest narrows down to a show of strength between *Ḫurri* and *Subaru*. There have been but few who ever succumbed to the Harrian theory. *Subaru*, on the other hand, still boasts numerous adherents. It presents a really stubborn case because its

<sup>31</sup> Sommer, *op. cit.*, 385, is inclined to explain *hurra-* as a secondary, inner-Hittite formation, based perhaps on some popular etymology.

<sup>32</sup> Cf. *AOr* I, 98, and my misgivings on the subject in *Mesop. Orig.*, 133. Hrozný goes back to his etymology in *AOr* III, 287, note 1, only to arouse the skepticism of Sommer, *op. cit.*, 386 f. At best, there may be a question of secondary etymology both in Akkadian and in Hittite, though along different lines in each case. The original form is with greatest probability the native *hurwu*, or the like, concerning the etymology of which it would be futile to speculate at present.

advocates have not had to rely on arguments that are so easily vulnerable. In this virtual impasse I should have refrained from bringing the question again to the surface—I have been guilty of similar interference on two previous occasions—if it were not for fresh evidence which, to my thinking, cannot but swing the balance rather decisively. It is not that Ḫurri has hitherto been lacking in support. Many had decided in its favor prior to, or independently of, our original essay on the subject.<sup>33</sup> But ours was perhaps the first attempt to justify the usage as fully as was possible at the time; a later publication contained additional arguments.<sup>34</sup> Writers who have dealt with the subject most recently have shown, as a rule, little hesitation in deciding against Subaru. However, there have been also counter-claims; it is still maintained in some quarters that we have in Subaru the more convenient and comprehensive designation.<sup>35</sup> It can be proved, however, that there is no longer any basis for such claims.

It will be borne in mind that what we are after is an appropriate name (a) for a certain language the elements of which we can generally recognize, and (b) for the people who spoke that language. It is now a matter of record that both these usages are attested for the cognates of the term Ḫurri. The name appears also in a geographical sense, but it has been shown recently that the ethnic connotation has strong claims to priority.<sup>36</sup> At all events, the name was applied to the people under discussion, its language, and some of its lands. Furthermore, it was thus applied in certain instances by that people itself. Where, then, is the problem?

Briefly, it is imported from Mesopotamia. Native Akkadian sources tell of a land Subartu, which they locate rather vaguely in the north, somewhere between Amurru and Elam. In its early occurrences,<sup>37</sup> *i. e.*, during the third millennium, the term is purely geographical (as is proclaimed outwardly by the ending),<sup>38</sup> and it covers an indeterminate and elastic area. Constant is only the general location in the north. But the north was one concept with the Babylonians and another one with the Assyrians. The former included Assyria not infrequently under Subartu; but when at length the name had

<sup>33</sup> Albright, Götze, Bilabel, and others have used Ḫurri all along.

<sup>34</sup> Cf. ANNUAL VI, 79 f.; *Mesop. Orig.*, 136.

<sup>35</sup> Cf. Friedrich, *Kleinasiatische Sprachdenkmäler*, 8.

<sup>36</sup> Sommer, *op. cit.*, 42 ff.

<sup>37</sup> Cf. *Mesop. Orig.*, 129; the earlier discussion by Gadd, *RA* XXIII, 60 ff., is still a valuable contribution; see also Albright, *JAOS* 43, p. 233.

<sup>38</sup> The ethnic abstraction *šubari* comes up for the first time in the annals of Adad-narari I (about 1300 B. C.), cf. *Altorientalische Bibliothek* I, 58, n. 2. For the same place-ending cf. e. g., *Elamtu*, *Inzaltu*.

come to be used by the Assyrians, the meaning was more restricted and specialized.

In the early texts, then, we hear only of a land Subartu. There is no reference to "Subareans" as such; at best, we have to allow for the people of Subartu, which makes, however, a considerable difference. For mere allusions to the population of a very general area must not be mistaken for ethnic definitions. When the Akkadians or Babylonians refer to Subartu, they have in mind a certain region in the north; nothing is implied thereby concerning its possible racial or linguistic peculiarities, and there is certainly no indication that any particular people or language is presupposed. As for the Subareans, we are not confronted with them actually prior to the Assyrian annals of post-Amarna times, after political and ethnic conditions in Mesopotamia as well as in the rest of the Near East had undergone very thorough changes and readjustments. And lastly, late Assyrian lexicographers may oblige us by listing "Subarean" glosses; but the derivative linguistic designation will reflect the vagueness of the original geographical term. For the glosses include Semitic words together with Hurrian elements.<sup>39</sup> To add to the confusion, Neo-Babylonian writers have no scruples about calling the Assyrians Subarūm, and Assyria Subartu.<sup>40</sup>

We have seen, then, that Subartu started out as a geographical concept; late in the second millennium it acquired an ethnic connotation, and in a linguistic sense it is not attested before the first millennium. In none of these meanings can the usage be called precise. The career of Hurri is a good example of exactly the opposite course. The term is best documented as an ethnicon; its linguistic and geographical connotations are evidently secondary; and there is little ambiguity in any of these usages.

The case being so plain, one might be excused for failing to see in it any problem whatever. Unfortunately, however, all the facts have not been always manifest. In a way, it is a question of seniority: owing to the accidents of discovery, the Subareans had managed to gain a foothold before the Hurrians were in a position to assert their rights. Mitanni started the procession with the letter of its king Tushratta, which first called to our attention the peculiar linguistic background of the people. But with the discovery of related proper names in Babylonia, the need for a more general and inclusive term led to the withdrawal of Mitanni in favor of "Subarean."<sup>41</sup> Hurri has been

<sup>39</sup> See Jensen in *ZA* VI, 60, and Frank in *Festschrift Meissner*, 43 f.

<sup>40</sup> Cf. Ungnad, *Beiträge zur Assyriologie* VI, 5, pp. 8 ff.

<sup>41</sup> Ungnad, *loc. cit.*, is to be credited with the introduction of the term in its more pretentious rôle as an official representative of Hurri and its derivatives. The sponsor has proved, however, less consistent, or intransigent, than his followers; for while he

in evidence for only about a decade, and so its elders have refused to yield ground.

The nature of the deadlock must be emphasized once more. Subartu was used in Mesopotamia as a land-name beginning with the third millennium. In course of time Assyrian kings came to refer to a certain people as Subareans, and subsequently Assyrian lexicographers showed some interest in Subarean. Now it cannot be denied that after the Amarna period the above ethnic and linguistic designations actually dovetail in Assyria with Ḫurri; but it is equally obvious that the former usages lack the necessary precision and exclusiveness. In Mesopotamia, it is true, Subartu and its derivatives were decidedly in vogue; outside of the river lands, however, Ḫurri was employed not only by the neighbors of that people, but also by themselves. It is significant in this connection that Ḫurri was current in those countries where the Hurrians are known to have achieved greatest prominence.<sup>42</sup> One group of scholars could see, therefore, no valid reason for imposing a strictly Mesopotamian name upon outside districts at the expense of the native term. The champions of Subartu countered with arguments of their own, which were not without a semblance of reason. In the last analysis, it was all a matter of individual preference, and so it remained until two years ago.

admits that "Hurrians" is occasionally better than "Subareans" (*Kulturfragen* I, 8, n. 1), the others are not inclined to compromise.

<sup>42</sup>Subaru occurs in the Amarna letters, written (*mât*)*su-ba-ri*, *zu-ba-ri* (cf. Knudtzon, p. 1579), but the usage is purely geographical in the sense that the name corresponds to Mitanni (*ibid.*, p. 1194). It is interesting that the ending *-tu* is given up, thus paving the way for the formation of the secondary Assyrian ethnicon *šubari*. The name is found also in the alphabetic texts from Ras esh-Shamra (*šbr*, text no. 2, lines 12, 21); but since it occurs by the side of *ḫri* (Hurrians), it is clear that the two terms are not synonymous; even Friedrich, who uses "subaräisch" as a comprehensive designation for Hurrian in general, is forced to realize that *šbr* may mean simply "Assyria;" cf. *AfO* VIII, 239. The weakness of such an inconsistent position is obvious.

While we are on the subject, it may be pointed out that the initial sibilant varies between *s* and *š*; the former is found as early as Naram-Sin, to judge from a later copy of his inscription (*Royal Inscriptions from Ur*, 274, 13, where we have the gloss *su-bar-tim*); the Assyrian ethnicon has usually *š*, but in the contemporary occurrences of the land-name the sibilants vary again (Boudou, *Liste de noms géographiques*, 160, 169). The final vowel is *i* as a rule, but cf. the form *su-ba-ru-um*, Streck, *Assurbanipal* II, 806 f.

The ordinary geographical name for Mitanni is Ḫanigalbat; for the various spellings cf. Knudtzon, 1575, and *Mesop. Orig.*, 95. The name occurs, outside of the Assyrian Annals, not only in the Amarna and Nuzi records (*ibid.*), but also in the recently discovered tablets from Tell Billa, which date from the Middle Assyrian period.

And finally, Mitanni is found in an earlier spelling as *ma-i-te-ni*; cf. *HSS* IX, pl. 1, 26, and the commentary in *JAOS* 49, pp. 269-275.

The results of two archaeological expeditions conducted in the season of 1930-31, the American School in Baghdad being a prominent participant in both, finally broke the impasse. It will be recalled that Subartu was alleged to have represented the land of the Hurrians from the very beginning; this was the very corner-stone of the Subarean theory. Now this basic assumption turns out to be groundless. Nuzi, which has given us the bulk of Hurrian names known up to the present, lay in the heart of Subartu. For several centuries during the second millennium Nuzi and the rest of Arrapha supported a large Hurrian population, characterized by its own laws and social customs, its art and its religious elements. The story is told in thousands of documents, covering all phases of daily life.<sup>43</sup> Though the ethnic term "Subareans" is not found at that period, the omission will be considered accidental, if it can be shown that Nuzi was as old as Subartu. Or, to put it differently, if the population of the place was Hurrian as far back as the Agade period, when the district is included under Subartu, the Subarean theory holds good for Mesopotamia and the adjoining eastern regions. Now the name Subartu is established for the time of Naram-Sin, of the dynasty of Agade, at which period the whole of Arrapha was part of Subartu.<sup>44</sup> Were there Hurrians in Nuzi in the Agade period? The excavators have unearthed a strangely negative answer to this question: There were no Hurrians in the neighborhood and, furthermore, there was no Nuzi. The site was inhabited, but its name was then Gasur, while the population was almost entirely non-Hurrian.<sup>45</sup> It follows conclusively that the Hurrians did not settle in Arrapha until after the Old-Akkadian period, and that this part of Subartu, at least, was held by a heterogeneous group.

Similar results were obtained at Tell Billa, north of Mosul and about a hundred miles northwest of Nuzi. There, too, the Hurrians were well represented in several strata dating from the second millennium. Unlike Nuzi, the evidence from Billa is mostly archaeological, but the Hurrian character of the remains is absolutely certain. Throughout the third millennium the site was also occupied; the early settlements, however, are distinctly non-Hurrian.<sup>46</sup> And yet, Billa is in the territory covered by ancient Subartu, just as was the case with Nuzi. The considerable distance between the two sites

<sup>43</sup> For literature cf. note 7.

<sup>44</sup> *Ur Inscriptions*, 274. 13, and the discussion by Sidney Smith, *ibid.*, vol. I, p. 73.

<sup>45</sup> See provisionally the account by T. J. Meek, in *Bulletin*, 48, pp. 2 ff., and now pp. 1 ff. of the present volume. The Old Akkadian texts from Nuzi will be published by Meek in the near future.

<sup>46</sup> Cf. Speiser, "The Pottery of Tell Billa," *Museum Journal* XXIII, 249 ff., esp. 270-276, and plates lvi-lxv.

tends to prove that these cases are not accidental or exceptional. In short, large portions of Subartu possessed non-Hurrian populations prior to the second millennium. The Hurrians were clearly new-comers who made their appearance at a comparatively late date.<sup>47</sup> There is no proof that they occupied any other part of Mesopotamian Subartu in early times. To be sure, bearers of Hurrian names had filtered into the country in the third millennium. Here and there they may have played important parts in the history of the land. But the home of the people must be sought elsewhere; northern Mesopotamia was to them an adopted land, which they overran in the course of an extensive migration at the beginning of the second millennium, certainly not much earlier.

It follows, therefore, that the Subareans are not the people that some scholars have taken them to be. They cannot be equated with the Hurrians of the Boghazköi texts, or with their Syrian relatives. We do not know whether the early Akkadians and Babylonians had a special ethnic designation for the Hurrians, nor, if so, what it was. It is a fact that later Assyrian kings referred to the Hurrians by the newly coined term *šubarî*. But this did not take place until the Hurrians had been in the country for centuries. It is a not unusual instance of modifying an old native name for the purpose of applying it, in a specialized sense, to a now largely assimilated people.<sup>48</sup> But we cannot employ such a name indiscriminately for all the branches of that ethnic group without wholly obscuring the historical background.

With the disputes about terminology thus terminated at long last, we may now address ourselves to more productive tasks. Having come finally to an

<sup>47</sup> On this point *Mesop. Orig.*, ch. V, is now subject to correction. Leaving aside the question of the population of the district in prehistoric times, we know now that the Hurrians as such supplanted other ethnic elements, though these too were largely "Asiatic," or "Japhethite." But the language of the pre-Hurrian texts from Arrapha shows that Semitic cultural influences were strong in the third millennium. A similar chronological argument against equating Subaru with Hurri is brought up by Götze, *ZA*, NF. VII, 244. On the basis of the records from Boghazköi, reinforced with valid archaeological arguments, Götze places the Hurrian migration after 1900 B. C.

<sup>48</sup> Somewhat similarly, the name Canaan, applied to a land which supported at one time a non-Semitic population (to judge from the place-names of the third millennium, or, for that matter, from the lists of "Canaanites" in the Old Testament), developed into a designation for the later Semitic inhabitants of the land and for their language. But in that case a convenient rival term was lacking. On the other hand, quite apart from the incorrectness of the Assyrian term, Hurri was actually in general use. To speak of Subareans in Palestine and in Egypt, as is sometimes done, is incongruous, to say the least, especially in view of the attested biblical *hōrî* and Egyptian *huru*. But we are anticipating.



agreement concerning the status of Ḫurri, the inquiry must now be switched back to the Hurrians. It will be found expedient to review first the known extent of their diffusion in the Near East. From the Boghazköi archives we have learned that Hurrians flanked the Hittite empire to the southeast. The Amarna records bear ample witness to their expansion in Syria: Hurrian glosses and proper names serve to locate the people in such centers as Aleppo, Tunip, and Qatna, while the letter of Tushratta establishes Hurrian as the official language of the kingdom of Mitanni. Farther east we have the valuable evidence from Hurrian names in Babylonia and Assyria; lastly, the eloquent testimony of the Nuzi texts bespeaks extensive settlements in the region east of the Tigris.

Brilliant corroborative evidence of Hurrian influence in Syria has come recently from Ras Shamra. The finds from that North Syrian site have helped to make history in more ways than one. Most scholars have been attracted, naturally enough, to the new Semitic texts with their unique alphabetic script, because these records have an obvious bearing on pre-biblical history. That Ḫurri (*ḫri*) is mentioned in these documents need scarcely cause us any surprise.<sup>49</sup> In the excitement caused by these discoveries many may have overlooked, however, the fact that Ras Shamra has yielded also other texts written in the ordinary cuneiform script. Among the languages that are thus represented are included Sumerian, Akkadian, and Hurrian; in the light of the preceding remarks the occurrence of the latter is especially significant. Sumerian and Akkadian were inevitable as the international literary media of the period. But the inclusion of Hurrian texts cannot be attributed to similar causes; instead, we have here clear proof that, by the side of Semitic, Hurrian was actually spoken in the district. Welcome confirmation on this point is furnished by the Sumero-Hurrian vocabularies from Ras Shamra, which are now available in the masterly publication of Thureau-Dangin.<sup>50</sup>

Nor was Syria the southern-most outpost of the Hurrians along the Mediterranean coast; Palestine, too, must now be added to the list. Conclusive proof to this effect is furnished by the tablets from Ta'anek, near Megiddo, which contain a substantial proportion of Hurrian proper names.<sup>51</sup> With this important evidence the whole problem of the biblical Horites comes again to the fore.

Hebrew *hōrî*, "Horite," has been responsible for nearly as many compli-

<sup>49</sup> See above, notes 30 and 42.

<sup>50</sup> Cf. note 9.

<sup>51</sup> See Gustavs, "Die Personennamen in den Tontafeln von Tell Ta'anek," *ZDPV*, vol. L, pp. 7 ff.

cations as Hurri: in many respects the careers of both terms show a remarkable parallelism. Until recently the name was linked with Hebrew *hōr*, "hole, cave:" the Horites were, accordingly, "cave-dwellers" and nothing else. This etymology met with little opposition so long as the Horites were supposed to have been confined to the mountain districts of Edom.<sup>52</sup> But at length that people refused to be satisfied with such limited territory. Through the insight of Eduard Meyer it became apparent that the Horites may have played originally a far more important part than the present text of the Bible would lead us to suspect.<sup>53</sup> Beginning with the New Kingdom, Egyptian sources refer to Palestine by a name that is conventionally vocalized as *Haru*; it should, however, be read *Huru*, as was suggested by W. Max Müller forty years ago.<sup>54</sup> What prevented Müller from connecting Huru with the Horites was the accepted etymology of the latter; how could all of Huru be called "cave-land," and its people "cave-dwellers"?<sup>55</sup> But Meyer was not handicapped by such considerations. Having found adequate reasons for seeing in the Horites an originally wide-spread group, he promptly threw the etymology overboard and combined the Hebrew and Egyptian designations, thus obtaining in the common term an early synonym for "Canaanites."<sup>56</sup> He rejected, on the other hand, Winckler's further combination of Huru-Hori with the northern Hurri (Winckler read Haru, Harri = Aryans) on the ground that the Horite genealogies contain names which are clearly Semitic, and not Indo-European or Mitannian.<sup>57</sup>

The last argument, however, is not necessarily conclusive. The Nuzi records show, as we were able to point out in our first paper on the subject,<sup>58</sup> that the Hurrians readily submitted to semitization even in such predominantly Hur-

<sup>52</sup> Cf. Müller, *Asien und Europa*, 136 f.

<sup>53</sup> *Die Israeliten und ihre Nachbarstämme*, 330 ff.

<sup>54</sup> *Op. cit.*, 155. Professor Albright was good enough to inform me that, according to his studies of Egyptian syllabic writing, the first syllable of the name may be read as *hu*. And lastly, Ranke has shown (*Keilschriftliches Material zur altägyptischen Vokalisation*, 15, 17) that the proper name of the Amarna letters which occurs as Puḥur, Puḥura, Paḥura, and the like, evidently represents Egyptian *P3-hr* "the Huru, Syrian." The cuneiform writing leaves, of course, no doubt as to the reading *hu*.

<sup>55</sup> *Asien und Europa*, 155 f.

<sup>56</sup> It is so used in his *Geschichte* (1931), vol. II, 2, p. 157. Perhaps the most interesting item in support of this contention is found by Meyer (*Isr. u. Nach.*, 336) in Isa. 17. 9 where Heb. has the impossible יהוריש והאמרי. The Septuagint makes better sense with its "Hiwwite and Amorite," but "Horite and Amorite" is closer to the original text. Here we would have, then, an interesting parallel to "Canaanite and Amorite." For the frequent substitution of Hiwwite for Horite see below.

<sup>57</sup> *Geschichte* II, 1, p. 6, n. 3.

<sup>58</sup> ANNUAL VI, 81.

rian areas as contemporary Arrapha. It was not uncommon for persons with perfectly good Hurrian names to call their sons by Akkadian equivalents. Since that paper was written (1926), many more instances of the same tendency have come to light.<sup>59</sup> This condition prevailed in the 16th and 15th centuries (average date of the Nuzi tablets); it is natural, therefore, that it should be reflected, with local variations, in the book of Genesis, at a time when the presence of Hurrians in the land had long ceased to be anything else than a shadowy tradition. We have seen that distinctive Hurrian names were not uncommon in Canaan in the Amarna age;<sup>60</sup> Palestinian sites have yielded also other Hurrian analogues of the same general period.<sup>61</sup> Moreover, at the time in question the country was known as Ḫuru to the Egyptians, a name which corresponds phonetically not only with the biblical Ḫōrī, but also with the cuneiform Ḫurri; this correspondence is made complete by the Septuagint rendering *Χορραῖος*.<sup>62</sup> The equation of Ḫuru-Ḫōrī with

<sup>59</sup> Among the examples in *HSS V*, the following few may be listed: A good Hurrian by the name of Tayuki (wr. *ta-a-ú-ki*, *ta-a-a-ú-ki*, *ta-i-ú-ki*, etc.) has a son called Ilanu (wr. *i-la-a-nu*, *DINGIR-a-nu*, *DINGIR-nu*), 4. 5-6; 13. 9-10; 38. 6, e. al.; he in turn is the father of Iimahi (wr. *i-li-ma-šEŠ*, *DINGIR-ma-ḫi*, etc.), 9. 7; 15. 8; 36. 3, e. al. Another Nuzian with the typically Hurrian name of Akkulenni has a sister Bêlit-Akkadi-ummi (for interesting variants in the spelling of this latter name cf. 25. 4, 8, 11; 69. 3, 8). Conversely, a man bearing the Semitic name Bil-Adad (so in 3. 5; etymologically it is Apil-Adad, 76. 11, evidently the prototype of the biblical Bildad) is the father of the Hurrian Puhya (hypocor. for Puhī-senni). Similarly, Tarmiya is the son of Gimil-Adad (wr. *ki-mi-il-ta-ta*), *HSS IX*, 100. 39. The linguistic origin of their names was apparently a matter of minor importance with the Hurrians. For an interesting sidelight on this question cf. *Mesop. Orig.*, 114. The Egyptian name of the Hyksos Apepi (Apophis) furnishes an instructive analogon of the same category.

<sup>60</sup> See above, note 51.

<sup>61</sup> This is not the place to enter into the absorbing details of the problem. Fortunately, the reader can now be referred to Albright's exhaustive studies of contemporary pottery found in Palestinian sites, and of the ultimate origin of these wares; see especially, *ANNUAL XII*, chapters II-III, and the present volume, §§ 13 ff. It is clear that whereas the pottery of Middle Bronze I shows parallels with Billa 4 (*Museum Journal XXIII*, 270-273, and plates lvi-lix, lxxii), Middle Bronze II contains analogues of Billa 3 (*ibid.*, 273 ff., and plates lx-lxiv). Now Billa 3 is Hurrian proper, Billa 4 pre-Hurrian. Or in terms of archaeological interrelations, the third stratum of Billa shows intimate connections with the west, i. e., with Mycenaean centers, while Billa 4 is primarily Asiatic. The two are reflected in the earlier and later Hyksos strata respectively. It is too early to determine with precision what bearing these facts may have on the Hyksos problem. For the diffusion of Hurrian sculptural material cf. Moortgat, *ZA*, NF. VII, 209 ff.

<sup>62</sup> Cf. *Mesop. Orig.*, 132; Sommer, *Aḥḫjavā*, 285. Since a double *r* can be rendered neither in the Hebrew nor in the Egyptian scripts, ḫōrī and ḫur(u) are the closest

Ḥurri<sup>63</sup> becomes thus unavoidable. There is little need to indicate what such an equation implies from a historical standpoint.

One last possible objection remains to be met: thus far we have had no proof, but only a mere assumption, that the Horites really occupied larger areas than are allowed them by the Bible; if they are indeed the same as the Hurrians, they must be discovered outside of Edom. These misgivings will disappear upon a closer examination of the biblical material. It can be shown that the present evidence for Horite concentration in Edom rests largely on erroneous textual transmission; earlier versions pictured a different situation. The Septuagint knew of Horites living in Central Palestine, to judge from two important passages where we have *Χορραιοι*— for the *חורי* of the present Hebrew text.<sup>64</sup> That this interchange is not merely a matter of the Greek recension as against Hebrew, but occurs within the Hebrew itself, is made evident by Gen. 36, where verse 2 reads *חורי*, while verse 20 has *חורי*, although both refer to the same family. In point of fact, the Hiwwites (E. V. "Hivites") have had a very precarious existence throughout. In two significant instances they were refused recognition by the Septuagint, as we have just seen. There are only two other passages in which the Hiwwites are associated with more or less definite localities: Jos. 11. 3 would place them "under Hermon in the land of Miṣpah," and Jud. 3. 3 locates them in Mount Lebanon. This time objections are raised by the commentators, who substitute "Hittites" in both cases, with the Greek lending its authority to this change as far as the passage in Jos. is concerned.<sup>65</sup> The difficulty is obvious: first we encounter the Hiwwites in Central Palestine; the Septuagint brands them as disguised Horites. Then we are introduced to them in southern Syria; now the commentators offer strenuous opposition, saying that they have room for the Hittites, but have never heard of Hiwwites so far north. Outside of the above passages the Hiwwites are found only in the stereotyped, and for our purposes mean-

possible approximations to *ḥurri*. The Septuagint rendering restores the double *r*, and the *o*-vowel is a normal inner-Hebrew development before a long consonant. In transcribing *ḥōri* (with a long *o*) we are indicating the regular compensatory lengthening of the vowel in Hebrew.

<sup>63</sup> In his valuable *Untersuchungen zur alten Geschichte und Ethnographie Syriens und Palästinas*, 34, n. 4, Maisler gives this chain a rather novel turn. He approves the connection of Ḥurri with Ḥuru, but rules out the intermediate link of the Horites. The stumbling block in his case is the alleged Bedouin character of the Horites. The answer is that the thoroughly semitized and disguised Horites of the biblical documents are a long way off from the original Ḥurri.

<sup>64</sup> Gen. 34. 2; Jos. 9. 7 (13 in the Greek version). The third relevant passage (Jos. 11. 19) is not represented at all by the Septuagint; cf. *Mesop. Orig.*, 132.

<sup>65</sup> Cf. Burney, *Judges*, ad loc.

ingless, lists of Canaanite races.<sup>66</sup> In not a single instance where the mention of the Hiwwites is of any significance may the reference be considered unassailable. It is logical to ask, therefore, whether such a people as the Hiwwites ever had a tangible existence. A negative answer will be fully justified, if we are able to produce the group that can take their place. For this we do not have to go very far. Both the Septuagint and the Masoretic text have proposed the Horites as a partial solution. We cannot do better than apply this remedy to the remaining cases. The Hurrian names from Ta'anek bear out the Greek recension admirably; there is now also ample evidence for the presence of Hurrians in Syria. When the commentators summoned the Hittites to their aid, a good deal was known about "Hittite" Qadesh, but next to nothing as regards the diffusion of the Hurrians. Today we are able not only to connect the Hurrians with the Horites, but also to combine the latter with the Hiwwites.

Was  $\text{חוי}$ , then, a textual error for  $\text{חורי}$  pure and simple? It may have been that, as is made probable by Gen. 36. 2 and 20. Hebrew  $\text{ח}$  and  $\text{ו}$  are readily confused, whether the script be Phoenician or Aramaic. Once perpetrated, the mistake would extend rapidly to other occurrences of the name. It is even possible to discover a reason for the popularity of the spurious Hiwwites. That popular etymology relegated the Horites to caves at an early time is a very probable assumption. In that case Edom was an ideal home, but Palestine as a whole was far less suitable; thus the Horites came to be restricted to Edom and the Hiwwites were substituted for them in all their other scheduled appearances. All this, however, is only a hypothesis. Possible is also the assumption of a Horite subdivision known as the Hiwwites, whose name supplanted the more general designation on account of complications arising through popular etymology.<sup>67</sup> But the precise sequence of events

<sup>66</sup> The Septuagint has an additional  $\text{Εὐαίοι}$  in Isa. 17. 9, a passage that is badly mutilated in Hebrew. But the ethnic group in this case were undoubtedly the Horites, cf. note 56.

<sup>67</sup> A Hurrian clan of Hawites, or the like, is a distinct possibility, especially in view of the well known Hurrian name Hu(w)ya (wr. hu-ia, *HSS* V. 92. 13, and hu-ú-ia). This substitution of a part for the whole would have been facilitated by the influences mentioned above. The transfer may also have been suggested by the analogy with another, but similar name. To be more specific, Deut. 2. 23 (and Jos. 13. 3) speaks of the 'Awwim who dwelt in enclosures ( $\text{חצר־ים}$ ); they were supplanted by the Cretans "that came forth out of Caphtor." The passage was discussed by Albright in *JPOS* I, 187 ff. Albright has also paved the way for the next step, by his brilliant discussions of the peculiar Hyksos ramparts (identified by him as such); for latest references cf. *Bulletin* 47, p. 8. Now these enclosures in which the 'Awwim dwelt can hardly be anything else than the Hyksos ramparts. The people are relegated to the

is really a matter of little concern in this particular instance. The Hiwmites have been proved guilty of removing Horite landmarks. The wrong having been corrected, we need not be too reflective about the original motives.

It will be granted, I think, that the equation of Hurrians with Horites may now be viewed as safely established. With the last link in a long chain thus in position, this part of the inquiry has been completed. The results may be summed up briefly, as follows: 1. During the second millennium we see extensive sections of the Near East occupied by a new ethnic group. 2. As a designation for that people, and its characteristic language, *Subarean* is not merely inferior to *Hurrian*; on latest evidence it is demonstrably incorrect.<sup>68</sup> 3. The penetration of the Hurrians into Palestine is established through the independent evidence of proper names; it is reflected in Egyptian *Huru* and in the biblical sources dealing with the Horites.

We may now consider some of the resultant historical implications.

### *III. The Hurrians in the Light of Contemporary History.*

Perhaps the most striking feature in connection with the Hurrians is the established fact of their expansion over a vast area, in what was assumed by many to have been predominantly Semitic territory. The scholarly world, which has watched these developments with an increasing sense of wonder, cannot but find the rise of the Hurrians an even more remarkable phenomenon than the re-appearance of the Hittites. For the latter we were prepared to a certain extent by Egyptian, biblical, and cuneiform sources. But the same records contained no warning that we should be obliged to make room for the

Negeb, where such fortifications have already been discovered (at Tell el-Fâr'ah; cf. also the Hyksos material from Tell el-'Ajûl). Moreover, the chronological indications, according to which Cretans followed the 'Awwîm, correspond with the archaeological sequence of Hyksos and Aegean influences. And lastly, Prof. Olmstead, with whom I have discussed this point, reminds me of the Hyksos center in Galilee, the celebrated Hazor, whose name is formed from the very root employed to designate the "enclosures." In short, the 'Awwîm represented a Hyksos group. Since the period involved dovetails with the time of the Hurrian diffusion in Palestine, it is entirely probable that the 'Awwîm were not without influence on the Hiwmites, at least through being associated with them by later writers. The point should be borne in mind, even though nothing more than the form of the latter name may be at stake.

<sup>68</sup> In dealing with the purely linguistic aspect of the problem, the impression must not be created that there were no dialectic differences within Hurrian. Local peculiarities have been noted, by others as well as by the present writer (cf. *JAOS* 49, 269 ff.). But instead of speaking of Hurrian in one place and of Subarean elsewhere, it is much less confusing, and more direct, to indicate in each particular instance that we are dealing with the Hurrian of Boghazköi, Ras esh-Shamra, Mitanni, Nuzi, etc.

Hurrians, by whatever name they might be known, outside and far beyond the limits of the middle Euphrates area. Near Eastern history is still young enough for such startling surprises.

Apart from the spatial aspect, however, there is a further factor in this study which is of equal scientific importance: the chronological element involved. We have seen that the mass movement of Hurrians into Arrapha took place in the first half of the second millennium; the same applies to the district of Nineveh (Tell Billa). In Mesopotamia, then, the scattered and sporadic visitors of an earlier age, who bear Hurrian names, are followed in the Cassite period by large groups of Hurrian settlers. The west fared similarly in this respect. The Palestinian Hurrians of the middle of the second millennium cannot lay claim in that country to very high antiquity. For the Egyptian records of about 2000 B. C. which are capable of throwing some light on this subject (commonly cited as *Aechtungstexte*) allow us to infer that Palestine and Phoenicia were overwhelmingly Semitic as late as the end of the Middle Kingdom.<sup>69</sup> Now a movement that deposited large groups of an intrusive ethnic stock in such widely separated areas as Arrapha and Palestine, as well as in the intermediate districts, cannot be classed simply with wanderings in the ordinary sense of the term. We have here evidence of ethnic migrations on an unprecedented scale, which changed completely the political map of the Near East and brought in their wake radical ethnic realignments. It is the dynamic character of these happenings that, combined with their narrow chronological limitations, gives them such a prominent place in the history of the second millennium.

At this point it becomes advisable to guard against possible confusion with regard to a rather important detail. It has been indicated that the Hurrian migrations belong in their entirety to the second millennium, and that upon overrunning the new territories the Hurrians faced for the most part populations of Semitic or semitized stock. In other words, Semites had preceded the Hurrians in the regions with which we are concerned. Now it would be fallacious to base upon this fact the conclusion that the Semites really constituted the earliest ethnic group in the areas under discussion, at least within historic times. We know, in fact, that such was not the case. In Palestine place names of the Early Bronze age testify to the early occupation of the

<sup>69</sup> For this exceedingly important material see Sethe, *Die Aechtung feindlicher Fürsten, Völker und Dinge auf altägyptischen Tongefässcherben des Mittleren Reiches*, Berlin, 1926. The Asiatic references in these texts have been discussed by several scholars; see especially Albright, "The Egyptian Empire in Asia in the Twenty-First Century B. C.," *JPOS* VIII, 223 ff.

country on the part of non-Semitic elements; the same may be said of Syria.<sup>70</sup> Mesopotamia was, of course, the proverbial Babel; Sumerians and Semites, plainsmen and mountaineers, waged unending wars for the possession of the fertile valley. This was the situation during the best part of the third millennium.<sup>71</sup> But it is a different world that confronts us in the succeeding period. There had been centuries of comparative quiet about the turn of the millennium: the golden ages of Hammurabi and of the Twelfth Dynasty of Egypt. Hither Asia had acquired in the meantime a veneer of racial equilibrium, with the Semites holding the balance of power. And then the storm broke loose.

It is not within the compass of this essay, much less within the competence of its author, to trace the ensuing events to their possible ultimate causes. To locate the original force that was soon to start an avalanche sweeping everything before it; uprooting peoples here and depositing them far from their original seats; driving Indo-Europeans into Anatolia and Cassites to the heart of Babylonia, with a powerful wedge of Hurrians in between; a force that abated long enough to permit the feeble amenities of the Amarna age, only to blaze another trail of destruction in annihilating empires and sending wave upon wave of Peoples of the Sea against the shores of the Mediterranean; all this presents an awesome task which is today as fascinating as it is dangerous.<sup>72</sup> Our sole concern for the present is with one of the stages in this upheaval: the vicissitudes of the Hurrians. By bearing in mind the course of their migrations, and by restricting ourselves to the implied limits of space and of time, we shall succeed in reducing greatly the magnitude of the problem as a whole. Nevertheless, there remain many pitfalls and hazards. To venture out in these circumstances will be hardly accounted the better part of valor; and it is a poor consolation to know that others have done it, and suffered the consequences.

We have seen that the Hurrians were wanderers, from necessity rather than by choice. We have met them in Mesopotamia and in Syria, in Palestine and at the borders of Egypt. Furthermore, we have been able to restrict the time of their wanderings to a portion of the second millennium. Thus far we have stayed on fairly safe ground. With the next step our troubles begin in earnest; but that step cannot be avoided. For now we must confront the Hurrians with their fellow-wanderers, the Ḫabiru and the Hyksos.

The last two terms are not strictly of the same type. Neither is precise,

<sup>70</sup> Cf. *ibid.*, 254; cf. also *Mesop. Orig.*, p. 154, n. 113.

<sup>71</sup> *Ibid.*, passim.

<sup>72</sup> Götze, *Das Hethiter-Reich*, 13, appreciates both the nature and the magnitude of the problem.



but one is much more general and vague than the other. Ḫabiru starts out as an appellative,<sup>73</sup> but it has the ambition and a decided tendency to develop into an ethnic designation; Hyksos does not cease to be an appellative until it is removed by late writers to a semi-mythological sphere.<sup>74</sup> The difference between the two may not be immediately apparent; it is none the less considerable. Ḫabiru comes to designate a fairly well defined entity, which may be contrasted with such other entities as Hurrian, Hittite, or even Amorite. Hyksos, on the other hand, means simply "rulers of the foreign lands;" it may stand for Hurrian, Hittite, Amorite, and the like, not barring Ḫabiru. In short, the two terms are not mutually exclusive.

There have been many studies on the subject of the Ḫabiru, some of them of outstanding merit.<sup>75</sup> If they have failed to prove altogether conclusive, it is only because the available material does not admit as yet of a satisfactory solution of the problem. There is now neither the need nor the necessary space to go into all the details of this intricate subject; it will suffice to bring out the salient facts and to attempt to reduce the material to a common denominator.

There is a great deal of similarity between the careers of the Ḫurri and the Ḫabiru. In Babylonia we find the Ḫabiru in pre-Hammurabi times.<sup>76</sup> East of the Tigris they are amply attested at Nuzi, where we find a welcome abundance of proper names of the Ḫabiru.<sup>77</sup> They were known in Cappadocia,<sup>78</sup> and in the Boghazköi texts they figure very prominently.<sup>79</sup> The Amarna tablets are particularly sensitive to the Ḫabiru menace.<sup>80</sup> And to make this parallelism complete, they were not strangers to Egypt, as we shall see presently.

Hurrians and Ḫabiru were thus coextensive to a remarkable degree; apart from this, however, their paths diverge sharply. The Hurrians can always

<sup>73</sup> See Landsberger, *Kleinasiatische Forschungen*, 321 ff.; Albright, *The Archaeology of Palestine and the Bible*, 206 f.; Olmstead, *History of Palestine and Syria*, 158 ff.; Chiera, *AJSL* XLIX, 115 ff.; for older material on the subject cf. *Mesop. Orig.*, 162, n. 126, Burney, *Judges*, lxxiii ff.

<sup>74</sup> Cf. W. Wolf, "Der Stand der Hyksosfrage," *ZDMG* 83, pp. 67 ff.

<sup>75</sup> Jirku, *Die Wanderungen der Hebräer*, glosses over too many of the real difficulties, although his collection of the extra-biblical references was valuable at the time when his pamphlet was published (1924).

<sup>76</sup> Cf. *RA* XII, 115.

<sup>77</sup> Chiera, *loc. cit.* Incidentally, the Nuzi texts make it clear that the name was originally *Ḫabiru* in the sg., *Ḫabirū* in the pl.; *Ḫabiri* is a later collective designation.

<sup>78</sup> *Ibid.*, 122.

<sup>79</sup> See provisionally Forrer, *Realex. d. Assy.* I, 235; Sommer, *Aḥḫijavā*, 43 f.

<sup>80</sup> Knudtzon, *Amarna*, 1574 f.; Thureau-Dangin, *RA* XIX, 98 ff.

be recognized by their characteristic proper names: they were an ethnic unit. But the Ḫabiru cannot be identified in the same simple manner, because their names belong to a variety of languages: the people were obviously recruited from various ethnic groups.<sup>81</sup> We cannot tell a Ḫabiru unless he has been called so specifically; the name is therefore merely an appellative.

If Ḫabiru was not a racial term, what other idea did the name convey? Was the designation occupational? The reported functions of the people are too diverse for that. For they were employed as professional soldiers, laborers, or simply slaves; in the Amarna period they represent independent units.<sup>82</sup> This being the case, the name must denote in some way the status of the group concerned. What, then, was the common characteristic of all the Ḫabiru?

We must examine briefly the available sources. The Nuzi records, which throw so much light on contemporary social conditions, will be the first to claim our attention. It is fortunate indeed that the numerous references to the Ḫabiru which are found in these documents are now gathered conveniently in an important study by Chiera (*loc. cit.*), the last one from the pen of that lamented scholar. Upon a closer examination, the proper names will be found inconclusive, although they represent the bulk of the onomastic material bearing on the Ḫabiru; for they are composed largely of Babylonian and Assyrian elements, and non-Semitic compounds are not rare. For ethnic purposes, therefore, the material is useful only in a negative sense. The same is true of the geographical indications; the people are often traced to the places of their origin, but the countries in question range from Akkad to Assyria and the more westerly Izalla.<sup>83</sup> The Ḫabiru of Arrapha have only one thing in common: they do not enjoy full civic rights. The tablets in which they are mentioned are usually records of self-enslavement, whereby the Ḫabiru enter "of their own free will" into such and such a household for servitude. To be sure, there is a legal difference between these free-born servants and slaves proper: the former could regain their original status upon making the necessary payments. The fact remains, however, that the Ḫabiru of Arrapha were generally compelled by the force of circumstances to forfeit their freedom.

What were these circumstances? Any answer to this question will be open to dispute so long as the sources remain incomplete. For the present we are reduced to more or less justified deductions, not to say conjectures. No explanation can be considered, however, unless it satisfies one essential prerequisite:

<sup>81</sup> Cf. Burney, *Judges*, lxxxii, and the list in Chiera, *loc. cit.*, 117. For the connection between Ḫabiru and SA.GAS, see now Landsberger, *loc. cit.*, 322; on the whole question cf. also Dhorme, *JPOS* IV, 162 ff., and J. Lewy, *OLZ*, 1927, cols. 738 ff.

<sup>82</sup> Cf. Chiera, *loc. cit.*

<sup>83</sup> Wr. (*mât*) *in-za-al-ti*, *ibid.*, 118.

it must apply to all the known occurrences of the Ḫabiru. We cannot devise at this stage one set of rules for the Palestinian Ḫabiru and another one for their Nuzian contemporaries.

The first step towards such an explanation is quite simple. Wherever they are encountered, the Ḫabiru are evidently foreigners. In the west they are not Hittites or Canaanites, in the east they cannot be classed with the citizens of Arrapha or of Babylon.<sup>84</sup> They are men without a country, either as expatriates or because no country had ever claimed them as citizens. They are strangers and, as such, nomads in a certain sense.

How did the Ḫabiru come by such a mode of life? On this point there are marked differences of opinion. A review of these would carry us too far afield. We shall mention only two or three of the latest theories. According to Chiera they were recruited from among captives. This might account for their social status in Arrapha, but it will not work elsewhere. In Babylonian records the Ḫabiru are supervised by officers of their own,<sup>85</sup> which does not seem normal for captives. The Hittites employ them for military purposes, and in Syria and Palestine they appear as independent raiders. These facts can scarcely be reconciled with the captive theory.<sup>86</sup> Others have thought of the Ḫabiru as foreign soldiers;<sup>87</sup> but they certainly fail to strike us as mercenaries in Nuzi. The best view seems to be that the Ḫabiru consisted of bands of adventurers and soldiers of fortune.<sup>88</sup> In peaceful times it would not have been an easy matter for them to subsist on raids in such well organized states as Babylon or Arrapha. They had to take such work as they could find, even if it involved virtual slavery. We cannot blame the Nuzians for failing to welcome them with open arms or for not extending to them the privileges of citizens. On the other hand, such groups would naturally thrive on wars. Having little to lose, they would offer their aid to the highest bidder, and there were apparently many Asiatic princes in the troubled years of the pre-Amarna period who could use their services to good advantage; few could afford to antagonize them.<sup>89</sup> The power of the early kings of the Eight-

<sup>84</sup> When a good Hurrian name, such as Nan-Teshup, is found among the Ḫabiru of Nuzi (*ibid.*, 117), we must conclude that the man was not a citizen, although a Hurrian, because he is treated exactly like the other Ḫabiru.

<sup>85</sup> They have their PA.LÚ.SA.GAZ.MEŠ (*VAB* VI, no. 26), just as the Amorites have their PA.MAR.TU (cf. *Reallex. d. Assyr.* I, 447).

<sup>86</sup> In the Amarna letters (Knudtzon, 287.54; 288.21) the word for captives (*asirû*, *asiri*) occurs in the same texts as the Ḫabiru, but the two groups are never confused.

<sup>87</sup> Cf. Jirku, *op. cit.*

<sup>88</sup> Landsberger, *loc. cit.*; Albright, *Archaeology*, 208.

<sup>89</sup> See the comprehensive account in Olmstead, *Palestine*, 158 ff.

eenth Dynasty may have put a temporary check upon their activities; but with the decline of that dynasty the Ḫabiru were back at their old game, with Syria and Palestine offering unusual opportunities for success.

This interpretation commends itself now to an increasing number of scholars because it is capable of accounting for the varying fortunes of the Ḫabiru in peace and war. According to this view, a Ḫabiru was at first not necessarily one who belonged to a given ethnic group or who hailed from a specified locality, but rather one who was committed to a certain particular mode of living. We have had occasion to see that it was by no means a sedentary life. It would naturally appeal more to nomads than to dwellers in towns and villages. In fact, the whole movement may have received its original impetus from wandering Semitic tribesmen. But the Ḫabiru cannot be equated simply with the Bedouin; they constituted broader social groups, with followers from the various countries through which they had passed. Perhaps it is wisest not to probe too closely into the antecedents of these recruits from the ranks of the settled population; their motives need not have been strictly honorable.<sup>90</sup> At any rate, the synonym *ḫabbatu* "raider" for Ḫabiru was no doubt well justified.<sup>91</sup> The nature of their various pursuits evidently called for strict organization. In the course of time a certain degree of ethnic consciousness may have developed secondarily. Thus, e. g., when a group embarked upon a raid and reinforcements became necessary, an Aramaic majority within that group might welcome additional Arameans, or even Amorites, rather than Hittites or Hurrians. Along the same lines there may have evolved specifically Ḫabiru religious concepts,<sup>92</sup> namely by adoption from a given group and subsequent specialization.

But enough of these speculations! We are in danger of wandering off farther than the most nomadic of the Ḫabiru. Time will tell how much reason there may be in such suggestions. In the meantime it will be safer to follow the Ḫabiru into Egypt. There is no longer any serious doubt about the correctness of identifying the Ḫabiru with the Egyptian 'Apiru. The latter appear as foreign laborers, perhaps also as mercenaries, in the records of the Ramessides of the Nineteenth and Twentieth Dynasties (Ramesses II-Ramesses IV, 13th and 12th centuries). The identity of the two terms was doubted largely because of the disparity in time: the Ḫabiru of the Amarna

<sup>90</sup> While the Ḫabiru movement would appeal naturally to nomadic groups of Semites, it was scarcely equally attractive to the settled Kassites and Hurrians. It is fugitives from justice who often find a refuge in such "foreign legions."

<sup>91</sup> Cf. Landsberger, *loc. cit.*, 322.

<sup>92</sup> On the *ilāni Ḫabiri* see now Landsberger, *ibid.*, 326.

records appear a century earlier than the 'Apiru. Moreover, there was little outward similarity between the dangerous warriors of the cuneiform documents and the workmen employed by Ramesses II for the performance of menial tasks. We know now, however, from the Nuzi records that not all the Ḫabiru were proud conquerors. In reality, the lot of their Nuzian confrères was scarcely more enviable than that of the most overworked 'Apiru. Finally, the 'Apiru have been found recently in Palestine, in the stele of Sethos I, hence prior to their previous earliest appearance under Ramesses II, and no further in time from the Ḫabiru of the Amarna documents than the related material from Nuzi. The connection of the 'Apiru with the Ḫabiru may thus be considered as reasonably complete.<sup>93</sup>

<sup>93</sup> This formerly rejected connection is now gaining general acceptance; cf., e.g., Jirku, *op. cit.*, 23 ff., Bilabel, *Geschichte*, 120, 428, and Albright, *loc. cit.* Mr. Battiscombe Gunn, Curator of the Egyptian section of the Museum of the University of Pennsylvania, who was good enough to read the manuscript and proof of this paper and make several valuable suggestions, kindly appends the following note on the subject:

"In all six occurrences of the name "Apiru" or "Aperiu" are known to me, namely:

- (1) 'pr : Beth-shan Stela of Sethos I, see Alan Rowe, *The Topography and History of Beth Shan*, 30.
- (2) 'pr : Harris Papyrus 500, verso 1/5 (*temp.* Sethos I or slightly later).
- (3) 'prjw : Leyden Papyrus I, 348, 6/6 (*temp.* Ramesses II).
- (4) 'prw : Leyden Papyrus I, 349 (b), line 7 (*temp.* Ramesses II).
- (5) 'pr : Great Harris Papyrus, 31/8 (*temp.* Ramesses III).
- (6) 'pr : Couyat-Montet, *Inscriptions . . . du Ouâdi Hammâmât*, No. 12/17 (*temp.* Ramesses IV).

In these writings of the word, the only consonants that concern us are ' , *p* and *r*; the final *w* in (4) is doubtless merely the Egyptian masculine plural ending, and the *jw* of (3) seems to be another form of the Egyptian masculine plural, much less common, peculiar to Late Egyptian and obscure in origin; it is also found occasionally in the plural form Ḫrjw "Ḫurrians", see Erman-Grapow, *Aeg. Wörterbuch*, 3, 232. It is quite possible that the *p* of this word represented a foreign *b*, for a number of similar cases are known: (a) *išbr* varying with *ispr*, "whip", from an unknown foreign word. Burchardt, *Die altkanaanäischen Fremdwörter* II, 134; (b) *ḫrp* "sword" = Heb. חרב, and cf. Arabic *ḫrb*, *op. cit.*, 686; (c) *špr* = *šubbiluli(uma)*, name of Hittite king, *op. cit.*, 776; (d) *kpn* (in the Old Kingdom *kbn*) = *gubla*, "Byblos", *op. cit.*, 975, 970; (e) *grb* varying with *grp*, an unknown foreign word of uncertain meaning, *op. cit.*, 1059, 1061; (f) *tpn*, Syrian place-name = Hebr. *Dibôn?*, *op. cit.*, 1085, and (g) *dpr*, Syrian place-name = Hebr. *Deḫîr*, *op. cit.*, 1186.

"It is perhaps no mere coincidence that in six out of these seven cases the *p/b* has *r* or *l* either before or after it, while also the *p* in 'pr is followed by *r*. And the one exception (f) may really be eliminated from the list, for the identification with *Dibôn* is quite doubtful. In (b) and (d) *rb*, *bl* seem to have been contiguous in the words heard by the Egyptians (*ḫarbu*, *gubla*); in (c) and (g) *bl*, *br* were separated by short *i* and long *i* respectively; of the vocalization of (a) and (e) we know nothing.

The Egyptian synonym helps to settle a troublesome problem in phonology. As is well known, cuneiform *ḥ* may represent Semitic *ḥ* and *ghayin*, as well as West-Semitic 'ayin.<sup>94</sup> Which of these three sounds is concealed in the first consonant of *ḥabiru*? The question has an obvious bearing upon the etymology of the name. In the Egyptian writing the above consonants are not subject to the same confusion as in cuneiform; hence 'Apiru compels us to decide definitely in favor of 'ayin. This is a very useful development because it precludes further combinations of *Ḥabiru* with Heb. *ḥbr* and the consequent interpretation of the term as "confederates." Unfortunately, the second consonant in the case is not treated with the same consideration. The cuneiform writing may represent a *b* or a *p*; the Egyptian form has indeed *p*, but this is not decisive because *b* has been known to lose its voice in Egyptian

Although there are many cases (36 counted) in which a foreign *b* with *r* or *l* either before or after it is represented by *b* and not by *p* in the Egyptian writings, the fact that in the word 'pr the *p* is followed by *r* surely makes it easier to regard it as representing an original 'br.

"It remains, as regards the consonants, to be pointed out that no case is known in which the Egyptians wrote a foreign *ḥ* or *ḫ* by ' , so that of the two words (or forms) 'br ("Hebrew") and *Ḥabiru* it can have been only the former that was reproduced as 'pr.

"The vocalization of 'pr cannot at present be ascertained precisely from the Egyptian writings. The writing of the first consonant is that which seems to stand regularly for 'a- at the beginnings of other foreign words. The second element is written in (2, 3, 5) with a group which elsewhere seems to represent indifferently *pa*, *pi* or *pu*; in (4, 6) there is no indication of any vowel; in (1) the vowel *i* is possibly indicated. The third, *r*-element is written in (2, 3, 5) as though closing a syllable, but in (4, 6), and perhaps in (1) without any indication as to vocalic context. Thus we seem to have the alternatives 'apar, 'apir, 'apur, with a possible indication in (1) in favor of 'apir; plus, in (3, 4), an Egyptian plural ending. B. G."

While acknowledging gratefully my obligation to Curator Gunn, I wish also to express thanks to Prof. Millar Burrows for reading the manuscript of this paper and contributing helpful suggestions.

<sup>94</sup> For instances of the latter type see Burney, *Judges*, lxxv; the number could now be increased considerably. Jirku (*op. cit.*, 25 f.) is off the right track when he assumes that the 'ayin of עבר represents an older *ghayin*, because it corresponds to cuneiform *ḥ*. This is certainly a hasty conclusion. When he says (p. 6, n. 1) that "keilinschriftl. Ḥabiru die Umschrift von kana'an. 'Ibri (u. ä) ist, und nicht umgekehrt," he makes another statement that is philologically inadmissible. There is here no question of direct transliterations, but of two different forms. Since he assumes, however, that 'ibrī was the original Canaanite form, he should have realized that it is precisely 'br which is well documented in West-Semitic, while *ḡbr* is very doubtful. Nor is Jirku more convincing when he attempts (p. 25) to trace the Hittite pronunciation of labials in the Egyptian renderings of Canaanite words. Phonetic questions require much more careful handling than that.

when flanked on either side by an *r*-sound.<sup>95</sup> In this predicament, however, a third source comes to our assistance.

There is nothing new in the suggestion that the names for the Ḥabiru and the Hebrews go back to the same source. Numerous objections to this equation have been raised from time to time, but few have persisted in their original skepticism on this point. This is due primarily to the fact that our knowledge of the Ḥabiru has increased considerably since the time when they first came to life in the Amarna records. We need no longer be baffled by the circumstance that the known Ḥabiru names are non-Semitic; the Nuzi documents show now a handsome majority in favor of the Semitic Ḥabiru. Moreover, references to the Ḥabiru in the Boghazköi records have helped to place the subject in a truer perspective. Historical considerations render the equation attractive; there are still many knotty problems in the whole subject, but the situation becomes hopeless if the equation is rejected. As regards the phonetics of the case, the first and the third consonants correspond exactly in the Hebrew *'ibrî* (עברי), in 'Apiru, and in Ḥabiru. The second consonant is ambiguous both in cuneiform and in Egyptian, but not so in Hebrew: since the latter has *b*, the labial must be read as voiced in cuneiform, while the voiceless correspondent in the Egyptian form of the name is to be ascribed to local developments. In short, there is no objection to the assumption that the biblical word for the Hebrews corresponds phonetically with Ḥabiru and 'Apiru. There still remains a minor morphological difficulty (the relation of *ḥabiru* to *'ibrî*), but it does not affect the situation vitally.<sup>96</sup>

<sup>95</sup> Cf. the discussion by Mr. Gunn, note 93.

<sup>96</sup> Burney's statement (*Judges*, lxxiv) that the "philological equivalence of *Ḥa-bi-ru* with עִבְרִי is perfect" is too optimistic. It applies only to the phonetic equivalence of the stems involved. Morphologically, *ḥabiru* and עִבְרִי can be equated only on the assumption that the latter goes back to an earlier form *'abir(u)*. It so happens that such an assumption is entirely plausible (cf. e. g., Bauer-Leander, *Grammatik*, 14, n. 3); the form *qitl* may go back to an older *qatil*. But the following restriction must be imposed in this connection: forms of this type are derived from so-called stative, not transitive verbs. The noun עֵבֶר "message, book" could not be connected with Akk. *šapāru*, if that verb did not have by the side of the transitive impf. *ašpur* the stative *ašpar*. Similarly, *'abir* presupposes an impf. *'i'bar*, just as the participle *'ōber* leads back to *'a'bur*. Consequently, while *'ōber* (< *'ābiru*) means "one who crosses," *'abir* must represent "one who is passing, transient, nomad." (We know that *šami'u* meant originally "one who is in a state of perceiving, hearing," *labišu* "one who dresses.") That biblical *'br* specializes in the transitive meaning of the root is no proof that the stative connotation did not exist at the beginning of the second millennium, when *ḥabiru* is first reliably documented (time of Rim-Sin). Other verbs of this category have retained their stative forms throughout: thus Sem. *rakiba* "to ride," > Heb. impf. רָכַב.

The question is now in order as to a possible etymology for the term in question. The simplification of the consonantal backgrounds of the several related terms makes the problem easier than it was originally, but it fails to remove all the obstacles in our path. It is now reasonably certain that the name originated with Semites and that it goes back to a root 'br. The principal meanings of that stem are "to cross, pass, traverse." The traditional derivation of 'ibrî takes us back, as is well known, to the same root, Hebrews being originally those who had come from "across the river." Popular etymologies are, of course, very suspicious evidence; if such connections are to be credited at all, independent support must be produced. Now the same root is capable of yielding the meaning "passing from place to place," hence in a derivative sense "being a nomad." Such an interpretation is by no means inconsistent with what we have learned about the Ḫabiru. These groups appear to have been forever on the move. In Nuzi, some of the Ḫabiru come from Akkad, others from Ashur and even from Izalla. What worries the writers of the Amarna letters most is precisely this cruising habit of the Ḫabiru. They were nomads not in the same sense as the Bedouin, but in so far as they were not settled permanently in any definite locality; as such they were naturally foreigners to all with whom they came in contact, so that the name would come to denote both nomads and foreigners of a certain type. "Nomad" is not an ethnic designation; it is an appellative, but so was also *ḫabiru* at the start. As yet there is no way of establishing this etymology beyond the possibility of dispute; it appears, however, to be gaining in likelihood with each new strand of evidence.

It is still a long cry from the Ḫabiru of the Amarna records to the Hebrews of the Old Testament. The biblical term is general, to be sure, being applied to a group of peoples and not just to a single ethnic entity; nevertheless, the usage is largely ethnic. On the other hand, we know that the Ḫabiru represented in early times socially organized groups composed of members of various nationalities. But was this original status maintained? Apparently not everywhere, to judge from the frequent citations of Ḫabiru gods in the treaties of Boghazköi.<sup>97</sup> An increasing percentage of Semites among the Ḫabiru of the Amarna period may well have imparted to them a quasi-ethnic aspect. Upon their conquest of Canaan, the Ḫabiru settled in a district that was predominantly Semitic. Ultimately the area is found inhabited by Ammonites, Moabites, Edomites, as well as Israelites; all of them must have absorbed considerable numbers of the Ḫabiru by whom they had been conquered. It is perfectly natural that the conquerors should have

<sup>97</sup> See above, note 92.



furnished thus a common designation which embraces these interrelated elements. Parallel with this course would be the development of the ethnic form 'ibrî from an appellative 'abiru (*habiru*).

I know that "may have been" and "perhaps" appear all too often in the above exposition. The material does not admit as yet of replacing probabilities with certainties. The picture which I have drawn echoes largely the views of a considerable number of scholars; it has, to my thinking, the advantage of incorporating the available historical indications into a tolerably well knit unit. The next step leads inevitably to a brief examination of the relevant passages in the Old Testament.

We have arrived at this point in the normal and logical sequence of our inquiry. For having reached an understanding as regards the philological connection of *habiru* and 'ibrî, we must proceed with a further comparison of the cuneiform and biblical sources. What we have found out about the Habiru has some bearing on the question of the early Hebrews; perhaps the patriarchal narratives will help in return to place the Habiru on a somewhat firmer footing. It is not altogether a case of trying to explain one unknown proposition with the aid of another equally obscure, because useful information has been accumulating slowly at both ends. But we must not be too sanguine about the outcome of this cooperation; the danger of barking up the wrong tree is still uncomfortably close.

The age of the patriarchs has received much attention in recent years.<sup>98</sup> In a number of able studies the pertinent facts have been listed and evaluated. Many details remain obscure, but they need not break up the continuity of this presentation in view of the several discussions on the subject in which they have received adequate treatment. What is more urgent is reasonable agreement as to the main conclusions, but this has not been attained thus far. My sole excuse for making yet another attempt along these lines is a fresh approach from the Mesopotamian rather than the Canaanite angle. Epigraphic and archaeological sources have supplied new evidence which, added to the mass of previously accumulated material, may help to clarify the picture. The groundwork was laid in the preceding chapter, and it will be one of our tasks to point out anew the connection between the Hurrians and the Hebrews. Before that is done, however, we must examine briefly several biblical references to the patriarchs.

The main facts are clear enough. Abraham is the first one to be referred

<sup>98</sup> See Böhl, *Das Zeitalter Abrahams*, where the situation is admirably summarized. Cf. also Alt, *Der Gott der Väter*, Dhorme, "Abraham dans le cadre de l'histoire," *RB*, 1928, pp. 367 ff., and the corresponding passages in Albright, *Archaeology*, and Olmstead, *Palestine*.

to specifically as "the Hebrew."<sup>99</sup> After a sojourn in Harran, which was an important stage in his reported journey from Ur of the Chaldees, Abraham arrives in the Promised Land. In the course of his numerous subsequent wanderings, Egypt is visited, but Canaan remains the land of his choice. Through their marriages, Isaac and Jacob maintain the contacts with the middle Euphrates area, but it is in Egypt that Jacob and his family finally settle. The rise of Joseph contrasts sharply with the following period of Oppression, which leads at length to the Exodus and the ultimate Conquest of the Promised Land. Throughout the entire period the Euphrates and the Nile constitute the two termini in the wanderings of the patriarchs who provide in turn a living bridge between the two culture lands. This fact is of outstanding importance for our inquiry.

If Abraham had not been called a Hebrew, we should be nevertheless justified in classing him with the Ḥabiru. He is plainly a soldier of fortune, forever on the move. In his case Hebrew or Ḥabiru may be still applied in an appellative sense; in fact, the Septuagint does just that when it translates the word העברי as ὁ περάτης "he who has crossed over, transient." But we witness also a growing ethnic consciousness: the wives of Isaac and Jacob must be of Aramaic stock; even in later times the ancestor of the Israelites is remembered as a "wandering Aramaean,"<sup>100</sup> or, perhaps better, a fugitive one. Moreover, a religious reason is said to have been the cause of Abraham's wanderings. We see thus in this particular Ḥabiru group a strengthening of ethnic ties and the parallel evolution of certain religious ideas. There is certainly nothing illogical in the assumption that the history of the House of Abraham had many analogues among other Ḥabiru groups, or that many Arameans were to be found among the Ḥabiru.<sup>101</sup>

There is today no reason to doubt the authenticity of the general background of the patriarchal narratives. In point of fact, recent discoveries have greatly increased our respect for their essential accuracy. It is not a question of the historicity of the principal persons involved; what is of moment in this connection is the fact that lives like theirs, full of apparently insignificant incidents, can now be duplicated or reconstructed, almost incident by incident, from a number of cuneiform records dating from the first half of the second millennium.

<sup>99</sup> Gen. 14. 13.

<sup>100</sup> Deut. 26. 5. The meaning "fugitive" suits the context as well as "wandering" and is closer to the Akk. *abātu*, with which it has been linked.

<sup>101</sup> Forrer (*Realex. d. Assyr.*, 235) equates the Ḥabiru with the Semitic merchants of the Cappadocian tablets. At any rate, there is no doubt that the Ḥabiru were more prominent, and powerful, in the west than in Babylonia and Arrapha.

To study the numerous parallels in social conditions as reflected in the Nuzi records and in the Pentateuch would require a lengthy monograph. A work of this type is now an urgent need. No justice can be done to the subject in a paper such as this where the space at our disposal is very limited. I must refrain, therefore, from doing more than merely calling attention to the correspondences which have been pointed out by Smith and Gadd,<sup>102</sup> Albright,<sup>103</sup> and others,<sup>104</sup> adding only one or two fresh examples. The removal by Rachel of her father's house gods, which puzzled countless generations of biblical students, has received a simple and correct explanation through the publication of the Arrapha documents. We know now that according to Hurrian law the possession of such *teraphim* by the woman's husband insured title to the property of his father-in-law. Before her marriage to Jacob, there was not much that Rachel could do to prevent the exploitation of her patient suitor by the greedy Laban. But as soon as Jacob completed his term of service, she promptly took the law into her hands. Here is one of the incidents in the lives of the patriarchs, the true significance of which had probably been lost in pre-Davidic times. Other episodes have also received much illumination from the Nuzi documents. There is, e. g., the provision in one of the marriage contracts, that the bridegroom must not take to himself another wife unless the bride fails to bear him children. In that case, it devolves upon the woman to furnish a concubine from among the servants; the bride is enjoined to treat humanely the eventual offspring of that concubine.<sup>105</sup> This contract might have been written for Abraham and Sarah; nor was Sarah's treatment of Hagar in any way exceptional, the law finding it necessary to obviate such abuses. The entire episode would be a normal occurrence in Arrapha towards the middle of the second millennium; it could scarcely have been invented by the Hebrew writers of the first millennium. Another interesting analogue from Nuzi is a legal arrangement as to the disposition of the birthright: one of the parties acquires the rights of the firstborn, while the other, whose claims to the privilege would have been actually justified by reason of birth, is satisfied to accept a minor share in his father's estate; <sup>106</sup> the eldest son was, of course, entitled to a double share. The deal between Jacob and Esau involving the question of birthright was thus by no means unprecedented.

But we must not digress any further. Two things are made plain by this remarkable interrelationship of Hurrian and patriarchal documents. Firstly,

<sup>102</sup> *RA* XXIII, 126 f.

<sup>103</sup> *Op. cit.*, 138 f.

<sup>104</sup> *Mesop. Orig.*, 162. Cf. also *JAOS* 52, p. 365.

<sup>105</sup> *ANNUAL* IX, 31 f.

<sup>106</sup> *Ibid.*, 48 f.

the narratives of Genesis with which we have been concerned find a well authenticated background in contemporary extra-biblical sources. Secondly, there were intimate cultural contacts between the Ḫabiru and the Hurrians, prior to the Amarna period at least.<sup>107</sup> It follows that we cannot afford to disregard lightly the information contained in the patriarchal stories, no matter what we may think about the historicity of the individual heroes. Since the minor incidents are demonstrably in keeping with the times, not to say conditioned by them, it is likely that the accounts of the migrations of Abraham and his descendants have some foundation in fact.<sup>108</sup> What we need is external confirmation of these accounts or, failing that, reliable indications that such movements fit well into contemporary history. In other words, the events must be examined from the Egyptian angle. Before this is done, however, it will be necessary to return for a moment to the question of Ḫabiru-Hurrian relations.

We have seen that the Hurrians were a non-Semitic race occupying in the second millenium large portions of the Near East. The Ḫabiru, on the other hand, were migratory groups, largely Semitic, found in practically the same areas in which the Hurrians are encountered. It is especially significant that Harran, which was at worst the secondary home of the patriarchs, lay in the heart of the Mitanni empire. In these circumstances it is not difficult to account for the cultural dependence of the Ḫabiru upon the Hurrians. Nomadic or semi-nomadic groups will naturally borrow much from those settled

<sup>107</sup> It is still a question whether some of the racial characteristics of the modern Jews are to be attributed to the contacts of their ancestors with the Hurrians (*Mesop. Orig.*, 155), or whether they were acquired through intermarriages with "the Asiatics" at some other period. The former alternative appears to be the more probable one of the two.

<sup>108</sup> Gen. 14 is a potentially valuable document, but its precise background is still obscure. See the excellent discussion by Albright, *JSOR* X, 231 ff. Cf. also Böhl, *op. cit.*, 12 ff., and Dougherty, *Sealand of Arabia*, 33 ff. It is most unfortunate that some writers still maintain the philologically impossible and historically precarious equation of Amraphel ('*mrpl*') with Hammurabi. Albright's view that the biblical name contains the element Amurru (*loc. cit.*, 259) is unquestionably sound. It may be noted that the name *Amurrah/pi* (definitely with the element Amurru: wr. also *MAR.TU-a-bi/pi*) is now attested in the Nuzi tablets; cf. *HSS* IX, 120.6, 13; *RA* XXVIII, p. 39, text 7.9. Is '*mrpl*' in any way related to it? As for Arioch ('*rik*'), the phonetic equivalence with the Hurrian name *Ariukki* (cf. *RA* XXIII, p. 156, text 53.27) is perfect. Whatever city (or land) Ellasar may represent, its repeated equation with the Babylonian Larsa by Langdon is unwarranted. Tid'al is probably one of the Hittite kings who bore the name *Tudḫaliyaš* (Böhl, *op. cit.*, 15 ff.), and Shin'ar is evidently *Šinḡar* (Albright, *loc. cit.*, 256). But some vital links in this chain are still missing.

elements with whom they are in contact most frequently, especially when the wanderers themselves are about to change to a settled mode of life. The Ḫabiru of Nuzi or of Harran would normally take over many of the Hurrian customs. Whether they were able to preserve their identity or were absorbed by the Hurrians was evidently in each case a question of respective numerical strength. At any rate, there must have been considerable racial intermixture between these differently organized elements.

It remains now to see whether the same two groups were capable also of political cooperation. It will be remembered that the Hurrians scattered over the Near East in the course and partly as a result of extensive ethnic movements, while the Ḫabiru were no doubt aided in their own pursuits by the upheaval that was responsible for these migrations. The situation was manifestly favorable to military alliances. Before the above questions can be answered, however, we must turn for a while to Egyptian sources. Egypt too suffered from, and preserved some record of, the migrations of the second millennium. These records are, unfortunately, far from complete. One thing emerges none the less with sufficient clarity: the contemporary invasion of Egypt is ascribed to an indeterminate group of foreigners who are to figure in history as the Hyksos.

To touch upon the Hyksos problem is still much like stirring up a hornet's nest. Certain is only the conquest of Egypt by the Hyksos and their subsequent domination of the country for a considerable number of years; even the exact duration of the foreign rule is as yet in dispute. When it comes to identifying the invaders with any definite people or group of peoples, there is a disconcertingly wide range of conflicting opinions.<sup>109</sup> Nevertheless, recent discoveries have not been without some effect on this perplexing problem; certain aspects of it have lost much of their former vagueness and have acquired clearer outlines. But this process of crystallization has still a long way to go. Our own invasion of Egypt would in these circumstances be utter folly if we were not forced into it by the course which this inquiry has taken. Having found a common meeting ground for the Ḫabiru and the Hurrians, we can no longer ignore the Hyksos. All three groups share the distinction of having participated in the migrations that we have been discussing. Does the relationship between the Ḫabiru and the Hyksos extend beyond these external characteristics?

The purely general nature of the term Hyksos has already been indicated. The name meant originally "ruler of the foreign lands (desert)." In this

<sup>109</sup> See the valuable summary by W. Wolf, "Der Stand der Hyksosfrage," *ZDMG* 83, pp. 67 ff.

sense it is used of the Bedouin chieftain 'bš<sup>3</sup>, who is pictured in a painting from Beni Hasan, which dates from the Twelfth Dynasty. There were Hyksos, then, before the great invasion of Egypt; moreover, they were Semites. The same chieftain from Beni Hasan might have been called in Babylonia a Ḥabiru, or rather a sheikh of the Ḥabiru. By the time of the Eighteenth Dynasty the term Hyksos had ceased to designate "rulers," but was applied more generally to Asiatic "foreigners" as a group. To Manetho, who etymologizes the compound as "shepherd kings," the Hyksos were specifically the foreign invaders of Egypt.

That the great event of the freeing of the land from foreign domination made such a slight impression upon Egyptian writers is an indication of the poor historical sense of the Egyptians.<sup>110</sup> Native sources show little interest in the whole matter; that is why there is today a Hyksos problem. Modern scholars have had to rely largely on the indirect method of deduction. It is evident that the Hyksos had arrived in Egypt by way of Palestine. The invaders made their last stand against Egyptian liberators on Palestinian soil; Hyksos scarabs and pottery, burials and fortifications, have been discovered in Palestine in a number of sites;<sup>111</sup> the impetus gathered during the war of liberation carries Egyptian kings far into Syria; moreover, even at the height of the Hyksos power they had their capital close to the Asiatic border. Further support for the Asiatic origin of the Hyksos is derived from the fact that Egyptian potters revert to painted ornamentation during the time in question; vase-painting had been out of fashion in Egypt since the beginning of the historical age, but Syria and Palestine maintained the art all along;<sup>112</sup> even more conclusive is the identity of certain motives on the painted Egyptian fabrics of the Hyksos age and on contemporary Asiatic wares.<sup>113</sup> Archaeology furnishes also other corroborative arguments, but these need not be discussed here.<sup>114</sup> The Asiatic origin of the Hyksos is universally conceded. It is equally plain, however, that the Near East of the pre-Amarna and Amarna periods sheltered a bewildering variety of ethnic, political, and social units. Which of these had supplied the Hyksos?

<sup>110</sup> Cf. Gunn and Gardiner, "The Expulsion of the Hyksos," *Journal of Egyptian Archaeology*, 1918, pp. 36 ff.

<sup>111</sup> For the archaeological sequence of the Hyksos remains see above, note 61.

<sup>112</sup> Cf. Frankfort, *Studies in Early Pottery of the Near East* II, 166.

<sup>113</sup> Especially the bird motive, cf. Frankfort, *ibid.*, 167, and Speiser, *Museum Journal* XXIII, pl. lxiv. Cf. also the references to the studies of Albright given in note 52.

<sup>114</sup> Cf. Wolf, *op. cit.*, 74 f. The article of Jirku "Aufstieg und Untergang der Hyksos," *JPOS* XII, 51 ff., may be mentioned here for the sake of the literature which it lists.

They have been sought among the Cassites, Hittites, Indo-Iranians, Hurrians, and Semites. The most serious recent candidates have been the Semites and the Hurrians. In favor of the former it is held that among the Hyksos names found on scarabs the majority are clearly Semitic; this is an undeniable fact. Those who support the Hurrian claim point to the power of Mitanni in immediately post-Hyksos times;<sup>115</sup> that too is irrefutable, though less conclusive in its bearing on Egyptian history. The Indo-Iranians have been linked with the arrival of the horse in Egypt, an introduction datable to the Hyksos period; but the Aryans cannot be ridden into Egypt on horseback, as it were, for there may have been other intermediaries. The claims of the Cassites are too far-fetched, literally, and those of the Hittites anachronistic.

The one definite racial element among the Hyksos is Semitic; the onomastic evidence is direct in this respect. By the same token, however, the invaders must have consisted of other elements as well; for a percentage of Hyksos names is clearly non-Semitic; the best known being that of  $\text{Ḫian}$ , the king whose objects have been discovered as far apart as Crete and Baghdad. To conclude from this latter fact that the Hyksos empire extended at one time from the islands of the eastern Mediterranean all the way to Mesopotamia, as is sometimes done, indicates a degree of optimism that is entirely unwarranted by the meager evidence. At most, it may be assumed that relatives of the Hyksos were to be found in those areas, but not necessarily as rulers; foreign visitors could have brought with them objects inscribed with the name of their chieftain, without implying thereby any power on the part of that chieftain over the visited centers. At all events, it is clear that among the Hyksos there were other strains besides the Semitic. And, to have done with the linguistic material, some Hyksos bear good Egyptian names:<sup>116</sup> here we have evidence of the assimilatory influence of the subjects upon their conquerors.

The non-Semitic component among the Hyksos cannot thus be identified on philological grounds. We must look, therefore, for other evidence. We have seen that the Hurrians have been mentioned prominently in this connection, too prominently perhaps, considering the nature of the arguments adduced. To my thinking, the Hurrian side could be pressed more strongly than has been done hitherto; with the distinct understanding, however, that

<sup>115</sup> Meyer, *Geschichte* II. 1 (1928), pp. 41 ff.; Pieper, *OLZ*, 1925, 417 f. Götze, *Hethiter-Reich*, 22, lacks the necessary proof, and Hrozný, *AOr* III, 288, fails to support his statement with any argument whatever.

<sup>116</sup> Several Hyksos princes used the name Apepi.

the Semites cannot possibly be left out of the picture. First and foremost is the well established fact that the Hurrian migration, which coincides roughly in time with the invasion of the Hyksos, is the most extensive one about which we have any record. The conquest of Egypt was obviously the result of a migration of similar proportions. We have traced the Hurrians as far as the southern shores of the Dead Sea; there is no indication that the movement spent itself there and then without continuing towards the Nile Valley. It is certain that there were Hurrians in Egypt by the time of the Eighteenth Dynasty, to judge from the names of captives brought back by the kings who had gone forth in pursuit of the Hyksos.<sup>117</sup> These slaves are even called *Huru*, which we know to represent *Hurri*. To be sure, the name is now used generally for the adjoining Asiatic territory and its inhabitants; among the *Huru* slaves there are some who bear Semitic names. But the earlier power of the Hurrians is shown by the fact that the Egyptians had named the country after them. A similar argument is furnished by the Hyksos pottery found in Egypt. Its bird motives are Hurrian, as may be seen from the ample material of the Hurrian strata of Tell Billa and the Palestinian analogues.<sup>118</sup> Furthermore, we have seen that the name of the Hyksos king *Hian* was found both in Crete and in Babylonia. These occurrences are indeed insufficient to prove Hyksos rule in these distant countries, but they bespeak nevertheless actual contacts with the Hyksos. Now we know definitely that Hurrians were present in Mesopotamia and that they had intimate cultural relations with the Aegean lands. Lastly, though I would not set as much weight by this argument as by the others, there is a possible linguistic survival of Hurrian in Egyptian. It is admitted that not only the horse but also the chariot were introduced into Egypt during the Hyksos period. The names for such importations are usually borrowed from the exporters or the intermediaries in the case. It is not surprising, therefore, to discover in the Egyptian terms for horse, parts of the chariot, reins, etc., evident Canaanite loanwords. Of the two words for the chariot itself, one is the good Semitic name *mrkb(t)*; the other one is *wrrjt*, for which there is no satisfactory Egyptian etymology;<sup>119</sup> it is highly probable that the name is a borrowing like the rest.

<sup>117</sup> Cf. Gustavs, *ZÄS* 64, pp. 54 ff.

<sup>118</sup> See above, note 113. A full discussion of the facts would require a separate article.

<sup>119</sup> Wolf, *loc. cit.*, 73. Mr. Gunn has again been good enough to collect and interpret the Egyptian material on the subject. I give his note verbatim:

“One of the Egyptian words for “chariot” is first found at the very beginning of the 18th Dynasty, written *wrt* (Sethe, *Urkunden* IV, 3/6). Normally, however, in the 18th and 19th Dynasties, it is written *wrrjt*, sometimes more summarily *wrrt*, and the writing with one *r* seems hardly to reappear until the 8th century (cf. Stela of



Now the Hurrian term for chariot has recently been discovered, and it is not unlikely that we have here the prototype of *wrrjt*;<sup>120</sup> but we know as yet too little about Hurrian phonology to make this derivation a certainty. Regard-

Piankhi, lines 30, 89)—a similar vacillation between *wr* and *wrr* is seen in three other words having this stem. The word is sometimes written with the chariot as ideogram, whether followed or not by the ending *t* (e. g. *Urkunden* IV, 692/2, 712/9. 10; Sphinx Stela, line 5), and this is pretty strong evidence for its being a native Egyptian word. In hieratic it occurs in a mixed "syllabic" and normal writing, the elements *wr*, *j*, *t*, being written normally, while the second *r* is represented by a group mostly reserved for use in foreign words (e. g., Anast. Pap. I, 24/4 and cf. 19/5; d'Orbiney Pap. 17/4). Cases of native Egyptian words similarly written are however not rare; see on this Erman, *Neuaeg. Gramm.*, 2nd edn., sect. 31. The final *t* can hardly be other than the feminine termination, which was still sounded before pronominal suffixes (examples Anast. Pap. I, *loc. citt.*), though it had in general dropped off; the fact that in Late Egyptian this was one of the comparatively few words which could still take the possessive suffix would appear to be further evidence for its native origin. The grammatical gender of the word is, already in Late Middle Egyptian (18th Dyn.), curiously variable; side by side with clear examples of its treatment as a feminine (e. g., *Urkunden* IV, 657/5, 663/12, 14), are many in which it is used as masculine (e. g., *Urk.* IV, 690/9, 692/2, 704/15, 712/9, 10, 717/11). The etymology of the word is obscure: the only Egyptian word from which it could be derived appears to be *wrr* "to be great". It may be added that "war-chariot" is not the only meaning of *wrrjt*; it is used also of chariots used by kings and others for excursions and travel.

"One difficulty in identifying the Egyptian *wrrjt*, *wr(j)t* "chariot" with the Hurrian *warat* (see below) is, that the former is written with the normal *t*-sign, which, when (as doubtless here) it represents the feminine ending, is mostly a merely historic writing, the feminine *t* having been dropped (except in *casus constructus* and before suffixes) many centuries before, leaving a short vowel as the termination; while on the other hand, in every case known to me in which the Egyptians heard a *t* at the end of a foreign word, that consonant is represented by one of the *t*-groups of the "syllabic" writing. B. G."

<sup>120</sup> The Hurrian word in question is *waratušhu*. The meaning is made clear by the context: *bitum (tum) wa-ra-tū-uš-hu qa-du ru-uk-bi-šu-ma*, *HSS* V, 72. 13, and Speiser, *ANNUAL* X, 53 f., "the chariot-shed together with its chariots." (The sequel deals with stables.) The form is to be analyzed as *waratu-š-hu*, with the formative element *š*, and the adjectival suffix *hi* (here akkadianized to *hu*); for examples cf. Thureau-Dangin, *Syria*, 1931, p. 260; the word may be translated as "the (place) of chariots." Now Mr. Gunn has concluded that *wr(j)t* and its cognates are treated like other Egyptian words, even though their behavior as regards gender is unusual and their etymology obscure. Naturally, I defer to Mr. Gunn's decision as to the Egyptian angle of the question. On the other hand, in view of the fact that most of the related terms were borrowed by the Egyptians (Wolf, *loc. cit.*, 73), and that *wr(j)t* is first found in Egyptian at the time of the *waratu-š-hu* text, one wonders whether the former does not represent, after all, a thoroughly egyptianized designation. The preoccupation of the Hurrians with the subject is proved by the now classical text of the Mitannian Kikkuli. New material may help to settle the problem.

less of the last point, there can be little doubt at present that the Hurrians constituted an important element among the Hyksos, in addition to the Semites.

Were there yet other strains among the invaders? The non-Semitic Hyksos names do not seem to be Hurrian either.<sup>121</sup> Cuneiform sources of the second millennium confront us with Indo-Iranian elements in Palestine, Syria, and Mesopotamia, and with Indo-Europeanized strains in Asia Minor.<sup>122</sup> If the ethnic composition of Palestine and Syria during the Amarna period may be taken as a cross-section of the Hyksos who had retreated from Egypt, then we must assume that there were also Indo-Iranians among the Hyksos. Moreover, it should be borne in mind that the typical Hyksos fortification, which was so happily identified by Albright, is not normal in the Near East. We find thus an element that is still unidentified, and yet it is one of obvious importance, since it played a vital part in the military organization of the Hyksos. Is the new component to be connected with the Indo-Iranians, or does it represent yet another element? Plainly, we have reached the limits allowed for reasonable deduction. We may not know the answer to this question until we have located the ultimate force behind our migrations. Meanwhile it is time to "sign off" and to coordinate the results attained thus far.

We have seen, then, that the Hyksos were composed of several disparate groups. They were not simply Semites, or Hurrians, but definitely a conglomeration of Semites and Hurrians, with an admixture of other strains which defy identification for the present. Nor is it possible to determine when and where this combine was effected; it may have been organized in Syria or Palestine, or it may have grown on Egyptian soil. With at least one hundred years required for the Hyksos rule of Egypt, there enters into our considerations a distinct chronological factor. We have archaeological reasons for postulating an earlier and a later Hyksos period, and this stratification is likely to correspond with ethnic shifts within the Hyksos.<sup>123</sup> To judge from sources available to date, Semites and Hurrians, who formed manifestly the great majority of the Hyksos, were the first to conquer northern Egypt. For although Indo-Iranians appear in the cuneiform records from about the middle of the second millenium, they are absent in the earlier Hurrian documents (including those from Arrapha). At all events, they supplied in Mitanni a thin layer of ruling aristocracy, while the bulk of the

<sup>121</sup> Notwithstanding the contrary assertion of Meyer, *loc. cit.*, 42.

<sup>122</sup> Cf. Mironov, *Aryan Vestiges*.

<sup>123</sup> For the archaeological sequence of the Hyksos remains see above, note 61.

population was heterogeneous. We are thus back to the Ḥabiru-Hurrian partnership, which we have seen at work in the middle Euphrates area, and whose trail has been picked up in Egypt. There remains, however, the possibility that the Ḥabiru were the first to overrun the Delta, having been driven thither by waves of Hurrians set in motion by the larger migration.

How does this blend of facts and theories fit in with the patriarchal narratives? Abraham's visit to Egypt does not have the characteristics of a movement on a larger scale.<sup>124</sup> It gives rather the impression of a peaceful entry, much in the manner of the caravan portrayed at Beni Hasan, with which it has often and rightly been compared, though the two sheikhs need not, of course, be viewed as contemporaries. But several generations later the situation is markedly different. This time it is the entire "House of Jacob" that comes down to Egypt and stays there; in other words, a proper migration is recorded. It is hardly necessary to point out afresh how easily the career of Joseph shades off into the Hyksos background. Our historical difficulties date from a later period, the time of the king who knew not Joseph. They center around two principal problems: the relation of the Israelites to the Ḥabiru-Hebrews, and the nature and date of the Exodus.

Thus far we have had a fair proportion of facts to serve as a foundation for theories. With the rise of the Hyksos, however, the faint flow of information comes to a sudden halt. External and Egyptian sources become strangely silent at this point. The Old Testament is now our only guide and, although archaeology has taught us to respect its accounts, history cannot approve them for the time being for want of extra-biblical corroboration. It is indeed a dark interlude between the death of Joseph and the Conquest of Canaan. Having brought us to a dead end, our discussion must now be concluded; but the conclusion will be less abrupt if we interpose a tentative working hypothesis.

It goes without saying that we are not concerned here with the later tribal composition of Israel and Judah; this is purely an inner-biblical problem. Our interest is confined to the relation of Israel, the term being broadly representative of the descendants of Jacob, to the larger Hebrew group. There can now be little serious opposition to identifying the Semitic element among the Hyksos with an offshoot of the Ḥabiru, which is traceable to Abraham *העברי*, i. e., "the nomad." It follows that these Ḥabiru participated in the Hyksos rule of Egypt; they must not be confused with the Ḥabiru of the Amarna letters, who threaten Palestine long after the expulsion of the Hyksos. The enemies of ARAD-Ḥepa and of the other vassals of Egypt clearly belong

<sup>124</sup> Cf. Peet, *Egypt and the Old Testament*, 47 ff.

to a later wave. ARAD-Hepa himself is a Hurrian; <sup>125</sup> his ancestors arrived apparently with the other Hyksos, in a group that was strong enough to cause Palestine to be called Huru by the Egyptians. The expulsion of the Hyksos did not entail, of course, their complete extermination, and it is not unnatural to find a Hurrian prince in Jerusalem during the latter part of the Eighteenth Dynasty. That he is apprehensive of the Habiru in common with the other princes of Palestine and Syria is but another indication that the Josephite and the Amarna Habiru belonged to different movements that were centuries apart. For we have seen that the earlier Semitic invaders had made common cause with the Hurrians.

We must emphasize this distinction between the Habiru, or Hebrews, of the patriarchal period and those of the Amarna age. Which of these groups was responsible for the Israelites? Undoubtedly both, though not to the same extent. Tradition traces back the formation of Israel as a nation to the period of the sojourn in Egypt, or more specifically, to the time of oppression. Tradition names also religion as a vital distinguishing characteristic between the "Israelites" and their neighbors. There is evidently an element of truth in both accounts. We know that racial differences alone were not decisive in this connection. There were Habiru in Egypt even after the Exodus, <sup>126</sup> no matter how late we place its date; for we find the 'Apiru down to the time of Ramesses IV, as late as the Twentieth Dynasty, long after the reported defeat of the Israelites in Palestine according to the famous passage in the stele of Merneptah. The Exodus did not involve therefore all the Habiru of Egypt. On the other hand, it is equally plain that all the tribes, as we know them from biblical history, cannot be derived from Egypt. The dual conquest of Canaan, from the north as well as from the south, is now scarcely open to doubt. In short, we cannot but assume ultimate cooperation between the followers of Moses and a section of the northern invaders. But just as was the case in Egypt, all Hebrews did not come under Israel. The

<sup>125</sup> Maisler's argument that this prince was an Amorite (*Untersuchungen*, 37, and *JPOS* X, 189), is wholly unconvincing. The fact that he used in his letters a Semitic dialect carries no more weight in this connection than the Akkadian letters of Tushratta. Hepa is a demonstrably Hurrian goddess (Gustavs, *Ta'anmek*, 10) and her admission into the Amorite pantheon is far from established. Even in Davidic times Jerusalem is inhabited by the non-Semitic clan of Jebusites, and Arawna is certainly not an Amorite name. To say with Maisler that the Jebusites arrived in the land after 1300 B. C. is to beg the question.

<sup>126</sup> Cf. the material collected by Mr. Gunn, note 93. It is hardly necessary to point out anew that the term 'ibri', when its use is attributed by the Bible to the Egyptians, is employed as a general designation. It refers manifestly to the Semitic Asiatics without differentiating between the peoples or tribes in question.

events that led up to the emergence of the nation, even in that inchoate state in which we find it under David, are still obscure for the most part. In these circumstances we cannot go far wrong if we give tradition the benefit of the doubt and accept its verdict to the effect that much of the implied organization and preliminary effort took place as a measure of self-defence against Egypt.

Nor can we go wrong if we call a halt at this point. The indulgence of the reader must not be exposed to further test. Speculations, however legitimate, must be anchored to something definite; at this stage of our study the last bit of support for conjectures disappears, and it is not our province to resume investigations at the other edge of the gap. The subject or set of subjects, which we have been considering is much like an enormous jigsaw puzzle, fascinating and infinitely complicated. The outlines of the picture are becoming visible, and links have appeared between individual figures. But the whole tableau is still incomplete, because some of the pieces have not been fitted and others are still missing.



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The Bearing of the Excavations at Tell Billa and at Tepe Gawra upon the Ethnic Problems of Ancient Mesopotamia

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## THE BEARING OF THE EXCAVATIONS AT TELL BILLA AND AT TEPE GAWRA UPON THE ETHNIC PROBLEMS OF ANCIENT MESOPOTAMIA<sup>1</sup>

WHEN a quarter of a century ago the late Eduard Meyer first advanced the theory that the Semites preceded the Sumerians in Mesopotamia,<sup>2</sup> his solution seemed then to carry immediate appeal. The Sumerians had only recently been admitted into the League of Ancient Nations. There had not been enough time to evaluate accurately their written records, and at Ur, Kish, and Warka the surface had barely been scratched. It is only through recent discoveries, both in the archaeological and philological fields, that we have gained a better understanding of the remarkable rôle which the Sumerians played in early historical times. As a result, the Sumerian cause has gradually been gaining momentum. The scope and the extent of the Sumerian contributions to civilization have justly evoked the admiration of the scholarly world. It was perhaps to be expected that sound judgment should be influenced in some instances by undue enthusiasm. One need hardly call attention to some amazingly definite and complete accounts of the Sumerian *Weltanschauung* that some writers have thought themselves called upon to present. We have all, no doubt, derived our share of harmless amusement from the theories of certain writers on anthropological topics, according to whom the Sumerians formed the basic ethnic stock of those favored nations that have proved themselves superior, in the opinion of those writers, in our own times. The majority of students, however, have found demonstrable facts no less interesting, and a great deal more satisfying. They have been content to render unto the Sumerians only such homage as appeared justified by careful study and by mature judgment.

We are now in a position to know that the actual achievements of the Sumerians were far more substantial than was thought possible two decades ago. What still remains difficult and debatable is the problem of the chronological sequence of the earliest ethnic groups of Mesopotamia. Curiously enough, it is precisely those scholars who have dealt with the Sumerian remains most directly, who entertain the gravest doubts as to the priority of the Sumerians in the land which they helped to make famous. So admirable a student of the Sumerian language as Poebel has recently expressed the view that the Semites may indeed have been the earlier ones to settle in Mesopotamia.<sup>3</sup> Woolley, whose good fortune it has been to bring to light perhaps the most beautiful remains of Sumerian art, has even gone so far as to assert that not one but two heterogeneous groups had discovered the fruitfulness of the Valley of the Two Rivers before the Sumerians were attracted to it.<sup>4</sup> Clearly, the solution of the problem is now far less simple than it appeared to Eduard Meyer.

The third ethnic element, by the side of the Sumerians and the Semites, was first

<sup>1</sup> Paper read before the XVIIIth International Congress of Orientalists, at Leiden, Holland, on September 8, 1931.

<sup>2</sup> *Sumerer und Semiten in Babylonien*, Berlin 1906.

<sup>3</sup> Cf. his article entitled "Eine neue sumerische Mundart" in *Zeitschrift für Assyriologie* XXXIX (1929), pp. 129-139.

<sup>4</sup> *The Sumerians*, Oxford 1928, pp. 9 ff.

brought into discussion eleven years ago. Its introduction is due to Campbell-Thompson who in 1920 discovered on the site of ancient Eridu a type of painted pottery that was obviously related to the ware of early Susa and its congeners. A theory was promptly advanced that the makers of that aeneolithic pottery represented the oldest population of Mesopotamia. Since then other Mesopotamian sites have yielded similar ware, usually in layers that were stratigraphically lower than the definitely Sumerian strata. The priority of the Painted Pottery Folk is ascertained beyond any possibility of dispute. Our main difficulty arises from considerations of their identity. On this point scholars are divided into two fairly distinct camps. One group would connect with the Sumerians the makers of the prehistoric painted pottery. The other prefers to keep the two elements strictly apart. It may be remarked in passing that the strength of the two opposing parties is far from constant, as the views of the individual adherents of either theory have been on occasions subject to change.

The purpose of the present paper is to discuss briefly the bearing of the recent excavations at Tell Billa and at Tepe Gawra upon the ethnic problems outlined above. I am well aware that such a discussion, limited as it is in extent, is apt to stir up more problems than it can solve, more indeed than are at all capable of solution at the present state of our knowledge. If I take the liberty to restate some views previously expressed, before adducing a few bits of fresh evidence, it is primarily in order to invite a wider participation in the discussion. A year ago I was—some have said rash enough, others have been so kind as to say optimistic enough—to present certain views that I had reached on the subject in a book entitled “Mesopotamian Origins.”<sup>1</sup> Summed up briefly, the argument ran as follows: A number of Sumerian place-names, known to us from the oldest available records, were found to be without an adequate Sumerian or Semitic etymology. These names comprised three of the five prediluvian cities as recorded by Sumerian tradition. A further examination revealed that the majority of the place-names in question were characterized by the very two endings that are used as noun-formatives in the Elamite language. A tentative conclusion seemed therefore not unjustified that our names went back to an Elamite, or Proto-Elamite, strain in the oldest population of Mesopotamia. Related onomastic material was further adduced from the territories known to have been inhabited by the Lullu, the Gutians, and the Kassites. A careful study of the available sources made it probable that all those peoples were actually related to the Elamites, thus confirming certain views previously suggested by several of the students of the subject.<sup>2</sup> Subsequently, the philological material from the numerous Hurrian sources was brought under investigation. The result was that an ultimate philological relationship between the Elamites and their hill-neighbors on the one hand, and the Hurrians on the other was made to appear highly probable. And philological relationship is generally strongly indicative of racial affinities.

I should be the last one to overestimate the validity of conclusions based chiefly on a study of proper names alone. Such material can be of value only if it happens to form one of the links in a longer chain of cumulative evidence. Some critics,

<sup>1</sup>University of Pennsylvania Press, 1930.

<sup>2</sup> For literature, see *ibid.* ch. II.



whose opinions the present writer values very highly, have attempted to invalidate this particular source of evidence by suggesting that most of the names adduced in the discussion could represent good Sumerian material; the endings for which they were singled out are not unknown to Sumerian. The vital point that they have overlooked, however, is that in the majority of the instances in question an adequate Sumerian etymology is unfortunately wanting. And since precisely those endings were well established in Elamite as regular grammatical elements, the conclusion commended itself that the names themselves should be assigned to that language in which those elements were a normal occurrence.

This philological argument was supported, to the writer's thinking, by the independent evidence of archaeological data. It all centers around the makers of the prehistoric painted pottery. To the superb ware of the First Township of Susa were found related, as has been demonstrated by Frankfort<sup>1</sup> and others, the ceramic products of Musyan, Bender Bushire, Abu Shahrein, Tell el-Obeid, and of places as far west as Tell Zeidan in Northern Syria. To a lesser degree this is also true of the painted pottery of Samarra and the relationship can be even extended to certain sites in Armenia, Turkestan, and Baluchistan. Without bringing into discussion the ware of Jemdet Nasr and the analogues of the Second Township of Susa<sup>2</sup>—lest a confusing problem become worse confounded, the argument narrows down roughly to this: Either the painted pottery of Tell el-Obeid and Abu Shahrein is Sumerian, in which case all the analogues of so-called Susa I must be related to Sumerian remains more or less intimately, or else the aeneolithic painted pottery has no connection whatever with the Sumerians. In the latter case the oldest population of Lower Mesopotamia—for the remains in question antedate the definitely Sumerian finds—was of a non-Sumerian stock. Its relatives must be sought in the First City of Susa and in the areas in which related material has been brought to light.

I am obliged at this point to apologize for riding over the entire field in so roughshod a manner and for avoiding purposely a number of side-issues. If these latter had been given due consideration the problem would have appeared far more involved than might be evident from the above description. But while this statement is by no means complete, it will suffice for our present purposes.

Now what is the usual position of scholars with regard to the alternatives that have just been outlined? As previously indicated, one group of students is unwilling to be convinced by the view that the Sumerians were strangers to most of the districts in which analogues of the First Township of Susa have so far been discovered. Their opponents contend that the enormous expanse of this First Aeneolithic Civilization corresponds but very little with the later distribution of the Sumerians. Besides—they add—there are marked differences between that civilization and the typically Sumerian remains, for all that the two groups tend to shade off, the one into the other, in later times.

It is the view of the present writer that it is extremely hazardous to assume that

<sup>1</sup> *Studies in Early Painted Pottery of the Near East*, London. Vols. I-II, 1924-1927.

<sup>2</sup> Whatever may be said concerning the relationship of so-called Susa II to Susa I, one fact remains beyond dispute, *viz.* that the former is considerably more recent in date. The polychrome naturalistic pottery is therefore without direct bearing upon the problem discussed in the present paper.

the Sumerians were responsible for the earliest painted pottery of Mesopotamia and, consequently, also for that of the neighboring lands. It was shown that the philological evidence may be interpreted as distinctly in favor of the Elamites and against the Sumerians. The archaeological data point in the same direction, since they lead us to the First City of Susa, the ancient capital of Elam. Added to this is the not too negligible evidence of ethnic survivals in later times. There is nothing whatever to prove that Sumerians were ever in a racial majority, say, north of Kish.<sup>1</sup> Contrasted with this is the fact that the Elamites, the Guti, the Lullu, and the other tribes, "whose languages were complicated," as an ancient text has it,<sup>2</sup> were constantly in annoying proximity to the culture lands of Sumer and Akkad. These peoples come up again in Assyrian times, long after the Sumerians had disappeared from the stage. Nor is it at all unlikely that the same group has maintained itself as the basic element in the mountain districts of the modern Near East, for the so-called Armenoids or Anatolians are probably to a pronounced degree a racial continuation of the oldest inhabitants of the district.

It still commends itself, therefore, as the most probable solution that the non-Sumerian and non-Semitic mountaineers were the first to settle in Mesopotamia, following the course of the Two Rivers that were building up the fertile valley. The Semites reached the country from the south, and probably also from the west, while the Sumerians arrived at the head of the Persian Gulf some time later, to form the third ethnic stratum in the country. Whether they had come by land or by sea, whether in a single wave or in several successive invasions, no one can say as yet. What we do know is that they brought with them a marvellously advanced civilization and that they proceeded to develop the country in a way unheard of before. Unfortunately for them, the wedge that they had driven in between the northerners and the Semites was bound to give, slowly but steadily. In the course of a millennium or so the Sumerians are almost completely assimilated or absorbed. For want of reinforcements, no doubt, from the country of their origin they succumbed to the masses around them, which were being constantly augmented by new arrivals from the lands nearby.

This is in the broadest outlines the theory which the writer would sponsor and defend. I know that the number of those who share this position is conspicuously small. Nor does the writer, for all his reputed optimism, expect it to be substantiated in all its details. If his views appear at times to be expressed with unwarranted confidence, it is due primarily to the cumulative effect of a considerable amount of diversified, and—to his thinking—favorable evidence. To be sure when we get back as far as the aeneolithic period in Mesopotamia, our fragmentary evidence leaves room for little that is really puncture-proof. For the very same reason, however, we should employ less often the Sumerians as an unfailing *pièce de résistance*, a procedure that is not infrequently followed with altogether too much complacency.

In the light of the preceding remarks the results of recent excavations on two

<sup>1</sup> Cf. *Mesopotamian Origins*, pp. 50 ff.

<sup>2</sup> Cf. the bilingual inscription published in *Royal Inscriptions from Ur*, 1928, no. 146, cols. III-IV, 1-5.

north Mesopotamian sites are worthy of careful consideration. I am referring to Tepe Gawra, a mound situated about fifteen miles north of Mosul and two miles east of Khorsabad, and to Tell Billa, which lies eight miles further east. Excavations were begun at Tepe Gawra in the autumn of 1927 with two trial trenches,<sup>1</sup> to be resumed on a larger scale in the spring of 1931. At Tell Billa archaeological work has been going on since the fall of 1930. The two expeditions are being sponsored by the American School of Oriental Research in Baghdad and the Museum of the University of Pennsylvania, and in the case of Tepe Gawra also by the Dropsie College of Philadelphia.

One of the most interesting things about Tepe Gawra is the fact that not less than ten strata belong to the period of the prehistoric painted pottery. The mound is therefore one of the oldest in Iraq. In the lowest third of the mound copper is entirely absent. From its middle portion we have extensive architectural remains culminating in a splendid shrine. This period too must be assigned to the prehistoric age, as flints and obsidian are still used exclusively for implements and for weapons. The pottery is mostly plain. The decorated ware is mostly of the incised type. What little painted ware there was seems to have been confined to chalice-shaped cups, the prevailing color-scheme being bistre on buff. In a few instances a simple lattice design, usually applied in red paint, has been found in connection with the other shapes of the period in question.

The upper third of the mound consists of seven strata, which were excavated in the spring of 1931 layer by layer. It is here that copper first comes into general use, though flints are still in evidence as high as the fourth stratum. The objects dating from the beginning of this period are all of the Early Bronze type. The building material is either stone, or sun-dried brick upon a foundation of rubble. The pottery is for the most part plain, but incised and painted specimens are also found. In the case of the latter the decoration is generally applied around the shoulder of the vessel, and the design is composed as a rule of cross-hatched combinations. Incidentally, it is worthy of notice that painted pottery is found throughout the entire history of Gawra, *i.e.* from the beginning of the fourth to the middle of the second millennium.<sup>2</sup>

For our present inquiry it is the lowest third of Gawra that interests us mostly. Ten layers of prehistoric painted pottery should go a long way towards lessening the mystery which still surrounds the race that made that ware. When Gawra I has been completely laid bare, in the course of systematic excavations, it will undoubtedly throw much new light on the subject. What we have obtained so far from our trial trenches is, however, interesting and surprising enough. To begin with, there is here no trace of copper, and we are, therefore, dealing with a strictly neolithic civilization. Even more amazing is the variety of types of painted pottery that these strata have yielded thus far. By the side of fabrics common at Tell el-Obeid and at Abu Shahrein we have typically Musyan examples. There are unmistakable

<sup>1</sup> Cf. the author's "Preliminary Excavations at Tepe Gawra" in the *Annual of the American Schools of Oriental Research* VIII (1928).

<sup>2</sup> The view generally prevailing is that apart from some painted ceramics from Ashshur and Dûr Tukulti Enurta all the painted ware of Mesopotamia is prehistoric. Both Tepe Gawra and Tell Billa have shown that the north was never without its painted pottery up to the first millennium B.C.

contacts with Anatolia, and finally, we have specimens that show distinctly Chinese characteristics in decoration.<sup>1</sup> They form a veritable museum collection, gotten together one might say for the purpose of baffling the nearly helpless modern investigator. If we insist, nevertheless, on a more rational explanation, we are obliged to assume that Gawra lay near the main highway along which traveled the styles in painted pottery. This would place the sources of our fabrics in the north, as the southern types are comparatively limited. This assumption has much in its favor on more accounts than one.

But this is not the place to lose oneself in details. To pass on to Tell Billa, the results relevant to our present inquiry may be summed up as follows. The lowest strata at Billa correspond to the middle layers at Gawra. The connecting link is the pottery, chiefly the characteristic chalice ware, both painted and incised. This period is succeeded by an occupation that also recurs at Gawra, this time in the topmost third of the older mound. The mode of building is identical in both places, and the shoulder-decorated pottery featuring a peculiar combination of cross-hatched designs is common alike to Gawra and Billa. There is also absolute correspondence in the bronzes. Of the unique pieces may be singled out a typically Anatolian battle-ax which came from Billa. Then follows on both mounds the Hurrian period with its Anatolian and Aegean fabrics (the painted designs include the typically Aegean dolphins) and its "Syro-Hittite" cylinder seals. In addition to this Billa contains also Assyrian and even later occupations, which need not detain us in this connection.

This tourist progress through two long-inhabited mounds cannot have failed, nevertheless, to impress us with one outstanding fact. In the twenty-five hundred years of Gawra and in the fifteen hundred years of Billa that precede the Assyrian period there was nothing, to judge from the remains discovered up to date, which points clearly and definitely to Sumer. The prehistoric period is linked up primarily with the north. The middle period of Gawra and the parallel early period at Billa have their points of contact chiefly with Anatolia. In the bronzes and in the architectural remains there is nothing that is peculiarly Sumerian. The terra cotta figurines are unmistakably Anatolian. Nothing further need be said about the Hurrian remains with their overwhelmingly western affiliations. The only recognizable link with the south is furnished by some of the cylinder seals. But in the first place, these seals do not occur until comparatively late, being absent from all but the seven topmost strata at Gawra. Secondly, a considerable number of them is markedly un-Sumerian, both in conception and in execution. Thirdly, seals are too ubiquitous, and too easily transportable, to serve as a reliable criterion of origin. Lastly, our oldest seals, distributed over two-thirds of Gawra, are stamps—a type that is in no way peculiar to Sumer, but is very much at home in the northwest.

Lack of space forbids me to go into further details. Many objects that could be very useful in this discussion had to remain unmentioned. Of course, it is quite possible that a different interpretation will be given by others to some of the finds in question after they have appeared in publication. I seriously doubt, however,

<sup>1</sup> This was kindly pointed out to me in a private communication of Dr. Frankfort.

whether such occasional differences of opinion here and there would greatly affect the general conclusions.

If you start with the painted pottery of the south alone and ask, as some have done, "Why cannot this ware be assigned to the Sumerians?" the question may be logical enough. But if you start from the north and proceed from places like Tepe Gawra with all its prodigious variety of shape and design, the possibility of the Sumerian authorship of that pottery becomes immeasurably remote. The stubborn persistence of the painted ware in the north far into the Assyrian times is a further argument for its northern origin. As far as our present indications go, we have to look towards the Caucasus for the home of the original settlers of Mesopotamia. Perhaps it is not altogether a legend, or a coincidence, that for bringing the light of civilization to the world Prometheus had to pay the supreme penalty imprisoned on a Caucasian summit. But for us of today the light that illuminates the Titan is still too dim to enable us to distinguish between those who followed him and the others who chained him to the rock.

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On Some Important Synchronisms in Prehistoric Mesopotamia

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## ON SOME IMPORTANT SYNCHRONISMS IN PREHISTORIC MESOPOTAMIA

AS RECENTLY as fifteen years ago the First Dynasty of Ur was regarded by most scholars as but another example of the mythopoeic tendencies of the Babylonian temple chroniclers who flourished towards the end of the third millennium. To be sure, an entirely plausible total of 177 years had been assigned by these chroniclers to the rulers of Ur I; but had not the same scribes endowed the individual kings of even later dynasties with reigns of fantastic length? It seemed clearly a case of recollecting with tolerable accuracy the events of only the immediately preceding centuries; the memories of the old recorders were not equal to covering a longer span. Ur I was accordingly shelved as a bit of mythology, and so it would have remained but for the astounding discoveries at Tell el-Obeid and at Ur.

Today, of course, the First Dynasty of Ur represents a familiar period in the history of the Ancient World. Contemporary inscriptions of its rulers have amply vindicated the historicity of the period; and its material remains have revealed to us a civilization that is truly amazing in its richness and splendor. Modern archaeology has thus scored a signal triumph. Its latest results, however, are even more far-reaching. They bear witness to the fact that Ur I does not merely usher in the historical period in Mesopotamia; the First Dynasty is proved to be, in turn, the culmination of a long series of earlier occupations. Mesannipadda and his successors are no nearer in time to the oldest settlements in Mesopotamia than they are to the Amarna age, which the First Dynasty preceded by fifteen centuries.

The purpose of this paper is to survey briefly the archaic periods that antedate the first historical kingdom of Ur. With that brilliant Dynasty furnishing an appropriate *terminus ante quem*, the earlier civilizations may be conveniently termed predynastic and numbered in the order of their antiquity. The proper sequence of the predynastic periods is amply attested by the stratigraphic evidence from the several sites to be discussed, thus assuring a reliable relative chronology. For absolute dating the material available so far is much too inconclusive, for it is but rarely that we can estimate the duration of a given stratum with any degree of certainty. The archaic periods begin with the first civilization prior to Ur I, and they take us down, in a definite sequence, to the earliest known settlements in Mesopotamia: this is the best that predynastic chronology can do at present. We must, however, fix approximately the date of our starting point. Now the First Dynasty of Ur is variously dated from about 3100 B.C. downwards, one group placing it as late as 2620 B.C.<sup>1</sup> Future discoveries will no doubt narrow down this margin. For the purposes of our present archaeological inquiry the precise decade is of no vital moment; if we assign to the First Dynasty a round date of 3000, we obtain a starting point that is fixed as closely as is requisite in our case. At any rate, our latest predynastic period cannot be earlier than the end of the fourth millennium.

<sup>1</sup> Cf. Christian and Weidner, "Das Alter der Gräberfunde aus Ur," in *Archiv für Orientforschung*, V (1929), pp. 139 ff.

Predynastic remains have been recently found on a number of Mesopotamian sites, both in the south and in the north. In the region which in historic times became known as the "Land of Sumer and Akkad," archaic deposits have been uncovered at el-Obeid, Ur, Warka, Fara, Jemdet Nasr, Kish, and Khafaje, to mention only the latest excavations. In the north, or one-time Assyria, we have similar remains at Nineveh, Tepe Gawra, Tell Billa, the district of Kirkuk, in addition to older indications of prehistoric remains known from Assur and Samarra. Not all of the above sites show archaic occupations of equal length. Some of them, as *e.g.*, Jemdet Nasr and Tell Billa, were settled late in the prehistoric period. Others, like el-Obeid, fail to show continuous occupation after an early start. Still others have not been as yet pursued down to virgin soil. Thus far four sites have furnished us with records of appreciably extensive archaic sequences: Ur and Warka in the south, and Nineveh and Tepe Gawra in the north. At Ur Woolley has traced nine periods, all of which are older than the Royal Tombs.<sup>1</sup> At Warka eighteen distinct archaic sequences have been uncovered by Jordan, the topmost one corresponding with the First Dynastic stratum.<sup>2</sup> The prehistoric deposits at Tepe Gawra<sup>3</sup> have a depth of more than 14 meters,<sup>4</sup> and at Nineveh they take up about 20 meters.<sup>5</sup> It goes without saying that all four sites must have passed through roughly similar archaic stages. In point of fact, both Jordan and Woolley have established valuable synchronisms between Warka and Ur, and a coördination with the northern sites has now become essential. However, it must be remembered that Nineveh and Gawra lie about 500 miles northeast from the Ur-Warka district. Here, therefore, contemporaneity with the southern sites need not imply identity of the respective civilizations. It is but natural, nevertheless, that a certain degree of cultural relationship, or at least of cultural correspondence, should be confidently expected. No civilization in Mesopotamia, no matter how archaic, seems to have been purely static in character. For this there is a very valid reason: obsidian, which occurs in the earliest deposits, had to be imported from the mountain districts of Armenia. Such intermediate regions as that of Nineveh-Gawra were thus forced into contacts with the south as well as with the farther north. Under these circumstances cultural links were unavoidable; and that such links have indeed been discovered will become apparent from the tabulation of correspondences which is given below. Thus the interpenetration of distinctive cultural elements becomes a reliable guide as to the relative date of a given deposit, particularly when such identifications are corroborated by unimpeachable stratigraphic evidence. The races and the languages of the south and the north may have differed in prehistoric times as widely

<sup>1</sup> See *Museum Journal*, XXI, pp. 81 ff., and especially p. 104. In order not to overburden this paper with footnotes, let it be stated at the outset that all of the references to Ur, which are made in this paper, are based on the publication just cited and on an earlier report published in *Antiquaries Journal*, IX, pp. 305 ff.

<sup>2</sup> See especially Jordan's report in the *Abhandlungen der Preussischen Akademie der Wissenschaften, Philosophisch-Historische Klasse*, no. 2, Berlin 1932. This excellent summary has also been used extensively in the following presentation.

<sup>3</sup> For the results from Tepe Gawra, see the *Bulletins* of the American Schools of Oriental Research for the years 1930-32. A fuller report on the subject is now in course of preparation.

<sup>4</sup> The excavations have not reached virgin soil.

<sup>5</sup> Cf. the account of Campbell Thompson in the *Illustrated London News*, July 15, 1932, p. 98.



as they do today; but it is the ever present cultural similarities that enable us not only to synchronize the early strata of Gawra and of Warka, but also to check the results obtained in one region with the aid of the finds from the other district. The entire subject is placed thereby in a proper perspective.

Before proceeding with our necessarily schematic tabulation—an exhaustive discussion would require a well-sized monograph—it will be essential to indicate how the starting point upon which we have agreed, *viz.*, the period of the First Dynasty of Ur, can be detected on the various archaic sites. In the south the matter is simple enough: the period in question is characterized there by a peculiarly shaped brick, which was used almost universally, and which is known as “plano-convex.” This brick comes in with the First Dynasty, but disappears soon thereafter. The period can be thus identified without difficulty. Hence, when Dr. Jordan discovered that his first archaic stratum at Warka contained buildings of plano-convex bricks, he promptly synchronized the level with the First Dynasty of Ur. We have the same admirable guide at Lagash, Fara, Kish, Khafaje, etc. At Tepe Gawra, however, we must resort to other criteria, since the north generally went its own way in the choice of building materials. Copper objects and cylinder seals come here to our rescue: Gawra VI (and Billa V) have a sufficient number of such implements and seals in common with the early dynastic period of the south to make the synchronization absolutely certain. It may be noted in passing that throughout this first historic period plain pottery is used as a rule. We may now proceed with the archaic occupations.

### I. *First Predynastic, or the Jemdet Nasr Period*

a. The South. Here again we may employ building material as our most trusty guide. At Warka the archaic strata 2–4 show a small flat-topped type of brick corresponding to those which had been found at Jemdet Nasr by the Joint Expedition of the Field Museum and the University of Oxford. On the latter site semi-pictographic tablets and both monochrome and polychrome pottery came up in the same stratum, in addition to characteristic unpainted ware and equally significant cylinder seals. Any one of these cultural types is sufficient to identify for us the Jemdet Nasr period, especially when the given remains are, on stratigraphical evidence, earlier than the First Dynasty. At Warka, for instance, the characteristic painted pottery is not found in strata 2–4; but the flat-topped bricks of these strata (Jordan calls them “Riemchen”) date the civilization with sufficient accuracy. In addition to the Riemchen-structures Jordan has also found pictographic tablets. Those of stratum 3 resemble the inscriptions from Jemdet Nasr, and stratum 4 yielded an even earlier and more primitive type. This discovery is of paramount importance, providing as it does the intermediate stages in the development of writing in Mesopotamia from pictographs to the later cuneiform script.

The fact that the first predynastic stage at Warka consists of three strata is well worthy of notice; it is a warning against viewing this period as one of short duration. This is borne out by the finds from Ur, for Woolley’s archaic strata 3–7 must be assigned to the same cultural stage. To be sure, Woolley gives the name ‘Jemdet Nasr’ specifically to his seventh stratum, which contains the characteristic painted ware. We have seen, however, that other ceramic types may be equally conclusive

evidence for assigning a given level to this cultural group, and the material from the north will further corroborate this statement. We may therefore combine Ur 3-7 into a single larger cultural period with an impressive number of sequences. It should be noted in passing that the same period is represented at Kish and at Fara (stratum I in Schmidt's lucid account).<sup>1</sup>

b. The North. Our best records for this period are supplied by Billa VI and VII. In the latter stratum we find the painted "chalice" ware, which is known also from Gawra VIIIc and VII, and from Nineveh. One exact duplicate of this class is reported from the corresponding stratum at Fara. A later stage is represented at Billa VI; here the ornamentation is incised, and while the same shapes persist, the firing is appreciably improved. In this latter phase we find also contracted burials, cylinder seals (mostly of shell) with characteristic representations of animals, spouted vessels, and squat pots with sharply marked shoulders and overhanging rims. All of these are paralleled in the corresponding strata of the southern sites.

I must refrain from going into further details. Enough has been indicated to show that the First Predynastic Age was a period of considerable length possessing a distinctive and varied civilization. It is, furthermore, very improbable that all the cultural features of this period were the result of a single movement. Such typical witnesses as pictographic tablets and a definite class of painted pottery (chalices and the Jemdet Nasr ware) are not always found together on the same site; for writing appears to have been as yet unknown in the north, while the painted chalices are extremely rare in the south. It is an altogether plausible conclusion that writing was introduced by one ethnic group and the pottery in question brought in by another. As an example of the racial complexity of this period we may adduce a seal impression from Warka IV (early Jemdet Nasr) which portrays two men, one of whom is bearded while the other is shaved. And lastly, the tablets operate with two numerical systems, the decimal and the sexagesimal, which is considered strong presumptive evidence for the presence of different cultural groups. But enough oil has been poured upon troubled waters. Before all these threads can be disentangled, much more material will have to be brought to light.

## II. *The Second Predynastic Period*

a. The South. This archaic stage is represented by Warka 5 and 6, and by Ur 8. This time the pottery is mostly plain, the Ur stratum producing burnished and unburnished red ware, whereas Warka contributes red and grey-slipped pottery (the so-called Uruk ware). The striving for decoration stops at simple incised patterns. Far more impressive are the architectural remains, notably so at Warka. There we find a temple whose outside walls are crenelated by means of a series of symmetrically spaced niches. Another building is remarkable chiefly for the fact that its foundations are of limestone; this circumstance is strange only because stone had to be carried to Warka from a considerable distance. Jordan has rightly concluded that these impractical building habits must have come in from the mountains, where such structural methods are, of course, perfectly natural. In this connection it should be noted that traces of stone foundations were found also in Ur 8.

<sup>1</sup> See the *Museum Journal*, XXII, 193 ff.

b. The North. Since the chalice, or Jemdet Nasr, period begins at Gawra with VIIIc, one naturally looks to VIIIa-b for links with the earlier archaic age. This theoretical assumption is abundantly borne out by the finds. To begin with, we get at Gawra VIII specimens of red ware that resemble the southern fabrics mentioned above (at Nineveh this pottery comes up at a depth of 26 feet). Moreover, a type of hand-made bowl with straight walls and a flat rim, known from Warka and Ur, is a common occurrence at Gawra as well. Of greater consequence is the fact that double-recessed niches form a favorite architectural motive in VIIIa. There is, however, one notable difference between Gawra and the south at the period under discussion: Warka 5 has yielded impressions of primitive cylinder seals, which are as yet unknown in Gawra VIII, where stamp seals represent the only known glyptic type. Now Jordan has suggested that the cylinders of Warka 5 paved the way for the introduction of writing in the subsequent period. Were the inventors of these seals distinct from the people who had brought the niche and who would not build without limestone foundations? But such fascinating speculations can avail us little at present. This only seems reasonably certain: the second archaic period in Mesopotamia is scarcely less complicated and eclectic than its more articulate successor.

### III. *The Early Type of Painted Pottery (el-Obeid and Gawra Periods)*

Underneath the remains of the second archaic period we find an even older civilization which, to judge by its numerous occupation layers, dominated the land for a surprisingly long time. We are now in the third predynastic stage. Our main witnesses for this period are, as heretofore, Warka (strata 7-18), Ur (9-11), Gawra (9 ff.), and Nineveh; the only newcomer is el-Obeid.

The most noteworthy product of this remote age is its painted pottery; we may refer to it as the first, or early, type in contrast to the later fabrics of similar character which we have encountered in the Jemdet Nasr period. The difference in date between the two types cannot be stressed too strongly so long as a few carefree souls will persist in gaily confusing these well-differentiated groups. We have seen that interposed between the two civilizations is the Uruk stage (Second Predynastic period) with its unpainted fabrics. The distance in time between the wares under discussion is best illustrated by the extent of the intermediate deposits at Nineveh: there the chalice ware (Jemdet Nasr period) occurs at a depth of 18 feet from the surface, whereas the other painted group is not in evidence until a depth of not less than 70 feet has been reached. Need more be said on the subject?

This purely chronological differentiation of the two classes of painted prehistoric wares will have to be sufficient for our purposes. For we cannot do much, unfortunately, with the customary criteria of polychromy as against monochromy, or abstract treatment as opposed to a naturalistic style: they are not mutually exclusive over the entire area under consideration. This is not to be taken as an admission that our wares differ in little except age. Those who have handled both kinds are not likely to confuse them no matter where they may have been found. But a minute and thoroughgoing analysis of these troublesome remains is beyond the scope of this general account.

In the south our pottery is well defined as to shapes, technique, color, and motives.

The ware is usually grey, and the decoration is applied in black paint. In the north the same is true of the later strata of this period. Gawra IX, *e.g.*, contains typical el-Obeid specimens, so named after the site where they were first found in greater numbers. But in the lower levels of Gawra (and of Nineveh) a different type of ornamentation has come to light, lustrous black and red being applied on a yellow or orange slip. The excavations which are now in progress at Gawra should throw more light on this question.

One of the surprising results of our study of this period is the realization of its unexpected length, to which the twelve "el-Obeid" strata at Warka bear eloquent testimony. But we have an even greater surprise in store. No metal was found with the painted pottery at el-Obeid. At Warka there is no copper below the eleventh stratum. The same is true of the lower deposits of Gawra and of Nineveh. Thus we have here the first definite proof of a purely neolithic stage in Mesopotamia. Copper came in apparently towards the end of this period, and this circumstance may help us to date the remains of the first settlement of Susa. Since the pottery of Susa I was found in association with simple copper implements, it would follow that the site was settled towards the end of the period which we have been considering; the Mesopotamian sites discussed in the present connection are necessarily older. As for Susa II, the settlement is known to have had a long history; but its beginnings correspond beyond any doubt with the Jemdet Nasr period.

Does the first painted-pottery civilization in Mesopotamia represent the oldest occupation of the Valley of the Two Rivers? In the south this appears to be the case. In Nineveh, however, coarse plain pottery has been found at the bottom of the prehistoric pit. Until the material has been published it will not be possible to say whether that ware is to be synchronized with the early stages of the painted fabrics, or whether it should be assigned to an entirely different and older civilization.

To sum up, we have found that three main periods preceded the first historical dynasty of Mesopotamia. The oldest of the three was characterized by an extensive use of painted pottery, of which at least two important varieties are traceable in the north. Late in this period copper is introduced, ushering in the chalcolithic age during which stone and copper are used side by side.

The next period specializes in unpainted wares. Crenelated buildings of this time are known from Warka and Gawra. At Warka cylinder seals make their first appearance. In the south limestone foundations in temples betray the presence of invaders from mountainous regions.

In the subsequent stage there is a variety of cultural elements to consider. The most important event of this period is the invention of writing. Painted pottery is restored to favor, but the new styles imply fresh cultural waves from the outside. Contracted burials are witnessed throughout the land. In the south a small flat-topped brick is employed as building material. The presence of more than one racial group is proved by representations of bearded human figures by the side of clean-shaven ones.

With the First Dynasty of Ur begins the historical era in Mesopotamia. The use of plano-convex bricks, based apparently on stone prototypes, suggests another invasion from the mountains.

Little can be said about the ethnic elements in prehistoric Mesopotamia beyond pointing out that the repeated invasions, for which there are numerous indications, must have brought several racial groups into the land. Skull measurements have disclosed the presence of dolichocephalic<sup>1</sup> and brachycephalic types. Mesocephalic skulls have been found at Gawra (VIII b and c).<sup>2</sup>

At the present state of our knowledge of the subject it is difficult to conclude an account of this sort without stumbling somewhere on the Sumerians. What and where is their place in this arrangement of archaic sequences? This problem seems now farther from a satisfactory solution than it was before Mesopotamia was proved to possess an extensive prehistoric era. Much water has flowed by in the Tigris and the Euphrates since the First Dynasty came into the limelight. The fact that the Sumerians played a leading and brilliant part in the early history of Mesopotamia is no proof that we must assign to this remarkable people a corresponding rôle in prehistory. The very latest archaeological evidence continues to point against the assumption that the Sumerians lived in the country from the beginning. Woolley definitely dissociates the Sumerians from the makers of the el-Obeid ware. Jordan looks for the start of the Sumerian civilization in the sixth stratum of Warka, after the long period of early prehistoric painted pottery had run its course through twelve distinct levels. Nor is the second style of painted fabrics linked with the Sumerians by recent investigators of these sources. Mackay, who has published the material from Jemdet Nasr,<sup>3</sup> places the arrival of the Sumerians towards the end of the period in question. At Fara the evidence unearthed by Erich Schmidt<sup>4</sup> might be interpreted in the same way. In the north there is not the least sign of Sumerian influence in either of the two periods of painted pottery, which goes also for the intermediate stage. At all events, the results from Gawra indicate quite unmistakably that the Sumerians were not the originators of the painted pottery styles; for the lack of Sumerian material at Gawra prior to the dynastic periods can scarcely be interpreted in any other way. On latest available evidence, the Second Predynastic stage, which is interposed between the two periods of painted fabrics, looms as the most likely date for the arrival of the Sumerians in the south, what with contemporary invasions from the mountains, the introduction of the cylinder seals, and the appearance of the first pictographs soon thereafter. Such at least is the opinion of Jordan, who unearthed at Warka the longest series of southern archaic sequences. This view accords admirably with such deductions as our scanty linguistic evidence would allow. It accounts for a great many difficult problems and there is nothing in the available sources that would tend to invalidate it. And this is as far as we can go at present.<sup>5</sup>

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<sup>1</sup> These types are assigned by Henry Field to a "proto-Mediterranean" group.

<sup>2</sup> The measurements were made by Miss Dorothy Cross of the University Museum, University of Pennsylvania.

<sup>3</sup> Cf. the report in the *Anthropology Memoirs of the Field Museum of Natural History*, vol. I, pp. 219 ff., especially ch. VIII.

<sup>4</sup> See note 1, p. 468.

<sup>5</sup> See also G. Contenau, "La Chronologie en Asie Occidentale et le couteau de Gebel-el-Araq," *Revue d'Assyriologie*, 1932, pp. 30 ff., (synchronisms with Susa); cf. also the present writer's paper on the "Chalice Ware" in the *Bulletin* of the American Schools of Oriental Research, no. 48.



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The "Chalice" Ware of Northern Mesopotamia and Its Historical Significance

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of the Cappadocian texts, like the use of the short vertical wedge as a word divider. The letter begins as follows: *a-na Wa-ar-di-li-šu ki-bi-ma um-ma Ū-du-li-ma*, i.e., "To War(a)d-ilišu speak: thus (says) Udulim." So far as I know, this is the only tablet, strictly Cappadocian, that has been found outside Asia Minor, and it must have been sent from Cappadocia to Nuzi. In the same stratum as the Cappadocian letter there were discovered in 1930-31 several other tablets in a very fragmentary state, one in the script of the First Dynasty of Babylon and the others in a script practically identical with the Cappadocian, but lacking the slant of the truly Cappadocian. They are probably to be compared with the unpublished building inscription from Ashur mentioned by Forrer in *Realleikon der Assyriologie*, I, 235b, which in orthography, language and personal names, he says, can be regarded as Cappadocian. These tablets and the Cappadocian letter indicate that there were trade relations between Cappadocia and Assyria, the country in which Nuzi was situated, and, taken with other data, they suggest that the "Cappadocians" and Assyrians had a common origin. The presence of a large number of West Semitic names in the texts of the two groups would indicate that both came from the West, and after their settlement, the one north of the Taurus Mountains and the other to the south, they seem to have maintained at least some relations with each other. The Cappadocian texts so far discovered come from a period at least 400 years later than the time of the Agade texts from Nuzi, but the likeness between them is striking. The script of course is very different, but many of the personal names are identical and iterative names are very common in both. The grammar and syntax, too, are strikingly alike. For example, in the Akkadian letters translated above, as in all the others from Nuzi, the introduction runs as follows: "Thus (says) A: to B speak:". and this kind of introduction appears elsewhere only in the Cappadocian letters, absolutely identical with it except for the first word *en-ma*, "thus," which appears in its later form *um-ma*. Until the discovery of our texts it was known nowhere else, and, taken together with other data, it indicates some definite connection between the "Cappadocians" and the early migrants from the West into northern Mesopotamia.

## THE "CHALICE" WARE OF NORTHERN MESOPOTAMIA AND ITS HISTORICAL SIGNIFICANCE

E. A. SPEISER

Readers of the BULLETIN are familiar with the general results of the excavations at Tepe Gawra and at Tell Billah. They will remember, no doubt, that while Tepe Gawra is by far the older one of the two mounds, the occupation of Tell Billah continued long after the other site had been abandoned. For a not inconsiderable period of time the two settlements existed simultaneously; the upper strata of Gawra were contemporaneous with the early levels at Billah. With the aid of the material obtained in the last campaign, it is now possible to establish these synchronisms with greater precision. The purpose of this brief article is to fix the date of the earliest occupation of Billah in terms of the stratigraphic sequences of Gawra. It will be seen that the implications of such an inquiry are not confined to the history of the district of Nineveh, in which the two mounds are situated; they are considerably more far-reaching. But

we must not anticipate any further, beyond the bare statement that the key to the whole situation is supplied by a peculiar type of pottery which may be described broadly as the "chalice" ware. First in order, therefore, will be a short account of this ware.

There are two characteristic shapes in the group under discussion: a stemmed goblet with sharply marked shoulder and circular base, and a cup tapering at the base to a sharp point. The former shape is really a composite one, with the cup just described or, more frequently, a deep bowl set upon the stemmed foot (Fig. 1); the designation "chalice ware" may thus be employed to describe the entire class. The fabric is cream, buff, or grey, and is invariably finished with a slip; the ware was wheel-made and fired at a medium temperature when it first makes its appearance, but at a higher temperature in its later stages.



Fig. 1. Chalice from Gawra 7.

The majority of the specimens shows ornamentation on the outside. The decoration is either painted or incised, depending on the age of the deposit. To judge from the finds at Tell Billah, the earlier medium-fired ware was painted, the later high-fired group incised; the one occurs in stratum 7 of Billah, the other in Billah 6.

The painted decoration is monochrome. The colors may be a very deep brown (bistre) or a dull red, but the two are never employed together on the same specimen. With the finer painted fabrics the background (furnished by the slip) is generally pink or yellow. The repertoire of motives is rich and varied. The designs show either band or metope arrangement and they consist of both geometric and stylized naturalistic patterns. Rows of triangles with the apex of one pointed towards the base of the next one; hatched parallelograms and concentric elliptoids; herringbones and chequer and lattice fields; all these furnish the most common geometric motives. Of the natural objects, birds are most frequently portrayed. That the representations are stylized is obvious at first glance; in a particularly conventionalized rendering a row of presumably local birds may come to resemble a procession of penguins.<sup>1</sup> It should be noted that the decoration is strictly architectonic, being in definite relation to the shape of the vessel.<sup>2</sup>

<sup>1</sup> Cf. Fig. 2, last row. For the geometric designs see *ibid.*, first three rows.

<sup>2</sup> Cf. e.g., the lines on the foot of the chalice, Fig. 1.



The incised ware need not detain us long. It has been indicated that the painted ware represents a slightly earlier chronological stage. The designs on the incised fabrics appear with sufficient clearness on the attached photograph (Fig. 3).

So much for the characterization of our material. The question of relative date must now be taken up. We know that the users of the painted chalice ware were the first settlers on the site of Tell Billah.<sup>1</sup> Their remains belong to Billah 7, and while they are not entirely absent from the subsequent stratum, the incised ware is far more abundant in Billah 6 than are the painted vessels.

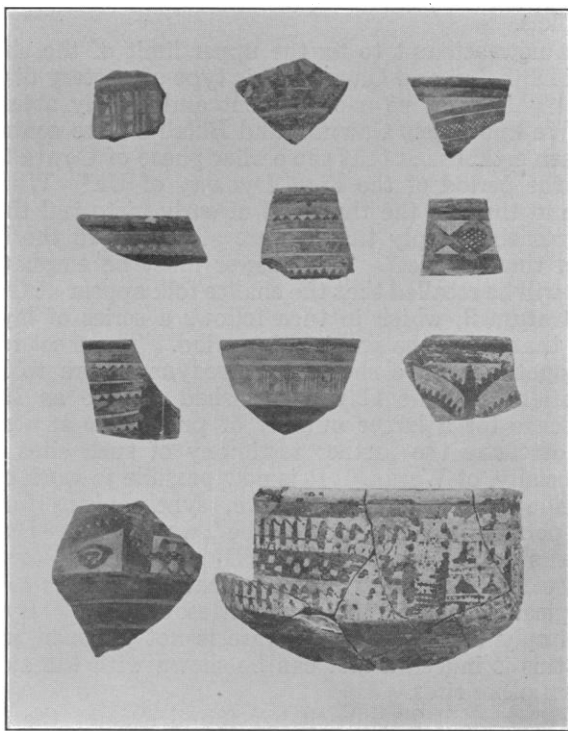


Fig. 2. Painted chalice ware, Billah 7.

Our next question concerns the stratigraphic position of the chalice ware at Tepe Gawra. Our single intact specimen (Fig. 1) was discovered in a trial trench, a circumstance which is not conducive to absolutely precise sequence dating. The subsequent excavations, however, which follow the method of taking the mound down layer by layer, have determined the exact depth of the chalice-bearing level.

Readers of the BULLETIN know<sup>2</sup> that Gawra 8 consisted of three distinct strata (8a, b, c) marked by different building activities, but related to each other by a common culture. Now the first two layers of Gawra 8

<sup>1</sup> To judge from the NW corner of the mound where virgin soil has been reached. The possibility must not be overlooked that with a mound as large as Billah different stratification might be obtained in other sections of the site. The first three strata, however, are identical throughout the entire area.

<sup>2</sup> See No. 47, p. 21.

are free from any traces of the chalice fabric. It is only with Gawra 8c that this ware first comes in to be carried over into Gawra 7. In neither of the above strata, however, is this pottery as common as in Billah 7 and 6. It appears, therefore, that the chalice folk arrived in the country towards the end of the Gawra 8 period. They founded the first settlement on the site of Tell Billah. At Gawra they seem to have mingled with the local population without driving it out of the district. It is quite likely that the chalice users brought ultimately to an end the brilliant period of Gawra 8; it is certain that they were in the country at the time of Gawra 7; but in both cases the native wares continue by the side of the imported fabrics, something for which neither Billah 6 nor 7 offer any tangible parallels.

We must now attempt to fix the upper limit of the chalice occupation. Both in Billah 5 and Gawra 6 this type of pottery disappears from general use. This gives us a convenient and doubly attested *terminus ante quem*. We know that Gawra 6 and Billah 5 were contemporaneous. It has also been established that the earlier phase of Gawra 6 corresponds *in date* with the period of the First Dynasty of Ur.<sup>1</sup> With the chalice period we stand thus on the threshold of early historical times in Mesopotamia. Does that imply that we are also close to the beginnings of civilization in that district? The answer must be emphatically in the negative. It will be recalled that the chalice folk appear at Gawra towards the end of stratum 8, which in turn follows a series of layers (over 12 meters deep) that mark the prehistoric period. The most recent excavations in Mesopotamia have shown the predynastic era to have been of unusual duration. Where Gawra furnished as late as 1927 the only concrete evidence for a larger number of prehistoric strata in Mesopotamia,<sup>2</sup> we now have the further testimony of such sites as Nineveh,<sup>3</sup> Ur,<sup>4</sup> and, especially, of Warka.<sup>5</sup> It is now possible to work out a series of important, though necessarily tentative, synchronisms for the earliest occupational periods in the Valley of the Two Rivers.<sup>6</sup> But these fascinating problems do not concern us directly at present. For our purposes it will be sufficient to inquire where the chalice period is to be placed in the chronological scheme of Southern Mesopotamia. By posing this question we imply that the chalice ware is not confined to Gawra and Billah; that this is indeed a fact can be shown with the aid of identical specimens from other sites.

Professor Campbell Thompson has found exactly the same pottery at Nineveh,<sup>7</sup> and Mr. Hutchinson dates that ware between the el-'Obeid period and the so-called Susa II class. Then we have a pot from as far south as Fârah, which shows absolutely identical painted decoration.<sup>8</sup> Lack of space prevents us from adducing close, but not exact, parallels

<sup>1</sup> *Ibid.*, p. 18.

<sup>2</sup> Predynastic remains had, of course, been reported from such sites as Abu Shahrain, el-'Obeid, Fârah, Jemdet Nasr, etc. But there was no evidence at the time that the prehistoric period would claim a considerable series of levels.

<sup>3</sup> Cf. *Annals of Archaeology and Anthropology*, 1931 (Vol. 18), pp. 103 ff.

<sup>4</sup> See especially *Antiquaries Journal*, 1930 (Vol. 10), 329 ff.

<sup>5</sup> For the very important results from Warka see the reports of Dr. Jordan in the *Abhandlungen der Preussischen Akademie der Wissenschaften, Phil.-Hist. Klasse* (to be abbreviated as *APAW*): I in 1929, No. 7; II in 1930, No. 4; III in 1932, No. 2.

<sup>6</sup> I have attempted to establish these synchronisms in an article which is to appear in the December issue of the *American Journal of Archaeology*.

<sup>7</sup> Cf. the publication quoted in note 3, pl. XXXIII, 1, 5, 10, 13, 14, 16, 19, 26, and 29; pl. XXXIV, 1, 2, 13, 14, 15, 17, 18, and 27. We are looking forward to the publication of the results of the 1930-31 campaign, during which Dr. Thompson discovered many splendid specimens of this class.

<sup>8</sup> Reproduced by Dr. Frankfort in Ebert's *Realexikon der Vorgeschichte*, Vol. 14, pl. XLI. The connection was first recognized by Mr. Hutchinson (cf. *loc. cit.*, p. 106).

from other sites. The specimen from Fârah supplies the necessary link with the south.

The period corresponding with the First Dynasty of Ur is preceded at Warka by two layers which Dr. Jordan assigns on very good grounds to the so-called Jemdet Nasr period.<sup>1</sup> The same general, if not always immediate, sequence is known from Ur, Kish, and Jemdet Nasr itself. The above-mentioned specimen from Fârah must be assigned to the same age. Among the painted fabrics from Jemdet Nasr are known both polychrome and monochrome types. The latter would thus furnish a not too remote parallel to the painted chalice ware from the north. Unfortunately, such incomplete resemblances are not conclusive by themselves. We must look for additional evidence.

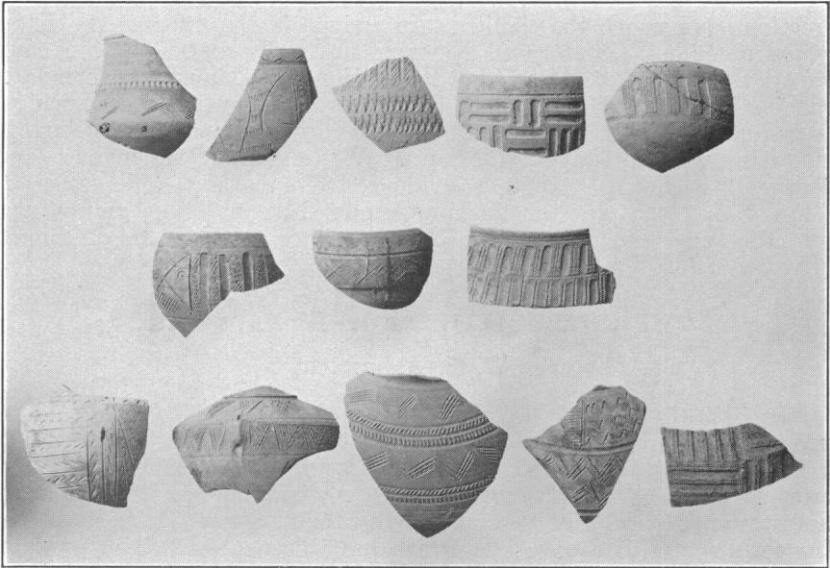


Fig. 3. Incised ware from Billah 6.

In addition to this distinctive pottery, the Jemdet Nasr period is marked in the south by the presence of cylinder seals, contracted burials, and the occurrence of squat pots with broad rims.<sup>2</sup> All these items are paralleled in Billah 6, where we have the second phase of our chalice culture. Incidentally, the appearance of the chalice users coincides in the north with the introduction of the cylinder seal. The first cylinders from Gawra came up in the seventh stratum; they were still unknown to Gawra 8.

There can be, therefore, little doubt that the chalice period of the north corresponds to the Jemdet Nasr era of the south in date and also in a number of material characteristics. Our chronological problem has thus been solved. I doubt, however, whether we can claim actual identity for the two groups. To use Dr. Frankfort's terminology, the chalice

<sup>1</sup> Cf. *APAW*, Jordan II, pp. 20 ff.

<sup>2</sup> I have singled out only such characteristics as are paralleled at Tell Billah. It may be added that with the chalice ware there appears at Tepe Gawra the spouted type of pottery, while a "beaked" specimen is known from Billah 6, both being good Jemdet Nasr occurrences.

culture links up more closely with the Highland group than with the Lowland one, to which latter the Jemdet Nasr civilization seems to point. In this connection I am not concerned so much with the difference between polychrome and monochrome decoration; for, in the first place, both types occur at Jemdet Nasr and at Susa II, and, secondly, prehistoric Gawra (levels 9 down), which corresponds with the el-'Obeid period, also shows polychrome fabrics by the side of monochrome ones. More significant seem to be the architectonic arrangement of the decoration, a style that is comparatively free from naturalism, and the distinctly stylized nature of the cylinder seals. Our difficulty might be obviated by the assumption that the Billah ware (to name it so after the site where it was first found in large quantity) represents a separate wave of the Jemdet Nasr movement. At any rate, there can be no doubt as to the direction from which the chalice ware arrived in the south. Its concentration at Billah, Gawra, and Nineveh, obviously marks the movement as from the northwest. It is from that region that it must have emanated, reaching Northern Mesopotamia in full force, its outposts advancing as far as Sumer and Elam. When Southern Mesopotamia was reached, the Sumerians were already in the land. Writing had been invented previously, as is shown by the new evidence from Warka.<sup>1</sup> The association of the semipictographic tablets from Jemdet Nasr with the painted ware from the same site is a matter of coincidence rather than of common origin.

## THE CHALCOLITHIC AGE IN PALESTINE

W. F. ALBRIGHT

In 1929-31 Père A. Mallon, Director of the Pontifical Biblical Institute in Jerusalem, conducted some epoch-making excavations in a group of low mounds known as Tuleilat el-Ghassûl, in the eastern side of the lower Jordan Valley, opposite Jericho. At first he was assisted by the prehistorian, René Neuville, and later by the geologist, Pater R. Köppel. The results of this excavation, which have been described in numerous reports published in *Biblica*, 1929—, are of very great interest to every student of ancient Palestine. Four superimposed strata were found, separated from one another by layers of ashes and wind-blown earth. The greatest depth of the accumulation is nearly five meters (about sixteen feet). However, there is little difference between the culture of the four strata, which, therefore, represent a single culture, termed "Ghassulian" by Neuville.

The Ghassulian culture had a characteristic flint artifact industry, the outstanding type being the so-called fan-scraper, shaped like a fan. At the very end of the period appear a few examples of the typical Canaanite knife with parallel sides, which is characteristic of what Neuville has called the Tahurian industry (see BULLETIN, No. 42, p. 14 f.). The pottery is remarkably well made, and contains many new types, as we shall see presently. The most extraordinary discovery made on this site is that of fresco paintings on plaster, representing a bird and a procession of some sort. The earlier reports described numerous polished pebbles, covered with geometric decoration, and alphabetiform markings on potsherds, but most of these objects and marks have since been shown to

<sup>1</sup> See *APAW*, Jordan III, pp. 11 ff.



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# NEW KIRKUK DOCUMENTS RELATING TO SECURITY TRANSACTIONS <sup>1</sup>

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## PART I

IN THE YEAR 1930 I published in *AASOR* X. 1-73 an essay dealing with the "New Kirkuk Documents Relating to Family Laws." From Chiera's *Texts of Varied Contents* (*HSS* V) 40 documents had been selected, which illustrated the application of the family laws of ancient Nuzi. They were presented in transliteration and translation, and an analytical introduction took up the subject matter in considerable detail. The present contribution forms a second essay based on the same Harvard volume. This time the starting point of the discussion is the group of so-called "security transactions" (*ditennūtu* tablets). *HSS* V was found to contain 20 texts that have a direct bearing on the subject; they are likewise presented in transliteration and translation, and the introduction offers an analysis of the contents. One other document has been included (21) because of the light that it sheds upon the problem of *kaška*,<sup>2</sup> with which we meet so frequently in these texts.

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<sup>1</sup> The following abbreviations have been used in the present study:

*AASOR*: *Annual of the American Schools of Oriental Research*

*AfO*: *Archiv für Orientforschung*

*AO*: *Archiv Orientalní*

*ASAW*: *Abhandlungen der Philologisch-Historischen Klasse der Sächsischen Akademie der Wissenschaften*

*Family Laws*: Speiser, "New Kirkuk Documents Relating to Family Laws," *AASOR* X (1930), pp. 1-73

*Gadd*: "Tablets from Kirkuk," *Revue d'Assyriologie* XXIII (1926), pp. 50-161

*NKRA*: Koschaker, "Neue keilschriftliche Rechtsurkunden aus der El-Amarna-Zeit," *ASAW* XXXIX, no. V.

*Nu.*: Chiera: *Joint Expedition with the Iraq Museum at Nuzi* (*Publications of the Baghdad School*)

*RORH*: Koschaker, "Über Einige Griechische Rechtsurkunden aus den Östlichen Randgebieten des Hellenismus," *ASAW* XLII, no. I.

Other titles have been cited in full.

<sup>2</sup> See below, section 7.

In a third and final essay I intend to subject to a similar treatment all the remaining tablets of *HSS V*.

As was indicated in *Family Laws*, the material here offered has been ready for publication for several years. Two seasons of field work in Iraq have been primarily responsible for the long delay. In the meantime, there has appeared another Harvard volume of Nuzi texts (*HSS IX*), selected and copied by R. H. Pfeiffer. Quite naturally, I have not ignored in the present discussion this exceedingly welcome accession to the rapidly growing Nuzi Library. In the case of a recently opened field, such as that of the Kirkuk texts, fresh material helps to place the discussion on a broader basis, even where it does not alter or modify conclusions that had been previously reached.

Thureau-Dangin's system of transliteration (*Le Syllabaire Accadien*) has again been followed without being carried, however, to such logical extremes as in *Family Laws*. As I understand the system, it favors a rendering of the cuneiform characters that aims to be as consistent and as exact etymologically as is reasonably possible. Consequently, where the Nuzians, who did not distinguish between voiced and voiceless stops, gaily confused the ones with the others, the correct spelling should be indicated while the actual mode of writing is shown at the same time by means of a given set of conventions. Otherwise one and the same word would appear in so many wondrous disguises as to baffle utterly the uninitiated. For the same reasons, Hurrian proper names should have their voiceless forms, with but one notable exception.<sup>3</sup> However, some of the sibilants should be exempted from this treatment. When the texts write *sa-ti-ir* for *šatir*,<sup>4</sup> it is evident that Hurrian did not possess the š-sound, and that the Akkadian words in which that sound is written correctly owe that honor to historical spelling. Such words, therefore, have been transliterated just as they are found in the texts. The same has been done with words of uncertain or debatable origin, such as *kaška*<sup>5</sup> and *ditennūtu*. The result is

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<sup>3</sup> The exception is the writing of *gi* instead of the otherwise expected *ki*, a procedure entirely too consistent to be due to mere accident or carelessness. The writing obviously represents the palatalized *k*-sound (*č*), for which *GI* was conveniently available. Cf. *Family Laws* 4.

<sup>4</sup> Cf. 1. 31; 2. 31; 3. 36; 8. 25; 17. 34. M. Thureau-Dangin himself kindly suggested this course in a personal communication.

<sup>5</sup> This applies, of course, to the transliterations of the text. In all other

inevitably a certain degree of inconsistency, but the advantage of not prejudicing the case in question will compensate for the loss of uniformity.

In point of fact, the student of Kirkuk texts must put up with much irregularity, especially where grammar is concerned. He must disregard completely his orderly ideas concerning absolute agreement in case and gender. The number of Nuzian scribes who successfully avoided the pitfalls of Akkadian morphology and syntax is conspicuously small. What, for instance, is a helpless editor to do with such phrases as: *ša pí-i ʔup-pí an-nu-ú, ú ša ʔup-pí la-bi-rum* (7. 13)? How is one to get around such lawless formations as *qāt . . . ʔupšar-rum* (3. 36; 5. 46; 17. 34)? What should he do when the termination is not given, but must be supplied? Is he wilfully to be ungrammatical and follow the local usage? <sup>6</sup> Whatever course he may choose, he will do well to warn the reader that correctness and consistency cannot be expected in the texts under consideration.

As is customary, parentheses indicate such reader's aids as numbers of lines, added words in the translation, and so forth, all of which are absent in the texts. Omissions and additions are shown in the usual way. Italics point to uncertainties in the translation; italicized numbers mark the order of documents in the present study, as opposed to the order in *HSS V*. Since the transliterations are equipped with the necessary scientific guides, the appended translations need not duplicate the procedure. Hence the additions are marked only in the transliterations, and the spelling of proper nouns in the translations is conventional; the male determinative has been omitted in the English version, the female

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instances I have favored *kaška* in place of the more common *qašqa* because of the evidence of the non-Nuzian sources (see below), *Ka* and *qa* are interchangeable in the Kirkuk texts, the latter being preferred on account of its simpler form.

<sup>6</sup> The main trouble is that no consistency in usage can be detected. This is particularly evident when it comes to rendering the Akkadian correspondent of the partitive genitive. Where the phonetic complements are added or where the words are spelled out, we find in such cases both the nominative (10 *SU kaspu šar-pu*, *HSS V*. 62. 11) and the accusative (2 *LU damqa<sup>qá</sup>*). Where the ending had to be supplied, the accusative has been employed.



determinative is a suspended *f*, and "city" is indicated by a suspended *c*.

Following is a table of correspondences between the numbers of the documents in the present study and those of the Harvard volume.

Present article	<i>HSS</i> V	
1 . . . . .	91	} TABLETS MARKED AS <i>ṭuppi ditennūti</i>
2 . . . . .	89	
3 . . . . .	81	
4 . . . . .	87	
5 . . . . .	83	
6 . . . . .	84	
7 . . . . .	85	
8 . . . . .	88	
9 . . . . .	90	
10 . . . . .	82	
<hr/>		
11 . . . . .	40	} DECLARATIONS AND STATEMENTS WHICH MENTION <i>ditennūtu</i>
12 . . . . .	38	
13 . . . . .	12	
14 . . . . .	18	
15 . . . . .	22	
16 . . . . .	33	
17 . . . . .	41	
18 . . . . .	4	
19 . . . . .	39	
20 . . . . .	86	
<hr/>		
21 . . . . .	14	= THE <i>kaška</i> DOCUMENT

### I. ANALYSIS OF THE TEXTS

The transactions that bear the novel title of *ṭuppi ditennūti* are well represented in the Kirkuk sources.<sup>7</sup> The present study, as well as *HSS* V upon which it is based, contains 20 documents which concern *ditennūtu* directly or indirectly. The number is large enough to justify a schematic arrangement of the more complete records, prior to entering into a detailed discussion of their general significance and of the individual clauses which they contain.

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<sup>7</sup> In addition to the passages cited in *NKRA* 131, note 1, and the documents presented in this study, *ditennūtu* or *ditennu* figure in the following hitherto published texts: Nu. II 102, 111, 189, 192; Nu. III 289, 290, 292, 294-297, 299-301, 203-305, 307, 308, 309-311, 315, 318, 319; *HSS* V. 5. 66; *HSS* IX. 13, 15, 20, 27, 28, 97-107, 118, and 156.

1. *Ṭuppi dītennūti ša A: eqla (size and location) ana dītennūti ana x šanāti ana B iddin.*  
Document of *dītennūtu* belonging to A: Land (size and location) into *dītennūtu* for x years to B he has given.
2. *Ū B kaspā (ana dītennūti) ana A iddin.*  
And B has given to A objects of value (into *dītennūtu*).
3. *Immatimê (enuma) x šanāti imtalû, kaspā A ana B utâr û eqlāšu ileqqi.*  
When the specified period has been fulfilled, A shall return the goods to B, and his land he shall take back.
4. *Šumma eglu paqirāna irāšši, A uzakkāma.*  
If the field has a claimant, A shall clear it.
5. *Šumma eglu maīaru, lâ ileqqi.*  
If the field had been plowed over, (A) shall not take it back.
6. *Šumma eglu mād, lâ inakkis; šumma šihir, û lâ uraddi(a)*  
If the field be large, it shall not be curtailed; if it be small, it shall not be increased.
7. *Ina libbi eqli šāšu kaška lâ ileqqi (niksa lâ inakkis)*  
Out of the midst of that field the *kaška* shall not be removed (the moiety shall not be deducted).
8. *Manummê ina libbi x šanāti ibbalkatu 1 alpa umallā.*  
Whosoever within the specified time breaks the agreement, shall furnish one ox.
9. *Ṭuppu ina arki šūdūti ina <sup>c</sup>X šatir.*  
The tablet was written after the proclamation in the city X.

Characteristic of our documents are, of course, clauses 1-3, which are indeed always present or implied in the *dītennūtu* texts proper (1-10). New are also the provisions of 5 and 7. Clauses 4, 8, and 9, on the other hand, are known to us from the documents that deal with family laws,<sup>8</sup> and their presence in the *dītennūtu* records is by no means invariable. In all cases minor differences in phraseology are both possible and common. The above schematic arrangement is composite, since all the clauses are rarely found together in one document. Such records as our texts 11-20, which are in the main declarations concerning *dītennūtu*, will naturally contain a smaller number of the customary provisions.

<sup>8</sup> Cf. *Family Laws* 5 ff.

We are now prepared for a discussion of the individual clauses in the order of their listing.

1. First in line is the superscription "*ṭuppi ditennūti.*" This technical term merits a thorough investigation. The problems at hand are to ascertain the legal position of the institution and to consider the etymological possibilities of the name. The inquiry will be on safer grounds if the two questions are first studied independently.

In each *ditennūtu* transaction two sets of values change hands. A gives to B certain specified fields,<sup>9</sup> or he assigns to him for servitude a member<sup>10</sup> or members of his family, himself,<sup>11</sup> or one or more of his servants.<sup>12</sup> In return B hands over to A a definite capital (*kaspu*), which may consist of gold,<sup>13</sup> bronze,<sup>14</sup> copper,<sup>15</sup> lead,<sup>16</sup> grain,<sup>17</sup> domestic animals,<sup>18</sup> wool,<sup>19</sup> articles of clothing,<sup>20</sup> and the like.<sup>21</sup> The juxtaposition is significant: on the one side we have productive property, on the other a pecuniary counterpart, or in other words, property is balanced by currency.<sup>22</sup> In this manner

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<sup>9</sup> It is noteworthy and, as we shall see, important that buildings as such do not figure in these transactions. Certain lands, however, may contain some buildings, in which case it is so stated (cf. 14. 6).

<sup>10</sup> Cf. document 10.

<sup>11</sup> We have such an instance of self-enslaving in document 11.

<sup>12</sup> For other instances of personal *ditennūtu* cf. NKRA 132, note 1. The same type of security appears prominently in the texts of Nu. III (see above, note 7).

<sup>13</sup> Not in these documents, but in *Gadd* 62.

<sup>14</sup> Cf. 2 and 4.

<sup>15</sup> See, e. g., 6 and 7.

<sup>16</sup> Cf. 4, 13, 14, 15, 16, 17, 18, and 19.

<sup>17</sup> See 1 and *passim*.

<sup>18</sup> Cf. 3, 9, 10, 12, and 14.

<sup>19</sup> *Passim*.

<sup>20</sup> Cf. 5 and 10.

<sup>21</sup> Several of the above articles may, of course, be used in a single transaction.

<sup>22</sup> We are dealing here with money in its primitive form as is shown by the frequent mention of metal and, for that matter, of sheep (cf. Lat. *pecunia*). This fundamental distinction between property and currency makes it difficult to follow Koschaker in considering *ditennūtu* as an institution for mutual usufruct (cf. *RORH* 87). Koschaker himself recognizes (*ibidem*) that usufruct applies less well to currency than to real estate and personal security. Different is the situation in the few cases where both parties furnish the services of slaves; it may be that an

A becomes the debtor, B the creditor, and the property of A serves as security, the usufruct of which represents the creditor's compensation. The entire transaction falls thus under the category of mortgages with antichresis.

It is entirely beyond the competence of a philologist to penetrate into the legal niceties of the situation.<sup>23</sup> His comments must be confined only to such surface results as can be obtained from a careful examination and comparison of the existing sources. He remains in control in so far as he is in a position to decide whether the interpretation of the jurist proceeds from correct philological premises.

The *ditennūtu* documents have from the beginning attracted the attention of Cuq and Koschaker. Cuq has expressed<sup>24</sup> and defended<sup>25</sup> the view that *ditennūtu* represents a case of rental whereby the yield of the property involved neutralizes the interest on the capital. To his legal scruples about accepting Cuq's position Koschaker adds a valid philological objection: the phrase "to give into *ditennūtu*" may be used by both parties;<sup>26</sup> would it make sense to say that the debtor has received capital "for rental"? The earlier view of Koschaker himself was that *ditennūtu* represented a redeemable purchase (Lösungskauf), whereby the debtor had the right but not the obligation to redeem his property within a specified period of time.<sup>27</sup> In reaching this decision, the eminent Leipzig jurist was influenced to a certain extent by the derivation then current of *ditennūtu* from the verb *tadānu* "to give, sell."<sup>28</sup> Evidence that has since become available caused Koschaker to modify his original views on the subject.<sup>29</sup> A sale would imply transfer of ownership; but such texts as *HSS V. 56 (Family Laws 43 f.)* show clearly that the debtor retains ownership with certain conditions. The creditor has also rights of ownership so far as the

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accepted formula has been extended here to cover instances of a different type; for passages and comments cf. *NKRA* 131, note 7.

<sup>23</sup> Koschaker has done this admirably in *RORH* 83 ff. Even though I fail to agree with him on several important issues, I again gratefully acknowledge my indebtedness to his works.

<sup>24</sup> *Journal des Savants* 1927, pp. 396-398.

<sup>25</sup> *Études sur le droit Babylonien* 425 f.

<sup>26</sup> *RORH* 84.

<sup>27</sup> *NKRA* 134 f.

<sup>28</sup> *Ibidem* 131.

<sup>29</sup> *RORH* 84.

usufruct is concerned; we thus arrive at a type of divided ownership.<sup>30</sup>

One element in this case is obvious and beyond dispute: the creditor is in possession of the property involved. Assumption of possession is the basic act of the transaction. Hence no one will disagree with Koschaker when he occasionally equates *ditennūtu* with "Besitzpfand."<sup>31</sup> For his part, the debtor is in possession of the capital in question; this too is essential and undebatable.

We may now turn our attention to the etymology of the term. The derivation of *ditennūtu* is at present admitted to be more difficult than it appeared to earlier investigators. Scheil<sup>32</sup> and Gadd<sup>33</sup> would connect the noun with *tadānu*, a byform of *nadānu* "to give." Koschaker accepted this etymology in *NKRA*, with the somewhat grudging approval of Landsberger, who could not but be aware of the unorthodox and unparalleled formation in this particular instance.<sup>34</sup> The derivation from *tadānu* has never commended itself to me for both semantic and grammatical reasons, and I voiced my doubts on the subject in *Family Laws*.<sup>35</sup> In the meantime, Koschaker has also found the semantic results inadequate.<sup>36</sup> He would now consider *ditennūtu* as a Hurrian word, analogous in formation to the indubitably Hurrian *artartennūtu/ artartentu*, and he would translate it as "usufruct."<sup>37</sup> This represents a step forward, but it is not enough of an improvement. To be sure, the idea of usufruct applies to the majority of cases in which *ditennūtu* and its derivative *ditennu* are used. But it is stressing the point a bit too far to say that the capital as well is given for usufruct.<sup>38</sup> Nor does the idea of usufruct appear to be important enough to be singled out to the exclusion of everything else; it is incidental and taken for granted, which is precisely what happens in similar cuneiform documents outside of the Kirkuk district (Arrapha).

Furthermore, it is practically certain that *ditennūtu* is not a Hurrian word. It is true that the Nuzians had a predilection for

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<sup>30</sup> Ibidem 87.

<sup>31</sup> Ibidem 86, note 3. See also note to 9. 35.

<sup>32</sup> *Revue d'Assyriologie* XV, p. 66, note 1.

<sup>33</sup> Gadd 55.

<sup>36</sup> *RORH* 87.

<sup>34</sup> *NKRA* 131, note 4.

<sup>37</sup> Ibidem.

<sup>35</sup> P. 12, note 22.

<sup>38</sup> Cf. above, note 22.

abstract formations ending in *-ūtu*; but such formations are overwhelmingly Akkadian in origin.<sup>39</sup> The decisive blow, however, to the Hurrian aspirations of *dite* is dealt by the phonetics of the case. As has been noted by Koschaker,<sup>40</sup> the spelling of the word varies: the first two syllables may be expressed as *dite-* or *tite-*, in isolated instances also as *tide-*.<sup>41</sup> Now it is known from the study of Hurrian proper names that no distinction was made in that language between voiced and voiceless stops.<sup>42</sup> Such writings as the meaningless GAR.PA<sup>43</sup> for the Sumerian GAR.BA (*qištu*) show that voicelessness was the rule. When we find the sign *qa* generally confused for *ka*,<sup>44</sup> or *du* for *tu*, no shadings in pronunciation are thereby indicated. The preference for *qa* and the writings with *du* are exclusively due to the fact that these signs are shorter and simpler than *ka* and *tu*. Where there is no functional difference between two possible choices, economy of effort will dictate the easier one. The same cannot be said, however, of *ti* and *di*; as a matter of fact, *ti* is the shorter sign. Hence when we find the writing *dite-* not once or twice, but actually in the majority of cases,<sup>45</sup> this can mean only one thing: the spelling is historical, the word having had originally a *d* for its initial consonant.<sup>46</sup> This in turn rules out the possibility of the Hurrian

<sup>39</sup> In addition to the common *marūtu*, *martūtu*, *abūtu*, *ḥazannūtu*, *aḥūtu*, and *aḥātūtu*, we have *amtūtu* (HSS V. 67.36), *aššūtu* (HSS V. 53.32; 67.16), *ikkarūtu* (Nu. III 318.5), and the like; on the Hurrian side may be mentioned the well-known *manzatuḥlūtu*, and the above-mentioned *ar-ta-ar-ti-in-nu-ti* (in the genitive, HSS V. 36.4).

<sup>40</sup> NKRA 131, note 3.

<sup>41</sup> Cf. *ti-di-nu-ut-ti*, Nu. 318.4, 8. See also *Gadd* 2.4, 15.

<sup>42</sup> For the seeming exception in the case of *gi*, see above, note 3. It may be of interest to note that the stops *k*, *q*, *g* are often palatalized in modern Iraqi Arabic before front vowels, probably under Persian influence.

<sup>43</sup> Nu. I 29.14. The Sumerian ideogram cannot, of course, be written phonetically and retain its original meaning. Cf. also RI.PA.NA for RI.BA.NA, HSS V. 75.15.

<sup>44</sup> Conversely, *gamir* is written *ka-mi-ir*, HSS V. 76.31. The writer knew that the stop (voiced) was in some way different from the usual run (voiceless); but in trying to show off his learning he put down the exact opposite, his ear being dead to such distinctions.

<sup>45</sup> In the texts published so far the initial dental is marked as voiced in 73, as voiceless in 62 instances.

<sup>46</sup> The second dental is voiceless in all but half a dozen cases (cf. note 41), which we may put down to scribal mannerisms; cf. note 44. For that

origin of *ditennu* and *ditennūtu*; the nouns were presumably Akkadian.

Turning now to Akkadian, we find our possibilities mercifully limited. There being no recognized verb *datānu*, we are left with either *dānu* or *danānu* in a reflexive formation. For *dānu* a tolerable case might be made out; but too much would have to be taken for granted.<sup>47</sup> On the other hand, *danānu* will be found to work out surprisingly well. The favorite Nuzian ending *-ūtu* added to the infinite of the first reflexive conjugation *ditanunu* yields *ditanunūtu*, which through syncope and vowel reduction before the resulting long consonant becomes *ditennūtu* with comparative ease. To be sure, the simple reflexive of *danānu* is not otherwise documented; but we are dealing here with an entirely new word, and if the intermediate stages are explained there is no valid reason to deny the expression the rights of citizenship.<sup>48</sup>

What then would be the meaning of *ditennūtu*? In this inquiry we shall have, I think, easier sailing. The verb in its simplest form means "to be strong"; the reflexive form would give us something like "to be in power." How do we get from this meaning our required legal concept? A remarkable Hebrew analogon will help point the way. The post-Biblical חזקת has in its legal application the meaning of "possession,"<sup>49</sup> as against or prior to outright ownership. The semantic development is quite obvious, the intermediate stage being "to have the power over, to lay one's hand on" something. There is no reason for not seeing in *ditennūtu* an exact parallel to the Hebrew term. Moreover, the development of the other Akkadian expressions for "pawn, security" points in the same direction. The most widely used term is *šapartu*, which no lesser an authority than Landsberger

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matter, *di* crops up occasionally in proper names (cf. 7.2 for *ar-di-ir-wi*) where it certainly does not belong. It is through such slips that we gain an insight into the workings of the scribal minds. To be sure, the possibility must not be overruled that the second dental may be emphatic (*ṭ*); but this would be just as fatal to the Hurrian origin of the word.

<sup>47</sup> A reflexive form of *dānu* "to judge" might denote a mutual legal obligation; cf. the frequent clause: "if the property has a claim (*dīna*) against it": The morphology of the word, however, would remain obscure.

<sup>48</sup> The analogy of such a pair of terms as *kidinnu* and *kidinnūtu* may have been an important factor in the formation *ditennu* and *ditennūtu*.

<sup>49</sup> Cf. Jastrow, *Dictionary of the Talmud* 445.

connects with *šapāru*,<sup>50</sup> meaning "to send," then "to direct," and "to have authority." Such a technical phrase for pawning a thing as *ana šiprūti ezēbu*<sup>51</sup> might have very well conveyed originally the sense of "leaving in one's power, possession." Where reference is made to personal pawn the verb *erēbu* is employed; it means "to enter," into the house, hence under the authority, of the owner.<sup>52</sup> The status of those who have thus "entered" is that of complete, even though temporary, servitude. For each day that such an *erubu* (note the analogy to *ditennu*) absents himself from the service of his master he must pay a specified sum as compensation (*urihul*).<sup>53</sup> The repayment of the capital results in the coming out (*uṣṣi*) or freeing (*uštēši*) of the *erubu*. The Hebrew עֲרֵבָה.<sup>54</sup> and the Greek ἀπαβών "pawn, pledge" are developments of the same idea.<sup>55</sup> In all these cases the underlying and fundamental idea for pawn is "being under the authority of the creditor."

To return to our documents after this long digression, it will be readily seen that the meaning "possession" (as distinct from ownership) admirably fits all the cases in which *ditennūtu* and *ditennu* occur.<sup>56</sup> *Ana ditennūti nadānu, leqū* is "to give, take into possession"; *ana ditennūti kullu* is "to hold in (for) possession"; *eqlu ditennu* becomes "a field held in possession," and so forth. Most convincing is the fact that this translation suits equally well the instances in which the capital is transferred *ana ditennūti* "into the possession" of the borrower. Similarly *ramāniia ana ditennūti ina bît ša A . . . uštērib* (11.6 ff.) makes better sense when translated "I have entered myself into possession into the house of A" than "I have entered myself for usufruct." If it is true that the value of a given clue increases with the number of problems

<sup>50</sup> NKRA 96.

<sup>51</sup> Ibidem, note 4.

<sup>52</sup> Cf. San Nicolò, *AO* IV. 34 f. To postulate two separate Hebrew roots, one with the meaning of "pawning" and the other of "entering, setting (of the sun)," as is done by Gesenius-Buhl and Brown-Briggs-Driver, is therefore unnecessary. Both are cognates of Akkadian *erēbu* "to enter."

<sup>53</sup> A frequent occurrence in the Nuzi texts. In the present documents the term is found in 10.30; 11.17. That *urihul* does not mean "fine" but "upkeep" or "compensation" is proved by Nu. III 273.19.

<sup>54</sup> Prominent in *Genesis* 38, in the story of Judah and Tamar.

<sup>55</sup> As shown by San Nicolò and his predecessors, *AO* IV. 34 f.

<sup>56</sup> The combinations are listed in *RORH* 87, note 2.



which it helps to solve, then the meaning which we have found for *ditennūtu* cannot be far wrong. It may perhaps help us to understand what was really essential in the conception of the law of security in ancient Mesopotamia and in the neighboring territories.

2. The kind of capital (*kaspu*) which the debtor receives in exchange for the use of his property was indicated in the preceding section. It was explained that the *kaspu* is likewise given *ana ditennūti*, but that this technical expression is rarely used. The reason is not far to seek; since the money that the creditor hands over is obviously "for possession," a special statement to this effect is not required.

3. In transactions of the *ditennūtu* type the time element is important; hence the period is nearly always specified. In the present documents the variations range from a few months to ten years. The shortest term is still the nearest harvest;<sup>57</sup> then we have all the stages from one to five years,<sup>58</sup> and one case of ten years.<sup>59</sup> Those instances where the time is not stated, the period being apparently indefinite,<sup>60</sup> are with one exception (19) extensions of old contracts. The usual formula runs as follows: "Formerly (*ippananumma*) A gave to B certain lands; and now (*inanna*) A again gives these lands to B, and B gives to A a sum of money. When the capital stated in both the old and the present document has been returned to B, A shall take back his field." The interesting question arises as to the reasons that prompted the creditor to raise the original sum; it is certain, as Koschaker has pointed out, that the creditor need not release the security until his money has been paid. The extension must therefore be advantageous to the creditor. Koschaker tries to indicate this advantage by suggesting that the additional money was never actually paid, but that the second sum merely represents so much increase in the debt; in other words, because the debtor has been unable to meet his original obligation, it shall cost him that much more to free his field if he is ever in position to do so.<sup>61</sup> This ingenious theory has much in its favor. If I fail to accept it, the reason is only that our texts speak quite unambiguously about an actual second payment.

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<sup>57</sup> Cf. document 11.

<sup>58</sup> One year in 13, two in 5, three in 1, 2, 4, 6, 10, and 20; four years in 3 and 8, five in 7 and 9.

<sup>59</sup> Document 14.

<sup>60</sup> So in 13 and 15-19. <sup>61</sup> *RORH* 89 f.

This being the case, we must assume that the creditor found it profitable to increase the original loan. It would follow that the first loan did not represent the full value of the mortgaged property; the addition would thus make up the difference, leaving no doubt an adequate margin in favor of the creditor. By means of such refinancing a mortgage would be virtually converted into a sale. It is very unlikely that the overburdened debtor was in these cases ever expected to redeem his property. The setting of a further time limit became superfluous, and few cared to indulge in such academic speculations.

4. This clause occurs also in sale-adoptions.<sup>62</sup> It provides against eviction on the part of other possible creditors. The provisions are self-explanatory and require no further comment.

5. The credit for the successful elucidation of this clause belongs to Landsberger and Koschaker.<sup>63</sup> The word *maīaru* is known to designate a type of plow; work with the *maīaru* is one of the first steps in cultivating the land. If the debtor should be ready with his payment after the land held as security has been plowed with the *maīaru*, the creditor would be deprived of the benefits of his work if he had to return the land immediately. Consequently, the debtor must not take back his property before the next harvest.

6. This clause, too, is common in sale-adoptions, not to speak of records other than those from Nuzi.<sup>64</sup> In its numerous variations<sup>65</sup> it provides for the acceptance of the measurements as indicated in a given document, even if these should later prove to be inexact.<sup>66</sup> Once the contract is duly certified, its statements must be regarded as final.

7. In the statement about the *kaška* we again have a provision that is peculiar to the *ditennūtu* texts. The debtor must not remove the *kaška* from the field which is in the (temporary) possession of the creditor. This injunction presents considerable difficulties. As stated in these texts, it alludes to some usage for which

<sup>62</sup> Cf. *Family Laws* 15, and *NKRA* 55.

<sup>63</sup> *NKRA* 133 f.

<sup>64</sup> Cf. San-Nicolò, *Schlussklauseln* 208.

<sup>65</sup> Cf. *Family Laws* 15, note 32.

<sup>66</sup> For the latest variations see *HSS* IX. 19. 16-17, and 20. 22-23: *šumma ina mindati irabbu/i* "if it exceeds in its measurements," and *ibidem* 103. 18: *mišrišūma ukāl* "its (stated) boundary it shall retain."

there seems to be no parallel in the cuneiform literature. Our course is to investigate thoroughly all the passages in which the term occurs. It is precisely for this reason that text 21 has been included in this study, although it does not deal with *ditennūtu*. Apart from these documents the *kaška*-clause is found four times in *HSS IX*.<sup>67</sup>

First we must consider the word itself. It is spelled *ka-aš-ka*,<sup>68</sup> *qa-aš-qa*,<sup>69</sup> *qa-as-qa*,<sup>70</sup> and *qa-sa-qa*,<sup>71</sup> the genitive is *qa-aš-ki*,<sup>72</sup> with suffixes the word becomes *qa-aš-ki-ia*,<sup>73</sup> and twice we meet the puzzling form *qa-aš-gi-ni-wa*.<sup>74</sup> These inconsistencies signify more than the customary Nuzian carelessness in rendering the stops, as may be seen from the interchange of *sa* and *as*; they indicate that the term—probably imported from outside<sup>75</sup>—was too technical and restricted in usage to have acquired a uniform representation in writing.

What meaning can be assigned to *kaška* from the context? We know that it denotes something on the pawned field which must not be removed by the debtor. It cannot represent the entire crop since the *ditennūtu* transaction would be meaningless in that case. For it is evident that unless the clause was included in the contract, the creditor had no claim to the *kaška*; what would have been his compensation for the loan if he had no obvious right to the usufruct of the security? The term must therefore apply to some part of the whole. Was it the as yet unharvested grain, the yield from what had been sown before the transaction was arranged? This possibility is ruled out by the fact that *kaška* is used also in cases of extension of the *ditennūtu*; even though the creditor has had the field in his possession for a number of years, the clause is

<sup>67</sup> 98. 31 f.; 103. 24; 105. 46 f.; and 106. 25.

<sup>68</sup> 7. 31; 20. 16.

<sup>69</sup> 2. 26; 12. 12; *HSS IX*. 98. 31; 103. 24; 106. 26.

<sup>70</sup> 3. 20.

<sup>71</sup> 1. 25.

<sup>72</sup> 21. 4, 7, and case.

<sup>73</sup> 21. 10.

<sup>74</sup> 14. 28; *HSS IX*. 105. 46. Cf. note 85.

<sup>75</sup> In spite of the sporadic occurrence of this term in non-Nuzian cuneiform literature (see Meissner, *Afo V*. 184, and cf. below for the connection with our sources) the word is hardly Sumerian or Akkadian. The ending *ni-wa* tends to assign it to the Hurrian group.

repeated when the contract is renewed.<sup>76</sup> Here the debtor could have nothing to do with the last sowing.

How is the *kaška* obtained? The verb that usually describes the process is the non-committal *leqû* "to take, remove." We have, however, in these documents two instructive variations of the *kaška*-clause. In 33. 36 f. and in 87. 23 f. we read: *i-na lib-bi (ištu) eqli (šāšu) ni-ik-sà la i-na-ak-ki-sú (-is)* "from the midst of that field no cut shall be made." This statement cannot refer to the *ma'd-šihir* clause (no. 4), in which *nakāsu* also figures, because the phrasing is different; besides, HSS IX.101.36 has *i-na libbi eqli an-ni-i ni-ik-sà la i-na-ak-ki-is ù la i-liq-qì* in addition to the other clause. Thus *kaška* is definitely something that can be "cut."

We must now discuss a troublesome document (21) of which the *kaška* is the main subject as is indicated in the superscription (*tup-pu . . . ša eqli qa-áš-ki*). A has held one imer of land *a-na qa-áš-ki*; now B, the owner, releases that land outright to A, and receives in full payment therefor one imer of grain and three minas of wool. Instead of merely being in possession of the *kaška* rights, A is now the full owner. The price paid is a fraction of what one imer of land usually brought.<sup>77</sup>

It follows from the preceding that the rights to the *kaška* are something apart from the rights to the land in question and to the bulk of its crop. They must be contracted for separately, or else the clause would not have been necessary. In other words, the debtor retains the rights to his *kaška*, unless otherwise stated. This much can be deduced from the context without reference to the actual connotation of the word.

When we look for the meaning of *kaška* we shall find an agreeable surprise in store for us. In the Amarna texts, 244. 14, we find *ka-si-ga ba-qa-ni*, which is explained by the West-Semitic gloss *ka-[z]i-ra*. Meissner<sup>78</sup> has shown that this *kasiga* is a synonym

<sup>76</sup> Cf. 14. 27 f.

<sup>77</sup> For his *kaška* B receives one imer of barley and three minas of wool. As against this, five aweharu (one half of an imer) of land bring in text 17 two imers and two measures of barley, one measure of wool and thirty shekels of lead; for one imer and one aweharu of land the debtor receives in 1 four imers of barley, one imer of wheat, and five imers of wool (which does not represent the full value in documents of this type). Cf. also document 9.

<sup>78</sup> Cf. note 75.

of *ba-ga-ni*, which corresponds to the normal Akkadian *baqāmu* “to pluck,” as applied to wool. The gloss goes back, then, to Canaanite *qašar(a)* “he cut, harvested.” I need hardly point out how well this accords with our above conclusions.

Having found so remarkable a parallel in meaning, the way has been paved for the discovery of an even more surprising analogy in usage. The Bible prohibits the cutting of the *pe’ah*<sup>79</sup> of the field at harvest time. The word is translated as “corner, edge,” the meaning of the phrase being that the grain growing on the edge of the field should be left for the poor. Since disputes were inevitable as to what and how much constituted a “corner,” the Mishnic tractate *Pe’ah* takes up the subject in detail. The elaborate discussion<sup>80</sup> merely tends to show that the custom as a whole was not well defined, and that its beginnings and original meaning were obscure.

It will be well to remember that Hebrew פִּיּוֹת goes back to a root meaning “to split, cut.”<sup>81</sup> Our *niksa inakkis* would thus correspond exactly to פִּיּוֹת יִקְצֹר. The agreement is much too complete to be merely accidental; the probability of a common origin of both the Hurrian and the Biblical usage cannot now be disregarded.<sup>82</sup> The background may be reconstructed as follows: The first cutting of the crop, covering a definite proportion of the whole, was to be laid aside. This proportion was probably earmarked for religious purposes; in course of time it acquired an independent status which was not affected when the field changed owners.<sup>83</sup> This status persisted even after the institution of which it was an outgrowth was modified to suit the changing religious and social conditions. In their new applications, the *kaška* and the *pe’ah* came to be of benefit and protection to the poor. The

<sup>79</sup> Lev. 19. 9.

<sup>80</sup> Cf. the article of Lauterbach in the *Jewish Encyclopedia* IX. 568 f.

<sup>81</sup> See Gesenius-Buhl and Brown-Briggs-Driver, ad loc.

<sup>82</sup> Especially in view of such amazing correspondences between Hurrian and Biblical usage as are shown in the case of the Hebrew *terāphim* and the Nuzian *ilāni*; cf. *Genesis* 31 and the remarks of Sidney Smith in *Gadd* 127.

<sup>83</sup> The Code of Hammurabi shows the extent to which the law went in protecting the person who was forced to pawn his field. In these circumstances the retention of the *kaška*-rights by the debtor is perfectly natural.

wretched Nuzian who was forced to pawn his field had a right to make a separate deal for the *kaška*; <sup>84</sup> subsequently the *pe'ah* becomes in Biblical law the property of all the needy in the community.

In selecting an English equivalent for *kaška* <sup>85</sup> I have decided upon "moiety." There appears to be no single term that conveys the idea of "cutting off something and taking it away." In the sense that moiety is applied at present in Anglo-American law, <sup>86</sup> the word describes at least a part from a larger whole, which is quite satisfactory for our present purposes.

8-9. With these two clauses we are back on safe and well-trodden grounds. The provisions are discussed in *Family Laws*, p. 12, and there is no need for further comments. The fine of "one ox" is typical of the majority of the *ditennūtu* texts. The meaning of *šūdūtu* has been brilliantly explained by Landsberger and Koschaker. <sup>87</sup> It signifies "proclamation," which precedes

<sup>84</sup> The *kaška* need not have remained in all instances with the creditor. In point of fact, it may be assumed that, where the clause is not included, the *kaška* went to the debtor. This view receives partial confirmation from *Gadd* 43. 15: A (the creditor) *ša eqli qa-aq-qa-as-sú ú-qa-al-la-ma a-na M. (the debtor) ú-ma-aš-ša-ar*. Landsberger brilliantly connects the first verb with *galābu* "to shear" (*NKRA* 132). Koschaker (*ibidem*) translates: "A shall shear the head of the field and leave it (i. e., the field) to M." Akkadian usage favors, however, another interpretation: what is to be left to M is not the field but the shorn part. "The shearing of the head" refers probably to the removal of the *kaška*; moreover, the picturesque phrase becomes easily intelligible when it is considered as a paraphrase of the *kaška* clause, which provides in this case for the return of the "plucked" grain to the debtor. The analogy of the Biblical cutting of the *pe'ah* becomes even more striking in this light. The "shearing of the head" would then correspond to the stripping of the first fruits of the crop. In the sense of "stripping" (robbing) a house *galābu* is found in *Nu. II* 125. 3, 16.

<sup>85</sup> The endings *ni-wa* in *ka-aš-gi-ni-wa* (14. 28; *HSS* IX. 105. 46) are doubtless Hurrian. Both have approximately the same value as may be seen from a comparison of *a-na na-aš-ni*, *Nu. II* 156. 15, and *a-na na-aš-wa*, *ibidem* 159. 8. With *kašgi* they are both found together.

<sup>86</sup> I owe this suggestion to Professor David Werner Amram whom I had the privilege to consult about the numerous legal problems contained in these texts.

<sup>87</sup> *NKRA* 77 f.

the final release of the property in question, as was shown in "Family Laws," loc. cit. That this was actually so is now proved by *HHS IX. 102. 30 ff.*: *ṭup-tu ina arki<sup>ki</sup> šu-du-ti i-na arki<sup>ki</sup> an-du-ra-ri i-na ˚Nu-zi sa-ṭi-ir* "the tablet was written after the proclamation (and) after the release in ˚Nuzi."

We may now give our attention to the individual texts, which are presented in transliteration, translation, and with brief philological notes.

*(To be concluded.)*



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NEW KIRKUK DOCUMENTS RELATING TO SECURITY  
TRANSACTIONS

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(Concluded from Volume 52)

1 (91)

(Case)

ṭup-pu ša 1 imēr 1 [<sup>is</sup>aweħari eqli] ša <sup>m</sup>Šuk-ri-te-šup  
<sup>abankunuk</sup> SAG.KI ṭupšarru

(Tablet)

(1) ṭup-pí di-te-en-nu-ti ša (2) <sup>m</sup>Šuk-ri-te-šup mār Ar-ru-um-ti  
(3) 1 imēr 1 <sup>is</sup>aweħari eqla ši-qú-u (4) ina <sup>c</sup>Nu-zi ina šu-pa-al eqli  
(5) ša <sup>m</sup>Túr-še-en-ni ina su-ta-an-nu (6) eqli ša <sup>m</sup>Ut-ħap-ta-e ina  
e-li-en-nu (7) eqli ša <sup>m</sup>Tar-mi-til-la ina il-ta-na-an-nu (8) eqli ša  
<sup>m</sup>Šuk-ri-te-šup-ma (9) a-na di-te-en-nu-ti a-na 3 šanāti<sup>pl</sup> (10) a-na  
<sup>m</sup>I-la-an-nu mār Ta-i-ú-ki i-din (11) ù <sup>m</sup>I-la-an-nu 4 imēr šea<sup>pl</sup>  
(12) 1 imēr ki-bá-tù 5 manē šipāta<sup>pl</sup> (13) a-na <sup>m</sup>Šuk-ri-te-šup i-din  
(14) im-ma-ti-me-e 3 šanāti<sup>pl</sup> eqli (15) im-ta-lu-ú 3 imēr šea<sup>pl</sup>  
(16) 1 imēr ki-bá-tù 5 manē šipāta<sup>pl</sup> (17) <sup>m</sup>Šuk-ri-te-šup a-na  
(18) <sup>m</sup>I-la-an-nu ú-ta-ar (19) eq-la-šu i-liq-qì šum-ma eqlu (20) ma-  
a-ru la i-liq-qì (21) šum-ma eqlu pá-qí-ra-na (22) i-ra-aš-ši  
(23) <sup>m</sup>Šuk-ri-te-šup (24) ú-za-ak-ka ina lib-bi (25) eqli ša-a-šu  
qa-sa-qa (26) la i-liq-qì ma-an-nu-um-me-e (27) i-na bēri<sup>1</sup>-šu-nu  
(28) ibalkatu<sup>tù</sup> 1 alpa umallā<sup>pl</sup> (29) ù sūtu<sup>2</sup> ša 8 <sup>is</sup>qa (30) ṭup-pu  
ina arki<sup>ki</sup> šu-du-ti (31) ina <sup>c</sup>Nu-zi sa-ṭi-ir

(32) maħar Tar-mi-ip<sup>3</sup>-ta-še-en-ni (33) mār Wi-ir-ri-iš-ta-an-ni  
(34) maħar Ta-i-til-la mār Zi-ka<sub>4</sub>-a-a (35) maħar Ši-mi-til-la mār  
Arad-<sup>d</sup>Ištar<sup>4</sup> (36) maħar Ĥe-ir-ri-ka<sub>4</sub>-an-ni (37) mār Ĥu-pí-ta  
(38) maħar Ip-ša-ħa-lu (39) mār Ĥe-ir-ši<sup>5</sup>-ia um-ma (40) <sup>m</sup>Šuk-  
ri-te-šup kaspā<sup>pl</sup> (41) el-te-qì

Seals of the witnesses mentioned in ll. 34-39; also of Shukriteshup  
and of the scribe (SAG.KI)

<sup>1</sup> *RI.BA.NA* <sup>2</sup> *GIS.BAR.* <sup>3</sup> Written like *ur.* <sup>4</sup> *ú.* <sup>5</sup> *tuk.*

(Case)

Tablet of one imer and one aweharu of land belonging to  
Shukriteshup.

Seal of Sakki, the scribe.

(Tablet)

Tablet of possession of Shukriteshup, son of Arrumti: one imer (and) one aweharu of irrigated land in °Nuzi, below the land (5) of Turshenni, south of the land of Uthaptae, above the land of Tarmitilla, (and) north of the land of the same Shukriteshup, into possession for three years (10) to Ilanu, son of Tayuki, he has given. And Ilanu four imer of barley, one imer of wheat, (and) five minas of wool to Shukriteshup has given. When the three years of the land (15) have been fulfilled, three imer of barley, one imer of wheat, (and) five minas of wool Shukriteshup to Ilanu shall return and his land he shall take back. If the field (20) has been plowed over, he shall not take it back. If the field has a claimant, Shukriteshup shall clear it. Out of the midst (25) of that field the moiety he shall not remove. Whosoever between them breaks the agreement shall furnish one ox. As for the measure, it (consists) of eight qa.

(30) The tablet was written after the proclamation in °Nuzi.

Five witnesses.

(39) Thus (declared) Shukriteshup: The moneys I have received.

Seven seals.

3. That the *PI* sign in *aweharu* represents *w* followed by *e* is established by *a-me-ḥa-ri*, Nu. III 273. 11.

29. The measure unit is in this case subdivided into eight parts, instead of the more usual ten, whence the special statement. The passage is of interest because it helps us to understand why *mātu* "hundred" has occasionally in these documents the value of "eighty" (Gadd, p. 132). An imer contains ten measures; with the measure at ten *qa*, the imer will naturally consist of 100 *qa*, hence the synonym *mātu*. But when the measure has only eight *qa*, the imer will inevitably have eighty. To consider *mātu* with Gadd as a new measure of capacity is therefore unnecessary.

2 (89)

(1) ṭup-pí di-te-en-nu-ti (2) ša ṁŠe-kàr-til-la mār A-kip-še-en-ni (3) 1 imēr eqla šī-qú-ú i-na am-ma-ti ša a-bu-ul-li (4) i-na edinni ṁšā dimit Ki-pa-an-til-wa (5) i-na il-ta-na-an-nu ḥarrānī<sup>nī</sup> (6) ša dimti ša ṁZi-ir-ri (7) ina šu-pa-al eqli ša ṁŠa-a-ta (8) i-na su-ta-an-nu eqli ša (9) ṁA-ri-ip-še-ri-iš (10) a-na di-te-en-nu-ti a-na 3 šanāti<sup>pī</sup> (11) a-na ṁI-la-an-nu mār Ta-i-ú-ki (12) i-din ù

<sup>m</sup>I-la-an-nu (13) 20 manē anāka<sup>pl</sup> 2 manē siparra[-ni]<sup>1</sup> ša ip-šu  
 (14) 1 immerta ša 3 ba-aq-nu (15) a-na <sup>m</sup>Še-kār-til-la i-din  
 (16) im-ma-ti-me-e 3 šanāti<sup>pl</sup> (17) eqli im-ta-lu-ú 20 manē anāka<sup>pl</sup>  
 (18) 2 manē siparra 1 immerta damqa<sup>qá</sup> (19) <sup>m</sup>Še-kār-til-la a-na  
 (20) <sup>m</sup>I-la-an-nu ú-ta-ar (21) eq-la-šu i-liq-qì šum-ma (22) eq-lu  
 pá-qí-ra-na (23) i-ra-ši <sup>m</sup>Še-kār-til-la (24) ú-za-ak-ka<sub>4</sub> šum-ma  
 eq-lu (25) ma-a-ru la i-liq-qì (26) ina lîb-bi eq-li qa-áš-qa (27) la  
 i-liq-qì ma-an-nu-um-me-e (28) ina 3 šanāti ibalkatu<sup>tù</sup> (29) 1 alpa  
 ú-ma-al-la (30) ṭup-pu ina arki<sup>ki</sup> šu-du-ti (31) i-na <sup>e</sup>Nu-zi sa-ṭi-ir  
 (32) maḥar El-ḥi-ip-til-la mār Ku-uz-za-ri-ia (33) maḥar  
 Ḥe-ir-ši-ia mār A-kap-tùg-gi (34) maḥar Gi-el-šu mārāt Šar-ra-  
 mu-li (35) maḥar Še-en-na-a-a mār Ḥa-al-še-en-ni (36) qāt  
<sup>m</sup>SAG.KI ṭupšarru (37) maḥar Ḥa-ši-ip-til-la mār Ur-ḥi-ia  
 (38) ù immeru ina arḥi<sup>bi</sup> (39) Im-pur-tal<sup>2</sup>-an-ni (40) li-qí

Seals of the above witnesses.

<sup>1</sup> Cf. vol. 52, p. 366, note 85.      <sup>2</sup> See note.

Tablet of possession of Shekartilla, son of Akipteshup: one imer of irrigated land in the fields of the gate, in the plain of the district of Kipantilwa, (5) north of the road of the district of Zirri, below the lands of Shata, south of the land of Aripsherish, (10) into possession for three years to Ilanu, son of Tayuki, he has given. And Ilanu twenty minas of lead, two minas of wrought bronze, (and) one ewe, thrice clipped, (15) to Shekartilla has given. When the three years of the land have been fulfilled, twenty minas of lead, two minas of bronze, (and) one sound ewe, Shekartilla (20) to Ilanu shall return and his land he shall take back. If the land has a claimant, Shekartilla shall clear it. If the land (25) had been plowed over, he shall not take it. Out of the midst of the land the moiety shall not be removed. Whosoever within the three years breaks the agreement shall furnish one ox.

(30) The tablet was written after the proclamation in <sup>e</sup>Nuzi.

Six witnesses and signature of scribe.

(38) As for the sheep, it was received in the month of Impurtani.

Six seals.

14. *baqānu* "to clip" as contrasted with *qašāšu* "to shear".

39. *Impurtalanni* for the usual *Impurtanni* (cf. e. g., *HSS* V. 2.11) shows the characteristic *il* element (hence *Impurtlanni*).

3 (81)

(1)  $\text{tup-pí di-te-en-nu-ti}$  (2)  $\text{ša } {}^m\text{Ki-ir-ru-ka}_4 \text{ mār Ik-ki-e-a}$   
 (3)  $1 \text{ imēr eqla i-na ugar dimti}$  (4)  $\text{ša } {}^m\text{Ni-ir-na-te i-na}$  (5)  $\text{šu-pa-al}$   
 $\text{eqli ša } {}^m\text{Pal-te-e}$  (6)  $\text{i-na sū-ta-an eqli ša } {}^m\text{Ḫa-aš-te-e}$  (7)  $\text{i-na}$   
 $\text{e-li-en eqli ša } {}^m\text{Ḫu-pí-ta}$  (8)  $\text{mi-dá-sú 1 ma-la 20 šēpē ši-id-du}$   
 (9)  $\text{ù pí-ir-ki-šu 1 šu-ši ša eqli ša-a-šu}$  (10)  $\text{a-na di-te-en-nu-ti}$   
 (11)  ${}^m\text{Ki-ir-ru-ka a-na } {}^m\text{I-la-nu}$  (12)  $\text{mār Ta-a-a-ú-ki it-ta-din}$   
 (13)  $\text{ù } {}^m\text{I-la-nu 14 manē a-na-ku}$  (14)  $3 \text{ manē šipāta}^{\text{pl}}$   $\text{a-na}$   
 ${}^m\text{Ki-ir-ru-ka ittadnu}^{\text{nu}}$  (15)  $\text{im-ma-ti-me-e 4 šanāti}^{\text{pl}}$  (16)  $\text{im-ta-}$   
 $\text{lu-ú 14 manē a-na-ku}^{\text{pl}}$  (17)  $[3] \text{ manē šipāta}^{\text{pl}}$   ${}^m\text{Ki-ir-ru-ka}$   
 (18)  $[a-na]a {}^m\text{I-la-nu i-na-an-[din ù] eqla i-li-qì}$  (19)  $\text{šum-ma}$   
 $\text{eqlu ma-a-ru l[a i-li-]qì}$  (20)  $\text{qa-as-qa iš-tù [eqli]}$  (21)  ${}^m\text{Ki-ir-}$   
 $\text{ru-ka}_4$  (22)  $\text{la i-li-qì}$  (23)  $\text{šum-ma eqlu pá-qí-r[a-na]}$  (24)  $\text{i-ra-aš-ši}$   
 ${}^m\text{Ki-ir[-ru-ka}_4]$  (25)  $\text{ú-za-ak-ka}_4\text{-ma a-na}$  (26)  ${}^m\text{I-la-nu i-na-an-din}$   
 (27)  $\text{tup-pu i-na arki}^{\text{ki}}$  (28)  $\text{šu-du-ti i-na bá-ab}$  (29)  $\text{a-bu-ul-li ša}$   
 $\text{Ti-ša-e}$  (30)  $\text{ša } {}^c\text{Nu-zu ša-ṭi-ir}$

(31)  $\text{maḥar Zi-ku-ur-ta } {}^m\text{Ta-e-na}$  (32)  $\text{mārū}^{\text{pl}}$   $\text{Ta-ki-ia}$   
 (33)  $\text{maḥar Mu-ut-ta mār Zi-en-ni}$  (34)  $\text{maḥar Ḫu-pa-til mār}$   
 $\text{Tar-mi-ia}$  (35)  $\text{maḥar Pa-i-ig-gi-ir-ḫe mar Pu-ú-ta}$  (36)  $\text{qāt}$   
 ${}^m\text{Ka}_4\text{-si tupašar-rum}$

Seals of Kirruka and of the above witnesses.

<sup>1</sup> Possibly an oversight for *maḥar*.

Tablet of possession of Kirruka, son of Ikkiea: one imer of land in the fields of the district of Nirnate, (5) below the land of Palte, south of the land of Hashte, (and) above the land of Hupita, its measurements (being) one full (hundred?) twenty feet as to length, and its extent sixty (feet?) of that field, (10) into possession Kirruka to Ilanu, so of Tayuki, has given. And Ilanu fourteen minas of lead, (and) three minas of wool, to Kirruki has given. (15) When three years have been fulfilled, fourteen minas of lead, (and) three minas of wool, Kirruka to Ilanu shall deliver and his land he shall take back. If the field had been plowed over, he shall not take it. (20) The moiety from that land Kirruka shall not remove. If the field has a claimant, Kirruka shall (25) clear it and to Ilanu he shall restore it.

The tablet was written after the proclamation in the entrance of the gate of Tishshae of the city of Nuzi.

Five witnesses and scribe.

Seals of the above witnesses and of Kirruka.

8-9. The measurements given are obscure; *šiddu* is well-known in the sense of "surface," and *perku* has the meaning of "extent," but the whole does not make much sense. Perhaps *ša* in line 9 was added by mistake; in that case we should have to translate: "and its extent is sixty units. That field into possession . . .", which yields an intelligible statement.

## 4 (87)

(1) [tup]-pi ti-te-en-nu-ti (2) [š]a m<sup>U</sup>-na-ap-te-šup (3) mār Ḫa-na-a-a 1 imēr eq<sup>l</sup>a (4) i-na ugari ša dimit Na-ri-ia-wa (5) i-na e-li-en ḥarrāni<sup>ni</sup> ša dimit Ta-am-qa-ar-ra (6) i-na il-ta-a-an eq<sup>l</sup>i ša m<sup>Š</sup>a-ar-til-la (7) i-na su-ta-a-an eq<sup>l</sup>i ša m<sup>A</sup>-kap-tùg-gi (8) i-na šu-pa-al eq<sup>l</sup>i ša m<sup>A</sup>-kap-tùg-gi (9) m<sup>U</sup>-na-ap-te-šup a-na di-te-en-nu-ti (10) a-na 3 šanāti<sup>pl</sup> a-na m<sup>I</sup>li-ma-ḥi (11) mār Ḫl-a-nu-u iddin<sup>di</sup> ù (12) u m<sup>I</sup>li-ma-ḥi 1 šubāta eš-šu šu-qú-ul-ta-šu 5 manē damqu<sup>qd</sup> (13) 15 i-na am-ma-ti mu-ra-ak-šu (14) 5 i-na am-ma-ti ru-pu-us-sú (15) 2 manē siparra a-na di-te-en-nu-ti (16) a-na m<sup>U</sup>-na-ap-te-šup at-ta-din (17) im-ma-ti-mi-e 3 šanāti<sup>pl</sup> (18) im-ta-lu-ú 1 šubāta 2 manē siparra (19) a-na m<sup>I</sup>li-ma-ḥi u-ta-ar eq<sup>l</sup>a-šu (20) i-li-qì šum-ma eq<sup>l</sup>u pí-ir-qa (21) ir-ta-ši m<sup>U</sup>-na-ap-te-šup eq<sup>l</sup>a ša-a-šu-ma (22) ú-za-ak-ka<sub>4</sub>-ma a-na m<sup>I</sup>li-ma-ḥi (23) i-na-an-din iš-tu eq<sup>l</sup>i ni<sup>1</sup>-ik-sà (24) la i-na-ak-ki-is šum-ma eq<sup>l</sup>u ma-a-a-ru la i-li-qì (25) tup-pu an-ni-i (26) i-na arki<sup>ki</sup> šu-du-ti (27) a-šar x<sup>2</sup> a-bu-ul-li (28) ša Ti<sub>4</sub>-iš-šá-e (29) i-na eNu-zi ša-ti-ir (30) maḥar m<sup>I</sup>p-ša-ḥa-lu mār Zi-ni-e (31) maḥar m<sup>H</sup>u-ti-pa-pu mār Ki-pí-til-la (32) ša eKap-ra-gal (33) maḥar m<sup>T</sup>e-ḥi-ip-zi-iz-za mār Ḫa-la-ḥi-ši (34) maḥar Tù-ra-ri mār Ip-ša-ḥa-lu (35) maḥar m<sup>H</sup>u-ti-ip-til-la mār E-en-šuk-rum (36) ša dimit Ū-ri-ḥa-a-wa (37) qāt m<sup>d</sup>Šamaš-nāšir tupšarru mār A-ki-ia (38) maḥar m<sup>A</sup>-kip-til-la mār Ḫa-ši-ip-til-la

(39) ma-an-nu-um-mi-e i-na be-ri-šu-nu ibalkatu<sup>tu</sup> (40) 1 alpa<sup>us</sup> u-ma-al-la

(41) maḥar Pa-i-te mār A-ri-ia ša dimit U-til-wa

Seals of the witnesses mentioned in lines 30, 33-38 (including the scribe).

<sup>1</sup>Text has *ir*, an obvious error. <sup>2</sup>The scribe wrote here the vertical wedge, doubtless by mistake.

Tablet of possession of Unapteshup, son of Hanaya: one imer of land in the fields of the district of Nariyawa, (5) above the road of the district of Tamqarra, north of the land of Shartilla,

(and) below the land of Akaptuggi, Unapteshup into possession (10) for three years to Ilimahi, son of Ilanu, has given. And Ilimahi one new cover weighing five minas, in good condition, fifteen cubits in length and five cubits in width, (15) (and) two minas of bronze, into possession to Unapteshup has given. When the three years have been fulfilled, one cover (and) two minas of bronze to Ilimahi he shall return (and) his land (20) he shall take back. If there is a claim against the land, Unapteshup shall clear that land and restore it to Ilimahi. From the land no cut shall be made. If the land had been plowed over, he shall not take it back.

(25) This tablet was written after the proclamation in the Tishshae gate, in °Nuzi.

Seven witnesses and signature of scribe.

(39) Whosoever between them breaks the contract shall furnish one bull.

One other witness. Seven seals.

5. District of Tamqarra corresponds to Merchants' district.

23. This is a variant form of the *kaška* clause; cf. above, section 7.

35. The spelling *E-en-šuk-rum* is instructive because it shows that *EN* as the first element in proper names need not be rendered as *Bêl*, unless the Semitic etymology is beyond dispute.

### 5 (83)

(1) ʔup-pí di-te-en-nu-ti (2) ša ᵐŠuk-ri-te-šup mār Ar-ru-um-ti (3) 1 imēr 2 ᵐᵃaweḥari<sup>1</sup> eqla i-na ugar °Nu-zu (4) i-na šu-pa-al ḥarrāni<sup>mi</sup> (5) ša dimit Ka<sub>4</sub>-ri i-na (6) il-ta-an eqli ša ᵐḪu-ti-ši-mi-ka<sub>4</sub> (7) i-na e-li-en eqli ša (8) ᵐŠe-el-lu-tup-pa (9) a-na<sup>2</sup> di-te-en-nu-ti ᵐŠuk-ri-te-šup (10) a-na ᵐI-la-nu mār Ta-a-a-ú-ki (11) it-ta-din ù ᵐI-la-nu (12) 5 imēr šēa<sup>pl</sup> i-na sūti<sup>3</sup> ša 8 qa (13) ù 5 manē šipāta<sup>pl</sup> (14) a-na ᵐŠuk-ri-te-šup it-ta-din (15) im-ma-ti-me-e 2 šanāti<sup>pl</sup> (16) im-ta-lu-ú kaspā<sup>pl</sup> (17) ša pi-í ʔup-pí an-ni (18) ᵐŠuk-ri-te-šup a-na ᵐI-la-nu (19) ú-ta-ar ù eqla-šu (20) i-li-qì šum-ma eqlu (21) pa-qí-ra-na i-ra-aš-ši (22) ᵐŠuk-ri-te-šup (23) ú-za-ak-ka<sub>4</sub>-ma (24) a-na ᵐI-la-nu i-na-an-din (25) lišān-šu ša ᵐŠuk-ri-te-šup (26) i-na pa-ni awēlūti<sup>pl</sup> ši-bu-ti (27) an-nu-ti iq-ta-bi (28) eqlāti<sup>pl</sup> a-na ᵐI-la-nu at-ta-din (29) ù kaspā<sup>pl</sup> an-nu-ú (30) ša pí-i ʔup-pí an-ni-i (31) a-šar ᵐI-la-nu (32) el-te-qì-mi šum-ma eqlāti<sup>pl</sup> (33) ma-a-ru la i-li-qu-ú

(34) ma-an-nu-um-me-e i-na be-ri-šu-nu (35) ša ibalkatu<sup>tu</sup> 1 alpa ú-ma-la

(36) maḥar Ka<sub>4</sub>-pu-li mār Gi-lu-ma-ri (37) maḥar Še-kar-til-la mār (38) <sup>m</sup>Tul-pí-ia (39) maḥar Šuk-ri-ia mār En-šuk-ru (40) 3 awēlūtu<sup>pl</sup> mu-še-el-wu (41) ša eqli

ṭup-pu i-na a-bu-li (42) mādi ša <sup>e</sup>Nu-zu ša-ṭi-ir

(43) maḥar Za-ap-su mār Gi-lu-ma-ri (44) maḥar Ki-il-li mār (45) At-ti-la-mu (46) qāt <sup>m</sup>Ka<sub>4</sub>-si ṭupšar-rum

Seals of the above witnesses with the exception of Tulpiya.

\* APIN. \* Ligature. \* GIŠ.BAR.

Tablet of possession of Shukriteshup, son of Arrumti: one imer (and) two aweharu of land in the fields of <sup>e</sup>Nuzi, below the road (5) of the Kari district, north of the land of Hutishimika, above the land of Shellutuppa, into possession Shukriteshup (10) to Ilanu, son of Tayuki, has given. And Ilanu five imers of grain by the measure of eight qa, and five minas of wool, to Shukriteshup has given. (15) When two years have been fulfilled, the capital stated in this tablet Shukriteshup to Ilanu shall return, and his land (20) he shall take back. If the land has a claimant, Shukriteshup shall clear it (and) restore it to Ilanu. (25) The declaration of Shukriteshup (which) he made in the presence of these witnesses: The lands to Ilanu I have given, and this capital (30) I have received. If the land had been plowed over, he shall not take it back. Whosoever between them breaks the contract (35) shall furnish one ox.

Names of three witnesses.

(40) Three surveyors of the land. The tablet was written in the great gate of <sup>e</sup>Nuzi.

Two other witnesses and signature of scribe. Five seals.

12. For the "measure of eight qa" cf. note to 1. 29.

33. *I-li-qú-ú* in place of the singular, one of the many examples of faulty grammar.

38. *Tul-pí-ia* and not *Hap-pí-ia* on the analogy of names like *Tu-ul-pu-na-ia*, HSS V. 65. 6.

39. For *En-šuk-ru* (not *Bél-šukru*) see note to 4. 35.

6 (84)

(1) ṭup-pí di-te-en-nu-ti ša (2) <sup>m</sup>Ka-ri-ru mār Ka-ti-ri

(3) 2 imēr eqla i-na li-it eqlāti<sup>pl</sup> (4) ša <sup>m</sup>Mār-<sup>d</sup>Adad a-na di-te-en-nu-ti (5) ki-ma 2 bilat erī<sup>pl</sup> a-na 3 šanāti<sup>pl</sup> (6) a-na <sup>m</sup>Ak-ku<sub>8</sub>-ia mār Ka-ti-ri (7) i-din ù <sup>m</sup>Ak-ku<sub>8</sub>-ia 2 bilat erā<sup>pl</sup> (8) a-na <sup>m</sup>Ka-ri-ru i-din ù li-šān-šu (9) ša <sup>m</sup>Ka-ri-ru a-na pa-ni ši-bu-ti (10) iq-ta-bi 2 bilat erā<sup>pl</sup> a-šar (11) <sup>m</sup>Ak-ku<sub>8</sub>ia el-qì-mi ù (12) 2 imēr eqla ad-din-mi e-nu-ma (13) 3 šanāti<sup>pl</sup> im-ta-lu-ú 2 bilat erā<sup>pl</sup> (14) <sup>m</sup>Ka-ri-ru a-na <sup>m</sup>Ak-ku<sub>8</sub>-ia (15) ú-ta-ar-ma ù eqla-šú i-liq-qì (16) šum-ma eqlu an-nu-ú pa-qí-ra<-na> irtašī<sup>š<sub>i</sub></sup> (17) ù i-na li-it eqli-ma an-ni-i (18) eqla ma-la eqli-ma <sup>m</sup>Ka-ri-ru (19) a-na <sup>m</sup>Ak-ku<sub>8</sub>-ia i-na-din

(20) maḥar Ku-uš-ša-a-a mār Ha-tar-te (21) maḥar Eḫ-ḫi-ia mār E-ra-ti (22) maḥar E-ni-ia mār Eḫ-li-ia (23) maḥar Ut-ḫap-še-en-ni mār KI.MIN (24) 4 awēlūtu<sup>pl</sup> an-nu-tu<sub>4</sub> mu-še-el-wu-ú ša eqla (25) maḥar Ḫu-ti-ia mār A-ri-ip-šarri (26) maḥar Ū-ku-ia mār Šu-pa-a-a (27) maḥar Ki-pu-gur mār Šu-pa-a-a (28) maḥar Taš-ši mār <sup>d</sup>Sin-na-din-aḫa (29) maḥar Ta-ú-uḫ mār Eḫ-li-ip-šarri (30) maḥar A-kī-ia mār Šu-pa-a-a (31) maḥar <sup>d</sup>Nabū-ilu<sup>1</sup> ṭupšarru mār <sup>d</sup>Sin-nap-ḫir

Seals of the witnesses mentioned in ll. 20, 23,<sup>2</sup> 25, and 26.

<sup>1</sup> AN.AK.AN.RA. <sup>2</sup> After the names on the first two seals the sign for *šibu* is added.

Tablet of possession of Karira, son of Katiri: two imers of land bordering on the land of Mar-Adad, into possession (5) in exchange for two talents of copper, for three years to Akkuya, son of Katiri, he has given. And Akkuya two talents of copper to Kariru has given. And his declaration Kariru in the presence of witnesses (10) made: Two talents of copper from Akkuya I have received, and two imers of land I have given. When three years have been fulfilled, two talents of copper Kariru to Akkuya (15) shall return and his land he shall take back. If the land has a claimant, then adjoining to that land a field equal in size Kariru to Akkuya shall give.

Names of four witnesses.

(24) These four men are the surveyors of the land.

Seven other witnesses. Four seals.

5. The phrase "in exchange for two talents of copper" emphasizes the reciprocal character of the transaction.



## 7 (85)

(1)  $\text{ṭup-pí di-te-en-nu-ti ša}$  (2)  $\text{Ḥa-na-a-a mār Ar-ti}_4\text{-ir-wi}$   $\dot{\text{u}}$   $\text{ša Ḥe-en-na-til mār Ar-ha-ma-an-na}$  (3) 1 imēr 2 <sup>1</sup>aweḥari eqla i-nai-na dimti<sup>1</sup> (4)  $\text{ša Ḥá-an-ta-al-lu-uk-wa}$  (5) i-na su-ta-ni eqli  $\text{ša Ḥa-na-a-a}$  (6) i-na il-ta-na-ni eqli  $\text{ša ḤI-ri-gi-ga}^2$  (7)  $\langle \text{ana} \rangle$  5 šanāti a-na di-te-en-nu-ti (8) a-na  $\text{Ḥl-a-nu mār Ta-ú-ki ittadnu}^{\text{nu}}$  (9)  $\dot{\text{u}}$   $\text{Ḥl-a-nu}$  3 imēr šēa (10) 2 manē 10 šiqil<sup>3</sup> erā x<sup>4</sup> 40 qa kibata (11) a-na  $\text{Ḥa-na-a-a a-na Ḥe-en-na-til inandinu}^{\text{nu}}$  im-ma-ti<sup>5</sup>-e (12) 5 šanāti im-ta-lu kaspu<sup>pl</sup> (13)  $\text{ša pí-i ṭup-pí an-nu-u}$   $\dot{\text{u}}$   $\text{ša ṭup-pí la-bi-rum}$  (14)  $\text{Ḥa-na-a-a Ḥe-en-na-til a-na Ḥl-a-nu}$  (15) utār-ra eqla il-qì (16) šum-ma eqlu pí-ir-qà (17) i-ra-ši  $\dot{\text{u}}$   $\text{Ḥa-na-a-a}$  (18)  $\text{Ḥe-en-na-til u-za-ka-ma a-na}$  (19)  $\text{Ḥl-la-nu-ú i-na-an-di-in-nu}$  (20) ma-an-nu-um- $\langle \text{me} \rangle$ -e  $\langle \text{ina} \rangle$  5 šanāti<sup>pl</sup> (21) ibalkatu<sup>tu</sup> 1 alpa umallā<sup>la</sup> (22) lišān-šu  $\text{ša Ḥa-na-a-a ša Ḥe-en-na-til šēa}^{\text{pl}}$  il-qì

(23) maḥar Ta-an-ki-ia mār A-kap-še (24) maḥar Ḥa-ni-ir-ra mār E-te-ia (25) maḥar Ut-ḥap-ta-e mār Ta-an-ki-ia (26) maḥar Šuk-ra-pu mār Eḫ-li-pa-pu (27) maḥar Tù-ra-ri mār Ip-šá-ḥa-lu (28) maḥar Mu-ut-ta mār Zi-in-ni (29) maḥar A-kap-tùg-gi mār Ni-iš-ḥu-ḥa

(30) šum-ma eqlu mād la i-na-ki-is (31) šum-ma šihir la  $\langle \text{ú} \rangle$ -ra-ad-di<sub>4</sub>  $\dot{\text{u}}$  (32) eqla ka-aš-ka la i-li-qì kaspu<sup>pl</sup> i-na  $\text{ḤNu-zi u-ta-ar-ma}$

Seals of the witnesses mentioned in ll. 25-30.

<sup>1</sup> The last sign of the ideogram (AN.ZA.QAR) is written AM. <sup>2</sup> Written over erasure; cf. 20. 9. <sup>3</sup> SU. <sup>4</sup> Before the number there is a sign which appears to be ú, probably an erasure. <sup>5</sup> The word was apparently pronounced by the writer of this tablet without the m, cf. 20. 11.

Tablet of possession of Hutiya, son of Artirwi, and of Shennatil, son of Arhamanna: one imer (and) two aweharu of land in the district of Shantalluk, (5) south of the land of Hanaya, (and) north of the land of Irigiga, for five years into possession to Ilanu, son of Tayuki, they have given. And Ilanu three imers of barley, (10) two minas (and) twenty shekels of bronze, (and) forty qa of wheat, to Hanaya (and) to Shennatil shall give. When the five years have been fulfilled, the capital mentioned in this tablet and that of the old tablet Hanaya (and) Shennatil to Ilanu (15) shall return and the land they shall take back. If there is a claim

against the land, Hanaya (and) Shennatil shall clear it and to Ilanu they shall restore it. Whosoever (within) the five years breaks the contract shall furnish one ox.

The declaration(s) of Hanaya (and) of Shennatil: The grain has been received.

Seven witnesses.

(30) If the field is large, it shall not be curtailed; if the field is small, it shall not be enlarged; and the moiety of the field shall not be removed. The capital is to be paid back in <sup>c</sup>Nuzi.

Five seals.

This tablet shows how bad a Nuzian text could really be. The writer could not have had more than the merest smattering of Akkadian. The phonetic complements (*nu*) in lines 8 and 11 are out of place in these contexts; the prepositions before 5 *šanāti* are omitted in 7 and 20; line 13 shows complete disregard of grammatical agreement; in line 20 we have *il-qī* for *niltēqī*, and so forth.

10. In a personal communication Meissner kindly calls my attention to the fact that *SU* is part of a shekel rather than a shekel. The difficulty is that the shekel as such is never mentioned in these tablets; since *SU* is here the only subdivision of the mina, the value "shekel" has been retained.

32. *Eqla kaška* may also be translated as "the field moiety."

8 (88)

(1) *ṭup-pí di-te<sup>1</sup>-en-nu-ti* (2) *ša mTa-i-til-la mār Na-ḥi-ia*  
 (3) 7 <sup>is</sup>*aweḥari eqla i-na dimti* (4) *ša mAk-ku-ia i-na e-li<sup>1</sup>-en-nu*  
 (5) *eqlāti<sup>ti</sup> ša mA-ri-ik-ka<sub>4</sub>-ma-ri* (6) *i-na su-ta-an-nu-ú eqlāti<sup>ti</sup>*  
 (7) *ša mPal-te-šup i-na il-ta-an-na-nu* (8) *eqlāti<sup>ti</sup> ša mE-gi-gi*  
 (9) *a-na di-te-en-nu-ti a-na 4 šanāti<sup>pl</sup>* (10) *a-na mZi-iq-na<sup>d</sup>Adad*  
*mār Ša-ri-iš-še iddin<sup>din</sup>* (11) *ù mZi-iq-na<sup>d</sup>Adad* (12) 10 *imēr šēa<sup>pl</sup>*  
*a-na mTa-i-til-la iddin<sup>din</sup>* (13) *im-ma-ti-me-e 4 šanāti<sup>pl</sup> eqli*  
 (14) *im-ta-lu-ú 10 imēr šēa<sup>pl</sup>* (15) *mTa-i-til-la a-na mZi-iq-na<sup>d</sup>*  
*Adad* (16) *ú-ta-ar-ma ù eqla-šu* (17) *i-liq-qī šum-ma eqlu*  
*pá-qí-ra-na* (18) *i-ra-aš-ši ù mTa-i-til-la* (19) *ú-za-ak-ka<sub>4</sub>-ma a-na*  
*mZi-iq-na<sup>d</sup>Adad* (20) *i-na-an-din ma-an-nu-um-me-e* (21) *ina*  
*bēri<sup>2</sup>-šu<-nu> ibalkatu<sup>tu</sup>* (22) 1 *lia<sup>3</sup> umallā ṭup-pu* (23) *an-nu-ú*  
*ina arki<sup>ki</sup>* (24) *šu-du-ti ina cNu-zi* (25) *sa-ṭi-ir*

(26) *qāt mSAG.KI ṭupšarru* (27) *maḥar Tù-ra-ri mār Ḥa-ši-ia*  
 (28) *maḥar Ḥa-šu-a-ar mār Ta-a-a* (29) *maḥar Ḥa-ši-ip-pá-ra-al-la*  
*mār Tur-rum* (30) *maḥar A-kip-še<sup>4</sup>-en-ni mār Ar-ta-še-en-ni*

(31) maḥar Zi-ka<sub>4</sub>-ta mār Šu-ta-mi-ia (32) maḥar En-na-pá-li mār Ḥa-na-tù

Seals of the witnesses mentioned in ll. 27, 29, 30, and of the scribe.

<sup>1</sup> After *te* the text has *ti*, doubtless by mistake.

<sup>2</sup> *RI.BA.NA.*

<sup>3</sup> *GUD.LID.* <sup>4</sup> Scribe wrote *bu*, but cf. seal, 35.

Tablet of possession of Taitilla, son of Nahiya: seven aweharu of land in the district of Akkuya, above (5) the lands of Arikkamari, south of the lands of Palteshup, (and) north of the lands of Egigi, into possession for four years (10) to Ziqna-Adad, son of Sharishshe, he has given. And Ziqna-Adad ten imers of barley to Taitilla has given. When the four years of the land have been fulfilled, ten imers of barley (15) Taitilla to Ziqna-Adad shall return and his land he shall take back. If the land has a claimant, Taitilla shall clear it and to Ziqna-Adad (20) he shall restore it. Whosoever between them breaks the agreement shall furnish one cow.

This tablet after the proclamation in <sup>e</sup>Nuzi (25) was written.

Signature of scribe; six witnesses. Seven seals.

31. *Zikata* is probably a development from *Ziqna-Adad*.

### 9 (90)

(1) ṭup-pí ti-te-en-nu-ti (2) ša E-ḥe-el-te-šup (3) mār Pu-ḥi-ia 1 imēr eqlāti<sup>pl</sup> (4) i-na dimit Ka<sub>4</sub>-ti-ri (5) ki-mu-ú 3 imēr šēi<sup>pl</sup> 2 imēr ku-ni-šu (6) 2 immerē<sup>pl</sup> a-na ti-te-en-nu-ti (7) a-na 5 šanāti<sup>coll</sup> a-na Ak-ku-ia id-dì-in (8) im-ma-ti-me-e 5 šanāti<sup>coll</sup> (9) im-ta-lu-ú 3 imēr šēa (10) 2 imēr ku-ni-šu ù 2 immerē<sup>pl</sup> (11) ú-ta-ar-ma ù eqla-ma (12) i-li-iq-qì

(13) maḥar Ka<sub>4</sub>-ri-ru mār Ka<sub>4</sub>-ti-ri (14<sup>1</sup>) maḥar Ut-ḥap-še-en-ni mār Eḥ-li-ia (15) maḥar Ta-a-a mār Ka<sub>4</sub>-ti-ri (16) 3 awēlūtu an-nu-tu<sub>4</sub> mu-še-el-mu-ú ša eqlāti<sup>ti</sup> (17) maḥar Za-pa<sup>2</sup>-ki mār Ḥa-ma-an-na (18) maḥar Tù-tù-a-i mār Gi-ri-ra (19) maḥar Ar-ru-tup-pá mār Amurru-gāmil<sup>3</sup> (20) maḥar Ḥa<sup>4</sup>-ma-an-na mār Ka<sub>4</sub>-ti-ri (21) maḥar Šuk-ri-ia mār Gi-wi-ra-ri (22) maḥar <sup>a</sup>Šamaš-ilu-rēštu <sup>5</sup> mār Ta-a-a

Seals of the witnesses mentioned in ll. 13, 14, 15, 17.

(25) <sup>abankunuk</sup> E-ḥe-el-te-sup bēl eqlāti<sup>ti</sup>

<sup>1</sup> In the copy the numbers are erroneously advanced by one. <sup>2</sup> Seal has *pá*. <sup>3</sup> *MAR.TU.SU.* <sup>4</sup> Text has *za* haplographically; cf. *ad loc.*

<sup>5</sup> *AN.UD.AN.SAG.*

Tablet of possession of Ehelteshup, son of Puhya: one imer of lands in the district of Katiri, (5) in exchange for three imers of barley, two imers of *millet*, and two sheep, into possession for five years to Akkuya he has given. When the five years have been fulfilled, three imers of barley, (10) two imers of *millet* and two sheep he shall return and his land he shall take back.

Names of three witnesses.

(17) These three men are the surveyors of the lands.

Six other witnesses. Five seals, of which the last is that of Ehelteshup, the owner of the lands.

25. The addition *bēl eglāti* bears out our main argument concerning the character of the *ditennūtu*; the debtor remains the owner of the land, although it has been given into possession to the creditor.

10 (82)

(1)  $\text{ṭup-pí ti-te-e[n-nu-ti ša]}$  (2)  ${}^m\text{Tar-mi-ia mār [ . . . ]}$   
 (3)  $\text{ù } {}^m\text{Tar-mi-ia mār-šu}$  (4)  ${}^m\text{Ku-un-nu a-na di-te-en-nu-ti}$   
 (5)  $\text{a-na } 3 \text{ šanāti}^{\text{pl}} \text{ a-na di-te-en-nu-ti}$  (6)  $\text{a-na } {}^m\text{I-la-nu mār}$   
 $\text{Ta-a-a-ú-ki}$  (7)  $\text{it-ta-din } \text{ù } {}^m\text{I-la-nu}$  (8)  $3 \text{ immerāti}^{\text{pl}} 3\text{-šu bá-aq-nu}$   
 (9)  $1 \text{ immeru}^1 3\text{-šu bá-aq-nu}$  (10)  $1 \text{ ka}_4\text{-lu-mu}^{\text{uš}} \text{ ḥu-ra-pu ša}$   
 $\text{pá-aq-nu i-na arḥi}^{\text{bi}} [\text{k}] \text{u-ri-il-li}$  (11)  $1 \text{ šubātu eš-šu } 6 \text{ manē}$   
 $\text{šu-qú-ul-ta-šu}$  (12)  $\text{an-nu-u kaspu}^{\text{pl}} \text{ a-na } {}^m\text{Tar-mi-ia}$  (13)  $\text{it-ta-din}$   
 $\text{im-ma-ti-me-e}$  (14)  $3 \text{ šanāti}^{\text{pl}} \text{ im-ta-lu-lu}$  (15)  $\text{kaspa}^{\text{pl}} \text{ ša pí-i ṭup-pí}$   
 (16)  $\text{an-ni-i } {}^m\text{Tar-mi-ia}$  (17)  $\text{a-na } {}^m\text{I-la-nu } \text{ú-ta-ar}$  (18)  $\text{ù mār-šu}$   
 $\text{i-li-qí}$  (19)  $\text{šum-ma } {}^m\text{Ku-un-nu pa-qí-ra-na}$  (20)  $\text{i-ra-aš-ši}$   
 ${}^m\text{Tar-mi-ia}$  (21)  $\text{ú-za-ak-ka}_4\text{-ma a-na}$  (22)  ${}^m\text{I-la-nu i-na-an-din}$   
 (23)  $\text{ù } {}^m\text{I-la-nu}$  (24)  $2 \text{ manē šipāta}^{\text{pl}} \text{ a-na šatti}$  (25)  $\text{ù šatti}$   
 $\text{ki-ma}$  (26)  $\text{lu-bu} \langle \text{ul} \rangle \text{-ti-šu ša}$  (27)  ${}^m\text{Ku-un-nu a-na } {}^m\text{Tar-mi-ia}$   
 (28)  $\text{i-na-an-din šum-ma i-na } 1 \text{ ūmi}^{\text{mi}} \text{ ši-pi-ir-šu}$  (29)  $\text{ša } {}^m\text{I-la-nu}$   
 ${}^m\text{Ku-un-nu e-zi-ib}$  (30)  $1 \text{ manū erā u-ri-ḥul-šu sa ūmi}^{\text{mi}}$   
 (31)  $\text{ù ūmi}^{\text{mi}} {}^m\text{Tar-mi-ia}$  (32)  $\text{a-na } {}^m\text{I-la-nu } \text{ú-ma-al-la}$   
 (33)  $\text{ma-an-nu-um-me-e i-na be-ri-šu-nu}$  (34)  $\text{ša ibalkatu}^{\text{tu}} 1 \text{ alpa}$   
 $\text{ú-ma-al-la}$

(35)  $\text{maḥar K[i-il-] li mār At-ti-la-mu}$  (36)  $\text{maḥar Š[i-mi]-}$   
 $\text{ka}_4\text{-ri mār Te-hi-ip-šarru}$  (37)  $\text{maḥar } \text{Ḥa-}[š\text{i-ip}]\text{-til-la mār Ur-ḥi-ia}$   
 (38)  $\text{maḥar Šuk[-ri-ia] mār Til-li-ia}$  (39)  $\text{maḥar [Ki-in-i]a mār}$   
 $\text{Ik-ki-ia}$  (40)  $\text{maḥar [Še-ḥa-al-te-šup] mār}$  (41)  $[\text{m} . . . .]$   
 (42)  $\text{qāt } [\text{mKa}_4\text{-}] \text{si ṭupšar-rum}$

Seals of the above witnesses.

<sup>1</sup> *LU.NITA.*

Tablet of possession of Tarmiya, son of . . . , whereby his son Kunnu into possession (5) for five years to Ilanu, son of Tayuki, he has given. And Ilanu three ewes, thrice clipped, one male sheep, thrice clipped, (10) one spring lamb that was clipped in the month of Kurilli, one new cover weighing six minas, this capital to Tarmiya he has given. When three years have been fulfilled, (15) the capital stated in this tablet Tarmiya shall return to Ilanu and his son he shall take back. If Kunnu has a claimant, (20) Tarmiya shall clear him (and) restore him to Ilanu. Two minas of wool, year (25) by year, for the clothing of Kunnu to Tarmiya shall be given. If for one day the service of Ilanu Kunnu should leave, (30) one mina of copper, the compensation for one day, Tarmiya to Ilanu shall pay. Whosoever among them breaks the agreement shall furnish one ox.

Six witnesses and signature of scribe. Six seals.

This is the first document in this group in which the security is personal.

24. The provision that the creditor must furnish the clothing of the person "held in possession" sheds valuable light on local conditions.

29. *HSS IX. 22. 18* has *i-pá-tur* in place of *e-zi-ib*.

### 11 (40)

(1) um-ma <sup>m</sup>Zi-gi mār Ta-i-til-la (2) i-na pa-ni awēlūti<sup>pl</sup> šī-bu-ti (3) ki-na-an-na iq-ta-bi (4) 12 manē anāka<sup>pl</sup> a-šar (5) <sup>m</sup>A-ka<sub>4</sub>-wa-til mār El-li (6) el-te-qì-mi ù ra-ma-ni-ia (7) a-na ti-te-en-nu-ti i-na bīt<sup>pl</sup>it (8) ša <sup>m</sup>A-ka<sub>4</sub>-wa-til a-na ti-te-en-nu-ti (9) ki-ma 12 manē anāki<sup>pl</sup> ša-a-šu (10) uš-te-ri-ib ù šipra-šu epuš<sup>uš</sup> (11) im-ma-ti-me-e e-bur-šu itēpuš<sup>ma</sup> 12 manē anāka<sup>pl</sup> (12) a-na <sup>m</sup>A-ka<sub>4</sub>-wa-til ú-ta-ar-mi (13) ù ra-ma-ni-ia iš-tu bīti (14) ša <sup>m</sup>A-ka<sub>4</sub>-wa-til u-še-iš-ší (15) šum-ma šipir-šu ša <sup>m</sup>A-ka<sub>4</sub>-wa-til (16) a-na 1 ūmi<sup>mi</sup> e-zi-ib (17) 10 qa šēa ki-ma u-ri-ḥu-ul-lim (18) ša ūmi<sup>mi</sup> ù ūmi<sup>mi</sup> (19) a-na <sup>m</sup>A-ka<sub>4</sub>-wa-til ú-ma-al-la (20) ša ibalkatu<sup>tu</sup> 1 alpa umallā (21) ṭup-pu i-na pa-ni abulli ina <sup>e</sup>Nu-zi ša<sub>7</sub>-ṭi-ir

(22) <sup>abank</sup>kunuk Ki-in-ni awēl<sup>ma</sup>ma-šar ekalli (23) <sup>abank</sup>kunuk Zi-li-  
ip-til-la mār Ḥu-ti-ia (24) <sup>abank</sup>kunuk Ḥu-ti-in-na-wa-ar mār  
E-te-eš-še-en-ni (25) <sup>abank</sup>kunuk Ta-i-te-šup mār Ša-ar-te-šup  
(26) <sup>abank</sup>kunuk Zi-ra-a-a mār Ip-ša-ḥa-lu (27) <sup>abank</sup>kunuk Ḥu-ti-  
ip-a-pu mār Pu-ri-sa (28) <sup>abank</sup>kunuk Ni-ra-ri ṭupšarru mār Ta-a-a

Thus (says) Zigi son of Taitilla; in the presence of witnesses he declared, as follows: Two minas of lead from (5) Akawatil, son of Elli, I have received, and myself for possession into the house of Akawatil, as possession, in exchange for twelve minas of lead (10) I have caused to enter; and his work I shall perform. When his harvest he gathers, twelve minas of lead to Akawatil I shall return and from the house of Akawatil I shall free myself. (15) If the work of Akawatil for a single day I should leave, ten qa of barley as compensation for each day to Akawatil I shall furnish.

He who breaks the agreement shall furnish one ox.

The tablet was written in the gate, in °Nuzi.

Seven seals.

For a discussion of this document see section 1.

12 (38)

(1) lišān-šu ša <sup>m</sup>Ḫa-ši-ip-til-la mār Ur-ḫi-ia (2) a-na pa-ni šī-bu-ti ki-am iq-ta-bi (3) 2 immerāti ša 4-šu-nu bá-aq-nu 2 immerāti ša 3-šu-nu bá-aq-nu (4) x<sup>1</sup> 2 ka<sub>4</sub>-lu-mu<sup>uš</sup> ḫu-ra-pu te-ir-te-en-nu-ti (5) napḫar 6 immer[āti]<sup>pl</sup> damqūti<sup>q<sup>a</sup>-ti<sup>pl</sup></sup> ù (6) 3 manē šipāta<sup>pl</sup> a-šar <sup>m</sup>l̄l-a-nu mār Ta-a-a-ú-ki i-na arḫi<sup>bi</sup> Ḫi-in-zu-ur-ri-wa (7) el-te-qì ù i-na-an-na ki-mu-ú immerī<sup>pl</sup> (8) ù ki-mu-ú šipāti<sup>pl</sup> an-nu-ti (9) 1 imēr 5 isaweḫari<sup>2</sup> eqla i-na il-ta-na-an eqli (10) ša <sup>m</sup>Arad-ti-ia ù ša <sup>m</sup>Ḫu-pí-ta (11) i-na šu-pa-al eqli ša <sup>m</sup>Pal-te-e-a (12) i-na su-ta-a-an eqli ša <sup>m</sup>A-ri-pu-gur (13) i-na e-li-en eqli ša <sup>m</sup>Tar-mi-ia (14) ša <sup>m</sup>l̄l-a-nu-ma u-ka<sub>4</sub>-al-lu a-na di-te-en-nu-ti (15) <sup>m</sup>Ḫa-ši-ip-til-la a-na <sup>m</sup>l̄l-a-nu iddinu<sup>mu</sup> (16) im-ma-ti-me-e 6 immerē u 3 manē šipāta<sup>pl</sup> i-na arḫi<sup>bi</sup> Ḫi-in-zu-ur-ri-wa (17) <sup>m</sup>Ḫa-ši-ip-til-la a-na <sup>m</sup>l̄l-a-nu utāru<sup>mu</sup> (18) ù eqla-šu i-liq-qì šum-ma ma-a-a-ru (19) ù la i-liq-qì šum-ma eqlu pí-ir-qa irtašī<sup>si</sup> (20) <sup>m</sup>Ḫa-ši-ip-til-la ú-za-ak-ka<sub>4</sub> a-na (21) <sup>m</sup>l̄l-a-nu i-na-an-din i-na lib-bi eqli (22) <sup>m</sup>Ḫa-ši-ip-til-la qa-aš-qa la i-liq-qì (23) ṭup-pu i-na arki<sup>ki</sup> šu-du-ti (24) i-na °Nu-zi ša-ṭi-ir

(25) maḫar Ili-ma-a-ḫi mār Mu-uš-te-e-a (26) maḫar Zi-li-pa-pu mār A-kap-tùk-kí (27) maḫar Bil-<sup>d</sup>Adad mār A-kap-še-en-ni (28) maḫar <sup>d</sup>Sin-qur-dá mār Ta-an-ti-ia (29) maḫar Še-en-na-til mār It-ḫa-a-pu (30) maḫar A-mu<-ur<sup>s</sup>>-mi-te-šup mār šarri

Seals of the above witnesses.

<sup>1</sup> The preceding word is repeated by oversight. <sup>2</sup> APIN. <sup>3</sup> So on seal (I. 33).

The declaration of Hashiptilla, son of Urhiya; in the presence of witnesses he declared, as follows: Two ewes which have been clipped four times, two ewes which have been clipped three times, two spring kids (clipped) for the second (time); (5) altogether six sheep in sound condition, and three minas of wool from Ilanu, son of Tayuki, in the month of Hinzuri I received. And now, in exchange for the sheep and in exchange for the wool, one imer five aweharu of land, north of the field (10) of Arattiya and of Hupita, below the land of Palteya, south of the land of Aripugur, (and) above the land of Tarmiya, which Ilanu has been keeping in his possession, (15) Hashiptilla to Ilanu has given. When the six sheep and the three minas of wool Hashiptilla to Ilanu has returned, then his land he shall take back. If the field had been plowed over, he shall not take it. If there is a claim against the field, (20) Hashiptilla shall clear it and restore it to Ilanu. Out of the midst of the field the moiety Hashiptilla shall not remove.

The tablet was written after the proclamation in °Nuzi.

Six witnesses. Six seals.

13 (12)

(Case)

<sup>ab</sup>an<sup>kunuk</sup> [°SAG.]KI <sup>tu</sup>pšar[rum]

(Tablet)

(1) um-ma A-ri-il-lu-um-ti-ma mār Ḫa-ši-in-na (2) ip-pá-na-an-nu-um-ma (3) 1 imēr 2 <sup>is</sup>aweḫari<sup>1</sup> eqla i-na °Nu-zi (4) i[-na e]l-te-na a-šar dimti (5) ša <sup>m</sup>Te-ḫi-ia a-na di-te-en-nu-ti (6) a-na <sup>m</sup>I-la-an-nu mār Ta-i-ú<sup>2</sup>-ki (7) at-ta-dì-in ù i-na-an-na (8) eqla ša-a-šu a-na di-te-en-nu-ti (9) a-na <sup>m</sup>I-la-an-nu-ú-ma (10) at-ta-dì-in ù <sup>m</sup>I-la-an-nu (11) 3 manē 30 šiqil<sup>3</sup> anāka<sup>pl</sup> (12) a-na <sup>m</sup>A-ri-il-lu-um-ti iddin<sup>im</sup> (13) im-ma-ti-me-e kaspu<sup>pl</sup> (14) ša pí-i <sup>tu</sup>p-pi la-⟨be⟩-ri (15) ù 3 manē 30 šiqil<sup>c</sup> anāka<sup>pl</sup> (16) ša pí-i <sup>tu</sup>p-pi an-ni-i (17) it-ti-ḫa-mi-iš (18) <sup>m</sup>A-ri-il-lu-um-ti (19) a-na <sup>m</sup>I-la-an-nu-ú (20) ú-ta-ar eqla-šu (21) i-liq-qì šum-ma eqlu (22) ma-a-ru la i-liq-qì (23) šum-ma eqlu pá-qí-ra-na (24) i-ra-aš-ši <sup>m</sup>A-ri-il-lu-⟨um<sup>4</sup>⟩-ti (25) ú-za-ak

(26) maḫar U-na-a-a mār Ḫi-in-ti-ia (27) maḫar Zi-gi-ku-

<ur<sup>5</sup>>-ši-im mār Ta-an-ki-ia (28) maḥar Gi-el-šu mārāt Šarra-mu-li (29) maḥar Ḥa-ši-ip-te-šup mār Ḥu-ti-in-na-wa-ar

Seals of the above witnesses and of Sakki, the scribe.

<sup>1</sup> APIN. <sup>2</sup> The sign looks like *pa* but was undoubtedly intended for *u*.  
<sup>3</sup> SU. <sup>4</sup> *um* may have been omitted here accidentally; it is also possible that the nasal was not pronounced consistently. The sign is also missing on the seal (l. 30). <sup>5</sup> So on seal (l. 32).

(Case) Seal of Sakki, the scribe.

Thus (says) Arillumti, son of Hashinna: Formerly, one imer (and) 2 aweharu of land in <sup>c</sup>Nuzi, north of the district (5) of Tehiya, to Ilanu, son of Tayuki, into possession I gave; and now that land again to Ilanu (10) I have given. And Ilanu three minas (and) thirty shekels of lead to Arillumti has given. When the capital mentioned in the old tablet, (15) as well as that of this tablet, all of it, Arillumti to Ilanu (20) has returned, his land he shall take back. If the land had been plowed over, he shall not take it. If the land has a claimant, Arillumti shall clear it.

Four witnesses. Five seals.

14 (18)

(1) um-ma <sup>m</sup>Še-en-na-til (2) mār A-ri-iḥ-ḥa-ma[-an-na] (3) ip-pa-na-an-nu-um-ma (4) 1 imēr 5 <sup>i</sup>aweharu<sup>1</sup> eqla a-bu-ia <sup>m</sup>A-ri-iḥ-ḥa-ma-an-na (5) i-na dimti ša <sup>m</sup>Ḥa-ši-ia-wa (6) i-na lib-bi-šu [*bīt*]<sup>ti</sup> (7) a-na di-te-en-nu-ti a-na (8) <sup>m</sup>I-la-an-nu-ú iddin<sup>dim</sup> (9) ù i-na-an-na eqla ša-a-šu-ma (10) a-na di-te-en-nu-ti a-na (11) 10 šanāti<sup>pl</sup> a-na <sup>m</sup>I-la-an-nu-ma mār Ta-i-ú-ki (12) at-ta-di-in ù <sup>m</sup>I-la-an-nu (13) 7 manē anāka<sup>pl</sup> 50 qa šēa<sup>pl</sup> (14) 1 immerta ša šinni<sup>ni</sup> <sup>2</sup>-šu bá-aq-nu (15) a-na <sup>m</sup>Še-en-na-til iddin<sup>dim</sup> (16) im-ma-ti-me-e 10 šanāti<sup>pl</sup> (17) eqli im-ta-lu-ú mi-nu-um-me-e (18) kaspu<sup>pl</sup> ša pí-i ṭup-pí-šu (19) ša la-be-ri ù kaspu<sup>pl</sup> (20) ša pí-i ṭup-pí-an-ni-i (21) it-ti-ḥa-mi-iš <sup>m</sup>Še-en-na-til (22) a-na <sup>m</sup>I-la-an-nu-ú (23) ú-ta-ar šum-ma (24) eqlu pá-qi-ra-na i-ra-aš-ši (25) <sup>m</sup>Še-en-na-til ú-za-ak (26) šum-ma eqlu ma-a-ru la i-liq-qi (27) i-na lib-bi eqli ša-a-šu (28) a-na qa-aš-gi-ni-wa la i-liq-qi<sup>3</sup> (29) ma-an-nu-um-me-e (30) i-na bēri<sup>4</sup>-šu<-nu> i-na 10 šanāti<sup>pl</sup> (31) ibalkatu<sup>tú</sup> 1 alpa umallā<sup>pl</sup> (32) ù kaspa<sup>pl</sup> ina <sup>c</sup>Nuzi ú-ta-ar

(33) maḥar Ḥu-pí-ta mār Ar-ša-še<sup>5</sup> (34) maḥar An-ni-šu mār Ḥa-bi-ra (35) maḥar Ur-ḥi-til-la mār KI.MIN (36) maḥar Ma-an-ni-ia mār Tù-ul-tù-uk-ka<sub>4</sub> (37) maḥar Ut-ḥap-ta-e mār



Ta-an-ti<sub>4</sub>-ia (38) maḥar Mu-ut-ta mār Zi-en-ni (39) maḥar Ka<sub>4</sub>-ni mār Šu-ra-pí (40) maḥar Ta-e-na mār Ta-an-ki-ia (41) maḥar Ḥa-ši-in-na mār A-kip-še-en-ni

Seals of the above witnesses except Manniya; also of *I-la-an-nu* and of *SAG.AN.KI*, the scribe.

<sup>1</sup> *APIN*.

<sup>2</sup> Text *sa*, partially erased.

<sup>3</sup> See vol. 52, p. 366, note 85.

<sup>4</sup> *RI.BA.NA*.

<sup>5</sup> Text *wa*.

Thus (says) Shennatil, son of Arihamanna: Formerly my father Arihamanna one imer (and) five aweharu of land (5) in the district of Hashiya, with buildings upon it, into possession to Ilanu gave. And now that land (10) into possession for ten years to that same Ilanu, son of Tayuki, I have given. And Ilanu seven minas of lead, fifty qa of barley (and) one ewe which has been clipped twice, (15) to Shennatil has given. When the ten years of the land have been fulfilled, all the capital mentioned in the old tablet, and the capital (20) of this tablet, all of it, Shennatil shall return to Ilanu. If the field has a claimant (25) Shennatil shall clear it. If the field had been plowed over, he shall not take it back. Out of the midst of that field the moiety he shall not remove. Whosoever (30) between them breaks the agreement shall furnish one ox. The capital is to be returned in <sup>c</sup>Nuzi.

Nine witnesses. Ten seals.

### 15 (22)

(1) lišan-šu ša <sup>m</sup>Tar-mi-ia mār Ur-ḥi-ia (2) a-na pa-ni awēlūti<sup>pl</sup> šībū<sup>pl</sup>-ti (3) ki-a-am iq-ta-bi (4) i-na pa-na-nu eqlu (5) a-na ti-te-en-nu-ti (6) a-na <sup>m</sup>I-la-a-nu mār Ta-ú-ki nadnu<sup>nu</sup> (7) ù i-na-an-na eqlu ša-a-šu-ma (8) a-na ti-te-en-nu<-ti> a-na (9) <sup>m</sup>l-la-nu nadnu<sup>nu</sup> a-na-ku 3 manē anāka el-te-qì (10) e-nu-ma kaspu<sup>pl</sup> (11) ša la-bi-ru ša pī ṭup-pí (12) <sup>m</sup>Tar-mi-ia utāru<sup>ru</sup> (13) 3 manē anāka an-nu-ú (14) it-ti kaspi la-bi-ri (15) utāru<sup>ru</sup> ù eqla-šu (16) i-liq-qì (17) ṭup-pu ina arki šu-du-ti (18) ša-ṭi-ir

(19) maḥar Tup-ki-še-en-ni mār Gi-ra-ar-til-la (20) maḥar Mu-ut-ta mār Zi-en-nu (21) maḥar En-na-mu mār Ḥu-pí-ta (22) maḥar Tù-ra-ar-te-šup ṭupšarru (23) mār It-ḥa-pí-ḥé

Seals of the above witnesses.

The declaration of Tarmiya, son of Urhiya; in the presence of witnesses he spoke, as follows: Formerly land (5) to Ilanu, son

of Tayuki, into possession was given. Now this same land has again been given to Ilanu into possession. I have received three minas of lead. (10) When the money which (is due of) old, as stated in the tablet, has been returned to Tarmiya, (and when) these three minas of lead as well as the old capital (15) have been returned, then he will take back his land.

The tablet was written after the proclamation.

Four witnesses. Four seals.

7. *eqlu šāšuma* "the same land again" emphasizes the extension of the old transaction.

16 (33)

(1) lišān-šu ša <sup>m</sup>Mi-na-aš-šuk (2) mār Tùk-ki-šu a-na pa-ni (3) awēlūti<sup>pl</sup> ši-bu-ti an-nu-ti (4) ki-am iq-ta-bi a-ni-na eqla i-na dimit Šá-an-ta-al-lu-uk-wa (5) <sup>m</sup>Ḫa-na-ak-kà aḫ a-bi-ia (6) ša a-na di-te-en-nu-ti (7) a-na <sup>m</sup>I-la-nu mār Ta-a-a-ú-ki (8) in-di<sub>4</sub>-nu ù i-na-an-na (9) a-na-ku eqlāti<sup>pl</sup> ša-a-šu-ma (10) a-na <sup>m</sup>I-la-nu-ma at-ta-din (11) ù <sup>m</sup>I-la-nu 8 manē anāka<sup>pl</sup> 20 qa šēa<sup>pl</sup> (12) ki-i-ma eqli ša-a-šu a-na (13) <sup>m</sup>Mi-na-aš-šuk it-ta-din (14) ù im-ma-ti-me-e (15) 8 manē anāka<sup>pl</sup> 20 qa šēa<sup>pl</sup> (16) <sup>m</sup>Mi-na-aš-šu-uk a-na <sup>m</sup>I-la-nu (17) ú-ta-ar ù kaspā<sup>pl</sup> (18) ša [p]í-i ṭup-pi la-bi-ri (19) <sup>m</sup>[Mi-na-aš]-šuk (20) it-ti kaspi<sup>pl</sup> an-ni-im (21) ú-ta-ar-ma ù eqla-šu (22) i-liq-qì šum-ma eqlu ša-a-šu (23) pí-ir-qá irtašī<sup>š</sup> ù (24) <sup>m</sup>Mi-na-aš-šuk ú-za-ak-kà

(25) maḫar Ū-mul-te-šup mār Te-ḫé<sup>1</sup>-še-en-ni (26) maḫar Mu-ut<sup>2</sup>-ta mār Zi-en-ni (27) maḫar Ar-ru-um-ti mār Ḫa-si-in-na (28) maḫar Ut-ḫap-ta-e mār Ū-mul-te-šup (29) maḫar Ta-e-na mār Ta-an-ki-ia (30) maḫar Ma-an-nu-ta-ri-iz-zu ṭupšarru (31) mār Ki-ri-il-ti-<sup>d</sup>En-gur

(32) <sup>aban</sup><sup>m</sup>Mi-na-as-šuk ša eqla iddinu<sup>nu</sup>

Seals of the above witnesses, except Taena.

(36) i-na lib-bi eqli šá-a-šu ni-ik-šà la (37) i-na-ak-ki-is (38) ma-an-nu ša i-na bi-ri-šu<nu> ibalkatu (39) 2 alpā<sup>pl</sup> damqa<sup>q4</sup> umallā (40) ṭup-pu an-nu-ú (41) i-na arki<sup>ki</sup> šu-du-ti (42) i-na <sup>c</sup>Nu-zi šá-ti-ir

<sup>1</sup> After *ḫé* the text has *ḫi*. <sup>2</sup> Tablet has erroneously *wa*.

The declaration of Minashshuk, son of Tukkishu; in the presence of these witnesses he spoke, as follows: *As regards* the

land in the district of Shantalluk, (5) which Hanakka, the brother of my father, gave into possession to Ilanu, son of Tayuki, now the same land I (10) again to Ilanu have given. And Ilanu eight minas of lead (and) twenty qa of barley in exchange for that land to Minashshuk has given; and whenever (15) eight minas of lead (and) twenty qa of barley Minashshuk to Ilanu has returned, and the capital as stated in the old tablet Minashshuk (20) together with this money has returned, then his land he shall take back. If this land has a claim against it, Minashshuk shall clear it.

Seven witnesses. (32) The seal of Minashshuk who gave the land. Seals of the witnesses, except Taena (line 29).

(36) Out of the midst of that land the cut shall not be made. Whosoever between them breaks the agreement shall furnish two sound oxen. (40) This tablet was written after the proclamation in <sup>c</sup>Nuzi.

4. *Anina* (probably connected with the demonstrative pronoun *annu*) cannot be taken as a synonym of *ippanānumma*; cf. the position of the relative *ša*.

36. For this variation of the *kaška* clause cf. 4 and section 7. Another possible translation is "no part shall be stripped."

39. This is double the usual fine (one ox, one bull, or one cow).

17 (41)

(Case)

ṭup-pu ša <sup>f</sup>Wu-lu-ia

(Tablet)

(1) um-ma <sup>f</sup>Wu-lu-ia (2) mārat Tul-pi-še-en-ni (3) a-na-ku <sup>m</sup>Ū-na-a-a mār-ia (4) a-na <sup>m</sup>l̄-la-nu al-ta-par-mi (5) 1 imēr eqla i-na ugar <sup>c</sup>Nu-zi (6) i-na il-ta-an ḥarrāni<sup>ni</sup> (7) ša <sup>c</sup>An-zu-gal-li (8) i-na šu-pa-al eqli ša <sup>m</sup>Ši-il-wi-te-šup (9) a-na di-i-te-en-nu-ti (10) a-na <sup>m</sup>l̄-la-nu it-ta-din (11) ù i-na-an-na eqla (12) ša-a-šu-ma a-na di-i-te-en-nu-ti (13) a-na-ku a-na <sup>m</sup>l̄-la-nu (14) at-ta-din ù <sup>m</sup>l̄-la-nu (15) 2 manē a-na-ku<sup>pl</sup> (16) x<sup>1</sup> a-na (17) <sup>f</sup>Wu-lu-ia it-ta-din (18) im-ma-ti-me-e (19) kaspu<sup>pl</sup> la-bi-ru (20) ša pí-i ṭup-pi (21) ša <sup>m</sup>Ū-na-a-a (22) ú-ta-ar-ru (23) ù 2 manē a-na-ku (24) <sup>f</sup>Wu-lu-ia a-na (25) <sup>m</sup>l̄-la-nu ú-ta-ar (26) ù eqla ša-a-šu i-li-qi (27) šum-ma eqlu pá-qi-ra-na (28) i-ra-aš-ši <sup>f</sup>Wu-ru<sup>2</sup>-ia (29) ú-za-ak-ka<sub>4</sub>-ma a-na (30) <sup>m</sup>l̄-la-nu i-na-an-din

(31) maḥar Wi-ra-ḥe mār Gi-en-na-pí (32) maḥar Ku-tup-pa

mār En-šuk-ru (33) maḥar Ḥu-ti-na-wa-ar mār E-te-še-en-ni  
(34) qāt <sup>m</sup>Ka<sub>4</sub>-si ṭupšar-rum

Seals of the above.

(37) aban <sup>f</sup>Wu-ru-ia bēl<sup>2</sup> eqli

<sup>1</sup> m<sup>l</sup>-la-nu erased. <sup>2</sup> Sic!

(Case)

Tablet of <sup>f</sup>Wuluya.

(Tablet)

Thus (says) <sup>f</sup>Wuluya, daughter of Tulpishenni: (Formerly) I delegated my son Unaya to Ilanu (and – 5) one imer of land in the fields of <sup>c</sup>Nuzi, north of the road to <sup>c</sup>Anzugalli, (and) below the land of Shilwiteshup, into possession (10) to Ilanu I gave. And now that same land into possession to Ilanu I have given. And Ilanu (15) two minas of lead to Wuluya has given. Whenever the old money, (20) as stated in the tablet of Unaya, they have returned, and the two minas of lead Wuluya (25) to Ilanu has returned, then this land she shall take back. If the land has a claimant, Wuluya shall clear it and (30) restore it to Ilanu.

Three witnesses and scribe. Five seals including that of Wuluya, owner of the land.

4. To “delegate” one is to make one *māhiš pūtu* “plenipotentiary”; hence the tablet is called after the name of the person delegated (line 21).

15. The payment is in this case comparatively small; perhaps it was larger than usual in the original transaction.

28. *Wuruya* in text in place of *Wuluya* (line 1); this is one of the many instances of interchange between *r* and *l*.

18 (4)

(1) um-ma <sup>m</sup>I-la-a-a-ma (2) mār Ḥa-bi-ra a-na ia-ši (3) <sup>m</sup>Ḥu-pí-ta mār Ik-ki-e-a (4) ḥu-bu-ul-mi ù a-na-ku (5) <sup>m</sup>Ḥu-pí-ta a-na <sup>m</sup>I-la-nu (6) mār Ta-a-a-ú-ki iš-tap-ra-an-ni (7) 5 manē a-na-ku a-šar (8) <sup>m</sup>I-la-nu i-na muḥ-ḥi (9) kaspi<sup>pl</sup> ša eqlāti<sup>pl</sup> ša di-te-en-nu-ti (10) ša <sup>m</sup>Ki-ru-uk-ka mār Ik-ki-e-a (11) li-i-qì-mi ù i-na-an-na (12) 5 manē a-na-ku<sup>pl</sup> (13) a-šar <sup>m</sup>I-la-nu aš-šum (14) <sup>m</sup>Ḥu-pí-ta el-te-qì-mi (15) im-ma-ti-me-e kaspu<sup>pl</sup> (16) la-be-ru ša eqlāti<sup>pl</sup> (17) ša <sup>m</sup>Ki-ru-uk-ka ú-ta-ar-ru (18) ù a-na-ku<sup>pl</sup> ša-a-šu (19) it-t[i-ḥa-mi-iš] ú-ta-ar-ru (several lines destroyed) (20) qat <sup>m</sup>K[a<sub>4</sub>-si ṭupšarru]

(21) aban <sup>m</sup>Še-en-na-a-a (22) aban <sup>f</sup>A-zi-ra aban <sup>m</sup>Ka<sub>4</sub>-si  
 (23) aban <sup>m</sup>Ša-ar-te-e (24) aban <sup>m</sup>Ḫa-ši-ip-til-la

Thus (says) Ilaya, son of Habira: To me Hupita, son of Ikkiea, is debtor; and as for me, (5) Hupita to Ilanu, son of Tayuki, delegated me (saying): "Five minas of lead from Ilanu, on account of the money for the lands held in possession (10) from Kirukka, son of Ikkiea, take." And now five minas of lead from Ilanu in the name of Hupita I have received. (15) When the old capital (received) for the lands of Kirukka has been returned, and this lead, altogether, has been returned, (rest of text missing)

Signature of scribe. Five seals.

H. owes money to I.; the brother of the debtor had pawned his fields with Ilanu. Now H. empowers (*ištapranni*) the creditor to collect his debt against (*ina muḫbi*) an extension of the loan in which the field had been used as security. Apparently the brothers hold the field jointly.

7. The singular *a-na-ku* after a number is but another instance of grammatical irregularity. Cf. also the preceding text, line 15.

### 19 (39)

(1) um-ma <sup>m</sup>Še-en-na-til-ma mār Ši-mi-ia (2) 2 imēr 20 qa šēa<sup>pl</sup>  
 (3) 1 ma-la ku-du-uk-tù šipāta<sup>pl</sup> (4) 30 šiqil<sup>1</sup> anāka<sup>pl</sup> a-šar  
 (5) <sup>m</sup>A-ka<sub>4</sub>-wa-til mār Zi-gi (6) el-te-qì-mi (7) ù 5 <sup>i</sup>saweḫari<sup>2</sup>  
 eqla a-šar dimti ša (8) <sup>m</sup>Ak-ku-ia ina šu-pa-al ḫarrāni<sup>mi</sup> (9) ù ṭù-bu-  
 uk-ka<sub>4</sub>-az-zu (10) ša eqli ḫarrāni<sup>pl</sup> ik-ki-is-sú (11) a-na di-te-en-  
 nu-ti (12) a-na <sup>m</sup>A-ka<sub>4</sub>-wa-til (13) mār Zi-gi at-ta-di-in  
 (14) im-ma-ti-me-e (15) 2 imēr 20 qa šēa<sup>pl</sup> (16) 1 ma-la  
 ku<du>-uk-tù šipāta (17) 30 šiqil<sup>1</sup> anāka<sup>pl</sup> <sup>m</sup>Še-en-na-til (18) a-na  
<sup>m</sup>A-ka<sub>4</sub>-wa-til utāru<sup>pl</sup> (19) eqla-šu i-li-qì

(20) <sup>aban</sup>kunuk SAG.KI ṭupšarru (21) <sup>aban</sup>kunuk Ḫu-ti-ip-a-pu  
 mār Pu-ra-sa (22) <sup>aban</sup>kunuk Ku-uš-ši-ia <sup>awel</sup>a-bu-ul-ta-an-nu  
 (23) aban Gi-ra-ar-til-la mār En-na-ma-ti

<sup>1</sup> *SU*. <sup>2</sup> *APIN*.

Thus (says) Shennatil, son of Shimiya: Two imers (and) twenty qa of barley, one full bale of wool, (and) thirty shekels of lead, from (5) Akawatil, son of Zigi, I have received. And five aweharu of land in the district of Akkuya, below the road—and the *adjacent parts* (10) of the land the road cuts through—into

possession to Akawatil, son of Zigi, I have given. When (15) two imers, twenty qa of barley, one full bale of wool, (and) thirty shekels of lead, Shennatil has returned to Akawatil, his land he shall take back.

Four seals.

20 (86)

(1) [ . . . ]<sup>pl</sup> šēa 20 qa kibata<sup>1</sup> 1 ḥa-aš-ší-nu ša 5 šiqli<sup>2</sup>  
 (2) š[a m]ḥl-a-nu mār Ta-ú-ki (3) ù mḥa-na-a-a mār Ar-ti-ir-wi  
 (4) il-qì 3 <sup>is</sup>aweḥari<sup>3</sup> eqla (5) i-na dimti ša mša-an-tal-lu-uk  
 (6) i-na su-ta-ni eqli ša (7) mšuk-ri-ia i-na il-ta-na-ni (8) eqli ša  
 I-ri-gi-ga (9) 3 šanāti a-na di-te-en-nu-ti (10) a-na mḥl-a-nu  
 ittadnu<sup>nu</sup> (11) im-ma-ti<sup>4</sup>-e 3 šanāti (12) im-ta-lu kaspā ša  
 (13) pí-i ṭup-pí mḥa-na-a-a i-na <sup>o</sup>Nu-zi (14) a-na mḥl-a-nu utār<sup>5</sup>-ra  
 (15) eqla-šu i-liq-qì (16) ka-aš-ka ša eqli a-šar mḥl-a-nu la i-li-qì  
 (17) 4 awēlū<sup>pl</sup> an-nu-ú (19) eqla mu-še-el-wu ù (20) šu-nu<sup>6</sup>-ma  
 kaspā iddinu<sup>nu</sup>

(21) aban mḥa-na-a-a mḥa-ni-ir-ra (22) aban mTa-e mār Ar-ti-ir-wi (23) aban mTa-[ - - ]-ia mār E-te-ia (24) aban mŪ-na-a-a mār A-ri-ḥa-ma-na

<sup>1</sup> GIG. <sup>2</sup> SU. <sup>3</sup> APIN. <sup>4</sup> Not an omission cf. 7. 11. <sup>5</sup> GUR, written defectively. <sup>6</sup> Written over an erasure.

. . . . of barley, twenty qa of wheat, (and) one ax (weighing) five shekels, belonging to Ilanu, son of Tayuki, these Hanaya, son of Artirwi, has received. And three aweharu of land (5) in the district of Shantalluk, south of the land of Shukriya, (and) north of the land of Irigiga, (for) three years into possession (10) to Ilanu have been given. When three years have been fulfilled, (and) the capital as stated in the tablet of Hanaya in <sup>o</sup>Nuzi to Ilanu he has returned (15) his land he shall take back. The moiety of the land from Ilanu he shall not take. These four men have surveyed the land (20) and they too have paid out the money.

Five seals.

This tablet shows the same scribal mannerisms as 7.

21 (14)

(Case)

ṭup-pu ša Ḫi-iš-mi-til-la ša eqli qa-áš-ki  
<sup>aban</sup>kunuk SAG.KI ṭupšarri

(Tablet)

(1) um-ma Ḫi-iš-mi-til-la-ma mār Zi-ku-um-mi (2) ša °Lu-ub-dì 1 imēr eqla (3) ša ḪA-ka₄-wa-til mār Zi-gi (4) a-na qa-áš-ki ú-ka₄-al-mi (5) ù i-na-an-na a-na-ku eqla ša-a-šu (6) <a-na¹> ḪA-ka₄-wa-til-ma um-te-eš-ši-ir-mi (7) ki-ma eqil qa-aš-ki ša-a-šu (8) 1 imēr šea<sup>pl</sup> 3 manē šīpāti<sup>pl</sup> (9) bá-qi-ma-tù an-nu-tu kaspu<sup>pl</sup> (10) ki-ma qa-áš-ki-ia a-šar (11) ḪA-ka₄-wa-til el-te-qi-mi ù ap-la-ku-mi ù eqlu an-nu-ú (13) ina lib-bi eqlā-ti ša El-ḫi-ip-til-la mār Ḫu-i-til-la (14) na-ki-is ma-an-nu-um-me-e (15) i-na bēri²-šu-nu (16) ibalkatu<sup>tù</sup> 1 alpa umallā<sup>pl</sup> (17) ṭup-pu an-nu-ú ina arki<sup>ki</sup> (18) šu-du-ti ina °Nu-zi (19) sa-ṭi-ir

(20) maḥar Ḫa-ši-ip-til-la mār Ur-ḫi-ia (21) maḥar Ili-ma-aḫi<sup>bi</sup> mār I-la-an-nu (22) maḥar I-la-an-nu mār Ta-i-ú-ki (23) qāt<sup>3</sup> SAG.KI ṭupšarru

Seals of the above witnesses.

¹ Omission is more likely here than the substitution of the male determinative for *ana*. ² *RI.BA.NA*. ³ After *ŠU* the scribe wrote *NIGIN* by mistake.

(Case)

Tablet of Hishmitilla, concerning a *kaška* land.

Seal of Sakki, the scribe.

(Tablet)

Thus (says) Hishmitilla, son of Zikummi, of °Lubdi: One imer of land, which Akawatil, son of Zigi, has been holding for (removal of the) moiety, (5) now that land to Akawatil I have surrendered. In exchange for the *kaška* land one imer of barley (and) three minas of *plucked* wool, this capital (10) in exchange for my moiety from Akawatil I have received and I have (thus) been paid in full. And that land out of the lands of Elhīptilla, son of Huitilla, is to be cut off. Whosoever (15) among them breaks the contract shall is to furnish one ox.

This tablet was written in °Nuzi after the proclamation.

Three witnesses and signature of scribe. Four seals.

In this document the rights to the *kaška* alone are involved. They had been rented from H, who now sells them outright and declares himself paid in full (*aplākumi*). The connection between H. and E. (line 13) is open to conjecture.



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## THE ETHNIC BACKGROUND OF THE EARLY CIVILIZATIONS OF THE NEAR EAST<sup>1</sup>

THERE is more than mere academic curiosity in our attempts to define the ethnic elements in the early civilizations of the Near East. The earliest history of the East is also the beginning of the cultural history of mankind in the sense that henceforward we have an uninterrupted record of man's achievements down to our own times. Our debt to Greece and Rome is scarcely greater than was the indebtedness of the classical world to the Orient. In tracing the ancient Oriental civilizations of five and even six thousand years<sup>2</sup> ago we are not straying, therefore, into obscure by-paths; it is the most direct route to the cultural childhood of mankind as a whole. The ethnic, or human, element behind the archaic civilizations of the East becomes thus a matter of more than passing interest.

Races of the past may be studied with the aid of anthropological, linguistic, and cultural data. Skeletal remains are, of course, of primary importance, but the additional evidence of philology and archaeology is indispensable in view of the frequency of racial intermixtures. Where all these sources are available in sufficient proportions, it is comparatively simple to arrive at ethnic identifications with a considerable degree of certainty. In the case of the archaic civilizations of the Near East, however, we are very poorly equipped for such investigations. The following are the principal drawbacks:

The skeletal material is, up to the present, far from conclusive, especially for the older deposits.<sup>3</sup> This is particularly true of Mesopotamia, where recent discoveries have brought to light an imposing series of early civilizations with but an insignifi-

<sup>1</sup> The present paper was read before section H (Anthropology) of the American Association for the Advancement of Science, at a meeting which was held in Chicago on June 23, 1933. The main argument is necessarily non-technical, hence the footnotes must carry the burden of the documentation required. Relevant archaeological material was outlined in this JOURNAL (XXXVI, 465 ff.) in a paper to be cited henceforward as *Synchronisms*. A more comprehensive discussion will be found in the writer's *Mesopotamian Origins*, a book that is now in need of revision as regards many important details. Among the latest discussions that have an important bearing on our subject the following are especially worthy of notice: Frankfort, *Archeology and the Sumerian Problem*, 1932 (abbr. as *ASP*); Herzfeld, "Geschichte und Vorgeschichte" (*GuV*), in *Archaeologische Mitteilungen aus Iran*, V. 1; and Christian, "Beiträge zur Chronologie der Lagash-Periode und zum Sumerer-Problem," in *Archiv für Orientforschung*, VIII, 1933, 203 (abbr. as Christian). Our agreements and disagreements with these valuable contributions will be noted below.

<sup>2</sup> The chronology of the prehistoric periods in the Near East is destined to remain purely relative. The starting dates of both the Early Dynastic period in Mesopotamia and the First Dynasty of Egypt cannot be placed later than the beginning of the third millennium; a good many still hold out for the end of the fourth millennium. These "minimum" dates are appreciably more conservative than were the chronological estimates of even a decade ago. That they inspire a proportionately greater amount of confidence is due entirely to the latest triumphs of archaeology with the resulting abundance of available information. A further reduction on a larger scale is definitely precluded by the circumstance that the intermediate gaps have all been filled. With regard to the prehistoric periods, however, we are in a less enviable position. The salient fact about them is that they occupied nearly a score of successive strata (cf. *Synchronisms* and the literature there cited). Even if we assign but a century to each stratum, surely a moderate average estimate, our earliest layers will take us back to the beginning of the fifth millennium.

<sup>3</sup> For a review of this phase of the subject and the principal publications involved cf. Frankfort, *ASP*, 40 ff., and the contributions of Henry Field to the latest issues of *J.R.A.S.*, *A.J.A.*, and *A.A.*

cant proportion of human remains. In this respect the land of the Tower of Babel continues to suffer from the primeval confusion.

Direct linguistic evidence is lacking entirely. In a way it is a case of being so successful in one department as to precipitate utter failure in another, though this is one maladjustment that cannot be charged to the Machine Age. For recent archaeological research has carried us, within the last few years, to the beginnings of history, proceeding thence to reveal a long series of prehistoric occupations. The relative positions of history and prehistory are not likely to be disturbed or modified in the future. To be strictly historical a given period must be articulate; and to be articulate it must be literate.<sup>1</sup> It should be able to convey its message to posterity not only through material remains, but also through the far more expressive medium of written records, thus placing an effective check upon the impermanency of Time. Now writing becomes a factor in the evolution of mankind, in Mesopotamia as well as in the Nile Valley, at about 3000 B.C.<sup>2</sup> Prior to that there is a clearly traceable interval of groping towards some mode of expression in written form. Still farther back lies a succession of permanently and irrevocably prehistoric strata. Yet it is precisely from these that we get our data for the ancient civilizations with which we are concerned at present; but the linguistic testimony of their authors can never be recaptured.<sup>3</sup>

We are thus left in almost complete dependence on what is ordinarily the least valuable criterion for ethnic purposes: the evidence of archaeology. Our scanty anthropometric material cannot be intrusted for the present with a decisive vote in the matter. We may expect, however, some slight assistance from the ethnic and linguistic survivals in later times. Thus, e.g., the early historical peoples of Mesopotamia included Sumerians and Semites, to judge from the available written records; the same two groups may have been in the land before writing had come into use. Moreover, the ethnic characteristics of the present-day inhabitants of the country are known well enough, and a retrospect from such a point of departure is altogether in order. But circumstantial evidence has at best only corroborative value. Our *pièce de résistance* in the present case must be furnished, therefore, by archaeology.

It remains now to specify the method whereby archaeological data may be utilized for ethnic purposes. Briefly, it is as follows. All cultural changes within the period under discussion must be first carefully noted. The next step is to determine which of these changes is due to an influx of new cultural elements from outside as opposed to purely local developments. Among the new importations some may derive simply from trade relations, while others, especially when they mark a radical departure from previous usages, cannot but be ascribed to the presence of heterogeneous ethnic carriers.<sup>4</sup> Next in order is the question as to the region from which the incoming group has arrived. Once the starting point has been ascertained, it is generally possible to come to a satisfactory conclusion as re-

<sup>1</sup> Cf. Herzfeld, *GuV*, 1. The value of this stimulating paper is not enhanced by the author's tendency to magisterial pronouncements, which fail to take into account all the evidence that is available.

<sup>2</sup> See above, p. 459, note 2.

<sup>3</sup> Linguistic palaeontology may be a useful secondary source, cf. *Mesopotamian Origins*, ch. II. By definition, however, it is too indirect for reasonably certain conclusions.

<sup>4</sup> Frankfort, *ASP*, employs this comparative archaeological method with a marked degree of success.

gards the migratory people. Here the secondary evidence from cultural and racial continuity comes to our aid. A given area may have been known throughout history for the conservative character of its basic culture and for the tenacity of its underlying ethnic strains. The probability of an essential *status quo* in prehistoric times is accordingly far from negligible. To be sure, much of the argument must needs rest on deduction and inference; its ultimate plausibility will depend primarily on the cumulative effect of the total evidence at hand. Naturally, a precise ethnic identification of a prehistoric, preliterate group can never be expected. But even the most ample and wholly unambiguous anthropometric evidence can result only in general identifications. It may help establish the fact that a given group belongs to the Alpine, Mediterranean, or Nordic races; it cannot demonstrate that the people in question were Akkadians rather than Amorites, or Elamites and not Hurrians. Where sufficient anthropological material is lacking, archaeology is still capable of taking up the burden. Its testimony may not be always unequivocal, but it will usually prove helpful in reducing the number and in narrowing down the range of possibilities.

One illustration will suffice to make clear the operation of this method. The first historical period in southern Mesopotamia, known as the Early Dynastic period, is now abundantly familiar to us as a result of the splendid finds from Lagash, Ur, Kish, Khafaje, and the like. It makes full use of its knowledge of writing, which entitles it to the honor of ushering in the historic age. It is also thoroughly at home in the application of the principles of metallurgy,<sup>1</sup> a further indication that the prehistoric period had been left behind. But neither writing nor the full knowledge of copper may be used in this case for the purpose of ethnic deductions, because both are found represented in the civilization that preceded. What is distinctly new in the Early Dynastic period is the employment of a novel building material: the plano-convex brick, flat on one side and rounded on the other.<sup>2</sup> It is a never failing guide to the age of the deposits in question for at no other period is this material in evidence. Now we know that this type of brick was not developed on the spot, but imported from elsewhere. It is much too clumsy and impractical for bonding to have replaced the convenient flat-topped shape of the previous age without any pressure from the outside. In other words, the plano-convex brick was introduced by a group of invaders who for one reason or another, probably on account of superior numbers or greater power, became the dominant force in the land. But we can go even further than that without fear of contradiction; it is possible to determine the general direction from which the new-comers had arrived. The plano-convex shape is obviously imitative of stone prototypes. Builders are notoriously conservative and archaizing in the choice of their material. Having been accustomed to stone, and finding themselves of a sudden in an alluvial region devoid of this material, they promptly contrived to make artificial stones of clay instead of taking full advantage of the new medium. Here we have absolutely clear proof that the newcomers were mountain folk. This means that they could have

<sup>1</sup> As opposed to the sporadic employment of the metal in the preceding, chalcolithic age. This distinction is, of course, abundantly clear to excavators. At Tepe Gawra, e.g., strata VIII and VII gave up so little copper that it was scarcely noticed in the mass of other objects. The floors of Gawra VI, on the other hand, were literally green with copper.

<sup>2</sup> This curious innovation is the real crux of the Sumerian problem as will be demonstrated later on.

come only from the north or the northeast. Translated into ethnic and linguistic terms, and with the application of what knowledge we have on this subject from historic times, it is safe to deduce that our sentimental but impractical invaders were not Semites, for these were almost invariably located to the south and to the west; nor yet Indo-Europeans who were not to appear on the scene prior to the second millennium. They must have come from the mountain districts of the northeast, or possibly even from some more remote montane area.<sup>1</sup>

We may now proceed with a brief examination of the ethnic background of the prehistoric civilizations in Mesopotamia along the lines just indicated. A rough outline of these archaic periods must, however, precede such an inquiry. There are three main cultural periods that may be distinguished in Mesopotamia (with analogues in Persia) before the advent of the historical age with its Royal Tombs at Ur, its palaces at Kish and at Lagash, and its scores of other centers in the south as well as in the north. The oldest of them is known as the el-Obeid period, the second as the Uruk period, and the last one as the Jemdet Nasr period. All have been named after the sites in which their respective distinguishing characteristics were first brought to light. Their combined duration must have been prodigious, certainly well over a thousand years, for they extend through not less than eighteen occupation layers.<sup>2</sup> That such a long succession of purely prehistoric strata can now be combined into fairly well defined cultural units, we owe entirely to archaeological progress in the last few years. The sites that have yielded the clearest stratigraphic evidence are: Ur (excavated by the British Museum and the Museum of the University of Pennsylvania), Uruk (Berlin Museums), Kish (Oxford and Field Museum), Tepe Gawra, north of Nineveh (American Schools of Oriental Research and Pennsylvania), and Nineveh itself (British Museum). The evidence of the northern sites is exceedingly welcome, since it lends perspective to the results from the south and provides material for a mutual check. The combined yield of all the above mounds, reinforced by the material from el-Obeid, Jemdet Nasr and other sites, has helped to crystallize our results as follows: The early part of the el-Obeid period was neolithic; thereafter we have the chalcolithic age which lasts till the beginning of Early Dynastic times. Cylinder seals are introduced towards the end of the Uruk period, while the Jemdet Nasr stage witnesses the beginning of writing and is thus a period of transition from prehistory to history.

The most clear-cut lines of demarcation between the prehistoric periods under discussion are furnished by distinctive pottery types. Thus the el-Obeid period specialized in painted pottery, monochrome and geometric as a rule. The following age preferred its ware plain, satisfying its striving for decoration by imparting to its fabrics a high polish upon a gray or red slip. In the Jemdet Nasr stage, the last of the prehistoric periods, one group of the population reverts to painted ornamentation in monochrome; another prefers polychrome wares, while unpainted fabrics are by no means disdained by either section. It should be emphasized that all these types are not only marked off the one from the other by unmistakable differences in

<sup>1</sup> The latter alternative gains in plausibility when it is remembered that the plano-convex brick is absent in the adjacent mountain regions. Though obviously mountain folk, the newcomers were not related culturally to the peoples of the Zagros hills, where in contemporary deposits the flat-topped brick is used by the side of stone.

<sup>2</sup> See above, p. 459, note 2.

shapes, technique and decorative motifs, but they are also separated by considerable intervals in time.<sup>1</sup> Moreover, since each change in ceramic fashions is accompanied by corresponding cultural transformations, there cannot be the slightest doubt that we are witnessing with each change realignments in the ethnic composition of Mesopotamia.

Our final task, then, is to interpret the afore-mentioned cultural changes in ethnic terms. We may as well start with the oldest period, the partially neolithic el-Obeid stage. On this point the differences of opinion among recognized authorities are most pronounced. It must be admitted that the available evidence is by no means unambiguous. The decision which is to be made entails more than the usual responsibility. For it is bound up with the problem of the original population of Mesopotamia and of the neighboring territories, the carriers of one of the oldest civilizations in the world. Hence the fervor with which some of the authorities have defended their respective views, and the diffidence that has kept others from committing themselves. The difficulty is further complicated by the following consideration. The ethnic group that made the greatest impression upon Mesopotamia, indeed the element whose influence has persisted in many instances up to our own times, has been correctly identified as Sumerian. They were the first strictly literate people in the country, being the dominant group in the Early Dynastic period, at the beginning of the third millennium B.C. Small wonder, therefore, that it is an invidious task to decide whether this remarkable race had been in the district from the beginning, or whether it arrived later as one of the invading hordes that poured over the fertile valley of the Two Rivers with nearly monotonous regularity.<sup>2</sup> Without entering here into all the details of this intriguing problem, one fact must be brought out clearly. When we have the pleasure of meeting them formally,<sup>3</sup> at about 3000 B.C., there is little outward mystery about the Sumerians. They take us into their homes and palaces, their temples and their harems; they introduce us to their wives and their children; they admit us to their collections and their workshops, and they have not the least hesitancy about allowing us to examine their archives.<sup>4</sup> In short, they disport themselves like the true masters of the land that they really were. As a result, we have an excellent idea of their physical appearance,<sup>5</sup> their language,<sup>6</sup> their art, and their every-day tools and implements. With such a rich background of knowledge it should be possible, after all, to recognize the ancestors of our good friends if by any chance they had settled

<sup>1</sup> Some students of the subject have expressed the opinion that because painted pottery is encountered in both the el-Obeid and the Jemdet Nasr periods, the creators of the two civilizations were of the same ethnic stock. This view, however, proves untenable upon closer investigation. We now know that the Jemdet Nasr civilization was a composite one. Its monochrome ware cannot be attributed to the same source as the polychrome fabrics; while the latter are common in the south, the former predominates in the north (cf. *B.A.S.O.R.* 48, pp. 8 ff.), instead of going back directly to its possible Obeid analogues. Nor can the paintless but long-lasting Uruk stage, which intervenes rather annoyingly, be explained on that assumption without taking for granted more than the situation really warrants.

<sup>2</sup> Evidence for frequent foreign invasions in prehistoric times is adduced by Jordan, *Ausgrabungen in Uruk*, III, esp. pp. 36 f., and Frankfort, *ASP*, passim.

<sup>3</sup> I.e., when they have been positively identified by means of written records.

<sup>4</sup> The excavations at Ur alone have furnished a representative cross-section of contemporary life.

<sup>5</sup> Based on reliefs and sculptures in the round.

<sup>6</sup> The Sumerian language is perfectly intelligible even though completely isolated.

in the valley some two thousand years earlier, the probable time of origin of the el-Obeid period. Surely, that much force should attach to the argument from continuity.

Now what are the salient facts about the Obeid period? We know from the distinctive pottery of the time that the people in question occupied a wide area extending from northern Syria all the way to Baluchistan, the center of gravity being clearly in the Zagros mountains and the Iranian plateau. We have also a number of contemporary human figurines of terracotta,<sup>1</sup> entirely different in their underlying artistic principle from anything known from the later prehistoric and the early historic periods.<sup>2</sup> Especially marked is the contrast with the human representations of the Sumerians; nor is any comparison possible between the painted Obeid wares and the predominantly plain Sumerian pottery.

Lack of cultural continuity would thus militate against the assumption of ethnic identity between the Obeid folk and the Sumerians. Added to this are two other serious arguments. Firstly, we know that the Sumerians of the Early Dynastic times were quite definitely confined to Lower Mesopotamia.<sup>3</sup> They are not to be located in the neighboring Elam, and the districts to the north and northeast are also inhabited by heterogeneous ethnic elements. The south and the west are admittedly in the hands of the Semites. As against this demonstrable isolation of the historical Sumerians we have the equally prominent diffusion of the Obeid folk. If one assumes a generic relationship between the two, how is one to explain the ultimate concentration of the Sumerians in what was but an insignificant portion of their original territory, away from the former center of gravity? How will the advocates of Sumerian priority account for the fact that homologues of the Obeid ware continue to appear in the Highland zone up to the very time when the Sumerians, the alleged originators of that ware, are known to specialize in plain fabrics? Would not these facts alone argue an intimate connection between the Obeid stock and the Highlanders who have preserved essential cultural elements of the oldest period, rather than with the segregated and culturally disparate Sumerians?<sup>4</sup>

<sup>1</sup> For illustrations cf. Legrain, *Gazette des Beaux-Arts*, 1932, pp. 140–142. Frankfort (*ASP*, 20 f.) would justify his claim that these figurines represent the early Sumerians by pointing out that the hair is treated similarly on the monuments of the succeeding periods. But Meissner, *Archiv für Orientforschung*, V, 1 ff., has shown how misleading such evidence can really be. Moreover, the stylistic differences between the Sumerian figures of the Early Dynastic age and the Obeid figurines can be scarcely outweighed by such doubtful counter-arguments. And to say with Gadd (*History and Monuments of Ur*, 17) that the goddess Ninhursag may have been worshipped already by the el-Obeiders, as Frankfort would (*ASP*, 21), fails to advance the argument. For the worship of a mother-goddess was the one feature in the religions of ancient Mesopotamia that cannot be ascribed to any single group. To the Elamites, whose matriarchal tendencies have called for much comment, and to their congeners, it was at least as natural as to the Sumerians. But is there really much support for Gadd's assumption? Cf. Christian, *op. cit.*, p. 214.

<sup>2</sup> Cf. Legrain, *op. cit.*, figs. 5–11, with figs. 12 ff.

<sup>3</sup> North of Kish heterogeneous elements come to the fore notwithstanding the cultural influence of the Sumerians in historic times. But even that influence is totally absent in those regions in prehistoric times, to judge from such sites as Tepe Gawra.

<sup>4</sup> Herzfeld brings up the argument from place-names (*GuV*, 42) in support of his assertion that the Sumerians were the first in the land, not realizing that he is playing with a boomerang. For there are many more examples than Herzfeld has been able to give, which point precisely in the opposite direction; cf. *Mesopotamian Origins*, ch. II. One should either give up this line of reasoning or else present both sides of the case.

Lastly, there is this point to be raised. The Obeid period is succeeded by the Uruk stage, which is universally ascribed to invaders from the northwest.<sup>1</sup> In the language of the pro-Sumerians, this means that an Anatolian group put an end to the early Sumerian civilization. The height of the Uruk culture, and its northwestern origin, are amply attested by finds from Uruk and Tepe Gawra. To judge from the numerous strata in which it is represented, the Uruk civilization maintained itself for a long time. Then follows the Jemdet Nasr period with its composite civilization that partakes of eastern, northern, and western elements. This period too extends over a number of strata. Finally, after a lapse of perhaps two thousand years, we cross the borderline between prehistory and history. This time we meet the no longer anonymous Sumerians at the peak of their power. But is the dominant characteristic of this civilization, the plano-convex brick, native to the land? Certainly not, as we have seen. This last circumstance, it would seem, puts the pro-Sumerians definitely on the spot, so to speak. For if their views are accepted, it follows that after their initial success in Obeid times the Sumerians were pushed aside, and into complete insignificance, by the creators of the Uruk civilization, in which unenviable position they remained for many centuries. Then there would follow the lengthy period of transition in Jemdet Nasr times, with not one indisputable sign of life from the Obeiders.<sup>2</sup> At length, with unprecedented suddenness, we are confronted by the revived Sumerians, who now sweep everything before them. One can hardly recognize in them the doormats of the two preceding cultural periods, so unexpected is their vigor. To be sure, they have changed. They have abandoned their old and fanciful pottery, they have grown fat and squat, to judge from a comparison with the slim figurines of the Obeid times; and to cap the climax, instead of using the convenient and practical building material developed in the Jemdet Nasr period, they import from the mountains the most clumsy model imaginable which they proceed to reproduce in clay.<sup>3</sup> Plainly, we cannot get far with this line of reasoning.

The Sumerians must then be left out of account when the authors of the earliest civilization in the Near East are being considered. Nor could this neolithic group be identified with the Semites for geographic reasons, nor yet with the Indo-Europeans on chronological grounds. The creators of the first painted-pottery culture were doubtless the same eastern Highlanders in whose districts the ware in question continued the longest and attained its highest development. Most likely, these people were members of the Alpine group, which from all accounts was native to this mountain zone. A definite racial identification, however, can be furnished only by anthropology.

The Alpine element is still well represented in the country, especially in the north.

<sup>1</sup> Frankfort, *ASP*, 16 ff.

<sup>2</sup> See above, p. 464, note 3.

<sup>3</sup> It is the presence of this persistent crux that causes Christian (*Op. cit.*) to place the arrival of the Sumerians not earlier than at the end of the Jemdet Nasr period. His theory is entirely consistent, but it takes one thing for granted without sufficient justification, namely, that the Sumerians did not invent the prototype of the cuneiform writing. For writing is at least as early as the beginning of the Jemdet Nasr stage. It is quite true that the character of the language of the early pictographs has not been established as yet; however, the ranks of those who believe that the language in question was Sumerian, are on the increase just now; cf. Landsberger, *Zeitschrift für Assyriologie*, 1933, p. 242. Until this dispute has been settled, references to the linguistic background of the pictographs had best be avoided.

In addition, we have there the Semites, and, of course, we must account for the one-time presence of the irrepressible Sumerians. Just when both these groups first appeared on the scene is still debatable. It is natural that the Alpines should have been the earliest to settle in the valley following the direction of the rivers whose silt was responsible for the reclaimed and ever-increasing territory. But the Semites too were near at hand, in the south as well as in the west. They may have come in during the Obeid period, without leaving, however, any definite cultural trace of their presence. Or else, they may have joined halfway those Anatolians who were to introduce the Uruk civilization. It is almost certain that they participated in the Jemdet Nasr civilization, as may be deduced from the western leanings of that culture.

And the Sumerians? The preceding discussion has brought out, I trust, the difficulty of fixing with precision the time of their arrival. We know them as the authors of the first historic age in Mesopotamia. Their complete linguistic isolation would suggest that the Sumerians had come from a considerable distance penetrating into a totally dissimilar milieu.<sup>1</sup> They could hardly have been the creators of the Obeid civilization, as we have seen.<sup>2</sup> It is possible, however, that they first appeared in either one of the two following cultural stages, without immediately transforming the local civilizations.<sup>3</sup> A fresh influx on their part at the end of the Jemdet Nasr period would radically alter the situation.<sup>4</sup> Now everything bears the unmistakable Sumerian stamp. Not only are the Sumerians the political masters of the land, but the native cultural elements must also give way. The new rulers are, of course, free to use their own type of material in the construction of new buildings and to force through their own particular artistic conventions. The historical age is now definitely on its way.

But the Sumerians were unable to maintain themselves for long in their ethnic isolation. They were on foreign soil, away from the country of their origin. The older ethnic elements could not long be suppressed in their native districts. The original balance of power is soon restored. Once again we witness the conflict between the northern mountaineers and the shepherds of the south, the never ceasing struggle "for the possession of the Fertile Crescent."

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<sup>1</sup> It is only fair to state that Frankfort considers his own theory as the most probable one, but not as the only possible one; cf. *ASP*, 46, note 1. Where he believes to have discovered important traces of cultural continuity, others have found far more decisive evidences of cleavage. Unless the Sumerians arrived after the Jemdet Nasr period, which he is not unreasonably disinclined to assume, they could have come in only at the very beginning, he feels; the intervening stages are obviously intrusive and are dominated by non-Sumerian elements. His clear understanding of this situation marks great progress toward the solution of the problem. The present writer is of the opinion that a better explanation is available, in the sense that it accounts for a greater number of difficulties. He is not blind, however, to the fact that the final word on the subject still remains to be written.

<sup>2</sup> Otherwise they would have left linguistic descendants as was the case with the Semites and the "Japhethites."

<sup>3</sup> This hypothesis leaves the question as to the language of the pictographs strictly open. We know that the immediately predynastic civilizations were composite and syncretistic. The Sumerians may have invented writing and still remained for some time a minor political force.

<sup>4</sup> Lack of sufficient reinforcements in later times would account easily for the subsequent decline of the Sumerians and their ultimate absorption by the other ethnic stocks.





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Notes to Recently Published Nuzi Texts

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## NOTES TO RECENTLY PUBLISHED NUZI TEXTS

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IT HAS justly been remarked that no site in Western Asia compares with ancient Nuzi in the wealth and variety of legal material preserved in private family archives.<sup>1</sup> The importance of the Nuzi records for the study of the legal practices, the social and economic conditions, and the cultural background of this out-of-the-way district in the East-Tigris area is self-evident and not unexpected. But local considerations barely begin to reflect the full significance of these documents. Composed in a Hurrian settlement, they shed brilliant light on the life of a group whose amazing record of migrations throughout the length and breadth of the Near East has contributed, within the last decade or so, a fascinating chapter to the history of the second millennium B. C.<sup>2</sup> Nuzi was thus an interested witness of the Amarna age; by reason of its eccentric location it was also, fortunately, a reasonably objective one. Its documents allow us to judge the impact of the civilizations of Babylon and of Ashur upon the heterogeneous traditions of the recently settled Hurrians.<sup>3</sup> The original background of these newcomers is thereby brought into sharper relief. We note the ever-recurring reminders of the westward orientation of the Hurrians, and the biblical parallels, whose number is constantly increasing, now find a ready historical explanation.<sup>4</sup> Finally, an extremely valuable feature of the Nuzi documents is the wealth of their onomastic material. We have here a larger group of personal

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<sup>1</sup> Cf. Koschaker, *Keilschriftrecht* 6 f. (reprinted from *ZDMG* 89).

<sup>2</sup> For the older literature on the subject cf. *Annual Amer. Sch. Or. Res.* (*AASOR*) VI. 75 ff.; Gadd, *Tablets from Kirkuk*, *RA* XXIII. 49-161 (abbr. Gadd); Koschaker, *Neue Keilschriftliche Rechtsurkunden aus der el-Amarna-Zeit* (*NKRA*). Further references will be found in *JOURNAL* 52. 350. n. 1 and *RA* XXXI. 54. n. 1. The texts are cited as follows: JEN—Chiera, *Joint Expedition at Nuzi* (5 vols.); HSS—*Harvard Semitic Series* (V by Chiera, IX by Pfeiffer, and X by Meek). Other titles are given in full.

<sup>3</sup> For the problem of the Hurrians see *AASOR* XIII. 13 ff. (= Speiser, *Ethnic Movements in the Near East*, *ASOR* Offprint Series 1).

<sup>4</sup> *Ibid.* 44, and Gordon, *Revue Biblique* 1935. 1 ff. Gordon's first example (p. 2) is anticipated in *AASOR* XIII. 44.

names of both the Hurrians and the Habiru<sup>5</sup> than has been contributed by all the other ancient sites put together, although Nuzi lay far from the center of either group. This welcome surprise must be ascribed to accidents of discovery.

The study of the Nuzi texts (including a number from the city of Arrapha) may be said to have begun in the year 1926,<sup>6</sup> for prior to that date only a few scattered specimens of this family had been made known. So young a discipline will naturally teem with unsolved problems. For answers we must look to further publications. The total number of documents unearthed runs into several thousands, but until last year only some 600 of these had been published. A year ago the American School of Oriental Research in Baghdad brought out two further volumes of the texts which the late Dr. Chiera had dug up in 1925.<sup>7</sup> Copied by the discoverer and prepared for publication by Drs. Gelb and Lacheman, these new texts constitute Nos. 321-559 of the yield of Chiera's initial campaign. Three additional documents from the same collection are presented by Dr. Lacheman in the current issue of the *JOURNAL* together with a republished and supplemented older text (JEN 363).<sup>8</sup> Lastly, Dr. Meek has just contributed to the *Harvard Semitic Series* a volume of texts from the same site, consisting of 231 splendidly autographed documents accompanied by a valuable introduction and indices of proper names.<sup>9</sup> The total number of published Nuzi texts is thus now well over a thousand. But with one clear exception (No. 231) Meek's texts do not come from the Hurrian level at Nuzi. Dug up for the most part during the season 1930-31, they represent older strata, the majority coming from the Old Akkadian occupation at which time the city bore the name of Gasur.<sup>10</sup> Since the present notes are concerned with the output of the Hurrian period, I shall confine my remarks to the material of Chiera and Lacheman and the last document in Meek's work. Obviously, only a few topics can be touched upon in this general survey. My principal object is to indicate a few of the many aspects on which the new texts throw fresh light. I shall begin

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<sup>5</sup> For the latter see Chiera, *AJSL* XLIX. 115 ff.

<sup>6</sup> Gadd, *op. cit.*, and Contenau, *Babyloniaca* IX. Nos. 2-4.

<sup>7</sup> JEN IV-V, Philadelphia, 1934.

<sup>8</sup> See above, pp. 429-31.

<sup>9</sup> HSS X, Harvard University Press, 1935.

<sup>10</sup> *Ibid.* p. x.

with Lacheman's Text 1, which is sufficiently important to be given in transliteration and translation.<sup>11</sup>

(1) <sup>1</sup>*Ištar*<sup>1</sup>-a-*ḫa*-at ù <sup>1</sup>[A-*ḫa*]-*ti*-ia (2) 2 *awêlâti*<sup>12</sup> *an-nu-tu*,  
*Ḫa-bi-ru-ú* (3) *ša* <sup>mât</sup>*Aq-ga-ti*-i ù *ra-ma-an-šu-nu-ma* (4) *a-na*  
*a-mu-ti i-na bît* <sup>1</sup>*Te-ḫi-ip-til-la* (5) *uš-te-ri-ib-šu-nu* ù <sup>1</sup>*Dûr-*  
*ili-šu* (6) *šu-ur-šu-nu ša a-we-la-ti šum-ma* (7) *awêlâti*<sup>12</sup> *pa-qî-*  
*ra-na ir-ta-šu-ú* (8) ù <sup>1</sup>*Dûr-ili-šu ú-za-ak-ka*<sub>4</sub>-*šu-nu-ti-ma* (9) ù *a-na*  
<sup>1</sup>*Te-ḫi-ip-til-la i-na-an-dî-in* (10) ù <sup>1</sup>*Te-ḫi-ip-til-la* 40 SU *kaspa*  
(11) *ki-ma e-wu-ru-ti-šu it-ta-dî-in* (12) *šum-ma* <sup>1</sup>*Dûr-ili-šu*  
*ibbalkat*<sup>3</sup>-*ma* ù (13) *i-ir-ri-iš* ù 10 MA.NA *ḫurâša* (14) *a-na*  
<sup>1</sup>*Te-ḫi-ip-til-la ú-ma-al-la* (there follows a list of 19 witnesses—34)  
IGI <sup>1</sup>*Ta-a-a mâr Apil*<sup>d</sup>*Sin tuṣṣar-ri* (35) <sup>aban</sup>*kunuk* <sup>1</sup>*Dûr-ili-šu* <sup>4</sup>  
*awêlâti iddin*<sup>nu</sup> (ll. 36-39 contain other seals—40) *šum-ma*  
*awêlâti*<sup>12</sup> *ibbalkat*<sup>3</sup> ù *i-qa-ab-bu-ú* (41) *la GÌM-nu-mi* ù *ú-šu-ru-ú*  
(42) MA.NA *ḫurâša ú-ma-al-lu-ú*

<sup>1</sup>U. <sup>2</sup>SAL.MEŠ, cf. l. 6. <sup>3</sup>KI.BAL. <sup>4</sup>The sign may have been *šu* (= *šú*), or *ša*, perhaps the latter in view of the final vowel of *iddinu*.

(Translation:) Ishtar-ahat and Ahatiya, these two Habiru women from the land of Akkad, now themselves for slavery into the house of Tehip-Tilla (5) they have caused to enter. And Dûr-ilishu is the *šu-ru* of the women. Given that the women have a claimant, then Dûr-ilishu shall clear them and furnish them to Tehip-Tilla. (10) And Tehip-Tilla 40 shekels of silver as his *ewurûtu* has paid. Given that Dûr-ilishu breaks the agreement and demands (them back), then ten minas of gold to Tehip-Tilla he shall pay as fine. (List of 19 witnesses and scribe—35) Seal of Dûr-ilishu who the women has sold. (Other seals—40) Given that the women break the contract and say, "We are not slave-women," a tenfold mina of gold they shall pay as fine.

The text is of unusual interest for a number of reasons. It presents several philological peculiarities and two hapax legomena. Its chief claim upon our attention rests, however, upon its illustrative value as regards the status of the Habiru. This fact was recognized by Chiera who excerpted the above text in his article on the "Habiru and the Hebrews."<sup>12</sup> The publication of the docu-

<sup>11</sup> Thureau-Dangin's system (*Le Syllabaire Accadien*) is employed below except in the case of proper names where the primary value of each sign has been used in order not to prejudice the issues involved.

<sup>12</sup> *AJSL* XLIX. 119 f.

ment enables us now to check Chiera's conclusions and to modify his original interpretation. But before this is attempted, a few philological notes will be in order.

L. 2. The application of the term *awêlâti* (spelled out in l. 6) to slave-women is rather startling. But the scribe betrays his inadequate knowledge of Akkadian idiom in other instances as well; cf., e. g., his use of the masculine pl. form *Ha-bi-ru-ú* instead of the correct feminine form of the ethnicon, which is found in JEN 453. 11.

L. 6. For *šu-ur-šu-nu* (and *e-wu-ru-ti-šu*, l. 11) see below.

L. 10. For the equation of SU with *šiqū* see above, p. 430 n. 6.

L. 13. For *i-ir-ri-iš* (not *i-ni-ri-iš* as indicated by Chiera, *AJSL* XLIX. 120) in the sense of demanding the return of lost property cf., e. g., JEN 530. 10.

L. 14. The translation of *umalla*, "shall pay as fine" is based on the value of *mullû* "fine," which is normal in these texts.

L. 41. *GÌM-nu* stands apparently for *amtânû*, which may be termed a pseudo-permansive. The form *ú-šu-ru-ú* is based clearly on the adjectival type *quttulu*, with the final vowel lengthened as in *ešrû*. The same fine is specified in l. 13, where the amount is indicated ideographically. This particular value for 10 is new.

But the key words for the proper understanding of the text are *šu-ur-šu-nu* (l. 6) and *ki-ma e-wu-ru-ti-šu* (l. 11). Although the women are said to have entered of their own will, *Dûr-ilishu* is paid on their account 40 shekels of silver for his *ewurûtu*, and he is entitled to the payment by reason of being their *šu-ru*. This latter word is taken by Chiera (*op. cit.* 119) to mean "owner," though the appended question mark admits this translation to be a guess. It would be idle to speculate on which of the several values applicable to this form (which could be connected with *šuru*, *šûru*, or *šûru*) would be most suitable in the present context. The safest method is to proceed from the internal evidence of the document itself, and the clue must be sought therefore in *ewurûtu*.

That *ewuru* signifies "heir" was first suggested by Koschaker.<sup>13</sup> Since that suggestion was made (1928) the number of references has increased considerably and a closer study of the term is possible. The basic form (*ewuru*) is found in Gadd 5. 50, JEN 333. 74, 76 (in the latter instance miswritten *ta-aš-ru*),<sup>14</sup> 392. 14, and HSS V. 60. 10. The phrase *ewurumma eppuš (itepuš)* "shall become *ewuru*" (note the intransitive use of the verb!) is found in Gadd

<sup>13</sup> *NKRA* 14 f.

<sup>14</sup> *Ibid.* 15 (pointed out by Landsberger).

51. 9, JEN 513. 7, and HSS V. 67. 15. In all passages where sufficient data are available the term is applied to adopted sons, with the single exception of JEN 392 where the party in question is the *ewuru* of his elder brother. Particularly illuminating is HSS V. 67. 8 ff.: "Given that there is a son (by marriage) of Shurihil (the testator and adoptive parent in this case), he shall be the principal son (*rabû*) and shall receive a double share; in that case (*û*) Shennima (the person adopted) shall be next in order (*terdennu*),<sup>15</sup> according to his (proper secondary) share (*kî šêpi-<sup>16</sup> šu-ma*) he shall inherit. . . . When Shurihil dies, Shennima shall become *ewuru*." It would appear, then, that *ewuru* is applied to specifically designated heirs rather than to direct heirs; hence the term may be used for adopted children, and for next of kin (brother, JEN 392); presumably it could also be applied to special grants made by a father to his daughters.<sup>17</sup>

The abstract noun *ewurûtu*, which occurs in our text for the first time, can mean nothing else than *ewuru*-rights. Dûr-ilishu cedes these rights to Tehip-Tilla for the sum of forty shekels. His claim to such authority is based on his being the *šu-ru* of the women.

<sup>15</sup> On this term see now Koschaker, *Fratriarchat, Hausgemeinschaft und Mutterrecht in Keilschriftrechten* 35 ff. (reprinted from ZA NF. VII).

<sup>16</sup> My previous reading of the ideogram GÎR as *emûqu* (instead of *šêpu*, cf. AASOR X. 2. line 11) has proved to be erroneous.

<sup>17</sup> For this latter possibility there is no illustration in the Nuzi documents, but there may be one in the Hittite texts. The decision hinges on the interpretation of the Hittite legal institution called *iwaru*. The meanings established for this term are "share of father's estate given in his lifetime" (Sturtevant, *Hittite Glossary* 30), "dowry" (*ibid.* 82), and in general "inherited feudal property" (Götze, *Kleinasiens* 97, where the full literature is cited). The basic connection between the *iwaru*-institution and the Nuzi system of land tenure is recognized by Götze (*loc. cit.*). But now that we have been able to narrow down the meaning of *ewuru* to something like "heir by decree" as contrasted with "direct, automatic heir," the possibility of an etymological connection between the Hittite and Nuzi terms is worth considering. To be sure, there is the difference in the respective medial vowels. The interchange of *a* and *u*, however, is not new at Nuzi; see below (p. 442) for *Zi-la-ka-pi/Zi-la-gu-pi*, and note, e. g., Nuzi *Kuššu-hai* and Babylonian *Kašši*. More probable would be the assumption that the difference is morphological. For whereas *iwaru* is the object, *ewuru* is the subject of the institution in question. Bearing in mind this fundamental distinction, the Hittite denominative *iwâruwâ (i)* "give an *iwaru*" (cf. Friedrich, ZA NF. 2. 48. n. 1, and Sturtevant, *op. cit.* 30) may be contrasted tentatively with Nuzian *ewurumma epêšu*.

This term can now be interpreted as "next of kin," normalized as *šu'ru*, and equated with *šêru* in the sense of Hebrew *š'er* "kinsman, kinswoman" (cf. Lev. 18:12, 20:19). The name Dâr-ilishu, good Semitic ("Akkadian," cf. l. 3) like that of the two women, helps to confirm this identification.

As to the actual status of the Habiru as implied in this document, two points receive a certain amount of illumination. In the first place, the payment involved is one-half of the average price for a bride and two-thirds of the usual amount paid for slaves in an ordinary transaction. This lower rate must be somehow interconnected with the other feature of the contract, the so-called self-enslavement. It is plain, of course, that the phrase *ramânšunu-ma uštêribšunu* cannot be taken in its strict literal meaning. It has a bearing on the ultimate status of the "enterers" after the completion of the transaction rather than on their frame of mind prior to it. But a more precise definition of the underlying legal matters will have to await the decision of a jurist.

Before we leave this valuable document, attention may be called to a term which resembles in sound the *ewuru* discussed above. Among the recently published alphabetic texts from Ras Shamra there is a letter of one 'wr-*zr*, which has attracted much notice and has led to considerable discussion.<sup>18</sup> With the controversial problems of interpretation we are not concerned at present. What matters just now is the name of the writer, first read 'Ur-shar, but subsequently found by several scholars to be Hurrian; the first element is now commonly read Ewiri-. That this Hurrian word has nothing to do with our *ewuru* is plain from the fact that the former has the value EN "master, king."<sup>19</sup> The point that I wish to make is that the middle vowel of *e-wi-ri* is inorganic, the correct form being *ewri*. To be sure, the full name is once spelled out *E-wi-ri-šar-ri*.<sup>20</sup> By its side we have, however, *ib-ri*<sup>21</sup> as a name element in the Tunip letter, and independently in the letter of Tushratta.<sup>22</sup> Moreover, the same word is common in the Nuzi dialect as *irwi*, particularly in the name of *Irwi-šarri*, an exact

<sup>18</sup> Published by Dhorme in *Syria* XIV. 235 ff. and discussed in particular by Ginsberg and Maisler, *Journal Pal. Or. Soc.* 1934. 243 ff., and *ibid.* 1935. 181 ff. Cf. also Albright, *BASOR* 54. 26; Thureau-Dangin, *Syria* XII. 254; Montgomery, *JOURNAL* 55. 94; Harris, *ibid.* 95 ff.

<sup>19</sup> Cf. *Syria* XI. 313. 44.      <sup>20</sup> *Ibid.*      <sup>21</sup> Knudtzon, *Amarna* 17. 47.

<sup>22</sup> *Vorderasiatische Schriftdenkmäler* XII. 2. No. 200. IV. 127 (p. 55).

counterpart of the above Ras Shamra name except for the metathesis of *w* and *r*.<sup>23</sup> Now it is the very fact of this metathesis that precludes the existence of an intervening vowel. Apart from this transposition, the disparity between *ewri* and *irwi* must be graphic and not phonetic; it is due to the shortcomings of the cuneiform syllabary which was equipped to represent *irwi*, but not *ewri*. To express the latter it was necessary to resort to writings like *ib-ri*, or else *e-wi-ri*, with the medial vowel understood as silent. When we find a form like *e-wi-ir-ni*, the *r* is obviously syllabic (*ewrni*).<sup>23a</sup> The transcription of the western form (Ras Shamra, Tushratta letter, Boghazköi)<sup>24</sup> should be therefore *ewri*, the eastern (Nuzi) *i/erwi*. The latter is, of course, in no danger of being confused with *ewuru*, owing to metathesis of the postconsonantal liquid in this particular dialect.

Turning now from Lacheman's texts to the two handsome volumes from the matchless hand of Chiera, we note first the difference in the reproduction of the characters. Lacheman's copies are properly tracings, giving an absolutely faithful picture of the originals, including seal impressions, the precise location of the breaks, and the like. Chiera's autographs are, on the other hand, inevitably conventionalized to a certain extent. One cannot imitate very well the calligraphy of scores of scribes. When the copyist is as reliable as Chiera was, there is little danger of wrong readings. But only tracings will reproduce all the graphic mannerisms of numerous scribes. In the last analysis it becomes a question of cost. When inked photographs can be afforded they are to be preferred to autographed copies.

With the exception of a few *mârûtu* fill-ups (JEN 400 ff.) the entire fourth volume of JEN is given up to proceedings in court. The value of these texts for our knowledge of East Hurrian legal procedure cannot be overestimated. From this long series of actual cases it is possible to reconstruct a considerable portion of the underlying law code and to obtain a reasonably complete picture of the basic legal machinery. While a full discussion will doubtless be

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<sup>23</sup> Speiser, *Mesopotamian Origins* 145. n. 90.

[<sup>23a</sup> See now Friedrich, *Analecta Orientalia* 12 (Festschrift Deimel) 124, who also regards the *r* as syllabic.]

<sup>24</sup> Cf. now Brandenstein, *Keilschrifturkunden aus Boghazköi* (KUB) XXVII. 38. IV. 13 [and add Friedrich, *loc. cit.*].



forthcoming from Koschaker and his able disciples, a few gleanings may be presented in this rapid survey.

JEN 333, to which I have had occasion to refer above, is a remarkably lucid account of a lengthy law-suit. A tentative translation of this text was given by Chiera and myself eight years ago (JOURNAL 47. 50 ff.), which was subsequently modified and corrected by Koschaker and Landsberger.<sup>25</sup> The publication of the text itself makes possible further corrections and additions. In line 38, end, the reader will reconstruct *ši-mu-[ma]-ki* "of the will." In line 76 the *ta* of *ta-aš-ru* should be provided with a sic!, for the reading is clearly *e-wu-ru*, as was first suggested by Landsberger.<sup>26</sup> For the present I wish to draw attention to the phrase [*la*] *bêl zitti la bêl pû-ú-ri ù la m[i]-im-ma a-na-ku-mi* "I am not owner by inheritance, nor owner by lot, nor anything" (ll. 12-13). The witness conveys in this quaint manner that he cannot be the proper defendant in this suit about a certain piece of land, having acted merely for a third party who claims to be the real owner. The phrase throws some light on the question of land tenure not only in Nuzi, but also in Canaan. Possession of land could be obtained through *zittu* (inheritance share), *pûru* (lot), or by other means such as mortgage, etc. (*mimma* "anything"). According to the Middle Assyrian law *zittu* was the preferred share of the eldest son, while the remaining shares were divided by lot (*pûru*).<sup>27</sup> Whether the same practices obtained in Nuzi is doubtful, but allotment played an important part in any case. This helps to illustrate the biblical use of נפל "fall" (i. e. "by lot," usually with נחלה "share")<sup>28</sup> when taking possession of land is indicated. The

<sup>25</sup> NKRA 15, 75 f.

<sup>26</sup> *Ibid.* 15.

<sup>27</sup> *Keilschrifttexte aus Assur verschiedenen Inhalts* (KAV) 2. II. 14. For *pûru* cf. NKRA 25. n. 3, and Driver and Miles, *The Assyrian Laws* 497, 501 f.

<sup>28</sup> Cf. Judges 18: 1; Psalms 16: 6, and in the causative with גורל "lot."

Closer connection with the Middle Assyrian laws may be indicated in two Nuzi passages. In JEN 196. 8 f. a field is granted *ana GI.GAG.TAG.GA SUIšpati* "as arrows of the quiver" (cf. Koschaker, *OLZ* 1932. 405), and in JEN 519. 6-7 we have *GI.MEŠ.GAG.TAG.GA ina libbibi iš(!)pati* [both times with the verb *nadû* "cast," as recognized by my student, Mr. M. Berkooz]. It would appear that we have here the mechanics of the *pûru* usage: it was based on the fall of the arrows from the quiver (cf. Psalms 16: 6 for a figure of speech based on this practice). Now this type of inheritance is clearly the part (*qātu, šepu*) of the *terdennu* (*mâru*

originally inalienable land could be obtained through inheritance as a preferential share, or by lot, and the phraseology which reflected this system was retained even after the system itself had been modified.

From the marginal notes to these texts the following few may be selected. JEN 321. 14-15 contains the phrase *kunukkêšunu girriru* "their seals have been rolled"; cf. also *ibid.* 330. 13, and HSS IX. 108. 6 (where the final KU should be changed to *ru*). JEN 330. 7 mentions the place-name *Túr-za-zi*, which reappears as *Du-ur-za-an-zi* in 339. 3. It is interesting that the same name is found in Meek's Old Akkadian texts in precisely the same two forms (*Dûr-zazi*, HSS X. 155. II. 2 and *Dûr-zanzi*, *ibid.* 111. 4). But whether this locality, which lay in the immediate vicinity of Nuzi (cf. JEN 330. 6-7), is to be identified with the city of Tursha/n, as Albright seems to imply (*BASOR.* 59. 9), is extremely uncertain. The latter name is in all probability Hurrian (cf. the personal names Turari, Tursheni, Turshiya). In JEN 331. 13 correct *i-na-ak-mi* to *i-la-ak-mi*. The meaning of the passage is that "whenever (*immatimê* with present tense) G. attempted to go to the gods (take the oath) M. would seize him (in order to prevent him)." JEN 335 is one of several texts recording suits over animals which had died as a result of an act described by *ul-te-ib-bir*, l. 9; cf. *ú-še(!)-bi-ir*, 341. 7 (*alpa tappašu*), *ú-še-ib-bi[-ir]*, 349. 6, *et al.* This verb is obviously a cognate of Heb. שָׁבַר used in Ex. 22:9, 13 (cf. also Ezek. 34:4) in the technical sense of inflicting injury upon animals; the parallel between our *ultebbiršu ú imtút* (ll. 9-10, or, better still, between *it-ti-ib-bi-ir-mi* (for *istébir-mi*) *ù mi-it-mi* (ll. 19-20) and the biblical מַת אוֹ שָׁבַר, Ex. 34:13, could scarcely be more complete.

JEN 343 (among others) shows that the penalty for theft was twelve times the property involved. In a similar case (*ibid.* 347) the *zillikuḫlu* officials testify (*širumma îtepsû*, cf. 385. 20) against the suspect, who is obliged to take an oath (*ilâni našû*) with regard

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*šihru*) or *ewuru*, as opposed to the preferred share of the *mâru rabû*. We obtain thus a clue to the obscure passage in KAV 2. IV. 11 ff. (for previous interpretations cf. Driver and Miles, *op. cit.* 302 ff., 501 f.). The *taḫûmu* TUR *šâ pârâni* (ll. 20 f.) is the secondary share selected by lot, while the *taḫûmu* GAL is the *zittu* of the *mâru rabû*. The encroachment on a neighbor's (*šâ tappa'îšu*) bounded property (*taḫûmu*) that represents his preferred share (GAL) draws, therefore, a heavier fine than trespass on an allotted share (*šâ pârâni*).

to or against (*ana*)<sup>29</sup> this testimony. The interesting colophon states that the case was appealed to the king, which meant an additional cost of one ox, the usual charge for such appeals.

JEN 353.26 contains the barbarous UD.MI<sup>pl</sup>-ti, for *ûmâti* "days." Such heterogeneous (Sumerian and Akkadian) ideograms with phonetic complements in the vernacular are intelligible enough in Hittite, but out of place in Nuzi, where the written language was, after all, a dialect of Akkadian. *Ibid.* 372.4 admirably supports the view of Landsberger that *kuruštû* is fodder for fattening animals.<sup>30</sup> The phrase reads: *še'âtî<sup>pl</sup> 31 ša UDU<sup>pl</sup> ku-ru-uš-ta-e* "barley for fattening sheep"; cf. also HSS IX. 50.10, 25.5, both of which Landsberger overlooked. In passages like JEN 384.5 *ḫararnu* interchanges with the more usual *kumanu* (e.g., No. 401.6) as a subdivision of the *aweḫaru* (*epinnu*) measure. In Middle Assyrian texts, on the other hand, *kumanu* seems to take the place of *epinnu*; <sup>32</sup> the discrepancy would disappear if *mala kumanu* in the Nuzi texts merely indicated something like "full measure." In JEN 404 *ina migratišu* (l. 2) "with his consent" is unusual for a *mârûtu*-document.

JEN V is considerably varied in contents. In addition to the Habiru texts, those bearing on family laws (Nos. 428-41) are of particular interest. The very first one may be taken as a sample, even though its fragmentary condition necessitates a certain amount of restoration. Ll. 6 ff. read: *ù 'š. a-na [aš-šu-ti] a-na mâri-šu i-na-an-dî-[in] ḫa-dî-in 33 'š. a-na-awêli ša DUMU.DÛ (ewurumma ippuš, or ša ana mârûti ša ipšu, cf. ibid. 432.9) i-na[-an-dî-in]*

<sup>29</sup> The use of *ana* in this connection goes back to the Hammurabi Code Rev. VI. 4 (*ana mutiša*). But the usual translation of the phrase "for the sake of her husband" is not adequate in the light of the present occurrences. The force is rather that of Latin *coram*.

<sup>30</sup> *Archiv für Orientforschung (AfO)* X. 149.

<sup>31</sup> So of course and not *še'âti* as maintained by Gordon, *Muséon* XLVIII. 118, on the basis of HSS IX. 144. 20, where we should read *Û-ti* "balance payment" in *šupe'ultu* transactions (= *ipliti?*), which is so frequent in the Nuzi texts.

<sup>32</sup> Cf. *Keilschrifttexte aus Assur juristischen Inhalts* (KAJ) 149.2: 3 *ikû 1 ku-ma-ni 3 GÎR<sup>pl</sup> eqla*.

<sup>33</sup> This form interchanges with *ḫaših/ḫašhu*. The final *n* is unusual. Does it reflect the changed pitch which is to be presupposed in sentences of this kind, i. e., *ḫadî* "and if it please her"? Cf. the fem. form *ḫa-ta-ta*, JEN 465.10.

ù la a-na aš-šu-ti a-na awêli <na-ka-ri> i-na-an-din "And the woman Š. as wife to her son she may give (and), if it please her, to one adopted she may give; to a stranger she shall not give (her)." In JEN 434. 9-10 šu-ú-mu ša awêli ša-a-ni-i [i]-qa-ab-bi "speak the name of another man" is an interesting paraphrase of "live in the house of another man." *Ibid.* 438. 4: ša-la-aš-šu-um-ma i-pu-šu "forfeit" brings up once more the question of the etymology of ša(la)ššú-ma; the correspondence of šal(a)šu with šaššu suggests strongly the Akkadian word for "three."

One could bring up many other points and problems,<sup>34</sup> but space does not allow such luxury. In conclusion, I wish to cite a few samples of the onomastic material. The names <sup>1</sup>*It-hi-ip-Nu-zu* (*ibid.* 505. 5) and *A-ri-ip-Hur-ra* (No. 506. 1) permit the identification of Nuzu and Hurra as deities. The ideograms <sup>1</sup>MAR.TU.KU (*ibid.* 357. 21) can be deciphered without much difficulty as Amurriš-takal.<sup>35</sup> ŠEŠ-ia (*ibid.* 333. 88) is probably Šenni-ia. But we do not have always such smooth sailing. In JEN 477. 29 *Du-uš-ma-na* strikes one as an Indo-Iranian name, for all that the father bears the typically Hurrian name of Tehit-Teshup. We have the same problem with *Tu-uš-ma-na*, son of *Tu-ri-ki-tar*<sup>36</sup> (JEN 89. 18). But on finding that Tehit-Teshup appears in JEN 85. 34 as the father of *Du-um-ši-ma-na*, the two being clearly the same as the above pair, we are constrained to give up all thoughts as to the possible non-Hurrian origin of Duš-mana. And yet, *Du-u(m)-ši-ma-na* is a not impossible writing for the former. What I am driving at is that Hurrian names appear in these texts in many and wondrous disguises. How seriously should one take the ideographically written names? At first glance (DINGIR)UTU-ri (son of *Zi-la-gu-bi*, JEN 68. 29) looks like Šimika-ri<sup>36a</sup>; but *Ša-ma-aš-RI* son of *Zi-la-ku-bi* (JEN 212. 28) forces us to normalize the

<sup>34</sup> Note, e. g., *ki-ir-pa-an-šu eḫ-te-pú* "I disinherit him," JEN 478. 4-5. Cf. *ASSOR* X. 10. The phrase refers evidently to some symbolic act which consists in the breaking of an earthen vessel.

<sup>35</sup> Cf. Lewy, *ZA* NF. I. 148 ff., von Soden, *ibid.*, VII. 104, and for the related *Iliš-takal*, Meek. *HSS* X. 10. 7.

<sup>36</sup> Here ḫal is an obvious error for tar.

<sup>36a</sup> For \*šimigi + ari, though it is of course problematical whether the verb would appear in this bare form. This purely hypothetical equivalence is mentioned merely for the sake of argument. For the equation of šimigi with DUTU see *KUB* XXVII. iv, and cf. *AASOR* X. 4 for the writing gi (would the k in -kari, wr. usually -qa-ri, be due to the following a?).

pair as Šamaš-re'u and Šil(i)-Kubi. On the other hand, there are many scribes named Šimikari (cf. e. g., JEN 87. 40, 204. 38, 311. 29, 478. 24), while a number of others bear the approximately equivalent Sumerian name (DINGIR)UTU MA. AN. SÈ. Was the latter a showy translation of the Hurrian original? Yet, in two instances Šamaš-iddinam (to give the Sumerian group its Akkadian value) has UL(DU<sub>7</sub>). (DINGIR)IM as father (JEN 82. 25, 436. 15). And as if this were not enough, UL. (DINGIR)IM is the son of the unquestionably Hurrian *Dup-ki-til-la* (JEN 340. 44). The chances are that the fanciful scribe was to his friends plain Šimikari son of Shehel-Teshup, or the like, rather than Šamaš-iddinam or UTU. MANSE son of DU<sub>7</sub>. IŠKUR. But we cannot be sure.

Finally, the text published by Meek in HSS X. 231 is unique among all the records of the Hurrian period at Nuzi. As Meek has pointed out, it differs from the contemporary documents in clay texture, shape, size, and content.<sup>87</sup> The few lines that have been preserved give (with the aid of restorations from unpublished seals) the name of Ithi-Teshup son of Kibi-Teshup, king of Arrapha, followed by curses against those who remove the king's name. Adad and Ishtar of Lubdi (*Lu-ub-tu-ḫi*) are invoked as protecting deities. That the text bears unmistakable marks of western influence has also been recognized by Meek. Of special interest is this new instance of the Hurrian suffix *-ḫi*, with genitival or adjectival force.<sup>88</sup> An extension (of non-Hurrian origin?) of this suffix is found in *māt Ku-uš-šu-ḫa-i* (HSS V. 37. 6) and *māt Ku-u[š]-šu-u[ḫ]-ḫa-ú* (JEN 529. 69) "land of the Kassites, Babylonia." The evident importance of the city of Lubdi, well attested in the Nuzi records as well as in later Assyrian times,<sup>89</sup> cannot escape notice. From all indications, the discovery and excavation of the site is a goal well worth pursuing.

<sup>87</sup> HSS IX. xxvi. The number 230 should be changed to 231.

<sup>88</sup> Note the change of the *i* in *Lubdi* to *u* before *-ḫi* (*Lubdu-ḫi*). That such changes do not necessarily imply a suffix *-uḫe* instead of *-ḫe*, as maintained by Albright (*Afo* VI. 166), may be seen from such forms as (URU)*U-da-ḫi*, (URU)*Ki-iz-zu-wa-at-na-ḫi*, and (URU)*Ša-mu-ḫa-ḫi*, *Syria* XII. 258 f., and now also KUB XXVII. 1. II. 38-39. All that we may gather from instances like *Lubdi/Lubduḫi* is that a final *i* changes to *u* before the suffix *-ḫi*. [See now the identical conclusion of Friedrich in *Analecta Orientalia* 12. 120. n. 3.]

<sup>89</sup> On the question of the location of Lubdi see Albright, *JOURNAL* 45. 211 f. For a recent gentilic form see *Afo* X. 47 (*šLu-ub-da-i-tu*).



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## ON SOME RECENT FINDS FROM TEPE GAWRA

E. A. SPEISER

Among the discoveries made by Mr. Bache and his party during the campaign of 1935/36 (see above, pp. 6 ff.) at least two deserve special mention; viz., the Cult Symbols (Fig. 1) and the Round House (frontispiece and p. 11). Both serve to broaden our knowledge of Chalcolithic civilizations in Mesopotamia.

The curiously shaped objects to which the term "Cult Symbols" has been applied form a group of specimens that have been coming up recently in several sites of Mesopotamia and Persia.<sup>1</sup> They are made either of stone or of terracotta, and they show invariably the same characteristic double-loop top. The stone specimens are generally solid and often carefully polished, while the clay pieces may be hollow inside, thus suggesting a bell in appearance.

The first one to be attracted by these novel antiquities was the distinguished German excavator, Dr. Walter Andrae. In his stimulating monograph on the Ionian column<sup>2</sup> Andrae has suggested that these objects, among which an early find from Gawra was the most significant single specimen at the time of his writing,<sup>3</sup> represented symbols of divine huts, the reed huts of Sumerian mythological texts. The base, he thought, signified the sanctuary, while the volutes represented the door-posts of reed-bundles which framed the main entrance. The date of this highly conventionalized symbol Andrae placed in the Early Dynastic period, about 3000 B. C.

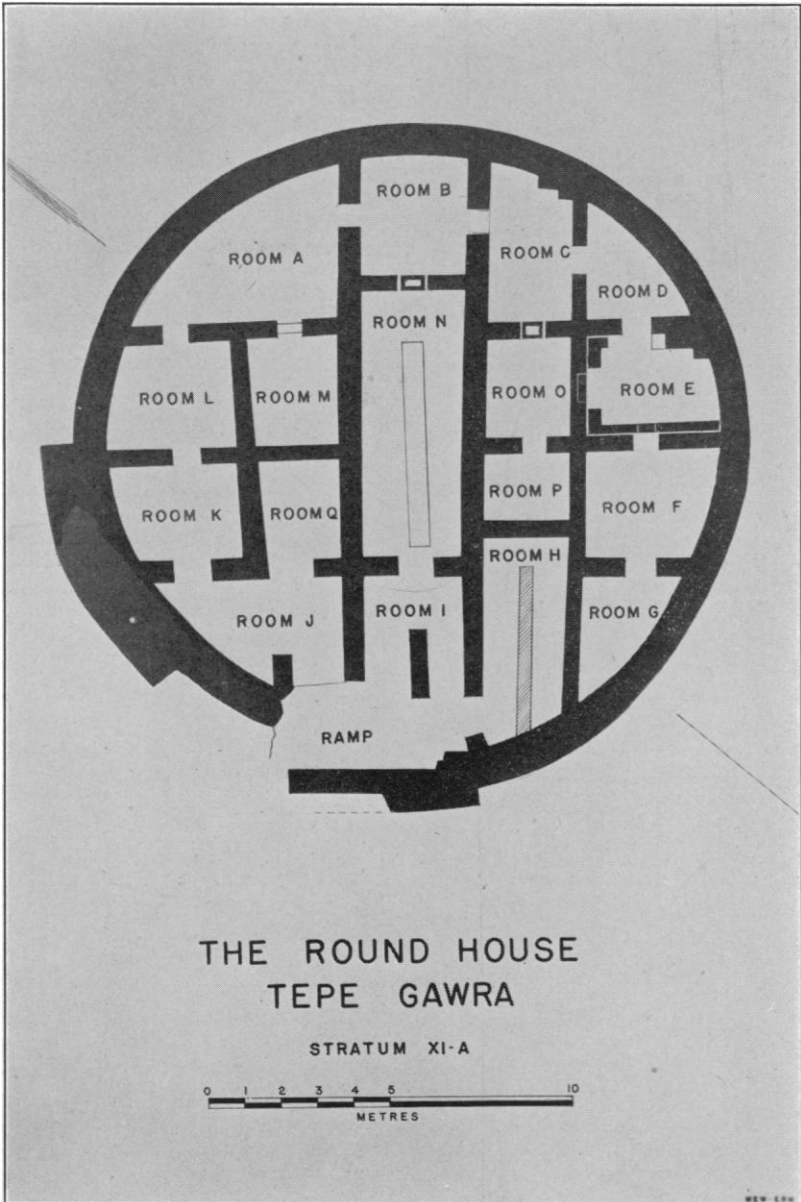
A different view is held by Colonel N. T. Belaiew, the well-known authority on ancient metrology. Belaiew's suggestions were made in personal communications to the writer and they are scheduled to appear in the forthcoming volume of the *Mémoires de la Délégation en Perse*. I am taking the liberty to indicate the barest outlines of his position, referring the reader to the aforementioned publication for further details. He is of the opinion that these objects represent weights, although their shape may have been suggested originally by cult symbols of the type envisioned by Andrae. This view is based principally on relevant specimens from Susa and it is shared by the excavators of that site. Now the weight system which the present objects reflect is wholly unlike anything known from Sumer in later times. Since they characterize deposits that are primarily prehistoric, these weights should be regarded as evidence that the Sumerians arrived in Mesopotamia some time after the introduction of the specimens under discussion. The pre-Sumerian period Belaiew would call the "Age of the Bell-shaped Weights."

It is easy to see how important our symbols have become in a comparatively short time, regardless of whether we follow Andrae or Belaiew. The latest specimens from Gawra tend to support in part the latter's position. For they occur in strata IX-XII, that is, in layers which are not only older

<sup>1</sup> Cf. *Excavations at Tepe Gawra I*, p. 100.

<sup>2</sup> *Die ionische Säule* (Berlin, 1935), pp. 32 ff.

<sup>3</sup> Cf. now *Excavations at Tepe Gawra I*, pl. 54 c.





than Early Dynastic deposits, but antecedent even to the last prehistoric period, named after Jemdet Nasr; all the Gawra pieces fall within the so-called Uruk period of Mesopotamian prehistory. Furthermore, the considerable number of these specimens and the several levels in which they occur lend color to Belaiew's contention that we have here a product typical of a particular culture. The one objection that I am inclined to raise concerns their precise use. It is difficult to see any practical value in weights made of so fragile a material as terracotta. However, before committing ourselves definitely one way or another we must await the publication of Belaiew's contribution on the subject. For the time being, therefore, Mr. Bache's "Cult Symbols" appears to be a reasonable terminological compromise.

Of even greater significance is the Round House. Design, original quality of the work, and the present state of preservation, are all most agreeably surprising. The walls have been preserved to a sufficient height to yield a complete plan, requiring no additions or reconstructions. The whole forms a nearly perfect circle and the main wall is shared by all the outer rooms. Consequently, only the few inner chambers are rectangular. Mr. Bache is doubtless right in regarding this structure as a citadel. The massiveness of the walls, the sheltered single entrance, and the evidence of the weapons discovered within—the only finds coming from the Round House—combine to corroborate this view. In addition, however, the building must have served another purpose. The character of the central section is surely suggestive. Extending clear across the compound we have three rooms placed end to end (I, N, B); the middle one is the largest chamber of the entire structure. It contains an elevation in the center, which, as both Mr. Bache and Mr. Muller assure me, could not have been a partition or newel wall; it must have been used, therefore, as a platform or the like. In short, we have here what is clearly a cult chamber. The smaller room in front was then the usual antechamber, while the third room must have been the cella of this unique prehistoric sanctuary. The whole represented thus a combined fortress and temple. One is reminded of the biblical temple-towers that provided the last place of refuge in a besieged city. But apart from all other considerations, the Gawra Round House is scarcely earlier than the beginning of the fourth millennium.

Offhand, this circular construction brings to mind the foundations of "beehive" dwellings which Mallowan found recently in prehistoric Arpachîya, a neighbor of Tepe Gawra; and of the Aegean *tholoi* to which Mallowan and Rose have compared the Arpachîya finds.<sup>4</sup> But the resemblance is at best superficial. The *tholoi* represent small buildings, and presuppose a domical construction. The Round House, on the other hand, contained eighteen rooms, and the roof was in this case definitely flat. A circular ground plan remains thus the only common feature. But slight as this connection is, it can hardly have been accidental, considering the propinquity of the two sites and the not too great distance in time that separates the respective levels in question. The discovery of the Round House is bound to mark an epoch in the history of ancient Mesopotamian architecture.

<sup>4</sup> Mallowan and Rose, *Prehistoric Assyria*, pp. 25 ff.

Finds from previous seasons at Gawra are brought into incidental prominence by the publication of Contenau and Ghirshman's *Fouilles du Tépé-Giyan*.<sup>5</sup> Contacts between wares of Early and Middle Gawra on the one hand, and those of certain Iranian sites on the other, need not, of course, occasion any surprise. Those who have followed these occasional reports in the BULLETIN<sup>6</sup> will remember that the "chalice folk," e. g., constituted a connecting link between Gawra VIII-VII and the early settlements at Tepe Hissar, near Damghan. But it is not to contacts dating to the end of the fourth millennium that the reader's attention is to be drawn at present. The parallels furnished by Tepe Giyan take us to the topmost levels of Gawra, i. e., III-I, dated to the middle of the second millennium. These latest occupations of Gawra were due to the Hurrians, whose expansion in the second millennium over wide areas of the Near East belongs to the most interesting disclosures of recent archaeological and linguistic research. Thus far, however, the Hurrians were not known to have extended their influence much beyond the eastern confines of Mesopotamia. Now certain finds from Tepe Giyan demonstrate their presence, or at least an appreciable cultural influence on their part, as far east as the region of Hamadan. Certain cylinder seals found in the lowest deposits of Giyan I betray immediately their Hurrian origin.<sup>7</sup> A casual examination of the plates led to this truly surprising result. Reference to the corresponding portion of the text (p. 50) revealed that M. Contenau, who has dealt with Hurrian seals, had naturally identified the Kirkûk specimens among the Giyan cylinders. Moreover, the Giyan pottery shows unmistakable affinities with Hurrian wares. This applies to shapes as well as to decoration; compare the plates giving the pottery of Giyan II-I (plates 20 ff.), the Hurrian contacts belonging apparently to a period intermediate between or dovetailing with these two strata.

Such being the case, it will not be untimely perhaps to sound a note of warning. There are, to be sure, certain cultural remains so distinctive of the Hurrians as to leave no doubt regarding their immediate origin. But it is becoming more apparent with each new series of discoveries that objects used by and typical of the Hurrians were not necessarily originated by that remarkable group. This is especially true of pottery. We know that the painted wares of the Hurrians show distinct western influences. Without going into details, it may be generally asserted that the Hurrians themselves were culturally in debt to some other group, and that the pottery which we have learned to associate with the Hurrians was a composite product of European and Asiatic elements. It is worth-while to consider seriously the possibility of a cultural center somewhere to the northwest from which both Hurrians and the Aegeans drew some of their cultural inspiration. In this way it may be possible to account for not a few of the remarkable correspondences between Hurrian and Phrygian wares, which no student of the recent finds from Boghazköi is likely to overlook.<sup>8</sup> These Phrygian painted wares have little in common with the local ceramic of

<sup>5</sup> Paris, 1935.

<sup>6</sup> Cf. No. 48, pp. 5 ff.

<sup>7</sup> Plate 38, especially nos. 1 and 4.

<sup>8</sup> Cf. Bittel, *Boghazköi, Sitzungsberichte*, Berlin Academy, 1935.

the preceding stratum; they may be due, on the other hand, to the same source which the Hurrians had tapped several centuries earlier. It is purely a working hypothesis, but it helps to solve quite a number of puzzles which we cannot touch upon at present.<sup>9</sup>

## A VISIT TO QARN SARTABEH

WARREN J. MOULTON

Early on the morning of October 10 last, a party of ten set out in motor cars from the American School in Jerusalem for Qarn Sartabeh. Going northward along the main highway, we turned to the right at Nâblus down Wâdî Fâr'ah, through the pass that was a scene of dire disaster in 1918 for the Turkish forces retreating before Allenby's swift advance. Arriving at the Jiftlik Police Post soon after 8 a. m., we halted for a visit to the mound known today as Tell el-Mazâr. This *tell* lies in a broad plain at the lower end of Wâdî Fâr'ah, where it merges with the Jordan depression and where a perennial rivulet insures good agricultural possibilities. Land in this vicinity was cultivated at one time as the private property of the Sultan of Turkey.

That Tell el-Mazâr represents a site of very early occupation seems certain, even though this fact is not attested by the surface pottery. The summit of the *tell* and the slopes to the west and south were found to be covered with Arab sherds, some being of quite recent date. However, on the northern and eastern slopes there were earlier sherds, that in the judgment of both Drs. Albright and Fisher went back to the period of Iron I and ranged down through the Iron II, Hellenistic, Roman, and Byzantine periods.

Thus the surface evidence accords with what has seemed for a considerable time to be the assured identification of this place with the Coreae of Josephus, mentioned in his account of Pompey's advance upon Jerusalem in 63 B. C., as well as in his record of Vespasian's campaign one hundred and thirty years later.<sup>1</sup> In both instances the present site suits the topographical requirements. Confirmatory evidence, going back to the sixth century, or even earlier, for the same conclusion, came with the discovery of the Madeba Map, on which Κορέως appears as the name of a town in this locality. The same tradition is continued in the thirteenth century (1225) by the Arab geographer, Yâqût, who mentions Qarâwâ "as a village of the Ghôr in the Jordan Province" where they grow excellent sugar, and he adds that he has been there many times. In another passage he calls it Qarâwâ Benî Hassân, "a village in the Nâblus District."<sup>2</sup> That Marino Sanuto, writing

<sup>9</sup> Perhaps the source of the frit work that appears during the Amarna age both in Assur and at Nuzi (not to mention western centers) will be ultimately explained along similar lines. For the present cf. R. W. Hutchinson, *Iraq* II, 221, a passage which I overlooked in my review of Andrae's *Die jüngeren Ischtar-Tempel in Assur* (*AJA*, April 1936).

<sup>1</sup> Ant. XIV, 3, 4, Bell. I, 6, 5 and Bell. IV, 8, 1.

<sup>2</sup> Yâqût IV, 51, as cited by Le Strange, *Palestine under the Moslems*, p. 480. With this may be compared Nowairi's mention of Qarâwâ as near Dâmieh in his

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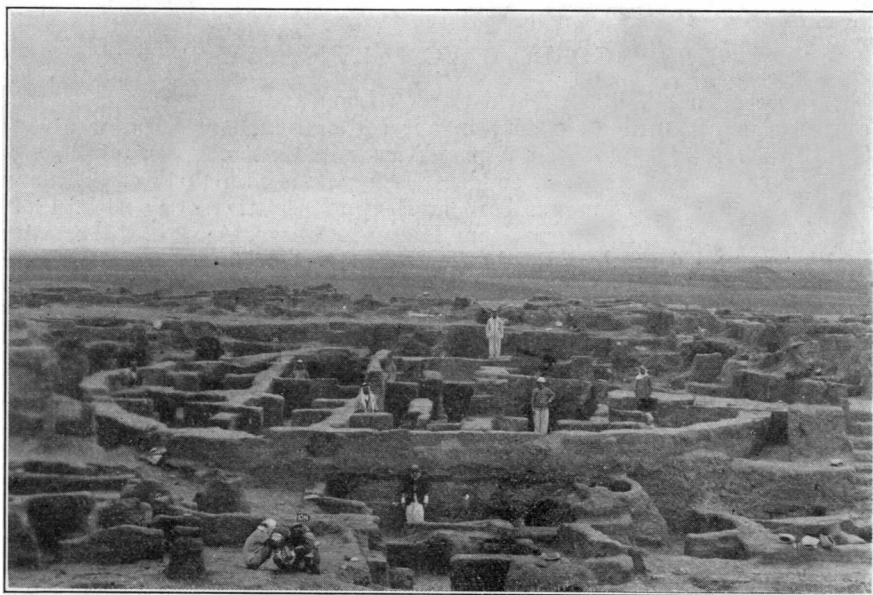
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The Round House of Tepe Gawra.  
(From the edge of the tell.)

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## THE NAME *Phoinikes*

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The purpose of the present paper is not to advance yet another etymology for Greek  $\Phi\omicron\iota\nu\iota\xi$  'Phoenician', but rather to reduce the number of acceptable suggestions with the aid of new evidence from an independent quarter. Although the material to be considered is predominantly linguistic, archaeological sources will also be brought into discussion.

The current explanations of the ethnicon  $\Phi\omicron\iota\nu\iota\xi$  and its immediate relatives fall into three groups,<sup>1</sup> as follows:

1. The term is Greek in origin, going back to  $\varphi\omicron\upsilon\nu\acute{o}s$  'blood-red'.
2. It is based on Egyptian *Fnh-w* 'Phoenicians'.
3. Both  $\Phi\omicron\iota\nu\iota\xi$  and *Fnh-w* go back to a common source.

Let us first re-state briefly the arguments used by each of the above factions.

1.  $\varphi\omicron\iota\nu\iota\xi$  is a genuine Greek word with numerous and diversified usages. It signifies the fabulous bird 'Phoenix', 'red purple', 'palm tree' and its fruit the 'date', and 'a musical instrument'. All these terms may have had a common origin, on the assumption of some ultimate connection with Phoenicia, or the Phoenicians. But the same can scarcely be true of the numerous instances in which  $\Phi\omicron\iota\nu\iota\xi$  appears as a proper name outside Phoenicia. Thus it is found to designate a river near Thermopylae, a mountain in Boeotia and in Caria, a god and a place in Crete, not to mention the derivative formations of this term.<sup>2</sup> Etymologically we have here the adjective  $\varphi\omicron\upsilon\nu\acute{o}s$  'blood-red', with the suffix  $\acute{\iota}k$ , a perfectly normal construction according to W. Schulze.<sup>3</sup> There remains the problem of justifying the connection between 'Phoenician' and 'red'. On this point the arguments become colorful in-

<sup>1</sup> A complete statement of the various views would require a lengthy article. With one or two exceptions, only the latest discussions of the problems at issue will be cited below.

<sup>2</sup> Cf. Eduard Meyer, *Geschichte des Altertums* I<sup>2</sup> 1.97; 2. 66.

<sup>3</sup> Berlin SB 1910, 803 f.

deed. The Phoenicians earned this distinction by being red-skinned;<sup>4</sup> they owe the name to the circumstance that their land, in common with Caria, was noted for red skies in the morning;<sup>5</sup> they were so named because of their far-famed ability to extract from murex shells a red-purple dye.<sup>6</sup>

2. *Fnh-w* is one of several names by which Phoenicians were known to the Egyptians. This became *Φοινικ-ες* in Greek, and the sing. form was subsequently applied to such Phoenician articles as the palm, the musical instrument in question, and the purple dye.<sup>7</sup>

3. An exhaustive examination of all the passages in which *Fnh-w* occurs was made by the distinguished German Egyptologist Kurt Sethe.<sup>8</sup> He found that the bearers of that name were localized generally in Palestine and Syria; specific references to Phoenicia proper are clear in the Ptolemaic period. The name may perhaps be traced to the word *fnh* which occurs as early as the Old Kingdom and means something like 'skilful', or as an appellative 'carpenter, shipwright'.<sup>9</sup> The specialization for 'Phoenician' would not be surprising in view of the known proficiency of the Phoenicians in the art of building ships. Since the Greeks appear to have associated the Phoenicians with another local industry, viz. the production of red purple, there is a likelihood of ultimate relationship between the Greek and the Egyptian designations. But a direct connection is precluded by phonetic considerations, the respective initial consonants (*φ* and *f*) not being normally interchangeable.<sup>10</sup> The difficulty would disappear if we assumed an original Phoenician term from which both *Φοινικ-ες* and *Fnh-w* were derived. Popular etymology later modified this assumed prototype into 'maker(s) of red purple' and 'shipwright(s)' respectively. To be sure, no such native name has been discovered as yet; but available Phoenician sources are rather scanty.

<sup>4</sup> First suggested by Pietschmann, *Geschichte der Phönizier* 107.

<sup>5</sup> Beloch, *Griechische Geschichte* I<sup>2</sup> 70.

<sup>6</sup> Meyer, *op. cit.*

<sup>7</sup> First proposed by Brugseh, *Geschichte Ägyptens unter den Pharaonen* 242.

<sup>8</sup> *Der Name der Phönizier bei Griechen und Ägyptern* (Mitteil. d. Vorderas. Ges. 21. 305 ff).

<sup>9</sup> It is interesting to note that virtually the same accomplishments are attributed to the divine artificer of the Semitic inhabitants of Ugarit; cf. Ginsberg, *JRAS* 1935. 49f.

<sup>10</sup> As a matter of fact, the only sound that the words have definitely in common is [n]; the vowels of the Greek ethnonym would be strange in a Semito-Hamitic word, but we are spared the necessity of further comparisons thanks to the normal Egyptian practice of vowelless writing.

It will be evident even from this summary presentation that each of the above positions is open to serious criticism. To begin with the last one, Sethe crystallized for us the meaning of the term *Fnh-w* in all its ramifications. But in assuming an ultimate dependence upon a native Phoenician name he was building on an argument from silence. He was not blind, however, to this inherent weakness of his theory, which can not be said for his many excoptors.<sup>11</sup> In 1916, the year in which Sethe's study appeared, it was not unreasonable to expect the discovery of some Asiatic prototype of *Fnh-w*. Since then we have had, however, an enormous increase in Phoenician and other West-Semitic epigraphic materials. They have failed to affect the onomastic situation. The only known native name for the entire district remains as before 'Canaan' (Phoenician and Hebrew *Kn'n*, cuneiform *Kināḥḥi*, *Kināḥna*),<sup>12</sup> while the people called themselves after this or that leading city (Sidon, Gubla/Byblos, Ugarit, and the like). The second view, viz. the importation of the Greek term from Egypt, betrays no worry over phonetic considerations. For this very reason Sethe himself found it untenable;<sup>13</sup> nor has anyone succeeded in solving the puzzle of why the Greeks should have combed Egypt in search of a suitable designation for the Phoenicians. Moreover, *Fnh-w* was neither the commonest nor the least ambiguous Egyptian appellation for these Asiatics or their country. Any thought of a connection between *Φοινικ-ες* and *Fnh-w*, must therefore be given up.

We are thus back to the first interpretation of the Greek term as a strictly European development. That is to say, *φοινίξ* started out as a Greek appellative, presumably based on *φωρός* 'red.' Now we can not be concerned at present with all the usages of this term. Some of them may have had the same underlying basis,<sup>14</sup> and others may have arisen independently, entirely plausible alternatives once the color red has been allowed as a starting point. But how did the Phoenicians

<sup>11</sup> Cf., e.g., Peiser, OLZ 1919. 5 ff., who would see in *Kināḥḥi* 'Canaan' the prototype required by Sethe, and Eisler, ZDMG 1919. 154ff. I am obliged to my colleague Dr. Z. S. Harris for calling my attention to several discussions on the subject.

<sup>12</sup> See Index to Knudtzon's Amarna 1577. The origin and etymology of *Kn'n* and its cognates are not strictly relevant to the present problem.

<sup>13</sup> See his explicit statement, op. cit. 329: 'Von einer direkten Abhängigkeit . . . kann selbstverständlich keine Rede sein.'

<sup>14</sup> E.g. the name of the fabulous bird 'Phoenix' may have been linked with the adjective and the ethnonim under the influence of *byn-w*, the Egyptian designation for the legendary bird; cf. Sethe 307.



come to be regarded as 'Reds'? Disregarding all fanciful attempts at explanation, we are left with a purely industrial set-up. *φοίνιξ* came to mean 'Phoenician' because the word signified 'red purple' and the dyer producing this color, the Phoenicians being proficient in this form of work. This theory found a very vigorous champion in the late Eduard Meyer. It has considerable support in Greek tradition as far back as the Homeric sources, and it is in accordance with the testimony of later classical writers.<sup>15</sup> The principal difficulty arising from such a view is that it presupposes the naming of a people after one of its products instead of the other way about. Recent archaeological discoveries may help to obviate this particular objection. But before material sources are drawn upon, I wish to adduce another type of evidence, capable of establishing the intimate association of Phoenicia with the purple dye industry beyond any possibility of dispute.

In the cuneiform records from Nuzi, in the East-Tigris area, which date from the middle of the second millennium B.C., there occurs the adjective *kinahhu* in passages dealing with wool. One published text simply uses the word as descriptive of wool.<sup>16</sup> Another one permits us to arrive at a closer definition of the term involved; it reads as follows: *bi-ir-me-šu-nu ša ku-zi-ti ša ki-na-aḥ-ḥu ša ta-wa-ar-wa* 'the dyes of the cover (are) of *kinahhu* (and) of *tawarru*'.<sup>17</sup> The latter word (usually found in the form *tabarru*; the final *wa* in the present instance is the Hurrian genitive ending) is known to designate 'deep yellow' and 'red'.<sup>18</sup> In *kinahhu* we have then an adjective descriptive of some dye, presumably of a kind similar to the *tab/warru*-dye. Unpublished texts in the possession of the Semitic Museum at Harvard help further to define *kinahhu* as a sub-variety of *tabarru*, hence 'a kind of red'. Other passages link *kinahhu* with *uqnu* 'lapis, purple'.<sup>19</sup> The combined result of these disclosures is that *kinahhu* signifies '(red-) purple dye'.

We have seen that the proper name *Kinahhu* represents our 'Canaan'. The present adjective, unknown outside the Nuzi texts, is based obviously on this geographic term. To place this equation beyond a shadow of doubt, we have still another Harvard document which

<sup>15</sup> On purple, especially the Tyrian kind, see Pliny 9. 60-63.

<sup>16</sup> For the text see Chiera, Joint Expedition at Nuzi 125.5.

<sup>17</sup> Ibid. 314. 4 f.

<sup>18</sup> Cf. Meissner, Beiträge zum Assyrischen Wörterbuch 1. 47f.

<sup>19</sup> I am grateful to Prof. R. H. Pfeiffer and to Dr. E. R. Lacheman for enabling me to examine these texts in transliteration kindly furnished by them.

shows that the *kinahhu*-dye was actually imported from the West.<sup>20</sup> It follows that the land-name 'Canaan', the only one to be applied by the Phoenicians to their own country, had become in Mesopotamia an adjective meaning 'purple dye' as early as 1500 B.C. The fame of the Syrian coast as the home of such dyes antedates thus by centuries the oldest Greek references that point in the same direction.

Thus far we have had comparatively clear sailing. The use of geographic terms to describe local products is quite normal. In the case of *Φοινίξ*, however, the reverse process has to be assumed. Does it mean that the Greek word for 'red purple' must be derived from the ethnicon *Φοινίξ* after all? In that case the latter would be left without any etymology, the equation with Egyptian *Fnh-w* being definitely out. Now the cuneiform evidence strongly favors a connection between the names for the people and their product. Such a connection can be maintained for Greek if we start out with 'red purple' (based on *φαιρός* 'blood-red') and proceed thence to the *Φοινίξ-ες*, but not vice versa. Or have the two Greek terms really nothing in common, being merely homonyms? In view of the cuneiform parallel this would be putting an entirely unwarranted strain on the long arm of coincidence. The only available solution is to derive the Greek ethnicon from the word for 'red purple'.

Archaeological evidence may step into this breach with some indirect confirmation. In a suburb of the North Syrian city of Ugarit<sup>21</sup> (modern Râs esh-Shamrah) the excavators have uncovered traces of workshops for making purple dye, to judge from the pounded murex shells left on the spot.<sup>22</sup> Now it is interesting that these workshops were in the Mycenaean, not the native quarter. In view of this it may be permissible to conjecture that the word *φοινίξ* was brought to Syria by the Mycenaean who found the place an excellent source of supply of the shells required.<sup>23</sup> In that case the land may have been the first to be designated after the product, *Φοινίκη* becoming 'land of the purple dye', while the inhabitants became *Φοινίξ-ες* secondarily. But the

<sup>20</sup> This important document which I first read on the spot soon after it had been dug up by the late Dr. Chiera was kindly collated for me by Dr. Pfeiffer, the Curator of the Harvard Semitic Museum.

<sup>21</sup> The importance of the purple industry of Ugarit is attested, incidentally, by a lengthy cuneiform text recently published by Thureau-Dangin; cf. his article in *Syria* 15. 137 ff.

<sup>22</sup> *Illustrated London News* 1935. 712.

<sup>23</sup> For the purple industry in the Aegean area see G. Casson, *Phoenicians and Purple Industry*, *Antiquary* 1913. 328 ff.

main argument in favor of tracing the ethnonym to the name for the dye need not rest on such purely hypothetical grounds.

In conclusion, I may be permitted to venture an explanation of the curious Greek tradition which would derive the Phoenicians from the Persian Gulf.<sup>24</sup> Historically there is absolutely nothing to justify such a view. Do we have here an example of popular learning? The reasoning may have been something like this: *Φοινίξ* means "Phoenician" as well as "red". Why? Because the Phoenicians came from the Red Sea (*Ἐρυθρὰ θάλασσα*, i.e. the Persian Gulf). Herodotus himself need not have been the guilty schoolmaster. By his time this play on words may have attained to the dignity of tradition.

<sup>24</sup> Herodotus 7. 89.



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New Discoveries at Tepe Gawra and Khafaje

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## NEW DISCOVERIES AT TEPE GAWRA AND KHAFAJE

THE Joint Assyrian Expedition of the University Museum and the American School of Oriental Research completed its season of 1936-37 on March 25. The campaign was directed by Dr. E. A. Speiser, Director of the Baghdad School and Professor of Semitics in the University of Pennsylvania. The results obtained are of unusual significance and a brief account of the season's highlights is given in the following paragraphs.

The season's work falls under two separate heads: (1) Tepe Gawra; (2) The Diyala area.

### 1. TEPE GAWRA

The excavation on this site, which lies fifteen miles north of Mosul, was pursued down to Level XVI, while a cut near the eastern corner of the mound laid bare six lower levels and reached virgin soil at a depth of 27.32 metres from the original top. Levels XII and XIII proved to correspond with the el-Obeid period, Levels XIV-XVI disclosed marked affinities with the Samarra culture, and the strata uncovered in the eastern cut belong primarily to the Tell Halaf civilization. The most important stratum dealt with so far is the thirteenth. In fact, Gawra XIII bids fair to constitute one of the most significant landmarks in Mesopotamian prehistory and, incidentally, also in the cultural progress of the most ancient East. Its architectural remains are a revelation in more ways than one. The level corresponds with the very beginning of the el-Obeid period, which was regarded until a few years ago as the oldest civilization in Mesopotamia. This age has been credited with the ability to produce well-painted, if generally monotonous, pottery; but there has been little evidence of other material accomplishments. Now Gawra XIII has altered this picture in a radical manner. Not only is its pottery free from traditional restrictions with regard to shapes and motives, but the same individualism is evident also in contemporary buildings.

Any building remains of the Obeid period would be of interest, because there are virtually no examples of architecture of comparable antiquity. Fortunately, however, the structures of Gawra XIII do not depend on their antiquity for significance and appeal. The principal building group of this period was an acropolis (Fig. 1), consisting of three temples, the Northern, the Central, and the Eastern, enclosing on three sides an imposing Main Court. Most surprising of all, these temples disclose features which are not to recur for many centuries (Fig. 2): the walls are subdivided with piers and decorated with pilasters, and the corners are made singularly effective by the use of quarter pilasters. The front walls are relieved by impressive niches. The cult chambers and the cellas were painted on the inside in bright red, and the outside walls were decorated with white plaster. Each temple had its own special features, but the whole acropolis enjoyed a harmony that only master builders could have achieved. And it should not be forgotten that these architectural gems represent an age which was supposed, only a few years ago, to usher in settled man in an inchoate and primitive state of civilization. Space does not permit me



FIG. 1.—THE ACROPOLIS, GAWRA

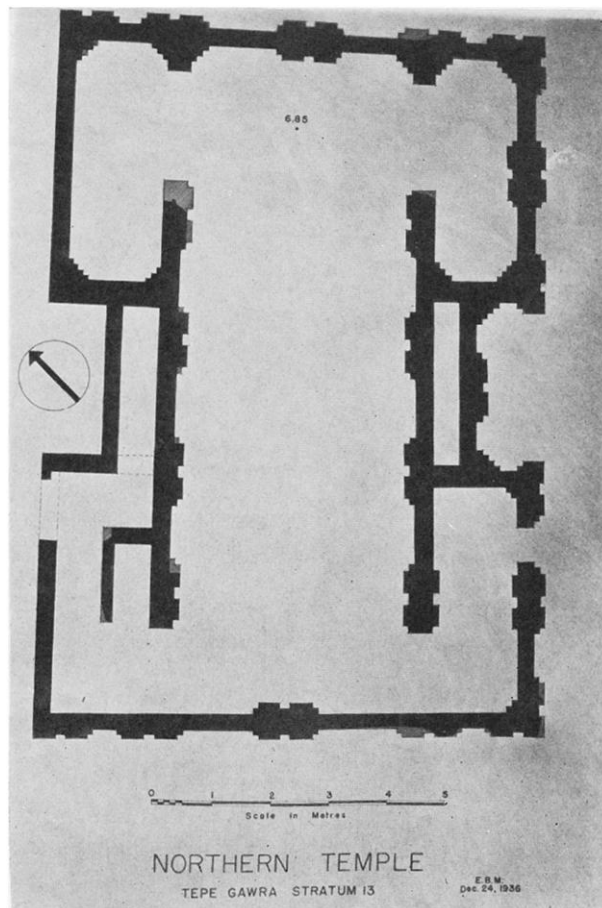


FIG. 2.—NORTHERN TEMPLE, GAWRA, STRATUM XIII



FIG. 3.—STATUETTE OF BEARDED WORSHIPPER, KHAFAJE

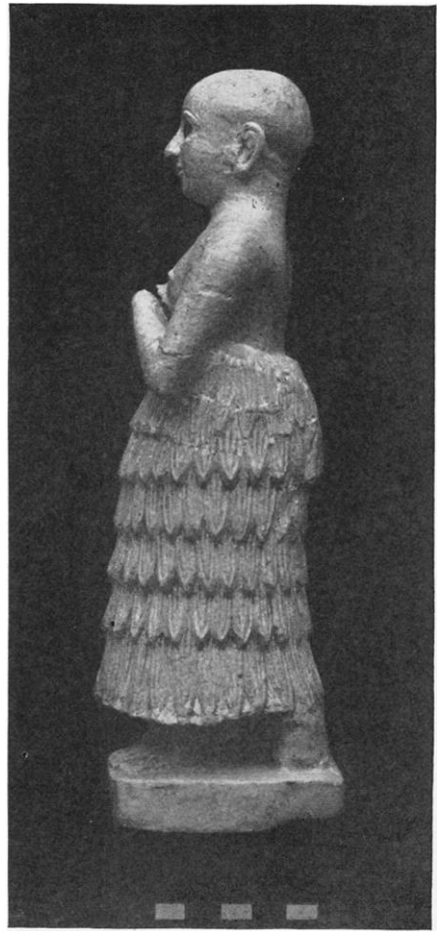


FIG. 4.—PORTRAIT OF A KHAFAJE DIGNITARY



FIG. 5.—ALABASTER PORTRAIT, KHAFAJE



FIG. 6.—BRONZE WRESTLERS, KHAFAJE

to list other details of this astounding stratum. Suffice it to say that the contemporary potters and seal-cutters left works of art that are equally bold in their conception and not less vigorous in execution. The underlying mentality was clearly the same in all these fields.

## 2. THE DIYALA CONCESSION

The group of mounds centering around Tell Asmar and Khafaje, in the Diyala area northeast of Baghdad, formed until January, 1937, one of the most valuable archaeological concessions of the Oriental Institute of the University of Chicago. Under the direction of Dr. Henri Frankfort, these mounds have yielded results of basic significance for our knowledge of the Early Dynastic period in Mesopotamia. Among others, our understanding of Sumerian art is most intimately connected with these results. When the Oriental Institute decided to suspend its field undertakings in many sections of the Near East, in order to concentrate on the publication of the rich material obtained, the Joint Expedition of the University Museum and the Baghdad School took over the Diyala concession with the help and goodwill of the Institute, of which it is a pleasure to make grateful acknowledgment. This Sumerian venture of the Joint Assyrian Expedition devoted one month to its initial campaign. The results are very gratifying. A small temple, which proved to be dedicated to the god of Fertility, was dug down to its foundations, in accordance with the original plan of the Chicago excavators. Apart from valuable architectural results, numerous objects of great artistic merit were recovered. Our knowledge of Sumerian sculpture has been considerably enriched, thanks to the discovery of many statuettes, of which a few examples are shown in Figs. 3-5. Of particular interest is also a bronze figurine of wrestlers (Fig. 6), one of the most arresting pieces of early Sumerian art. We look forward to further results from the Diyala area with keenest interest.

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Notes on Hurrian Phonology

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## NOTES ON HURRIAN PHONOLOGY

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UNTIL RECENTLY all deductions concerning Hurrian sounds were based only on material preserved in the cuneiform syllabic writing. In such a medium, itself re-designed for the purposes of Akkadian, Hurrian phonetic elements could receive adequate treatment only in so far as they approximated phonetic elements present in Akkadian. There were here no ready means for the expression of values for which the parent script had not provided. The result was an unduly simplified conception of Hurrian phonology. Frequent use of signs containing either  $\check{s}$  or  $s$  to express a single sibilant of Akkadian was regarded as proof that Hurrian had but one voiceless sibilant; and the constant confusion of voiced and voiceless stops led to the assumption of a single series of stops in Hurrian.<sup>1</sup> To be sure, scattered indications of departures from the phonetic repertoire of Akkadian were noted from time to time.<sup>2</sup> But the picture as a whole was naturally out of focus.

With the discovery of Hurrian material among the alphabetic texts from Ras Shamra there was provided a source for an independent estimate of the sounds of Hurrian. Nothing like a systematic survey is as yet possible. The available material is scanty and full of difficulties of its own. In a consonantal script the sense of individual lexical elements of this virtually unknown language is far more difficult to determine than it has been in the syllabic writing. On the other hand, such a script will allow consonants a greater measure of individuality than might be expected in syllabic texts.<sup>2a</sup> Above all, it furnishes means for checking previous phonetic deductions.

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<sup>1</sup> It is hardly necessary to give a list of those who have held these views, or to point out that I used to belong to that school myself.

<sup>2</sup> See already Bork, *Die Mitannisprache*, *MVAG* 1909 14 ff. For other suggestions cf. Speiser, *Mesop. Origins* 123 ff., and *JAOS* 53. 26 n. 39.

<sup>2a</sup> Another important difference is this: The Nuzi dialect of Akkadian was used in writings by Hurrians; the cuneiform signs reflect here Hurrian pronunciation. But the characters used in RŠ Hurrian texts were used simultaneously by the Semites of Ugarit and represent, therefore, contemporary phonetic values of Ugaritic. These characters are accordingly a primary phonetic witness.

Thureau-Dangin<sup>3</sup> and Friedrich<sup>4</sup> have been prompt to realize the value—and the limitations—of the RŠ Hurrian material for phonological purposes. Progress has been made also in certain specific details. Thus Ginsberg-Maisler<sup>5</sup> and Harris<sup>6</sup> discovered independently a special sign (the two-wedged š), which is used chiefly in Hurrian contexts. In the meantime, Berkooz<sup>7</sup> and Oppenheim<sup>8</sup> have given a fresh impetus to a further evaluation of the Hurrian syllabary through their recent studies of the Nuzi material. The problem is thus being approached from two directions.

Further progress in Hurrian phonology can be made by co-ordinating the testimony of the cuneiform syllabaries and the alphabetic texts from Ras Shamra. The discussion which follows attempts such a co-ordination with regard to some sibilants, the rest offering merely a few scattered observations. It is assumed at the outset that the Hurrian texts from Ras Shamra, the Hurrian material from Boghazköi, the letter of Tushratta in the "Mitanni" language, the related elements in the other Amarna letters, and the bulk of the non-Semitic material from Nuzi<sup>9</sup> represent one and the same basic language, for all the differences that lack of equally extensive sources in all these centers, divergences of script, and considerable geographic decentralization may have caused to become apparent. The underlying relationship is supported primarily by the constant recurrence throughout the area under discussion of

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<sup>3</sup> *Syria* 12. 249 ff. These comments are appended to his masterly treatment of the syllabic Hurrian material from Ras Shamra, *ibid.* 234 ff.

<sup>4</sup> *Analecta Orientalia* (abbr. *An. Or.*) 12. 128 ff.

<sup>5</sup> *JPOS* 14. 244.

<sup>6</sup> *JAOS* 55. 95 ff.

<sup>7</sup> *The Nuzi Dialect of Akkadian* (abbr. *NDA*), *Language Dissertations* 23 (1937).

<sup>8</sup> See especially *WZKM* 44. 178 ff.; 45. 38 ff. (a review of Berkooz's monograph); *Revue Hittite et Asiatique* (abbr. *RHA*) 26. 58 ff.; *Afo* 12. 29 ff.

<sup>9</sup> The view that Hurrian constitutes the principal substratum at Nuzi about the middle of the second millennium B. C. (not in the Old Akkadian period, for which see Meek, *HHS* (abbr. (H) IX) has recently been attacked by Oppenheim, *Afo* 11. 56 ff. Oppenheim's arguments were promptly refuted by Friedrich, *ZDMG* 91. 212 ff., and more extensively by Speiser, *AASOR* 16. 136 ff. For the cultural and historical background of the Hurrians cf. my *Ethnic Movements*, *AASOR* 13. 13 ff.; Albright, in Leary's *From the Pyramids to Paul* (1935) 9 ff.; Götze, *Hethiter, Churriter und Assyrer* (1936); and Ungnad, *Subartu* (1936). Oppenheim has lately modified his position, cf. *Afo* 12. 29 n. 2 and, indirectly in *RHA* 26. 58 (cf. the title of his paper; cf. below, note 100).

such formatives and endings as *hi*,<sup>9a</sup> *ni*, *-n*, *na*, *va/wa*, *ve/we*, and *-š*, for which fresh evidence will be adduced below; by correspondences in numerals, personal names, and names of deities; and secondarily only by the identity of certain lexical elements and by a common chronological, historical, and cultural background. The sole purpose of the present discussion is to determine whether it is possible to discern at present, in certain significant instances, a common phonetic pattern, in spite of the fragmentary nature of the material at our disposal.

### A. Sibilants

The long-held view that Hurrian possessed no *š*-sound, or rather that in the Hurrian syllabary *š* represents *s*, has been questioned recently from several quarters. Thureau-Dangin<sup>10</sup> would see evidence for *š* (no doubt as distinct from and by the side of *s*) in Babylonian transliterations of Hurrian names; in the contracts from Dilbat *Te-eš-šu-ub-a-ri* must contain *š*, since *s* would have been expressed differently. Oppenheim and Berkooz concentrate on the Nuzi material where, it is true, *š* and *s* are often confused in writing; but interchanges between sibilants and non-sibilants convince Oppenheim by their very variety that several types of sibilants should be presupposed,<sup>11</sup> while Berkooz adduces arguments in favor of *š*, *s/z*, and *ž*.<sup>12</sup> So much for interpretations based on the Hurrian syllabary. The alphabetic Hurrian material from Ras Shamra has been shown by Friedrich<sup>13</sup> to distinguish with regularity between *θ*<sup>14</sup> (= *t̄*, *š̄*) and *ś*, although both may be expressed in the Hurrian syllabary as *š*; thus we have *θmg/dšimigi*, alongside *'iwrzr/Ewirišarri*. Finally, Ginsberg-Maisler and Harris<sup>15</sup> have argued that the character transliterated as *ś* (or *š̄<sub>2</sub>*), which is written with two wedges, is not to be confused with the three-wedged *š* proper; it represents, instead, a Hurrian sound, which Ginsberg-Maisler would regard provisionally as *ž*, while Harris

<sup>9a</sup> For *-hi* in Nuzi cf. *JAOS* 55. 443 n. 38 and Friedrich, *ZDMG* 91. 212. On the occurrence of this suffix in Ras Shamra, see below, p. 197 ff.

<sup>10</sup> *Syria* 12. 253.

<sup>12</sup> *NDA* 60-63.

<sup>11</sup> *WZKM* 44. 185-87.

<sup>13</sup> *An. Or.* 12. 129 f.

<sup>14</sup> In this discussion I have used *θ* for the Ras Shamra (RŠ) character representing the spirant which corresponds in Semitic to Arabic *t̄ā*, and *š̄* for the two-wedged sign which Friedrich transcribes *ś*.

<sup>15</sup> See above, notes 5-6.

introduces for it a purely conventional symbol  $\bar{z}$ , suggesting as possible phonetic interpretations a sibilant or an affricate.

On one point at least all these writers are agreed: that Hurrian recognized more than one sibilant. Beyond this important concurrence, however, their results vary, largely because the several discussions are devoted to different aspects of the same problem. Friedrich is content with his convincing demonstration of the fact that the  $\check{s}$  of the Hurrian syllabary may represent one of two characters in RŠ Hurrian. The article was written before Harris had shown that his  $\bar{z}$  is not to be confused with the three-wedged  $\check{s}$ ; otherwise Friedrich would have been obliged to state whether he regards  $\check{s}$  as yet another definitely established sibilant of Hurrian. On the other hand, Harris confined his study to the problem of  $\bar{z}$ , and Ginsberg-Maisler limited the corresponding part of their article to the question of  $\check{z}$ , which is, as we have seen, merely another symbol for the above  $\bar{z}$ . Lastly, neither Oppenheim nor Berkooz strayed far beyond the limits of the Nuzi material.

Before we proceed with this discussion, it will be necessary to review the available evidence. Hurrian contexts from Ras Shamra are restricted for the present to *Syria* 10, Tablets 4, 7, 28, 34 + 45, and apparently 30, 31, 35 to be designated hereafter as RŠ 4, 7, etc.); *Syria* 12, 389 f., and words in the "Seleg" text, *Syria* 15, 148 (cf. also the fragment, *ibid.* 153). The really significant text in the entire group is RŠ 4, on account of its length (62 lines), comparatively few gaps, and its use of word dividers. The short tablet marked RŠ 7 is complete, but of little assistance. No word dividers are employed here, nor do words end with the line; thus the first two characters of *kmr̄b* (<sup>d</sup>*Kumarbi/we*) are at the end of line one, the last two at the beginning of line 2. In fact, what little we know from this text is due primarily to the insight of the late Hans Bauer,<sup>16</sup> who obtained his results by comparing this tablet with the fragmentary texts in RŠ 31 + 45. The remainder of the material presents no connected contexts. It follows that RŠ 4 alone can be looked to for reliable contributions.

But even this text is not uniformly reliable. A comparison of the following three passages<sup>17</sup> will prove instructive in this connection.

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<sup>16</sup> *OLZ* 1934 474 f.

<sup>17</sup> In the transcriptions which follow a subscript dot shows that a part of the character in question is missing.

RŠ 4. 7-8: 'il k[m]rb<sup>18</sup> sbl pzy t'nm kr. 'il kmrbnθ<sup>19</sup>

ibid. 26-8: θr θbl tl-----lž k[r θr(θ)]

ibid. 32-3: ḫdn ḫdlr θbl [pzy?] t'nm.kr. ḫdn. ḫdlr

In the last passage we have names of two groups of deities (ḫdn ḫdlr = <sup>d</sup>Hutena <sup>d</sup>Hutelurra)<sup>20</sup> followed by θbl - t'inama kr and the same divine names. The middle passage has θr (a deity?)<sup>21</sup> followed by θbl, a long break, t'nm k[r], and probably [θr] or [θrθ]. The first passage begins with 'il.kmr̄b and ends with kr.'il kmr̄bnθ.<sup>22</sup> In all three passages the same sequence is observed. But instead of θbl, as in the two other citations, we have in one instance sbl; the kmr̄b of this section is, of course, the well-known god *Kumarbi/we*. The formulaic character of the above passages makes it certain that the sbl of line 8 is an error for θbl, of which there are two clear occurrences in lines 27 and 33. Incidentally, this error involves one of the two appearances of the s-sign in the present text. The other is in *psm*, line 53. It is logical, therefore, to regard also the latter reading as suspect. The same may be said of the only remaining occurrence of the s-sign in a RŠ text which is certainly Hurrian: RŠ 45 rev. 10.<sup>23</sup>

RŠ 4 introduces, in addition, š (the three-wedged character) and z. The former is found definitely in the form 'iršpn, line 42 (and evidently is to be supplied in the preceding line). Examples with z are ḫzhg, 4. 24 (16, 20), and anḫz, 4. 11. On the other hand, both θ and ž are very common. In the other Hurrian tablets š is found in 7. 6, 10; 34 end, and 45 rev. 1; z appears in 7. 10. In 7. 6 there is the sequence šθm (with the šādē-sign), but Bauer<sup>24</sup> reads the word 'aθm, on the analogy of 45 rev. 2.

To recapitulate this part of our inquiry, there is ample evidence

<sup>18</sup> The 'il before kmr̄b is hardly the Semitic word for "god."

<sup>19</sup> For kmr̄bnθ = <sup>d</sup>Kumarbi-ni-š see below, p. 192 f.

<sup>20</sup> For this pair of names cf. Hrozný, *Archiv Orientální* 4. 121 ff.; Friedrich, *An. Or.* 12. 130.

<sup>21</sup> Cf. also RŠ 4. 61; 34. 3; perhaps to be connected(?) with šeriš, in Boghazköi (Götze, *Kleinasiens* 121, 123, and in Nuzi *Arip-šeri*, HV 79. 36, *Nai-šeri*, N 177. 7, etc.)

<sup>22</sup> For the suffix -θ and the incorporating infix -ni see below, p. 193.

<sup>23</sup> The fragment published in *Syria* 15. 153 adds two occurrences of the s-sign. But the context is enigmatic; all that can be said about this piece is that it includes two names of Hurrian deities; cf. Friedrich, *An. Or.* 12. 129.

<sup>24</sup> *OLZ* 1934. 475 n. 2.

for both  $\theta$  and  $\bar{z}$ . The tablets contain also signs for  $s$ ,  $\$$ ,  $z$ , and  $\check{s}$ . Of these, the first two appear to be due to scribal errors. Little doubt can be cast on the presence of  $z$ , in spite of the rare occurrences of the sign in question. As for  $\check{s}$ , the corresponding character is certain in RŠ 4 in only one name;<sup>24a</sup> but the other Hurrian tablets seem to indicate that a sound represented by this character may have been known to Hurrian.

With regard to phonetic values, it goes without saying that all we can expect at present is a general orientation rather than a satisfactory classification. On the basis of the foregoing remarks the elements at issue may be reduced to four, viz.,  $z$ ,  $\check{s}$ ,  $\theta$ , and  $\bar{z}$ . Of these, the first three are well known from the Semitic texts of Ras Shamra, so that approximately analogous values may for the present be presupposed in each case for Hurrian as well:  $z$  would be the voiced sibilant,  $\check{s}$  would fall within the *sīn/šīn*<sup>25</sup> range, while  $\theta$  would have the spirant value of the Arabic *tā*. As for  $\bar{z}$ , Harris<sup>26</sup> has established conclusively that the character in question is all but restricted to Hurrian texts. Its occurrences in Semitic contexts are rare, although seemingly regular with certain words. The Semitic instances require a thorough investigation. For our immediate purposes it may be significant that in the poem on the "Gracious Gods," *Syria* 14. 128 ff., the word for "breast" in the phrase "sucking at the breast" is written *zd* in line 24, but *z̄d* in line 61. If we disregard the possibility of error in these two writings, this particular word for "breast" began with some sound which was intermediate between  $z$  and  $\bar{z}$ .<sup>27</sup>

We are now ready for the evidence of the Hurrian syllabary. There we have a gratifying amount of comparative material, but

<sup>24a</sup> For this name there is only a single citation from Boghazköi (*An. Or.* 12. 129), so that its Hurrian background is not quite certain. Our doubts on this subject gain some confirmation from the occurrence of the personal name *Ir-ša-ap-pa* in the first Arzawa letter, Götze, *Verstreute Boghazköi Texte* 1. 11.

<sup>25</sup> These designations are employed in the present paper in an etymological sense only, without any implications as to relative priority or ultimate origin.

<sup>26</sup> See above, note 6.

<sup>27</sup> It may be of interest to recall that in the Semitic analogues (not to speak as yet of cognates) outside Ugaritic the initial consonant is also varied, owing doubtless to the onomatopoeic origin of the term; cf. e. g., Heb. *šad* and *dad*.

the evidence is bewildering at first. Thus the names of the deities *Šimigi/qa*, *Ša(w)uška*, *Aštabi*, *Tešub*, and *ašti-* "woman" appear in the RŠ tablets as *θmg*, *θw('u)θk*, *'aθtb*, *tθb*, and *'aθt-* respectively.<sup>28</sup> The personal name <sup>1</sup>*Ewirišarri* appears as *'iwržr* (*Syria* 14 pl. 25 b 1), while <sup>4</sup>*Iršappi* is rendered *iršp*. In other words the *š* of the syllabary may correspond to *θ*, *z*, and *š*. The syllabary was obviously incapable of individualizing all of the spirants and sibilants of Hurrian.

Our first concern is with *θ*. We know that the same character is employed in the Semitic texts to represent an original spirant *t̥*. The syllabary uses in its place the sibilant *š*. We shall see presently that in the extensive material from Nuzi there is no sure exception to the equation  $\theta = \check{s}$ , and the question is therefore in order whether *θ* in Hurrian texts was as definitely spirant as is, e. g., Arabic *t̥ā*. On this point we get some hints from the Semitic texts of Ras Shamra. Here the *šafels* *yθθb* (bis), and *θθbn* (all three from rt. *ytb*) and *wθθb* (rt. *twb*) use *θ* in the preformative; in all these instances an original *š* was assimilated to the *θ* of the next syllable.<sup>29</sup> The assimilatory influence of spirant upon sibilant, especially when heterosyllabic and where the pressure of the paradigm is strong, is certainly not normal in Semitic; if anything, the reverse process would be expected.<sup>30</sup> It would seem that even in the Semitic dialect of Ugarit ( $\theta (= t̥)$ ) had begun to shift toward *š*, just as it was to in Akkadian, Phoenician, and Hebrew. The above examples would thus indicate not so much an assimilatory influence on the part of a spirant *θ*, but rather a sibilant leaning in *θ*.

To return to the Hurrian syllabary, our richest source is furnished by the Nuzi texts. The phonetic evidence has been worked over recently by Berkooz and Oppenheim, whose studies on the subject may now be consulted. As a first step, however, we need a critical appraisal of their respective methods in order to appreciate the results in their bearing upon the present problem.

Berkooz set out to examine the orthography and phonology of the Nuzi documents.<sup>31</sup> Since his was a comprehensive survey of the

<sup>28</sup> Friedrich, loc. cit. For *'aθt-* (in RŠ 4. 55: *'aθtb[n]*); cf. id. *Die Welt als Geschichte* III/1 62. For the bearing of the form *'aθtn* on the question of the *-bi-* suffix in the RŠ texts see below, p. 197 f.

<sup>29</sup> See Harris, this JOURNAL, above, p. 104 f.

<sup>30</sup> Cf. e. g., Arab. *sādīt* > *sādis* "sixth."

<sup>31</sup> See above, note 7.



material, he utilized both the Akkadian and the non-Akkadian elements, but treated the evidence from the non-Semitic proper names separately, owing to the heterogeneous character of the two sources. Moreover, in evaluating such evidence as he had for sound shifts and sound changes in Hurrian names, Berkooz was careful not to draw conclusions from apparently related onomastic elements unless the relationship was confirmed by genealogy. For instance, he compares the names *Ta-an-ki-ia* and *Ta-ki-ia* (*NDA* 57) only because in both cases the father is *Taena*; *Gi-el-šu* and *Gi-ir-šu* (p. 60), because the parent is always *Šarramuli*, and so on. In studying unknown linguistic material, where, say, *tank-* and *tak-* or *gel* and *gir* might represent conceivably so many independent elements, the genealogical criterion is the only safe guide to comparisons. Caution in matters of this kind has contributed to the conservative nature of Berkooz's results. Nevertheless, arguments are adduced against the prevalent assumption that Hurrian had only one series of stops (p. 40), and valid objections are raised against the theory that the Hurrians had but one sibilant for the Akkadian *s* and *š* (pp. 60 ff.).

Berkooz's reasoning with regard to the sibilants in the non-Semitic proper names from Nuzi is of particular interest in the present connection. He finds that certain elements are written only with signs containing *š* (including *šawuška*, *šimiqa*, *tešup*), while others are written with *z* only (e. g., *zigi*, *zili*, *zizza*).<sup>32</sup> The interchange of *s* and *š* in certain other elements is interpreted, therefore, as an indication that the Hurrians had in addition to *š* another (presumably voiceless) sibilant, which the Nuzi scribes failed to represent with consistency because it was foreign to Akkadian.<sup>33</sup>

So far the argument has been perfectly sound; we can scarcely criticize Berkooz for seeing his foreign sibilant in the element *šarri*, which he equates, with Ginsberg-Maisler and Harris, with RŠ *žr*.<sup>34</sup> His further argument, however, that the new sibilant was phonetically *ž* is not quite so valid. It is based on a comparison of the writings *Ku-uz-za-ri* and *Ku-uz-za-zi*, both of which represent a son of *Hamanna* (p. 62). It is true that the vacillation between *r* and *z* would justify such a conclusion. Unfortunately, however, the discrepancy may be graphic and not phonetic. The signs *zi* and *ri* may be confused in the Nuzi texts, very likely by the copyist, as I

<sup>32</sup> *NDA* 61.<sup>33</sup> *Ibid.*<sup>34</sup> *Ibid.* 62.

have shown elsewhere in safe Akkadian examples.<sup>35</sup> For this reason, no phonetic conclusions can be drawn from such cases.

Oppenheim has lately been pursuing Nuzi studies with great industry and marked success. Non-Semitic proper names have received his special attention as is evidenced by several unusually stimulating articles, to which is added a thorough and critical review of Berkooz's monograph.<sup>36</sup> This is not the place for a detailed estimate of Oppenheim's results. It is necessary, however, to state that these results are not always conclusive because of the author's failure to adhere rigidly to the genealogical principle of comparison. Thus he juxtaposes *Na-ip-šu-ur-ra* and *A-ri-ip-ḫu-ur-ra* (WZKM 44. 187), with entirely different initial elements, in order to demonstrate the interchange of *š* and *ḫ* in the respective final elements; and he loses sight of the inherent probability that *šurra* and *ḫurra* were not the same word at all. More serious is this excess of optimism when a comparison is made between *Ku-ur-tu<sub>4</sub>-ru-uk* (Gadd 33. 28) and *Wu-ur-tu<sub>4</sub>-ru-uk* (N 12. 21). This single instance of interchange between *k* and *w* is deemed sufficient to establish the existence of the labiovelar *g<sup>u</sup>*.<sup>37</sup> But when the references are checked, the first one turns out to be *w[u]*, not *ku*, so that the name is to be read in both instances as *Wur-turuk*. Lastly, not enough attention is paid to the possibility of scribal errors (*ki/di*, *ra/ša*, *ḫi/še*) for which there are abundant examples in the Akkadian and easily controlled material from Nuzi;<sup>38</sup> no phonetic conclusions should be based on examples where the likelihood of such errors has not been considered. Similarly, graphic peculiarities can not be ignored. The comparison of *A-wa-ta-gi* with <sup>sa1</sup>*A-wa-sag-gi* (WZKM 44. 186) is to be deleted for the simple reason that the text in which the alleged *\*Awasaggi* occurs (N 516. 5)<sup>39</sup> writes *ta* almost exactly like *sag* (in the unambiguous *Im-ma-ta-am-mar*, line 11, and again in *Ša-ta-ri-el-li*, line 12).

With these reservations we approach Oppenheim's analysis of the

<sup>35</sup> Cf. *AASOR* 16. 116, note at 69. 18.      <sup>36</sup> Cf. note 8, above.

<sup>37</sup> Again, there is here no genealogical evidence for connecting the two names. Since far-reaching conclusions are to be based on this single pair of names, the possibility should first have been weighed that *wur* and *\*kur* are different etymologically.

<sup>38</sup> See *NDA* 22 ff.

<sup>39</sup> In citing Nuzi texts I use N for Chiera, *Joint expedition with the Iraq Museum at Nuzi*, vols. I-V; H for *Harvard Semitic Series*; Gadd for *RA* 23. 142 ff.

sibilants. The interchange of *š* and *s* (loc. cit. 185) calls for no comment. The next paragraph (15; p. 186) deals with the change between *š/s* and *r*. We find here a number of examples, but no single group of these is really conclusive. Three pairs of names involve the change of *ša* and *ra*; a comparison of Gadd 70. 6 and ibid. 82. 22 (the first pair of examples cited by Oppenheim) will show, however, how close is the *ra* of *I-wa-ra-an-ni*, in the former instance, to the *ša* of *I-wa-ša-an-ni*, in the latter reference. Then we have three examples of interchange of *š* and *r* before *t* and *g/k*.<sup>40</sup> But even if we assume that each pair represents actually a single name, the effect of a dental or a velar upon a preceding *r* or *š* would not be on a par with an antevocalic change.<sup>41</sup> Pairs like *Ḫa-ma-ar* and *Ḫa-ma-aš-šu-ḫé* involve at best assimilation. *Ba-zu-un-du* and *Ba-ru-un-du* are outside Nuzi and, moreover, the former has a rich Semitic genealogical background (cf. YOS I ad loc.). The *ši* of *Ḫu-uš-ši* (N 424. 5) is to be read *li* and points, upon comparison with *Ḫu-uš-ri* in line 26 of the same text, to the frequent and well-established interchange between *r* and *l*.<sup>42</sup> Lastly, for graphic reasons, no reliance can be placed on the assumed change between *zi* and *ri*, as was explained above.

I have analyzed all of Oppenheim's sets of examples in that particular paragraph to demonstrate that there is no safety in numbers alone. They should have been treated by the author under the several classifications to which they belong, for they reflect by no means related phonetic conditions. But even then, the net result would not have been the establishment of a *ž*-sound in the non-Semitic names under discussion. At best, the possibility of such

<sup>40</sup> *Uš-ku-te/Ur-ku-ti*; *Aš-tar-til-la/Ar-tar-til-la*; *Zi-iš-te-šup/Zi-ir-te-šup*. The pair *A-ra-aš-ginu* and *Arad-gi-nu*, which is cited also, does not belong here at all; if these names should happen to belong together they would indicate only interchange of *š* and *d/t*.

<sup>41</sup> In other words, a change of *ša* to *ra* would not be on a par with the development of *št* to *rt*. For the latter, examples can be found in good Akkadian; cf. Brockelmann, *Grundriss d. vergl. Gram. d. sem. Spr.* I p. 166 *θ*. In the antevocalic change of *lubāšu* to *lubāru* we have in reality an analogue of *lubuštu* > *lubultu* and then dissimilation of \**lubātu* to *lubāru*. The influence of *k* may be seen in the Akk. doublets *kaškadinnu* and *kar-kadinnu* or *kiškerānu* and *kirkerānu*. Such changes are the result of special phonetic conditions and are not to be implied for any *š* and *r*, especially when the investigated material comes from an obscure language.

<sup>42</sup> *NDA* 59 f.; *WZKM* 44. 181.

an occurrence would have to be borne in mind. Until less ambiguous evidence for such a sound is adduced, the problem will remain in a purely speculative stage.

Equally doubtful is the palatal *s* which Oppenheim postulates on the basis of the alleged interchange of *š* and *h* (loc. cit. 187). The pair *Naip-šurra* and *Arip-hurra* was disposed of earlier in this argument. For similar reasons (lack of genealogical confirmation) the pair *Wu-ur-ša-ri* and *Wu-ur-ha-ri* is inconclusive. The remaining examples involve graphic confusion of *še* and *hi*.<sup>43</sup> And so we are confronted once again with an interesting possibility for which there is no decisive proof; interesting because, if established, it would account for the juxtaposition of *hubur* and *subar* among the Sumerian ideograms for Subartu. As it is, both Ungnad<sup>44</sup> and Goetze<sup>45</sup> regretfully but wisely reject this comparison for lack of sufficient evidence.<sup>46</sup>

All that is left of Oppenheim's discussion of the sibilants are two brief paragraphs (16-17, p. 186). Of these, the first tends to establish the interchange of *š* and *t*, on the basis of examples which are not reliable,<sup>47</sup> and the other deals with some correspondences between *s/z* and *t/d*. On this latter point the evidence is not extensive, but unambiguous none the less. When we find, e. g., the same Hurrian term written *za-za-ru-uš-še* (Gadd 40.7) and *za-ta-ru-uš-še* (ibid. 29.22, 27),<sup>48</sup> we know that textual criticism cannot affect these instances because *za* and *ta* are not subject to confusion in writing or copying. It is obvious that the scribes attempted to represent here some Hurrian sound for which the

<sup>43</sup> Cf. *NDA* 23.

<sup>44</sup> *Subartu* 110.

<sup>45</sup> *JAOS* 57. 108.

<sup>46</sup> The *θbr* of RŠ 2. 12, 30 is far from certain as a transcription of *šubarū*. In fact, if our law that Akkadian (and doubtless Sumerian) *š* which may vary with *s* cannot correspond to RŠ *θ* (see below, p. 192) is confirmed, then *θbr* must be something other than *Subi/ar-šubarū*. (For a contrary opinion cf. Albright *JPOS.* 14. 107. In the light of more recent material, that section of Albright's study (ibid.) is now largely out of date. The sibilant in the name *Sin* is written in Nuzi as *š* or *z*, hence it can not correspond with Ugaritic *š*.)

<sup>47</sup> Not one of these alleged correspondences can be confirmed genealogically. The strongest case is *E-ša-ku*, N 177. 4 and *E-ta-ku*, ibid. 10, because *ša* and *ta* are not confused in these texts as a rule. But although these writings occur on the same tablet, it is uncertain from the context whether the same person is referred to in both instances!

<sup>48</sup> *WZKM* 44. 186, and Berkooz, *NDA* 62 n. 144.

syllabary had not provided; that sound was close to, or composed of, a sibilant and a dental, hence it was probably an affricate.

The evidence of the Nuzi script with regard to the sibilants, as evaluated so far, may be summed up as follows: In Akkadian words *š* and *s* are often confused in writing. But many words have their sibilant represented only as *š*, while others are written consistently with *s/z*. The writings would seem to reflect three varieties of sibilant: as expressed by *š* only; by *s/z*; by *š* or *s/z*. What we get here is, of course, no more than the Nuzian rendering of certain Akkadian sounds. Indirectly, however, we gather that in the Hurrian dialect of Nuzi, whose phonology is reflected of necessity in the local Akkadian documents, there were at least two distinct sibilants, expressed in the Nuzi script as *š* or *s/z* respectively. The probability of an affricate was also indicated. A further possibility will be considered below.

To carry this inquiry a step further, however, we shall dwell a while longer on the Akkadian material, since it lends itself, despite its Nuzian guise, to phonetic analysis. Having found that the Nuzi texts represent Akkadian sibilants with some degree of method, we may now inquire how that method was applied: Which Semitic sound or sounds was expressed by *š* only, which by *s/z* only, and which could vary between *š* and *s/z*?

1. The clearest case is furnished by *s/z*. Berkooz has shown that all forms of the verbs *ezēbu*, *ašû*, *ešēdu*, *zāzu*, *zakû*, *zakāru*, *maḥāšu*, *nakāsu*, *šabātu*, *rakāsu*, and *qašāšu* are always written with signs containing only *s* or *z* (ŠI = *zé* is used very rarely), never with *š*.<sup>49</sup> The nouns present a similar picture.<sup>50</sup> For *s* written as *š* Berkooz can cite only two examples, *i-sa-aš* (H IX 119. 15) for *išassī*, and *Ši-ni-ki-še* (N 347. 29) for *Sin-iqīša*.<sup>51</sup> In other words, Akkadian *z* and *š* are never written with *š*, Akkadian *s* hardly ever.

<sup>49</sup> NDA 61.

<sup>50</sup> The genitive and accusative of *riksu* are cases in point because they are always written with *zi* and *za* respectively, although the local syllabary employed *si* and *sa* for other purposes; cf.

*ri-ik-zi*: N 435. 1; 439. 1; 440. 1; 441. 1; H V 80. 1; H IX 24. 1; TCL 9 41. 1; AASOR 16 44. 1.

*ri-ik-za*: N 435. 4; 440. 4; 441. 3; H V 80. 3; H IX 24. 3; TCL 9 41. 4; AASOR 16 44. 3.

<sup>51</sup> NDA 61. In *i-sa-aš* we have plainly erroneous transposition of *s* and *š*, cf. *ibid.* note 140. The other example is a proper name, whose initial sibilant is otherwise regularly *z*.

Further analysis yields still more definite results.

- a. Words containing *z* or *š* are written with *z*, rarely with *š*, but never with *s*, e. g., from *ezēbu*: *e-zi-ib*, H V 82. 29; *i-zi-ib*, N 302. 12; 305. 8; *i-iz-zi-ib*, H V 57. 14; Gadd 12. 27; *i-zi-ib-ma*, N 308. 17; *i-zi-ib-šu*, N 317. 17; *e-te-zi-ib-ši*, Gadd 33. 7; *i-te-zi-ib*, H V 1. 6; *ú-sé-zi-ib*, H V 40. 14.
- From *šabātu*: *az-za-bat-mi*, H IX 12. 10; *az-za-bat-zu*, H IX 141. 12; *az-za-pa-az-zu-mi*, N 138. 5; *iz-za-ba-at*, N 8. 9; H V 52. 7; *iz-za-ab-bat<sup>at</sup>*, N 135. 19; *iz-za-ab-bat*, Gadd 33. 25; *i-za-bat-zu-ma*, H V 96. 18; TCL 9 10. 22; *iz-za-bat-zu-nu-ti*, H V 47. 11; *i-za-pa-ad-du*, N 473. 29; *iz-za-ab-du*, H IX, 8. 10; *iz-za-ab-tu*, *Univ. of Cal. Sem. Pub.* 9, 412, line 35; *i-za-ap-pa-du*, N 222. 14; *iz-za-áb-du-ni-mi*, N 138. 14; *i-za-ab-ba-du-ni*, N 123. 10; *ù-za-ab-du-uš*, Gadd 15. 31; *za-bi-it*, H V 5. 17; *za-pa-ti*, H V 44. 22. In all these forms *za* (= *ša*) is never written with the sign *sa*, although the latter does occur elsewhere in the Nuzi texts (for *ša*)<sup>52</sup> and in spite of the fact that the same forms exhibit every conceivable variation in the expression of other sounds.
- b. In addition, *s* is written frequently with *z*-signs. This is established by such forms as *al-zi*, *li-il-zi*, *i-sa-az-zi* (from *šesû*)<sup>53</sup> where the final syllable is written *zi*, not *si*, although the latter sign is again no stranger to the Nuzi texts.

The above cases justify therefore this conclusion: Since Akkadian *z* and *š* are always written in Nuzi with *z*, while Akkadian *s* may also appear as *z*, the Nuzians pronounced all three sounds as *z*. In the Nuzi dialect of Hurrian, which affected the local pronunciation of Akkadian, there must have existed a voiced sibilant.<sup>54</sup>

2. We next turn to instances which show Akkadian *š* represented in Nuzi normally also by *š*, but occasionally by *s/z*. Berkooz's examples of this group are limited to the writings of *š* as *s* and do not include the illustrations with *z*. His list contains a number of

<sup>52</sup> So especially in the present and permansive of *šaṭāru*, cf. *NDA* 63.

<sup>53</sup> *Ibid.*

<sup>54</sup> In other words, original Akkadian *s* shifted to *z* in the Nuzi dialect. Consistent use of *s*-signs in Nuzi would point, therefore, to a sound which was not *s* in Akkadian proper; see the next section.

forms of the verbs *šesû* and *šaṭāru*, one form of *šakānu*, and the name *Ši-ma-an-ni* (with the rare ŠI-sign) in place of the common *Ši-ma-an-ni*.<sup>55</sup> Inasmuch as all examples of this group have a particular significance, Berkooz's list should be supplemented. We note the following:

Akkadian *š* becomes *s* in certain occurrences of forms based on *šēmu* "to establish, grant, deed," such as *i-si-mu*, N 443. 2; H I 71. 4; *i-si-ma-an-ni*,<sup>56</sup> N 333. 47; *si-im-ti*, H I 71. 1; *si-im-ta*, *ibid.* 4.

*š* becomes *z* in numerous occurrences of *šesû*, cf. e. g., *a-za-az-zi*, N 106. 18; 109. 13; 122. 24; 476. 16; *AASOR* 16 29. 12; *a-za-zi*, N 117. 8; *i-za-az-zi*, N 131. 19; 428. 14; 546. 19, 21; *AASOR* 16 19. 17; *i-za-zi*, N 434. 23; 546. 35; also in the suffix *-šu* "his," cf. *a-ḥa-zu*, H 43. 16, and perhaps *a-ḥa-az-zu*,<sup>57</sup> *AASOR* 16 23. 2, 17. It should be emphasized that the above writings are not the rule, the usual orthography being with *š*.

Upon a closer examination of these departures from normal Nuzi orthography, one fact becomes apparent: the Akkadian *š* which appears here as *s* or *z* represents an original sibilant of Semitic (*š̄in* or *s̄in*),<sup>58</sup> not a spirant (Arabic *t̄*). For the *š*-sounds of *šēmu*, *šaṭāru*, *šakānu*, *šesû*, and *-šu* were all sibilants from the start.

<sup>55</sup> *NDA* 63.

<sup>56</sup> In verbal forms of this type there is the possibility that the *t*-form (*ištim-*) is represented. In the noun, however, no *t* could affect the preceding sibilant.

<sup>57</sup> In my translation of this text I interpreted *abazzu* as *abā-šu*, because the syntax favored such a construction. A renewed study of this text convinces me, however, that *abāt-šu* may have been intended, the ambiguity being due to the scribe's difficulty with Akkadian. By analyzing the word as "his sister" we assume only a mistake in syntax and not a radical departure from the established structure of the Nuzi family law (sororate instead of fratriarchal rights), which the alternative view would compel us to do.

I wish to take this opportunity to state that a re-reading of *AASOR* 16 has brought out a number of slips in my contribution to that volume. Some of these consist of wrong references and are due primarily to the circumstance that the necessary sources for checking the entries were not available at Tepe Gawra, where the proofs reached me. Others would probably have slipped through anyway. In text 75. 3, 14 the forms *iz-zi-e-lu*, *iz-zi-el-mi* are plainly not from *nazālu* but from *š'l* (*t*-form) "to quarrel."

<sup>58</sup> Cf. note 25.

There is not a single instance in which Nuzi *s/z* can be shown to represent Akkadian *š* derived from Semitic *š*. To be sure, the above writings are exceptional, but all these exceptions involve one and the same original sound, different etymologically from its Akkadian homophone *š* < *š*. This evidence cannot be disregarded, especially since it has come down to us through the medium of a heterolingual group. If the Semitic dialect of Nuzi were an inner-Akkadian development, normal orthography would carry normal weight. But when a dialect is preserved through an alien medium, exceptions that betray definite uniformity must be assigned a definite significance.

There is one outstanding difference between the present class of examples and that which was discussed in the preceding section. Here *s* or *z* may be substituted for the far more usual *š*; there *z* was the usual writing, while *š* appeared only in two suspect cases.<sup>59</sup> In section 1 the sound indicated by the writing was in all probability the voiced sibilant *z*; here the predominance of *š* strongly suggests an underlying voiceless sound.

3. When we next examine the list of instances which show Akkadian *š* invariably represented as *š* in Nuzi, we find included in this group all the words known from these documents which contain an original Semitic *š*. The very common verb *ašābu*, the preposition *ašar*, and the numerals *šinā* and *šalāšu* provide standard illustrations of this rule. That the list contains also many words with original *šin* or *sīn* is not surprising in view of the fact that any Akkadian *š*, whatever its origin, is normally written with *š*-signs in the Nuzi documents. But whereas this norm is never broken with an original spirant, etymological *šin/sīn* has produced, as we have seen, a number of telltale exceptions.

This unexpected and differentiating Nuzi treatment of Akkadian *š* is strikingly paralleled in the Old Akkadian texts. Ungnad was the first to puzzle over the circumstance that these texts represent as *s* or as *š* that sound which later became *š*, the treatment remaining regular with any given word.<sup>60</sup> The problem was solved by Thureau-Dangin, who demonstrated that this dual treatment reflects a differentiation between original spirant and sibilant; the former (*š*) was written in Old Akkadian with *š*-signs, the latter (*š/š*)

<sup>59</sup> Cf. note 51.

<sup>60</sup> *Materialien zur altakkadischen Sprache* (MVG 1915/2) 21 ff.



with *s*-signs, although peculiarities of the syllabary and incipient confusion in actual pronunciation resulted in a number of apparent or real exceptions in the texts.<sup>61</sup> Valuable confirmation of this analysis has recently been found by Meek<sup>62</sup> in a study of his Old Akkadian texts from Nuzi itself: the preformative of the causative conjugation, which is cognate with the pronoun of the third person<sup>63</sup> and consequently begins with a sibilant, is always *s*- in Old Akkadian.

How did the Nuzi script come to perpetuate, even though it did so only sporadically, a tradition which goes back to Old Akkadian times? There can be no question of unbroken continuity in Akkad proper, for there the orthographic differentiation between Semitic spirant and sibilant goes out with the Third Dynasty of Ur.<sup>64</sup> The efforts of the Semites, in so far as the orthography of the sibilants was concerned, seemed to be concentrated on adapting the script which they took over from the Sumerians to the needs of their so-called emphatics.<sup>65</sup> The spirant *t̃* had merged completely with *š*.

A possible way to account for the dual use of *š*-signs at Nuzi, in restricted correspondence with the Old Akkadian usage, is by recalling the position of the Nuzian syllabary. That syllabary belongs to the "Akkado-Hittite" family, as was shown most recently by Berkooz.<sup>66</sup> Now the Akkado-Hittite syllabary did not

<sup>61</sup> *RA* 23. 28 f.; 30. 93 f. It goes without saying that if the problem were to be investigated at its ultimate source, the phonetic values of the sibilants in the Sumerian syllabary would have to be taken into account. On this point, however, there are interesting possibilities, with little that could be termed certain.

<sup>62</sup> *RA* 34. 64 f.

<sup>63</sup> Speiser, *JAOS* 56. 22 ff.

<sup>64</sup> *RA* 30. 94.

<sup>65</sup> Cf. Goetze's demonstration of the treatment of *z̃* in Old Babylonian, *Orientalia* 6 (1937) 12 ff.

<sup>66</sup> *NDA* 9; but the case is far from complete. That Nuzi Akkadian was not purely Babylonian, or Assyrian in a linguistic sense, or even a mixture of the two dialects, but was affected also by West Semitic, may be seen from a cursory examination of the Nuzi vocabulary. The Nuzi term for "threshing floor" is not *adru* (Aram. 'iddār), as in contemporary Assyrian, but *magrattu*, from the West Semitic *grn*, which had to be imported from farther west than Assyria. Similarly, *uštubebin* takes us to the territory of the Amarna letters (cf. *AASOR* 16, p. 72). These are merely lexical items, to be sure, but they cannot be entirely ignored. They add indirect confirmation to the view that Nuzi depended in a literary sense on Western sources, and hence only indirectly on Akkadian material. For these reasons, Driver-Miles' use of the term "Middle-Babylonian" as applied to Nuzi (in their *Assyrian Laws*) is misleading.

develop from the script of the Old Babylonian age, but from that of a stage which preceded it.<sup>67</sup> If the borrowing took place at a time when the writers still differentiated, to a certain extent at least, between original *t* and *š*, that distinction may have been preserved by the borrowers, away from Sumer and Akkad, although it was to be lost later in the homeland. This view involves certain chronological difficulties, but these may not prove to be insuperable.<sup>68</sup> What is more pertinent just now, a similar indirect differentiation between originally disparate sounds is found in the writing of the sibilants in the non-Semitic elements from Nuzi,<sup>69</sup> to which we shall now turn after our lengthy digression into Akkadian phonology.

In the Hurrian names from Nuzi the following sibilants are indicated: one is written with *š* only, another with *z* only, while in some cases *š* may interchange with *s/z*.<sup>70</sup> In other words, the situation is the same as in Nuzi Akkadian, which is precisely what we should expect in this case. Our only surprise is caused by the dual nature of *š* in Hurrian elements, as betrayed by its constancy in some cases, and its ability to interchange with *s/z* in others. We have seen that there was an etymological basis for the analogous dichotomy in the local dialect of Semitic. Could there be a similar reason within Hurrian for the same kind of dualism?

If we examine the list of Hurrian elements which are always

<sup>67</sup> For the latest evidence on this point see the remarks by Landsberger and Gütterbock in *Afo* 12. 55 ff.

<sup>68</sup> It is generally agreed that the "Akkado-Hittite" syllabary is older than the Old Babylonian. But the script of the Third Dynasty of Ur is clearly earlier than our syllabary. We are left then with the alternative that at the time when the Akkado-Hittite syllabary was initiated, the Old Akkadian differentiation of the sibilant in (*w*)*ašābu* as against the one in *šaṭāru* was still alive to a certain extent. A satisfactory solution must await an exhaustive study of this problem.

Incidentally, the parallel treatment of sibilants in Old Akkadian and in Nuzi enhances the probability that the Hurrians were responsible for the adaptation of the Akkado-Hittite syllabary. They were certainly in Babylonia by the end of the third millennium, as transients rather than settlers in large groups. Travellers of that sort are precisely the type to carry writing back home.

<sup>69</sup> It should be pointed out in this connection that Boghazköi Akkadian, which is written in a typical form of the Akkado-Hittite syllabary, furnishes evidence for an analogous treatment of the sibilants; cf. Labat, *L'akkadien de Boghaz-köi* 33 ff.

<sup>70</sup> *NDA* 61.

written with *š*, we shall find among them the names *Šawuška*, *Šimiqa*, and *Tešup*.<sup>71</sup> Now in all three of these names of deities the sibilants occur in the alphabetic texts from Ras Shamra as *θ*, which we found employed also in Semitic words for a sound corresponding etymologically with Semitic *ṭ*. In other words, the Nuzians wrote *š* for that Hurrian sibilant (or spirant) which RŠ Hurrian represented as *θ*, just as they expressed with *š*-signs that sibilant of Akkadian which goes back to Semitic *ṭ* and would appear in Ugaritic as *θ*. In view of this complete and manifold agreement, we cannot but see in the variable *š*, *s/z* of certain non-Semitic elements from Nuzi a sibilant quite different from *š/θ*. Specifically, since RŠ *θmg* appears in Nuzi (and cognate) texts as *Šimigi/qa* but never as *\*S/Zimigi/qa*, just as RŠ (Ugaritic) *yθb* corresponds with *ašābu* but not *\*aš/zābu*, then Nuzi *I-ši-ip-ḥa-lu* (N 557. 5) alongside *I-zi-ip-ḥa-lu* (N 455. 21) could not have its sibilant expressed by RŠ *θ*. The Nuzi Akkadian analogue of this particular sibilant would have to be sought in *šaṭāru*, *šakānu*, or the initial sound of *šesū*, but not in *ašābu* or *ašru*. But what would that be in the RŠ script?

Theoretically, our possibilities are RŠ *š*, *z*, and *z̄*. The first of these (the three-wedged *šin*) is insufficiently established because it occurs rarely and has but one certain tie with the syllabary, viz., through *<sup>d</sup>Iršappi*.<sup>72</sup> Furthermore, in order to prove conclusively that the *š* of RŠ *'iršp* corresponds to the sibilant in *Iš/zip-Ḥalu* (see above), we should need first a syllabic *\*Irz/sappi*, which we do not have. RŠ *z* may be eliminated because it is the obvious counterpart to the unvarying Nuzi *z* in *zigi*, *zilli*, *zizza*, etc.,<sup>73</sup>

<sup>71</sup> These writings occur also in all the other sources of the Akkado-Hittite syllabary. The single writing with *s* (*<sup>d</sup>Te-és-sub-ub*; cf. Thureau-Dangin, *Syria* 15. 253 n. 3) occurs in a late Assyrian text and conforms strictly to the Assyrian treatment of *š* and *s* as one sound.

Although this discussion is concerned with the Hurrian syllabary in general, Nuzi occurrences have been cited so frequently because recent studies of the Nuzi texts have clarified the situation and facilitate references. Labat's monograph is not specific enough on the phonetic side. No mention need be made here of the nature of *š* in Hittite documents, because the problem is entirely different; the sibilants of "Amorite" are also a matter apart.

<sup>72</sup> RŠ *'iršp-n*, 4. 42 (with acc.-n); KUB XXVII 1 ii 23, *<sup>d</sup>Ir-šap-pi-ni-iš* (with the incorporating *-ni-* and the *š*-suffix); cf. Friedrich, *An. Or.* 12. 129 n. 3. See, moreover, above, note 24\*.

<sup>73</sup> *NDA* 61.

which corresponds plainly to the voiced sibilant which represents in the Nuzi texts Akkadian *z*, *š*, and *s*.<sup>74</sup> There remains thus only RŠ *z̄*. It commends itself by its frequent occurrence in an important text, RŠ 4; there is not any doubt that *z̄* indicates a sound common to Hurrian and apparently peculiar to that language. Ginsberg and Maisler believe that they have found a positive connection between RŠ *z* and the variable *š/z* of the syllabary by connecting the sibilants of RŠ *\*iwrz̄r* and Amarna *Šaratu/Zurata*.<sup>75</sup> But the Hurrian character of the above Amarna name remains to be demonstrated.<sup>76</sup>

The postulated correspondence between alphabetic *z̄* and the variable syllabic *š/z* is so far merely circumstantial. Definite confirmation will depend on evidence from new material. What remains

<sup>74</sup> See above, note 54. For the very rare sign ŠI cf. *NDA* 11.

<sup>75</sup> *JPOS* 14. 244.

<sup>76</sup> It is true that *Šaratu(m)/Zurata* refer to the same person who is the son of *Za/itatna* (written also *Šutatna*). But that does not prove by any means that *šar/zur* and RŠ *z̄r* are identical. In order to make such a correspondence probable, it would first be necessary to show that the Amarna name is Hurrian. The best that could be done in this case is a normalization to *\*šar-atta*, a hybrid Hurro-Semitic name. The name of the father presents a worse problem still. One would have to show that *za*, *zi*, and *šu* all stand for *Šin* and that *tatna* equals *satna*, so that the whole might be linked with *<sup>a</sup>Šin-sat-ni* H V 6. 28 and *Zi-sa-at-na*, H IX 31. 12 (on these names see Oppenheim, *Afo* 12. 34). But by the time that the last link has been forged, the whole chain becomes too weak for practical purposes.

All that we have, then, is the correspondence of RŠ *z̄r* with syllabic *šar* (on this element see Götze, *Die Annalen des Muršiliš* 226 ff.). A reliable instance with *s* or *z* (*s/za-ar*) is still lacking. A contributory cause may be the circumstance that the sign *šar* also has the value *sar*. But this does not get us anywhere.

The common element *šenni* should also be capable of furnishing positive proof, especially if my suggestion to connect it with RŠ *z̄n* in *tgz̄n*, *Syria* 15. 244. 9, (apud Harris, *JAOS* 55. 98) is borne out. But the Nuzi scribes did not welcome the complicated *si-e* for the simple *še*. And the *si* in the name of the king of Urkiš and Nawar (and of his builder, RA 9. 1 ff.) is ambiguous, because at the time from which this text dates *SI* had the values *si* and *ši*; instead of the customary reading *A-ri-si-en*, Thureau-Dangin (*Syria* 12. 253 f.) would now read *A-ri-šé-en*. Since this latter version can neither be proved or disproved, the case remains problematical. [Cf., however, *Pa-i-zé-ni* *AASOR* 16 95. 21 (called to my attention by Goetze) as possible evidence for the writing of *šenni* with *z*.]

to be considered at present is the possible connection between the sound indicated by the above syllabic writing and the affricate assumed for Hurrian from interchanges between sibilant and dental. Concretely, was the recorded sibilant of *Iš/zip-Ḫalu*, which the Nuzians employed also to render Akkadian *š* in *šēmu*, *šaṭāru*, etc., the same as the initial sound of *z/tatarušše*?<sup>77</sup> This is a possibility that should not be overlooked. If confirmed, it would add to the cumulative evidence in favor of equating syllabic *š/z* with RŠ *ž*, since the latter could interchange with *z* in Semitic texts (*žd: zd*).<sup>78</sup> We assume, therefore, provisionally and as a working hypothesis only, that the several writings under discussion represented a Hurrian affricate;<sup>79</sup> the Hurrians seem to have used this sound to render Semitic *š/ś* (but not original *t̄*).

The net result of this lengthy discourse may be summed up as follows. The *š* of the Hurrian syllabary represents more than one Hurrian sound. Where it corresponds to RŠ *θ*, the sound in question was intermediate between a sibilant and a dental spirant. But if that *š* is ever replaced by *s*, *z* or *t/d*, the underlying sound was probably an affricate, which RŠ would express as *ž*.

In conclusion, it is of interest to inquire how the suffixes in *-š* and *-šc/i*<sup>80</sup> of the Hurrian syllabary are represented in RŠ Hurrian: with *θ* or *ž*? It is certain that the ending *-š*, which indicates the nominative or subject case,<sup>81</sup> appears as *θ*. This is established by the occurrence of *kmr̄b-n-θ* in RŠ 4. 8, alongside *kmr̄b-n-d*, line 7, and *kmr̄b*, 6-7. The syllabic form corresponding to *kmr̄b-n-θ*<sup>82</sup>

<sup>77</sup> See above, note 48. I am using this pair of writings as parade examples suggestive of a possible affricate, because they are not vulnerable on textual grounds. Some of the other examples cited by Oppenheim, *WZKM* 44. 186, pars. 16-17, may prove valid. Berkooz's other argument for a possible affricate (*ša-ak-ru-uš-še*, N 401.7 and *ta-ak-ru-uš-še*, N 411.16; cf. *NDA* 62 n. 144) carries more weight because both passages seem to refer to the same district (*dimit ša š./ša t.*).

<sup>78</sup> See above, p. 178.

<sup>79</sup> The possibility that there may have been more than one affricate is, for the present, purely academic.

<sup>80</sup> For other Hurrian elements containing a sibilant followed by a vowel see provisionally *WZKM* 44. 204 ff.

<sup>81</sup> For occurrences cf., e. g., the list in Messerschmidt, *MVAG* 4. 270. The same is true of pronouns: *weš* "you" (sg.) alongside *we-we* (gen.); *An. Or.* 12. 132.

<sup>82</sup> For the *-ni* element in Hurrian see Thureau-Dangin, *Syria* 12. 254 ff.,

would be *\*<sup>d</sup>Kumarbi-ni-š*, on the analogy of *<sup>d</sup>Ir-šap-pi-ni-iš*, KUB XXVII 1 ii 25; *<sup>d</sup>Ši-mi-i-gi-ni-š*, Mitanni letter I 106, *<sup>d</sup>Ši-mi-gi-ni-eš*, KUB XII 34 i 14. Another occurrence of this suffix *-θ* is furnished by *tθbθ* (= *Tešub-aš*), RŠ 4. 13 (14).<sup>83</sup> This particular section (lines 10-14) is damaged in part, but since it follows closely the phraseology of the preceding undamaged section, which deals with *kmr̄b* (6-9), some of the gaps can be restored. In line 10 we should read *tθ[b] ḫlbx*, because of the complete *tθbθ* of line 13, and not *tθ[p]* as suggested by Hrozný.<sup>84</sup> The whole introductory phrase was almost certainly

*'iž[r ḫ]žr [ḫ]žlž tθ[b] ḫlbx t[θbd ḫlbxn]d . . (10-11)*

on the analogy of

*'ižr ḫžr ḫžlž 'il kmr̄b 'ild kmr̄bnd . . (6-7)*

A suffix *-ž* would seem to result from the juxtaposition of *pbn*, *ibid.* 60 and *pbnž*, *ibid.* 30.<sup>85</sup> But in the latter instance the context is lost so that this suggestion is problematical. To combine this element with the *še/šī*,<sup>86</sup> or *še/-zzi* of the syllabaries would be correspondingly more doubtful, although plausible phonetically after our analysis of the *ž*-sound. For more satisfactory results we need fresh material and further study.

and Friedrich, *An. Or.*, 12. 122 n. 3. I have followed Friedrich in calling this an incorporating element ("suffixanreihend," *ibid.* 129 n. 3) because this designation is noncommittal. For a syllabic occurrence of this element with *Kumarbi* cf. *An. Or.* 12. 122 n. 3. The rules governing the use or omission of *-ni-* are as yet unknown (*ibid.*). In the Nuzi documents we find this element in *qa-aš-gi-ni-wa*, H V 18. 28; IX 105. 46), alongside *kaška*, etc.; cf. Speiser, *JAOS* 52. 363; 366 n. 85; *<sup>d</sup>Ištar-Ak-ku-ba-we-ni-we*, *AASOR* 16 47. 6 alongside *<sup>d</sup>Ak-ku-pa-e*, *ibid.* 48. 10; cf. p. 99; and probably in *gal-te-ni-wa*, H ix 44. 5; Gadd (60. 4); and *gal-te-ni-wa-aš* (with *-š!*) H IX 44. 7; cf. Cross, *Movable Property in the Nuzi Documents* 34.

<sup>83</sup> Cf., e. g., Mitanni letter I 76; II 65; IV 118. The normalization of the name as *Tessub*, with *s* instead of *š*, is now proved incorrect by RŠ *tθb* (with *θ*).

<sup>84</sup> *Archiv Orientalní* 4. 128.

<sup>85</sup> The occurrences of *'inž*, RŠ 4. (26), 39, 60, 61, are as yet morphologically ambiguous.

<sup>86</sup> For a possible nominal ending in Nuzi Hurrian see my remarks in *AASOR* 16 pp. 122 f. For the verbal suffix *-šu/ša*, and perhaps *ši* in the Hurrian vocabulary from Ras Shamra cf. Thureau-Dangin, *Syria* 12. 262 f.

## B. Labials

In the Hurrian syllabary, and especially in the Nuzi texts, the labials show a greater variety of changes than is found in any other group of consonants.<sup>87</sup> Not only are *b* and *p* confused in writing, but *b*, *m*, and *w* are all interchangeable. The confusion is enhanced by the fact that the sign PI may be used for any one of these interchangeable labials followed by any vowel. In Nuzi this anarchy is confirmed by the evidence of the Semitic material, but the confusion is at its worst in Hurrian elements. In these circumstances it would be futile to look for a definite system. All that can be said in general is that the Nuzi scribes allowed their inability to express the labials of Hurrian with the means afforded by the syllabary to affect also their presentation of Akkadian labials.

A few details become apparent, however, upon closer examination. Thus the loss of *w* in the feminine name *Ištanzu*, Gadd 62. 5, alongside *Wištanzu*, *ibid.* 61. 1, indicates that *w* must have stood here for a semivowel. But such a semivowel could be written also with a *b*-sign just as blandly as with PI: cf. *Hu-i-te*, N 524. 3, and *Hu-bi-te*, Gadd. 6. 14, the father in both instances being *Giliya*. Since *b* could represent a semivowel, it follows that the underlying sound was, or could be, a spirant. On the other hand, the writing *wa-aq-nu*, N 128. 9, 14, for the common Akkadian *baqnu* "plucked" indicates that PI could express not only a semivowel but also a spirant.<sup>88</sup> The one thing that need not be assumed, even with all this confusion, is that PI was used for stops.

In the alphabetic Hurrian texts from Ras Shamra we find characters for *b*, *p*, *m*, and *w*. But in all instances that are clear to us, such as with names of gods or well-known words, the same labial is used invariably with the same words:

- b*. *kmb*: RŠ 4. 6, 7 (bis), 8; 7. 1 f., 8 f.  
*tθb*: RŠ 4. 8, (7, 9)  
*nbdg*: RŠ 4. 50; 31. 4; Hr. (*Archiv Orientalní* 4. 118) 4.  
*hbt*: RŠ 4. 60 (bis), 62; *Syria* 15 153 line 5.  
*'aθtb*: RŠ 4. 29, 31; Hr. rs. 3
- p*. *'iršp*: RŠ 4. 42, (41?).  
*pžžph*: RŠ 4. 35, (37); Hr. 5.

<sup>87</sup> *NDA* 47.

<sup>88</sup> For these and other examples see *NDA* 47 ff. For the spirant value of *b* in the Boghazköi syllabary cf. *Afo* 10. 295.

- w.  $\theta w\theta k$ : RŠ 34 45. 2, (12, 14), but  $\theta^u\theta k$ , *Syria* 15 153. 6, (2), *iwr* "lord": RŠ (4. 51?) 28 rev. 9; and in the name *iwrzr*, *Syria* 14 pl. 25 b 1.
- m. See above, at *kmr̄b*.

This regularity indicates one thing beyond any doubt: that Hurrian recognized at least four distinct labials. Whether any or all of them would interchange under particular conditions, cannot be decided at present, what with the paucity of the examples and the added difficulties inherent in a consonantal script. It is clear, at all events, that the confusion of labials in the Hurrian syllabary was not due to the fact that the language did not have as many of these sounds as were allowed for in the script, but resulted rather from the inadequacy of the syllabary to render satisfactorily the sounds of the spoken language.

The next question is whether the alphabetic script covers the needs of the language with regard to labials. The answer will depend on what internal evidence there may be at present for the character of the sounds represented by the signs for *b*, *p*, *w*, and *m*.

The dual writings  $\theta w\theta k$  and  $\theta^u\theta k$  show that the labial in the name of this goddess was in reality a semivowel. The syllabary may express this sound as *b* (Boghazköi) or *m* (Nuzi), and of course as *w*.<sup>89</sup> Unless we assume radical dialectal differences, *b* and *m* could represent semivocalic *u* in the syllabic script. It follows that in the Hurrian syllabary *b* could figure as a spirant; it must be that in the form *kmr̄b* alongside Nuzi *<sup>a</sup>Ku-mu-ur-we*.<sup>90</sup> But if we recognize the principle that the RŠ script individualizes the underlying sounds, then the spirant in the final syllable of *kmr̄b* was distinct from the *w* in  $\theta w\theta k$  and *iwri*. What we do not know as yet, and have no means of determining just now, is whether *b* was also a stop in Hurrian. If it was, the language will have to be credited with a fifth labial.

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<sup>89</sup> Cf. *An. Or.* 12. 129 n. 5. In Nuzi the sound may be expressed by *mu* (*Ar-ša-mu-uš-qa*, N 76. 25; 412. 7, or *wu* (*Ar-ša-wu-uš-qa*, N 242. 20; 267. 26); cf. *NDA* 50.

<sup>90</sup> For the latest Nuzi occurrences of this name (not in personal names but as an independent divine name) see *AASOR* 16 47. 1; 48. 1 (with the middle vowel assimilated to *u*: *Kumurwe*). Fresh examples with *-we* from Boghazköi are listed by Forrer, "Eine Geschichte des Götterkönigtums aus dem Hatti-Reiche," *L'annuaire de l'institut de philologie et d'histoire orient. et slav.* 4. 702 n. 3.



Concerning *p* the evidence is somewhat more involved. That the sound in question occurs in a suffix is evident from a comparison of *'idr*, RŠ 4. 29, with *'idr-p*, *ibid.* 41, and *'idr-n*, *ibid.* 42. In two instances this word follows the name of a deity. In line 29 neither the name (*'aθtb*) nor the sequel has a suffix. In line 42 both name (*'iršp*) and sequel end in *-n*, being apparently in the accusative. In line 41 *'idr-p* is preceded by *'ir[šp?]*; the restoration is suggested by Friedrich with all due reserve, and it commends itself even though the copy does not allow enough room for two characters. At any rate, the *-p* in *'idrp* is practically certain as a case ending.

When we examine the list of Hurrian case endings known from the syllabary, we find that those best established are "nominative" *-š*, "genitive" *-we*, "accusative" *-n*, and "dative-locative" *-wa*.<sup>91</sup> In our alphabetic texts the nominative ends in *-θ*, the accusative in *-n*. The other two endings are yet to be identified.

From here on the available evidence becomes purely circumstantial and the conclusions will be correspondingly speculative. It is worth noting, however, that the final syllable of *kmr̄b* has been plausibly connected with the genitive ending, the name being analyzed as "he of (the city) Kumar."<sup>92</sup> If this analysis is accepted, we obtain *-b* as the sign of the genitive in our alphabetic texts, at least under certain conditions. This would leave us with only one immediate possibility in the case of *idr-p*: the dative-locative ending *-wa*. And if this whole admittedly tenuous argument is still accepted, we may go a step farther and assume that, in view of the apparent consistency of the consonantal script, the labial of the genitive ending (*-b*) was voiced, that of the dative-locative ending (*-p*) voiceless. Furthermore, since both endings are written in the syllabary as a rule with *w*, neither labial could be a stop: the full ending of the genitive appears to have been *-ve*, that of the dative-locative *-fa*.<sup>93</sup>

New material may upset this entire structure. The identifications may prove erroneous, or the presence or absence of voice may

<sup>91</sup> For the suffixes with initial labial see Thureau-Dangin, *Syria* 12. 256 f.

<sup>92</sup> Forrer, *loc. cit.* 702 ff.

<sup>93</sup> Certain objections to the assumption of *-fa* as the dative-locative suffix are raised by Thureau-Dangin, *loc. cit.* I would say, tentatively, that the initial sound in question need not be our own voiceless continuant *f*, but some voiceless labial sound approximately like *f*. The speculative nature of this whole argument was admitted at the outset.

turn out to depend on the preceding sound and not at all on the nature of the suffix. But since we have gone this far, we may just as well end up with a still more hazardous suggestion.

The labial in the RŠ name of the sun-god has been a puzzle from the beginning. *Šamaš* should, and occasionally does, yield *šawaš* or *šauš*, but *šap(a)š* is definitely abnormal. The above discussion, however, has made possible the occurrence of an *f* in Hurrian, which would appear as *p* in the alphabetic texts. If the *p* in *špš* was pronounced *f*, the connection of the latter with the original *m* would not be as precarious as the change of *m* to *p*. The accompanying sibilants could account for the loss of voice, for which influence there are unambiguous illustrations in Semitic,<sup>94</sup> and possible, but ambiguous, parallels from our present texts, in *'iršp* and *pžžpḥ* (with *p* appearing in both names). The final obstacle is that *špš* occurs in the Semitic, not the Hurrian, texts. Would Hurrian phonology affect Semitic names, or at best one Semitic name, to such an extent? Or was *p* a spirant, under certain conditions, in the Semitic material as well?<sup>94a</sup>

By this time the indulgence of the reader has been taxed sufficiently. The case, such as it is, is in need of further evidence.

### C. Velar Spirants

In his discussion of the suffix *-ḥi* in Hurrian (*An. Or.* 12. 122 ff.) Friedrich was unable as yet to cite definite occurrences from Ras Shamra. The sole possibility appeared to be *tθ[b]* (sic!)<sup>95</sup> *ḥlbx*, RŠ 4. 126 f., because of its evident parallelism with the syllabic *Tešup/b Halpa-ḥi*,<sup>96</sup> a fact already recognized by Hrozný.<sup>97</sup> If this was so, the RŠ character transcribed as *x* was indeed *ǰ* (i. e., *ghain*, after Baneth),<sup>98</sup> and not *z*; that *ǰ* was employed, therefore, in all probability to represent in the alphabetic texts the consonant in the suffix *-ḥ*.

Since then, however, *-ḥi* has been identified by von Brandenstein with the alphabetic *ḥ* of *trḥn*, RŠ 4. 55, and *aθtḥn(m)*, *ibid.* (55), 56, since *'in trḥn 'in 'aθtḥn* cannot be separated from *enna duruḥ-*

<sup>94</sup> For *bš* becoming *pš* in Akkadian see provisionally Brockelmann, *GVG* I 166. Numerous other examples of this change could be added.

<sup>94a</sup> This interesting problem cannot be followed up in the present paper.

<sup>95</sup> For the *b* see above, p. 193.

<sup>97</sup> *Archiv Orientální* 4. 128.

<sup>96</sup> *An. Or.* 12. 126 f.

<sup>98</sup> *OLZ* 1932. 705; cf. also RŠ 4. 56.

*hina enna ašduḫhina* "male gods, female gods."<sup>99</sup> Accordingly, another writing of the suffix, as *x*, in the same text, becomes extremely unlikely, if not impossible. But there remains still the inherent probability that *h<sub>1</sub>lb<sub>x</sub>* corresponds semantically to *Ḫalpa-ḫi* "he of Aleppo." The only solution would be to find another Hurrian suffix identical in meaning with *-ḫi* (RŠ *-ḫ*), but written *x* in the alphabetic script.

The Nuzi texts present a suffix *-(a)RI*<sup>100</sup> which is clearly adjectival in such names as *Eḫlip-aRI*, *Zilip-aRI*, where it is substituted for divine names; and probably so in *Ninua-RI*, *Arrapha-RI*, *Nawar-aRI*, where it is combined with place-names. In the latter group the element could perhaps have a verbal character, because a suffix *-(a)ri* occurs also in theophorous names, such as *Šimiqā-ri*, where the correspondence with *Ar-Šimiqā* insures both the verbal nature of the element in question and the reading *a-ri* (not *a-tal*); and city names are found in the Nuzi texts in a theophorous sense.<sup>101</sup> It is best, however, to separate place names from names of gods proper.<sup>102</sup>

It follows that we have in Nuzi in addition to the prefixed verbal element *ar*, which is well-known from other Hurrian sources in the sense "give," a suffixed adjectival element *(a)RI*. The verbal element may also be suffixed, as in *Šimiqā-(a)ri* alongside *Ar-Šimiqā*. But the establishment of an adjectival suffix *(a)RI* makes it uncertain whether all theophorous names in *(a)RI* are necessarily composed of god + a form of the verb "give." It is conceivable, at least, that *Šimiqāri* may mean "Belonging to Šimigi" as well as "Grant, O Šimigi." Thus the suffix *aRI* remains ambiguous in

<sup>99</sup> *Die Welt als Geschichte* III/1 62.

<sup>100</sup> See Oppenheim's "Was bedeutete *ari* in den hurritischen Personennamen?" *RHA* 26. 58 ff.

<sup>101</sup> *Ibid.* 58-63. I might add that I assumed an adjectival *(a)ri* in Nuzi as early as 1930 (*Mesop. Orig.* 139).

<sup>102</sup> To be sure, Oppenheim is right in saying (p. 63) that *Ar-Dimtu* can scarcely mean "Giving is (the god) Dimtu," since the noun is used in these texts for "district" (specifically, for administrative units responsible for feudal services; cf. *AASOR* 16 p. 66). But while the prefix may indicate relationship in this and similar instances, it need not be etymologically the same as the suffix *-(a)RI*. At all events, Oppenheim admits that he is unable to account for the various uses of *(a)ri*. The present suggestions are no more than a working hypothesis.

meaning; with place names it is likely to be adjectival rather than verbal: "He of Nineveh, Arrapha, Nawar, etc."

Another source of ambiguity is provided by the polyphonous nature of the sign RI, which has in Nuzi the value *tal* as well as *ri*. Thus, e. g., we find the name *Ir-wi-RI*, N 436. 4, written out *Ir-wi-ta-al*, *ibid.* line 20.<sup>103</sup> If we are disinclined to assume that an adjectival suffix can appear also as a prefix, i. e., that *Na-wa-ra-RI*, Gadd 53. 18, has the same value as *Ar-Nawar*, Nu 355. 2, then there is no way of proving, on this basis alone, that the adjectival suffix was read (*a*)*ri* and not (*a*)*tal*, since the unambiguous *ar* appears only as a prefix.

In this extremely complicated situation, which Oppenheim has admirably brought out, I find it safest to limit ourselves to the adjectival suffix (*a*)RI, leaving aside all prefixed elements of this type, whether verbal or nominal, and also such plainly theophorous names as *Šimiqari*, *Kušuhari*, and the like. In other words, we shall restrict ourselves to instances like *Ehlip-aRI* and *Zilip-aRI*, and to names like *A-be-na-RI* (*AASOR* 16 67. 8), a derivative of the place name *Abenas*, which can hardly be suspected of theophorous implications.

So far we have had proof that the RI of this suffix may be read *tal*; evidence for the reading *ri* is still wanting. This evidence is supplied by Berkkooz's observation that the names *Wi-ir-ra-ri* (Gadd 28. 23) and *Wi-ra-ah-hé* (N 73. 2, 13, 16) represent the same person, son of *Nalduya*.<sup>104</sup> The interchange of *h* and *r* in this name establishes the reading *ri* in this particular instance. The sound in question was obviously a voiced velar spirant, comparable to *g*.

It follows that Hurrian had such a sound, which could be written *h* (its voiceless analogue) or *r*, but was different phonetically from either. On the basis of syllabic texts alone it is impossible to determine which writings with *h* or *r* represent *g*, unless there is proof of interchange, as in *Wirrari/Wirahhe*. Very likely, the Nuzians chose the cumbersome sign *hé*, instead of the simple *hi*, in order to indicate *g*. If this supposition is right, we may suspect a *g* also in *Ar-bi-hé Nu-za-hé* ("Nuzian"), *A-qa-bi-hé*, *Ka-zu-uh-hé*, *A-ri-im-ma-hé*<sup>105</sup> (where the initial element is plainly the other *ari*), and the like.

<sup>103</sup> Cf. also *RHA* 26. 66-7.

<sup>104</sup> *NDA* 42.

<sup>105</sup> For these examples see *WZKM* 44. 200. Of course, the writing may indicate merely the purely vocalic variation of *e/i*, which is common in

Having demonstrated an unambiguous adjectival  $-(a)ri$  in the syllabary, we may now return to the RŠ  $ḫlb-x$ . The meaning of the latter would be accordingly "of Aleppo," just as that of *Nuzahē* is "Nuzian"; similarly, *Abenari* means "from Abenaš," while *Ninuari*, *Arraphari*, *Nawarari* evidently mean "from Nineveh, Arrapha, Nawar" respectively. Such an adjectival ending lends itself to patronymic and hypocoristic use, as in *Wirrari*,<sup>106</sup> on the one hand, and *Zilipari* on the other; in fact, *Arimmaḫe* might well be a hypocoristic form for *Arimmatga*.

The  $-x$  suffix of RŠ Hurrian would then be synonymous with  $ḫ$ , but not homophonous, on account of the difference in consonants. Indirectly, it would confirm the reading of the sign  $x$  as  $ḡ$ .

In conclusion, attention should be called to the multiple significance of  $ḫ$ -signs in the Hurrian syllabary. In addition to the voiceless velar spirant established by the correspondence of syllabic  $ḫi$  with RŠ  $ḫ$  (which is used also for Semitic  $ḫ$ ), and the voiced velar spirant resulting from the equation of syllabic  $ḫi/ḫe/ri$ <sup>106a</sup> and alphabetic  $x/ḡ$ , we have aspirated  $k$  (*Ḫu/Gu/Kuššiharbe*).<sup>107</sup> Finally, Oppenheim cites several pairs of names which he interprets

Hurrian (NDA 33). But the subject is worth considering, nevertheless, because of the RŠ evidence for two individual suffixes,  $b$  and  $x$ , which were apparently closely related as to meaning. In the light of this evidence special significance may attach to the circumstance that the Mitanni letter uses consistently the form *Ḫurr(w)uḫe-* (with the sign  $bé$ ) for the ethnicon "Hurrian" (I 11, 14, 19; II 68, 72; III 6, 113; IV 127); the  $b$ -sign is never employed in this particular instance. It would be too sanguine to deduce from this writing that the suffix in question was not  $-bi$ , but the  $ḡi$  corresponding to  $(a)ri$ ; the alphabetic texts alone are capable of settling this problem. For the present I wish to call attention to an interesting, if remote, possibility. In RŠ 4.16 we find the form *ḫrwd*, where the final  $d$  is very likely a suffix (cf. *kmrb-nd*, *ibid.* 6; also line 40, and *Archiv Orientalní* 4. 118 ff.). Is *ḫrwd* the RŠ version of *Ḫurruḫe*? (For the Semitic form of the ethnicon, *ḫry*, cf. RŠ 2.12, 21, 29). For other forms in  $-x$  occurring in RŠ 4 see line 15 (*'ykzāx*), 36 (*lbtāx*), and 30 (*['aw]ḡnm 'awrāx*), followed by *'ardnm 'ar[dāx]*; cf. line 6).

<sup>106</sup> For this element cf. also *Wi-ir-ra*, H V 73. 53 and *Wirrištanni*, *AASOR* 16 86. 16, 17.

<sup>106a</sup> While discussing this matter with Dr. Sturtevant and Dr. Goetze I was reminded by them of the evidence for *ghayin* in Hittite texts; cf. Götze, *Mursilis Sprachlärmung* 28 ff.

<sup>107</sup> Cf. *AASOR* 16. 61-2 and, for other examples, *NDA* 43-4.

as proof that *h* may disappear in certain positions.<sup>108</sup> Such a *h* would be a sound different from the above three varieties. Fortunately, however, all of Oppenheim's examples for this kind of *h* lack genealogical confirmation. As it is, we have enough varieties to give us many uneasy moments.<sup>109</sup>

## ADDENDUM

While these *Notes* were in proof I got hold at last of a copy of the *M. Gaster Anniversary Volume* which contains an article on "A New Asianic Language" by Th. H. Gaster (154 ff.). The author has set out to examine the Hurrian material from Ras Shamra, so that the subject matter coincides in part with the subject of the above *Notes*. Under these circumstances, a certain degree of independent agreement as to sundry details is inevitable. Far more notable, however, are the numerous fundamental divergences. Furthermore, our respective papers follow for the most part entirely different paths. Since we differ also in our methods of approach and in our understanding of evidence, there is no need to list here the correspondences or to argue in detail the differences.

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<sup>108</sup> *WZKM* 44.188 and *RHA* 26.63. Here may belong also *a-a-ra-bi* (*iyarabi*; cf. Unganad, *Subartu* 96-7), if it is cognate with *hiyarubhe* "gold."

<sup>109</sup> While we are dealing with sounds which are often listed under "laryngals," it may be of interest to see how the 'alephs are employed in the Hurrian alphabetic texts. To Friedrich's remarks on this subject (*An. Or.* 12.129, and *ibid.* n. 5) it should be added that RŠ 4 uses medially only 'i and 'u, but not 'a. It would appear that the '-signs could be employed to express the glide between dissimilar vowels. A good illustration of this usage is furnished by *tlm'n*, line 2. On the basis of *Syria* 12, pl. L ii 18, where *te-la-ma-e* is given the meaning "great," our word may be vocalized *telama'en(a)*. The meaning "great" would fit the context very nicely.

Finally, 'ayin occurs certainly in RŠ 4.44, 'nt 'amrn "Anat the Amorite (?)"



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## B

1E 170-185

- dn'il . bth . ymgyn . yšt*  
*ql . dn'il . lhklh . 'rb . b*
- kyt . bhklh . mššpdt . bhzrh .*
- pžgm . ġr . ybk [ . ] 'aqht*  
*ġzr . ydm' . lkdd . dn'il*
- mt . rp'i . lymm . lyrhm*  
*lyrhm . lšnt . 'd*  
*šb't . šnt . ybk [ . ] 'aq*  
*ht . ġzr . ydm' . lkdd*
- dn'il . mt . r [ p'i ] . bšb't ( ? )*  
*{ šnt . wy'n ( ? ) [ . dn'il . mt . ] }*  
*{ rp'i*  
*yṭb . ġzr . m [ t . hrnmy . y ] š'u*
- gh . wysh . t [ b'n ] <sup>10</sup>*  
*bkyt . bhk [ l ] y . mššpdt*
- bhzryppžgm . ġr .*
- 170 *Dn'il* went to his house, *Dn'il* proceeded to his palace. There entered weeping-women into his palace, mourning-women into his court  
*Pžgm. Ġr.*<sup>7</sup> He wept for 'Aqht, did the mighty one,<sup>8</sup> cry for *Kdd* did *Dn'il*,
- 175 Man of *Rp'*. From days to months,<sup>9</sup> from months to years, until the seventh year, he wept for 'Aqht, did the mighty one, cry for *Kdd* did
- 180 *Dn'il*, Man of *R[p']*. In the seventh year, [*Dn'il*, Man of] *Rp'* answered, the mighty one, M[an of *Hrnmy*] responded. [He raised his voice and cried: "Depart, O weeping-women, from my pala[ce], mourning-women from my court *Pžgm Ġr!*"

## THE NUZI TABLETS SOLVE A PUZZLE IN THE BOOKS OF SAMUEL

E. A. SPEISER

The value of archaeology for the larger problems of biblical studies need not be stressed at this late date. But in addition to broad correlations resulting in spectacular gains, we have been witnessing also the steady trickle of minor comparisons based on detailed examination of the inscriptions, the recovery of which is also due to archaeology. The latter process is of necessity a slow one and is likely to continue for a long time to come.

<sup>7</sup> So perhaps rightly, as the name of the court, J. A. Montgomery, *JAOS* 56 (1936), p. 444.

<sup>8</sup> So the sentence is construed, perhaps rightly, by Dhorme, *Syria*, 1937, p. 108.

<sup>9</sup> The difference between *b/l* meaning "from" on the one hand and *b* "in," "with," *l* "to" on the other is not only that the former, whose full forms are *bn*, *ln*, are probably followed by gemination, but also that they, like the *mi(n)* of other languages, are vocalized with *i*, whereas *b* "in," "with" and *l* "to" are shown by, among other evidence, the analogy of the Syriac (before "shwa"; e.g., *bašrārā*) and by many Hebrew forms such as *lāhēm* to have been vocalized originally with *a*. This observation applies to Sabaeo-Minaean as well as to Ugaritic.

<sup>10</sup> This, or else *t[īb'n]* "let (them) depart," is shown to be the correct restoration by l. 39 of the piece reproduced above.



On the biblical side, the chief beneficiaries of such comparative studies are bound to be the earlier narrative portions of the Old Testament, or passages dealing with the older biblical period, because the recovery of corresponding extra-biblical sources is relatively recent. Thus much light has been shed of late on the Patriarchal period. Similarly, there is a gratifying amount of material capable of illustrating many an obscure passage in Judges or Samuel.<sup>1</sup> For the present, I wish to draw attention to an interesting phrase in I Samuel 1:24.

According to the Hebrew text, Hannah took Samuel, who had just been weaned, to Shiloh "with three bullocks." That this reading is due to an error in transcription in the received text is recognized by all modern commentators. The word-order (numeral after the noun) is unusual, only one bullock is mentioned in the next verse, and—most significant of all—the Greek and Syriac versions point to the reading "three-year-old bullock." Obviously, therefore, the consonantal signs *pr̄mšlš* had been resolved erroneously into *pārīm šelōšā* instead of *pār mešullāš*.<sup>2</sup> The reason for the wrong division must lie in the comparative obscurity, in post-biblical times, of the idiom which involved the use of the multiplicative adjective for an elliptical reference to age.<sup>3</sup> The purpose of this brief paper is not to clarify the idiom itself, since it is not unknown to biblical Hebrew,<sup>4</sup> but rather to adduce from extra-biblical sources some illustrative material on the linguistic usage in question as well as on the cultural background which contributed to that usage.

Morphologically, *mešullāš* is a passive participle of the intensive conjugation. The same formation is still alive in Arabic, where a word like *musaddas* "sixtuple" may be used to designate a "six-shooter."<sup>5</sup> Ethiopic employs for its multiplicatives the simple passive formation *qutl* > *qetl*. In the Nuzi dialect of Akkadian we find the extended passival form *qutulū'u* > *qutulū*<sup>6</sup> employed for the same purpose. That this form is not limited to any particular class of things counted is shown by the fact that it may define a number of shekels (*ušurū* "tenfold, ten")<sup>7</sup> as well as age.

Our special interest in the above Nuzi usage, however, is due to the circumstance that when the age of animals is indicated, the multiplicative is used elliptically; i. e., the noun in question ("year,"<sup>8</sup> "month"<sup>9</sup>) is omitted. Parallel Sumerian passages supply the noun, while in corresponding occurrences in the Hurrian language the formative element *-arpu* is

<sup>1</sup> E. g., the curious intrusion of "emerods" in I Samuel 5-6, where the original text dealt only with mice and plague, can be explained convincingly by just such means. But this is neither the time nor the place for discussions of this nature.

<sup>2</sup> Cf. S. R. Driver, *Notes . . . on the Books of Samuel*<sup>2</sup>, pp. 20-1.

<sup>3</sup> The assumption of a purely mechanical dislocation in the text is less satisfactory.

<sup>4</sup> Cf. Gen. 15: 9, Eccl. 4. 12.

<sup>5</sup> I have been reminded of this usage by Professor J. A. Montgomery.

<sup>6</sup> See A. Goetze, *Language* 14, p. 141. That the same form is not limited, however, to designations of age is shown below, n. 7.

<sup>7</sup> For the first interpretation of this term as a multiplicative, see Speiser, *JAOS* 55, p. 435. My assumption of the nominal form which underlies this numeral (*ibid.*) must now be modified in accordance with Goetze, see above, note 6. C. H. Gordon's interpretation of *ušurū* as a cardinal numeral (*Orientalia* 7, p. 46) is unwarranted.

<sup>8</sup> Cf. Gordon, *Revue d'Assyriologie* 31, pp. 59-60; D. Cross, *Movable Property in the Nuzi Documents*, pp. 16 ff.; Speiser, *Annual* 16, p. 132; Goetze, *loc. cit.*

<sup>9</sup> Cross, *op. cit.*, p. 27.

employed.<sup>10</sup> Nuzi Akkadian dispenses with the noun in question, and this is precisely what biblical Hebrew may do when reference is made to the age of animals. This parallel between Hebrew and the usage of semitized Hurrians requires no special comment in view of the increasingly close ties between Hebrews and Hurrians which recent investigations have been bringing to light.

The next item of interest is the strict attention which is given to the age of animals in cuneiform texts. Our Nuzians demonstrated this attention by marking the age in Sumerian, Akkadian, and occasionally lapsing into their native Hurrian. The underlying reason was plainly economic. It is equally evident that animals suitable for religious practices had to be desirable also according to economic standards.

It is specifically in the case of bulls that the economic significance of their age emerges with particular clearness. Conclusive evidence on this point is furnished by the Hittite Code, where the severity of the fine for stealing a bull is made contingent on the age of the animal; a bull in the legal sense (GUD.MAH) could not be less than two years old.<sup>11</sup> This provision enables us to appreciate the references in the Nuzi texts which yield the stabilized legal value of one bull equal to ten shekels of silver.<sup>12</sup> It goes without saying that where the animal figured as currency, full legal age was presupposed; the male sex is plainly taken for granted.

In view of the above illustrations, the legal maturity of animals used for sacrificial purposes should be a self-evident requirement on occasions of exceptional significance. In contrast to fixed rituals whose nature called specifically for the young of animals, an effective occasional offering would presuppose the use of animals having a fixed economic and legal value. The minimum age of bulls in such cases was two years, as we have just seen. Independent religious considerations might raise the requirement to three or seven years, but they would not reduce it to less than two. Hence Hannah's choice of a three-year-old bull is in harmony with the general background of her times, and the instructions to Abraham (Gen. 15:9) that he select sacrificial animals of the same age reflect a time-honored tradition. What is more, the employment of the same form of multiplicative in both passages would validate the antiquity of the tradition preserved in Gen. 15:9, regardless of the actual age of the passage as a whole.

<sup>10</sup> *Annual* 16, p. 131, and L. Oppenheim, *OLZ* 40, pp. 1 ff.

<sup>11</sup> Col. 3, lines 26-7.

<sup>12</sup> Cross, *op. cit.*, pp. 18-9.



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## STUDIES IN HURRIAN GRAMMAR

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1. IT IS EXACTLY fifty years since Leopold Messerschmidt published his *Mitanni-Studien*,<sup>1</sup> the most constructive of the early attempts to interpret the text and language of the "Mitanni" Letter of Tushratta.<sup>2</sup> Ten years later Ferdinand Bork came out with his "Mitannsprache,"<sup>3</sup> a monograph rich in stimulating observations but lacking the soundness of Messerschmidt's combinatory method. Since then we have had a steadily increasing number of detailed contributions bearing on the language in question. Interest in the subject has grown in proportion to the increase in source material, chiefly from Boghaz-köi, Nuzi, Ugarit, and Mari.<sup>4</sup> A factor in this progressive concern with the language has been the realization of the significant part played by its speakers, the Hurrians,<sup>5</sup> in influencing the politics and the culture of the Near East in the second millennium B. C.

2. Johannes Friedrich's *Kleine Beiträge zur churritischen Grammatik*<sup>6</sup> marks the close of half a century of linguistic study of Hurrian, elapsed since the appearance of Messerschmidt's monograph; more than that, it helps pave the way for a new period of constructive effort which promises to place Hurrian among those

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<sup>1</sup> *Mitteilungen der Vorderasiatischen Gesellschaft* 4 (1899) 4 (abbr. Mess.).

<sup>2</sup> Textual notes to earlier transliterations and autographies—Knudtzon, *Die El-Amarna-Tafeln [EA]* (1915) No. 24; latest autography—Schroeder, *Vorderasiatische Schriftdenkmäler XII [Schr.]* (1915) No. 200; latest transliteration—Friedrich, *Kleinasiatische Sprachdenkmäler* (1932) II-A (pp. 9 ff.). Friedrich's transliteration includes the results of a special collation and is to that extent an improvement on Schr. With very few exceptions, Friedrich's readings and supplementations appear to be beyond dispute. Unless otherwise noted, the citations in this paper follow Friedrich's readings.

<sup>3</sup> *Mitteilungen der Vorderasiatischen Gesellschaft* 14 (1909) 1/2.

<sup>4</sup> For the latest summary of the sources see Friedrich, *Ex Oriente Lux* 6 (Leiden, 1939) 90 ff.

<sup>5</sup> Cf. Speiser, *Ethnic Movments*, *AASOR* 13 (1933) 13 ff.; Götze, *Hethiter, Churriter und Assyrer* (1936); Ungnad, *Subartu* (1936).

<sup>6</sup> *Mitteilungen der Vorderasiatisch-Aegyptischen Gesellschaft* 42. 2 (1939) [Fr.].

languages of the ancient Near East whose construction is clear even though many details of the vocabulary remain uncertain. The author builds largely on the results of his predecessors, often substantiating their plausible arguments and bringing out points that fail to stand the test of further inquiry. His own contributions include the demonstration that the ending *-šuš* marks the plural of forms whose singular ends in *-š*;<sup>7</sup> that *-tilla-*, an enclitic pronominal element, signifies the first person plural;<sup>8</sup> and that stems in *-r(i)* followed by the plural ending *-na* yield *-rra*, just as *-l(i) + -na* becomes *-lla*.<sup>9</sup> New light is thrown on the treatment of conjunctions,<sup>10</sup> the enclitic elements *-tta*, *-ma/e-*, and *-lla/e-*,<sup>11</sup> and the suggestion is put forth that the verbal forms in *-et-* (future?) are negated in the third person singular by means of *-iāma*.<sup>12</sup> Friedrich has gathered together the relevant data bearing on the relationship between Hurrian and Urartean, and he now subscribes to the view that the material from Boghaz-köi, Nuzi, Mari, Ugarit, and Syria-Palestine, which some would compare with the language of the Mitanni Letter while others would deny the existence of such a link, represents indeed a single language; he now accepts the term "Hurrian" as a designation for that language, instead of "Subarean" which he previously sponsored.<sup>13</sup> Finally, he favors the theory advanced independently by Speiser and Oppenheim that the Hurrian verb was passival in concept, although he fails to find conclusive support for such a view in the material provided by the Mitanni Letter.<sup>14</sup>

As may be gathered from the modest title of Friedrich's monograph, the author is well aware of the limited scope of his work. The cautious phraseology which he employs shows that he is equally alive to the tentative character of some of his results. It is the object of the present paper to carry the discussion in certain respects beyond Friedrich's results and to include in it a number of verbal forms which Friedrich preferred to leave out for the time

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<sup>7</sup> Fr. 10 ff.

<sup>8</sup> Fr. 32-33.

<sup>9</sup> Fr. 5-6. For indications of an analogous treatment of *ri + ne > rre*, and perhaps *r + le > rre*, see below, note 56.

<sup>10</sup> Fr. 14 ff.

<sup>11</sup> Fr. 22 ff.

<sup>12</sup> Fr. 38 ff.

<sup>13</sup> Fr. 45 ff.

<sup>14</sup> Fr. 41 ff. The monograph concludes with a summary of established and presumptive connections between Hurrian and Urartean, a subject towards which the author is no longer as aloof as he used to be. Scattered additions to this topic will be found below; cf. § 52.

being. Needless to add, it is Friedrich's monograph that has furnished the springboard for the present attempt.

3. The fundamental problem around which the study of Hurrian is bound to revolve for some time to come is that of the nature of the Hurrian verb and the significance of its hitherto unexplained forms. The problem of the verb brings up in turn the question of syntax. The interdependence of noun and verb within the sentence is particularly prominent in Hurrian where a series of enclitic elements, anticipatory or resumptive, serves to emphasize the mutual relationship. Thus the study of the Hurrian verb cannot be divorced from the syntax of the noun. An investigation of the latter will have to address itself first of all to the question of the character of the Hurrian transitive verb. If that type of verb was passive in concept, the logical subject cannot be expressed in the nominative, as is the case with active transitives, but must stand in the "agentive" form, i. e., one which has to be rendered with the aid of "by"; and the logical object would then be given in the nominative, not the accusative. To give an illustration, the sentence

*še-e-ni-iw-wu-uš-ša-a-an aš-ti ša-a-ru-u-ša* (III 1)

means logically "And (*ān*)<sup>15</sup> my brother (*šeniwwu-š*) requested (*šar-uša*) a wife (*ašti*)." If the translation is to be literal, the above will remain unchanged, provided that the verb is active. The ending *-š* would then signify nominative singular, and the un-augmented stem would represent the accusative. Since the stem may be augmented under similar syntactic conditions by the ending *-n*, the statement would be in order that the accusative is occasionally expressed by means of the suffix *-n* (cf. *ašti-n*, IV 33, "a/the wife" [I gave]). But if the transitive verb proves to be construed as a passive, the translation will have to be changed to "by my brother a wife was requested." Grammatically, the case characterized by *-š* would represent the agentive and the stem-form as well as the case in *-n* would signify the "nominative."

4. In the example just cited all words happen to be known.

<sup>15</sup> For *-ān* cf. Fr. 14 ff. The subject requires, however, further study. There is, e. g., the problem whether all defective writings of the particle actually represent a coordinating element (cf. § 34 and note 67). Similarly, the function of *-mān* as opposed to *-man* is not entirely clear; cf. notes 42, 46, 75, 78.

Consequently, the sense of the passage will not be affected by our understanding of the verb in question as active or passive. But the type of verbal concept ceases to be of purely academic interest when we are confronted with passages involving nouns in *-š* or in *-n* (the latter alternating with the stem-form) and containing verbs of which the meaning remains to be established. A few examples will clarify this point. In III 110-11 we read

*še-e-ni-iw-wu-ú-e d[u]-ru-pí ú-ru-u-we-en*

Here we are sure only of the first word "of my brother." *d.* represents the stem-form of the noun and *u.* contains the verb. Now if *d.* is in the accusative, the verb must be transitive and, since no other subject is given, apparently in the first person: "I *x* the *durupi* of my brother." On the other hand, if the stem-form represents the "nominative," the verb must be taken (for want of an accompanying object) as intransitive and the question of the person remains open. Similarly

*Ma-ni-en-na-ma-an ma-a-an-nu-uk-ku* (II 91)

is likely to contain an intransitive verb *man-* in the third person if *Mane-n* is the subject, but a transitive verb in the first or second person if the proper noun is in the accusative. Likewise

*še-e-ni-iw-we-en-na-a-an hi-il-lu-li-e-wə* (IV 45)

depends for our translation on whether we take the suffix *-n* (which precedes the conjunction *-ān*) as marking the subject or object. These examples will suffice to indicate the importance of the problem.

5. I first inferred the presence of a passive concept in the Hurrian transitive verb from mistranslations in the Akkadian texts from Nuzi; a similar conclusion was reached independently by Oppenheim.<sup>16</sup> Friedrich rightly remarks that final proof must be

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<sup>16</sup> JAOS 56 (1936) 403 and, at length, AASOR 16 (1937) 139 ff. Oppenheim's discussion came in AfO 11 (1936) 56 ff. Our independent conclusions with regard to the character of the verb underlying the mistranslations were identical and were reached on the basis of the same Nuzi passages. But Oppenheim's next step was to detach the Nuzi substratum from Hurrian and to orient it towards Elamite, an interpretation which he has since abandoned. What may be of interest at this time is the identical and independent interpretation of the verbal concept involved, which foreshadowed success along the same line in the study of the native Hurrian sources. For Friedrich's views cf. Fr. 41 ff.

sought in Hurrian texts proper. But his own efforts in that direction were not wholly successful; while he found no arguments against the passival concept of the verb, the indications in favor of it were not decisive. Our immediate task, then, will be to adduce from the Hurrian texts evidence that is either unambiguous or, at least, carries conviction by its cumulative force.

Friedrich himself has noted that the failure of Hurrian to mark regularly the singular direct object by means of a special suffix may be interpreted in favor of a passive orientation.<sup>17</sup> In instances like *šeniwwu-š(š)-ān ašti šaruša* (III 1) the direct object (*ašti*) has no suffix; the translation "and a wife (nom.) was requested by my brother" would thus seem less puzzling than "and my brother requested a wife" (acc.).

More definite is the evidence of the enclitic element *-lla/e-* which signifies the plural object and may be attached to nouns, verbs, or particles. Friedrich's findings on this point may be schematized as follows:<sup>18</sup>

- a. *pa-aš-ši-i-it-ḫi-iw-wə-la-an še-e-ni-iw-wu-uš . . na-ak-ki-en*  
 (IV 41 f.)  
 "and let my brother . . send them (*-lla-*) off, my messengers"  
*ku-zu-u-ši-uw-wə-la-an* "I did not detain them" (IV 46)
- b. *i-i-al-la-a-ni-i-n . . ti-we-e-na<sup>MEŠ</sup> ta-a-nu-u-ša-a-aš-še-na*  
 (III 55-6)  
 "what (relative *ya + lla-*) things . . (were) done by him"
- c. *ur-ḫal-la-a-an pal-ta-a-la-an* (IV 23, 29) "they (are) true and right"

In (a) we see *-lla-* added to the noun (*paššithiwə-* "my messenger(s)") or to the verb (*kuzuššiwə-* "I did not detain.") In (b) *-lla-* merely indicates the plural of the relative pronoun *ya/e*. And in (c) *-lla-* marks plural predicates of a nominal sentence. The logical conclusion, which Friedrich fails to draw explicitly from the above examples, can scarcely be other than this: since *-lla-* signifies nominatives in (b) and (c), it can hardly be the mark of the accusative in (a); hence the two examples of group (a) have to be understood respectively as "my messengers shall be sent off by my brother" and "they were not detained by me."

<sup>17</sup> Cf. especially Fr. 45.

<sup>18</sup> Fr. 26 ff.; cf. also *ibid.* 7.



6. But the evidence of *-lla/e-* does not stop here. This element is found also with intransitive verbs. From *itt* "to go" we have the form [i]t-ta-i-šal-la-a-an IV 52 "they shall go," "let them go" (optative) and a parallel form is *pal-la-i-šal-la-ma-an* IV 65. The *-š-* which precedes *-lla-* in these examples is apparently characteristic of the plural form (third person?) in this particular "tense." Other tenses do not show this *-š-*. Cf., e. g., *ú-ú-na-a-al-la-a-an* I 115 and *ma-a-an-na-al-la-ma-an* I 8\*, 109, II 81, 121, III 102.<sup>19</sup> *-lla-* occurs here with verbs which will be established as intransitive on independent grounds. Other possible examples have to be excluded because the passages in question are damaged. At any rate, with intransitive verbs *-lla-* serves to indicate the third person plural "they." Since it is the same suffix that marks the logical plural object of transitive verbs, the simplest solution is to regard the transitive verb as passive. *-lla-* would thus indicate the grammatical plural subject throughout: "they were not detained by me"; "they shall go"; also "what things (nom.) were done by me"; and "they (are) true and right."

7. It should be noted here that an identical situation in Urartean helped Friedrich to establish the passive character of the verb in that language.<sup>20</sup> But this reference to Urartean has to be amplified. There a clear distinction is made between transitives and intransitives, the stems of the former terminating in *-u*, those of the latter normally in *-a*.<sup>21</sup> It remains to be shown that Hurrian was not indifferent to such formal distinctions.

It so happens that in the available sources, in so far as they have been interpreted to date, there is a great preponderance of transitive verbs. But the number of demonstrable intransitives is larger than the literature on the subject would lead one to believe. When the respective forms are contrasted, certain distinctive features of both groups become apparent.

8. Let us start with the verb *šir*. Two parallel occurrences of this root will best serve our purpose:

<sup>19</sup> For the verb *man(n)* see below, §§ 19 ff. Asterisked figures indicate partially supplemental passages.

<sup>20</sup> Einführung ins Urartäische (Mitt. d. Vorderasiatisch-Aegyptischen Gesellschaft 37 (1933) 3. 19.

<sup>21</sup> Ibid. 5.

([*aš-ti . . .*] *ú-na-a-an še-e-ni-iw-wu-ú-a*) *ši-ra-a-an*  
*še-e-ni-iw-wu-ú-e-ni-e-en-na ti-ša-a-an-na* III [11] 13-14  
*aš-ti-i-in še-e-ni-iw-wu-ú-e a-ru-u-ša-ú*  
*še-e-ni-iw-wu-ú-e-ni-e-en ti-ša-a-an-na ši-ra-aš-še* IV 33-34

Messerschmidt recognized fifty years ago that the combination of *šir* and *tiš-* must correspond in some way to Akk. *kī libbi muššulu* E(1) A (marna) 19. 24; 20. 26-27 "to make conform to the heart," but felt that there was a disparity between the Akkadian and Hurrian passages with regard to the subject of this action.<sup>22</sup> This disparity still exists, but it corresponds to the difference of verbal orientation in the two languages: Akkadian expresses the idea by an active form whereas Hurrian employs here an intransitive verb. The context leaves no doubt whatever that the first of the above examples means "([the] wife . . . conforms to the heart (lit. 'in accordance with [-a]) the heart' of my brother" (lit. 'in accordance with that of my brother' *šeniwwue-nen(n)-a*). The other has to be translated "the wife of my brother" <sup>23</sup> I gave, one who conforms (-*n*, -*še*) to my brother's heart." The meaning "to be like *x*, conform to, accord with" fits also the other occurrences of this root: *ši-ra* (without -*n*) III 3, *ši-ri-en-na-a-an* III 34, and *ši-ra-aš-[še]* III 96 (cf. also III 86). Moreover, it suits the Nuzi phrase *širumma epēšu* (N 347. 7; 366. 25; 385. 20; 389. 14) which I first translated as "testify."<sup>24</sup> The underlying meaning in this case is apparently "to make like, confirm, give an eye-witness account."<sup>25</sup>

9. Other forms in -*a* turn out to be intransitive on closer examination. In addition to *ú-na-a-n* which agrees with *ši-ra-a-n* in the passage cited above (III 13) we have *ú-ú-na-a-an* IV 49 and *ú-ú-na* II 14 (without -*n*, thus paralleling *ši-ra* III 3); add also *ú-na-a-ni-in una-nin* IV 13. *un* corresponds to the impersonal

<sup>22</sup> Mess. 60.

<sup>23</sup> Cf. Akk. *ša abiya ašša(x)zu* EA 20. 15, 24.

<sup>24</sup> JAOS 55 440.

<sup>25</sup> I cannot agree with Lewy, *Revue des Études Sémitiques* 1938 68 n. 8, that *širumma* is but a variant of *šurumma*. The latter is to be connected, with Lewy, with *šuramašten* IV 42, 51, but the meaning of this verb is correctly understood by Friedrich (Fr. 15<sup>1</sup>) as "speed up"; *šurumma* remains in the generally accepted sense of "promptly." On the probable force of -*ma-* as a causative element see below, note 84.

forms of Akk. *wabālu* "bring" (cf. EA 20.16, etc.) and the meaning is either "be brought" or "come, arrive."<sup>26</sup> The plural of this class ends in *-alla-* (cf. *una-llān*) I 115, in the third person, and the first person has *-atil(l)a-*, cf. *u-u-lu-u-ḫa-a-ti-la-an* III 16 (with the suffix *-tilla-* "we"<sup>27</sup> followed by *ešiwwaš* "our heaven."<sup>28</sup> Finally, the participial form ends in *-aš(š)e* sing., and *-aš(š)ena* pl. Cf. *<sup>1</sup>Mane-ra-(l)lān unaššena* II 116 "those (things that were) brought with Mane." Here may be added *gi-ra-aš-še-n[a . . .]* *šawalla-ša*<sup>29</sup> I 79 "through prolonged years," a phrase corresponding to Akk. *ana dārāti* "forever"; cf. especially EA 19.15.

<sup>26</sup> Prof. Goetze kindly informs me that he has discussed *un* "come" in an article which will appear in a forthcoming issue of *Language*.

<sup>27</sup> Fr. 33 f.

<sup>28</sup> For *eš(e)* "heaven" cf. v. Brandenstein, ZDMG 91 571<sup>1</sup>, which yields an excellent sense in III 30, IV 125 and especially in III 100-01 *eše-ne-ra awerue-ne-ra*, which corresponds to Akk. *itti šamī ū ir[šiti]* EA 29.59 "with heaven and earth." The combination of *-tilla* and *-iwwaš* assures for the latter enclitic pronoun the meaning "ours," which is borne out by all the other occurrences of this suffix; cf. especially III 109 ("our countries"), III 123 ("our assistance?"), and IV 64 ("our gods," with assimilation of *š* to the *l* of *-lla-*). For other possessive suffixes see note 70.

<sup>29</sup> The value "year" for *šawala* is given in the Sumeru-Hurrian vocabulary from Ras Shamra, Syria 12 (1931) pp. 225-66, No. 8 I 13 (v. Brandenstein and Friedrich compare Urartean *šāli-*, cf. ZDMG 91 213<sup>3</sup>). The same vocabulary gives the equation *ki-ra-i* "long" (col. IV 28), scarcely unrelated to our *gira-*. *šawalla-ša* contains the "dimensional" suffix *-ša* (cf. *eše-n-a-ša*, v. Brandenstein, ZDMG 91 571<sup>1</sup>) added to the plural form of the noun (*\*šawala-na* > *šawalla*, like *\*uli-na* > *ulla*, Fr. 6). Friedrich's supplementation of *giraššen[a . . .]lān* is uncertain by his own admission. Nevertheless, *[-al]lān* (or *[-šal]lān?*) rather than *[-til]lān* is indicated by the verb *pisunnen*, which is paralleled syntactically by the following (*tive*MEŠ) *wəbrunnen* I 80-81, evidently third person plural. *wəhru-* suggests throughout a value like Akk. *ḫābu*, and it may perhaps be reflected in Ras Shamra *pa-ḫi-ri-e*: Sum. *d ù g . g [a]*, cf. the above vocabulary II 22; if this comparison should prove valid, the stem would have to be listed as *wəhru* "good."

For the "dimensional" or "locative" value of *-ša* I would contrast Nuzi *eqlu ša ad-di-na-[-ša] a-šar ku-ur-za-ḫi* (JEN 378. 3 f.), *eqlu i-na ad-di-na-ša ša ku-ur-za-aḫ-ḫé-na* (JEN 86. 4 f.) [cf. Gordon, *Orientalia* N. S. 7 57 and Lewy, RÉS 1938 50] with *eqlu . . . i-na ad-di![-na-š]a gur-za-aḫ-ḫi-na-ša* (JEN 377. 6). These parallel expressions combine to attest for *-ša* the same value which this element has in Hurrian texts.

10. As against this ending *-a* the transitive verb has *-ia* in the third person singular: *tan-ia* "he makes" III 81, *kat-ia-* "he communicates" IV 12, and the like. The participial form in *-še*, *šena* occurs with elements signifying the agent: *ú-ú-ri-a-a-aš-še-na* I 108 "held by him (in the heart)"; cf. also III 33, IV 31. When the personal signifier is missing we get an impersonal form: "Indeed (? *-nin*)<sup>30</sup> what wishes . . . (are) made (*tanaššena*) with regard to my brother's country" I 96 ff. Here *tanaššena* is paralleled formally by *unaššena*; the transitive verb is now strictly passive. Contrast *tanuša-ššena*<sup>31</sup> which follows in the next clause (I 100); here we have the third person sing. preterit (*tanuša*) followed by *-šena*, the whole form being governed by *šeniwwu-š*. The nearest that we can come to a literal translation is "made by him, by my brother." If we adhere to the current renderings like "my brother made," we destroy the obvious structural parallelism of *yalla- . . . tanaššena* : *yalle- . . . šeniwwu-š tanušaššena* "those . . . made (pres.) : those made (pret.) by him, by my brother." Furthermore, we have seen that *yalla/e-* signifies "they" (nom.), not "them" (acc.).<sup>32</sup>

11. The contrast between transitive *tan-ia* and intransitive *šir-a*, *un-a*, where the sole formal difference is an added *-i* in the transitive forms, recurs in Hurrian proper names of the type: verb + *-p* + noun. From transitive *haš* "hear" we get combinations with divine names or deified appellatives like *Hašip-tešup*, *-tilla*, *-enni*, *-abu*, *-ugur*; or *-bêlekalli*, *-ayakke*.<sup>33</sup> Intransitive *un*, on the other hand, yields *Unap-tešup*, *-tae*, *tarni*. The opposition of *-ip* : *-ap* is clear at first glance. But the same formal difference is apparent also in pairs like *Ith-ip* : *Uth-ap*, or *Ak-ip* : *Ak-ap*. A few examples of compounds in which the latter pair is used will prove instructive. *Akip-* occurs with *-abu*, *-ninu*, *-šarri*, *-šenni*, *-tešup*, and *-tilla*. *Akap-* combines with *-elli*, *-kiaše*, *-mušni*, *-nani*, *-šenni*,

<sup>30</sup> For this value of *-nin* see below, § 20.

<sup>31</sup> Note also that the impersonal *tanaššena* lacks the preterite formative *-uš*.

<sup>32</sup> See above, § 5.

<sup>33</sup> In order not to multiply references I have omitted citations of Nuzi names, especially since a complete critical index of the Nuzi onomastic material is to be published shortly by Gelb, MacRae, and Purves in the Oriental Institute Publications series.

-*šuška*, -*tae*, -*tukki*, and -*urḫe*. Once again, the form with -*ip* is combined with divine names or appellatives (-*šenni*<sup>34</sup> "brother" is evidently such an appellative in this case).<sup>35</sup> But the form with -*ap* takes kinship terms (*elli* "sister," *šenni*, perhaps *tae* "son?"), and adjectives (or nouns?) like *urḫe* "just(ice?)." In other words, the forms in -*ip* express something that a superior power is to perform, whereas forms in -*ap* indicate the goal with transitives, the actor with intransitives. The meaning of *ak* which proves most satisfactory is "guide, direct," and its applicability to both types of compounds is self-evident.<sup>36</sup> With *un* "come" divine names are no less suitable than simple nouns.

12. A distinction between transitives and intransitives is to be noted also in the vowel preceding the element -*kk-*. The transitives attach this element by means of -*i-*: *kat* "communicate" gives *kat-i-kki* IV 17 and *kat-i-kkunni* IV 2; *wər* "know, see" forms *wər-i-kkunni* III 9. Here belongs also the place-name *Ḥašikkuwə* AASOR 16 8. 2, from *ḥaš* "hear." There are other examples, such as *ḫil(l)-ušikkunni* IV 4\*, 11; *ḫil(l)-ušikkattan* I 52; *tadukar-ušikki* II 79; *tan-ušikkattan* II 5; *ašḫušikkunni* KUB XXIX 8 IV 28; since there is, however, a verbal element -*uši*<sup>37</sup> which might account for the -*i-* automatically, it is best to disregard for the present all such ambiguous examples. At all events, it can be stated that no known transitive verb shows any vowel other than -*i-* between the simple stem and the element -*kk-*.

13. Intransitives present an equally consistent picture. Between a stem and the element -*kk-* the connecting vowel is always the

<sup>34</sup> Attention should be called to the fact that nominal *a*-stems like *šena* and *ela* appear in onomastic combinations as *šenni* and *elli*. It is too early as yet to decide whether this form has any connection with the sentence structure of Hurrian.

<sup>35</sup> For the position of the brother in the partly fraternal social organization of the Hurrians see Koschaker, ZA 41 (1932) 1 ff.

<sup>36</sup> The derivative form *agukarašten* II 58 is rightly rendered as a synonym of *nakken* "let him send off, dismiss" (lit. "let X be dismissed by him"); Lewy has recognized the same derivative in Nuzi *a-gu<sub>4</sub>-ka<sub>4</sub>-ru<sup>1</sup>-um-ma* <KAK>-*uš* JEN 297.37 (see RÉS 1938 68 n. 1). But the proper names with *ak* show that the primary meaning of the verb is hardly a mere synonym for "come" or "go." Parenthetically, Urartean *agu* also yields the meaning "guide, direct," cf. Friedrich, Einf. ins Urart. 25.

<sup>37</sup> Cf. below, § 38.

same; but this time it is *-u*. Thus *un* yields *un-u-kkallān* IV 3. *man(n)*, which represents the verb “to be,” as will be shown later, is found as *mann-u-kkallān* IV 2, *mann-u-kku* II 91 (note the Nuzi name *Manukki*,<sup>38</sup> and *mann-u-kkatil(l)ān* III 17. An intransitive connotation for the root *tupp* is suggested by the form *tup-pu-la-in* III 26 (with the same suffix as *itt-ain-* IV 53); all the known occurrences of this root admit of an interpretation) be strong, ample, equal, generous,”<sup>39</sup> the verb being based apparently on an adjective. The *-kk-* form of this verb is *tupp-u-kku* III 45.

14. Of the same type are *ú-ru-uk-ku* II 99, 101; III 46, 123; *ú-ru-uk-k[u-u-u]n* II 95; *ú-ru-uk-ku-un-na-ma-an* III 124. Messerschmidt lists these forms together with those containing *ú-ú-ur*, which he translates “return, send back.” Bork combines both writings into *ur* “accept.” Whether or not the writings with *ú* and *ú-ú* respectively indicate two unrelated verbs, the meaning varies with the spelling. *ú-ú-ur* is transitive, as is shown by *ú-ú-ri-a-aš-še-na* I 108, III 33, IV 31 (with *-i-*, see § 10) and, especially, by its association with the *š*-case, which is found with transitives only; cf. *šeniwwu-š u.* III 33. The key to the meaning is provided by I 106 ff.:

*an-til-la-a-an* <sup>d</sup>*Ši-mi-i-gi-niš a-ri-e-ta še-e-ni-iw-wu-ú-a*  
*še-e-ni-iw-wu-ú-ul-la-a-an ti-ša-a-an-na ú-ú-ri-a-a-aš-še-na*  
*ti-we-e-na*<sup>MES</sup> *šu-ú-al-la-ma-an*<sup>MES</sup> *ta-a-ni-il-li-e-ta-a-al-la-a-an*<sup>40</sup>

<sup>38</sup> HSS IX 114. 21.

<sup>39</sup> Comparison seems indicated in III 44-45 (“their sistership-gifts” with “their documents of dowry”). In II 18 *tuppaššena* refers to *wirartiwwe* “my *wirati*-gifts.” The same form of *tuppu* occurs also in IV 125. Friedrich renders it tentatively “bescheint” (Fr. 30) relating it to the following <sup>d</sup>*šimigini-š* “lands . . . brightened (?) by the sun in heaven.” but the agentive usually precedes the verb and the action of the sun is indicated, therefore, in all probability by the fragmentary verbal form that follows, while *tuppaššena* would then refer to the “lands”; “mighty” fits this context very well. If this interpretation is right, possible support for it may be found in the Ras Shamra vocabulary where *tu-bu-e* is equated with Sumerian *ka l(a) g . a* (col. II 23); but such support is not essential.

<sup>40</sup> In this sentence, as elsewhere, *-lla-* refers to the plural grammatical subject which is indicated with the verb and with three other words in the sentence. The suffix of the verb marks a single agent (“by him”). Plural actors are indicated by means of *-iten* with the optative, apparently for *\*-itu-en* as is shown by the negated form *nakk-itu-wa-en* II 52.

“these (i. e., my brother’s wishes) will be granted by the Sun-god to my brother, and the things *x*-ed in the heart by my brother, . . . will be done by him.”

Here *x* obviously stands for something like “hold, desire.” A parallel Akk. expression enables us to establish the meaning with greater confidence. EA 20. 60 reads *û aḫiya ina libbišu iṣabbatanni* “and my brother will retain me in his heart.” *ú-ú-ur* is evidently, therefore, an approximate synonym of Akk. *ṣabātu* in the sense of “hold fast, retain.” With this in mind we may safely read IV 111 ff.

[še-]e-ni-iw-wə-ra-a-ma-a-an ti-ši-iw-wa-an <sup>41</sup> [t]e-u-u-na-e  
tiš-ša-an wə-aḫ-ru-um-me [ta-a-d]u-ka-a-ru-um-me ú-ú-[r]a-ú

“And <sup>42</sup> with my brother (i. e., towards my brother) goodness and affection I hold (lit. ‘[are] held by me’) in my heart very much.”

This sense is apparent also in all passages where “the heart” is not mentioned specifically. “Hold dear, desire” may have been a special development of the verb. At any rate, it suits the instances cited above, and it applies equally well to I 80-81 “And may the things desired by me (*ú-ú-ra-ú-ša-a-aš-še-na-*) be favorable,” and to *ú-ú-ri-uw-wu-un-na-a-an* IV 56 “then I do not want him.” The currently used “accept” proves inadequate for *ú-ú-ur* when all the relevant passages have been taken into consideration.

15. The writing *ú-ur*, on the other hand, is found a number of times, but all occurrences except one are confined to two lengthy passages (II 95 ff., III 110 ff.) which have yet to be explained. These occurrences take three forms. One is with *-kk-*: *ú-ru-uk-ku* II 99, 101, III 46, 123; *ú-ru-uk-k[u-u-u]n* II 95; *ú-ru-uk-ku-un-na-ma-an* III 124. The second form appears as *ú-ru-u-we-en* III 111, 116. The third consists of the verbal form *ú-ru-li-e-wə* followed by the enclitic complex *ma-a-ni-i-in* III 115. It is this last form that enables us to eliminate, without begging the question, any

<sup>41</sup> Friedrich reads *ti-wi?* against Knudtzon’s and Messerschmidt’s *ti-ši-* but admits the latter as a possibility. The context clearly favors *ti-ši-*.

<sup>42</sup> Friedrich’s discussion of *-ān*, *-mān*, and *-man* is illuminating on many points but leaves others unexplained. *-ān* and *-mān* prove generally suitable in the same wide sense which Akk. *û* carries in the Nuzi documents and in the Akkadian letters of Tushratta (cf. Fr. 16-17). “And” or “now” are necessarily inadequate renderings.

connection between the present group (written with a single *ú*-) and the forms with *ú-ú-ur*. For we have seen that the latter require the logical subject to be in the *š*-case. In the present instance, however, the subject is represented by the "Hurrian lands" III 113, and the form is without any case-ending, or exactly as in *ašti . . . unān . . . širān* III 11 ff. Added to this is the fact that, for all the obscurity of context, the values established for *ú-ú-ur* will not suit *ú-ur*. We are thus compelled to keep the two forms strictly apart and to look in the latter case for an intransitive connotation. I suggest for *ú-ur* the meaning "take place, occur, be present." This sense suits, e. g., all five occurrences of the verb in the long passage III 110-24, although these occurrences represent three distinctive verbal forms. A tentative translation of the passage will be attempted below, in connection with the discussion of other verbs found here (cf. § 34).

16. Thus the appearance of *-u-kk-* with *ú-ur* accords well with the analysis of this verb as intransitive, since the other verbs with *-u-kk-* discussed so far are all intransitive. This class is now large enough to permit the inclusion of analogous forms from roots of unknown meaning; here belongs *ir-nu-uk-ku* III 60, where nothing points syntactically to a transitive verb. Moreover, the appearance of denominative forms in *-ukk-* now becomes perfectly natural. Such a form is *du-ru-pí-i-in-nu-uk-ku* I 17, as compared with the noun *durupi* which figures prominently in our key passage III 110 ff., and *du-ru-pí-i-in-ni* I 15. Whether adjectives in *-ugg-* are at all related must be left open. *ul-lu-ḫu-ug-gu-ú-un* II 104 (bis), e. g., points to the meaning "unfriendly, hostile," and is apparently related to *uli* "other" and *ul-li-wa-a-en* "let him not change" III 95 (with the semantic range of Akk. *ahû* "hostile" [cf. perhaps EA 29. 48] and *nakāru* "to be strange").<sup>43</sup> But comparisons of this sort are as yet premature.

17. We have found, then, the alternation *i:u* before *-kk-* to be characteristic of transitives and intransitives respectively. The same alternation can be made probable in connection with the negative element *-wa-*. The vowel that precedes this element in transitive verbs is *-i-*; cf. *ull-i-wa-en* just cited, *ḫašaš-i-wa-en* "let him not

<sup>43</sup> Note a similar semantic development in Urartean *ul(u)* "destroy" (cf. Götze, ZA 39 122) by the side of *uli* "other" (Fr. 60).



hear" IV 20, 110, and the like. Negated intransitives have not been pointed out thus far in the Mitanni Letter. But *ú-ru-u-we-en* III 111, 116 can be nothing else (see § 34), the sense being "may it not occur." A parallel form may be *it-tu-ú-pí-in* in the Hurrian fragment of the Gilgamesh Epic (KUB VIII 61 I 11).

18. To sum up, there is not a single instance which would contradict the statement that transitives employ *-i-* before the elements *-kk-* and *-wa-*, whereas intransitives use *-u-* in the same positions. But it should be borne in mind that these vowels are elements connecting roots with added formatives and form no part of independent suffixes. *-i-* points to transitives and *-u-* to intransitives in these connecting positions only. When used as a suffix, or as the sole vowel in a suffix, *i* has quite the opposite effect: it characterizes intransitives, at least in some of their forms.

19. This brings up the question of the verb *man(n)*. That there is a large number of forms containing *ma(a)n(n)-* is a fact familiar to every student of the Mitanni Letter. The verbal character of these forms—some of them, at least—is apparent from the context. The clearest formal confirmation is furnished by *ma-a-an-nu-l[i-]e-wa-a-al-la-a-an* II 122. Infixed *wa* can be, on present evidence, only one of two things: the negative element in verbs (improbable in this case)<sup>44</sup> or part of the verbal suffix *-lewə* (with *-wə* appearing as *wa* before *-lla-*);<sup>45</sup> in either case a verb is indicated. With this as a start, *ma-a-an-nu-uk-ku* II 91 will readily be compared with forms like *urukku* (cf. above, § 14), *ma-a-an-nu-uk-kal-la-a-an* IV 2 with *unukkallān* IV 3 (third person plural), and *ma-a-an-nu-uk-kati-la-an* III 17 with *ūluḫatilan* III 16 (first person plural). [*m*] *a-a-an-na-til-la-ma-an* IV 119 should be the same form without *-u-kk-*, and *ma-a-an-na-al-la-ma-an* (§ 6) the analogous third person plural. The latter form occurs after *ati-nin*, and so does *ma-a-an-na-at-ta-ma-an* II 85, III 63, 65.\* Since *-tta* is the enclitic pronoun of the first person singular, *mannatta-* would represent that person.

<sup>44</sup> The vowel preceding the negative *-wa-* is *i* in transitives, *u* in intransitives (see above § 18); in the present instance, however, the word is *e*. Moreover, we would have to assume an extended stem *mannul-*, for which there is no independent evidence whatever.

<sup>45</sup> Both *-lewə* and *-ewə* show the same change before other enclitics as well; cf. *gi-pa-a-nu-ul-ul-li-e-wa-a-at-ta-a-an* III 63, and *ú-ru-u-muš-te-e-wa-a-tan*, *u-u-lu-u-bé-wa-a-ti-la-an* II 9, 11.

Finally, the pair *ma-a-an-ni-i-ni-in . . . ú-na-a-ni-i-in* IV 13 contains a clear instance of the third person singular intransitive in *una-nin*; *manni-nin* must be the corresponding form of *man(n)*. *manni* alone occurs in I, 12, III 103, IV 59, 60, 79; with the enclitic *-immaman*, again with *ati-nin* preceding, it is found in I 16, III 5, 10, 100.

20. It follows from the above comparison that the one new form which this intransitive verb contributes is in the third person singular, where *-i* contrasts with the *-a* of *šir-a* or *un-a*. The meaning of *man(n)* remains to be determined. We have two groups of occurrences with which a good start may be made:

- a. *ati-nin mann-attaman* II 85, III 63, 65  
*ati-nin mann-immaman* I 16, III 5, 9-10, 100  
*ati-nin mann-allaman* I [8], 109, II 81, [120-21], III 102
- b. *mann-ukkallān anti un-ukkallān* IV 2-3  
*manni-nin tiwə anti una-nin* IV 13  
*[m]anna-tillaman uruhuš-tillān* IV 119

In group (a) the scheme is *ati* + *nin* followed by *mann* + enclitic pronoun + *man*. Group (b) consists of a form of *mann* in close association with a parallel form of an intransitive verb.

A careful examination of the occurrences of *atinin mannimman* shows that the phrase contains in each case a general affirmation, something like "thus it is indeed." The Akkadian texts of Tush-ratta offer one roughly analogous expression in EA 19. 27: *annū šū* "this (is) it." That *ati* means "this" or, better, "thus" is suggested by its other occurrences. *-nin*, which always accompanies *ati*, is found also with particles and verbs, often in association with a resumptive *-man*. I take *-nin* to be an asseverative element like Akk. *lū* "verily, indeed." This meaning will fit all available examples, but the connection of *-nin* with a subsequent *-man* and the circumstances in which either of these elements may be omitted will require further investigation. At any rate, I cannot separate the *-man* in *-maman* from the final element in *mannattaman*, *mannal-laman*.<sup>46</sup> Neither Friedrich's "and" nor his "but" will satisfy in these particular instances.

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<sup>46</sup> If *-mam(m)an* contains the same final *-man* that is found also in *mannattaman* and *mannallaman*, the indefinite *-maman* (Fr. 21) must be analyzed as *-ma- + -man*.

21. *atinin mannallaman* is the plural counterpart of *atinin man-nimmaman*, with the added difference that the "indefinite" *-ma-* is inserted with the singular form. Just why this element is added to *mann* in this form alone I cannot tell. But this usage is not restricted to occurrences with *atinin*. It confronts us again, four times in a single passage, in the word *ma-a-ni-e-im-ma-ma-an* III 35 ff. Each time the allusion is to one particular single subject (sister, tablet) and the context shows that the enumeration is emphasized. At the end, when the number of the tablets under discussion is stated, *-ma-man* is again found with that number: *tuppiaš šiniašše-nammaman* "their two tablets." The whole passage may be rendered as follows:

"And now there is my father's daughter, my sister; (36) a tablet, namely the tablet of (her) dowry, there is; (this makes) one tablet. (37) my grandfather's daughter, my father's sister, (38) there is; a tablet, the tablet of (her) dowry, there is; (39) (this makes) again a tablet. Let my brother read them, their tablets, (40) both of them. . . ."

The meaning "there is" for *manemmaman* is the only one that makes any sense here. This word has to be equated, therefore, with *mannammaman*, in spite of the slight divergence in orthography.<sup>47</sup>

*atinin mannattaman* yields accordingly "thus I am," in the sense of something like "this is how I stand." The Akkadian letters furnish *lû anâkūma* EA 19. 27 (followed by *annū šū*), 30, 40, 45, but in each instance *umma* "thus" precedes, introducing a direct discourse. The parallel is incomplete, therefore, unless the Hurrian phrase is elliptical: "thus I am, (saying)."

In group (b) [§ 20] the translation of the three pairs given there reads literally: "they will be, these (words),<sup>48</sup> they will come"; "it will be indeed, this word, indeed it will come"; "we shall be, we shall keep faith." In other words, we have here periphrastic phrases with the auxiliary verb "to be" used independently and asyndetically.

<sup>47</sup> For the alternation of *a* and *e* cf. *-lla/e-*, *-ma/e-* (Fr. 24) and *awenna/e-nin* IV 24, 17. For the writing with one *n* cf. especially *ma-an-na-an hilli* I 84 with *ma-a-na-an ḫ* I 95.

<sup>48</sup> Lit. "this"; but the plural is assured by the repeated *-lla-*; for similar omissions of the plural suffix cf. Fr. 6. We see from such examples that the question of number in Hurrian is as much one of syntax as of morphology.

*manni* occurs without additional elements in I 12, III 103, IV 59, 60, 79. The last three instances come in a single passage which I do not understand as yet in its entirety. I 12 is in a damaged context, but the only words left are *i-ri-i-n ma-a-an-ni* which I would translate "there is aid"; I do so particularly in view of *durupinni* "there is need(?)" I 15, and the related passage III 110 ff., which mentions *durupi* prominently and concludes with *i-ri-i-in-iw-wa-aš-ša-a[-an]*<sup>49</sup> *u-ru-uk-ku-un-na-ma-an* III 124 "our aid will be available." III 103 presents <sup>SAL</sup>*Ta-a-du-ḫé-e-pa-an ma-a-an-ni* "it is Taduhepa," which not only suits the context but clarifies it admirably.

Finally, the personal name *Mannukki* corresponds apparently to Akk. *Ibašši-⟨ilu⟩* "There is ⟨god⟩," the verb being used hypochoristically.

A composite paradigm of *mann*<sup>50</sup> may now be reconstructed:

	singular	plural
1 p.	* <i>man-na-tta</i>	* <i>man-na-tilla</i>
3 p.	<i>manni</i>	* <i>man-na-lla</i>

22. The third person of the Hurrian verb "to be" is accordingly *manni*, with final *-i* as against the *-a* of other intransitives. It is not too hazardous to see in this *-i* the analogue of rarer intransitive forms of the third person sing., such as *tihanišhi-n* IV 49 (a verb which occurs in conjunction with *un* and shares with it and with *itt*

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<sup>49</sup> Friedrich's division of *irin* and *iowaššan* is not justified by the tablet. Incidentally, a comparison of the present passage with *irin manni* I 12 (Friedrich's . . . *i-ri-i-in* shows that *mann* is a virtual synonym of *ur*. The principal difference seems to be in this case one of tenses, *urukkunnaman* referring plainly to the future. There are indeed other indications that *-unni-* may indicate the future of certain intransitive forms; cf. especially *pisunnen*, *wahrunnen* I 79, 81 (with optative connotation, but the context clearly refers to the future), and perhaps *ma-a-nu-ú-[u]n-na-a-a[l-la-a-a]n* III 78. There are, however, *-unni-* forms with transitive roots followed by *-kk-*; although *-kk-* seems to impart to transitives an "imperfective" value with consequent changes in their syntactical position, the point does not admit as yet of a positive statement.

The value of *mannan* (*ma-an-na-an* I 84, *ma-a-na-an* I 95, and *ma-a-an-na-a[. . .]* IV 103, all with *ḫi-il-li* following) is as yet uncertain; the same is true of *ma-a-nu-ú-un-na* IV 66, *ma-a-an-nu-pa-a-ta-e* IV 59.

<sup>50</sup> Parenthetically, attention may be called to Urartean *manu* "exist, be," which has been treated by Friedrich, *Caucasica* 7 83 ff.

a singular suffix *-tin*). Furthermore, a phrase like <sup>1</sup>*Asali-n-(n)ān tupšarriwuwu-n(n)-i* IV 36-37, which plainly means "and Asali is my scribe" evidently employs this suffix (*-i*) in the sense "is." The same is probably true of *durupi-n(n)-i* I 15 "there is need(?)." *a-i-i-n tuppū-n(n)-i* II 86-87 is another possibility, but no translation is possible owing to the obscurity of what follows. The verb *tadukar* "have affection" <sup>51</sup> presents a clear case of a third person sing. in *unu-me-nin . . . t[a]dukār-i anammī-tillān šatti*<sup>52</sup> *īštaniwuw-* . . . II 66 ff. "Indeed (? *-nin*) as . . . shows affection, so shall we together mutually. . . ." The third person is assured here, as elsewhere, by the element *-me-*.

23. The main result of our inquiry so far has been the establishment of a number of intransitive verbs which can be recognized as such by characteristics of their formation. The semantic test was positive in most cases, while in others intransitive values proved suitable and no plausible transitive interpretations could be advanced in their stead. We are now prepared to determine the character of the subject of intransitive verbs.

From the examples cited above we get:

<i>ašti</i>	with <i>una-n, šira-n</i> III 11-14
<i>Mane-n</i>	with <i>mann-ukku</i> II 91
<i>uminna</i>	with <i>tuppū-lain</i> III 26-7
<i>šeniwwe-n</i>	with <i>ur-ukku</i> III 46
<i>durupi</i>	with <i>ur-ukku</i> III 123
<i>Mane-n</i>	with <i>ur-ukk[u]-n</i> II 95
<i>tiwā</i>	with <i>manni, una</i> IV 13
<i>šāla, ela, tuppē</i>	with <i>mane-mmaman</i> III 35 ff.
<i>iri-n(?)</i>	with <i>manni</i> I 12
<i>Taduḥepa-n</i>	with <i>manni</i> III 103
<i>Asali-n</i>	with <i>tupšarriwuwu-n(n)i</i> IV 37 <sup>53</sup>

<sup>51</sup> That *tadukar* is not a transitive verb is shown by its morphology as well as by the context of the passages in which it occurs; cf. especially III 109. The same is true of *piddukar*; see especially III 110.

<sup>52</sup> For *šatti* "together" there is strong internal evidence: association with *īštani* "mutual" here and in III 108; *šinellaman šattallān* "the two together" IV 62; also (*anammī*)-*tillān šatti īštaniwuw-* corresponds to Akk. *ina bēriṇi itti aḥamiš* EA 19. 28. Finally Nuzi names like *šattu-šenni, -naya, -tae* would accord well with this interpretation.

<sup>53</sup> It does not matter whether in this particular example the copula is expressed or merely implied.

This is a representative cross-section of the material as a whole. There is no need further to multiply examples. We see that the subject of intransitive verbs is never in the *š*-case. It confronts us instead either in the stem-form or with a suffixed *-n*. In other words, the subject of intransitive verbs is formed exactly like the logical object of transitive verbs. Cf. again, e. g.,

*ašti . . . una-n, šira-n* III 13-14, and  
*ašti-n . . . ar-ušau* IV 33-34

i. e., "the wife . . . came, accorded" and "the wife . . . was given by me." That the *-n* of *ašti-n* has nothing to do with indicating the object is absolutely certain. For, on the one hand, transitive verbs frequently take nouns without the *-n*; cf. *šeniwwuššan ašti šaruša* III 1 "by my brother a wife requested"; and on the other hand, the subject of intransitive verbs may take the *-n*, as we have just seen: *Mane-n mannuḳku, uruḳkun* II 91, 95, or *šeniwwue-n uruḳku* III 123.

24. The precise function of *-n* is very difficult to determine, particularly since this element configures with *-ni* to share some of its functions,<sup>54</sup> although the two elements seem to be distinct, as when they occur together with the same word; cf. *ašti-n . . . šeniwwue-ne-n tiša-n(n)-a širašše* IV 33-34. What is clear is that *-n* is not necessary for the purpose of indicating the subject of transitives and the logical object of intransitives, i. e., our nominative. The bare stem-form does that. *-n* must supply, therefore, an added nuance. Now Thureau-Dangin has shown that *-ni* amounts virtually to a definite article.<sup>55</sup> *-n* is scarcely different from that in phrases like *urḫe-n pala* II 106 "(to declare) the true as doubtful," or in the above *tiša-n(n)-a* "according to the heart." What, then, is *šeniwwue-ne-n* of the same passage? Here *-ni/e-*<sup>56</sup> serves to deter-

<sup>54</sup> Cf. Speiser, BASOR 74 (1939) 5.

<sup>55</sup> Syria 12 (1931) 254.

<sup>56</sup> That the element was most likely *-ne* is made probable by forms like *ta-la-me-ni-e-tan* II 61 and *a-ru-u-ša-uš-še-ni-e-wə* III 41. These particular instances have been selected because they help incidentally to illustrate the haplological assimilation of *-ni-* to a preceding *-ri*. In both cases the preceding word is a form of *niḫari*. Now the genitive of this noun is given in III 36 as *ni-ḫa-a-ri-i-wə*; but with *arušaušše-ne-wə* the apposition is *ni-ḫa-a-ar-ri-e-wə* (III 41); similarly, with *talame-ne-tan* we have *ni-ḫa-a-ar-ri-e-tan* (II 61). In other words, we must interpret *niḫarre* as *\*niḫari + ne*,

mine "my brother." As for the final *-n*, it appears to point back to *ašti-n*. The same explanation holds good for instances in which *-n* is attached to a transitive verb. Cf.

*ašti . . . undu-man arušau-n* III 1-2

"wife . . . and now she has been given by me."

Similarly, *uli-man . . . ūriwvu-n(n)-ān* IV 55-56 has the sense of "as for another, he is not wanted by me." These are but scattered indications of some of the possible functions of *-n*; it fulfills the task of what we might regard as a definite article, and it may refer to a person or thing in question. Grammatically, it appears to emphasize the subject (and this means also the logical object of transitive verbs). More detailed research on this point is urgently needed. Tentatively, I regard the *-n* as a deictic element within the limit of the functions stated above. There is no proof whatever that *-n* is a case-ending in our sense of the term.

25. Nor is *-š* such a case-ending, as we have seen.<sup>57</sup> It introduces the agent of transitive verbs<sup>58</sup> and is strictly limited to such verbs alone. It has the force of our preposition "by" and we may call the "case" which it signifies, the "agentive." Our "nominative" is expressed by the stem-form. To the ample<sup>59</sup> evidence for this statement which has been adduced above may be added the previously observed circumstance that in syllabaries and related listings of unattached vocables the stem-form alone is given.<sup>60</sup>

26. The inevitable corollary of this discussion is a conclusive demonstration of the passival character of the Hurrian verb. But a statement to this effect does not tell the whole story. It is a fact that

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just as the plural *-rra* must be interpreted as *-ri + na* (Fr. 6). It is probable that *-ri* followed by the verbal element *-lewə* yields analogously *-rrewə*; cf. especially *ur-ḫu-up-ḏu-ši-li-wə—ta-a-du-ka-a-ar-ri-e-wə* III 64, 65, i. e., *-\*ri + le > -rre*.

<sup>57</sup> It may not be amiss to sound a warning at this point against confusing the agentive *-š* with other endings which also terminate in *-š* in our syllabic texts. The clearest automatic distinction is provided for the common suffix *-(u)leš* (see the list given by v. Brandenstein, ZDMG 91 559<sup>8</sup>). For the alphabetic Hurrian text published in Syria 10 pl. lxiv (Tablet 4) writes the *-š* of the agentive as *š* (see Speiser, JAOS 58 192-93) while the *-š* of *-(u)leš* is written as *š* (cf. v. Brandenstein loc. cit.).

<sup>58</sup> In the singular; the plural suffix is *-šuš* (Fr. 12).

<sup>59</sup> Cf. also BASOR 74 4 ff.

<sup>60</sup> Fr. 12.

the agentive is found only with transitives. It is equally true that the stem-form (reinforced occasionally by *-n*) signifies the "nominative." There is to be added, however, the further circumstance that the nominative is not restricted to intransitives; it occurs also with certain specific transitive forms.

27. These forms are signalized by the suffixes *-lewə* and *-uši* (examples will be cited below), and by *-i*, which may follow the bare stem (*paš(š)-i-nan* III 112) or the stem augmented by the future element *-et-* (*paš(š)-et-i-tan* III 116).<sup>61</sup> Thus *-i* is the characteristic element in all instances capable of analysis, with the possible exception of *-lewə* where the final vowel is ambiguous.

All these suffixes occur with transitive verbs. But the same suffixes are found also with intransitives. Examples with *-lewə* are *ur-u-lewə-manin* III 115 and, in all likelihood, *mann-u-lewallān* II 122. *-uši* is well attested in *pisand-uši-ttān* IV 9. The *-i* of the other examples is best paralleled in *manni*. In short, those transitive forms which take the subject-case<sup>62</sup> ("nominative") have endings which recur without exception with intransitives.

28. It would appear, on the surface, that the transitives have merely borrowed certain intransitive forms, and with them their syntactic dependence on the subject-case. But such appearances would be misleading. Let us take as an example *šeniwwə pašš-uši* I 65 and the analogous *šeni[ww]e-n pašš-[uši]* II 107. If the verb *paš* "to send" is used here in an intransitive sense, what is the meaning in this case? It cannot be passive because (a) the transi-

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<sup>61</sup> Here may belong also several additional forms. *ħilli* I 84, 93, IV 103 commends itself by the fact that this form represents the third person (especially in I 84, 93, where the speaker is certainly Giliya); it is therefore different from the first person *kulli* (for *\*kul-ili*, Fr. 37); but the obscurity of the preceding *ma(a)n(n)an* prevents further analysis. Another first person is *kat-ikk-i* IV 17; here it is our uncertainty concerning the precise function of *-kk-* that calls for caution. For similar reasons we have to exclude for the present other combinations with *-kk-* such as *taduḫ-ul-ikki-nan* III 4 (where the final *-i-nan* is repeated in *pašš-i-nan*), or *tan-uši-kkattān* II 5 and *ħill-uši-kattān* I 52 (where *-kkatta-* may be the product of *\*-kk-i-tta*).

<sup>62</sup> An apparent exception is *šeniwwu-š tanušiwallanni* IV 10; in reality, however, we do not have here a form in *-uši* but rather *\*tanuša-wa-*, with the same *i* before the negative element *-wa-* which we have observed also in other transitive forms (see above, § 17).



tive forms are passival in themselves and (b) the agentive formative *-š* is absent. And yet, the context shows plainly that "my brother sent" is expressed in II 107; cf. [<sup>1</sup>*Ma*]ne-nan še[e]ni[*wwu*]-š pašš-uša "and Mane was delegated by my brother," which immediately follows. The agent is the same in both phrases: "my brother." Thus verb and agent remain the same, but there is a radical difference in syntax.

29. No one will deny that Hurrian transitive verbs are known to take on at times suffixes which characterize intransitives. The best examples are found among proper names, such as *Akip-tešup* (e. g., in HSS V 78. 6), but *Akap-urhe* RA 23 47. 40 (cf. § 11). Here the difference in connotation, however, is no less clear than the formal difference between transitive *ak-i-p* and intransitive *ak-a-p*. In the former compound the action indicated by *ak* "guide, direct" (or perhaps "grant") emanates from Teshup as the actor. In the latter name, on the other hand, that action is focused on the goal *urhe* "just(ice)," and no actor is mentioned. Thus *Akap-urhe* contrast significantly with *šeniwwə pašš-uši*, which specifies the actor distinctly. This is an important feature of all the transitive forms in question, whether they end in *-lewə*, *-uši*, or just *-i*. The examples given below are limited to frequent or independently established verbs; and since their syntax is being investigated, the selection has to be further confined to passages where the context is complete or self-evident.

*-lewə*

*awenna-nin guru šuta yammaman hillu-lewə* IV 24, and  
*šeniwwə-tamān awenne-nin tiwə šurwə yammaman kati-lewə*  
 IV 17-18;  
*šeniwwennan hillu-lewə* IV 45

*-uši*

*šeniwwə . . . šütaman pašš-uši* I 50; add the two exx. given  
 above  
*šeniwwə anzannuḥ-uši* I 18

*-i*

*pašš-i-nan šeniwwə šuta* III 112-13  
*pašš-et-i-tan šeni[wwət]a* III 116-17.

30. All the above verbs have long been known with the exception of *hill*, for which "inquire" used to be commonly accepted. The reasons for that interpretation were (a) the apparent contrast between *kat* and *hill*, as shown by IV 17-18 as against IV 24, and (b) phrases like *šeniwwennan hillu-lewə* IV 45. Since the *n*-form was regarded as the mark of the accusative, the above phrase had to be translated by "I ask my brother," in view of the fact that it represents a sentence complete in itself. Thus *-lewə* became a suffix designating the first person. We now know that *-n* is attached to the subject-case, so that *šeniwwen-* must mean "my brother" (nom.). "Inquires" is possible in IV 45 but difficult in IV 24 and entirely unsuitable in *mannan hilli* I 84, 93; here Giliya does the talking and asks no questions. Some shade of "talk" will fit all the passages with *hill*, and this rendering is supported independently by the Ras Shamra syllabary Syria 12 (1931) No. 8 I 15, where *hi-li-šu* is equated with Sumerian [i n].a n.TUG (for d u g<sub>4</sub>) "he spoke." The inner-Hurrian contrast between *kat* and *hill* does not lead automatically to "communicate": "inquire." What seems to be emphasized is the difference between "send word" *kat* and "bring word, inform (the speaker)" *hill*.<sup>63</sup> If Tushratta is the speaker, he will refer to his own messages to the pharaoh by *kat* and will designate the pharaoh's message to him by *hill*. Thus IV 17-18 may be translated: "(If) to my brother someone indeed (*awennenin*) send any . . . word"; IV 24 would be "(If) again someone indeed bring any (word) to me."

31. With the problem of the meaning of *hill* out of the way, we turn to the question of the subject of our unorthodox forms with transitive verbs. It will be seen that where a subject is given at all

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<sup>63</sup> II 18-19 presents a difficulty in this connection; the damaged *bi-il-lu-ši-i-it-ta-]a-[a]n IMane-ta* should mean, according to the context, "was reported to me by Mane," which would bear out the above interpretation of *hill*, but would be awkward with a noun in the dative instead of the agentive. Since the rest of the passage is unclear in several respects, this particular phrase should not be used to prove anything one way or another, especially when it involves an otherwise unparalleled combination. (*šeniwwamān wərita* III 94 is not a parallel; for while *šeniwwua* and *šeniwwota* may serve the same "case" ["to my brother"], the verb "to know" can be easily understood with the "dative" [it will be known to my brother, by my brother]. The same freedom of construction would hardly be expected with a verb whose basic meaning is "to speak").

it is expressed by *šeniwwə* or *awenne/a-nin* in the instances cited above. *šeniwwə* is assured as the subject-case and *awenne/a-nin*, if it is at all a pronoun, must be syntactically parallel. There is not a single instance of an *š*-case associated with the forms under discussion; the subject-case is the rule, with or without *-n*. It follows that the subject of *mannan hilli* has to be sought in *mannan*, if not in its final *-n*. In *paššet-i-tan šeniwwəta* (III 116-17) we have a complete clause. Since the second word means "to my brother," the subject must be sought in the complex *paššetitan*. The context shows that the first person is indicated. I cannot identify "I" in the final *-tan* because (a) the pronominal enclitic for the first person followed by the conjunction is written with *-ttān* (*gu-lu-u-ša-a-at-ta-a-an* IV 5, *pī-sa-an-du-ši-i-it-ta-a-an* IV 9, *ti-wa-a-at-ta-a-an* IV 42, etc.), while (b) *-tan* is known as a prepositional element "for" (*ag-gu-tan ni-ḥa-a-ar-ri-e-tan ta-la-me-ni-e-tan* II 61; *a-i-tan* II 49, 90; *ti-ša-a-tan* III 92, etc.). The first person must be expressed therefore by *-i*, precisely the same element that expresses the third person in *pašš-i-nan*.<sup>64</sup> The same persons are represented jointly also by the suffix *-lewə*; cf. IV 45 (third person) as against III 62-63: *anammi-ttaman šeniwwua gipanulul!-lewattan* "and so I shall (continue to) send (gifts)."

32. We get thus a series of forms whose suffixes and syntax follow the pattern of the intransitives. And yet, the roots under discussion are transitive. Moreover, the passages involved do not seem to justify any departure from orthodox usage whereby the subject is in the agentive and the verb takes normal transitive endings. Finally, the same suffix may represent the first and the third person. These difficulties cannot be resolved without a closer scrutiny of the relevant passages.

33. The passage which affords some insight into the nature of the forms under discussion is also one of the most obscure sections of the Mitanni Letter: III 110-24, it has figured already in our discussion so far (§ 15). It contains two distinct types of the disputed constructions (*paššinan* 112 and *paššetitan* 116), an intransitive verb with the suffix *-lewə* (*uru-lewə-manin* 115), and a possibly related form in *-ewə* (*wəšewə* 112). The number and variety of these unusual forms promise a convenient check of any hypothesis

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<sup>64</sup> See also above, note 61.

concerning this group as a whole. If a single principle applied consistently to all these forms leads to a logical interpretation of this hitherto unexplained passage, that principle is likely to be right.

From a lexical standpoint, the key words are the verb *ur* and the noun *durupi*. The verb was discussed earlier in this paper with the result that it was shown to be intransitive, its probable sense being "take place, occur."<sup>65</sup> It is found five times in the present passage: twice in the prohibitive form *ú-ru-we-en* (111, 116), once with *-lewə* (115), and twice with *-kk-* (123, 124). The meaning suggested above fits all these occurrences. The noun *durupi* is less transparent. It is apparent, however, that *d.* is something that must not happen (*wruwen*) to Egypt or to the land of the Hurri; in the event that it does happen, the country affected may count on its ally. Under these circumstances the most plausible inference is that *durupi* means something like "need, trouble." The introductory paragraphs of the letter deal also with *d.*, once again in connection with Egypt and Hurri (I 15, 18). Fragmentary as they are, these paragraphs favor, nevertheless, the same interpretation of this vocable.

A complete translation of the present passage is not possible as yet, owing to gaps in the text and the uncertain meaning of some of its phrases. Fortunately, however, these are minor drawbacks that do not affect the immediate context of our particular verbal forms. The following attempt is made with all due reservations.

**34.** The introduction (III 108-10) makes the usual reference to the friendship and prosperity of the two countries. Tushratta proceeds:

(110) *in-na-a-am-ma-ma-an še-e-ni-iw-wu-ú-e* (111) *d[u]-ru-pí ú-ru-u-we-en* "Behold (?), let there occur no trouble whatever (*-mma-man*) of my brother."

*a-i-ma-a-ni-i-in šuk-ku-u-um-ma-ma-an du-ru-pè* (112) [*še*]-*e-ni-iw-wu-ú-a* <sup>KUR</sup>*u-u-mi-i-ni-i-ta wə-še-wə* "If, however (*šukku?*),<sup>66</sup> any (*-mma-man*) trouble should indeed (*-nin*) happen (*wəš-ewə*), *pa-aš-ši-na-an še-e-ni-iw-wə* (113) *šu-ú-ú-ta* and my brother should send (a message) to me"

*Ḫur-wu-u-ḫé-ma-a-an* <sup>KUR</sup>*u-u-mi-i-ni*<sup>MES</sup> . . . (114) . . . *še-e-ni-iw-wu-ú-e-ni-e-wə du-ru-pí-i-i-wə* (115) *e-ti-i-ta [tup-p]i-in ú-ru-*

<sup>65</sup> Cf. § 15.

<sup>66</sup> For *šukku* and its cognates see note 85.

*li-e-wə-ma-a-ni-i-in* "the Hurrian lands . . . with regard to my brother's trouble (lit. 'that of my brother, his trouble') would indeed constitute strength (?)."

The particle which introduces the conditional sentence is *ai-* followed by the same enclitic elements that close the whole sentence (*-ma-nin*). Within the sentence, which consists of three clauses, the verbs are respectively *wəš-ewə—pašš-i-nan : uru-lewə-manin*. *-ewə* marks the protasis, *-lewə* the apodosis, while *pašš-i-nan* represents the second and contingent stage of the protasis, a conjunctive. Its outward characteristics are the *i*-form of the verb, the element *-an* (for *-ān*?) added to the (personal?) *-n*, and the conspicuous position at the head of the clause. *-an* seems to link in this case the "conjunctive" with the antecedent verb,<sup>67</sup> much as would Akk. *-ma* under similar circumstances. To continue with the passage,

*guru šu-u-u-wə* (116) *du-u-ru*-. . .]-*pi-iw-wə in-na-a-am-ma-ma-an ú-ru-u-we-en* "again, of me the (or 'my?') trouble—behold, let none occur—"

*pa-aš-še-ti-i-tan* (117) *še-e-ni-iw*[*w-wə-t*]a *gi-pa-a-ni-e-ta-ma-a-an še-e-ni-iw-wu-uš* <sup>KUR</sup>*Ma-a-áš-ri-a-a-an-ni* (118) <sup>KUR</sup>*u-u-mi-i-ni* <sup>MES</sup> . . . "should I send for it (*-tan* ?) to my brother, then my brother will dispatch the Egyptian lands. . . ."

Once again, the "conjunctive" has the ending *-i-* attached in this case to the future stem of *paš* (with *-et-*); the syntactical parallel to *paššinan* is emphasized by the inverted position of the verb. The final element is *-tan* (as against *-an*); I cannot but see in it the "prepositional" enclitic with the sense of "for (it)"; cf. especially the closing words of this sentence

*du-ru-pi-iw*<*-we*>*-tan* <sup>68</sup> (119) *e-ti-i-t*[a . . . "on account of (this) my trouble. . . ." The elliptical character of the protasis is apparent but scarcely surprising. "Let none occur, <but if any

<sup>67</sup> The precise function of such elements in subordinate clauses may furnish an interesting topic for future study.

<sup>68</sup> The tablet has perfectly clear *du-ru-pi-ip/w-* followed by what may be *tan* or perhaps *wə*. Since the passage deals with "my *d.*" and not "your *d.*," *durupip* is obviously impossible. We must either read *durupiwə* or, perhaps better, *durupiw*<*wə*>*tan*. The assumption of an omission at the end of the line is facilitated by the similarity of the two signs *wə* and *tan*; see also note 70.

should occur,> etc.” One wonders only whether the verb would have been *wəš*; it is not impossible that this verb signifies “happen to thee,”<sup>69</sup> so that “happen to me” might call for a different root.

The sequel is damaged in part, but the general sense cannot be in doubt. *ši-ni-e-w[ə- . . .] iw-ri-en-na* (120) “the two . . . lords” indicates that the preceding *dur-pi-iw<wa>-aš*<sup>70</sup> must be read so, meaning “our countries.” This is confirmed by the last sentence (123) *i-i-ri-i-in-iw-wa-aš-ša-a[an]*<sup>71</sup> (124) *ú-ru-uk-ku-un-na-ma-an* “our (mutual) assistance will be available,” followed by *an-nu-tan šu-e-ni-e-ta[n]*<sup>72</sup> where the *-tan* is especially noteworthy.<sup>73</sup>

**35.** If the above interpretation of the whole passage is correct, it would follow that it is the function—or one of the functions—of the *-ewə* and *-lewə* forms to express imperfective and subjunctive aspects. In the passage under discussion these forms occur with intransitives, but it was indicated above that *-lewə* is not uncommon with transitives. As for the *i*-form, we have observed it twice with the transitive verb *paš*; it was used to mark the “resultative,” a contingent aspect in the sequence of tenses. These observations are now to be checked for other passages.

**36.** A good test is furnished by the verb *hill* “bring word, in-

<sup>69</sup> This meaning would suit also II 33.

<sup>70</sup> Here Friedrich does not hesitate to assume a missing *-wa-*; cf. note 68 for a similar assumption. Instead of Friedrich's *dur-pi-iw<wa>-an* I read *dur-pi-iw<wa>-a[š]* with Knudtzon, since the context requires “our countries”; cf. “our *i*” in line 123.

This may be an appropriate place to review the known possessive suffixes which are found with the Hurrian noun:

singular		plural
1 p.	<i>-iwwə</i>	<i>-iwwaš</i>
2 p.	<i>-p</i>	- -
3 p.	<i>-ī</i>	<i>-aš(e)</i>

The singular suffixes have been known for a long time. For *-iwwaš* cf. note 28. For *-aš(e)* see, e. g., § 21, note 39, and the Ras Shamra vocabulary IV 21.

<sup>71</sup> See above, note 49.

<sup>72</sup> I can see no reason for supplementing *-t[a-an]*, with Friedrich. The beginning would suit either *ta* or *tan*, but *šu-e-ni-e-tan* III 108 is definitely in favor of *-tan*.

<sup>73</sup> See above for comment on *paššeti-tan*.

form," because it is found with *-lewə* in significant passages.<sup>74</sup> Let us first re-examine the passage IV 45 ff., which begins with

*še-e-ni-iw-we-en-na-a-an hi-il-lu-li-e-wə*

The basic idea is, of course, that "my brother" is addressing himself to Tushratta. We have some reason to suspect, however, that *-lewə* does not express the primary, indicative form, since we have indicatives with known individual endings for the present, preterite, and future. *-lewə* carries a special nuance; what is it in this case? The rest of the passage may furnish a clue. It goes on to say: "'As regards my messengers, they have been detained by you.' (46) No! <sup>75</sup> They have not been detained by me. (47) 'They are attending(?) to (*-tan; -ta*) the dowry of my brother's wife.'" Evidently, Tushratta is not parrying the accusation that he has been detaining Egyptian ambassadors, but is merely forestalling such an accusation. Hence the beginning of the passage is best rendered "My brother may say to me." The *lewə*-form does not reflect here the primary sense of the verb; the value appears to be periphrastic and shaded.<sup>76</sup>

37. IV 17-18 means accordingly: "(If) anyone <sup>77</sup> should communicate to my brother any . . . word [concerning me, (19) con-

<sup>74</sup> For *hill-i* cf. note 61.

<sup>75</sup> Cf. Fr. 28<sup>s</sup>; note the non-conjunctive force of *-mān*.

<sup>76</sup> Having set apart the *lewə*-forms within the Hurrian verbal system, we may now call attention to a striking correspondence in Urartean without any danger of begging the question. Urartean *-lē* is regarded as the formative of a special tense (at least in the third person sing. of transitive verbs, there being no other examples in *-lē*), which partakes of the nature of the present-future and the optative; cf. Friedrich, *Einf. ins Urart.* 7. It is worthy of notice that this form is especially prominent in subordinating clauses; cf. Goetze, *RHA* 22 194. In other words, we have here a "tense" with a special nuance, just as is the case with Hurrian *-lewə*. In view of the increasing number of demonstrable correspondences between Hurrian and Urartean (cf. Fr. 59 ff.), the parallelism between Hurrian *-lewə* and Urartean *-lē* can scarcely be ascribed to coincidence. Loss of intervocalic [w] and subsequent contraction in Urartean is admitted in Urart. *šāli*- "year" as against Hur. *šawala*; cf. note 29 and Fr. 60. The verbal formatives in question would present an identical phonetic development. Thus new light would be shed on the origin and nature of the Urartean form.

<sup>77</sup> The meaning of *awenne/a* as an indefinite pronoun is suggested by the context. The vocable occurs again in II 78, in a context that is unfortu-

cerning my country].” For IV 24 we get: “Again, (if) anyone should bring to me any <word> [(25) concerning my brother’s country].” Other forms in *-lewə* accord well with a periphrastic rendering. Cf. e. g., III 61 ff. “And now these (things) will be known by my brother, that (*-man* ?)<sup>78</sup> as (gifts) were sent by me in the past (*gipan-ušau-ššena*) to my brother, just so I would (continue to) send (gifts) to my brother.” Note that the fact of past gifts is expressed by the preterite passival form, whereas the contingent future bounties (the paragraph begins with a gentle reminder that Tushratta has been asking for his “fatherly present”) are mentioned in the first person *-tta-* of a verb in the *lewə*-form. Another interesting example is furnished by the passage II 53-55, which shows the sequence *a-i-i-n ur-du-li-e-wə—pi-su-uš-te-wə*, i. e., the combination of *-lewə* and *-ewə* that we find also, with the order reversed, in *wəš-ewə—uru-lewə* III 112, 115.

38. There are few forms in *-uši* in passages that are well preserved; some are followed by *-kk-* and are thus unsuitable for the present discussion owing to the uncertain function of *-kk-*.<sup>79</sup> The clearest passage is II 107 f.

*undu-mān šeni[ww]e-n pašš-u[ši Mane-n(n)-ān š[e]ni[wwu]-š*

(108) *pašš-uša*. The second part of this statement is clear: “and Mane by my brother was delegated.” It states the fact that Mane (in the stem-form followed by *-n*) was sent out by the pharaoh (logical subject in the agentive). But the first part is not so simple. The logical subject is now in the grammatical subject-case, there is no object, and the verb ends in *-i*. Neither the basic significance of the verb nor the actor concerned has changed; what is left is a

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nately obscure. A related form (perhaps adverbial) may be contained in *aweš-* II 92, III 3, but neither passage is clear enough to allow a check of this suggestion. The matter is further complicated by the Nuzi names with *Aweš-* (*-kipa, -naya, -duni*) which may or may not have the same element. Under the circumstances, reference to Urart. *a-i-ni-e-i* and *a-i-še-e-i* respectively (cf. Goetze, RHA 22 179 ff.) is suggestive but as yet inconclusive. At all events, the dual form (with [n] and [š] in both languages) is worthy of notice. The uncontracted forms of Urartean might be due to the heterogeneous character of the vowels; contrast the above note. For the present, however, the matter must be regarded as wholly speculative.

<sup>78</sup> Once again we find *-man* in a context where “but” is hardly in order.

<sup>79</sup> Cf. note 61.



possible change in aspect. Since the fact is stated in the second half of the sentence, the first half must indicate some preliminary step: "was going to send," or the like. I 50, 65 will have to be translated analogously, although the contexts are fragmentary, as is the passage containing *anzannuh-uši* I 18, perhaps "[whenever] (the pharaoh's ancestors) would ask (for help, Hurri came to assistance in a friendly manner)."

39. Now the same ending occurs with intransitives, as shown by *pis-and-uši-ttān* IV 9. The context shows that reference is made here to the past (*ḥašušau-n* is in apposition). But the past tense of this verb is found elsewhere as *pī-su-uš-ta* II 62 "I rejoiced" or "it was a joy to me." Cf. also *itt-ušta(mān)* I 90, III 2, 11 (third person). We suspect, therefore, the same imperfective connotation in *pisandušittan* that we find in transitive verbs with *-uši*. This suspicion is confirmed by the context. What follows is *aima-nin* (10) *šeniwwu-š anam tanušiwallanni*<sup>80</sup> "I would have rejoiced if my brother had not done so."

40. The transitive forms in *-i*, which I would regard tentatively as "resultative,"<sup>81</sup> seem to have at least one analogue among the intransitives. I am referring to the ending *-tin*, which designates the third person in *itti-tin* III 23, *tihani-tin* III 24, + *ān* III 27, *petešti-tin* III 28; *pisantišt-tin(n)-ān* IV 44 may be either third person "it . . . a joy to me," or first person "I . . . rejoice." All these forms occur in association with the future tense (*un-etta* III 21, *ḥašili* IV 43), or the optative (*tuppulain* III 27). Now the intransitives have normal future and optative forms; in addition to the above instances from *un* and *tupp* we need mention only *tihanulletta* III 22, *ittain(n)-ān* IV 53, and *širen(n)-ān* III 34; with short *-an* and simple preceding *-n-* (if any significance attaches to this spelling, as is quite possible) we have instances like *wəšainan* III 33 and *peteštainan* III 34.

41. Closer examination will show that in all the examples in question the verb with *-tin* follows another verb in a "finite" form.

<sup>80</sup> *tanušiwallanni* has to be analyzed as *\*tanuša-wallanni* (cf. note 62) on account of the preceding agentive. In that case, however, the subordinating function of *aimanin* has to be reflected in the suffix *-anni*; I have no explanation for the behavior of this suffix.

<sup>81</sup> This cannot have been the only function of this suffix; cf. *katikki* and *ḥilli*, note 61.

A rendering with "so that . . ." proves suitable, as, e. g., IV 43-4 "let me hear so that I may rejoice." But we cannot expect to determine finer shades of meaning at the present stage of the study. The important thing is that *-tin* occupies a medial or final position in the tense sequence and that it seems to designate a function which is not covered by the future and optative formatives.

**42.** To sum up the evidence concerning forms which I have called imperfective (to differentiate them from "finite" forms), some are shared by transitives and intransitives while others seem to be peculiar (on present evidence) to one of the two groups. The distribution is as follows:

transitives and intransitives: *-lewə, uši*

transitives only: *-i, -et-i*

intransitives only: *-ewə*

All of these forms take the subject-case and in all instances an "imperfective," indefinite, or conjunctive connotation gives consistent results.

**43.** Uncommon as may be the treatment of the transitives whereby they take a subject in the agentive in some cases and in the nominative in others, it is not restricted to Hurrian, none the less. The same syntactic dichotomy which enables a given transitive verb to figure as active or passive—the respective spheres being mutually exclusive—characterizes also some of the Caucasian languages and has penetrated the Indo-Iranian area.<sup>82</sup> In modern Georgian, e. g., the nominative is used with the present and its derivatives, the "agentive" with all other forms.<sup>83</sup> The situation in Hurrian appears to have been analogous but not strictly parallel. For we have reason to believe that Hurrian treated passively all its finite forms, i. e., the present, preterite, future, and optative (jussive); with the subject-case were construed indefinite or imperfective forms (like our subjunctives and conjunctives), including forms expressing contingency or consequence. Intransitives reflect the same differentiation of aspects, but their syntax is necessarily uniform in that the subject is in the "nominative" throughout.

**44.** Speakers of heterogeneous languages have found this type of dichotomy incompatible with their own linguistic habits. A

<sup>82</sup> Cf. A. Dirr, Einführung in das Studium der kaukasischen Sprachen (1928) 76.

<sup>83</sup> Ibid. 85.

logical explanation of the Caucasian verb has not been advanced so far. It is certainly not to be expected in the present state of our knowledge of Hurrian. The few observations which close this paper are not intended as an explanation. They may throw some light on the problem, or they may prove to have no bearing on it whatever.

Let us compare the three following passages:

- (a) *yalle-nin* <sup>1</sup>*Artatama-š* . . . *tiwena*<sup>MEŠ</sup> *tan-uša-ššena* . . . *išallān šukkannellaman paššiḫiwwə eman-am-ušau* (III 52 ff.)
- (b) *yalla-nin guru attaiwwu-š wewə etiwə tiwena*<sup>MEŠ</sup> *tan-uša-ššena antillān šukkanellaman paššiḫiwwə iša-š eman-am-ušau* (III 55 ff.)
- (c) *yalle-nin tiwena*<sup>MEŠ</sup> . . . *šeniwwu-š kad-uša-ššena ūria-ššena antillān eman-am-ḫa tan-ušau* (IV 30 ff.)

The intimate parallelism of all three passages is immediately apparent. The only real difference is in the respective (logical) subjects of the initial clauses:

- (a) "Indeed, what things were done by Artatama (my grandfather with regard to thy father)
- (b) "Again, what things were done indeed by my father with regard to thee "
- (c) "Indeed, what things (wishes) . . . were expressed as desired by my brother "

45. The translation of the concluding clauses depends on the meaning of *eman*. Parallel contexts in the Akkadian letters speak of "increase" (derivative forms of *ma'ādu*, *watāru* EA 19. 13, 35, 55, 64, 29. 66; 19. 33) or of "making ten-fold" in conjunction with the above verbs, or with others: 19. 69; 27. 12, 39; 29. 11, 129). The Hurrian for "increase, multiply" is probably *supia-mašt-en* III 72, 88, where the causative form (with *-ma-*)<sup>84</sup> would correspond to Akk. *šum'udu*. *eman-* commends itself as the numeral "ten" on independent grounds. Like Hurrian *šin* "two" *eman-*

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<sup>84</sup> The clearest example of the "causative" function of this *-ma-* is furnished by *šeniwwuēni-š ašti-š šeniwwəta tiḫanulu-ma-ššeni* "brought (?) to my brother by my brother's wife" II 7-8, where the intransitive *tiḫan-* appears as a transitive signaled by the agentive *-š*; since *-ul-* cannot be the causative element in this instance (cf. *mannul-* II 122, and see above, §§ 19 ff.), *-ma-* alone is evidently responsible for the change.

takes the formative *-am*; cf. the examples cited above with Nuzi *šin-am-u* AASOR 16 133 “apprentice ?,” *šin-am-umma epēšu* HSS V 30. 28, 32 (cf. AASOR 16 118) “to duplicate,” and EA *šin-am-ti* 60. 25. Moreover, Nuzi *ema(n)-d-uḫlu* (Gordon *Orientalia* N. S. 7. 53) recalls Nuzi *ga 1 10* (HSS V 77) “decurion.”

The translation of the above second clauses would be accordingly:

- (a) “by me my shipments were made ten times over and above them (*šukkannellaman*),”<sup>85</sup> i. e., I multiplied my shipments ten-fold.
- (b) “Over and above those, my shipments were made ten-fold by me”
- (c) “Those were made by me ten-fold”

46. The significant point in these examples is that *eman-am-ušau* of (a) and (b) is synonymous with *eman-am-ḫa tan-ušau* of (c); a simple verbal form is replaced in the latter instance by a periphrastic combination with *tan* “do, make” as the auxiliary verb. Thus is suggested the possibility that the “finite” forms of the Hurrian verb were understood by the speakers in a periphrastic sense with an implied “do” as the auxiliary. Support for this suggestion is to be found in the frequent Nuzi combination of a Hurrian element in *-umma* (*\*-ummi/e + a*) + Akk. *epēšu*.<sup>86</sup> When the writers of the Nuzi documents desired a closer approximation

<sup>85</sup> Friedrich’s query whether *pašših-* might not stand for *pa-aš-ši-<it?>ḫi-* (Fr. 30) is made doubly doubtful by the two occurrences of the former (III 54, 57); the context rules it out altogether. As for *šukkannellaman*, this word parallels the *el ša* of the Akk. examples. Elsewhere *š.* seems to correspond not only to Akk. *el* and *ina muḫḫi* but also to the adjective *elū*; cf. II 84 “concerning the exalted word” and III 30 “heaven above(?)”.

<sup>86</sup> See now Gordon, *Orientalia* N. S. 7 51 ff. I cannot agree entirely with Gordon’s analysis of this construction. In the first place, I can find no Nuzi nouns in *-ummi* paralleling Hurrian “abstract nouns”; the two examples cited by Gordon (*ni-ra-ru-um-mi* HSS V 26 and *ši-bu-du-um-mi* JEN 360. 39) have nothing to do with Hurrian *-ummi* but are transparent Akk. nominatives followed by the particle of direct discourse. Nor is there sufficient proof for Bork’s assertion that Hurrian *-ummi/e* forms abstract nouns; *id-du-um-mi* I 93 is clearly an infinitive, as are *wa-əḫ-ru-um-me* and *[ta-a-ā]u-ka-a-ru-um-me* IV 112, 113, regardless of how we render these forms in modern Western idioms. Finally, there is a question whether the [a] of *-umma* is the Akk. accusative ending; it is just as likely that we have here the same Hurrian adverbial element which we see in our *emanamḫ-a*.

to a given native verb than they could find in Akkadian, they would get around the difficulty by employing the native root in combination with the Akkadian verb for "do." Cf., e. g., *šin-am-umma epēšu* "duplicate" (above) and *šin-at-umma epēšu* "repeat" AASOR 16, 118, both with Hurrian *šin* "two," *urp-umma epēšu* "slaughter,"<sup>87</sup> and the like. It would not matter whether the endings of the finite forms actually had the force of "I do, did, shall do," or whether that force was merely implied. The periphrastic concept seems to have been there.

47. If we are at all on the right track with this line of reasoning, what periphrastic element was understood with the imperfective verbs? Intransitives with a finite connotation are paraphrased in Nuzi by the same combination of *umma epēšu* which we have observed with transitives: *ewur-umma epēšu* "to become (be made) secondary heir,"<sup>88</sup> *birank-umma epēšu* "to flee (take flight),"<sup>89</sup> or the like. The answer would have to be sought in Hurrian texts and, specifically, in those forms which seem to have an imperfective connotation; in other words, forms in *-(l)ewə, -i, -et-i, -uš-i*.

We have enough examples of Hurrian intransitives to appreciate the unusual complexity of this group. By the side of direct intransitives like *una* "she comes," *ittain* "let him go," there are also "datival" intransitives of the type *pis* "to be a joy to X," and forms like *manni* "is." The latter verb differs from *un-a, šir-a* in the use of *-i* instead of *-a* to designate the third person. And it is *-i* that characterizes most of our non-finite forms, if not indeed all of them, since the syllabic orthography makes the final vowel of *-(l)ewə* appear ambiguous.

48. It is, therefore, a possible deduction, although one which is by no means established, that our imperfective forms were understood by the Hurrians as periphrastic, with an element indicative of the verb "to be" as an auxilliary. Just as "do" construes with the agentive and "be" with the subject-case, so would the forms with the suffixes appropriate to *tan* configurate with the agentive, while those with the characteristic *-i* of *manni*<sup>90</sup> would require the

<sup>87</sup> Cf. Oppenheim RHA 26 65 ff.

<sup>88</sup> See Speiser, JAOS 55 (1935) 436; Gordon's "chief heir" (op. cit. 22) is due to misquotation.

<sup>89</sup> AASOR 16 104.

<sup>90</sup> Note especially that *manni* is used in periphrastic construction (§§ 20-b, 21), just as is *tan* (above).

“nominative.” Nor would the question of connotation present a serious problem. For “do”-forms are calculated to designate facts, past, present, or future, while “be”-forms are not uncommon as indefinite elements. This purely hypothetical explanation is offered for what it may be worth. It has the merit of being suggestive and not inconsistent with the available evidence. I realize, however, that it is a far cry from a convincing demonstration.

49. The principal topic of the above paragraphs has been Hurrian grammar with special emphasis on morphology and syntax. As an incidental byproduct of this discussion we have had a number of lexical observations, more or less tentative, and several suggestions concerning the connection of Hurrian and Urartean. It remains now to sum up and index these results. A list of passages of the Mitanni Letter which have figured in the discussion will conclude this presentation.

50. Our basic argument concerns the passival construction of the finite forms of the Hurrian transitive verb. The *š*-case (pl. *-šuš*), which is found exclusively with those forms, marks accordingly the agentive postposition and does not represent the nominative or subject case (§ 25). The stem-form carries the grammatical subject and is thus the “nominative,” not the accusative. The ending *-n* is a deictic element and not a case ending (§ 24). Decisive in this connection is the fact that the subject of intransitive verbs is expressed by the stem-form, with or without *-n* (§ 23). Transitives and intransitives alike display a number of non-finite forms which are of the actor-action type (§§ 35 ff.).

The following details may be singled out:

-a adverbial ending n. 86 <sup>91</sup>	-ma- element w. causative force
3 p. sing. of intransitives 8 f.	n. 84
-aš(e) “their” n. 70	-mamman = ma + man n. 46
-ewə, -lewə 35 f.	-ne article n. 56
-i intr. suffix 11 ff.	possessive suffixes nn. 28, 70
w. non-finite transs. forms 27	-ri + -ni/e > -rre n. 56
-i- <i>kk</i> - w. transs.: -u- <i>kk</i> - w. intrr.	-ri + -lewə > -rrewə (?) n. 56
11 ff.	-š in pl. of intrr. 6
-iwwaš “ours” nn. 28, 70	-ša dimensional-locative suffix n.
-la + na > lla n. 29	29
-lla/e- nom. pl., not acc. 5	-tin w. intr. non-finite forms 40

<sup>91</sup> Unless preceded by n(ote), the figures refer to paragraphs.

## 51. Lexical

*ak* "guide, direct" 11, 29  
*awenne/a* "anyone" n. 77  
*aweš-* indef. adverb (?) n. 77  
*durupi* "need, trouble" 16, 33  
*eman* "ten" 45 f.  
*giraššena* . . . *šawallaša* = Akk.  
*ana dārāti* 9  
*hill* "bring word" 30  
*iri(n)* "aid" 21, 34  
*man(n)* "to be" 19 ff.  
*-nin* "indeed (?) 10, 20  
*šatti* "together" n. 52  
*šawalla* "years" 9

*šir* "to be like, accord with" 8  
*supiamašten* "shall increase" 45  
*šukk-* = Akk. *ina muḫḫi, el ša,*  
*elū* n. 85  
*tupp* "be strong, equal" 13, 34  
*ull-* (verb) "to change" 16  
*ulluhuggu-* "hostile (?) 16  
*ú-ur* "take place, be present"  
 15, 34  
*ú-ú-ur* "hold fast (in the heart),  
 desire" (not "accept") 14  
*-wə* > *hru* Akk. *ṭābu* n. 29  
*weš* "happen" 24

## 52. Hurrian and Urartean

Hurrian *ak*

*awenne/a*  
*aweš-*  
*man(n)*  
*-lewə*  
*ull*

: Urartean *agu* 36

*ainiei* (?) n. 77  
*aišei* (?) n. 77  
*manu* n. 50  
*-lē* n. 76  
*ul(u)* n. 43

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52 ff. . . . .	44 f.	125 . . . . .	n. 39

<sup>92</sup> All citations are from the Mitanni Letter.



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## THE SHIBBOLETH INCIDENT' (JUDGES 12:6)

E. A. SPEISER

Although the biblical term *šibbólet* has long been naturalized outside Hebrew in the sense of "criterion, catchword," the exact basis of this usage is far from clear. After more than two thousand years of interpretation the matter is still open. The postulates and queries set down by the medieval Hebrew commentators are reflected to this day in the most recent discussions on the subject.

The substance of the incident is plain enough. Some time in or close to the eleventh century B. C. a group of Ephraimites sought to escape a band of vengeful Gileadites by attempting to get across the Jordan back into Palestine. Halted at the fords the fugitives pretended to be natives of Gilead. They were betrayed, however, by their inability to pronounce a chosen test word in the proper Gileadite manner, with consequences that can hardly be called academic. The telltale element was the initial sound of the word *šibbólet*, which at that time probably had the form \**šubbult*<sup>u</sup>. The best that the Ephraimites could do was \**subbult*<sup>u</sup>, which was not good enough.

The test was thus a phonetic one, involving a dialectal difference. The dialect boundary was represented by the Jordan. That much is beyond dispute. It has also been assumed universally that the dialectal peculiarity in question set off the Ephraimites from other speakers of Hebrew, in Palestine and Transjordan alike, thus constituting an Ephraimite isogloss.<sup>a</sup> Ready to hand as such an assumption may be, it will scarcely bear closer investigation. What is more, it appears that this erroneous premise has been chiefly responsible for our failure to reconstruct the primary details of the shibboleth incident, even though the catchword itself has long since become proverbial. We have yet to learn how suspects were caught by the catchword. A review of the problem, therefore, may not be without interest.

The meaning of the test word is of minor importance. Elsewhere in the Old Testament it has the sense of "ear of corn"<sup>1</sup> or, less commonly, "flood, torrent."<sup>2</sup> In our passage it is taken in the former sense by such versions as the Greek Codex Vaticanus and Aquila,<sup>3</sup> as well as some modern scholars.<sup>4</sup> On the other hand, reference to flowing water is assumed by the medieval Hebrew commentators and a majority of the moderns, evidently because such an allusion would be more appropriate to the occasion.

The prevailing explanation of the phonetics involved operates with the contrast between *š* and *s*. The *š*-phoneme is said to have been pronounced by the Ephraimites as *s*, so that *šubbult*<sup>u</sup> became *subbult*<sup>u</sup>. But it is difficult to reconcile this view with the available facts. We have no knowledge of any West Semitic language that fails to include both *š* and *s* as

<sup>a</sup> [I. e., a linguistic phenomenon characteristic of a given area.—W. F. A.]

<sup>1</sup> Gen. 41: 5 ff.; Ruth 2: 2; Zach. 4: 12.

<sup>2</sup> Psalms 69: 3, 16; Isa. 27: 12.

<sup>3</sup> The usual Septuagint interpretation, however, is "password."

<sup>4</sup> Cf. Liebmann, ZAW 25 (1905) 161.

independent phonemes. The two may be opposed interdialectally, but neither is absent from any single relevant speech group. Now the account of the incident under discussion is explicit on this important point: The Ephraimites were not asked, "How do you call such-and-such a thing?" Instead they were challenged specifically, "say *šubbultu*." Even if inherited *š* had changed to *s* in their own dialect—and for this there is not the slightest independent indication—they surely would have used the required sound to save their necks. For it was not a sound unknown to them.<sup>5</sup>

Less commonly advanced is an attempted solution based on the premise that the Ephraimites employed the spirant *t* in place of the Gileadite *š*. On this assumption *šubbultu* would be the necessarily inadequate writing for a spoken *\*tubbultu*. This approach to the problem was foreshadowed by David Qimḥi (13th cent. A. D.).<sup>6</sup> It was developed by J. Marquart<sup>7</sup> and has been endorsed cautiously by Z. S. Harris.<sup>8</sup> Marquart's reasoning was as follows: The Aramaic correspondents of *šibboleṯ* are *šəbaltā* and *tublā*. This pair presupposes an original initial *t* which may yet turn up in Arabic. Accordingly, Proto-Semitic possessed a root *šbl* from which is derived the word meaning "ear of corn"; furthermore, another root *\*tbl* which yielded the Hebrew homonym of that form meaning "flood, torrent." By the time of Jephthah the Ephraimites had not yet lost the *t*-phoneme; that is why they said *\*tubbultu*.

There are three serious objections to this view. The first is etymological. The Aramaic variant with *t*- signifies "ear of corn" and not "flood."<sup>9</sup> The latter value can scarcely be separated from Arab. *sbl* "rain, flow," so that a sibilant is assured in the cognate forms of Canaanite and Aramaic. The second objection is chronological. Goetze has pointed out that there is no valid reason for dating the merging of *t* with *š* in Palestine later than in Phoenicia, where the process is attested at least as far back as the eleventh century.<sup>10</sup> This argues for an Ephraimite *š* from *t* in Jephthah's time. Thirdly, there is the question of plausibility which applies here no less than it does to the alleged mispronunciation of *š* as *s*. For even if we grant that the Ephraimites had retained the *t*-phoneme, there are no grounds for denying them the possession of the normal Canaanite sibilants. In other words, they were in a position to duplicate cheerfully the *šubbultu* of the Gileadite sentries.

Plainly, then, the current explanations of the shibboleth incident leave it with all the characteristics of a "tall story." And yet, the account as we have it bears the marks of authenticity. Something must be wrong, therefore, with the explanations of the episode rather than the recorded statement about it.

<sup>5</sup> To assume some peculiar differences in the pronunciation of the *š*-phoneme itself, as is done, e. g., by Budde, *Richter* 89, is to resort to speculation unrelieved by any semblance of fact.

<sup>6</sup> *Miqrā'ōth Gedōlōth*, ad loc.

<sup>7</sup> ZAW 8 (1888) 151 ff.

<sup>8</sup> *Development of the Canaanite Dialects* (1939) 64.

<sup>9</sup> Cf. Gesenius-Buhl, ad loc.

<sup>10</sup> *Language* 17 (1941) 168. [On the date of the oldest true Phoenician inscriptions see now *Studies in the History of Culture* (Leland Volume), 1942, pp. 34 ff.—W. F. A.]

In these circumstances it will not be amiss to approach the matter from a new angle. We know that the Ephraimites found unpronounceable the initial sound of the catchword as it was rendered by the Gileadites. Supposing now that in the Gilead dialect the phoneme under dispute was *t*, which was lacking in the Canaanite speech of Palestine, what would the result be? Much the same, no doubt, as the efforts of those to whom the English voiceless phoneme expressed by *th* (in *thing*) is foreign.<sup>11</sup> Even more to the point is the experience of non-Arab Moslems who try to reproduce the Arabic *t̤*. The best that the average Turk, Kurd, or Persian can achieve by way of pronouncing Arabic *t̤alit̤* is a mere [sa: lis]. The Ephraimites of the eleventh century B. C. who did not have the phoneme in their own speech must have been equally helpless. Their rendering of \**tubbult̤*<sup>u</sup> could result in little else than an inadequate *subbult̤*<sup>u</sup>. And that is precisely what the biblical text reflects.

All of this is as yet less than a working hypothesis. To make it work we have to account for the presence of *t̤* in the Gileadite form of *subbult̤*<sup>u</sup>. We have seen that etymological data point to an initial sibilant. It is a fact, however, that the Aramaic for "ear of corn" may have either initial *š* (*šbaltā*, *šubaltā*) or *t* (*tublā*). This points to a Proto-Semitic doublet with *t̤* (*tubbult̤*<sup>u</sup>) alongside the normal form with a sibilant. How such a doublet arose is beside the point.<sup>11a</sup> It may have been due to some analogic interference. At all events, its existence is definitely assured for Aramaic. Since it was present in one Northwest Semitic dialect it may well have been current in another, say, Gileadite.

At this point the objection might be raised that the argument thus far differs but little from Marquart's, and that we are still tracing the "ear of corn" whereas our concern is really with "flood." Quite so. But Marquart went astray in trying to separate the two spheres of meaning on an etymological basis. In reality, however, there is no reason for deriving the established homonyms for "ear of corn" and "flood" from two distinct roots. Arabic *sbl* may underlie both "hang down" (whence we get *sunbulat-*, *sabalat-* "ear of corn") and "rain, flow." The two ranges are thus easily linked semantically, which accords fully with their apparent etymological identity.

There is, therefore, no logical obstacle to the assumption of a Gileadite \**tubbult̤*<sup>u</sup> "flood" at the time of Jephthah. Neither is such an assumption inconsistent with the requirements of dialect chronology and geography. We have learned that the merging of *t̤* with *š* in Phoenician is established as earlier than the 11th century and that the corresponding process in Palestine need not have been later. But there is nothing to show that the same change had diffused beyond the Jordan and into

<sup>11</sup> In this connection it is interesting to note the statement of John Earle: "The *th*, with its twofold value, is the *shibboleth* of foreigners" (quoted in Webster's *New International Dictionary*).

<sup>11a</sup> [In view of the vast number of known loanwords in Semitic, it seems to me that the original stem began with *t̤* and that Aramaic *tublā*, etc., is thus genuinely Aramaic, whereas *šib(b)altā* and *šubbaltā* have been borrowed from Canaanite or Accadian. Arabic *sūnbulah* is in any event a loan from Aramaic, and so is presumably Arab. *sābalah* (from *šbaltā*). Original *t̤* is strongly suggested by the Canaanite cognate word for "tendrils, vine," preserved in New Egyptian as *sabir*, since original *t̤* appears regularly in Egyptian transcription of this age as *s*.—W. F. A.]

Gilead until a materially later date. Transjordan has frequently been characterized by cultural and political developments at variance with those in Palestine. The frontier status of Gilead at the time of our episode is best exemplified by the career of Jephthah himself. Still more suggestive from our standpoint is the fact that Gilead bordered on territory which has not given up the *t*-phoneme to this day, as Arabic clearly demonstrates. In the light of the foregoing remarks the absence of that phoneme from the dialect of Gilead in Jephthah's time would indeed be surprising.

One detail remains to be cleared up before our hypothesis may be allowed to proceed on its course. The posited *t*-phoneme is expressed in the text by *š*. A glance at the relevant evidence will show, however, that this is the only way in which that phoneme could have been expressed altogether. In the first place, inherited *t* became *š* in Canaanite and is thus represented regularly in Hebrew. Secondly, Accadian phonology furnishes a complete parallel in this instance. Lastly, where a distinction between original *t* and *š* is maintained orthographically, it is the spirant that is written invariably as *š*, whereas the sibilant may appear either as *š* or *s*.<sup>12</sup> This is true of Old Accadian, the Nuzi dialect, and Amarna. In short, *t* had to be written *š*. It could not be set down as *s* unless such a writing was meant to express an unsuccessful imitation of the required sound, which is exactly what happened.

To sum up, the *shibboleth* incident reveals a peculiarity of the Gileadite dialect at the time of Jephthah as contrasted with the Hebrew of Palestine. That peculiarity consisted in the retention of the phoneme *t* which the Hebrews of Palestine had lost and were unable to reproduce. The resulting misfortune might have affected speakers from Judea or Galilee just as painfully as it did strike the Ephraimites. The dialectal feature in question stemmed from the other side of the Jordan. The current interpretations of the incident suffer primarily from their location on the wrong side of the river.

In conclusion, may I be permitted a fictitious illustration, necessarily provincial, which is designed to show how easy it is to slip into errors of this kind. Let us assume that a particularly bitter sports contest had taken place at Ebbets Field, Brooklyn. A riot among the spectators ensued and the followers of the invading team from Manhattan had to take to their heels. But they were overtaken just as they were attempting to cross the Brooklyn Bridge. Their one chance of escape was to pretend that they were Brooklynites. But the local partisans were not to be fooled by such a ruse. "How do you say W-O-R-D?" The answer was [wɔrd]. It was a fatal mistake. The next day readers in England were treated to a description of the incident. They promptly concluded that it was a peculiarity of the Manhattan dialect to say [wɔrd], whereas Brooklyn and all the rest of the country said [wɔyɔd].

Such a result might well be viewed as self-evident. But that does not make it right.

<sup>12</sup> Cf. Speiser, JAOS 59 (1939) 187 ff.; Goetze, *Language* 14 (1938) 136 f.



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contraction or conservatism, Vṛtra, was greater than that of liberation and growth. Meanwhile besides the withheld Waters there was a Fashioner god, named Tvaṣṭṛ, who had created Heaven and Earth to be his house. Of those two was born a son Indra, who drank the soma that made him expand and be strong, and he forced apart Heaven and Earth filling the space between them and being, we may suppose, the informing power of the atmosphere. He split the covering within which lay the Waters, so that they came forth. They were impregnated and gave birth to the Sun, and themselves flowed into the atmospheric ocean. By this great deed Indra separated the Sat from the Asat, the Existent from the Non-existent. This was creation. Varuṇa now took over to organize everything and prescribe the laws by which it should operate. Finally, to support the gods, man was created.

The one flaw is that evil was not extinguished. Indra had slain Vṛtra, to be sure, and cast his corpse into the cold darkness below the earth (5. 32. 5-8; 8. 6. 17); he had put the whole Dāsa (= Dānava) color there (2. 12. 4). He had bound the Dāsa's friends and the Dasyus, and that too without even using a rope (*arajjau*, 2. 13. 9). There was no one left powerful enough to wreak vengeance upon him (5. 34. 4; 1. 32. 14), though in slaying Vṛtra he had committed a sin from

which the Waters cleansed him (1. 23. 22). But not all the wicked were destroyed. There remained demons (*rakṣasas*), who lurk in that fell place below the earth by day, but at night emerge to ensnare men, especially those who by sinning have put bonds on themselves and cannot escape. It is the Vedic man's constant dread that these foul and pitiless creatures may catch him, and he uses countless charms, especially in the Atharva Veda, to protect himself. Above all does he invoke Indra, Agni, and Soma, who in the past have conquered the demons with their might and their burning power. And he beseeches Varuṇa and the other Ādityas, the sons of Aditi, that is, of Release, to undo the bonds that he has put on himself, through sin, conscious or inadvertent. He does not want to go to that place where the wicked man is to be bound, at the farthest extremity of the earth (*paramasyām pṛthivyām*, MS 1. 27; cf. RV 7. 104. 11). Good was triumphant, therefore, but not unrivalled.

It was just as well, from the gods' point of view. If they had completely annihilated evil, man would not have had any incentive to serve them, and then they would have perished for lack of the daily sacrifices. Especially would Indra, this demiurge, have lost his soma, the drink which he won as his own for all time (3. 36. 8), the source of all his strength.

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## AN INTRUSIVE HURRO-HITTITE MYTH

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ANCIENT Western Asia comprised many distinct political units. Its peoples spoke a variety of languages. Yet the region as a whole was linked together by underlying cultural ties, not alone ties of material culture but of common scientific, legal, literary, and religious concepts.<sup>1</sup> The chief unifying element was a homogeneous script, the cuneiform. Its spread was followed invariably by a parallel diffusion of ideas. The expansion of the cuneiform system of writing is reflected, e. g., by the appearance of the Sumerian Epic of Gilgamesh

in Akkadian, Hurrian, and Hittite adaptations. The fact that at each of these stages there were formidable linguistic barriers to overcome was evidently no deterrent to a process of intensive acculturation.

The westernmost limit of this expansion, as witnessed by cuneiform sources, is the Hittite territory. In some instances we are in a position to retrace the several successive steps back to the original Sumerian focus. When the evidence of the respective secondary sources is sufficiently clear it may even be possible to reconstruct the Sumerian core where a direct record has been denied to us by accidents of discovery.

<sup>1</sup> Cf. my essay in the Leland Volume (*Studies in the History of Culture*, 1942) 51-62.

A case in point is a Hittite text dealing with the changing fortunes of certain principal deities. We know this text so far only from a transliteration by Forrer who informs us that the 46 lines which he gives are but a small fragment of the original composition. The rest is reported to be in a hopeless condition. Nevertheless, the transliterated part includes the beginning of the epic and is thus of especial significance.<sup>2</sup> Forrer's own translation has been checked and corrected by H. G. Güterbock, so that we now have a reliable preliminary study pending the publication of an autograph copy.<sup>3</sup>

Briefly, the contents of the available portion are as follows: Long ago the god Alalu was king in heaven and Anu was his vizier. After nine years Anu turned on Alalu and drove him into the dark earth, himself becoming king in heaven with Kumarwe<sup>4</sup> as the new vizier. After another period of nine years Kumarwe rebels against Anu in order to avenge the death of Alalu. Anu seeks refuge in heaven but is overtaken by Kumarwe and brought down. In the ensuing struggle Kumarwe swallows Anu's 'manhood.' But this deed is followed by Anu's sobering announcement that the swallowed member is a seed which will result in pregnancy. With this portentous prophecy Anu flees to heaven. Kumarwe succeeds, it appears, in ejecting that which he had swallowed. Thereupon he proceeds to the city of Nippur. In course of time the earth brings forth two sons, perhaps in indirect fulfillment of Anu's warning.<sup>5</sup>

So much for a summary of the contents. It is immediately apparent that there is nothing Hittite about this account save the language in which it is told. The tale was not drawn from native Hittite tradition.<sup>6</sup> The first two deities, Alalu and Anu, are Sumerian in origin.<sup>7</sup> The third deity, Ku-

marwe, is Hurrian and independently attested as 'father of the gods.'<sup>8</sup> It is this fact, no doubt, which has prompted Forrer to regard the whole epic as basically Hurrian although he recognizes in its points of contact with Babylonia. Nor does Forrer miss the opportunity to emphasize the striking similarity between this theogonic myth and Greek mythology, where Uranus is attacked and dethroned by Cronus, just as Anu, likewise god of heaven, is attacked and dethroned by Kumarwe.<sup>9</sup>

Güterbock, too, recognizes in the Kumarwe epic connections with Greek and Mesopotamian mythology. He differs, however, from Forrer on two significant points. First, he opposes Forrer's assertion that this epic is but a reflection of historic events on earth rather than mythology pure and simple. And second, Güterbock would derive the contents from Mesopotamia, unlike Forrer who looks to the Hurrians for the primary source.<sup>10</sup>

This criticism of Forrer's interpretation is fully justified. But the matter cannot be dismissed with a few general remarks, as is done by Güterbock. To be sure, it would be premature to attempt at this time a comprehensive statement on the subject. This would involve a thorough re-examination of the Sumerian and Akkadian cosmogonic sources, a task which had best await the publication of Kramer's extensive new material. It will not be amiss, however, to bring out several pertinent facts and add a few observations which combine to point even now to a tentative appraisal of the situation.

We know that both Alalu and Anu belong ultimately to the Sumerian pantheon.<sup>11</sup> It is noteworthy that an Akkadian text speaks of Alalu as the father of Anu,<sup>12</sup> the sequence of the two being the same as in the Kumarwe epic. What is more,

<sup>8</sup> Cf. Götze, loc. cit. note 11.

<sup>9</sup> *Mél. Cumont* 710.

<sup>10</sup> *Ibid.* 705. Forrer asserts that the Babylonian counterpart of Kumarwe was Adad (*ibid.* 703). This is gratuitous speculation. The storm god Adad can be compared only with the Hurrian storm god Teshob whose dominant position in the native tradition of the Hurrians is attested by a wealth of evidence. Cf. e.g. the Hurrian text *KUB* 27.46 and the Hurrian Epic of the Storm God of Kummiya cited by Forrer, *Mél. Cumont* 700-1, the god in question being Teshob; for *Kummiya: Kummanni* see Goetze, *Kizzuwatna* 5 n. 21 and for Teshob of Kummanni cf. the Hurrian text from Mâri, *RA* 36 No. 1.34 and Goetze, op. cit. note 22. It would be strange indeed if both Kumarwe and Teshob were storm gods and also successive rulers of the Hurrian pantheon.

<sup>11</sup> Cf. *ZA* 44.93.

<sup>12</sup> Cf. K. Tallqvist, *Akkadische Götterepitheta* 250.

<sup>2</sup> E. O. Forrer, *Eine Geschichte des Götterkönigtums aus dem Hatti-Reiche*, *Mélanges Franz Cumont* 687-713 (1936); hereafter abbr. *Mél. Cumont*. The text is listed as Bo 2388.

<sup>3</sup> *ZA* 44 (1938) 90-3.

<sup>4</sup> I normalize as *w* the phoneme which the syllabic texts write with *w* or *b*-signs and the alphabetic texts (from Ras Shamra) with the symbol for *b*; cf. *Introduction to Hurrian* (abbr. *IHu*) xxix, 109. The underlying sound was probably [v].

<sup>5</sup> Cf. *ZA* 44.93.

<sup>6</sup> For native Hittite historical tradition see *ibid.* 93-145.

<sup>7</sup> *Ibid.* 93. The form *Alalu* is apparently Akkadianized from Sumerian *Alala* (see below, note 12). The name is not to be confused with *Allani* (Götze, *Kleinasien* 125) which is Hurrian and originally an appellative 'the Lady'; cf. *IHu* 56.

after his defeat at the hand of Kumarwe Anu withdraws to heaven, his own special domain according to all the sources. Alalu, after his dethronement, goes down into the earth; evidently he was a chthonic deity. Now it is very instructive that Kumarwe retreats to Nippur, the spiritual capital of Sumer. The chief god of Nippur, however, was Enlil, the successor of Anu in Mesopotamian mythology. Accordingly, there can be no doubt that in the epic before us Kumarwe is essentially a substitute for Enlil. This is an unavoidable conclusion as regards a god who supplanted Anu and proceeded to rule from Nippur. As the head of the Hurrian pantheon Kumarwe is made to replace his Sumerian counterpart Enlil in what is a Hurrian adaptation of a Sumerian myth.

But the Kumarwe epic contains more than a mere sequence of three successive rulers in heaven. It furnishes also the motive for Kumarwe's fight with Anu. That motive is revenge for the wrong done by Anu to Alalu. It follows that if the Kumarwe story as we have it was derived from Mesopotamian sources, we may expect to find in the same sources the motif of an avenging god who attained the highest place in the pantheon.

This premise leads us first to the Babylonian Epic of Creation. There the principal theme is the elevation of Marduk to command over all the gods following his conquest of the monster Tiamat. It has long been realized that the Marduk epic, for all its local coloring and probable elaboration by the Babylonian theologians, reflects in substance older Sumerian material. The exact Sumerian prototype, however, has not turned up so far. Nor is that to be expected. For Marduk embodies in his person more than one figure of the Sumerian pantheon. As chief of the gods he parallels Enlil with whom he shares also other attributes.<sup>13</sup> But as the conqueror of a primeval monster Marduk must be equated with Ninurta, Enlil's heroic son. It was Ninurta who triumphed over monsters thus avenging his father Enlil and enabling him to conquer and depose the malevolent Anu.<sup>14</sup> Marduk is,

<sup>13</sup> Compare e.g. the fifty names of Marduk with the number 50 which is symbolic of Enlil; see R. Labat, *Le poème babylonien de la création* 41-2.

<sup>14</sup> Ibid. 39. See also E. Ebeling, *Tod und Leben* No. 8. 13 (p. 39): 'It was on the 24th day [error for 27th?] that the king raised the crown and Bel cut off Anu's neck.' This is an important allusion to a fight between Enlil and Anu. For the connection between Ninurta and

accordingly, a composite being combining the qualities and prerogatives of Enlil as well as Ninurta.

Plausible as this reconstruction is, it has suffered hitherto from the circumstance that the necessary support had to be sought in scattered Akkadian sources. The posited Sumerian originals have been lacking. This lack has now been remedied in part by Kramer's recent work. By piecing together from forty-five texts, the majority of them still unpublished, a practically complete Sumerian Epic of Ninurta consisting of approximately six hundred and forty lines, he has obtained a full account of the feats and exploits of that important deity. According to this account Ninurta's first great feat was his conquest and destruction of the monster called Kur. Dr. Kramer has suggested the equation of Kur with Tiamat.<sup>15</sup> In view of the established relationship between Marduk and Ninurta this further identification of their respective victims, Tiamat and Kur, may be regarded as practically certain.

What we still lack is a Sumerian version of Enlil's quarrel with Anu. That such a version did exist may be gathered, among other indications, from the fact that the transfer of supreme authority from Anu to Enlil is amply attested. Without the premise of a quarrel between the two we should have no explanation for the replacement of Anu by Enlil.<sup>16</sup> Time may tell whether this particular account is buried in a drawer or packing case of some museum, or is still underground.

To return now to the Kumarwe epic, its Sumerian-Akkadian antecedents have been made more apparent as a result of the foregoing brief review.<sup>17</sup>

Marduk see *ibid.* p. 29, and for Ninurta as avenger of his father cf. *ibid.* No. 7 (= *KAR* 307) rev. 22.

<sup>15</sup> S. N. Kramer, Sumerian literature: A preliminary survey of the oldest literature in the world, *Proceedings of the American Philosophical Society* 85.3. 321. [Add now *id.*, *The Slaying of the Dragon, The General Magazine of the University of Pennsylvania* 44 (1942) 358-64.] This puts in a new light Ninurta's intimate association with the *E-kur* 'Temple of Kur' in Nippur (see Tallqvist, *Akkadische Götterepitheta* 423). For the name of that temple can scarcely mean merely 'House of the Earth,' but must represent instead 'The House of (the primeval being) Kur.' Significantly enough, Ninurta is called 'child of Ekur,' and 'first son of Ekur' (Tallqvist, *loc. cit.*). Cf. also Ebeling, *Tod und Leben* 31.

<sup>16</sup> See above, note 14.

<sup>17</sup> The sequence Anu-Alalu-Enlil recurs also in the Hittite treaties, cf. *Mél. Cumont* 699. In two instances (see *ibid.*) Kumarwe is interposed between Alalu and



Whether as an avenging god or as the opponent of Anu, the hero of the epic is no longer without manifest Mesopotamian analogues. Like Marduk, Kumarwe appears to share some attributes with Enlil and others with Ninurta. It is plain, however, that Kumarwe is not a Hurrian reflex of Marduk.<sup>18</sup> Whereas the Babylonian god rises to fame on the strength of his contest with the monster, the hero of the Hurro-Hittite version attains authority by his successful struggle with Anu.<sup>19</sup> We are thus forced to conclude that the Hurrian redactor did not know the Babylonian account. He seems to have drawn his material from some older source, perhaps the same one that was utilized also for the Marduk epic.

This view of the relative antiquity of the Hurrian material is supported by independent indications. The original impact of the Mesopotamian culture on the Hurrian is at least as early as the adoption by the Hurrians of the cuneiform system of writing. It has been shown by more than one investigator that this event took place before the Old Babylonian age which featured the elevation of Marduk. It was probably nearer the time of the Sargonid Dynasty of Akkad.<sup>20</sup> We know, moreover, that Sargonid kings played an important part in the historic tradition of the Hurrians,<sup>21</sup> which con-

Anu, with Enlil placed again after Anu. This introduction of Kumarwe plainly owes its origin to the influence of the Kumarwe epic in which the hero is a substitute for Enlil. It was felt that Kumarwe belonged to that series. That we are dealing here with a gloss is proved, however, by the listing of Kumarwe before Anu and the failure to omit Enlil altogether.

<sup>18</sup> The portion of the Kumarwe epic now available does not permit us to judge whether we have here any motifs that were added by the Hurrians themselves. It might seem at first glance that the birth of the river Aranzah and the god Tashmishu, which Anu foretells as the result of Kumarwe's impregnation (*Mél. Cumont* 694, lines 32-4), is an original Hurrian detail. However, we know that the Tigris is called 'the right eye(s) of Tiamat' (*KAR* 307 rev. 3). Now Aranzah is the Hurrian equivalent for the Tigris, cf. *ZA* 44. 84 note 1. The conqueror of the primeval monster was thus brought into indirect relation with the Tigris in the Mesopotamian sources and the connection between Kumarwe and Aranzah, therefore, may derive from the same background.

<sup>19</sup> For Enlil's (i. e. Bel's) struggle with Anu cf. note 14. The difference between the two references is this: in the Hurrian account Kumarwe deprives his opponent of his 'manhood' whereas the Akkadian text makes Enlil cut off Anu's head. It is possible that these differences in detail reflect an original Hurrian modification.

<sup>20</sup> Cf. *IHu* 13.

<sup>21</sup> Güterbock, *ZA* 44. 45 ff.

stitutes additional evidence of Hurrian indebtedness to Mesopotamia dating back well into the third millennium. In other words, the formulation of the Kumarwe epic in the latter half of the third millennium is a definite probability.

There is one final detail which may have a bearing on our problem. In two temple texts from Nuzi we have lists of deities introduced by a god Kurwe who is followed by Kumurwe, a dialectal variant of Kumarwe.<sup>22</sup> This Kurwe is otherwise wholly unknown. Yet his place ahead of Kumarwe is at least evidence of seniority. Does the name conceal some better known figure? If it is borne in mind that the form *Kumarwe* is grammatically a genitive with adjectival force,<sup>23</sup> a like analysis of the form *Kurwe* will readily suggest itself. The same formation is found also with other names of Hurrian gods.<sup>24</sup> Now *Kurwe*, stripped of its final element, yields *Kur*. This in turn is scarcely anything else than the name of the antagonist whom Ninurta conquered according to the Sumerian account of his exploits. The pair Kurwe: Kumurwe would thus parallel the Sumerian combination of Kur: Ninurta; and this yields an added tie between the Hurrian Kumarwe and the Mesopotamian hero.

To sum up, the extant portion of the Kumarwe epic which gives us the histories of Alalu, Anu, and at length Kumarwe himself, represents a Hittite translation or adaptation from the Hurrian. The Hurrian material in turn was not a product of native tradition. Except for possible local modifications in detail<sup>25</sup> the Kumarwe epic rests on a Mesopotamian prototype. The original version

<sup>22</sup> *AASOR* 16. 47, 48.

<sup>23</sup> *IHu* 200; cf. *Mél. Cumont* 702.

<sup>24</sup> Cf. also *Nawarwe* (*Nabarbi*) and most recently *brhb* (Ugarit)/*Ḫirihbi* (?), Goetze, *JBL* 60. 359.

<sup>25</sup> See above, note 19. It goes without saying that the cultural dependence of the Hurrians upon Mesopotamia in some respects, does not preclude complete independence in others. Much of the Hurrian religious material preserved in Boghazköi, in so far as it is intelligible to us, appears to rest upon native Hurrian tradition. There is even a hint of a native historic tradition in the only historic Hurrian text of any consequence known to us so far. The account of universal kings preserved in *KUB* 27. 38. 4. 8 ff. may owe its form to the Sumerian king lists. But it is entirely independent of these in so far as the contents are concerned. The successive transfers of political power from Elam to Turkish, and thence to the Hurrians, Akkadians, and Hittites respectively, as indicated in this text, embrace a wider area than is covered by the king lists. The latter are provincial by comparison.

agreed with the Babylonian account of creation in that it endowed the central figure with the composite characteristics of Enlil and Ninurta. It antedates that version, however, and has to be sought, therefore, in Old Akkadian sources if not in the antecedent Sumerian material, the ultimate starting point of this whole theogonic cycle. The significance of the central myth is due to its connected portrayal of divine generations. Its vitality is attested by the extent of its diffusion from the

shores of the Persian Gulf to the heart of Anatolia, the process involving no less than four dissimilar languages and as many individual ethnic and cultural groups. We cannot follow its course with confidence beyond the limit of expansion of the cuneiform script. But the inherent strength which the established diffusion of this myth betrays lends color to the probability that it did not stop with the Hittites but eventually found its way to Greece and thereby entered the orbit of another civilization.

## THE ARMENIAN AORIST

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[The Armenian aorists *etu* 'I gave' (IE root \**dō*) and *eti* 'I put' (IE root \**dhē*) cannot be identified with Vedic *ádām*, *ádhām* because Armenian always drops the final syllable of IE forms; but they may correspond exactly to the Old Church Slavic aorists *dachŭ*, *děchŭ*, from IE \**dōsom*, \**dhēsom* (sigmatic aorist). The same ending \*-*som* for the 1st person is found in Albanian *ðaše* 'I gave' (\**dāsom*), *paše* 'I saw,' *thaše* 'I said,' etc., as well as in Avestan and in Vedic *ádhāsam* (\**édhēsom*), *áyāsam*, *áprākṣam*, etc., where -*am* is IE \*-*om*, not \*-*m*. Most of the other persons of the Armenian aorist may also be well explained by an ancient sigmatic type.]

No SATISFACTORY explanation of the Armenian aorists 1st pers. *edi* 'I put' (3 pers. *ed* 'he put') from *dnem* 'I put' (Gr. *τίθημι*, etc.); *etu* 'I gave' (3rd pers. *et* 'he gave') from *tam* 'I give' (Gr. *τίδωμι*, etc.) has been found until now.<sup>1</sup> In effect, the third persons *ed*, *et* are quite regular: as Armenian loses all final Indo-European syllables, except of course in monosyllabic words (Meillet, *Esq.*<sup>2</sup> 19, 55 ff.), so *ed* exactly corresponds to Vedic *ádāt* and *et* to *ádāt*; but, as Meillet correctly notes (133), *edu* cannot = Vedic *ádām*, nor can *edi* = Vedic *ádhām*, for the Vedic words have here

the same number of syllables as the Armenian ones. I think an easy solution of the problem can be found if we compare the corresponding Old Slavic forms of the same two verbs (cf. Leskien, *Gramm. der altbulg. Spr.* 3<sup>3</sup> 246, 257, 260; Meillet, *Le slave commun*, 211, § 269; 274 ff., §§ 347 ff.):

1st. pers. sing. *děchŭ* (inf. *děti*) 'I put' = \**dhēsom*;  
3rd. pers. sing. *dě* 'he put' = \**dhēt*;  
1st. pers. sing. *dachŭ* (inf. *dati*) 'I gave' = \**dōsom*;  
3rd. pers. sing. *da* 'he gave' = \**dōt*.

These Slavic forms are characterized by the opposition of a 1st pers. sing. formed on the 'sigmatic' type and a 3rd sing. formed on the 'athematic' aorist type. The same type has existed perhaps in Indo-Aryan, Iranian<sup>2</sup> and Albanian:<sup>3</sup> in any

<sup>2</sup> See, for the latter, Reichelt, *Awestisches Elementarbuch* 121 f., 143; Brugmann, *Grundriss*<sup>2</sup> 2. 3. 421; Meillet, *Mélanges De Saussure* 88 (also for Vedic). I may cite 1st sing. Avest. *aiwi-vīšəm*, Old Persian *niy-apišam*; 2nd sing. Avest. *dāiš*, *varəš-čā*, 3rd sing. *dārəst*, *dōrəst*, *sas*. The endings seem to be the same as in the Vedic, Slav and Armenian type (sing.): 1st -*som*, 2nd -*s(s)*, 3rd -*s(t)*. Iranian therefore also seems to favor a sigmatic type for the 2nd and 3rd sing.

<sup>3</sup> Also Albanian *ðaše* 'I gave' is = \**dāsom* (*a* = Indo-Eur. \**a*); cf. G. Meyer, *Festschrift Hertz* 87, 91 ff.; Brugmann, *Grundriss*<sup>2</sup> 2. 3. 404, 409; Pekmezi, *Grammatik der albanesischen Sprache* 52, 26. What final *e* in general represents in Albanian is not always clear, cf. Brugmann, *Grundriss*<sup>2</sup> 1. 908; it appears also in the other sigmatic aorists: *paše* 'I saw,' *vaše* 'I let,' *paše* 'I had,' *thaše* 'I said,' etc. (cf. Brugmann 2. 3. 404, § 320). But in *KZ* 34. 283 ff. (1897), Pedersen has demonstrated that Albanian possesses neuter nouns, whose nom. sing. usually ends in -*e*, evidently = Indo-European \*-*om*:

<sup>1</sup> Cf. Meillet, *Esquisse d'une grammaire comparée de l'arménien classique*<sup>2</sup>, 55 ff., 122 f., 132 f. (Vienna, 1936; he does not even attempt any explanation of *edi*); Bugge *KZ* 32. 75 (1893); *edi*, *edin*; *etu*, *etun* verdanken ihr *u* nichtaugmentierten nebenformen \**dī*, \**din*; *tu*, *tun*); Bartholomae, *Studien*, 2. 37 note; Pedersen, *KZ* 38. 212 f. (1905); he constructs impossible forms like \**edōa* and \**edhēa*).



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Ancient Mesopotamia and the Beginnings of Science

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# ANCIENT MESOPOTAMIA AND THE BEGINNINGS OF SCIENCE

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LATEST advances in the study of comparative archeology bring out with added emphasis the traditional view that the oldest historic civilizations evolved in Egypt and Mesopotamia. We know also that intellectual and social progress in these two centers kept pace with material developments. The question of relative priority is often injected into discussions on this subject. For the present, at least, such a question is not capable of a satisfactory solution. It is doubtful, moreover, whether an answer can be expected at all, in view of the dynamic character of both civilizations and the consequent rapid diffusion of vital innovations and inventions. There are, however, certain characteristic aspects of progress in the two respective centers which stand out by contrast, and it is to one particular group of such contrasted characteristics that I wish to address myself here. I am referring to progress in science.

The following remarks will embody four main propositions: (1) Available evidence points to Mesopotamia as the oldest known center of scientific observation permanently recorded. (2) Whatever its immediate objectives, this activity comes to include such widely separated fields as education and language study, jurisprudence and the mathematical and natural sciences. (3) The numerous elements in this broad advance are basically interrelated. The common underlying factor to which the initial impetus can be traced is a concept of society whereby the powers of the state are restricted and the rights of the individual receive a corresponding emphasis. (4) It is significant that under

the opposed social system of totalitarian Egypt early scientific development differed in scope as well as in degree; while notable in some special fields, such as medicine and engineering, it lacked the breadth and balance manifested in contemporary Mesopotamia.

It should be pointed out at the outset that the specifically scientific content of this account is negligible; furthermore, it is but incidental and wholly derivative. My main objective is to demonstrate that there were elements in the social structure of early Mesopotamia which tended to promote scientific progress. The results happen to constitute the first recorded evidence of scientific performance known to us to-day. To this extent we are justified in touching here upon the beginnings of science, including the natural sciences. But it should be stressed that this presentation is concerned not so much with the results as with the background: a combination of circumstances conducive to concerted scientific activity, rather than the subjects affected by that activity. The background gives us in this instance the essential starting point. It is thus more significant than the immediate achievement.

Our interest, then, will center on a particular cultural stage at which there were at work forces that led to extensive scientific developments; forces which provided the predisposition, so to speak, to these developments. Accordingly, we shall ignore such sporadic achievements of a still more remote age as the invention of the wheel, the introduction of the brick-mold, and perhaps the use of instruments in effecting accurate geo-

metric designs on very early forms of painted pottery. We may have here Mesopotamian inventions which were to play important parts in the eventual progress of engineering, architecture and perhaps geometry. But these inventions represent isolated contributions of discontinuous cultures which scarcely had any immediate bearing on scientific progress. We shall confine ourselves to subjects which had a common origin in a well-defined period and area; which involve from the start habits of observation, classification and analysis; and which enter then and there upon a continuous course of development.

The region to which our inquiry will take us is Lower Mesopotamia, the land of Ancient Sumer. More specifically, it is an area extending southwest from the environs of Babylon, past Uruk—the biblical Erech—and on along the Euphrates to the metropolis of Ur. The time is the middle of the fourth millennium B.C. This is not just a convenient round figure. It will allow a margin of scarcely more than a century or two, and in a total of well over five thousand years this is not a disproportionate margin of error. We are in a position to establish the time with such accuracy because it falls within a well-stratified cultural period marked off sharply by distinctive material remains. Soon thereafter there begin to appear inscribed records which tie up before long with concrete regnal years and provide thus a basis for absolute chronology.

We get our first inscribed documents from a level dated to about 3500 B.C., one of a long series of strata recovered from the remains of ancient Uruk. It is among these documents, written on clay, that we find a few which represent the earliest known scientific records. That similar records of still greater antiquity will ever turn up outside Mesopotamia is highly improbable. All available evidence points to the conclusion that the

scientific notations with which we are concerned were compiled in close association with the introduction of writing itself. To be sure, this evidence applies only to the script of Mesopotamia. But writing in all the other ancient centers of civilization is demonstrably later. In Egypt it was introduced some centuries after it had been evolved in Mesopotamia, and its first appearance in India was later still. As for the script of China, there is nothing to indicate that it was earlier than the second millennium B.C. It follows, therefore, that the scientific notations on our earliest Mesopotamian tablets constitute not only the first evidence of scientific activity in Sumer, but represent also the oldest recorded effort of this kind known from anywhere in the world. With this significant fact in mind we shall now turn briefly to the records themselves.

What is it that would justify the use of the term "scientific" as applied to a few of the oldest inscribed documents from Mesopotamia? The answer is bound up with the character and purpose of these special texts. Each of them contains lists of related entries. But these lists have nothing in common with the customary inventories of a strictly economic nature. They serve an intellectual rather than a material purpose. And yet, they are to enjoy a continuity and distribution which will set them off sharply from the usual run of business documents whose significance is at once temporary and local. The lists in question are destined to be copied and re-copied for many centuries and in more than one city and country. Actual examples of such copies, often modified and expanded, but still in a clear line of descent from the oldest prototypes, have been discovered in Mesopotamian sites of much later age, and even in foreign capitals like Elamite Susa. We have thus before us the beginning of a family of documents of a scholarly char-

acter which are notable for their continuity, distribution and purposeful adherence to an established tradition.<sup>1</sup>

In this recording of accumulating experience and the manifest applicability of such records to the needs of cultural centers separated by political, linguistic and chronological barriers we have the essential ingredients of scientific performance. Now what science or sciences did this activity embrace? We shall see presently that the primary purpose of the lists under discussion was to aid in the preservation of the knowledge of writing. Before long, philological studies become an added objective, owing largely to the composite ethnic and linguistic background of early historic Mesopotamia. But natural sciences, too, soon come in for their share of attention.

For regardless of the primary purpose of our lists, they happen to include quite early in their history groupings of birds, fish, domestic animals, plants, and the like. It is worth stressing that these compilations presuppose careful observation and imply organization and analysis of the accumulated data.<sup>2</sup> As an element in the cumulative tradition of the land the lists are subject to steady expansion and improvement. What is more, although these texts were calculated originally to serve purposes unrelated to their subject-matter, they led in course of time to the independent study of the subject-matter involved. The fields affected are zoology and botany, and later on geology and chemistry. The first recognition of all these subjects as so many separate fields of study may be traced back, therefore, to the earliest inscribed docu-

ments from Mesopotamia. Interestingly enough, that recognition was due ultimately to the fact that man had just discovered in writing a way to arrest time and was applying all his ingenuity to the task of keeping this discovery alive.

The subsequent progress of the individual sciences just mentioned has to be traced by specialists. We are concerned at present with the initial impetus alone and the time and circumstances in which that impetus was first received. A few details, however, may be brought out in passing. In the light of the foregoing remarks botanists will not be surprised to learn that many of the terms which they use to-day are found in Mesopotamian sources. These terms include "cassia" (cuneiform *kasû*), "chicory" (*kukru*), "cumin" (*kamûnu*), "crocus" (*kurkânû*), "hyssop" (*zûpu*), "myrrh" (*murru*), "nard" (*larû*), "saffron" (*azupirânîtu*), and probably many others. The zoological compilations which are accessible in cuneiform records contains hundreds of names systematically arranged and presented in two columns, the first giving the Sumerian term and the other its Akkadian equivalent.<sup>3</sup> The scholastic tradition in chemistry<sup>4</sup> results in such texts as the one which has come down to us from the second millennium B.C., wherein a formula for glazing pottery is preserved in the guise of a cryptogram so as to remain hidden from the uninitiated.<sup>5</sup> The importance of the natural sciences for the study of medicine is self-evident; it was not lost on Babylonian and Assyrian medicine.

So much for the indirect benefits derived from the lists under discussion.

<sup>1</sup> These facts are brought out clearly by A. Falkenstein, whose "Archaische Texte aus Uruk" (Berlin, 1936) is the basic work on the earliest documents from Mesopotamia; cf. especially pp. 43 ff.

<sup>2</sup> Careful observation is evidenced also by the accurate drawings of the early pictographs, particularly where exotic animals and specific plants were concerned.

<sup>3</sup> See Benno Landsberger (in cooperation with I. Krumbiegel), "Die Fauna des alten Mesopotamien" (Leipzig, 1934).

<sup>4</sup> On this subject cf. R. Campbell Thompson, "A Dictionary of Assyrian Chemistry and Geology" (Oxford, 1936).

<sup>5</sup> R. Campbell Thompson and C. J. Gadd, in "Iraq," III (1936), pp. 87 ff.

But the primary objective of these compilations was not allowed to suffer in the meantime. On the contrary, the direct results which were achieved with their aid led to an immensely fruitful advance in another field of intellectual progress.

It was stated above that our lists were intended as a means to preserve the newly attained knowledge of script. By the very nature of its origin in concrete pictographs early writing was an elaborate medium consisting of thousands of items. To each new prospective user it represented a code which could not be deciphered without a proper key. The lists were calculated to supply that key. They were analytical catalogues of signs arranged according to form. Inasmuch as each sign was at first a reflection of something specific in the material world, these catalogues were at the same time systematic groupings of related objects; hence their incidental value to the natural sciences, as we have just seen. The immediate purpose, however, of these arrangements was pedagogical; they are our oldest manuals for the discipline of education. As pictographs and ideograms gradually took on abstract phonetic values, the study of the script became linked perforce with the study of language. After the Semitic-speaking Akkadians had joined the Sumerians in building up the civilization of Mesopotamia, linguistic studies rose to exceptional heights against this bilingual background.

The deep-rooted respect for scholarly tradition which comes with a sense of dependence on the contributions of the past, implicit in the developments here outlined, had much to do with the unparalleled achievements of ancient Mesopotamia in the field of linguistics. For it meant that the Akkadians, Babylonians and Assyrians must fall back upon records in the unrelated tongue of Sumer. The knowledge of that language had to be maintained for cultural pur-

poses long after its speakers had lost all political power, even after they had disappeared from the scene altogether. For the first time in history translators are at work to commit their renderings to writing. This activity called for the production of various auxiliary manuals: syllabaries giving the phonetic value, form and name of each given sign; vocabularies containing the Sumerian pronunciation, ideogram and Akkadian equivalent of each word or group of words; lists of synonyms, commentaries on selected ideograms, interlinear transliterations with given Sumerian texts, and the like. Nor was this all. The scientific analysis of Sumerian took the form of grammatical works arranged in paradigms according to the parts of speech and explicit down to such minutiae as the place of the accent. Differences in the dialects of Sumerian were carefully noted. And most of this formidable apparatus was available and in use four thousand years ago! It is to this apparatus that we owe our present knowledge not only of the various dialects of Sumerian and Akkadian, but also of such languages as Elamite, Hittite, Hurrian and Urartian. As linguistic material these languages may be of interest only to a small group of specialists. But as the media for expressing the thought of a large portion of the ancient world over a period of three millennia—a period one and a half times as long as the whole of the present era—they have a deep significance for the entire civilized world.

The foregoing outline has had as its main theme the demonstration that many forms of scientific progress in Mesopotamia were influenced and linked together by a scholarly tradition which was in turn the by-product of the invention of writing. Our survey has failed, however, thus far to include mathematics and astronomy, two fields for which Mesopotamia has long been celebrated,

and is so now more than ever owing to the researches of Professor Neugebauer. It goes without saying that these subjects were affected no less than the other disciplines by the same forces which made for a broad cultural advance in general. But the primary cause of the extraordinary development of mathematical and related studies in Mesopotamia is to be sought, I believe, in conditions which antedate the introduction of writing. In fact, I would add, the origin of writing as well as the interest in mathematics are to be traced back, in this case, to a common source. This source will be found inherent in the society and economy of the prehistoric Sumerians.

We know to-day that the Sumerians got their idea of writing from the cylinder seals which they engraved with various designs to serve as personal symbols. These symbols came to be employed as marks of identification for religious and economic purposes, for example, with temple offerings. In this representational function the old designs develop into concrete graphs for humans, animals, plants, and so forth, and thence for temples, gods and cities. The graphs are then associated in each instance with specific words. The gap between picture and word is bridged. Gradually means are devised to express not only complete words but also component syllables, the advance leading thus from the concrete to the abstract. At length writing is perfected to function as a flexible medium for the recording of speech and thought.

When we look back now on the successive interlocking stages in this complicated process, which has been sketched here in its barest outlines, an interesting fact will emerge. The early Sumerians had not set out at all to invent writing. They were led to this result by a combination of peculiar circumstances. The outcome had scarcely been planned or foreseen. The achievement of the dis-

coverers lay chiefly in their ability to recognize and seize their opportunity. This they did with truly remarkable ingenuity and perseverance. That they had the opportunity to begin with was due, however, to the way in which their society functioned. This system can now be reconstructed from a wealth of diversified evidence. Only a rough summary can be attempted at present.

We have seen that the immediate ancestor of Mesopotamian writing was the cylinder seal which was first and foremost the Sumerian's mark of ownership. Impressed on clay or cloth it served to safeguard in the eyes of god and man one's title to possessions or merchandise. We have here a clear indication of a strongly developed sense of private property and thereby of individual rights and individual initiative.<sup>6</sup> The curious shape of the cylinder seal, original with the Sumerians, is explained by its use as a mark of individual ownership. For such cylindrical objects are well suited to cover uneven surfaces with their distinctive design.<sup>7</sup>

Wholly consistent with this economic origin of writing is the fact that the earliest written documents are given over to temple economy. Later texts branch out into the field of private business. Both these uses testify independently to the importance attaching to property rights. Records of a non-economic character are the last to appear, except for the lists discussed above which served as direct aids to writing. The first inscribed documents were used, accordingly, for economic ends, precisely as the cylinder seals themselves. It is easy to understand why the oldest pictographs were so often identical with the designs on the seals.

It follows that Mesopotamian writing,

<sup>6</sup> Cf. E. A. Speiser, *Supplement to the Journal of the American Oriental Society*, No. 4 (Vol. 59, 1939), pp. 17 ff. (esp. pp. 25-28).

<sup>7</sup> See H. Frankfort, "Cylinder Seals" (London, 1939), p. 2.



and hence the first script known to man, was the unforeseen outgrowth of a social order which was founded on a recognition of personal rights. This basic feature of Sumerian society is attested overwhelmingly in cuneiform law, perhaps the most characteristic and the most abundant expression of ancient Mesopotamian civilization. In the last analysis this law rests on individual rights. It is not surprising, therefore, that proof of ownership becomes a vital necessity under this system. Incidentally, the rigid requirement of such proof is the main reason for the hundreds of thousands of legal documents recovered from the buried sites of Mesopotamia; the forces responsible for the introduction of writing continued thus as the primary factor in the subsequent popularity of script. The law applies to ruler and subjects alike. The king is at first no more than a "great man," as is shown by the Sumerian etymology of the term as well as the form of the corresponding pictograph. He may become the administrator of a vast empire, but even then he is still the servant, not the source of the law, and is responsible to the gods for its enactment. There is here no encouragement of absolute power. Law codes are the constitution which guides the ruler and safeguards the subjects. We have seen that this system is capable of promoting cultural progress on an extensive scale. Its inherent vitality is evidenced by the ease with which this order maintains itself for thousands of years in spite of a succession of political changes under the Sumerians, Akkadians, Gutians, Babylonians, Kassites and Assyrians. Nor is further expansion hindered by ethnic or linguistic obstacles in its path; for distant and heterogeneous outsiders are attracted not infrequently to the orbit of the Mesopotamian civilization. Among the newcomers we find the Elamites, the Hurrians and the Hittites, the last-named a people of European ancestry and Indo-European

speech. Incidentally, it is to the influence of Mesopotamia upon the Hittites that we owe to-day our oldest available records of any Indo-European language. The newcomers proceed to copy the laws, use the script and enjoy the other benefits of the adopted civilization.

Enough has been said to imply that mathematics and time-reckoning were bound to prosper against this social and economic background. An obvious corollary is preoccupation with metrology, with the result that Mesopotamian weights and measures spread eventually beyond the domain of the parent culture. But the technical features of these disciplines do not lie within the scope of the present account.<sup>8</sup>

To sum up, there existed an intimate relation between scientific progress in Mesopotamia and the source of historic Mesopotamian civilization. Underlying all was a social order resting on the rights of the individual, embodied in a competitive economy, and protected by the supreme authority of the law. This system brought about the evolution of writing, henceforward a decisive factor in the advance of civilization and its diffusion across the changing ethnic and political boundaries. We have here the essentials of a truly cosmopolitan civilization notable for its assimilatory power and a science broad in scope and balanced through the inner unity of its many branches.

Would this story of scientific development have differed appreciably under another type of civilization? The answer is hinted in one of history's most magnificent experiments. The one center possessing a culture of comparable antiquity but dissimilar social and economic background was Egypt. Here the king was a god and as such the absolute ruler and titular owner of all that his realm contained. Under this concept of

<sup>8</sup> Note the article by V. Gordon Childe, on "The Oriental Background of European Science," *The Modern Quarterly* I, Number 2 (1938), pp. 105 ff.

government there was no room for the recognition of private ownership of property and the all-embracing power of the law. The pharaoh was dictator of a state genuinely and thoroughly totalitarian. The pyramids bear lasting and eloquent testimony to his enormous authority.

We are not concerned here with the respective merits of two contracting forms of government. Our interest is confined for the present to the effect of coexistent civilizations upon the progress of science in the two centers under comparison. The perspective of more than five thousand years can not but deepen our appreciation of the debt which modern life owes to both Egypt and Mesopotamia. By the same token, however, we are able now to view objectively some of the differences between their respective achievements.

The established superiority of Mesopotamian mathematics may be attributed, in part at least, to the stimulus of the local economy, so different from the Egyptian. Opposed concepts of property ownership and the fundamental rights of the individual were responsible for the intensive pursuit of legal studies in the one instance and their subsidiary role in the other. The astounding accomplishment of Mesopotamia in the field of linguistics had no adequate counterpart in Egypt. Now we have seen that in Mesopotamia progress in linguistic studies, not to cite now other branches of science, was linked intimately with the development of writing. But was not Egyptian writing a correspondingly potent factor?

If this question can not be answered with complete confidence it is largely because the origin of the Egyptian form of script is still open to conjecture. Some details, however, are certain and beyond dispute. The earliest inscribed records of Egypt are some centuries later than the first written documents of Mesopotamia.

In Sumer we can follow the successive paleographic stages step by step, whereas in Egypt the formative period of writing seems to have been very short indeed, to judge from the available material. Moreover, writing left in Sumer a clearly marked trail which leads back to a specific social and economic set-up; in Egypt there is no such demonstrable relationship. Because of all these facts, and in view also of commercial and cultural links known to have connected Egypt and Mesopotamia at the very period under discussion, it is logical to assume that Egypt imported the idea of writing from Mesopotamia. Differences in the form and use of the signs would correspond, then, to the existing differences in the art and languages of the two cultural centers. On present evidence, any other assumption would leave far too much to coincidence.<sup>9</sup> In the final analysis it is not so much a question of the mere use of script as of the conditions responsible for the original emergence of writing.

At all events, Egyptian writing, regardless of its origin, inevitably played its part in the notable progress of Egyptian science. What we miss here, however, is the scope and inner unity of scientific advance which we found to be so characteristic of Mesopotamia. That unity was the product of a tradition which is traceable ultimately to a particular concept of life. In totalitarian Egypt a different set of values attached to life and government and tradition. Is this the reason for an effort that seems more sporadic, greater perhaps in its power of concentration on specific objectives, but also more conspicuous for its omissions? Over a period of millennia this appears to be a justifiable comparative appraisal of the results achieved in the field of science by the two oldest historic civilizations.

<sup>9</sup> Cf. Speiser, *op. cit.* 22, note 12, and Siegfried Schott, in Kurt Sethe's "Vom Bilde zum Buchstaben" (1939) pp. 81 ff.



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Hurrians and Subarians

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# “HURRIANS AND SUBARIANS”<sup>1</sup>

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## I

The Hurrian-Subarian issue is compounded of many ingredients. On the surface it is largely a question of terminology. Yet no solution can be attempted without involving a number of other factors: political and cultural history; date, provenience, and character of the sources; and the time and place of their discovery. The importance of the problem as it now confronts us is due primarily to one of its component elements, which the sources designate specifically and unambiguously as “Hurrian.” This group has emerged in recent years as one of the vital factors in the over-all history of the ancient Near East. Because their activities are attested over a considerable period and because they range, furthermore, over the length and breadth of the whole region, the pertinent sources differ widely as to import and dependability. In addition, the evaluation of the available material is further complicated by the circumstance that accidents affecting the order of discovery have left their own confusing marks on the successive stages in the evolution of the problem.

Of the two designations,<sup>2</sup> “Subarian”<sup>3</sup> was the first to confront cuneiformists—in a variety of sources from Mesopotamia. “Hurrian” was encountered later, along the western fringes of the region: first in the Amarna material and thereafter in a steadily increasing body of documents from Anatolia and Syria, including the texts from Ras Shamra (Ugarit). A link between Subarians in the east and Hurrians in the west was established eventually with the aid of personal names—first from Babylonia and subsequently from Nuzi. Meanwhile, extra-cuneiform connections of the Hurrians

proved to include the biblical Horites as well as sundry Egyptian analogues.<sup>4</sup> With this mounting evidence for the expansion of the Hurrians came also recognition of their substantial influence on other cultures—the Hittite, the Assyrian,<sup>5</sup> and the Canaanite—involving such fields as political history, law and society,<sup>6</sup> religion, art,<sup>7</sup> and linguistics.<sup>8</sup>

Faced thus with a factor as multilateral as it was unexpected, scholars had an understandable concern about the immediate problem of terminology. The earliest choice as an appropriate common term was “Mitannian.” But this designation was gradually superseded by “Subarian,”<sup>9</sup> which maintained itself until at length it in turn came to be challenged by “Hurrian.”<sup>10</sup> Of late, the

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<sup>4</sup> For the value *hu* in the Egyptian form of this name cf. W. F. Albright, *The Vocalization of the Egyptian Syllabic Orthography* (1934) 37, 53 f.; note also AASOR 13. 27 and Gelb, HaS 50.

<sup>5</sup> Cf. A. Götze, *Hethiter, Churriter und Assyrer* (1936).

<sup>6</sup> This important field of cultural interconnections is only beginning to come in for proper recognition. See Paul Koschaker, ZA 41. 1-92; and for suggestions of possible relations with Old Testament material note, e. g., C. Gordon, *Revue Biblique* 1935 1-8; H. Lewy, *Orientalia* 9. 366; S. Feigin, *Missitrei Heavar* (1943, in Hebrew) 15 ff.

<sup>7</sup> Cf. above, note 5. On the subject of the painted pottery from the Hurrian stratum at Billa see provisionally my remarks in *The Museum Journal* 23 (1933) 273 ff., and in *Excavations at Tepe Gawra I* (1936) 161. For “Subartu” ware cf. M. E. L. Malloy (apud F. Thureau-Dangin), RA 36. 26-27.

<sup>8</sup> Cf. *Language* 16 (1940) 338 n. 56; *Introduction to Hurrian* (IH, 1941) 61 f.

<sup>9</sup> For a full account of this problem cf. HaS 1 ff. A. Ungnad first proposed “subaräisch” as the required joint designation in OLZ 1915 241.

<sup>10</sup> Although this term had previously been used by others, the first determined effort to justify it as a common designation for the pertinent elements from both east and west was made, I believe, in the joint statement on “A New Factor in the History of the Ancient East,” published by E. Chiera and myself in AASOR 6 (1936) 75-91. Since Gelb’s remark about this article (p. 6, n. 43) may quite inadvertently give rise to misunderstandings, I wish to make it clear that, in accordance with our advance division of labor, Chiera described the contents of the tablets while my task was limited to their historical and linguistic bearing. The part for which I must accept full responsibility is found on pp. 76-85. It goes without saying, however, that

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<sup>1</sup> Cf. Ignace J. Gelb, *Hurrians and Subarians* (Abbr. HaS). The Oriental Institute of the University of Chicago: Studies in Ancient Oriental Civilizations, No. 22. The University of Chicago Press: 1944. Pp. xv + 128, with 1 map.

<sup>2</sup> A third designation, “Mitannian,” was in vogue down to the first quarter of this century, but was eventually given up as inadequate.

<sup>3</sup> This English form is the one used by Gelb. It is preferable to the earlier “Subarean,” modeled after the German “subaräisch,” which, in turn, was intended to avoid confusion with a possible “sub-arisch.”

advocates of "Hurrian" have held the upper hand, with the defenders of "Subarian" finding themselves in an ever-dwindling minority.

Gelb's monograph reopens the problem afresh; but it does so on a new basis. The question which it poses is no longer "Hurrian or Subarian?" It is instead, "Hurrians and Subarians?" The author sets out to prove that "from now on it will be necessary to distinguish sharply between two entirely different and unrelated ethnic units: the Subarians, who from the earliest historical periods are found not only occupying vast mountainous areas north of Babylonia but also living peacefully within Babylonia side by side with Sumerians and Akkadians, and the much younger Hurrians, who appeared relatively late on the Mesopotamian scene and who played an important role in the history of the Near East in the 2nd millennium B. C."<sup>11</sup>

The thesis is set forth with the author's customary incisiveness and care. For all the mass of detail that has already been focused on this subject, Gelb has succeeded not only in reviewing much that by now is old but also in contributing important new material—all this within the space of 115 pages of text. To do the work full justice one would have to comment on virtually each individual point, particularly where one's evaluation differs from the author's. But such an analysis might well result in another monograph on what threatens to become an inflated topic. The present writer is very reluctant to add to the existing imbalance, having had perhaps more than his share in bringing it about in the first place. Yet Gelb's central theory is too far-reaching and significant, and its presentation too competent, to be dismissed with the conventional type of book review. Further, owing to a combination of circumstances, I have been actively interested in various phases of the problem before us for nearly a quarter of a century—which may account for the fact that my

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Chiera's over-all contribution is greater than is apparent from his own pages only.

I came back to the problem of terminology—as our material increased and its understanding progressed—on three subsequent occasions: in *Mesopotamian Origins* (MO, 1930) 124 ff.; "Ethnic Movements in the Near East," AASOR 13 (1933) 16-31; and most recently in IH (1941) 1-4. An exhaustive and penetrating defense of the competing designation was made by Ungnad in his *Subartu* (1936).

<sup>11</sup> HaS iii.

successive efforts have been accorded prominent attention in Gelb's monograph.<sup>12</sup> I shall address myself, therefore, to the salient points in the author's exposition, and go into detail only where the occasion seems to require it. In general, there is not much relevant material at hand which Gelb appears to have overlooked. And if his final results are acceptable to this writer only in small part, this is so mainly because so much of this topic remains a matter of opinion. That a careful study of Gelb's work cannot but clarify one's own opinions should be amply evidenced by the following pages.

To get down to the heart of the matter, the issue between Gelb and his predecessors cannot be resolved into an "and/or" problem. It is not just a question of "A or B" as against "A alongside B"—a formulation basic to Gelb's argument. To be sure, to Gelb the terms "Hurrian" and "Subarian" are juxtaposed; to others they are (or were) interchangeable, the main points at issue being which of the two merits preference. Yet an absolute equation in this case was scarcely ever intended by those who would relate the two classifications, with the apparent exception of Ungnad whose Pan-Subarianism has been excessive in more ways than one.<sup>12a</sup> My own stand to date has been for the virtual synonymy of the respective designations, with an emphatic preference for "Hurrian" as the more specific of the two.<sup>13</sup>

Just as the previous students of the problem could not properly insist on the complete synonymy of the disputed terms, so is Gelb in no position to prove that they are distinctive throughout. The reason for such limitations are the same

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<sup>12</sup> See above, note 10. Gelb's repeated references to Ungnad's statements and mine are due in considerable measure to our common preoccupation with the preliminary question of nomenclature. That Gelb is well aware of the numerous contributions by other scholars is shown in his references to studies about Hurrian and the Hurrians by Friedrich, Goetze, Thureau-Dangin, and others; cf. JNES 5.165 n. 2.

<sup>12a</sup> Thus the inclusion of the Elamite god Laḫuratil in the list of the "SU"-deities is questioned by Ungnad (*Subartu* 66) on the ground that it may be due to wrong ascription or just plainly to scribal error; cf. HaS 16. A warning against Pan-Subarianism (and Pan-Hurrianism) was sounded as early as AASOR 6 (p. 82). It is not altogether out of order even at this late date.

<sup>13</sup> That the Subarian entries included Akkadian words and that "Subartu" could be applied to Assyria was stressed in AASOR 6. 80.

in both instances: the entries which Akkadian sources mark as Subarian are not in themselves uniform as to origin. These entries have been carefully assembled by Ungnad<sup>14</sup> and are supplemented and discussed by Gelb. Yet the same body of evidence is called upon to bear out two mutually exclusive positions. Ungnad employs the material as proof of his inclusive Subarian theory and assigns it linguistically to that family which others—this time joined by Gelb—classify as Hurrian. On the other hand, Gelb falls back on the same material in defense of his exclusive Subarian hypothesis, arguing that most of it is indeed Subarian, but by the same token non-Hurrian. What is significant, however, in this seeming paradox is the fact that Gelb concedes to Hurrian a portion of the elements which are explicitly designated as Subarian in the cuneiform sources.

There is thus a definite though limited area of agreement between Gelb and the scholars whose views he challenges. He recognizes that Subarian entries include such Hurrian words as *a-a-ra-ḫi* (/ḫiyaruhḫe) 'gold' and *e-ne* 'god' as well as the incontestably Hurrian deities <sup>d</sup>*Te-eš-su!-up* (*Te-šub*) and <sup>d</sup>*Ša-uš-ka*.<sup>15</sup> Both these classes could safely have been expanded.<sup>16</sup> Yet even if we restrict ourselves to elements which Gelb admits to be Hurrian, we must nevertheless add a third class for which the equation Subarian-Hurrian is assured. It is the class of land names which Assyrian

kings listed as Subarian. On closer examination some of these prove to contain significant Hurrian elements. For instance, Tukulti-Ninurta I assigns to the "widespread Subarians" the land of Katmuḫi (HaS 46). It is here that Tiglath-Pileser I reports, about a century and a half later, the capture of the local king "Kili-Tešub, the son of Kili-Tešub, whom they call *irrupi*" (ibid. 82). In other words, an ethnogeographic name which the Assyrians designated as Subarian (Katmuḫi) has a good Hurrian adjectival suffix (*-ḫi/ḫe*),<sup>17</sup> and is ruled by a king who, like his father, bears a typically Hurrian name, one moreover whose native appellation (*irrupi*) is based on the Hurrian word for 'king' (*erwi*).<sup>18</sup> Several generations later, under Aššur-dân II, a ruler of Katmuḫi can again be recognized as Hurrian (HaS 82). Yet in spite of this convincing evidence that "Subarian" could be, and indeed was, applied to various Hurrian elements, Gelb writes that in his definition the term "represents an ethnic and linguistic unit hitherto unrecognized" (p. 108).

Gelb's assumption of a distinctive Subarian group suffers, accordingly, from the difficulty that the Subarian rubric embraces elements which Gelb himself identifies as Hurrian. To account for this inconsistency, Gelb would explain the Hurrian items under "Subarian" as forms current in Subartu as a land (p. 17), and hence Subarian in a geographic sense only. At that, the argument might be plausible if Subartu were reasonably definite as a geographic concept. But this is far from being the case. According to Gelb's own recapitulation (p. 88), the "political and geographic unit" which he seeks to localize was one thing to the Babylonians and another thing to the Assyrians. In the former instance it lay "somewhere between the Tigris, the Zagros Mountains, and the Diyala." At times it might stand for the whole North. To the Assyrians, on the other hand, Subartu signified regions in the mountains to the east and north of the Tigris, yet it could extend "sometimes far west into the land of the Amorites and far east into the land of the Elamites." In short, Gelb has to earmark for Subartu a very considerable expanse of territory. What is more, that territory does not constitute an ethnic or

<sup>14</sup> *Subartu* 64 ff.

<sup>15</sup> HaS 16.

<sup>16</sup> Thus *ḫa-a-ra-li* (CT 18 pl. 3 rev. v 21), glossed *da-al-tum* 'door,' (ibid. vi 1; cf. C. Frank, MAOG 4. 43; *Subartu* 95; HaS 16) can scarcely be separated from *ḫi-ri-nu-ḫi* (Sumero-Hurrian Vocabulary from Ras Shamra (i 25; cf. Syria 12. 237 and pl. L), which corresponds to Sum. *ig* 'door.' Omitting the respective formatives, we obtain RŠ Voc. \**ḫiri* = (SUKI)\**ḫara*, both glossed with terms for 'door.' Gelb might also have added *aš-tu* (CT 18 pl. 19 obv. 24), which is glossed *šam[ḫatum]* (cf. Frank, loc. cit.; *Subartu* 96). For although the ascription reads *bir*<sub>4</sub> instead of *Su-bir*<sub>4</sub>, the connection with Hurrian *ašti/e* 'woman' is difficult to ignore. Likewise mention should have been made of [. . .] *uš-ḫi* (CT 18 pl. I col. i 24), labeled SUKI; for we have here a well-established Hurrian formative (cf. Speiser, IH 132 f.), which occurs, among other usages, with types of building—as is apparently the case in the present example. Gelb (HaS 16) is, furthermore, unduly skeptical about the Hurrian character of the deity <sup>d</sup>*Aš-tu-u-pi-nu*; cf. RŠ alphabetic *aštib* (Syria 10, pl. LXIV 4. 29) and C-G. v. Brandenstein, MVAeG 46. 2. 46.

<sup>17</sup> Cf. J. Friedrich, *Analecta Orientalia* 12 (1935) 122 ff.; Speiser, IH 114 f.

<sup>18</sup> As recognized by Gadd, Ungnad, and Oppenheim; cf. HaS 82.

political vacuum in so far as historical inscriptions are concerned. The areas reserved by Gelb for the Babylonian concept of Subartu are known independently to have been occupied by Elamites, Kassites, Lullu, and Gutians. When Gelb suggests (*loc. cit.*) that all these groups shared certain areas with the Subarians, he is obviously at pains to solve this very difficulty. But once these ethnic elements have been domiciled, where is there any room left for the "vast mountainous areas north of Babylonia" (p. iii) in which Gelb would place the Subarians? He could not be thinking of the space beyond the Elamite-Gutian belt, because the inscriptions presuppose something much closer to Babylonia; and he himself has called attention to the fact that, on Hammurabi's testimony, Subartu was situated between Babylonia and the mountains east of Kirkuk.<sup>19</sup> As for the Subartu of the Assyrian inscriptions, the Subarians to the east of Assyria must leave room for the "region of the widespread Gutians"<sup>20</sup> as well as the Lullu and Kassites. An added difficulty is created by the recurring references to the "widespread Subarians" to the west and northwest of Assyria (HaS 46), which is precisely the territory that figures otherwise as good Hurrian stamping ground.<sup>21</sup> The solution in this particular case would seem to be self-evident, in view of the positive link between Hurrians and Subarians in the instance of Katmuḫi (see above), coupled with the strong probability that the same is true also of the other westerly groups of Subarians mentioned in the records of the kings of Assyria.<sup>22</sup> Yet Gelb seems to ignore the force of this evidence—not to speak of the lexical and onomastic contacts between Hurrian and Subarian which he has himself conceded—when he states (p. 88) that "no common bond between the Subarians and the Hurrians is evident in our available sources." To the contrary, more than one such common bond is in plain sight.

<sup>19</sup> HaS 38 f. More specifically, the order was Nippur, Subartu, and Ḥamazi. Th. Jacobsen places Ḥamazi near modern Sulaimania (*The Sumerian King List* [AS 11] 97 f., n. 106). This takes us into the Lullu-Zamua country (cf. AASOR 8.14 ff.), which is not without significance for the whole problem, as will be shown later.

<sup>20</sup> Cf., e. g., AOB I 60. 21-2; see also Speiser, MO 96 ff. It is worth emphasizing that the Gutians, in common with the Subarians, were described as "widespread."

<sup>21</sup> Cf. Goetze, JNES 5. 168.

<sup>22</sup> *Ibid.*, n. 26.

## II

Does it follow then that Gelb's argument in favor of Subarians as distinct from Hurrians is altogether without foundation? Not necessarily. For an independent re-examination of the material assembled in Gelb's monograph leaves one—at least it leaves the present writer—with this conclusion: When all the common ties between the two groups under dispute have been accounted for, there remains a residue of things "Subarian" which cannot be identified with known Hurrian elements. The material is by no means as substantial as Gelb believes, but neither is it as negligible as others, myself included, have hitherto assumed. A small part of the matter thus isolated is clearly Semitic. Enough of it, however, is neither Hurrian nor Semitic. It calls for further examination.

Since the total amount of the pertinent material is far from extensive, the task of sifting it should not be unduly cumbersome. The lexical and onomastic entries referred to earlier in this discussion have to be left aside for the present, both because they are inconsistent and ambiguous in themselves and because of their usually late date. Since the available geographic and general historical references are likewise inconclusive, our basic source for this inquiry narrows down to a handful of personal names—twenty-three<sup>23</sup> dated to the Ur III period and five to the Old Babylonian period—which the texts have provided with the label "Subarian."<sup>24</sup> These names, painstakingly assembled in his Appendix II, constitute the core and point of departure of Gelb's theory. From Ur III we have also another list of personal names (presented in Appendix III) which lack explicit identification but are readily recognized as Hurrian on internal linguistic grounds. Since the two lists—Gelb argues—are not interrelated linguistically,<sup>25</sup> it follows that they refer to two independent ethnic-linguistic units; Subarian proves thereby to be distinct from Hurrian. Granting that three names in the Subarian

<sup>23</sup> Gelb lists twenty-four such names, counting *Zigume* (p. 105). However, No. 23 of his list is . . . -at, which is useless for purposes of analysis.

<sup>24</sup> Through the writings (*lú* or *sal*) SU.AKI, *Su-bir*<sub>4</sub> KI, *šubariyum*, or *šubaritum*.

<sup>25</sup> That in a few instances interrelationship between the two lists is not only possible but likely will be indicated presently in connection with four names of the Subarian list which may be presumed to be Hurrian.

list are Semitic, Gelb goes on to ask (p. 108): If the rest of the names are neither Hurrian nor Semitic, then what are they?" His conclusion is that, "The answer is clear and simple: they are Subarian." And he proceeds to define this last term as signifying an ethnic and linguistic unit spread over extensive areas of the Fertile Crescent.

Even if Gelb's protasis were wholly valid, his apodosis still would not follow automatically. Sumerian, Old Akkadian, and Old Babylonian records speak of various lands and peoples other than Subarian which need have neither Hurrian nor Semitic connections. Let us first see, however, how far Gelb's protasis holds true. In other words, can it be asserted with confidence that, aside from the three names which are obviously Semitic (*Ribamili*, *Eštar* . . . , and *Ummi-Hebet*, pp. 105-7), all of the remaining elements are definitely without known connections?

As co-author of the model study on *Nuzi Personal Names*,<sup>26</sup> Gelb is of course aware of the fact that four of the names in his Subarian list are duplicated, in whole or in part, in the Nuzi material. This awareness he shares fully with the reader. All who have worked on the non-Semitic elements at Nuzi will readily agree with Gelb when he states (p. 111) that the linguistic character of some of these elements remains doubtful. How much reasonable doubt, however, should be entertained in the case of the four names in question is another matter. One of these names is *Du-li-ia* (p. 101). This hypocoristic form confronts us at Nuzi a number of times,<sup>27</sup> in the present spelling as well as in its non-distinctive variant *Tu-li-ia*. Moreover, Gelb concedes (p. 18) that the root *tul* appears in the unmistakably Hurrian compound *Tulip-apu*, and also in *Tul-Tešup*.<sup>28</sup> He adds, however, the warning that "in short names a similarity of sounds may be purely accidental."<sup>29</sup> In other words, Nuzi *Du-li-ia* is definitely Hurrian, yet the identical Ur III form is regarded as suspect. But if Gelb dismisses this comparison—the only one available, incidentally, and formally faultless—as unsafe, he is scarcely on safe ground in seeking to

place the same short form—this time wholly unsupported—in his distinctive Subarian group. Another of the names is *Zi-gu-um-e* (not *Zi-gu-la-e* as previously read, cf. HaS p. 105). Its Nuzian analogue is *Zi-ku-um-mi* (cf. *ibid.*). Not only is the first element of this form frequently attested at Nuzi,<sup>30</sup> but the bearer of the name has a son who is incontestably Hurrian,<sup>31</sup> a suggestive if not decisive feature. Furthermore, the element *-ummi* is known from Hurrian, where it is probably an infinitive marker.<sup>32</sup> All in all, the choice would seem to lie between Hurrian and a vacuum. The remaining two names are *Da-šu-uk* (p. 101) and *Šu-šu!-uk* (104). While these precise combinations are not paralleled at Nuzi, the ending *-uk* is quite common (p. 101). In names like *Hašuk* and *Kaltuk* this element is found with forms which are well attested in Hurrian,<sup>33</sup> so that the Hurrian character of the whole becomes highly probable, especially since the formative *-uk(k)* is independently established in Hurrian contexts.<sup>34</sup> In short, the least that can be said about all four of the names before us is that all the evidence at our disposal points in the direction of Hurrian. One may choose to wait for absolute confirmation, but by the same token one should not at this time use these very names as indirect proof of other unspecified linguistic affiliations.

So far seven of the twenty-eight names in Gelb's basic list have had to be ruled out, three because they are certainly Semitic and four because they are in all probability Hurrian. Nor is there a clear-cut case in favor of Gelb's theory in the remaining three-quarters of the material. *Ra-ši* (p. 104) was viewed by Ungnad as Akkadian, which Gelb regards as possible, though he calls attention to alternate Elamitic claims of this form. *Ga-ra!-da-*

<sup>26</sup> NPN 176-7.

<sup>27</sup> *Hišmi-Tilla*, *ibid.* 177.

<sup>28</sup> Speiser, IH 128 f.

<sup>29</sup> A fact overlooked by Gelb; *baš* is the common root for 'hear' and *kalt* occurs in the form *gal-te-ni-we/a*, cf. D. Cross, *Movable Property in the Nuzi Documents* (AOS 10) 34; Similarly, e. g., HSS 13. 72. 7 and 122. 19 (*ga<sub>4</sub>-al-ti-ni-wa*). More instructive, however, for onomastic purposes would be *keldi* 'well-being,' cf. IH Index, p. 220. In the case of *Hašuk*, a connection with Elamite *haštuk* (cf. ZA 41 52 ff., n. 6) is possible but not likely.

<sup>30</sup> IH 134. Cf. also the occupational term *zazukku* (HSS 13. 363. 67, 73) which seems to correspond to *mušelwū* and is probably based on Akk. *zāzu* (note *ú-zi-i-zu* l. 79), but carries the Hurrian suffix *-ukku*.

<sup>26</sup> Together with P. M. Purves and A. A. MacRae, OIP 57 (1943). Abbreviated henceforward as NPN.

<sup>27</sup> NPN 157.

<sup>28</sup> This is Gelb's normalization, on the basis of NPN. My own reading, on the basis of IH, would be *Tulib-abu* and *Tul-Tešub*, voice in Hurrian being subject to non-phonemic positional variation.

<sup>29</sup> HaS 18.



*du* (p. 101) has been read *Ga-šid!-da-du* by Ungnad and Stamm and interpreted as Akkadian; Gelb's argument against it begs the question. That two other names, *Ad-da-bu-ni* and *Iâ-ab-ra-at* (pp. 101-2) have impressive Elamitic credentials is made clear by Gelb himself. The same text which introduces *Addabuni* and *Raši* gives us also eight other names of Gelb's list, the concluding notation *lu SU-me*, something like "these being Subarians," apparently embracing all ten names. Presumably therefore the ten individuals in question fall within the general Elamite orbit. This possibility is partly strengthened by the circumstance that one of the names involved is *Ba-ar-ba-ra-gi* (p. 101); for it may not be too far-fetched to adduce as a pertinent structural analogue the place-name *Lagalaga* (written also *Tagalaga* and *Lagabgalaga*), which has been located in the Sulaimania area (ancient Lullu-Zamua).<sup>35</sup> The element *laga* in turn may have Gutian affiliations.<sup>36</sup> Instead of setting up a separate Subarian group, there is thus reason for operating tentatively with a Gutu-Lullu-Elamite sphere. It is little enough to go by, to be sure, in the present state of our knowledge. But what little there is has at least a positive slant, whereas the Subarian hypothesis has been seen so far to rest entirely on negative arguments. Suggestively enough, a further name in Gelb's list is *Lu-lu*, "presumably derived from Lullu(bi)."<sup>37</sup>

The number of names still to be accounted for has by now been reduced to six. Three of these designate messengers of Yabrat (*Bušut*, *Zurzura*, and *abduša*). One is *Yušanak*, a not improbable accession to the Elamite group. Of *Šunundu* one can say only that it is associated with *Šušuk* (p. 104), which has already been discussed. Finally, *Mamma* (p. 106) is, as Gelb himself says, the sort of "Lallwort" that cannot be assigned with certainty to any particular language.

Summing up, there is not a single name in Gelb's whole list which fails to show some kind of

affiliation with one of the previously known ethnic or linguistic groups. None can be made to justify the establishment of Subarian as a separate and distinctive entity. The results have not been, however, entirely negative. For they constitute cumulative evidence that the term "Subarian" was applied at the time in question not only to Semitic and probably Hurrian elements, but also to Elamites and some of their neighbors. In terms of Gelb's theory there remains only this modest, though important, gain: The terms "Hurrian" and "Subarian" were by no means coextensive.

### III

We must start then afresh with the knowledge that even the earliest available linguistic evidence fails to impart to "Subarian" a distinctive connotation. The term was a non-specific one as far back as the Ur III period. Nevertheless, it could not have been so from the outset, for in that case it would have been practically meaningless as a geographic designation. Indeed, such pertinent historical inscriptions as we possess, down to Old Babylonian times, would seem to presuppose a definite location for Subartu. This is apparent from writings like *Su-bir*<sup>KI</sup> and *Šubur*<sup>KI</sup> (with the place-determinative), and from the use of these forms alongside specific land-names such as Elam, Gutium, and the like. Unfortunately, the records are not explicit enough to enable us to locate the place under discussion with any degree of precision. It is possible, however, to arrive at an approximate location. The careful surveys of the source material by Ungnad and Gelb<sup>38</sup> make it unnecessary to attempt at this time anything more than a comprehensive summary.

From pre-Sargonic times, Lugal-anni-mundu of Adab lists Subartu after the Cedar Mountains, Elam, Marḥaši, and Gutium, but before Amurru and Sutium. Eannatum of Lagash cites it between Elam and Urua.<sup>39</sup> The relevant Sargonic material happens to be known only from later copies. Yet here again Subartu is associated with Elam, Baraḥšum (i. e. Marḥaši), and the Cedar Forest;<sup>40</sup> in another instance it is followed by Gutium and Elam. In the Ur III period the Subarians are

<sup>35</sup> Cf. AASOR 8. 17.

<sup>36</sup> Speiser, MO 98-9.

<sup>37</sup> HaS 103. Cf. also MO 88 ff. Note also B. Landsberger's "Ḥabiru and Lulabḥu" (KF I [1929] 321-34) which suggests how the last-named term might have developed into an appellative from an original ethnic designation. Although material on the subject is still all too scanty, it is becoming increasingly more apparent that the Lullu succeeded in impressing themselves upon their contemporaries far beyond the limits of their home territories; see below, n. 86.

<sup>38</sup> *Subartu* 31 ff.; HaS 31 ff.

<sup>39</sup> On Urua see HaS 34 n. 82.

<sup>40</sup> That the Cedar Forest is not necessarily to be sought in the Amanus is recognized by Gelb, *ibid.* 35-6.

linked directly with the Elamites.<sup>41</sup> And the stages of Išbi-Irra's victorious progress are given as Nippur, *Su-bir*,<sup>41</sup> and Ḥamazi.<sup>42</sup> Finally, the Old Babylonian age signifies its awareness of Subartu in several ways. This land is mentioned five times in Hammurabi's year names;<sup>43</sup> in two of these it is explicitly linked with Ešnunna and Gutium. A fragmentary historical inscription of the same ruler<sup>44</sup> speaks of "the people of Elam (?), Gutium, Subartu, (and) Tukriš," adding significantly that "their mountains are distant and their language intricate (*egru*)." The contemporary Mari letters reflect an alliance between the Subarians and the Elamites. Yet already at this time it becomes apparent that Subartu was beginning to lose such specific connotation as it may have had at the start. For the term seems capable of embracing Assyria,<sup>45</sup> as it certainly was to do in later times. But its subsequent employment by the Assyrians departs notably from southern usage.

Looking back on the above ethnogeographic evidence as a whole, we can say that, although no precise localization of Subartu is possible, the cumulative bearing of the material at hand favors a restricted area to the north of Babylonia and to the northwest of Elam. This would seem to point approximately to the region of the Lullu (known independently for their affiliations with the Guti), in the area of modern Sulaimania. One reason for this suggestion is the close connection of Subartu with Marḥaši<sup>46</sup> and Gutium. Another is the mention of the land in connection with Ḥamazi—which has been placed in the Sulaimania area. The terse text which gives us this information does no more, to be sure, than accord Subartu a position between Nippur and Ḥamazi. Fortunately, however, additional material—hitherto unknown—would seem to make the link between Subartu and Ḥamazi an intimate one indeed. I

<sup>41</sup> These two groups joined to bring an end to the dynasty; cf. *ibid.* 39.

<sup>42</sup> *Ibid.* 38-9. For the location of Ḥamazi cf. above, n. 19.

<sup>43</sup> *Subartu* 45 ff.; HaS 41.

<sup>44</sup> *Ur Royal Inscriptions* 146 iv; *Subartu* 48. Definite proof that this text is to be assigned to Hammurabi was discovered by Gelb, HaS 41 n. 128.

<sup>45</sup> HaS 42-3.

<sup>46</sup> For the location of this district, which figures prominently in Sargonic times under the form Barahšum, see Albright, *JAOS* 45 (1925) 232; he proposes southeastern Luristan; note also Speiser, *MO* 31 n. 22, and HaS 35 n. 90.

owe this information to my colleague, Dr. S. N. Kramer, and I cannot do better than let him speak for himself in the appended footnote which he has very kindly made available to me.<sup>47</sup> It is worth stressing in this connection that the fragment of the Enmerkar poem previously published by Kramer (*JAOS* 63.191 ff.) reflects a concept of the universe which differs axially and in extent from the later stereotypes (cf., e. g., *Subartu* 61, 77 f.) in which Subartu represent the North and Elam the East. For in this text, dated to approximately 2000 B. C. but obviously containing much older material, it is Akkad that stands for the North whereas the East (or perhaps the Northeast) is summed up under Šubur (Subartu), evidently coupled with Ḥamazi. The division of the universe seems to have been guided here by relatively near neighbors of Sumer, with Sumer itself marking the South. This may account not only for the fact that synonym lists and syllabaries came to

<sup>47</sup> [In *JAOS* 63.191-4 I published an extract from the Sumerian epic tale "Enmerkar and the Lord of Aratta" whose fifth line reads: *u<sub>4</sub>-ba kur-šubur ki-ḥé-me-zi*, which I translated without question and comment as "In those days, the land Šubur, the place of plenty, of righteous decrees." This translation was based on a rather synthetic analysis of the last complex in which it was assumed that *ḥé* and *me-zi* were appositional genitives, each governed by the preceding *ki*; the entire complex *ki-ḥé-me-zi* was thus taken to be parallel in construction to *kur-gal-me-nam-nun-na-kam* which modifies *ki-en-gi* in the line immediately following. What I failed to note, however, is the fact that the Sumerian complex corresponding to the English "of righteous decrees" would read *me-zi-da* and not *me-zi*, since the grammatical form is *me-zi-d-a(k)*. In any case, unless I am very much mistaken, the attempted translation was erroneous and the real meaning of *ki-ḥé-me-zi* is to be sought elsewhere. In a duplicate of the "Enmerkar and the Lord of Aratta" poem which I copied in Istanbul (cf. *BASOR* 104.10-12; for photographs of the tablet see *JCS* 1 plates I and II, following p. 112; the duplicate of the extract published in *JAOS* begins on pl. I col. iii line 18; the line under discussion is *ibid.* 23) the corresponding line is probably to be restored to read [*u<sub>4</sub>-ba kur-šubur ki-ḥa-m]a-zi-ki* "In those days the land Šubur (and) the place Ḥamazi." Another possible but rather unlikely translation would be: "In those days the land Šubur of the place Ḥamazi." For the various writings of Ḥamazi cf. Jacobsen, *AS* 11.97 n. 106; for *ki* preceding a place name cf., e. g., *AS* 12.16 line 11 and n. 3.

It thus appears more than likely that the *ki-ḥé-me-zi* of the extract published in *JAOS* is nothing more than a phonetic variant for *ki-ḥa-ma-zi-ki*. Moreover, according to our poet, the eastern world division consists of the two lands Šubur and Ḥamazi, and not of Šubur alone. S. N. K.]

associate Subartu with Elam (HaS 92 f.), but also for the broad application of the term in general which is witnessed in later times.

It would clearly be premature to propose at the present stage that the terms Subartu and Lullu-land were virtually synonymous at an early period and that echoes of this correspondence persisted in later Akkadian records, for all the modifications that the first term may have acquired in course of time. It may not be amiss, however, to list very briefly the various reasons that would seem to support such an assumption: (1) The geographic arguments, as summed up in the two preceding paragraphs. (2) While there is no definite linguistic evidence—such direct references as that the Lullu call this place *Kinipa* or that place *Arakdi*<sup>48</sup> are far from sufficient—the Subarian list (see above) includes not only *Barbaragi*<sup>49</sup> but also *Lulu*. The occurrence of *Lu-lu Šubur* in Fara, whose potential significance is recognized by Gelb,<sup>50</sup> may indicate that the two components dovetailed<sup>51</sup> as far back as the Early Dynastic period. (3) The importance of the Lullu in the Sargonic age is attested in Narâm-Sin's record of victory against Satuni of Lulu(be)<sup>52</sup> and in the stele of the Lullubian king Annubanini.<sup>53</sup> Yet the later copies of Narâm-Sin's inscriptions speak of Subartu just where Lullu is expected. The omission of Lullu in the context that tells us of the distant mountains and intricate languages<sup>54</sup> of "the people of Elam(?), Gutium, Subartu, (and) Tukriš" is surely noteworthy. The difficulty disappears, however, if it is assumed that Subartu and Lullu might

interchange.<sup>55</sup> (4) It may not be without significance that the Old Babylonian texts referred to above have a good deal to say about Subartu and Subarians, but nothing about Lullu. Conversely, the Nuzi texts, which list a variety of countries,<sup>56</sup> make frequent reference to Lullu, but none to Subartu or Subarians.<sup>57</sup> (5) The last-cited argument gains in force when coupled with the following consideration. The Old Babylonian documents as well as the Nuzi texts share a predilection for a particular type of slaves. In the one instance, however, these slaves are designated as Subarian, in the other as Lullu.<sup>58</sup> (6) Lastly, for all the differences between scholars in their evaluation of the term "Subarian," there is general agreement that among its connotations was that of an appellative. That the same holds true of "Lullu" has been plausibly argued by Landsberger.<sup>59</sup>

None of the points just enumerated may be sufficient in itself to establish identity of the two terms in question. One or more might be weakened, or even refuted, on the basis of further study or new material. Yet their cumulative weight is difficult to ignore altogether. It would be hazardous to suggest at present what the whole adds up to. It may be that there was some such place as \**Šubr* in or near the Lullu country which came to be confused by the Sumerians or Akkadians with the name of that country itself so that both designations remained current. The confusion may have been aided, or even started, thanks to some analogy, say, within Sumerian.<sup>60</sup> If no

<sup>48</sup> AASOR 8. 18, 20.

<sup>49</sup> See above, n. 35. The same Zamua district which has furnished us with a possible analogue of this name may also contain material of interest to the student of Nuzi names. Thus the name *Winnirge*, which has puzzled Purves (NPN 275 and AJSL 56.183), seems to find a structural parallel in *Bidirgi*, as was suggested in AASOR 8. 21 n. 38.

<sup>50</sup> HaS 32.

<sup>51</sup> That they were not identical throughout is apparent from the occurrence of *Tul-tul Šubur* in the same texts; cf. *ibid.*; see also below, n. 60.

<sup>52</sup> DEP II 53; cf. also Sidney Smith, EHA 96-7.

<sup>53</sup> Speiser, MO 89. The fact that the "Subarian" slaves were to be obtained in such places as Ešnunna can mean no more than that they went through intermediate trading centers; cf. *Subartu* 145.

<sup>54</sup> See above, n. 44. It should be noted that the text actually says "language," not "languages." Does this mean that the speech of all four groups sounded alike to the writer?

<sup>55</sup> It should be pointed out that in the geographic treatise published as KAV 92, Subartu and Lullubi appear as separate entities (3:12; 37:39). In the first instance Subartu is associated with Anz/šan while Lullubi follows Arrapha; in the second, Subartu follows Akkad, and Lullubi should be read after Turukkī, the passage being obviously in disorder; cf. Albright, JAOS 45. 235 and Ungnad, *Subartu* 40. However, whether the original be ascribed to Sargon I of Assyria or to Sargon of Akkad, the extant text is a Neo-Assyrian copy; and by that time the term Subartu had gone through various stages of development.

<sup>56</sup> Cf. E. R. Lacheman, BASOR 78 (1940) 18 ff.

<sup>57</sup> Any suggestion to the effect that Subartu was subsumed under Ḫanigalbat, which is frequently mentioned in these texts (*ibid.* 20-21), would be tantamount to grouping the Subarians with the Hurrians.

<sup>58</sup> Speiser, MO 101 ff.; *Subartu* 100 ff.; HaS 43 f.

<sup>59</sup> See above, n. 37.

<sup>60</sup> A likely possibility for such an analogy is present in the place-name written ḪA.AKI, interchangeably with A.ḪAKI, and used for more than one specific city. A considerable literature has grown up concerning the

confusion actually arose, \*Šubr, or the like, could have been no more than a neighbor of Lullu, Gutium, and Elam, whose onetime political prominence dissipated in early times but whose name survived as a more or less free agent. We are now in the realm of speculation that cannot be pursued with profit. What seems to be abundantly clear, however, is that by the time of Ur III 'Subarian' had ceased to be distinctive linguistically and was becoming more and more vague geographically. For this last-named reason the term lent itself to various secondary applications. One of these was to designate Assyria, as seen from the south. Another was to signify the Hurrians, as viewed from Assyria.

That names connected with lands and peoples often show great versatility is a point which requires no special emphasis. It holds true no matter whether such a connection be primary or secondary; and it remains valid also with regard to derived linguistic designations. In some instances the original range has been notably enlarged; cf., e. g., *Allemands, Graeci*,<sup>61</sup> *Palaistinē*. In others it has been curtailed to the drastic extent seen in Nuzi *kinahhū* (based on the Hurrianized form of the

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correct reading and interpretation of these forms; for the most recent discussions cf. *Subartu* 28-30; Jacobsen, *The Sumerian King List* 88-9 n. 126; and HaS 94-8. Two apparently unrelated readings of these signs are offered by the syllabary material: one is *šu-ba-ri* and the other *ku-u<sub>6</sub>-a-ra* (Jacobsen, loc. cit.). Inasmuch as 𒀠.𒀡.𒀢.𒀣 can be read *ku<sub>6</sub>-aKI*, and in view of the further fact that amissible final consonants were not expressed in older Sumerian orthography, Jacobsen regards *ku'-a/ku'ara>kuwara>kubara* as original and *šubari* as a corruption due to an easy misreading. Sight should not be lost, however, of the further possibility that *ku-* and *šu-* might have a common phonetic source; cf. Speiser, MO 55. At any rate, one of the cities written 𒀠.𒀡.𒀢.𒀣 is associated from earliest Sumerian times with Eridu and, as such, could not have anything to do with Subartu; even Ungnad stresses this point, cf. *Subartu* 29. Further, the common personal name Šubur in the Fara texts "must doubtless be considered Sumerian" (HaS 31), whatever its ultimate origin. Finally, there is evidence for equating Sum. *Subur* with Akk. *eršetum* 'earth' (ibid. 23). There would seem thus to be ample room within early Sumerian for the popularity of an element like \*Šubr and for its broader employment in instances which stricter analysis would have ruled out. For a partial parallel cf. our usage of *Dutch* (originally cognate with *deutsch*), not only in the accepted meaning 'pertaining to the Netherlands' but also in its loose and colloquial application 'German.'

<sup>61</sup> To use examples given by Gelb, HaS 14, 87.

native term for 'Phoenicia')<sup>62</sup> or in our *indigo*—in both cases to denote nothing more than certain types of dyes. Again, as secondary applications, such names may have developed from adjectives with the sense of 'strange, foreign,' or the like. One such example is *Welsh*, which may apply not only to Celts but also—as in Polish—to Italians (*Włosi*) and Rumanians (*Wolosi*).<sup>63</sup> Another pertinent and instructive illustration is Heb. *ʿz*. In Psalms 114. 1 this root is employed for a foreign language, as it also is used, with local modifications, in Arabic (*lǧz*) and Syriac. In Hellenistic times the Hebrew element became specialized for 'Greek,' aside from bearing also a pejorative connotation (cf. our *welsh*). Subsequently, in keeping with the cultural and political developments of the times, the meaning 'foreign' reasserted itself. Now when Hammurabi stigmatized the speech of some of his opponents as *egru* ('intricate, complicated'),<sup>64</sup> he was evidently using the term in the sense of the Psalmist's *lōʿēz*. Significantly enough, one of the places to which he thus referred was Subartu, along with three other lands in the same general neighborhood.

In the above case of Hammurabi's invasion of the field of linguistics, the descriptive adjective which he employed had the character of a catchall, while the proper names listed in that same context were used presumably in their individual connotations. On the other hand, when the Ur III texts or the Old Babylonian documents employ the term 'Subarian,' we are confronted with a one-time geographic term that appears to have lost its specific value and become inclusive—to judge from the fact that it is made to embrace more than one linguistic group.<sup>65</sup> The usage would vary accord-

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<sup>62</sup> *Language* 12 (1936) 121 ff. Conversely, the Greek name for 'Phoenicia' might well have been based on the term for 'red purple'; see *ibid.*, and cf. W. F. Albright, "Canaanites in the History of Civilization," *Studies in the History of Culture (Leland Volume)* 25 f. (It seems to me unlikely, however, that the Cannanites themselves should have called their land after 'Purple,' loc. cit.)

<sup>63</sup> To these examples which Gelb cites alongside English *Wal(l)achians* (HaS 87) should be added the corresponding land names *Wlochy* and *Wolochy*.

<sup>64</sup> See above, note 44, and cf. W. von Soden, ZA 41 (1933) 170 n. 3.

<sup>65</sup> It was in the sense of such a catchall that I sought to employ—although the intended range was much broader—the terms "Japhetic, Japhethite" in MO. The result has not been wholly satisfactory in that various

ing to the time, the user, and the need. The one common denominator in this particular case, in so far as Sumer or Babylonia were concerned, would seem to be an association with the north or northeast. Aside from this basic restriction there was ample room for changes and shifts of emphasis; enough so to make it possible for Assyria and things Assyrian to qualify eventually under Subartu.<sup>66</sup>

It goes without saying that Hurrian elements could be included in this progressively broadening concept of 'Subarian.' That this actually happened may be inferred from the following. The native term for 'Hurrian' is known only from the western fringes of the area covered by Sumerian and Akkadian records.<sup>67</sup> Yet it is abundantly clear that the Hurrians were no strangers to Sumer and Akkad, Babylonia and Assyria. Hurrian rulers of neighboring states become known as early as the Old Akkadian period. In this group belong *Ari-sen*, king of Urkiš and Nawar, \**Ankis-adal*, king of Karḫar, and *Puttim-adal*, king of Šimurum.<sup>68</sup> A mythic-historical text relating to the same period lists a *Kiklib-adal*<sup>69</sup> as the king of Tukriš (preceded by rulers of Lullu and Elam). The name is plainly Hurrian and the land in question is the same which Hammurabi described as using an *egru*-tongue, in common with Subartu, Gutium, and Elam (?). In other words, Hammurabi's description may well have been aimed at Hurrian, among other languages, if indeed he was able to differentiate among them.<sup>70</sup> At all events, Hurrians confront the south in approximately the same territory that the south was wont to refer to as Subartu. In these circumstances it would have been difficult indeed to avoid an equation between the two concepts, however disparate their respective origins. To be sure, the relatively numerous Hurrian names from Ur III which Gelb has collected (HaS, Appendix III) lack specific ethnic identifi-

readers (but not Gelb) have misunderstood these designations to imply ethnic or linguistic relations.

<sup>66</sup> Cf. HaS 42 f., 88.

<sup>67</sup> Namely, Syria and Anatolia. Gelb's suggestion that the ethnicon may be present in the Mari material published so far (HaS 63) is questioned by Goetze, JNES 5, 168 n. 29.

<sup>68</sup> Cf. HaS 55 ff.

<sup>69</sup> KUB XXVII 38 iv 14. The complete form is *IKi-ik-li-pa-ta-al-li-in*, but the final *-(i)n* is a syntactic element (Speiser, IH 167 ff.) and not a nominal suffix as Gelb suggests (HaS 55); see below, n. 86.

<sup>70</sup> Cf. above, note 54.

cation. There is good reason, however, for the premise that explicitly Subarian lists include four names which may be regarded as Hurrian.<sup>71</sup> Hence it would not be unduly hazardous to posit that, in the usage of Sumer and Akkad, 'Subarian' had come to include Hurrians not later than the Ur III period. There is no evidence against such an assumption. Neither is there any indication that other terms for Hurrians were used in that area. What positive evidence there is favors the connection.

With regard to Assyria, the situation was of a different order. For one, the records do not take us back to the third millennium, a time when Subartu appears to have enjoyed—at least initially—a distinctive geographic connotation. For another, Assyrian historical tradition is far more uniform than that of the south. Lastly, what was north or northeast from a vantage point in Lower Mesopotamia, was from the standpoint of Aššur either Assyria itself or the lands to the east of it. Accordingly, the south's employment of 'Subarian' in a geographic sense could have no exact parallel in Assyria. Besides, such groups as the Lullu or the Gutu were too constant and definite a factor to be described by vague or catchall terms. It follows therefore that in Assyrian usage 'Subarian'<sup>71a</sup> would be expected to carry a distinctively ethnic meaning. Little argument is needed to show that such an expectation is fully borne out by the evidence.

This evidence concerns primarily the latter half of the second millennium, that is, the formative period of the Assyrian Empire. In the fourteenth and early thirteenth centuries, from the time of Aššur-uballit I to that of Shalmaneser I, the Subarians are placed to the east of Assyria and are usually linked directly to the Lullu.<sup>72</sup> Beginning with Tukulti-Ninurta I, however, in the second half of the thirteenth century, the seats of the Subarians are located west of Assyria.<sup>73</sup> The evi-

<sup>71</sup> See above, p. 5. Further proof of Hurrian contacts with Lower Mesopotamia not later than the Ur III period is inherent in the character of the Hurrian syllabary which was based on a model close to Old Akkadian; cf. IH 13 f.

<sup>71a</sup> The statement "we are Subartu" in an Assyrian astrological report is convincingly explained by Gelb (HaS 88) as a gloss made necessary by the essentially Babylonian background of this type of material.

<sup>72</sup> Cf. HaS 45 f. and the literature there cited.

<sup>73</sup> Ibid. 46.

dence as a whole admits of only one possible interpretation: in the historical records of Assyria the term 'Subarians' is applied specifically to Hurrians.

We know from the Nuzi documents that in the fourteenth century the region of Arrapha—a bare fifty miles to the east of Aššur—was overwhelmingly Hurrian ethnically and politically. These Hurrians had the Lullu as their immediate neighbors farther to the east. Conquest of the Hurrians in the Arrapha area was clearly one of the first steps in the expansion of Assyria. The Nuzi records have preserved echoes of those combats.<sup>74</sup> Is it at all probable that the Assyrian rulers, never prone to play down their own victories, would maintain absolute silence in this case, while they are voluble about their successes all over the rest of this area? Even if further confirmation were lacking, we should still have to identify the Subarians in the period from Aššur-uballiṭ I to Shalmaneser I with the eastern Hurrians, especially since the end of the Nuzi phase falls precisely within this period. But we do have additional confirmation. The Subarians of Tukulti-Ninurta I and his successors are located to the west of Assyria, just as Hurrians—and more particularly so this time—are found in the same quarter. To meet this objection, Gelb has sought to draw a distinction between places assigned to Mitanni-Ḫanigalbat and those that are listed as Subarian, his inference being that only the first group is to be viewed as Hurrian.<sup>75</sup> We have seen, however, that the second group includes Katmuḫi with its Hurrian form and its succession of Hurrian rulers, not to mention other places in the same category.<sup>76</sup> Assyrian usage in this respect thus remains consistent throughout and in complete conformity to the facts of Assyrian history. Gelb's exclusive Subarian hypothesis can find here neither aid nor comfort.

In final retrospect, the combined evidence from the south and the north yields this result: Back in the third millennium Subartu appears to have had a specific geographic connotation with reference to a northerly area situated close to Elam. By the end of that millennium, however, a more general meaning came to attach to 'Subarian'—for reasons that cannot as yet be ascertained. In the south the term could be used broadly for the north and the

northerners, and perhaps also for speakers of certain languages. In the north, on the other hand, 'Subarian' was the local equivalent of 'Hurrian,' as used either in an ethnic or a political sense.

#### IV

In conclusion, a few remarks are in order concerning some of the terms which figure frequently in connection with Subarian inquiries. One of these is Ras Shamra alphabetic *šbr* (or *š̄br*).<sup>77</sup> To one group of scholars, including Gelb, this term means nothing else than 'Subarian.'<sup>78</sup> C. G. v. Brandenstein has compared it with *Šabarra*, a land name known from a Hittite context.<sup>79</sup> Writing in 1933 (AASOR 13. 23) I expressed myself in favor of the first view. Subsequent study, however, convinced me that this could not be correct. After indicating my reasons for the later conclusion, I added that Brandenstein's suggestion "may be right."<sup>80</sup> Since Gelb appears to have misunderstood my argument, I shall try to restate it very briefly.

The Ras Shamra symbol transcribed as *š* or *š̄* is used to render the [š] in such Hurrian names as *Tešub*, *Šauška*, and *Šimige*. In syllabic writings this sound is usually written double in medial position; and it is rendered invariably with *š*-signs only.<sup>81</sup> On the other hand, whenever *š*-signs interchange with *s*- or *z*-signs, the underlying sibilant corresponds to RŠ *z̄*; cf. *ḫa-zi-ib-* alongside the far more common *ḫa-ši-ib-*, and note RŠ *ḫz̄l̄z̄*.<sup>82</sup> Analogously, the Hurrianizing syllabary<sup>83</sup> writes Akk. [š] < PS [t̄], as in (*w*)*ašābum*, invariably with *š*-signs only, whereas Akk. [š] < PS [š, š̄] can be written not only with *š*-signs but also with *s*- and *z*-signs, and is so found in forms of *šimtum* and *šatārum* at Nuzi.<sup>84</sup> Now since *S/Zu-ba-ri* occurs in the Amarna material and *Šu-ba-ri* at Boğazköy<sup>84a</sup>—both sources being instances of the Hur-

<sup>77</sup> Cf. Speiser, IH 3 n. 8 and *ibid.* 31 ff.

<sup>78</sup> HaS 20 f.

<sup>79</sup> ZDMG 91 (1937) 570 n. 1.

<sup>80</sup> IH 3 n. 8.

<sup>81</sup> *Ibid.* 31 ff., and add J. Friedrich, *Orientalia* 12 (1943) 6 ff.

<sup>82</sup> IH 33 ff.

<sup>83</sup> *Ibid.* 12 f.

<sup>84</sup> For the Nuzi syllabary see M. Berkooz, *The Nuzi Dialect of Akkadian*, Language Dissertations 23 (1937) 9 ff.; Goetze, *Language* 14 (1938) 134-7; P. M. Purves, *AJSL* 57 (1940) 162 ff. Note also Speiser, *JAOS* 58 (1938) 189 ff. and *Language* 16 (1940) 319 ff.

<sup>84a</sup> Cf. HaS 48 f.

<sup>74</sup> JEN 525 and *JAOS* 47 (1927) 9 f.

<sup>75</sup> HaS 46.

<sup>76</sup> See above, p. 6, and cf. Goetze, *JNES* 5. 166 ff.

rianizing syllabary—it follows that the initial sound could properly be expressed only by alphabetic  $\bar{z}$ , not  $\bar{s}$ . Consequently RŠ  $\bar{s}br$  cannot be related to *Šubarû*.

The land-name *Šubria/e* is taken for granted as a cognate of Subartu. That *Šubr-* might develop from *Šubarû-* through syncope, and that the adjectival form *Šubriyu* could thus stand for 'Subarian' cannot be doubted. But that the name of a country in the region of Lake Van should have been derived from an Assyrian term used in a distinctly secondary application is not to be conceded without better proof than has yet been adduced.<sup>85</sup> A local source for such a name appears far more likely. Gelb's attempted use of a Hurrian passage as an instance of the equation *Šubria*=*Šubarû* (or the like) is unfortunate.<sup>86</sup>

Various attempts have been made from time to time to associate *šubur/subar* with *hubur*, since syllabary material links these terms under the two heads of (a) Subartu and (b) 'earth.'<sup>87</sup> With Hurrian *ha/uwur* independently attested as 'earth, below,'<sup>88</sup> the way seemed clear for the further etymological equation Subar(tu)=Hurr(i);<sup>89</sup> the more so since the last term appears in the Tušratta letter in the form *hurw-* alongside *hurr-*, and since metathesis under the influence of [r] is a common occurrence with the Hurrians.<sup>90</sup> Yet attractive though this particular comparison might

<sup>85</sup> The evidence cited by Gelb, *ibid.* 29, does not support automatically the conclusions drawn with regard to *Šubria* (*ibid.* 47 f. and JNES 5.166).

<sup>86</sup> It was briefly criticized by Goetze, JNES 5.168 n.29. The phrase *šu-ub-ri-ia-na-aš* <sup>d</sup>*Teššub-aš* (KUB XXVII 46 i 19 and ff.; Gelb transliterates *šu-ub-ri-ia-na-aš* <sup>d</sup>*U-up-aš*) cannot simply be translated with Gelb as "Šubrian Tešup" (HaS 30). For in the first place, *šubri-* in the passages in question is combined with *eḫli-*, which is certainly not a place name. Secondly, where the text deals with place names it does not fail to mark them as such; cf. *ša-bi-nu-we-ḫi-na-aš*, line 20, same context. And finally, adjectival use of place names would call for such formatives as *-we* or *ḫi*; e.g., *Im-ma-aš-ku-un ew-ri e-we<sub>e</sub>-er-ne* (14) [e]Lu-ul-lu-e-ne-we<sub>e</sub> . . . *IKi-ik-li-pa-ta-al-li-in* <sup>d</sup>*Du-uk-ri-iš-ḫi e-bi-ir-ni* "Immašk was (-n) king of Lullu; . . . Kiklib-adal was the Tukrišite king" (KUB XXVII 38 iv 13-14).

<sup>87</sup> Cf. HaS App. I, pp. 92 ff.

<sup>88</sup> *Ibid.* 93 n. 11; Speiser, IH 100.

<sup>89</sup> Cautiously weighed by Goetze, JAOS 57 (1937) 108.

<sup>90</sup> For such metathesis in Hurrian words see IH 68, and add Hurr. *hubrušbi*: Ugar. *ḫrbt* (Friedrich, ZDMG 96 (1942) 471 ff. For the same process in Semitic words at Nuzi cf. *birqu*: *baqāru*; note also Nuzi *gursipu*: Akk. *gursipu* (e.g., D. Cross, *Movable Property* 57 and n. 134).

be in some respects,<sup>91</sup> it is no longer possible. For it can now be shown that the form *hurw-* is not primary—as had been reasonable to suppose—but purely secondary. The evidence is as follows.

One Nuzi text dealing with the making of bricks (HSS V 97) states (lines 6-8): *2 li-im libnāti<sup>pl</sup> i-na eNu-zi* (7) *i-la-bi-it a-na za-zu-um-ma ippuš<sup>us</sup>* (8) *a-na a-ma-ar-wu-um-ma ippuš<sup>us</sup>* "he(!) shall produce two thousand mud bricks in Nuzi; he shall make (them) into z. (divide into individual bricks?); he shall make (them) into a." The complex *amarwumma ippuš* appeared to contain the usual Hurrian and Semitic components that go for the most part into the *-umma epēšu* type of construction; and *amarw-* seemed to fit nicely into a Hurrian pattern. In a parallel text, however, which has since appeared (HSS XIII 387), we read (10-12): *libnāti<sup>pl</sup>* (11) *i-la-bi-nu ù za-zu-um-ma ippuš<sup>su</sup>* (12) *ù a-ma-ra im-ḫa-šú* "they shall produce the mud bricks, and make z., and strike(?) a." The precise technical meaning of *amāra ma-ḫāšu* is not clear, nor need it concern us at present. What does matter is the fact that *amarwumma* turns out to contain Akk. *amāru* 'brick frame,' or the like; cf. *šiga-amāru*, Deimel, ŠL 567. 2, 23, 30. Hence the *-w-* in *amarwumma* is a secondary development between *-r-* and *-u-*, in a dialect spoken by Hurrians. Since the occurrence of *-w-* in *Hur-wu-(u)-ḫé* (Mit. I 19, II 68, III 113, IV 127) furnishes a complete analogy, and since the alternate *Hur-ru-u-ḫé* is also found in the same carefully written document (Mit. I 14, III 6), the *-w-* must be a secondary development. And with the labial thus eliminated, the prospect of an etymological connection between *subar-* and *hurr-* likewise disappears. There still remains the possibility of a relationship between *šubur*, *hubur* on the one hand and *ha/uwur* on the other, with an underlying meaning 'earth, below.' But we have at present no way of judging how plausible such a combination might be, or whether it would signify—if confirmed—anything more than borrowing by the one group from the other.

Lastly, the problem of *namru(m)* as applied to Subarian slaves has been brought up once again. I had occasion to deal with it at considerable length in MO 102-8. The general procedure had been to interpret the term in the sense of 'light,' more specifically, 'light-colored, fair-skinned.' On

<sup>91</sup> As long as it seemed to be favored by independent considerations.

this basis had been constructed far-reaching theories as to the racial characteristics of the Subarians and the Gutu, although no proof could be found anywhere that the word ever had any bearing on pigmentation; the commonly attested meaning of *namru* is 'shining, bright, splendid.' Moreover, in Nuzi texts with close analogies to the Old Babylonian documents dealing with Subarian slaves, the corresponding descriptive term is *damqu* 'good,' which the syllabaries designate as a synonym and a semantic analogue of *namru*. Accordingly, I took *namru* to indicate in the slave texts a value of purely commercial rather than anthropological interest. My argument was welcomed by Ungnad with this remark: "Nur auf dieses *namru* die These einer blonden und blauäugigen Bevölkerung in Subartu und Gutium aufzubauen, ist jedenfalls mit Speiser abzulehnen."<sup>92</sup> It was echoed also by J. J. Stamm, who contributes this significant observation: "*Namru* kann nicht auf die Farbe des Haares oder der Haut gehen, da das Adjektiv nie als Farbbezeichnung vorkommt."<sup>93</sup>

Nevertheless, Gelb would dismiss the entire argument in a single footnote. He states: "For this interpretation of *namrum* I can find no evidence in Akkadian literature."<sup>94</sup> No effort was made to weigh in detail the considerable amount of circumstantial evidence that had been presented. This is not the place to go into further detail. It will suffice to indicate that the substantive correspondence between the Lullu slaves of the Nuzi documents and the Subarian slaves of the Old Babylonian texts has been greatly enhanced, inasmuch as the same general region is known to be involved in both cases.<sup>95</sup> It follows then that the respective descriptive adjectives, *damqu* and *namru*

should likewise correspond—a conclusion which is fully borne out by independent lexical evidence. We know now, furthermore, that *damqu* was contrasted at Nuzi with *šinahilu* 'of second(ary) rank or quality.'<sup>96</sup> The meaning of *damqu* as a commercial term was therefore 'first-rate, first-class, fine,' and the same must apply also to *namru* in related contexts.

The one passage that Gelb has cited in support of his position is: [<sup>rēš</sup>*amtam*] *na-wi-ir-tam ša in-ki* [*maḥ*]-*ra-at* (VAS XVI 65. 12 f.). This he translates, with P. Kraus,<sup>97</sup> "a light(-colored) slave girl who is pleasing to your eye." Just how the mention of an eye-catching slave girl makes the accompanying *nawirtam* refer to color is not explained. Yet Gelb does not hesitate to speak farther on (p. 88) of "the fact that Subarian slaves were called 'light,' in the sense of 'light-colored,'" the only support for that alleged fact being his earlier footnote. It would seem that Subarians are difficult enough to accommodate as it is, without the severe additional handicap of a distinctive and—for that area—atypical pigmentation.

How would a speaker of Akkadian refer to light-colored persons if he were so minded? The one clear instance of reference to color—however obscure the underlying meaning—is the stereotype *šalmāt qaqqādi* 'the dark-headed ones';<sup>98</sup> in the cultural pattern of ancient Mesopotamia it was this shading, and not its opposite, that was viewed as pleasing in people. The meaning 'light-colored, blond' would have to be sought among the antonyms of *šalmu*. Two such antonyms immediately come to mind. One is the common *pešū* 'white, light,' which is contrasted with *šalmu* in such instances as the standard animal list.<sup>99</sup> The other is *bašlu*, which is similarly contrasted with *šalmu* in lists of garments, and the like.<sup>100</sup> and has plausibly been explained in that connection as meaning 'bleached.'<sup>101</sup> In other words, Akkadian had at least two terms to designate light skin or complexion, one for the natural and the other for the artificially induced variety. Neither was used in the texts under discussion. Evidently, therefore, neither meaning was wanted.

<sup>92</sup> *Subartu* 105.

<sup>93</sup> *Die akkadische Namengebung* (MV AeG 44) 248 n. 4; also the common use of *namru* / *nawir* in the sense of 'shining' in onomastic compounds, *ibid.* 184.

<sup>94</sup> HaS 43 n. 138. It is to be regretted that Gelb has sought to read hidden motives into the arguments of those with whom he takes issue, when he says (*ibid.*): "It would seem that Speiser's and Ungnad's reaction against the normal interpretation of *namrum* as 'light (-colored)' was caused by their assumption that Hurrians or Subarians belonged to the Armenoid race, which according to them could hardly be called light-colored." Speaking for myself, my "reaction against the normal interpretation of *namrum*" was prompted by the circumstance that that view is both unenlightening and unsupported. Assuredly, we are all interested in facts far more than in favored theories.

<sup>95</sup> See above, p. 8 and cf. n. 53.

<sup>96</sup> AASOR 16. 134.  
<sup>97</sup> MV AeG 36. 1 (1932) 59 f.  
<sup>98</sup> Adduced already in MO 106.  
<sup>99</sup> Cf. B. Landsberger, *Fauna* 8. 89-90.  
<sup>100</sup> RA 36. 130 (SMN 1422) 25.

<sup>101</sup> E. R. Lacheman, *apud* Starr, *Nuzi* I 543. For the chemical connotation of *bašlu* see also W. von Soden, *Orientalia* 16. 445.



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JAMES B. PRITCHARD

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# Akkadian Myths and Epics

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The material here offered is intended to be representative rather than exhaustive. It is not always possible to draw a sharp line between Akkadian compositions devoted to myths and related material, and those that concern other types of religious literature, not to mention special categories of historical nature. Furthermore, considerations of space and time have tended to exclude sundry literary remains whose bearing on the purpose of this work is not immediately apparent. It is hoped, however, that nothing of genuine relevance has been omitted.

As regards the order of the individual subjects, it was deemed advisable to present in succession the two major survivals of this group of texts, namely, *The Creation Epic* and *The Epic of Gilgamesh*. The alternative procedure would have been to group some of the minor subjects with the one epic, and some with the other. The present arrangement has a sound biblical precedent in the order of the books of the Prophets.

In translating material which has come down to us in poetic form, there arises the inevitable conflict between adherence to the force and flavor of the original idiom—as that idiom is understood—and adherence to the given poetic form. In the present instance, preference was given to the demands of meaning, whenever necessary. Elsewhere slight exceptions have been made in an effort to reflect the measures of the Akkadian verse—normally a unit of two distinct halves with two beats in each half. Where the text presents an overlong line as a result of a mechanical combination of two verses, the added verse has been indented in the translation so as not to alter the line count of the text. In lines grown unwieldy for other reasons—such as theological addition in the original, or the helplessness of the translator when confronted with the economy or the elusiveness of the Akkadian idiom—indentation has likewise proved to be a convenient device.

The strong temptation to indicate logical transitions in the context by means of paragraphing has been resisted on the ground that such divisions might be regarded as arbitrary. Where, however, the text suggests paragraphing by means of horizontal lines (as in *The Epic of Gilgamesh*), the translation has followed suit by resorting to added spacing.

Virtually all of the material included under this heading has had the benefit of painstaking study over a period of many years. The principal editions of the texts and the latest discussions and translations are listed in the respective introductions to the individual subjects. Each revision is indebted to some extent to its various predecessors. My own debt to my colleagues, past and present, is too great to be acknowledged in detail. I have tried, however, to note explicitly such appropriated improvements and observations as may not as yet have become the common property of Assyriological scholarship. In fairness to others, it was necessary also to call attention to the occasional departures for which I alone must bear the responsibility. The existing gaps in the texts, at any rate, and the lacunae in our understanding of what is extant, are still much too formidable for anything like a definitive translation.

## The Creation Epic

The struggle between cosmic order and chaos was to the ancient Mesopotamians a fateful drama that was renewed at the turn of each new year. The epic which deals with these events was therefore the most significant expression of the religious

literature of Mesopotamia. The work, consisting of seven tablets, was known in Akkadian as *Enuma elis* "When on high," after its opening words. It was recited with due solemnity on the fourth day of the New Year's festival.

Portions of this work were first made available in modern times by George Smith, in *The Chaldean Account of Genesis* (1876). The flow of material has continued intermittently ever since. We owe these texts to three main sources: (a) The British excavations at Nineveh; the relevant texts have been published in CT, XIII (1901) and in L. W. King's *The Seven Tablets of Creation* (2 Vols., 1902). (b) The German excavations at Ashur; texts in E. Ebeling's *Keilschrifttexte aus Assur religiosen Inhalts* (1915 ff.). (c) The British-American excavations at Kish; texts in S. Langdon's *Oxford Editions of Cuneiform Texts* (1923 ff.; Vol. vi). Scattered fragments have appeared in the periodical publications. A convenient compilation of the texts has been given by A. Deimel in his *Enuma Elii* (2nd ed., 1936). This book contains a useful textual apparatus, but it does not altogether eliminate the need for comparison with the basic publications. In recent years, large gaps in Tablet VII have been filled by E. Ebeling in *MAOG*, XII (1939), part 4, and these additions have been supplemented and elucidated by W. von Soden in *ZA*, XLVII (1942), 1-26. The only part that still is largely unknown is Tablet V.

The various studies and translations of this epic are too numerous for a complete survey. The more recent ones include: S. Langdon, *The Babylonian Epic of Creation* (1923); E. Ebeling, *AOT*, 108 ff.; R. Labat, *Le poème babylonien de la création* (1935); and A. Heidel, *The Babylonian Genesis* (1942). For the sake of ready reference, I have retained the line count employed by Labat. Heidel's careful translation could scarcely be overestimated in its usefulness. Except for the portions of Tablet VII, which have appeared since, it constituted the fullest rendering possible at the time of its publication. Attention should also be called to W. von Soden's grammatical study, *Der hymnisch-epische Dialekt des Akkadischen*, *ZA*, XL-XLI (1932 f.), and to A. L. Oppenheim's notes on Mesopotamian Mythology I, *Orientalia*, xvi (1947), 207-38.

There is as yet no general agreement as regards the date of composition. None of the extant texts antedates the first millennium B.C. On the internal evidence, however, of the context and the linguistic criteria, the majority of the scholars would assign the epic to the Old Babylonian period, i.e. the early part of the second millennium B.C. There does not appear to be any convincing reason against this earlier dating.

The poem is cast in metric form. One seventh-century copy of Tablet IV, for instance, still shows plainly the division of lines into halves, thus bringing out the two beats of each half. Theological, political, and exegetical considerations have led to various changes and additions, but these are readily recognized for the most part thanks to the underlying metric framework.<sup>1</sup> Unfortunately, a translation cannot make use of this type of evidence, however obvious it may be. In general, the successive revisions have marred the poetic effect of the whole. Nevertheless, enough passages have come down intact to bear witness to a genuine literary inspiration in many instances.

### Tablet I

When on high the heaven had not been named,

<sup>1</sup>A metric rendering of Tablet I into Dutch has been published by F. M. Th. Bohl in *EOL*, ix (1944), 145 ff.

Firm ground below had not been called by name,  
 Naught but primordial Apsu, their begetter,  
 (And) Mummu<sup>2</sup>-Tiamat, she who bore them all,  
 Their<sup>8</sup> waters commingling as a single body;  
 No reed hut\* had been matted, no marsh land had  
 appeared,  
 When no gods whatever had been brought into being,  
 Uncalled by name, their destinies undetermined—  
 Then it was that the gods were formed within them.<sup>5</sup>  
 Lahmu and Lahamu were brought forth, by name  
 they were called. (10)

Before they had grown in age and stature.  
 Anshar and Kishar were formed, surpassing the others.  
 They prolonged the days, added on the years.<sup>8</sup>  
 Anu was their heir, of his fathers the rival;  
 Yea, Anshar's first-born, Anu, was his equal.  
 Anu begot in his image Nudimmud.<sup>7</sup>  
 This Nudimmud was of his fathers the master;<sup>8</sup>  
 Of broad wisdom, understanding, mighty in strength,  
 Mightier by far than his grandfather, Anshar.  
 He had no rival among the gods,  
 his brothers.® (20)

The divine brothers banded together,  
 They disturbed Tiamat as they surged back and forth™  
 Yea, they troubled the mood<sup>11</sup> of Tiamat  
 By their *hilarity*<sup>12</sup> in the Abode of Heaven.  
 Apsu could not lessen their clamor  
 And Tiamat was speechless at their *ways*  
 Their doings were loathsome unto [...].  
 Unsavory were their ways; they were *overbearing*.<sup>13</sup>  
 Then Apsu, the begetter of the great gods,  
 Cried out, addressing Mummu, his vizier: (30)  
 "O Mummu, my vizier, who rejoicest my spirit,<sup>14</sup>  
 Come hither and let us go to Tiamat!"  
 They went and sat down before Tiamat,  
 Exchanging counsel about the gods, their first-born.  
 Apsu, opening his mouth,  
 Said unto *resplendent* Tiamat:

<sup>2</sup> Not to be confused with the vizier Mummu, for grammatical reasons. Perhaps an epithet in the sense of "mother," as has long been suspected. On the various meanings of the term see now A. Heidel in *JNES*, VII (1948), 98-105.

<sup>3</sup> i.e. the fresh waters of Apsu and the marine waters of Tiamat "the sea."

<sup>4</sup> In this epic *giparu* indicates both the primitive building material—as in this passage; cf. E. Douglas Van Buren, *Orientalia*, xm (1944), 32—and a cult hut (Tablet I, 77). Both meanings can be reconciled on the basis of W. Andrae's researches into the origin of Mesopotamian shrine architecture; cf. his *Das Gotteshaus und die Urformen des Bauens im alien Orient* (1930). Note, however, that the initial *gi* of this word is not to be confused with Sumerian *gi* "reed."

<sup>5</sup> The waters of Apsu and Tiamat.

<sup>8</sup> i.e. a long time elapsed.

<sup>7</sup> One of the names of Ea, the earth- and water-god.

<sup>8</sup> Reading *la-lit*, with one Ashur text, for *a-lid* "begetter."

<sup>9</sup> Var. "fathers."

<sup>10</sup> Reading *na-mui-iu-nu*, with a number of interpreters. Others read the ambiguous second sign as *-fir*, thus obtaining the sense "assaulted their keeper"; cf. Heidel, *BG*, 9.

<sup>11</sup> Lit "belly."

<sup>12</sup> cf. W. v. Soden, *ZA*, xx.iv (1938), 38.

<sup>13</sup> For the approximate sense cf. A. L. Oppenheim, *Orientalia*, xvi (1947), 210, n. 2.

<sup>14</sup> Lit. "liver."

<sup>15</sup> This translation ignores a minor grammatical difficulty; the alternative "(spoke) with raised voice" (cf. Tablet III, 125) would have to contend with etymological objections.

"Their ways are verily loathsome unto me.  
 By day I find no relief,<sup>18</sup> nor repose by night.  
 I will destroy, I will wreck their ways,  
 That quiet may be restored. Let us have rest!" (40)  
 As soon as Tiamat heard this,  
 She was wroth and called out to her husband.  
 She cried out aggrieved, as she raged all alone,  
 Injecting woe into her mood:  
 "What? Should we destroy that which we have built?  
 Their ways indeed are most troublesome, but let us  
 attend<sup>17</sup> kindly!"

Then answered Mummu, giving counsel to Apsu;  
 [*Ill-wishing*] and ungracious was Mummu's advice:  
 "Do destroy, my father, the mutinous ways.  
 Then shalt thou have relief by day and  
 rest by night!" (50)

When Apsu heard this, his face grew radiant  
 Because of the evil he planned against the gods, his sons.  
 As for Mummu, by the neck he embraced him  
 As (that one) sat down on his knees to kiss him.<sup>18</sup>  
 (Now) whatever they had plotted between them,  
 Was repeated unto the gods, their first-born.  
 When the gods heard (this),<sup>19</sup> they were astir,  
 (Then) lapsed into silence and remained speechless.  
 Surpassing in wisdom, accomplished, resourceful,  
 Ea, the all-wise, saw through their<sup>20</sup> scheme. (60)

A master design against it he devised and set up,  
 Made artful his spell against it, surpassing and holy.  
 He recited it and made it subsist in the deep,<sup>21</sup>  
 As he poured sleep upon him. Sound asleep he lay.<sup>22</sup>  
 When Apsu he had made prone, drenched with sleep,  
 Mummu, the adviser,<sup>23</sup> was powerless to stir<sup>24</sup>  
 He loosened his band, tore off his tiara,  
 Removed his halo<sup>25</sup> (and) put it on himself.<sup>28</sup>  
 Having fettered Apsu, he slew him.  
 Mummu he bound and left behind lock. (70)

Having thus upon Apsu established his dwelling,  
 He laid hold on Mummu, holding him by the nose-rope.  
 After Ea had vanquished and trodden down his foes,  
 Had secured his triumph over his enemies,  
 In his sacred chamber in profound peace had rested,  
 He named it "Apsu," for shrines he assigned (it).  
 In that same place his cult hut<sup>27</sup> he founded.

<sup>16</sup> Not merely "rest," because of the "relative" force of the prefix *l-*, a function as yet ignored in Akkadian grammars.

<sup>17</sup> For this value of *ladadu* cf. Gilg. xn, 32 and the semantic range of the terms listed in Deimel, *SL*, 371, 73.

<sup>18</sup> The Akkadian appears ambiguous as to subject and object. It would seem, however, that as Mummu came down to his knees, Apsu embraced him by the neck.

<sup>19</sup> Var. "The gods were in tears."

<sup>20</sup> That of Apsu and Mummu.

<sup>21</sup> Lit. "caused it to be in the waters," viz. those of Apsu.

<sup>22</sup> cf. F. W. Geers, *JNES*, iv (1945), 66.

<sup>23</sup> Reading *tam-la-u* with Heidel, *BG*, 10, n. 22.

<sup>24</sup> cf. *JCS*, v (1951), 65 and n. 15.

<sup>25</sup> Following the interpretation of A. L. Oppenheim, *JAOS*, LXIII (1943),

<sup>26</sup> The rich crop of variant readings which the Akkadian versions furnish for this passage, and the consequent variety of interpretations, appear to be due to the use of an archaic pronominal form (*su'a*); cf. W. v. Soden, *ZA*, \*L (1932), 182.

<sup>27</sup> See above, note 4.

Ea and Damkina,<sup>28</sup> his wife, dwelled (there) in splendor.  
In the chamber of fates, the abode of destinies,  
A god was engendered, most able and  
wisest of gods. (80)

In the heart of Apsu<sup>29</sup> was Marduk<sup>30</sup> created,  
In the heart of holy Apsu was Marduk created.  
He who begot him was Ea, his father;  
She who bore him was Damkina, his mother.  
The breast of goddesses he did suck.<sup>31</sup>  
The nurse that nursed him filled him with awesomeness.  
Alluring was his figure, sparkling the lift of his eyes.  
Lordly was his gait, commanding from of old.  
When Ea saw him, the father who begot him,  
He exulted and glowed, his heart filled  
with gladness. (90)

He rendered him perfect<sup>32</sup> and endowed him with a  
double godhead.<sup>3\*</sup>  
Greatly exalted was he above them, exceeding through-  
out.

Perfect were his members beyond comprehension,  
Unsuited for understanding, difficult to perceive.  
Four were his eyes, four were his ears;  
When he moved his lips, fire blazed forth.  
Large were all four<sup>34</sup> hearing organs,  
And the eyes, in like number, scanned all things.  
He was the loftiest of the gods, surpassing was his  
stature;

His members were enormous, he was  
exceeding tall. (100)

"My little son, my little son!<sup>35</sup>  
My son, the Sun! Sun of the heavens!"  
Clothed with the halo of ten gods, he was strong to the  
utmost,

As their awesome flashes were heaped upon him.  
Anu brought forth and begot the fourfold wind  
Consigning to its power the *leader of the host*.

He fashioned . . . , *station[ed]* the whirlwind,<sup>36</sup>

He produced streams to disturb Tiamat.  
The gods, given no rest, *süßer in* the storm.  
Their heart(s) having plotted evil,  
To Tiamat, their mother,<sup>37</sup> said:

"When they slew Apsu, thy consort,  
Thou didst not aid him but remainedst still.

<sup>28</sup>The Assyrian versions substitute here and elsewhere Lahmu and La(ä)mu for the Babylonian Ea and Damkina; similarly, Anshar-Ashur replaces Marduk.

» "The Deep."

<sup>30</sup> Var. "Ashur" here and in the next line.

<sup>31</sup> Var. "she caused him to suck."

<sup>32</sup> The technical term *lutefbü* refers primarily to the final inspection of their work by craftsmen before it is pronounced ready for use. cf. also Th. Bauer, *Das Inschriftenwerk Assurbanipals* (Leipzig, 1933), n. 84.

<sup>33</sup> cf. Oppenheim, *Orientalia*, xvi (1947), 215.

<sup>34</sup> The word play of the Akkadian *irbü erbä* cannot readily be reflected.

<sup>35</sup> Akkadian *māri(ya)ūtu* reflects a double pun: cf. *Orientalia*, xv (1946), 380, n. 6; ZA, xxxv (1923), 239, and ZA, xxxvi (1924), 77-79. Grammatically, "Our son, our son!" is also possible.

<sup>36</sup> New texts (*LKA*, 3 and *AnSt* ii, 32 f.—cf. Addenda) have filled in gaps in lines 104 ff., adding the new line 106a. Space precludes detailed comments on various points. In *LKA*, 3, 106 read *qa-tul!-iu*.

<sup>37</sup> Thus *LKA*, 3.

When the dread fourfold wind he<sup>38</sup> created,  
Thy vitals were diluted and so we can have no rest.  
Let Apsu, thy consort, be in thy mind<sup>39</sup>  
And Mummu, who has been vanquished! Thou art left  
alone!

[ . . . ] thou paces about distraught,  
[ . . . without ce]ase. Thou dost not love us!  
[ . . . ] pinched are our eyes, (120)  
[ . . . ] without cease. Let us have rest!  
[...to batt]le. Do thou avenge them!  
[ . . . ] and render (them) as the wind!"  
[When] Tiamat [heard] (these) words, she was  
pleased:<sup>40</sup>

"[ . . . ] you have given. Let us make *monsters*,  
[ . . . ] and the gods in the mid[st... ].  
[ . . . let us do] battle and against the gods [ . . . ]!"  
They thronged and marched at the side of Tiamat.  
Enraged, they plot without cease night and day,  
They are set for combat, growling, raging, (130)

They form a council to prepare for the fight.  
Mother Hubur,<sup>41</sup> she who fashions all things,  
Added matchless weapons, bore monster-serpents,  
Sharp of tooth, unsparing of *fang*.  
[With venom] for blood she has filled their bodies.  
Roaring dragons she has clothed with terror,  
Has crowned them with haloes, making them like gods,  
So that he who beholds them shall perish abjectly,  
(And) that, with their bodies reared up, none might  
turn [them back].<sup>41</sup>

She set up the Viper, the Dragon,  
and the *Sphinx*, (140)

The Great-Lion, the Mad-Dog, and the Scorpion-Man,  
Mighty lion-demons, the Dragon-Fly, the Centaur—  
Bearing weapons that spare not, fearless in battle.  
Firm were her decrees, past withstanding were they.  
Withal eleven of this kind she brought [forth].

From among the gods, her first-born, who formed [her  
Assembly],

She elevated Kingu, made him chief among them.  
The leading of the ranks, command of the Assembly,  
The raising of weapons for the encounter, advancing to  
combat,

In battle the command-in-chief— (150)  
These<sup>42</sup> to his hand she entrusted as she seated him in  
the Council:

"I have cast for thee the spell, exalting thee in the  
Assembly of the gods.

To counsel all the gods I have given thee full power.<sup>44</sup>  
Verily, thou art supreme, my only consort art thou!

<sup>38</sup> Apparently Anu, to judge from *LKA*, 3.

»»Lit. "heart."

<sup>40</sup> Reading *i-fib* with F. Delitzsch, *AfO*, vt (1930-31), 222.

<sup>41</sup> For this term, which in its application to a goddess represents in effect a female counterpart of Ea, cf. I. J. Gelb, *Hurrians and Subarians* (1944), 92 ff. and E. A. Speiser, *JAOS*, LXVIU (1948), 12.

<sup>42</sup> Lit. "turn back their breasts." Another possibility is "they will not turn back." For lines 132-139, which recur several times later on, cf. Th. Jacobsen, in *The Intellectual Adventure of Ancient Man* (1946), 175-6. The entire epic is reviewed, and various passages are translated, *ibid.* 172 ff.

<sup>43</sup> Rendering in this fashion the particle *-ma*.

<sup>44</sup> The literal translation of this idiomatic phrase is "Into thy hand(s) I have charged (filled)."

Thy utterance shall prevail over all the Anunnaki!"  
She gave him the Tablet of Destinies, fastened on his breast:

"As for thee, thy command shall be unchangeable,  
[Thy word] shall endure!"

As soon as Kingu was elevated, possessed of [the rank of Anu],

For the gods, his<sup>48</sup> sons, [they<sup>46</sup> decreed] the fate:

"Your word shall make the first subside, (160)  
Shall humble the 'Power-Weapon,' so potent in (its) *sweep*!"

*Tablet II*

When Tiamat had thus lent import to her handiwork,  
She prepared for battle against the gods, her offspring.  
To avenge Apsu, Tiamat wrought evil.

That she was girding for batde, was divulged to Ea.

As soon as Ea heard of this matter,

He lapsed into dark silence and sat right still

Then, on further thought, his anger subsided,

To Anshar, his (fore)father he betook himself.

When he came before his grandfather, Anshar,

All that Tiamat had plotted to him

he repeated: (10)

"My father, Tiamat, she who bore us, detests us.

She has set up the Assembly<sup>48</sup> and is furious with rage.

All the gods have rallied to her;

Even those whom you brought forth march at her side.

They throng and march at the side of Tiamat,

Enraged, they plot without cease night and day.

They are set for combat, growling, raging,

They have formed a council to prepare for the fight

Mother Hubur, she who fashions all things,

Has added matchless weapons, has born

monster-serpents, (20)

Sharp of tooth, unsparing of *fang*.

With venom for blood she has filled their bodies.

Roaring dragons she has clothed with terror,

Has crowned them with haloes, making them like gods,

So that he who beholds them shall perish abjectly,

(And) that, with their bodies reared up, none might turn them back.

She has set up the Viper, the Dragon, and the *Sphinx*,

The Great-Lion, the Mad-Dog, and the Scorpion-Man,

Mighty lion-demons, the Dragon-Fly, the Centaur—

Bearing weapons that spare not,

fearless in batde. (30)

Firm are her decrees, past withstanding are they.

Withal eleven of this kind she has brought forth.

From among the gods, her first-born, who formed her Assembly,

« Var. "her."

<sup>48</sup> Tiamat and Kingu.

<sup>47</sup> The word play of the original *galru* : *maglaru* is difficult to reproduce. For this passage see A. L. Oppenheim, *Orientalia*, xvi (1947), 219.1 retain, however, *bit-mu-ru* in place of Oppenheim's *iit-mu-ru*.

<sup>48</sup> For the all-important place of the *puhrum* or "assembly" in Mesopotamian society, celestial as well as human, cf. Th. Jacobsen, *Primitive Democracy in Mesopotamia*, *JNES*, 11 (1943), 159 ff., and my remarks on Some Sources of Intellectual and Social Progress in the Ancient Near East, *Studies in the History of Culture* (1942), 51 ff. When used in its technical sense, the word has been capitalized in this translation.

She has elevated Kingu, has made him chief among them.

The leading of the ranks, command of the Assembly,  
The raising of weapons for the encounter, advancing to combat,

In batde the command-in-chief—

These<sup>49</sup> to his hands [she entrusted] as she seated him in the Council:

'[I have cast the spell] for thee, exalting thee in the Assembly of the gods.

[To counsel all the] gods [I have given thee] full power.<sup>44</sup> (40)

[Verily, thou art supreme, my only consort] art thou!

[Thy utterance shall prevail over all the Anun]naki!

[She has given him the Tablet of Destinies, fastened on his breast]:

'[As for thee, thy command shall be unchangeable],  
They word shall endure!'

[As soon as Kingu was elevated], possessed of the rank of Anu,

[For the gods, her<sup>50</sup> sons, they decreed the fate:

'[Your word] shall make the fire subside,

Shall humble the "Power-Weapon," [so potent in (its) *su/eep*]!"

[When Anshar heard that Tiamat] was sorely troubled,  
[He smote his loins<sup>51</sup> and] bit his lips. (50)

[Gloomy was his heart], redress his mood.

[Hecovered] his [*mouth*] to stifle his outcry:<sup>51</sup>

"[...] batde.

[The weapon thou hast made], up, bear thou!

[Lo, Mummu and] Apsu thou didst slay.

[Now, slay thou Kin]gu, who marches before her.

[...] wisdom."

[Answered the counselor of] the gods, Nudimmud.

(The reply of Ea-Nudimmud is lost in the break. Apparently, Ea had no remedy, for Anshar next turns to Anu:)

[To Anu,] his son, [a word] he addressed:

"[...] this, the most puissant of heroes,

Whose strength [is outstanding], past resisting his onslaught

[Go] and stand thou up to Tiamat,

That her mood [be calmed], that her heart expand.

[If] she will not hearken to thy word,

Then tell her our [word], that she might be calmed."

When [he heard] the command of his father, Anshar,

[He made straight] for her way, following

the road to her. (80)

[But when Anu was near (enough)] to see the plan of Tiamat,

[He was not able to face her and] he turned back.

[He came abjectly to his father], Anshar.

[As though he were Tiamat<sup>58</sup> thus he] addressed him:

<sup>49</sup> cf. note 47.

<sup>50</sup> Tablet I, 159 has "his."

<sup>51</sup> As a sign of distress.

<sup>52</sup> cf. Oppenheim, *loc. cit.*, 220, n.i. Note also the intransitive forms of this verb in the *Legend of Zu* (below), A 23, B 52.

<sup>58</sup> The suffix -ki in the next line makes it apparent that the statement addressed to Anshar is an exact quotation of Anu's previous speech to Tiamat. The context bears out this interpretation.

"My hand [suffices not for me to subdue thee]."  
 Speechless was Anshar as he stared at the ground,  
 Hair on edge, shaking his head at Ea.  
 All the Anunnaki gathered at that place;  
 Their lips closed tight, [they sat] in silence.  
 "No god" (thought they) "can go [to  
*battle and],* (90)  
 Facing Tiamat, escape [with his life]."  
 Lord Anshar, father of the gods, [rose up] in grandeur,  
 And having pondered in his heart, he [said to the  
 Anunnaki]:  
 "He whose [strength] is potent shall be [our] avenger,  
 He who is *leen* in battle, Marduk, the hero!"  
 Ea called [Marduk] to his place of seclusion.  
 [Giv]ing counsel, he told him what was in his heart:<sup>54</sup>  
 "O Marduk, consider my advice. Hearken to thy father,  
 For thou art my son who comforts his<sup>55</sup> heart.  
 When facing Anshar, approach as though in  
 combat; (100)  
 Stand up as thou speakest; seeing thee, he will grow  
 restful."  
 The lord rejoiced at the word of his father;  
 He approached and stood up facing Anshar.  
 When Anshar saw him, his heart filled with joy.  
 He kissed his lips, his (own) gloom dispelled.  
 "[Anshar], be not muted; open wide thy lips.  
 I will go and attain thy heart's desire.  
 [Anshar], be not muted; open wide thy lips.  
 I will go and attain thy heart's desire!  
 What male is it who has pressed his fight  
 against thee? (110)  
 [It is but] Tiamat, a woman, that flies at thee with  
 weapons!  
 [O my father-]creator, be glad and rejoice;  
 The neck of Tiamat thou shalt soon tread upon!  
 [O my father-]creator, be glad and rejoice;  
 [The neck] of Tiamat thou shalt soon tread upon!"  
 "My son, (thou) who knowest all wisdom,  
 Calm [Tiamat] with thy holy spell.  
 On the storm-ch[ariot] proceed with all speed.  
 From her [presence] they shall not drive (thee)! Turn  
 (them) back!"  
 The lord [rejoiced] at the word of his father. (120)  
 His heart exulting, he said to his father:  
 "Creator of the gods, destiny of the great gods,  
 If I indeed, as your avenger,  
 Am to vanquish Tiamat and save your lives,  
 Set up the Assembly, proclaim supreme my destiny!  
 When jointly in Ubshukinna<sup>58</sup> you have sat down re-  
 joicing,  
 Let my word, instead of you, determine the fates.  
 Unalterable shall be what I may bring into being;  
 Neither recalled nor changed shall be the command of  
 my lips."

### Tablet III

Anshar opened his mouth and

<sup>54</sup> Reading: [im<sup>^</sup>-li-ka-ma a<sup>^</sup> lib-bi-lu i-ta-mi-lu.

<sup>58</sup> i.e. his father's. <sup>56</sup> The Assembly Hall.

To Gaga, his vizier, a word he addressed:  
 "O Gaga, my vizier, who gladdenest my spirit,  
 To Lahmu and Lahamu I will dispatch thee.  
 Thou knowest discernment, art adept at fine talk;  
 The gods, thy fathers, produce thou before me!  
 Let all the gods proceed hither,  
 Let them hold converse, sit down to a banquet,  
 Let them eat festive bread, poured<sup>57</sup> wine;  
 For Marduk, their avenger, let them fix  
 the decrees. (10)  
 Be on thy way, Gaga, take the stand before them,  
 And that which I shall tell thee repeat thou unto them:  
 'Anshar, your son, has sent me hither,  
 Charging me to give voice to [the dictates] of his heart,  
 [Saying]: "Tiamat, she who bore us, detests us.  
 She has set up the [Assembly] and is furious with rage.  
 All the gods have rallied to her;  
 Even those whom you brought forth march at her side.  
 They throng and march at the side of Tiamat.  
 Enraged, they plot without cease night  
 and day. (20)  
 They are set for combat, growling, raging,  
 They have formed a council to prepare for the fight.  
 Mother Hubur, she who fashions all things,  
 Has added matchless weapons, has born monster-ser-  
 pents,  
 Sharp of tooth, unsparing of *fang*.  
 With venom for blood she has filled their bodies.  
 Roaring dragons she has clothed wi'h terror,  
 Has crowned them with haloes, making them like gods,  
 So that he who beholds them shall perish abjectly,  
 (And) that, with their bodies reared up, none  
 might turn them back. (30)  
 She has set up the Viper, the Dragon, and the *Sphinx*,  
 The Great-Lion, the Mad-Dog, and the Scorpion-Man,  
 Mighty lion-demons, the Dragon-Fly, the Centaur—  
 Bearing weapons that spare not, fearless in battle.  
 Firm are her decrees, past withstanding are they.  
 Withal eleven of this kind she has brought forth.  
 From among the gods, her first-born, who formed [her  
 Assembly],  
 She has elevated Kingu, has made [him] chief among  
 them.  
 The leading of the ranks, [command of the Assembly],  
 The raising of weapons for the encounter,  
 ad[vancing to combat], (40)  
 In battle the comm[and]-in-chief—  
 These to his hands [she entrusted] as she sefated him in  
 the Council]:  
 '[I have] cast the spell for thee, [exalting thee] in the  
 Assembly of the gods.  
 To counsel all the gods [I have given thee full power].  
 [Verily], thou art supreme, my [only consort art thou]!  
 Thy utterance shall prevail over all the [Anunnaki]!  
 She has given him the Tablet of Destinies, [fastened on  
 his] breast:

<sup>57</sup> This use of *pataqu* is attested for metallurgy.

'As for thee, thy command shall be unchangeable,  
 Thy word shall endure!  
 As soon as Kingu was elevated, possessed of the rank of  
 Anu,  
 For the gods, her sons, they decreed the fate: (50)  
 'Your word shall make the fire subside,  
 Shall humble the "Power-Weapon," so potent in (its)  
*sweepV*  
 I sent forth Anu; he could not face her.  
 Nudimmud was afraid and turned back.  
 Forth came Marduk, the wisest of gods, your son,  
 His heart having prompted him to set out to face  
 Tiamat.  
 He opened his mouth, saying unto me:  
 'If I indeed, as your avenger,  
 Am to vanquish Tiamat and save your lives,  
 Set up the Assembly, proclaim supreme  
 my destiny! (60)  
 When joindy in Ubshukinna you have sat down re-  
 joicing,  
 Let my word, instead of you, determine the fates.  
 Unalterable shall be what I may bring into being;  
 Neither recalled nor changed shall be the command of  
 my lips!  
 Now hasten hither and promptly fix for him your  
 decrees,  
 That he may go forth to face your mighty foe!'"  
 Gaga departed, proceeding on his way.  
 Before Lahmu and Lahamu, the gods, his fathers,  
 He made obeisance, kissing the ground at their feet  
 He bowed low as he took his place  
 to address them: (70)  
 "It was Anshar, your son, who has sent me hither,  
 Charging me to give voice to the dictates of his heart,  
 Saying: 'Tiamat, she who bore us, detests us.  
 She has set up the Assembly and is furious with rage.  
 All the gods have rallied to her,  
 Even those whom you brought forth march at her side.  
 They throng and march at the side of Tiamat  
 Enraged, they plot without cease night and day.  
 They are set for combat, growling, raging,  
 They have formed a council to prepare  
 for the fight (80)  
 Mother Hubur, she who fashions all things,  
 Has added matchless weapons, has born monster-ser-  
 pents,  
 Sharp of tooth, unsparing of *fang*.  
 With venom for blood she has filled their bodies,  
 Roaring dragons she has clothed with terror,  
 Has crowned them with haloes, making them like gods,  
 So that he who beholds them shall perish abjectly,  
 (And) that, with their bodies reared up, none might  
 turn them back.  
 She has set up vipers,<sup>58</sup> dragons, and *sphinxes*,  
 Great-lions, mad-dogs, and scorpion-men, (90)  
 Mighty lion-demons, dragon-flies, and centaurs—

Bearing weapons that spare not, fearless in batde.  
 Firm are decrees, past withstanding are they.  
 Withal eleven of this kind she has brought forth.  
 From among the gods, her first-born, who formed her  
 Assembly,  
 She has elevated Kingu, has made him chief among  
 them.  
 The leading of the ranks, command of the Assembly,  
 The raising of weapons for the encounter, advancing to  
 combat,  
 In batde the command-in-chief—  
 These to his hands she has entrusted as she  
 seated him in the Council: (100)  
 'I have cast the spell for thee, exalting thee in the  
 Assembly of the gods.  
 To counsel all the gods I have given thee full power.  
 Verily, thou art supreme, my only consort art thou!  
 Thy utterance shall prevail over all the Anunnaki!  
 She has given him the Tablet of Destinies, [fastened on  
 his breast]:  
 'As for thee, thy command shall be un[changeable,  
 Thy word shall endure]!  
 As soon as Kingu was elevated, [possessed of the rank  
 of Anu],  
 For the gods, her sons, [they decreed the fate]:  
 'Your word shall make the fire subside,  
 [Shall humble the "Power-]Weapon," so potent  
 in (its) *sweepV* (no)  
 I sent forth Anu; he could not [face her].  
 Nudimmud was afraid [and turned back].  
 Forth came Marduk, the wisest [of gods, your son],  
 [His heart having prompted him to set out] to face  
 Tiamat.  
 He opened his mouth, [saying unto me]:  
 'If I indeed, [as your avenger],  
 Am to vanquish Tiamat [and save your lives],  
 Set up the Assembly, [proclaim supreme my destiny]!  
 When in Ubshukinna [joindy you sit down rejoicing],  
 Let my word, instead of [you, determine  
 the fates]. (120)  
 Unalterable shall be what [I] may bring into being;  
 Neither recalled nor changed shall be the command [of  
 my lips]!  
 Now hasten hither and promptly [fix for him] your  
 decrees,  
 That he may go forth to face your mighty foe!"  
 When Lahmu and Lahamu heard this, they cried out  
 aloud,  
 All the Igigi<sup>59</sup> wailed in distress:  
 "How strange<sup>80</sup> that they should have made [this] de-  
 cision!  
 We cannot fathom the doings of Tiamat!"  
 They made ready<sup>61</sup> to leave on their journey,  
 All the great gods who decree the fates. (130)  
 They entered before Anshar, filling [Ubshukinna].  
 They kissed one another in the Assembly.

<sup>98</sup> In view of the plurals in this passage (one text, however, retains the singulars), the names of the monsters are this time given in lower case.

<sup>59</sup> The heavenly deities.

«O Lit. "What has turned strange?"

<sup>61</sup> cf. Oppenheim, *Orientalia*, xvi (1947), 223.



They held converse as they [sat down] to the banquet.  
They ate festive bread, poured [the wine],  
They wetted their drinking-tubes<sup>62</sup> with sweet intoxicant.

As they drank the strong drink, [their] bodies swelled.  
They became very languid as their spirits rose.  
For Marduk, their avenger, they fixed the decrees.

*Tablet IV*

They erected for him a princely throne.  
Facing his fathers, he sat down, presiding.<sup>68</sup>  
"Thou art the most honored of the great gods,  
Thy decree is unrivaled, thy command is Anu.<sup>64</sup>  
Thou, Marduk, art the most honored of the great gods,  
Thy decree is unrivaled, thy word is Anu.  
From this day unchangeable shall be thy pronouncement.

To raise or bring low—these shall be (in) thy hand.  
Thy utterance shall be true, thy command shall be unimpeachable.

No one among the gods shall transgress  
thy bounds! (10)

Adornment being wanted for the seats of the gods,  
Let the place of their shrines ever be in thy place.  
O Marduk, thou art indeed our avenger.  
We have granted thee kingship over the universe entire.  
When in Assembly thou sittest, thy word shall be supreme.

Thy weapons shall not fail; they shall smash thy foes!  
O lord, spare the life of him who trusts thee,  
But pour out the life of the god who seized evil."  
Having placed in their midst the Images,  
They addressed themselves to Marduk, their  
first-born: (20)

"Lord, truly thy decree is first among gods.  
Say but to wreck or create; it shall be.  
Open thy mouth: the Images will vanish!  
Speak again, and the Images shall be whole!"  
At the word of his mouth the Images vanished.  
He spoke again, and the Images were restored.  
When the gods, his fathers, saw the fruit of his word,<sup>65</sup>  
Joyfully they did homage: "Marduk is king!"  
They conferred on him scepter, throne, and *vestment*;  
They gave him matchless weapons that ward off  
the foes: (30)

"Go and cut off the life of Tiamat.  
May the winds bear her blood to places undisclosed."  
Bel's destiny thus fixed, the gods, his fathers,  
Caused him to go the way of success and attainment.  
He constructed a bow, marked it as his weapon,  
Attached thereto the arrow, fixed its bow-cord.  
He raised the mace, made his right hand grasp it;  
Bow and quiver he hung at his side.  
In front of him he set the lightning,

With a blazing flame he filled his body. (40)  
He then made a net to enfold Tiamat therein.  
The four winds he stationed that nothing of her might  
escape,

The South Wind, the North Wind, the East Wind, the  
West Wind.

Close to his side he held the net, the gift of his father,  
Anu.

He brought forth Imhullu "the Evil Wind," the Whirlwind,  
the Hurricane,

The Fourfold Wind, the Sevenfold Wind, the Cyclone,  
the Matchless Wind;

Then he sent forth the winds he had brought forth, the  
seven of them.

To stir up the inside of Tiamat they rose up behind him.  
Then the lord raised up the flood-storm, his mighty  
weapon.

He mounted the storm-chariot irresistible  
[and] terrifying. (50)

He harnessed (and) yoked to it a team-of-four,  
The Killer, the Relentless, the Trampler, the Swift.

(Their) lips were parted, their teeth bore poison.  
They were tireless and skilled in destruction.

On his right he posted the *Smiter*, fearsome in battle,  
On the left the Combat, which repels all the zealous.<sup>66</sup>

For a cloak he was wrapped in an armor of terror;<sup>67</sup>  
With his fearsome halo his head was turbaned.

The lord went forth and followed his course,  
Towards the raging Tiamat he set his face. (60)  
In his lips he held a spell;<sup>68</sup>

A plant to put out poison was grasped in his hand.  
Then they milled about him, the gods milled about him,  
The gods, his fathers, milled about him, the gods milled  
about him.

The lord approached to scan the inside of Tiamat,  
(And) of Kingu, her consort, the scheme to perceive.

As he looks on, his course becomes upset,  
His will is distracted and his doings are confused.

And when the gods, his helpers, who marched at his  
side,

Saw the valiant hero, blurred became  
their vision. (70)

Tiamat emitted [a cry],<sup>69</sup> without turning her neck,  
Framing<sup>70</sup> savage<sup>71</sup> defiance in her lips:<sup>72</sup>

"Too [imp]ortant art thou [for]<sup>78</sup> the lord of the gods  
to rise up against thee!

<sup>66</sup> These two lines, hitherto obscured by breaks, have been filled out and clarified by the fragment transliterated in *Anatolian Studies*, n (1952), 27; cf. *LKA*, 6.

<sup>67</sup> The assonance of the original, viz. *nafflapti apluffti pulfrati halipma*, cannot be readily reproduced; for the passage cf. *LKA*, 6.

<sup>68</sup> See now *Anatolian Studies*, n, 28.

<sup>69</sup> cf. E. Weidner, *AfO*, in (1926), 123 for the reading [*rigm*]a, although [*tdi*]a "her incantation" is not impossible. For lines 64-83 see the fragment published by Weidner, *ibid.*, 122-24.

<sup>70</sup> For a close semantic parallel cf. *Judg.* 12:6.

<sup>71</sup> To give *lullu* the same sense as in Tablet VI, 6-7, and *Gilg.* I, iv 7.

<sup>72</sup> Tiamat's taunt, as recorded in the next two lines, is not transparently clear.

<sup>78</sup> Reading [*ka*]b-ta-t[*a a?*-n]a ia, cf. *CT*, XIH, 17; the third sign does not appear to be adequately reproduced in Deimel, *Enuma Elib*, 17, and the fifth sign cannot be read /« (for [»]«) as is done by Labat, *PBC*, 128.

<sup>62</sup> The term *rāfum* "tube, pipe" refers here obviously to the drinking-tubes which are pictured commonly in representations of banquets.

<sup>63</sup> Lit. "for advising."

<sup>64</sup> i.e. it has the authority of the sky-god Anu.

<sup>65</sup> Lit. "outcome of his mouth."

Is it in their place that they have gathered, (or) in thy place?"

Thereupon the lord, having [raised] the flood-storm, his mighty weapon,

[T]o enraged Tiamat he sent word as follows:

"Why art thou risen,<sup>74</sup> art haughtily exalted,  
Thou hast charged thine own heart to stir up conflict,

. . . sons reject their own fathers,  
Whilst thou, who hast born them,

hast foresworn love! (80)

Thou hast appointed Kingu as thy consort,  
Conferring upon him the rank of Anu, not rightfully his.<sup>75</sup>

Against Anshar, king of the gods, thou seekest evil;  
[Against] the gods, my fathers, thou hast confirmed thy wickedness.

[Though] drawn up be thy forces, girded on thy weapons,

Stand thou up, that I and thou meet in single combat!"

When Tiamat heard this,

She was like one possessed; she took leave of her senses.  
In fury Tiamat cried out aloud.

To the roots her legs shook both together.<sup>76</sup> (90)

She recites a charm, keeps casting her spell,

While the gods of battle sharpen their weapons.

Then joined issue Tiamat and Marduk, wisest of gods.

They strove<sup>77</sup> in single combat, locked in battle.

The lord spread out his net to enfold her,

The Evil Wind, which followed behind, he let loose in her face.

When Tiamat opened her mouth to consume him,

He drove in the Evil Wind that she close not her lips.

As the fierce winds charged her belly,

Her body was distended<sup>78</sup> and her mouth was wide open. (100)

He released the arrow, it tore her belly,

It cut through her insides, splitting the heart.

Having thus subdued her, he extinguished her life.

He cast down her carcass to stand upon it

After he had slain Tiamat, the leader,

Her band was shattered, her troupe broken up;

And the gods, her helpers who marched at her side,

Trembling with terror, turned their backs about,

In order to save and preserve their lives.

Tightly encircled, they could not escape. (no)

He made them captives and he smashed their weapons.

Thrown into the net, they found themselves ensnared;

Placed in cells, they were filled with wailing;

Bearing his wrath, they were held imprisoned.

<sup>74</sup> For lines 76-83 cf. now *Anatolian Studies*, n, 28 as well as the Weidner fragment cited in n. 69. The first (Gurney fragment) supplies the parts which were missing in the Weidner fragment—correcting some of the guesses of modern interpreters.

<sup>75</sup> The correction of -ya to -/«, which I proposed in the first edition of *ANET*, is borne out by the Gurney fragment.

<sup>76</sup> For *malmali* cf. J. Lewy, *Orientalia*, xi (1942), 336, n.i; H. G. Güterbock, *AfO*, xiii (1939), 48.

<sup>77</sup> Reading *id-lu-bu*, with Heidel, *BG*, 30, n.84, but translating the verb in the sense established in *JCS*, v (1951), 64 if.

<sup>78</sup> cf. Heidel, *BG*, 30, n.85.

And the eleven creatures which she had charged with awe,

The whole band of demons that marched on her right,  
He cast into fetters, their hands he bound.

For all their resistance, he trampled (them) underfoot

And Kingu, who had been made chief among them,

He bound and accounted him to Uggae.<sup>78</sup> (120)

He took from him the Tablet of Destinies, not rightfully his,

Sealed (them) with a seal<sup>80</sup> and fastened (them) on his breast

When he had vanquished and subdued his adversaries,

Had . . . the vainglorious foe,

Had wholly established Anshar's triumph over the foe,

Nudimmud's desire had achieved, valiant Marduk

Strengthened his hold on the vanquished gods,

And turned back to Tiamat whom he had bound.

The lord trod on the legs of Tiamat,

With his unsparing mace he crushed her skull. (130)

When the arteries of her blood he had severed,

The North Wind bore (it) to places undisclosed.

On seeing this, his fathers were joyful and jubilant,

They brought gifts of homage, they to him.

Then the lord paused to view her dead body,

That he might divide the monster and do artful works.

He split her like a shellfish into two parts:

Half of her he set up and ceiled it as sky,

Pulled down the bar and posted guards.

He bade them to allow not her waters

to escape. (140)

He crossed the heavens and surveyed the regions.

He squared Apsu's quarter,<sup>81</sup> the abode of Nudimmud,

As the lord measured the dimensions of Apsu.

The Great Abode, its likeness, he fixed as Esharra,

The Great Abode, Esharra, which he made as the firmament

Anu, Enlil, and Ea he made occupy their places.

#### Tablet V

He constructed stations for the great gods,

Fixing their astral likenesses as the Images.

He determined the year by designating the zones:

He set up three constellations for each of the twelve months.

After defining the days of the year [by means] of (heavenly) figures,

He founded the station of Nebiru<sup>82</sup> to determine their (heavenly) bands,

That none might transgress or fall short.

Alongside it he set up the stations of Enlil and Ea.

Having opened up the gates on both sides,

He strengthened the locks to the left

and the right (10)

<sup>78</sup> God of death.

<sup>80</sup> This was an essential act of attestation in Mesopotamian society.

<sup>81</sup> For this rendering cf. A. Schott, *ZA*, XLII (1934), 137.

<sup>82</sup> i.e. the planet Jupiter. This station was taken to lie between the band (*rik.su*; cf. I. 6) of the north, which belonged to Enlil, and the band of the south, which belonged to Ea.

In her<sup>83</sup> belly he established the zenith.  
 The Moon he caused to shine, the night (to him) entrusting.  
 He appointed him a creature of the night to signify the days:  
 "Monthly, without form designs with a crown.  
 At the month's very start, rising over the land,  
 Thou shalt have luminous horns to signify six days,  
 On the seventh day reaching a [half]-crown.  
 At full moon<sup>84</sup> stand in opposition<sup>88</sup> in mid-month.  
 When the sun [overtakes] thee at the base of heaven,  
*Diminish* [thy crown] and retrogress in light. (20)  
 At the time [of disappearance] approach thou the course of the sun,  
 And [on the thirtieth thou shalt again stand in opposition to the sun."  
 (See Supplement)

### Tablet VI

When Marduk hears the words of the gods,  
 His heart prompts (him) to fashion artful works.  
 Opening his mouth, he addresses Ea  
 To impart the plan he had conceived in his heart:  
 "Blood I will mass and cause bones to be.  
 I will establish a savage,<sup>86</sup> 'man' shall be his name.  
 Verily, savage-man I will create.  
 He shall be charged with the service of the gods  
 That they might be at ease!  
 The ways of the gods I will artfully alter.  
 Though alike revered, into two (groups) they shall be divided." (10)  
 Ea answered him, speaking a word to him,  
 Giving him another plan for the relief of the gods:  
 "Let but one of their brothers be handed over;  
 He alone shall perish that mankind may be fashioned.<sup>87</sup>  
 Let the great gods be here in Assembly,  
 Let the guilty be handed over that they may endure."  
 Marduk summoned the great gods to Assembly;  
 Presiding<sup>88</sup> graciously, he issues instructions.  
 To his utterance the gods pay heed.<sup>89</sup>  
 The king addresses a word to the Anunnaki: (20)  
 "If your former statement was true,

<sup>83</sup> Tiamat's.

<sup>84</sup> Akkadian *lapattu*, the prototype of the "Sabbath" in so far as the injunctions against all types of activity are concerned.

<sup>85</sup> Le. with regard to the sun. This verb was a technical term in Babylonian astronomy.

<sup>86</sup> For this value of the term, probably a derivative of the ethnic name *LuUu*, cf. B. Landsberger, *Kleinasiatische Forschungen*, i (1929), 321-334 and *MAOG*, iv (1928), 320, n. 2; also E. A. Speiser, *Mesopotamian Origins* (1930), 95, n. 35. That the Lullu were link«! by Akkadian sources with the remote and dim past may be gathered from the evidence which I listed in *JAOS*, LXVIII (1948), 8, as well as from the fact that the flood ship (Gilg., XI, 140) lands on Mount Nisir, in Lullu country.

<sup>87</sup> Out of his blood.

<sup>88</sup> Lit. "ordering."

<sup>89</sup> Reading *u-paq-qu-uil* (var. -/«1), with W. von Soden, *ZA*, XLVII (1942), 3. Von Soden's notes on the remainder of Tablet VI and on Tablet VII, together with his translation of the hitherto unknown or obscure parts of Tablet VII—based on new fragments and on corrected readings of the text published by E. Ebeling in *MAOG*, xn (1939), part 4—(see *loc. cit.*, 1-26) have proved very illuminating, as may be seen from the numerous references below; see now *LKA*, 7 and 8.

Do (now) the truth on oath by me declare!<sup>90</sup>  
 Who was it that contrived the uprising,  
 And made Tiamat rebel, and joined battle?  
 Let him be handed over who contrived the uprising.  
 His guilt I will make him bear. You shall dwell in peace P'  
 The Igigi, the great gods, replied to him,  
 To Lugaldimmerankia,<sup>91</sup> counselor of the gods, their lord:<sup>92</sup>  
 "It was Kingu who contrived the uprising,  
 And made Tiamat rebel, and joined batdei." (30)  
 They bound him, holding him before Ea.  
 They imposed on him his guilt and severed his blood (vessels).  
 Out of his blood they fashioned mankind.  
 He<sup>98</sup> imposed the service and let free the gods.  
 After Ea, the wise, had created mankind,  
 Had imposed upon it the service of the gods—  
 That work was beyond comprehension;  
 As artfully planned by Marduk, did Nudimmud create it—  
 Marduk, the king of the gods divided  
 All the Anunnaki above and below.<sup>94</sup> (40)  
 He assigned (them) to Anu to guard his instructions.  
 Three hundred in the heavens he stationed as a guard.  
 In like manner the ways of the earth he defined.  
 In heaven and on earth six hundred (thus) he settled.  
 After he had ordered all the instructions,  
 To the Anunnaki of heaven and earth had allotted their portions,  
 The Anunnaki opened their mouths  
 And said to Marduk, their lord:  
 "Now,<sup>95</sup> O lord, thou who hast caused our deliverance,  
 What shall be our homage to thee? (50)  
 Let us build a shrine whose name shall be called  
 'Lo, a chamber for our nightly rest'; let us repose in it!  
 Let us build a throne, a recess for his abode!<sup>96</sup>  
 On the day that we arrive<sup>97</sup> we shall repose in it"  
 When Marduk heard this,  
 Brightly glowed his features, like the day:  
 "Construct Babylon, whose building you have requested,  
 Let its brickwork be fashioned. You shall name it<sup>98</sup> 'The Sanctuary.'  
 The Anunnaki applied the implement;  
 For one whole year they molded bricks. (60)  
 When the second year arrived,

<sup>90</sup> cf. Oppenheim, *Orientalia*, xvi (1947), 234.

<sup>91</sup> "The king of the gods of heaven and earth."

<sup>92</sup> For lines 28-50 see the fragment published by E. Weidner in *AfO*, xi (1936) 72-74. This material was not available to Labat; von Soden's additions (cf. note 89) came too late to be utilized by Heidel.

<sup>98</sup> Ea.

<sup>94</sup> Here and elsewhere in this epic the Anunnaki are understood to be the celestial gods (normally Igigi) as well as those of the lower regions.

<sup>98</sup> Not "O Nannar," as translated by some. For this rebus writing signifying *inanna* "now" cf. *AfO*, xi (1936), 73.

<sup>96</sup> Reading *a-larl-lu*, with Soden, *loc. cit.*, 4.

<sup>97</sup> For the New Year's festival.

<sup>98</sup> For this and the preceding line cf. v. Soden, *loc. cit.*

They raised high the head" of Esagila equaling Apsu.<sup>100</sup>  
 Having built a stage-tower *as high as* Apsu,  
 They set up *in it* an abode for Marduk, Enlil, (and) Ea  
 In their presence he was seated in grandeur.  
 To the base of Esharra<sup>101</sup> its horns look down.  
 After they had achieved the building of Esagila,  
 All the Anunnaki erected their shrines.  
 The three hundred Igigi . . . . all of them gathered,  
 The lord being on the lofty dais which they had built  
     as his abode, (70)  
 The gods, his fathers, at his banquet<sup>102</sup> he seated:  
 "This is Babylon, the place that is your home!<sup>101</sup>  
 Make merry in its precincts, occupy its broad [places]."<sup>104</sup>  
 The great gods took their seats,  
 They set up festive drink, sat down to a banquet.  
 After they had made merry within it,  
 In Esagila, the *splendid*, had performed their rites,<sup>108</sup>  
 The norms had been fixed (and) *all* [their] portents,  
 All the gods apportioned the stations of heaven and  
     earth.<sup>101</sup>  
 The fifty great gods took their seats. (80)  
 The seven gods of destiny set up the three hundred [in  
     heaven].<sup>101</sup>  
 Enlil raised the bow, his weapon,<sup>108</sup> and laid (it) before  
     them.  
 The gods, his fathers, saw the net he had made.  
 When they beheld the bow, how skillful its shape,  
 His fathers praised the work he had wrought  
 Raising (it), Anu spoke up in the Assembly of the gods,  
 As he kissed the bow: "This is my daughter!"  
 He named the names of the bow as follows:  
 "Longwood is the first, the second is Accurate;<sup>109</sup>  
 Its third name is Bow-Star, in heaven I have made (90)  
     it shine."

(Lines 86-112, hitherto largely or wholly destroyed,  
 have now been filled in by another Sultantepe dupli-  
 cate; cf. Gurney, *Anatolian Studies*, n, 33. A translation  
 of lines 91-104 will be found on p. 503. Labat's assumed  
 lines 98 is to be deleted, following von Soden, *ZA*, **XL**  
 (1932), 169, but his line count has been retained for  
 convenience.)

"Most exalted be the Son, our avenger;  
 Let his sovereignty be surpassing, having no rival.  
 May he shepherd the black-headed ones,<sup>110</sup> his creatures.  
 To the end of days, without forgetting, let them acclaim  
     his ways.  
 May he establish for his fathers the great  
     food-offerings; (no)  
 Their support they shall furnish, shall tend their sanc-  
     tuaries.

<sup>99</sup> A play on the sense of Sumerian "Esagila."

<sup>100</sup> Meaning apparently that the height of Esagila corresponded to the  
 depth of Apsu's waters.

<sup>101</sup> cf. v. Soden, *toe. cit.*

<sup>102</sup> *ibid.*

<sup>108</sup> Var. "which you love," a virtual homonym of "your home" in  
 Akkadian.

<sup>104</sup> v. Soden, *loc. cit.*, 6.

<sup>105</sup> *ibid.*

<sup>106</sup> *ibid.*

<sup>107</sup> *ibid.*

<sup>108</sup> *ibid.*

lit.: "Achiever."

<sup>110</sup> A common Akkadian metaphor for "the human race." In the pre-  
 ceding line the term *enutu* has been taken to reflect the primary sense of  
 Sumerian e n "lord" rather than "high priest."

May he cause incense to be smelled, . . . their spells,  
 Make a likeness on earth of what he has wrought in heaven.  
 May he order the black-headed to revere him,  
 May the subjects ever bear in mind to speak of their god,  
 And may they at his word pay heed<sup>111</sup> to the goddess.  
 May food-offerings be borne for their gods and god-  
     desses.

Without fail let them support their gods!  
 Their lands let them improve, build their shrines,  
 Let the black-headed wait on their gods. (120)  
 As for us, by however many names we pronounce, he is  
     our god!

Let us then proclaim his fifty names:<sup>112</sup>

'He whose ways are glorious, whose deeds are likewise,  
 (1) MARDUK, as Anu, his father,<sup>118</sup> called him from his  
     birth;<sup>114</sup>

Who provides grazing and drinking places, enriches  
     their stalls,

Who with the flood-storm, his weapon, vanquished the  
     detractors,

(And) who the gods, his fathers, rescued from distress.  
 Truly, the Son of the Sun,<sup>115</sup> most radiant of gods is he.  
 In his brilliant light may they walk forever!

On the people he brought forth, endowed

    with *life*, (130)

The service of the gods he imposed that these may have  
     ease.

Creation, destruction, deliverance, grace—

Shall be by his command.<sup>119</sup> They shall look up to him!

(2) MARUKKA verily is the god, creator of all,

Who gladdens the heart of the Anunnaki, appeases the  
     Igigi.

(3) MARUTUKKU verily is the refuge of his land, city,  
     and people.

Unto him shall the people give praise forever.

(4) BARASHAKUSHU<sup>117</sup> stood up and took hold of its<sup>118</sup>  
     reins;

Wide is his heart, warm his sympathy.

(5) LUGALDIMMERANKIA is his name which we  
     proclaimed in our Assembly. (140)

His commands we have exalted above the gods, his  
     fathers.

Verily, he is lord of all the gods of heaven and underworld

The king at whose discipline the gods above and below  
     are in mourning.<sup>119</sup>

<sup>111</sup> v. Soden, *loc. cit.*, 7 reads *i-piq-qu*; but note Gurney, *ad loc.*

<sup>112</sup> A penetrating discussion of these names has been furnished by F. M.  
 Th. Bohl in *AfO*, xi (1936), 191-218. The text etymologizes the names in  
 a manner made familiar by the Bible; the etymologies, which accompany  
 virtually every name on the long list are meant to be cabalistic and symbolic  
 rather than strictly linguistic, although some of them happen to be lin-  
 guistically sound. The name count has in each case been indicated in paren-  
 theses.

<sup>118</sup> Here and elsewhere "father" is used for "grandfather" or "ancestor."

<sup>114</sup> Lit. "emergence."

<sup>115</sup> cf. Tablet I, 101-02.

<sup>116</sup> Reading *ba!-ji-ma* in this line and *a-bal-tu* in the line above, with v.  
 Soden, *loc. cit.*, 7. For *nannu* "command" see *ZA*, XLIV (1938), 42.

<sup>117</sup> Var. SHUDUNSHAKUSHE.

<sup>118</sup> i.e. those of the land.

<sup>119</sup> For the remainder of this tablet cf. the new fragment published by  
 E. Ebeling in *MAOG*, XH (1939), part 4 and the remarks of W. v. Soden in  
*ZA*, XLvii (1942), 7-8. cf. now *LKA*, 7.

(6) NARI-LUGALDIMMERANKIA is the name of him  
Whom we have called the monitor<sup>120</sup> of the gods;  
Who in heaven and on earth founds for us retreats<sup>121</sup> in  
trouble,

And who allots stations to the Igigi and Anunnaki.  
At his name the gods shall tremble and quake in retreat.

(7) ASARULUDU is that name of his  
Which Anu, his father, proclaimed for him.  
He is truly the light of the gods, the mighty leader,  
Who, as the protecting deities<sup>128</sup> of gods  
and land, (150)  
In fierce single combat saved our retreats in distress.

Asaruludu, secondly, they have named (8) NAMTILLAKU,  
The god who maintains life,<sup>128</sup>  
Who restored the lost gods, as though his own creation;  
The lord who revives the dead gods by his pure incanta-  
tion,

Who destroys the wayward foes. Let us praise his  
prowess!<sup>124</sup>

Asaruludu, whose name was thirdly called (9) NAMRU,  
The shining god who illumines our ways."

Three each of his names<sup>125</sup> have Anshar, Lahmu, and  
Lahamu proclaimed;

Unto the gods, their sons, they did utter them:  
"We have proclaimed three each  
of his names. (160)

Like us, do you utter his names!"  
Joyfully the gods did heed their command,  
As in Ubshukinna they exchanged counsels:  
"Of the heroic son, our avenger,  
Of our supporter we will exalt the name!"  
They sat down in their Assembly to fashion<sup>186</sup> destinies,  
All of them uttering his names in the sanctuary.

### Tablet VII

(10) ASARU, bestower of cultivation, who established  
*water levels*;

Creator of grain and herbs, who causes vegetation to  
sprout.<sup>127</sup>

(N) ASARUALIM, who is honored in the place of counsel,  
who excels in counsel;

To whom the gods hope,<sup>128</sup> not being possessed of fear.

(12) ASARUALIMNUNNA, the gracious, light of the father,  
[his] begetter,

Who directs the decrees of Anu, Enlil, Ea and Ninigiku.  
He is their provider who assigns their portions,

Whose horned cap<sup>129</sup> is plenty, multiply[ing . . . ].

(13) TUTU is he, who effects their restoration.

<sup>120</sup> This verse confirms the equation of *aiir* with Sumerian *nari* made by S. N. Kramer, *BASOR*, 79 (1940), 25, n. 25. The meaning "monitor" for this form and "admonition, instruction" for *alirtu* would seem to fit all known instances.

<sup>121</sup> Lit. "seats."

<sup>122</sup> The *Jedu* and *lamassu*.

<sup>128</sup> v. Soden, *loc. cit.*, 7.

<sup>124</sup> *ibid.*

<sup>125</sup> *ibid.* The reading III-AM on a new fragment brings the numbers into agreement with the actual enumeration and eliminates the discrepancies entailed in previous mistaken readings.

<sup>126</sup> Var. "proclaim."

<sup>127</sup> The ends of most of these lines are provided by *STT*, 1, No. 10 but the ancient commentaries are still helpful; cf. King, *STC*, 1, 158 ff. and 11, li a.

<sup>128</sup> Lit. "wait."

<sup>129</sup> cf. Landsberger, *Die Welt des Orients*, 1 (1950), 363.

Let him purify their shrines that they  
may have ease. (10)

Let him devise the spell that the gods may be at rest  
Should they rise in anger, let them turn [back].

Verily, he is supreme in the Assembly of the gods;  
No one among the gods is his eq[ual].

Tutu is (14) ZIUKKINNA, life of the host of [the gods],  
Who established<sup>180</sup> for the gods the holy heavens;  
Who keeps a hold on their ways, determines [their  
*courses*];

He shall not be forgotten by the beclouded.<sup>181</sup> Let them  
[remember]<sup>182</sup> his deeds!

Tutu they thirdly called (15) ZIKU, who establishes  
holiness,

The god of the benign breath, the lord who  
hearkens and accedes; (20)

Who produces riches and treasures, establishes abun-  
dance;<sup>188</sup>

Who has turned all our wants to plenty;  
Whose benign breath we smelled in sore distress.

Let them speak, let them exalt, let them sing his praises!  
Tutu, fourthly, let the people magnify as (16) AGAKU,

The lord of the holy charm, who revives the dead;  
Who had mercy on the vanquished gods,

Who removed the yoke imposed on the gods, his ene-  
mies,

(And) who, to redeem them, created mankind;  
The merciful, in whose power it lies

to grant life. (30)

May his words endure, not to be forgotten,  
In the mouth of the black-headed, whom his hands have  
created.

Tutu, fifthly, is (17) TUKU, whose holy spell their  
mouths shall murmur;

Who with his holy charm has uprooted all the evil ones.  
(18) SHAZU, who knows the heart of the gods,

Who examines the inside;

From whom the evildoer cannot escape;

Who sets up the Assembly of the gods, gladdens their  
hearts;

Who subdues the insubmissive; their wide-spread [pro]-  
tection;

Who directs justice, roots [out] crooked talk,  
Who wrong and right in his place keeps apart. (40)

Shazu may they, secondly, exalt as (19) ZISI,  
Who silences the insurgent;

Who banishes consternation from the body of the gods,  
his fathers.<sup>184</sup>

Shazu is, thirdly, (20) SUHRIM, who with the weapon  
roots out all enemies,

Who frustrates their plans, scatters (them) to the winds;  
Who blots out all the wicked ones who *tremble* before  
him.

<sup>180</sup> Akk. *ukinnu*, a word play on the -UKKINNA of the name.

<sup>181</sup> Another metaphor for "mankind."

<sup>182</sup> Supplying [*li-ftl-la*], with v. Soden, *loc. cit.*, 8-9.

<sup>183</sup> For lines 21-45 cf. A. Falkenstein, *Literarische Keilschrifttexte aus Urul* (1931), No. 38, obv.

<sup>184</sup> Lines 43-130, for which see now the text in *LKA*, 8, have been translated by v. Soden in *ZA*, XLVII (1942), 10-17.

Let the gods exult in Assembly!  
 Shazu is, fourthly, (21) SUHGURIM, who insures<sup>188</sup> a  
 hearing for the gods, his fathers,  
 Creator of the gods, his fathers,  
 Who roots out the enemies, destroys their progeny;  
 Who frustrates their doings, leaving nothing of them.  
 May his name be evoked and spoken  
 in the land! (50)  
 Shazu, fifthly, they shall praise as (22) ZAHHRIM, *the lord  
 of the living*,  
 Who destroys all adversaries, all the disobedient;  
 [pur]sues the evil;  
 Who all the fugitive gods brought home to their shrines.  
 May this his name endure!  
 To Shazu, moreover, they shall, sixthly, render all honor  
 as (23) ZAHGURIM,  
 Who all the foes destroyed as though in battle.  
 (24) ENBILULU, the lord who makes them flourish, is he;  
 The mighty one who named them, who instituted roast-  
 offerings;  
 Who ever regulates for the land the grazing and water-  
 ing places;  
 Who opened the wells, apportioning waters  
 of abundance. (60)  
 Enbilulu, secondly, they shall glorify as (25) EPADUN,  
 The lord who sprinkles the *field*,  
 Irrigator<sup>136</sup> of heaven and earth, who establishes seed-  
 rows,  
 Who forms fine plow land in the steppe,  
 Dam and ditch regulates, who delimits the furrow;  
 Enbilulu, thirdly, they shall praise as (26) ENBILULU-  
 GUGAL,  
 The irrigator of the plantations of the gods;  
 Lord of abundance, opulence, *and* of ample crops,  
 Who provides wealth, enriches all dwellings,  
 Who furnishes millet, causes barley to appear.  
 Enbilulu is (27) HEGAL, who heaps up abundance for  
 the people's *consumption*?\*<sup>1</sup>  
 Who causes rich rains over the wide earth, provides  
 vegetation.  
 (28) SIR.SIR,<sup>137</sup> who heaped up a mountain over *her*,  
 Tiamat, (70)  
 Who the corpse of Tiamat carried off with *his* weapon;  
 Who directs the land—their faithful shepherd;  
 Whose *hair* is a grain field, his horned cap  
 furrows;  
 Who the wide-spreading Sea vaults in his wrath,  
 Crossing (her) like a bridge at the place of single com-  
 bat.

<sup>135</sup> Lit. "sets up."

<sup>136</sup> This meaning of *gugallu* fails to come through in v. Soden's rendering as "Walter." Attention may be called to my translation in *AASOR*, xvi (1936), 95- The term starts out with the value of "inspector of canals" and is thence transferred to the weather-gods (Adad; cf. Ennuge in Gilg., XI, 6). Eventually it comes to be applied to gods of vegetation and fertility, but in most contexts, including the present, the original connection is still apparent, cf. Th. Jacobsen, *JNES*, v (1946), 130.

<sup>137</sup> v. Soden, *loc. cit.*, 20-21; but the text is doubtful.

<sup>137a</sup> For lines 70-76 cf. the discussion by Landsberger in *Die Welt des Orients*, 1 (1950), 362 ff., which is affected only slightly by the recently published text in *LKA*, 8. Note especially the variant reading in King, *STC*, n, lxiii, 16.

Sirsir, secondly, they named (29) MALAH—and so  
 forth—<sup>188</sup>

Tiamat is his vessel and he the rider.

(30) GIL, who stores up grain heaps—massive mounds—  
 Who brings forth barley and millet, furnishes the seed of  
 the land.

(31) GILMA, who makes lasting the lofty abode  
 of the gods, (80)  
 Creator of security,

The hoop that holds the barrel together, who presents  
 good things.

(32) AGILMA, the exalted one, who tears off the crown  
 from the wrong position,

Who creates the clouds above the waters, makes endur-  
 ing aloft

(33) ZULUM, who designates the fields for the gods,  
 allots the creation,

Who grants portions and food-offerings, tends the shrines.

(34) MUMMU, creator of heaven and earth, who directs..  
 The god who sanctifies heaven and earth is, secondly,  
 (35) ZULUMMAR,

Whom no other among the gods can match in strength.

(35) GISHNUMUNAB, creator of all people, who made the  
 (world) regions,

Destroyer of the gods of Tiamat; who made men  
 out of their substance. (90)

(36) LUGALABDUBUK, the king who frustrated the work  
 of Tiamat,  
 Rooted out her weapons;

Whose foundation is firm in front and in the rear.

(37) PAGALGUENNA, the foremost of all the lords, whose  
 strength is outstanding;

Who is pre-eminent in the royal abode, most exalted  
 of the gods.

(38) LUGALDURMAH, the king, bond of the gods, lord of  
 the Durmah,<sup>189</sup>

Who is pre-eminent in the abode of the gods, most  
 exalted of the gods.

(39) ARANUNNA, counselor of Ea, creator of the gods, his  
 fathers,

Whose princely ways no god whatever can equal.

(40) DUMUDUKU, whose pure dwelling is renewed in  
 Duku;<sup>140</sup>

Dumuduku, without whom Lugalkuduga  
 makes no decision. (100)

(41) LUGALLANNA, the king whose strength is outstand-  
 ing among the gods,

The lord, strength of Anu, who became supreme *at the  
 call*\*<sup>1</sup> of Anshar.

(42) LUGALUGGA, who carried off all of them amidst the  
 struggle,<sup>148</sup>

Who all wisdom encompasses, broad in perception.

<sup>138</sup> cf. v. Soden, *loc. cit.*, but contrast Landsberger, *ad loc.*

<sup>189</sup> "Great Band." The phrase "Lord of the Durmah" merely reflects the full name. Cf. Tablet, V, 59.

<sup>140</sup> "Pure Dwelling," a sacred chamber in the Temple at Babylon.

<sup>141</sup> v. Soden, *loc. cit.*, 22.

<sup>142</sup> cf. A. Goetze, *Analecta Orientalia*, xn (1935), 184 ff.

- (43) IRKINGU, who carried off Kingu in the thick?<sup>\*\*</sup> of the battle,  
Who conveys guidance for all, establishes rulership.
- (44) KINMA, who directs all the gods, the giver of counsel,  
At whose name the gods quake in fear, as at the storm.
- (45) ESIZKUR shall sit aloft in the house of prayer;  
May the gods bring their presents  
before him, (no)  
That (from him) they may receive their assignments;  
None can without him create artful works.  
Four black-headed ones are among his creatures;<sup>144</sup>  
Aside from him no god \nows the answer as to their days.
- (46) GIBIL, who maintains the *sharp point* of the weapon,  
Who creates artful works in the battle with Tiamat;  
Who has broad wisdom, is accomplished in insight,  
Whose mind<sup>145</sup> is so vast that the gods, all of them, cannot fathom (it).
- (47) ADDU be his name, the whole sky may he cover.  
May his beneficent roar ever hover over  
the earth; (120)  
May he, as Mummu,<sup>148</sup> diminish the clouds;<sup>147</sup>  
Below, for the people may he furnish sustenance.
- (48) ASHARU, who, as is his name, guided<sup>148</sup> the gods of destiny;  
All of the people are verily in his charge.
- (49) NEBIRU shall hold the crossings of heaven and earth,  
So that they (the gods) cannot cross above and below,  
They must wait upon him.  
Nebiru is the star<sup>149</sup> which in the skies is brilliant.  
Verily he holds the central position, they shall bow down to him,<sup>150</sup>  
Saying: "He who the midst of the Sea restlessly crosses,  
Let 'Crossing' be his name, who controls<sup>151</sup> its midst  
May they uphold the course of the stars  
of heaven; (130)  
May he shepherd all the gods like sheep.  
May he vanquish Tiamat; may her life be strait and short!<sup>152</sup>  
Into the future of mankind, when days have grown old,  
May she recede<sup>153</sup> without cease and stay away forever.<sup>154</sup>

<sup>148</sup> Modifying slightly v. Soden's suggestion, *loc. cit.*, 23.

<sup>144</sup> von Soden's suggestion, *loc. cit.*, 23, is supported by the Gurney fragment (cf. n. 59), line 107. cf. Heidel, *BG*,<sup>2</sup> 58, n. 150.

<sup>145</sup> Lit. "heart"

<sup>146</sup> For Mummu in the sense of "thunder" see A. Heidel, *JNES*, vn (1948), 104; the accompanying verb, however, has been given its normal meaning, cf. Tablet V, 20.

<sup>147</sup> Obviously two verses, combined into one on some of the tablets. The present line count follows Labat's and, with him, the count by tens as found in some of the texts.

<sup>148</sup> We have here apparently another ancient allusion to a connection between Akk. *aiaru* and Sumerian *nari*; cf. Tablet VI, 144.

<sup>149</sup> Jupiter.

<sup>150</sup> See Landsberger and Kinnier Wilson, *JNES*, xx (1961), 173 f.

<sup>151</sup> Lit. "holds." cf. v. Soden, *loc. cit.*, 25.

<sup>152</sup> i.e. Tiamat "the Sea." The variant form of the verb is *li-is-se-e-ma*.

<sup>154</sup> The reading *li-ri-iq* for *li-bi-il* (cf. v. Soden's variant *li-riq*), *loc. cit.*, 25) makes the verse intelligible.

Because he created the spaces and fashioned the firm ground,

Father Enlil called his name (50) 'LORD OF THE LANDS.'<sup>158</sup>

When all the names which the Igigi proclaimed, Ea had heard, his spirit rejoiced,  
Thus: "He whose names his fathers have glorified,  
He is indeed even as I; his name shall be Ea. (140)  
All my combined rites he shall administer;  
All my instructions he shall carry out!"  
With the tide "Fifty" the great gods  
Proclaimed him whose names are fifty and made his way supreme.

#### Epilogue

Let them be kept (in mind) and let the leader explain them.<sup>158</sup>

Let the wise and the knowing discuss (them) together.

Let the father recite (them) and impart to his son.

Let the ears of shepherd and herdsman be opened.

Let him rejoice in Marduk, the Enlil of the gods,

That his land may be fertile and that

he may prosper. (15°)

Firm in his order, his command unalterable,

The utterance of his mouth no god shall change.

When he looks he does not turn away his neck;

When he is angry, no god can withstand his wrath.

Vast is his mind, broad his sympathy,  
Sinner and transgressor may come before him.

(See the Supplement for the remainder of the Epilogue.)

## The Epic of Gilgamesh

The theme of this epic is essentially a secular one. The poem deals with such earthy things as man and nature, love and adventure, friendship and combat—all masterfully blended into a background for the stark reality of death. The climactic struggle of the protagonist to change his eventual fate, by learning the secret of immortality from the hero of the Great Flood of long ago, ends in failure; but with the failure comes a sense of quiet resignation. For the first time in the history of the world a profound experience on such a heroic scale has found expression in a noble style. The scope and sweep of the epic, and its sheer poetic power, give it a timeless appeal. In antiquity, the influence of the poem spread to various tongues and cultures. Today it captivates student and poet alike.

The Akkadian title of the poem, which was taken as usual from the opening words, is *Sa nagba imuru*, "He who saw everything." The prevailing meter has the normal four beats to a line. The work is divided into twelve tablets. The longest of these contains over three hundred lines. It happens to be the so-called Flood Tablet (XI), virtually in a perfect state of preservation. The rest has survived in portions, some of considerable size and others in relatively small fragments. All but a few of the Ak-

<sup>155</sup> Akk. *Bel matati*. This is the fiftieth and last name of Marduk, not counting the honorific identification of Ea as given in line 140.

<sup>156</sup> For the concluding lines cf. A. L. Oppenheim, *Orientalia*, xvi (1947), 237.



kadian texts come from the library of Ashurbanipal at Nineveh. Unlike the Creation Epic, however, the Gilgamesh Epic is known also from versions which antedate the first millennium B.C. From the middle of the second millennium have come down fragments of an Akkadian recension current in the Hittite Empire, and the same Bogazkoy archives have yielded also important fragments of a Hittite translation, as well as a fragment of a Hurrian rendering of the epic. From the first half of the second millennium we possess representative portions of the Old Babylonian version of the epic, which pertain to Tablets I-III, and X. That this version was itself a copy of an earlier text is suggested by the internal evidence of the material. The original date of composition of the Akkadian work has to be placed at the turn of the second millennium, if not slightly earlier.

The connection between the Epic of Gilgamesh as we know it in its Akkadian form, and its various Sumerian analogues, has been clarified in recent years thanks to the work of C. J. Gadd on the Epic of Gilgamesh, Tablet XII, *RA*, xxxi (1933), 126 ff., and especially by the studies of S. N. Kramer; see his summary in *The Epic of Gilgamesh and its Sumerian Sources*, *JAOS*, LXIV (1944), 7 ff. It has been demonstrated that Tablet XII is not of a piece with the other eleven tablets of the poem, but is instead a literal translation from the Sumerian. The epic proper, on the other hand, while utilizing certain motifs which are featured in Sumerian poems, does so largely in the course of developing a central theme that has no Sumerian prototype. In other words, the first eleven tablets of the Akkadian poem of Gilgamesh constitute an instance of creative borrowing which, substantially, amounts to an independent creation.<sup>1</sup>

The text of the Assyrian version, is now available in the model edition published, with transliteration and notes, by R. Campbell Thompson under the title of *The Epic of Gilgamesh* (1930). Thompson's arrangement and line count have been adopted in this translation, except for the passages that have been allocated otherwise, as will be noted in each given instance. The sources of the texts not given by Thompson will be cited in detail in the course of the translation.

Of the literature on the subject only a small selection can be listed. One cannot fail, however, to cite the work of Peter Jensen, antiquated though it may be in some respects, for no scholar has done more than he to bring the epic to the attention of the modern world. The translation, transliteration, and notes in his *Assyrisch-babylonische Mythen und Epen (Keilinschriftliche Bibliothek)*, vi, 1900) remain useful to this day; and his monumental *Das Gilgamesch-Epos in der Weltliteratur* (Vol. 1, 1906; Vol. 11, 1926) testifies to his enduring preoccupation with this subject. Important progress was made by A. Ungnad and H. Gressmann, *Das Gilgamesch-Epos* (1919), and Ungnad returned to the subject on two subsequent occasions: *Die Religion der Babylonier und Assyrer* (1921), and *Gilgamesch-Epos und Odyssee (Kulturfragen)*, 4/5, 1923). E. Ebeling contributed a translation to *AOT* (2nd ed., 1926). The standard German translation is now that of A. Schott, *Das Gilgamesch-Epos* (1934). In English we have R. Campbell Thompson's translation into hexameters, entitled *The Epic of Gilgamesh* (1928). To W. E. Leonard we owe a rendering into free rhythms, entitled *Gilgamesh* (1934), based on a German translation by H. Ranke. The book of G. Contenau, *Uipopie de Gilgamesh* is more valuable perhaps for its general orientation than for the particular contribution of the translation. An informed translation accompanied by brief notes has been published by F. M. Bohl under the Dutch title *Het Gilgamesj-Epos* (1941). The latest and most dependable translation in English, with brief notes and an extensive discussion of the biblical parallels is that of A. Heidel, *The Gilgamesh Epic and Old Testament Parallels* (1946). I have profited considerably from Heidel's treatment, as I have also from that of

Schott (see above). The same holds true of Schott's notes, published in *ZA*, xLii (1934), 92 ff., and of the notes by A. L. Oppenheim, *Mesopotamian Mythology II, Orientalia*, xvii (1948), 17 ff.

Tablet I

(o

He who saw everything [to the end]s of the land,  
[Who all things]s experienced, [considered all]<sup>2</sup>  
[ ... ] together [ ... ],  
[ ... ] of wisdom, who all things . [ . . . ].  
The [hijdden he saw, [laid bare] the undisclosed.  
He brought report of before the Flood,  
Achieved a long journey, tiring and resting.  
All his toil he engraved on a stone stela.  
Of ramparted<sup>8</sup> Uruk the wall he built,  
Of hallowed Eanna,<sup>4</sup> the pure sanctuary. (10)  
Behold its outer wall, whose cornice<sup>5</sup> is like copper,  
Peer at the inner wall, which none can equal!  
Seize upon the threshold, which is from of old!  
Draw near to Eanna, the dwelling of Ishtar,  
Which no future king, no man, can equal.  
Go up and walk<sup>6</sup> on the walls of Uruk,  
Inspect the base terrace, examine the brickwork:  
Is not its brickwork of burnt brick?  
Did not the Seven [Sages]<sup>7</sup> lay its foundations?

(Remainder of the column broken away. A Hittite fragment [cf. J. Friedrich, *ZA*, xxxix (1929), 2-5] corresponds in part with the damaged initial portion of our column ii, and hence appears to contain some of the material from the end of the first column. We gather from this fragment that several gods had a hand in fashioning Gilgamesh, whom they endowed with superhuman size. At length, Gilgamesh arrives in Uruk.)

Two-thirds of him is god, [one-third of him is human].  
The form of his body [ ... ]

(mutilated or missing—see the Supplement) (3-7)  
He is made fearful like a wild ox, lofty [ ... ]; (8)  
The onslaught of his weapons verily has no equal.  
By the *drum*<sup>8</sup> are aroused [his] companions. (10)  
The nobles of Uruk are worried in [their chamb]ers:  
"Gilgamesh<sup>9</sup> leaves not the son to [his] father;  
[Day] and [night] is unbridled his arro[gance].  
[Is this Gilga]mesh, [the shepherd of ramparted]  
Uruk?

Is this [our] shepherd, [bold, stately, wise] ?  
[Gilgamesh] leaves not [the maid to her mother],

<sup>2</sup> For the restoration of the first two lines cf. *GETh*, i n, and Böhl, *HGE*, III.

<sup>8</sup> For this translation of *Uru-supūri* cf. Leonard, *Gilgamesh*, 3.

<sup>4</sup> The temple of Anu and Ishtar in Uruk.

<sup>5</sup> Oppenheim, *Orientalia*, xvii (1948), 19, n.2.

<sup>8</sup> Text: *im-ta-lak*. "take counsel," but the parallel passage, XI, 303, reads *i-tal-lak* "walk about."

<sup>7</sup> For the seven sages, who brought civilization to seven of the oldest cities in the land, see H. Zimmern, *ZA*, xxxv (1923), 151 ff.

<sup>8</sup> For *pukh* cf. the introduction to Tablet XII and note 233. Here perhaps the reference is to the abuse for personal purposes of an instrument intended for civic or religious use.

<sup>9</sup> For the various writings of the name cf. *GETh*, 8 f.; Th. Jacobsen, *The Sumerian King List* (1939), 89 f., n.128; and S. N. Kramer, *JAOS*, LXIV (1944), 11, n.15, and A. Goetze, *JCS*, 1 (1937) > 254.

<sup>1</sup> cf. S. N. Kramer, *loc. cit.*, 23, n.116. To the material listed in that article add now *id.*, *JCS*, 1 (1947), 3-46.



The warrior's daughter, [the noble's spouse]!"  
 The [gods hearkened] to their plaint,  
 The gods of heaven Uruk's lord [they . . . ]:  
 "Did not [Aruru]<sup>10</sup> bring forth this strong  
 wild ox? (20)

[The onslaught of his weapons] verily has no equal.

By the *drum* are aroused his [companions].

Gilgamesh leaves not the son to his father;

Day and night [is unbridled his arrogance].

Is this the shepherd of [ramparted] Uruk?

Is this their [ . . . ] shepherd,

Bold, stately, (and) wise? . . .

Gilgamesh leaves not the maid to [her mother],

The warrior's daughter, the noble's spouse!"

When [Anu] had heard out their plaint,

The great Aruru they called: (30)

"Thou, Aruru, didst create [the man];

Create now his double;<sup>11</sup>

His stormy heart<sup>12</sup> let him match.

Let them contend, that Uruk may have peace!"

When Aruru heard this,

A double of Anu she conceived within her.

Aruru washed her hands,

Pinched off clay and cast it on the steppe.<sup>18</sup>

[On the step]pe she created valiant Enkidu,

Offspring of . . . , essence<sup>14</sup> of Ninurta.

[Sha]ggy<sup>15</sup> with hair is his whole body,

He is endowed with head hair like a woman.

The locks of his hair sprout like Nisaba.<sup>16</sup>

He knows neither people nor land;

Garbed is he like Sumuqan."

With the gazelles he feeds on grass,

With the wild beasts he joses<sup>18</sup> at the

watering-place, (40)

With the teeming creatures his heart delights in water.

(Now) a hunter, a trapping-man,<sup>19</sup>

Faced him at the watering-place.

[One] day, a second, and a third

He faced him at the watering-place.

When the hunter saw him, his face became motionless.

<sup>10</sup> A goddess.

<sup>11</sup> Lit. "evocation, image."

<sup>12</sup> Lit. "the storm of his heart."

<sup>18</sup> Where Enkidu was to be born. Other possible translations are "drew a design upon it," or "spat upon it."

<sup>14</sup> The second of the four Akkadian terms used to describe Enkidu remains uncertain as to meaning; even the pronunciation of the ambiguous first sign is still undecided. As regards *hi-fir*, there are too many possible meanings. Furthermore, the one adopted for this passage should also apply to I, iii, 4, 31; VI, 3, 23; II, i, 7: die war-god Ninurta, and the sky-god Anu, Enkidu, and something that fell down from heaven. The common assumption that the author may have used in these passages the same term in more than one sense is unsatisfactory.

In the earlier edition I tried to justify for kjsru the rendering "liege-man" for the several passages in question. I now withdraw that suggestion. The correct sense, I believe, is indicated by the use of the term in medicinal contexts as "concentration, essence," cf. E. Ebeling, *fCS*, IV (1950), 219. "Essence," or some nuance of this term, could well be applied to deities as well as to missiles from heaven. Our poet had in mind, no doubt, some specific allusion, but the general meaning appears clear enough.

<sup>15</sup> Reading [fu]-u-ur with Schott, *ZA*, XLII (1934) > 96.

<sup>16</sup> Goddess of grain.

« God of cattle.

<sup>18</sup> Root *fuppuru*, cf. v. Soden, *Orientalia*, xviii (1949), 393"95-

<sup>19</sup> The epic employs a number of compound phrases, particularly with *amelu* "man" as the second element.

He and his beasts went into his house,  
 [Sore a]fraid, still, without a sound,  
 (While) his heart [was disturbed], overclouded his face.  
 For woe had [entered] his belly;  
 His face was like that [of a wayfarer]  
 from<sup>20</sup> afar. (50)

(iii)

The hunter opened [his mouth] to speak,

Saying to [his father]:

"My father, there is [a] fellow who [has come from the hills],

He is the might[iest in the land]; strength he has.

[Like the essence] of Anu, so mighty [his strength]!

[Ever] he ranges over the hills,

[Ever] with the beasts [he feeds on grass].

[Ever sets he] his feet at the watering-place.

[I am so frightened that] I dare not approach him!

[He filled in] the pits that I had dug,

[He tore up] my *traps* which I had [set], (10)

The beasts and creatures of the steppe

[He has made slip through my hands].<sup>21</sup>

[He does not allow] me to engage in fieldcraft!<sup>22</sup>

[His father opened his mouth to speak],

Saying to the hunter:

"[My son], in Uruk [there lives] Gilgamesh.

[No one is there more mighty] than he.

[Like the essence of Anu, so mi]ghty is his strength!

[Go, then, toward Uruk set] thy face,

[Speak to him of] the power of the man.

[Let him give thee a harlot-lass<sup>28</sup>]. Take (her) [with thee];

[Let her prevail against him] by dint of

[greater] might (20)

[When he waters the beasts at] the watering-place,

[She shall pull off] her cloth[ing, laying bare] her ripeness.

[As soon as he sees] her, he will draw near to her.

Reject him<sup>24</sup> will his beasts [that grew up on] his steppe!"

[Giving heed to] the advice of his father,

The hunter went forth [to Gilgamesh].

He took the road, in Uruk he set [his foot]:

"[ . . . ] Gilga[mesh . . . ],

There is a fellow [who has come from the hills],

He is the might[iest in the land; strength

he has]. (30)

Like the essence of Anu, so mighty [his strength]!

<sup>20</sup> The verb *ala* means both "come" and "go." The state here described suggests the end, not the beginning, of a journey.

<sup>21</sup> Or perhaps "he has made me forfeit," the causative form of a phrase which, with the verb in the simple stem, has a well-established legal connotation.

<sup>22</sup> cf. Thompson, *EG*, 11.

<sup>23</sup> The two terms seem to be employed here often as a compound of the type used with *amelu*, cf. above, note 19. For *tfarimtu* the meaning "(temple-)prostitute" is amply established. The root *lamah/ku*, in the sense of "be happy," occurs as a verbal noun in VIII, iii, 5. The noun means here "pleasure-girl."

<sup>24</sup> Lit. "regard as stranger, deny."

[Ever] he ranges over the hills,  
 Ever with the beasts [he feeds on grass],  
 Ever [sets] he his feet at the watering-place.  
 I am so frightened that I dare not approach [him]!  
 He filled in the pits that [I] had dug,  
 He tore up my *traps* [which I had set],  
 The beasts and creatures [of the steppe]  
     He has made slip through my hands.  
 He does not allow me to engage in fieldcraft!"  
 Gilgamesh says to him, [to] the hunter: (40)  
 "Go, my hunter, take with thee a harlot-lass.  
 When he waters the beasts at the watering-place,  
 She shall pull off her clothing, laying bare her ripeness.  
 As soon as he sees her, he will draw near to her.  
 Reject him will his beasts that grew up on his steppe!"  
 Forth went the hunter, taking with him a harlot-lass.  
 They took the road, going straight on the(ir) way.  
 On the third day at the appointed spot they arrived.  
 The hunter and the harlot sat down in their places.  
 One day, a second day, they sat by the  
     watering-place. (50)  
 The wild beasts came to the watering-place to drink.

(iv)

The creeping creatures came, their heart delighting in  
 water.  
 But as for him, Enkidu, born in the hills—  
 With the gazelles he feeds on grass,  
 With the wild beasts he drinks at the watering-place,  
 With the creeping creatures his heart delights in water—  
 The lass beheld him, the savage-man,<sup>25</sup>  
 The barbarous fellow from the depths of the steppe:  
 "There he is, O lass! Free thy breasts,  
 Bare thy bosom that he may possess thy ripeness!  
 Be not bashful! Welcome his ardor!<sup>26</sup> (10)  
 As soon as he sees thee, he will draw near to thee.  
 Lay aside<sup>27</sup>\* thy cloth that he may rest upon thee.  
 Treat him, the savage, to a woman's task!  
 Reject him will his wild beasts that grew up on his  
     steppe,  
 As his love is drawn unto thee."<sup>27</sup>  
 The lass freed her breasts, bared her bosom,  
     And he possessed her ripeness.  
 She was not bashful as she welcomed his ardor.  
 She laid aside her cloth and he rested upon her.  
 She treated him, the savage, to a woman's task,  
 As his love was drawn unto her. (20)  
 For six days and seven nights Enkidu comes forth,  
     Mating with the lass.  
 After he had had (his) fill of her charms,  
 He set his face toward his wild beasts.  
 On seeing him, Enkidu, the gazelles ran off,

The wild beasts of the steppe drew away from his body.  
 Starded was Enkidu, as his body became taut,  
 His knees were motionless—for his wild beasts had gone.  
 Enkidu had to slacken his pace—it was not as before;  
 But he now had [wi]sdom, [br]oader understanding.<sup>28</sup>  
 Returning, he sits at the feet of the harlot. (30)  
 He looks up at the face of the harlot,  
 His ears attentive, as the harlot speaks;  
 [The harlot] says to him, to Enkidu:  
 'Thou art [wi]se,<sup>29</sup> Enkidu, art become like a god!  
 Why with the wild creatures dost thou roam over the  
     steppe?  
 Come, let me lead thee [to] ramparted Uruk,  
 To the holy temple, abode of Anu and Ishtar,  
 Where lives Gilgamesh, accomplished in strength,  
 And like a wild ox lords it over the folk."  
 As she speaks to him, her words find favor, (40)  
 His heart enlightened,<sup>80</sup> he yearns for<sup>81</sup> a friend.  
 Enkidu says to her, to the harlot:  
 "Up, lass, escort thou me,<sup>82</sup>  
 To the pure sacred temple, abode of Anu and Ishtar,  
 Where lives Gilgamesh, accomplished in strength,  
 And like a wild ox lords it over the folk.  
 I will challenge him [and will bo]ldly address him,

(v)

[I will] shout in Uruk: 'I am he who is mighty!  
 [I am the] one who can alter destinies,  
 [(He) who] was born on the steppe is mighty; strength  
     he has."  
 "[Up then, let us go, that he may see] thy face.  
 [I will show thee Gilgamesh; where] he is I know well.  
 Come then, O Enkidu, to ramparted [Uruk],  
 Where people are re[splend]ent in festal attire,  
 (Where) each day is made a holiday,  
 Where [ . . . ] lads . . . ,  
 And la[ss]es [ . . . ] of figure. (10)  
 Their ripeness[ . . . ] full of perfume.  
 They drive the great ones from their couches!  
 To thee, O Enkidu, who rejoicest in living,  
 I will show Gilgamesh, the joyful man!  
 Look thou at him, regard his face;  
 He is radiant with manhood, vigor he has.  
 With ripeness gorgeous is the whole of his body,  
 Mightier strength has he than thou,  
 Never resting by day or by night.  
 O Enkidu, renounce thy presumption! (20)  
 Gilgamesh—of him Shamash is fond;  
 Anu, Enlil, and Ea have broadened his wisdom.  
 Before thou comest down from the hills,  
 Gilgamesh will see thee in (his) dreams in Uruk:  
 For<sup>88</sup> Gilgamesh arose to reveal his dreams,  
     Saying to his mother:

<sup>25</sup> cf. *Creation Epic*, VI, 6, and n.86, *ibid*.<sup>28</sup> Lit. "breathing," cf. B. Landsbergcr, *ZA*, XLII (1934)» 1°° > n. 2.<sup>26</sup> For the technical use of *mtifsHm* "lay aside," *mutasfSm* "take ofF" cf. *Descent of Ishtar* (below) 42 ff.<sup>27</sup> cf. Th. Jacobsen, *Acta Orientalia*, vin (1929), 67, n.2, and Schott, *ZA*, XLII, 101. The general connotation of the verb is clear, but its precise shading remains to be determined. It is plain, however, that the form is intransitive. A possible translation is also "incline."<sup>28</sup> Reading *i-H fi-\ma ti-r]a-pa-a! ha-si-sa*, with Schott, *loc. cit*. The general parallel to Gen. 317 is highly suggestive.<sup>29</sup> Reading *len-jqa-ta*.<sup>80</sup> Or "one who knows his heart," an object phrase.

»1 lit. "seeks."

<sup>82</sup> Lit. "call."<sup>88</sup> The particle *-ma* appears to introduce here a shift in the scene. It is not entirely clear whether the girl continues speaking, as is here assumed.

'My mother, I saw a dream last night:  
There appeared the stars in the heavens.  
Like the essence<sup>84</sup> of Anu it<sup>85</sup> descends upon me.  
I sought to lift it; it was too stout for me.  
I sought to drive it off,<sup>86</sup> but I could not  
remove it. (30)

Uruk-land was standing about [it],  
[The land was gathered round it],  
The populace jost[led towards it],  
[The nobles] thronged about it.  
[... ] my companions were kissing its feet.  
[I loved it] and was drawn to it<sup>87</sup> as though to a woman.  
And I placed it at [thy] feet,  
Thou didst make it vie with me.'  
[The wise mother of Gilgamesh, who] is versed in all  
knowledge,<sup>88</sup>  
Says to her lord;  
[Beloved and wise Ninsun], who is versed in all  
knowledge, (40)  
Says to Gilgamesh:

'Thy [*rival*],—the star of heaven,  
Which descended upon thee like [the essence of Anu];  
[Thou didst seek to lift it], it was too stout for thee;  
[Thou wouldst drive it off], but couldst not remove it;  
[Thou didst place] it at my feet,  
[It was I who made] it vie with thee;  
[Thou didst love it and] wert [drawn] to it [as though  
to a woman]— (vi)  
[A stout com]raae who rescues [a friend is come 1» thee].  
[He is the mightiest in the land]; strength he has.  
[Like the essence of Anu], so mighty his strength.  
[That thou didst love him and] wert [drawn] to him  
[as though to a woman],  
[Means that he will never] forsake [th]ee.  
[This is the mean]ing of thy dream.'  
[Again Gilgamesh says] to his mother:  
'[My mother, I] saw another dream:  
[In ramparted Uruk] lay an axe;  
There was a gathering round it.  
[Uruk-land] was standing about it, (10)  
[The land was gathered] round it,  
[The populace josted] towards it.  
[I] placed it at thy feet.  
[I loved it] and was drawn to it as though to a woman,  
[Thou didst] make it vie with me.'  
The wise mother of Gilgamesh, who is versed in all  
knowledge, Says to her son:  
Beloved and wise Ninsun, who is versed in all knowledge,  
Says to Gilgamesh: The axe which thou sawest is a man,  
Thou didst love it and wert drawn to it as though to  
a woman,  
And I shall make it vie with thee— (20)  
A stout comrade who rescues a friend is come to thee.  
He is the mightiest in the land; strength he has.  
Like the essence of Anu, so mighty his strength.'

<sup>84</sup> cf. above, n.14.

<sup>85</sup> One of the stars?

<sup>86</sup> Reading *ui-ta.b-la\-\i-is-su* (from *b\l*), with Ungnad and Landsberger, cf. ZA, XLII (1934), 102 and n.2.

« cf. above, n.27.

<sup>88</sup> cf. Heidel, EG, 24.

Gilgamesh speaks to his mother:  
'[To me], by Enid's command, is a counsellor descended,  
I have a [frie]nd and counsellor,  
[And to him] shall I be a friend and counsellor."  
[Thus did Gilgamesh re]veal his dreams,  
[And thus] did the lass narrate the dreams of  
Gilgamesh to Enkidu,  
[As they] sat, the two (of them). (30)

### Tablet II

#### OLD BABYLONIAN VERSION

In the Assyrian Version, Tablet II has come down in only a few disjointed and mutilated fragments. The text here followed (in agreement with Bohl and Heidel) is that of the Old Babylonian Version as found on the "Pennsylvania Tablet." It was published by S. Langdon in *UM*, x, 3 (1917), and was revised in transliteration by M. Jastrow and A. T. Clay; cf. their *An Old Babylonian Version of the Gilgamesh Epic* (1920; abbr. *YOS*, rv, 3), 62-68. cf. also *GETH*, 20-24. The beginning of this tablet goes back to Tablet I, v, 25 of the Assyrian Version. The resulting repetition of some of the incidents should not prove to be unduly disturbing in an epic, particularly since the two accounts are by no means identical. It will be noted that many of the lines on the present tablet contain only two beats, an arrangement which affects the line count but does not alter the meter.

#### (i)

Gilgamesh arose to reveal the dream,  
Saying to his mother;  
"My mother, in the time of night  
I felt joyful and I walked about  
In the midst of the nobles.  
The stars assembled<sup>89</sup> in the heavens.  
The handiwork<sup>89</sup> of Anu descended towards me.  
I sought to lift it; it was too heavy for me!  
I sought to move it; move it I could not! (10)  
Uruk-land was gathered about it,  
While the nobles kissed its feet.  
As I set my forehead,<sup>40</sup>  
They gave me support.  
I raised it and brought it to thee."  
The mother of Gilgamesh, who knows all,  
Says to Gilgamesh:  
"Forsooth,<sup>41</sup> Gilgamesh, one like thee  
Was born on the steppe,  
And the hills have reared him.  
When thou seest him, [*as (over) a woman*]  
thou wilt rejoice. (20)  
The nobles will kiss his feet;  
Thou wilt embrace him and [... ] . him;  
Thou wilt lead him to me."  
He lay down and saw another  
[He] arose and said to his mother:  
[My mother], I saw another  
[... ] in *the confusion*,<sup>42</sup> In the street  
[Of] broad-marted Uruk

<sup>89</sup> See von Soden, ZA, uu (1959), 210.

<sup>40</sup> To press the carrying strap against it; for this method, which is witnessed on the Ur Standard and is still practiced in modern Iraq, cf. Th. Jacobsen, *Acta Orientalia*, vui (1930), 67, n.3.

<sup>41</sup> For *mi-in-di* cf. JCS, 1 (1947) » 3" > n.6; *Orientalia*, XVIII, 387.

<sup>42</sup> If *ina e-ii-e* may be read and so interpreted.

There lay an axe, and  
They were gathered round it. (30)  
That axe, strange was its shape.  
As soon as I saw it, I rejoiced.  
I loved it, and as though to a woman,  
I was drawn<sup>48</sup> to it.  
I took it and placed it  
At my side."  
The mother of Gilgamesh, who knows all,  
[Says to Gilgamesh]:

(small break)

(")

"Because I made it vie with thee."  
While Gilgamesh reveals his dream,  
Enkidu sits before the harlot.  
The two of them<sup>44</sup> make love together.  
He forgot the s[tep]pe where he was born.  
For six days and seven nights Enkidu came forth  
Mating with the l[ass].  
Then the harlot opened her mouth,  
Saying to Enkidu: (10)  
"As I look at thee, Enkidu, thou art become like a god;  
Wherefore with the wild creatures  
Dost thou range over the steppe?  
Up, I will lead thee  
To broad-marted Uruk,<sup>45</sup>  
To the holy temple, the abode of Anu,  
Enkidu, arise, I will lead thee  
To Eanna, the abode of Anu,  
Where lives [Gilgamesh, accomplished] in deeds,  
And thou, li[ke... ], (20)  
Wilt love [him like] thyself.  
Up, arise from the ground,  
The shepherd's bed!"  
He hearkened to her words, approved<sup>46</sup> her speech;  
The woman's counsel  
Fell upon his heart.  
She pulled off (her) clothing;  
With one (piece) she clothed him,  
With the other garment  
She clothed herself. (30)  
Holding on to his hand,  
She leads him like a child<sup>47</sup>  
To the shepherd-hut,<sup>48</sup>  
The place of the sheepfold.  
Round him the shepherds gathered.

(several lines missing)

(iii)

The milk of wild creatures  
He was wont to suck.

Food they placed before him;  
He gagged, he gaped  
And he stared.  
Nothing does Enkidu know  
Of eating food;  
To drink strong drink  
He has not been taught.  
The harlot opened her mouth, (10)  
Saying to Enkidu:  
"Eat the food, Enkidu,  
As is life's due;  
Drink the strong drink, as is the custom of the land."  
Enkidu ate the food,  
Until he was sated;  
Of strong drink he drank  
Seven goblets.  
Carefree became his mood (and) cheerful, (20)  
His heart exulted  
And his face glowed.  
He rubbed [the *shaggy growth*],<sup>49</sup>  
The hair of his body,  
Anointed himself with oil,  
Became human.  
He put on clothing,  
He is like a groom!  
He took his weapon  
To chase the lions,  
That shepherds might rest at night. (30)  
He caught wolves,  
He captured lions,  
The chief catdemens could lie down;  
Enkidu is their watchman,  
The bold man,  
The unique hero!  
To [ . . . ] he said:

(several lines missing)

(iv)

(some eight lines missing)

He made merry.  
When he lifted his eyes, (10)  
He beheld a man.  
He says to the harlot:  
"Lass, fetch the man!  
Why has he come hither?  
His name let me hear."<sup>50</sup>  
The harlot called the man,  
Going up to him and saying to him:<sup>51</sup>  
"Sir, whither hastenest thou?  
What is this thy toilsome course?" (20)  
The man opened his mouth,  
Saying to En[kidu]:  
"Into the meeting-house he has [*intruded*],  
Which is set aside<sup>52</sup> for the people,

<sup>49</sup> Reading [*ma-li-i*], with Schott, ZA, XLII, 105.

<sup>50</sup> Reading *lu-ul-me* with Böhl, HGE, 123.

<sup>51</sup> Reading with Schott, OLZ, 1933, 520: *i-ktil-ul-lu-ma i-ta-wal-lu*.

<sup>52</sup> Lit. "decreed." For the nature of the offense see Th. Jacobsen, *Acta Orientalia*, viii (1929), 70 ff.

<sup>43</sup> See above, n.27.

<sup>44</sup> Reading *kii-la!-al-lu-un*, cf. Schott, ZA, XLII, 104.

<sup>45</sup> cf. Thompson, EG, 16 (line 15). The designation *Vrukribinm* "Uruk-of-the-broad-place(s)" in the Old Babylonian Version alternates with *Uruksupuri* "Uruk-of-the-enclosure" in the Assyrian Version.

<sup>46</sup> Lit. "accepted."

<sup>47</sup> Reading *seffrim*.

<sup>48</sup> See CAD, v (G), 118 and AHW, 298.

... for wedlock?\*

On the city he has heaped *defilement*,  
 Imposing strange things on the *hapless* city.  
 For the king of broad-marted Uruk  
 The *drum*<sup>54</sup> of the people is free for  
 nuptial choice. (30)

For Gilgamesh, king of broad-marted Uruk,  
 The *drum* of the people is free  
 For nuptial choice,  
 That with lawful<sup>55</sup> wives he might mate!  
 He is the first,  
 The *husband*?\* comes after.  
 By the counsel of the gods it has (so) been ordained.  
 With the cutting of his umbilical cord  
 It was decreed for him!"  
 At the words of the man  
 His face grew pale."

(some three lines missing)

(v)

(some six lines missing)

[Enkidu] walks [in front]  
 And the lass behind him.  
 When he entered broad-marted Uruk,  
 The populace gathered about him. (10)  
 As he stopped in the street  
 Of broad-marted Uruk,  
 The people were gathered,  
 Saying about him:  
 "He is like Gilgamesh in build!<sup>58</sup>  
 Though shorter in stature,  
 He is stronger of bone.

[He is the strongest in the land]; strength he has.  
 The milk of wild creatures (20)  
 He was wont to suck.  
 In Uruk (there will be) a constant (*clatter of*) *arms*"  
 The nobles rejoiced:  
 "A hero has appeared  
 For the man of proper mien!  
 For Gilgamesh, the godlike,  
 His equal has come forth."  
 For Ishhara<sup>59</sup> the bed  
 Is laid out.  
 Gilgamesh. [. . . ],  
 At night..[.],  
 As he approaches,  
 [Enkidu] stands in the street  
 To bar the way

<sup>58</sup> If the sign before *-lu-tim* is to be read *kfi-*. The literal meaning would be "brideship."

<sup>54</sup> Very obscure. But if *pufyu* is to be given here the same meaning as in I, ii, 10 and XII, i ff., then one must seek here a reference to some such instrument whose sound could summon the listeners to a given task or occasion.

<sup>55</sup> Lit. "decreed," i.e. to their husbands.

<sup>56</sup> Reading *mu-tum* with Schott, *OLZ*, 1933, 521.

<sup>57</sup> Reading *i-ri-qu*. For the end of column iii and the whole of column iv cf. G. Dossin, *La pdeur d'Enkidu* (1931).

<sup>58</sup> Read: *pa-da-tam*. See von Soden, *loc. cit.*

<sup>59</sup> A form of Ishtar, as goddess of love.

To Gilgamesh  
 [... ] in his might.  
 (some three lines missing)

(vi)

(some five lines missing)

Gilgamesh [... ]  
 On the steppe [... ]  
 Sprouts [... ].  
 He rose up and [... ]  
 Before him. (10)  
 They met in the Market-of-the-Land.  
 Enkidu barred the gate  
 With his foot,  
 Not allowing Gilgamesh to enter.  
 They grappled each other,  
 Holding fast like bulls.  
 They shattered the doorpost,  
 As the wall shook.  
 Gilgamesh and Enkidu  
 Grappled each other, (20)  
 Holding fast like bulls;  
 They shattered the doorpost,  
 As the wall shook.  
 As Gilgamesh bent the knee—  
 His foot on the ground—<sup>60</sup>  
 His fury abated  
 And he turned away.  
 When he had turned away,  
 Enkidu to him  
 Speaks up, to Gilgamesh:  
 "As one alone thy mother  
 Bore thee,  
 The wild cow of the steer-folds,  
 Ninsunna!  
 Raised up above men is thy head.  
 Kingship over the people  
 Enlil has granted thee!"

#### Tablet 111

##### OLD BABYLONIAN VERSION

In the Assyrian Version, this tablet is extant only in fragments, which will be translated below, under B. The older text is that of the "Yale Tablet" (*YOS*, iv, 3, Pis. 1-7), which continues the account of the "Pennsylvania Tablet."

(i)

(Mutilated or missing. Gilgamesh has decided on an expedition against monstrous Huwawa [Assyrian Humbaba], who resides in the Cedar Forest. Enkidu tries to dissuade him, but is unsuccessful, as may be gathered from the following verses.)

"[Why] dost thou desire  
 To do [this thing] ?" (13)

<sup>60</sup> For the form of wresling to which this episode refers cf. C. H. Gordon, *JNES*, vn (1948), 264, and Oppenheim, *Orientalia*, xvii (1948), 30.

- They kissed each other<sup>81</sup> (19) Saying to [Gilgamesh]:  
 And formed a friendship. "How can we go  
 (remainder missing or mutilated) To the Cedar Forest?  
 (") Its keeper is Wer.  
 (some twenty-five lines missing or mutilated) He is mighty, never res[ting]. (40)  
 Huwawa, Wer [... ]  
 Adad [... ]  
 He [... ]
- The eyes [of Enkidu filled] with t[ears], (iv)  
 [111 was] his heart, To safeguard [the Cedar Forest],  
 [As bitterly] he sighed. As a terror *to* [mortals<sup>67</sup> has Enlil appointed him]."  
 [Yea, En]kidu's eyes filled with tears. (30)  
 [Ill was] his heart, (40)  
 [As bitterly] he sighed. (Here fits in the fragment of the Assyrian Version, II,  
 [Gilgamesh], bearing with him,<sup>fi2</sup> v, published in *GETh*, Pl. x, top. Line 4 of this text is  
 [Says] to Enkidu: restored from a Neo-Babylonian fragment published by  
 "[My friend, why] do thine eyes A. Heidel, *JNES*<sub>y</sub> xi (1952), 140-43.  
 [Fill with tear]s? "To safeguard the Cedar Forest,  
 [Is ill] thy [heart], As a terror to mortals has Enlil appointed him.  
 [As bitterly thou sigh]est?" Humbaba—his roaring is the storm-flood,  
 En[kidu opened his mouth], His mouth is fire, his breath is death!  
 Saying to Gilgamesh: At sixty leagues he can hear the wild cows of the forest;  
 "A *cry* I<sup>58</sup> my friend, (40) Who is there that would go down to his Forest?  
 Chokes my throat;<sup>64</sup> To safeguard the cedars,  
 My arms are limp, As a terror to mortals has Enlil appointed him;  
 And my strength has turned to weakness." Weakness lays hold on him who goes down to the  
 Gilgamesh opened his mouth, forest."  
 Saying to Enkidu: (the Old Babylonian Version continues)
- (iii) Gilgamesh opened his mouth, (3)  
 (some four lines missing) Saying to [Enkidu]:  
 "[In the forest resides] fierce Huwawa. (5) "Who, my friend can scale hefaven] ?  
 [Let us, me and thee, s]lay [him], Only the gods [live] forever under the sun.  
 [That all evil from the land we may ban]ish!<sup>65</sup> (8-11) As for mankind, numbered are their days;  
 (too fragmentary for translation) Whatever they achieve is but the wind!  
 Enkidu opened his mouth, Even here thou art afraid of death.  
 Saying to Gilgamesh: What of thy heroic might? (10)  
 "I found it out, my friend, in the hills, Let me go then before thee,  
 As I was roaming with the wild beasts. Let thy mouth call to me, 'Advance, fear not!'  
 For ten thousand leagues<sup>66</sup> *extends* the forest. Should I fall, I shall have made me a name:  
 [Who is there] that would go down into it? 'Gilgamesh'—they will say—against fierce Huwawa  
 [Huwa]wa—his roaring is the flood-storm, Has fallen!' (Long) after  
 His mouth is fire, (20) My offspring has been born in my house,"  
 His breath is death! (obscure; 18-21 mutilated)  
 Why dost thou desire "[Thus calling] to me, thou hast grieved my heart.  
 To do this thing? [My hand] I will poise  
 An unequal struggle And [will fe]ll the cedars.  
 Is (tangling with) the siege engine, Huwawa." A [name] that endures I will make for me!  
 Gilgamesh opened his mouth, [...], my friend, the smith I will *commission*,  
 Saying to Enkidu: [Weapons] they shall cast in our presence."  
 "[The cedar]—its mountain I would scale!" [... ] the smith they *commissioned*,  
 (mostly destroyed) (28-35) The artisans sat down to discuss (it).  
 Enkidu opened his mouth, Mighty adzes they cast; (30)  
 Axes of three talents<sup>68</sup> each they cast.  
 Mighty swords they cast—  
 The blades, two talents each,  
 The *\nobs* on their *sheaths*, thirty minas each,

<sup>61</sup> Reading *it'ta-al-qu-u-ma*.<sup>62</sup> For this idiom cf. Schott, *ZA*, XLII (1934), 107.<sup>63</sup> The noun *ta-ab-bi-a-tum* is generally derived from *tappu* and taken to refer, in the sense of "female companions," to "Enkidu's sorrow at the loss of his Love"; cf. Thompson, *EG*, 20. The context, however, would seem to favor Schott's derivation as based on *nubbii* "to wail," *loc. cit.*, 107.<sup>64</sup> Lit. "has bound my neck veins."<sup>65</sup> Restored (with Schott, *loc. cit.*, 108) from Assyrian Version, III, ii, 17-

18.

<sup>66</sup> Lit "double-hours," a measure of distance as well as of time.<sup>67</sup> Lit. "men."<sup>68</sup> cf. *JCS*, 1 (1947), 12, 55. The talent had sixty minas.

[... ] of the swords, thirty minas gold each,  
 Gilgamesh and Enkidu were each laden with ten talents.  
 [In the] gate of Uruk, whose bolts are seven,  
 [... ] the populace gathered.  
 [... ] in the street of broad-marted Uruk.  
 [... ] Gilgamesh (40)  
 [... ] of broad-marted [Uruk].  
 [... ] sat down before him,  
 [Sp]eaking [...]:  
 "[... ] of broad-marted [Uruk]."

(one line missing)

(v)

"Him of whom they speak, I, Gilgamesh, would see,  
 At whose name the lands are ever in terror.  
 I will conquer him in the Cedar Forest!  
 How strong is the offspring of Uruk  
 I will cause the lands to hear!  
 My hand I will poise and will fell the cedars,  
 A name that endures I will make for me!"  
 The elders of broad-marted Uruk  
 Said to Gilgamesh in reply:  
 "Thou art yet young, Gilgamesh, thy heart  
 has carried thee away. (10)

That which thou wouldst achieve thou knowest not.  
 We hear that Huwawa is wondrous in appearance;  
 Who is there to face his weapons?  
 For ten thousand leagues *extends* the forest;  
 Who is there that would go down into it?  
 Huwawa—his roaring is the storm-flood,  
 His mouth is fire, his breath is death!  
 Why dost thou wish to do this thing?  
 An unequal struggle is (tangling with) the siege engine,  
 When Gilgamesh heard this speech Huwawa."  
 of his counsellors, (20)

He looked round, smiling, towards [his] friend:  
 "Now, my friend, thus [...]."

(Rest of the speech destroyed. When the text again be-  
 comes intelligible, the elders are addressing  
 Gilgamesh:) (23-31)

"May thy god [protect] thee.  
 [May he lead thee] on the road back in safety.  
 To the landing-place at Uruk [may he bring thee  
 back]!"  
 Gilgamesh kneels down [before Shamash],  
 The words which he speaks [...]:  
 "I go, O Shamash, my hands [raised up in prayer].  
 May it henceforth be well with my soul.  
 Bring me back to the landing-place at [Uruk];  
 Establish [over me] (thy) protection!" (40)  
 Gilgamesh called [his] friend  
 [And inspected] his omen.

(This appears to have been unfavorable, for the text  
 continues after a small break:)

(vi)

Tears run down [the face] of Gilgamesh:

"[...] a road I have never traveled,  
 [...]... I know not.  
 [...] I should fare well.  
 [...] with joyful heart.

[...]... thrones."  
 [They brought him] his gear,  
 [...] mighty [sw]ords,  
 [Bow] and quiver (10)  
 They placed [in] his hands.

[He] took the adzes,  
 [...] his quiver,  
 [The bow] of Anshan.<sup>69</sup>  
 His sw[ord he placed] in his girdle.  
 [...] they could start on their journey,  
 [The populace] presses close [to Gilgamesh]:  
 "[ . . . ] mayest thou return to the city!"  
 [The elder]s pay him homage,  
 As they counsel Gilgamesh [about]  
 the journey: (20)

"Trust [not], Gilgamesh, in thine own strength!  
 Let thine [eyes] be clear;<sup>70</sup> guard thyself!  
 Let Enkidu go before thee;  
 He knows<sup>71</sup> the [way], has traveled the road.  
 [Within] the forest, all the passes  
 Of Huwawa let him penetrate!<sup>72</sup>  
 [He who goes] in front protects the companion;  
 Let his [ey]es be clear; [let him guard himself].  
 May Shamash [grant] thee thy desire;  
 What thy mouth has spoken may he show  
 thine eyes! (30)

May he open for thee the barred path,  
 The road uncloseth for thy treading,  
 The mountain uncloseth for thy foot!  
 May the night bring thee things of thy delight,  
 And may Lugalbanda stand by thee  
 In regard to thy wish.  
 Childlike, mayest thou attain thy wish!  
 After the slaying of Huwawa, for which thou strivest,  
 Wash thou thy feet! (40)

At rest time at night dig thou a well;  
 Ever pure shall be the water in thy waterskin!  
 Cool water offer thou" to Shamash.  
 And be thou ever mindful of Lugalbanda!"  
 [Enkidu] opened his mouth, saying to Gilgamesh:  
 "[Since] contend thou wilt, be on (thy) way.  
 Let thy heart be [un]afraid. Follow me!  
 [ ] I know his dwelling place,  
 [And also the road] which Huwawa travels."  
 (Mutilated or missing. Gilgamesh had  
 bid adieu.) (49-56)

<sup>69</sup> A district in Elam.

<sup>70</sup>cf. Landsberger, ZA, XLH (1934), n.0, n.2. The sense of [«-»]-&»  
*lu lu-wu-ra-ma* would be close to our "look sharp!" cf. Assyrian Version,  
 m, i, 3.

" Lit. "has seen."

<sup>72</sup> Lit. "make him slip through," Akk. *hul-lip-iu*, cf. Schott, ZA, XLII  
 (1934), III.

<sup>78</sup> Reading *ta-na-qt*.

[When the elders heard] this speech of his,  
They sent [off] the hero upon his way:  
"Go, Gilgamesh, may [\_\_\_\_],  
May thy god [be at thy side]."

(four lines mutilated)

ASSYRIAN VERSION: *Tablet III*

The beginning of this section links up with column vi 19 of the preceding so that there is only a slight overlap.

(i)

[The elders opened their mouths, saying to Gilgamesh]:  
"Trust not, Gilgamesh, in all thine own strength.  
Let thine [eyes] be sated;<sup>74</sup> make trust [worthy] thy  
stroke.

He who goes in front saves the companion;  
He who knows the path protects his friend.  
Let Enkidu go in front of thee.

He knows the way to the Cedar Forest,  
He has seen battle, is versed in combat.

Enkidu shall protect the friend, safeguard the com-  
panion.

Over the pitfalls he shall carry his body! (10)  
We, the Assembly, entrust the King to thee.  
Deliver thou back the King unto us!"  
Gilgamesh opened his mouth to speak,  
Saying to Enkidu:

"Up, my friend, let us go to Egalmah,<sup>75</sup>  
To the presence of Ninsun, the great Queen.  
Ninsun, the wise, who is versed in all knowledge,  
Will lend reasoned steps to our feet."  
Grasping each other, hand in hand,  
Gilgamesh and Enkidu go to Egalmah, (20)

To the presence of Ninsun, the great Queen.  
Gilgamesh came forward as he entered [*the palace*]:  
"O Ninsun, I *ma|e bold*<sup>76</sup> [... ]  
A far journey, to the pl[ace of Humbaba].  
An uncertain batde" [I am about to face],  
An uncertain [road I am about to travel].  
[Until the day that I go and return],  
[Until I reach the Cedar Forest],  
[And banish from the land all evil, hateful to Shamash],  
[Pray thou to Shamash on my behalf]!"

(The above restorations are based on column ii 12 ff.  
The remainder of the break cannot be restored.)

(ii)

[Ninsun] entered [her chamber],  
[... ]...  
[She put on a garment] as beseems her bo[dy],  
[She put on an ornament] as beseems her breast,  
[... ] and donned her tiara.  
[... ] the ground ...

<sup>74</sup> In accordance with Landsberger's reading (cf. n.70, above) and a personal suggestion by Goetze, the first word should be  $\sqrt{f-na}\text{-}a$ . I read the last word of this line *tukrk\*S).

<sup>75</sup> "The Great Palace."

<sup>76</sup> Reading *ag-da-lir*, with Landsberger, ZA, XLII (1934), i n, n.3. For the meaning, cf. the D-form *ugdaiiru* "who lords it," I, iv, 46.

<sup>17</sup> Lit "a batde I know not."

She cl[imbed the stairs], mounted to the parapet,  
Ascended the [*roof*], to Shamash offered incense.  
The smoke-offering set up, to Shamash she raised her  
hands:

"Why, having given me Gilgamesh for a son, (10)  
With a resdess heart didst thou endow him ?

And now thou didst affect him to go  
On a far journey, to the place of Humbaba,  
To face an uncertain battle,  
To travel an uncertain road!  
Until the day that he goes and returns,  
Until he reaches the Cedar Forest,  
Until he has slain the fierce Humbaba,  
And has banished from the land all evil thou dost hate—  
In day time, when thou . . . ,  
May Aya, thy bride, fearlessly<sup>78</sup> remind thee,  
And may she [commend] him to the watchmen of the  
night!"

(long break)

(iv)

She put out the incense, *pro[nouncing the spell]*. (15)

She then called Enkidu to impart (this) message:

"Mighty Enkidu, thou not my womb's issue,  
I herewith have *adopted* thee  
With the *devotees* of Gilgamesh,  
The priestesses, the votaries, and the cult  
women!"<sup>79</sup> (20)

... she placed round the neck of Enkidu.

(The remainder of this column, the whole of column v, and the first seven lines of column vi are missing or too mutilated for translation.)

(vi)

"Let [Enkidu] pr[otect the friend, safeguard the  
companion]. (8)

Over the pitfalls [let him carry his body]!  
We, the Assembly, [entrust the King to thee];  
Del[iver thou] back [the King unto us]."  
Enkidu opened his mouth [to speak],  
Saying [to Gilgamesh]:  
"My friend tu[rn ... ],  
A way not [... ]."

(remainder of the tablet destroyed)

*Tablet IV*

For this tablet, and for several of the following, the sequence of the extant texts is at times uncertain since the context must be pieced together from scattered Assyrian fragments and from such additions as have come to light elsewhere, particularly at Bogazkoy (in Hittite as well as in Akkadian). The arrangement here followed has been adopted from A. Schott, cf. ZA, XLII (1934), 113 ff. No existing fragments can be assigned with certainty to any of the first columns of the Assyrian Version. A small portion of the missing record of the journey to the Cedar Forest is preserved on a fragment from Uruk, published by A.

<sup>78</sup> Reading, with two of the copies (cf. ZA, XI.H, 112 n.i) J»»7 *a-a i-dur-ka* "may she not fear thee."

«cf. Oppenheim, *Orientalia*, xvii (1948), 33 f.



Falkenstein, *Literarische Keilschrifttexte aus XJru* (1931), No. 39.

At twenty leagues they broke off a morsel;  
At thirty (further) leagues they prepared for the  
night.

Fifty leagues they walked all day.  
[The distance of a mon]th and fifteen days they *trav-*  
*ersed* in three days.

[Before Shamash] they dug [a well].

## (v)

(The beginning is missing.<sup>80</sup> The two friends have arrived at the gate of the forest, which is guarded by Humbaba's watchman. Gilgamesh appears to need encouragement from Enkidu.)

"[Bethink thee of what] thou didst say in Uruk!  
[Arise] and stand up [that thou mayest  
slay him]. (40)

[... Gil]gamesh, the offshoot of Uruk."  
[When Gilgamesh] heard the words of [his] mouth,  
He was inspired with confidence:<sup>81</sup>

"[Hur]ry, step up to him, that he may not *de[part]*,<sup>82</sup>  
[Go] down to the woods and [*disappear*]  
He is wont to cloak himself with seven cloaks;  
[One] he has donned; six are still off [...]."  
Like a raging wild ox he [...],  
... he departed ... [...].

The watchman of the forest calls out [...].  
Humbaba, like [...]. (50)

## (vi)

(beginning missing)

[Enkidu] opened his [mouth] to speak, (23)  
[Saying to Gilgamesh]:

"[Let us not go] down [into the heart of the forest]!  
[In open]ing [the gate my hand] became limp."

[Gil]gamesh opened his mouth to speak,  
Saying [to Enkidu]:

"[...], my friend, like weaklings [...].  
[... we] have traveled, all of them [...].  
[...] before us [...].

My [friend], who art versed in combat,  
accomplished] in battle, (30)  
Touch but my [garment], and thou wilt not fear  
[death].

(unintelligible) (32-33)

That the limpness may depart from thy arm,  
And the weakness pass' [from thy hand].  
[Do but] stand by, my friend, that we may go down  
together [...].

Let thy heart [*lux]uriate*\*\* in combat;  
Forget death and do not [...].

A man, resolute (yet) discreet, [...],

<sup>80</sup> *GETh*, Pl. 15, numbers the lines 39 and ft., but his transliteration (*ibid.*, p. 34) gives the line count as 1 &.

<sup>81</sup> cf. *GETh*, Pl. 15, n.13.

<sup>82</sup> Adopting Schott's reading *ir-[te-iq?]*, *ZA*, XLII (1934). 116.

<sup>88</sup> Schott suggests [*lih-nu-ub* (?), *ibid.*, 117.

When he goes [in front], he guards himself  
And safeguards the companion.

[Even though] they fa[U],<sup>84</sup> they have made a name."  
[At the] green [mountain] the two arrived. (40)  
Their words were [silen]ced;<sup>85</sup> they themselves stood  
still.

## Tablet V

## (i)

They stood still and gazed at the forest,  
They looked at the height of the cedars,  
They looked at the entrance to the forest.  
Where Humbaba was wont to walk was a path;  
Straight were the tracks and good was the going.  
They beheld the cedar mountain, abode of the gods,  
Throne-seat of Irnini.<sup>88</sup>

From the face of the mountain  
The cedars<sup>87</sup> raise aloft their luxuriance.

Good is their shade, full of delight.  
There is cover in their brushwood, cover in their [...].

(The remainder of the column is missing or mutilated, and the same applies to column ii and most of column iii. An Akkadian fragment from Bogazkoy—published by E. F. Weidner, *KUB*, iv [1922], 12, and PL 48—helps to fill in some of the gaps while duplicating other parts.)

They grasped each other to go for their  
nighdy rest. (5)

Sleep overcame [them]—the surge of the night.  
At midnight, sleep [departed] from him.<sup>88</sup>

A dream he tells to Enkidu, [his] friend:  
"If thou didst not arouse me, why [am I awake] ?  
Enkidu, my friend, I must have seen a dream! (10)  
Didst thou arouse me? Why [...] ?

Aside from my first dream, a second [dream] I saw:  
In my dream, my friend, a mountain [toppled].  
It laid me low, taking hold of my feet [...].  
The glare was overpowering! A man [appeared].  
The fairest in the land was he; his grace [...].  
From under the mountain he pulled me out,  
Gave me water to drink; my heart qui[eted].  
On the ground he set [my] feet."

Enkidu said to this god [...],  
To Gilgamesh: "My friend, let us go [...]."

(remainder fragmentary)

## (iii)

"[The other] dream which I saw: (32)  
[In] mountain gorges<sup>89</sup> [...]  
[A mountain] toppled [...]  
Like small reed flies we [...]."

<sup>84</sup> Reading [*i-na mi-i]t-qu-ti-lu-nu*, *ibid.*

<sup>85</sup> Reading [*sa-a]-ta*, *ibid.*

<sup>86</sup> A form of Ishtar.

<sup>87</sup> Text has singular, probably in a collective sense.

<sup>88</sup> Gilgamesh.

<sup>89</sup> Reading [*sa]-pan-ni*, with Schott, *loc. cit.*, n8.

[He] who was born on the st[eppe... ],  
 Enkidu, said to his friend, [explaining] the dr[eam]:  
 "My friend, favorable is [thy] dream,  
 The dream is most precious [...].  
 The mountain, my friend, which thou sawest,  
     [is Humbaba]. (40)  
 [We] shall seize Humbaba, sh[all kill him],  
 [And shall cast] his corpse on the plain.  
 On the morrow [...]."  
 At twenty leagues they br[oke off a morsel];  
 At thirty (further) leagues they prepared [for the  
     night].  
 Before Shamash they dug a well [...].  
 Gilgamesh went up to [the mountain],  
 His fine-meal he offered up [...]:  
 "Mountain, bring me a dream [...],  
 Furnish for him [...]!" (50)

(iv)

[The mountain] brought a dr[eam for Enkidu],  
 It furnished for him [...].,  
 A cold shower passed over [...];  
 It made him lie down [...],  
 [...] and like mountain barley [...].  
 [Gil]gamesh plants his chin on his knees.  
 Sleep, which is shed on mankind, fell on him.  
 In the middle watch he ended his sleep.  
 He started up, saying to his friend:  
 "My friend, didst thou not call me? Why am I  
     awake? (10)  
 Didst thou not touch me? Why am I startled?  
 Did not some god go by? Why is my flesh numb?  
 My friend, I saw a third dream,  
 And the dream that I saw was wholly awesome!  
 The heavens shrieked, the earth boomed,  
 [Day]light failed, darkness came.  
 Lightning flashed, a flame shot up,  
 [The clouds] swelled, it rained death!  
 Then the glow<sup>90</sup> [vanished], the fire went out,  
 [And all that] had fallen was turned to ashes. (20)  
 Let us go down! Outside<sup>91</sup> we can take counsel."  
 [When] Enkidu [heard]<sup>92</sup> the dream he had brought  
     him,  
     He said to Gilgamesh.

(Enkidu's reply is lost. The subsequent break in the  
 Assyrian version is made up in part by the Hittite re-  
 cension; cf. J. Friedrich, *ZAS* xxxix [1929], 8 ff.)

[Gilgamesh] seized [the axe in (his) hand]  
 [...] and] felled [the cedar].  
 [But when Huwawa] heard the noise,  
 [He] became angry: "Who has [come], (10)  
 [Has slighted the trees, which] had been grown in my  
     mountains,  
 And has felled the cedar?"

<sup>90</sup> For *ni-bu-tu*, cf. *ibid.*, 120.

<sup>91</sup> This idiomatic sense appears to be more suitable here than "steppe."

<sup>92</sup> Supplying [*!-me-ma*], with Schott, *loc. cit.*, 120.

[Then] down from heaven spoke to them  
 Heavenly Shamash: "Draw near,  
 Fear you not, and [...]  
 March, as long [as...]  
 Into (his) house he does not [enter ... ]."  
 (Remainder of fragment mutilated. A further fragment  
 implies that things had not gone well with the two  
 friends, for)

His tears [came down in] streams. (6)  
 And Gilgamesh [said] to heavenly Shamash:

(two lines fragmentary and obscure)

"But I have [come] to heavenly Shamash (10)  
 And have taken the road assigned [...]."  
 Heavenly Shamash hearkened to the prayer of Gilga-  
     mesh;  
 And against Huwawa mighty winds  
 Rise up: the great wind, the north wind, [...],  
 The storm wind, the chill wind, the tem[pestuous]  
     wind,  
 The hot wind; eight winds rose up against him and  
 Beat against the eyes [of Huwawa].  
 And he is unable to move forward,  
 Nor is he able to move back.  
 Then Huwawa let up. (20)

Thereupon Huwawa replied to Gilgamesh:  
 "Let me go, Gilgamesh; thou [wilt be] my [master],  
 And I shall be thy servant. And of [the trees]  
 Which I have grown, I shall [...]  
 Strong...[...]  
 Cut down and houses [...]."  
 But Enkidu [said] to [Gilgamesh]:  
 "To the word which Huwawa [has spoken]  
 H[ark] not [ ... ]  
 Let not Huwawa [...]."

(The sequel seems to be found in the mutilated As-  
 syrian fragment, *GETh*, Pl. 19, which ends [line 47]  
 with these words:)

[ ... ] the head of Humbaba [they cut down ... ].

*Tablet VI*

He" washed his grimy hair, polished his weapons,  
 The braid of his hair he shook out against his back.  
 He cast off his soiled (things), put on his clean ones,  
 Wrapped a fringed cloak about and fastened a sash.  
 When Gilgamesh had put on his tiara,  
 Glorious Ishtar raised an eye at the beauty of Gilgamesh:  
 "Come, Gilgamesh, be thou (my) lover!  
 Do but grant me of thy fruit.  
 Thou shalt be my husband and I will be thy wife.  
 I will harness for thee a chariot of lapis  
     and gold, (10)  
 Whose wheels are gold and whose horns are brass.<sup>94</sup>

<sup>98</sup> Gilgamesh.

<sup>94</sup> The reasons for thus rendering *elmeiu* are listed in C. Thompson, *An Assyrian Dictionary of Chemistry and Geology* (1936), 76 f.

Thou shalt have storm-demons to hitch on for mighty mules.

In the fragrance of cedars thou shalt enter our house.  
When our house thou enterest,  
Threshold (and) dais shall kiss thy feet!  
Humbled before thee shall be kings, lords, and princes!  
The *yield* of hills and plain they shall bring thee as tribute.

Thy goats shall cast triplets, thy sheep twins,  
Thy he-ass in lading shall surpass thy mule.  
Thy chariot horses shall be famed for racing, (20)  
[Thine ox] under yoke shall not have a rival!"

[Gilgamesh] opened his mouth to speak,  
[Saying] to glorious Ishtar:  
["What am I to give] thee, that I may take thee in marriage?

[Should I give oil] for the body, and clothing?  
[Should I give] bread and victuals?  
[... ] food fit for divinity,  
[... ] drink fit for royalty.

(mutilated) (29-31)

[... if I] take thee in marriage?  
[Thou art but a brazier which goes out<sup>95</sup>] in the cold;  
A back door [which does not] keep out blast and wind-storm;

A palace which crushes the valiant [...];  
A *turban*<sup>98</sup> whose cover [...];  
Pitch which [soils] its bearers;  
A waterskin which *cuts* its bearer;  
Limestone which [*springs*] the stone rampart;  
A siege engine which des[troys] the enemy land; (40)  
A shoe which pinches [the foot<sup>97</sup>] of its owner!  
Which lover didst thou love forever?  
Which of thy shepherds<sup>98</sup> pleased<sup>98</sup> [thee for all time]?  
Come, and I will *na[me]* for thee] thy lovers:  
•\* . ^ . . . ^ . . .

For Tammuz, the lover of thy youth,  
Thou hast ordained wailing year after year.  
Having loved the dappled shepherd-bird,  
Thou smotest him, breaking his wing.  
In the grooves he sits,<sup>100</sup> crying 'My wing!'<sup>101</sup> (50)  
Then thou lovedst a lion, perfect in strength;  
Seven pits and seven thou didst dig for him.  
Then a stallion thou lovedst, famed in battle;  
The whip, the spur, and the lash thou ordainedst for him.

Thou decreedst for him to gallop seven leagues,

<sup>95</sup> This, rather than the generally supplied "oven," accords with the cultural background of the passage. Read [*at-ti-ma* |i-nu-nu bi-lu-u].

<sup>96</sup> cf. Bohl, *HGE*, 134. "Elephant" would surely not be appropriate.

<sup>97</sup> Reading *mu-na-li-hJU* [iep\ be-li-ia. For an omen based on the death of Bur-Sin, "who died of the bite of a shoe," see Goetze, *fCS*, i (1947), 261.

<sup>98</sup> cf. Oppenheim, *BASOR*, 103 (1946), 12-13.

<sup>99</sup> Reading *i-pb-u*.

<sup>100</sup> Var. "stands."

<sup>101</sup> Akk. *kflppi*, plainly a word play on the cry of the bird; cf. Thompson, *EG*, 33, n.3. cf. Zu, *Addenda* 110.

Thou decreedst for him the muddied to drink;<sup>102</sup>  
For his mother, Silili, thou ordainedst wailing!  
Then thou lovedst the keeper of the herd,  
Who ash-cakes ever did heap up for thee,  
Daily slaughtered kids for thee; (60)

Yet thou smotest him, turning him into a wolf,  
So that his own herd boys drive him off,  
And his dogs bite his thighs.<sup>108</sup>  
Then thou lovedst Ishullanu, thy father's gardener,  
Who baskets of dates ever did bring to thee,  
And daily did brighten thy table.  
Thine eyes raised at him, thou didst go to him:  
'O my Ishullanu, let us taste of thy vigor!  
Put forth thy "hand" and touch our "modesty!"<sup>104</sup>  
Ishullanu said to thee: (70)

What dost thou want with me?  
Has my mother not baked, have I not eaten,  
That I should taste the food of stench and foulness?<sup>108</sup>  
Does reed-work afford cover against the cold?<sup>108</sup>  
As thou didst hear this [his talk],  
Thou smotest him and turn[edst] him into a *mole*.  
Thou placedst him in the midst of... [. ] ;  
He cannot go up... nor can he come down...<sup>107</sup>  
If thou shouldst love me, thou wouldst [treat me] like them."

When Ishtar heard this,  
Ishtar was enraged and [mounted] to heaven. (80)  
Forth went Ishtar to w[EEP] before Anu, her father,  
Her tea[rs] flow in the presence of Anu, her mother:  
"My father, Gilgamesh has heaped insults upon me!  
Gilgamesh has recounted my stinking deeds,  
My stench and my foulness."  
Anu opened his mouth to speak,  
Saying to glorious Ishtar:  
"Art thou the father? Didst thou not quarrel with king  
Gilgamesh?"

And so Gilgamesh has recounted thy stinking deeds,  
Thy stench and [thy] foulness." (91)

Ishtar opened her mouth to speak,  
Saying to A[nu], her father:  
"My father, please give me the Bull of Heaven that he  
smite [king] Gilgamesh ... in his home.  
[And] fill Gilgamesh ...]!"

If thou [dost not] give me [the Bull of Heaven],  
I will smash [the doors of the nether world],<sup>108</sup>  
I will *pl[ac]e those above*] below,  
I will raise up the dead eating (and) alive,  
So that the dead shall outnumber the living!" (100)

Anu opened his mouth [to speak],  
I will raise up the dead eating (and) alive,  
So that the dead shall outnumber the living!" (100)  
Anu opened his mouth [to speak],

<sup>102</sup> Lit. "to make turbid (and) drink."

<sup>108</sup> cf. E. Ebeling, *Tod und Leben* (1931), 103, n. c.

<sup>104</sup> cf. W. F. Albright, *RA*, xvi (1919), 183.

<sup>105</sup> The present translation of *piati u erred* follows Th. Bauer, *Assurbanipal*, 11, 78, n.i; cf. also, A. Heidel, *GE*, 2nd ed. (1949) > 5\*>  
The metaphor has common Semitic analogues.

<sup>106</sup> This appears to be a proverbial expression.

<sup>107</sup> For suggestions about the meaning of the terms which have been left untranslated, cf. Oppenheim, *Orientalia*, xvii (1948), 37, n.4.

<sup>108</sup> For lines 96-100 cf. *Descent of Ishtar*, obv. 17-20.

Saying to glorious Ish[ar]:

"If thou dost desire of me the Bull of Heaven,  
[There will be] in the land of Uruk seven years of  
(barren) husks.

Hast thou gathered [grain against the (years of  
barren)] husks?

Hast thou grown grass [for the beasts]?"

[Ishtar opened her mouth] to speak,

[Saying to A]nu, her father:

"[Grain for the people] I have stored,

[Grass for the beasts] I have provided. (110)

[If there should be seven] years of husks,

[I have ga]thered [grain for the people],

[I have grown] grass [for the beasts]."

(Lines 114-116, which contained the rest of Ishtar's  
speech, are missing. For lines 117-131 see p. 505.)

Enkidu opened his mouth to speak,

Saying [to Gilgamesh]:

"My friend, we have gloried [...]."

(Lines 135-49 mutilated, but the course of the batde is  
made plain by the following:)

Between neck and horns [he thrust]  
his sword. (150)

When they had slain the Bull, they tore out his heart,  
Placing it before Shamash.

They drew back and did homage before Shamash.  
The two brothers sat down.

Then Ishtar mounted the wall of ramparted Uruk,  
Sprang on the batdements, uttering a curse:

"Woe unto Gilgamesh because he insulted me<sup>111</sup>  
By slaying the Bull of Heaven!"

When Enkidu heard this speech of Ishtar,  
He threw the right thigh of the Bull of Heaven,  
Tossing it in her face:

"Could I but get thee, like unto him. (160)  
I would do unto thee.

His entrails I would hang at thy side!"

(Thereupon) Ishtar assembled the votaries,  
The (pleasure-)lasses and the (temple-)harlots.

Over the right thigh of the Bull of Heaven she set up a  
wail.

But Gilgamesh called the craftsmen, the armorers,  
All (of them).

The artisans admire the thickness of his<sup>112</sup>  
horns:

Each is cast from thirty minas of lapis;

The coating<sup>118</sup> on each is two fingers (thick); (170)

Six measures<sup>114</sup> of oil, the capacity of the two,

He offered as ointment to his god, Lugalbanda.

He brought (them) and hung them in his princely bed-  
chamber.<sup>115</sup>

In the Euphrates they washed their hands,

They embraced each other as they went on,

Riding through the market-street of Uruk.

The people of Uruk are gathered to gaze [upon them].

Gilgamesh to the *lyre maids*<sup>118</sup> [of Uruk]

Says (these) words:

"Who is most splendid among the heroes? (180)

Who is most glorious among men?"

"Gilgamesh is most splendid among the heroes,

[Gilgamesh is most glori]ous among men."

(mutilated) (184-186)

Gilgamesh in his palace holds a celebration.

Down he the heroes on their beds of night.

Also Enkidu lies down, a dream beholding.

Up rose Enkidu to relate his dream, (190)

Saying to his friend:

"My friend, why are the great gods in council?"<sup>117</sup>

#### Tablet VII

The first two columns of this tablet are missing in the Assyrian  
Version. Enkidu's dream, however, is the subject of *KUB*, VIII,  
48, and this Hittite text has been dealt with by I- Friedrich in  
*ZA*, xxxix (1929), 16-19. See p. 505.

"[...]... Then daylight came."

[And] Enkidu answered Gilgamesh:

"[He]ar the dream which I had last night:

Anu, Enlil, Ea, and heavenly Shamash

[Were in council].

And Anu said to Enlil:

'Because the Bull of Heaven they have slain, and  
Huwawa

They have slain, therefore'—said Anu—'the one of them  
Who stripped the mountains of the cedar

[Must die!]'

But Enlil said: 'Enkidu must die;

Gilgamesh, however, shall not die!' (10)

Then heavenly Shamash answered valiant Enlil:

'Was it not at my<sup>118</sup> command

<sup>112</sup> The Bull's.

<sup>118</sup> For this meaning of *tah(a)baiu* cf. Oppenheim, *loc. at.*, 40, n.2. The  
singular is common in the Nuzi texts.

<sup>114</sup> The g<r-measure was the equivalent of about 250 quarts.

<sup>115</sup> For this meaning of *ina urii hammuti* cf. Landsberger, *MAOG*, rv  
(1928/29), 299, n.2.

<sup>116</sup> The context calls clearly for musicians or singers, not servant girls;  
hence neither *fuppulu* (cf. n. m.) nor *tabalu* can underlie the present term.  
However, Heb. *nebel* "psaltery" suggests an excellent semantic and morpho-  
logical background.

<sup>117</sup> Catch-line of the following tablet.

<sup>118</sup> Text "thy." See, however, Schott, *GE*, 45, n.i.

109110 These footnotes have been deleted.

<sup>111</sup> For (*uppulu* in this sense cf. B. Meissner, *MAOG*, xi (1937), 46-47.  
Comparison with Arab, tfi "litde" may be suggested in further support.

That they slew the Bull of Heaven and Huwawa?  
Should now innocent  
Enkidu die?' But Enlil turned  
In anger to heavenly Shamash: 'Because, *much Ufa*  
One of their<sup>119</sup> comrades, thou didst daily go down to  
them."  
Enkidu lay down (ill) before Gilgamesh.  
And as his<sup>120</sup> tears were streaming down, (he said):  
"O my brother, my dear brother! Me they would  
Clear at the expense of my brother!"  
Furthermore: (20)  
"Must I by the spirit (of the dead)  
Sit down, at the spirit's door,  
Never again [to behold] my dear brother with (mine)  
eyes?"

(The remainder is lost. In a deathbed review of his  
life, Enkidu seems to bemoan the events that had led up  
to this sorry state, cursing the successive steps in his  
fated life. One of his curses, preserved in an Assyrian  
fragment,<sup>121</sup> is directed against the gate that lamed his  
hand.)

Enkidu [...] lifted up [his eyes], (36)  
Speaking with the door as though [it were human]:  
"Thou door of the woods, uncomprehending],  
Not endowed with understanding!  
At twenty leagues away I found choice  
thy wood, (40)  
(Long) before I beheld the lofty cedar.  
There is no counterpart of thy wood [*in the land*].  
Six dozen cubits is thy height, two dozen thy breadth  
[...].  
Thy pole, thy pole-ferrule, and thy pole-knob<sup>122</sup> [...].  
A *master-craftsman* in Nippur built thee [...].  
Had I known, O door, that this [*would come to pass*]  
And that this [thy] beauty [...],  
I would have lifted the axe, would have [...],  
I would have *set* a reed frame *upon [thee]!*"<sup>123</sup>

(See the Supplement.)

(hi)

Destroy his wealth,<sup>124</sup> diminish his power!  
May his [way be *repugnant*] before thee.  
May [*the beasts he would trap*] escape from before him.  
[Let not] the hunter at[tain] the fullness of his heart!"  
[Then his] heart prompted (him) to curse [the harlot-  
lass:  
"Come, lass, I will decree (thy) fate,  
[A fa]te that shall not end for all eternity!

<sup>119</sup> Text "his."

<sup>120</sup> Referring to Gilgamesh; cf. Friedrich, *loc. cit.*, 51.

<sup>121</sup> The episode of the gate (K 3588, *GETh*, Pis. 14-15) was assigned by Thompson to the beginning of Tablet IV. See, however, Schott, *ZA*, XLII (1934), 113 ff.

<sup>122</sup> For the meaning of the terms employed in this line cf. my note in *JCS*, 11 (1948/49), 225 ff.

<sup>123</sup> Perhaps *u-lar-j(i-b[a]* "made ride upon."

<sup>124</sup> Reading *ai-mil-iu*.

I will curse thee with a great curse,  
With great speed let my curses attack thee.  
Thou shalt not build a house for thy charms. (10)  
(See p. 505.) (n-i8a)

... which is over people shall not be ... in thy house.  
[...] the road shall be thy dwelling place,  
[The shadow of the wall] shall be  
thy station, (20)  
[...] thy feet,  
[The besotted and the thirsty shall smite] thy cheek!<sup>125</sup>  
(mutilated) (23-30)

Because me [thou hast... ]  
And because [...] upon me."  
When Shamash heard [these words] of his mouth,  
Forthwith he called down to him [from] heaven:  
"Why, O Enkidu, cursest thou the harlot-lass,  
Who made thee eat food fit for divinity,  
And gave thee to drink wine fit for royalty,  
Who clothed thee with noble garments,  
And made thee have fair Gilgamesh for a comrade?  
And has (not) now Gilgamesh, thy bosom  
friend,<sup>126</sup> (40)  
Made thee lie on a noble couch?  
He has made thee lie on a couch of honor,  
Has placed thee on the seat of ease, the seat at the left,  
That [the prin]ces of the earth may kiss thy feet!  
He will make Uruk's people weep over thee (and)  
lament,  
Will fill [joyful] people with woe over thee.  
And, when thou art gone,<sup>127</sup>  
He will his body with uncut hair invest,  
Will don a lion skin and roam over the steppe."

[When] Enkidu [heard] the words of valiant Shamash,  
[...] his vexed heart grew quiet.

(Short break. Relenting, Enkidu changes his curse in-  
to a blessing. He addresses himself once again to the  
girl:) "Come, lass, I will decree thy fate,

(iv)

My mouth which cursed thee shall turn and bless thee.  
Governors and nobles shall love thee.  
He who is one league away shall smite his thigh.<sup>128</sup>  
He who is two leagues away shall shake his hair.  
[... *the young*] shall unloose his girdle.  
[... ] *cornelian*, lapis, and gold.  
[May he be paid] back who defiled thee,  
[*May his home be emptied*], his heaped-up storehouse.<sup>129</sup>  
[To the presence of] the gods [die priest] shall let  
thee enter,

<sup>125</sup> With the last three lines cf. *Descent of Ishtar*, rev. 24-28.

<sup>126</sup> Taking *ib-ri ta-li-me-ki* as the type of compound that is not uncommon in this epic; see above, notes 19, 23. For *talimu* "intimate, germane" see P. Koschaker, *ZA*, XLI (1933), 64 ff. Lines 40-41 have been interpreted in an interrogative sense, in view of the lengthened penult vowels at the beginning of the clauses. "Has now . . .?" would seem to have the force of our "Has not now . . .?"

<sup>127</sup> Lit. "after him," an idiomatic use of *ark*.

<sup>128</sup> In admiration, cf. C. J. Gadd, *Iraq*, XXVIII (1966), 115.

<sup>129</sup> Oppenheim, *ibid.* The missing verb might be a form of *gullubu*.

[On thy account] shall be forsaken the wife,  
(though) a mother of seven." (10)

[... Enki]du, whose mood is bitter,  
[... ] lies down all alone.  
That night [he pours out] his feelings to his friend:  
"... My friend, I saw a dream last night:  
The heavens shouted, the earth responded;<sup>180</sup>  
While I was standing between them  
(There was) a young man whose face was dark,  
Like unto Zu was his face.  
[... like] the talons of an eagle were his claws.  
[... ] he *overpowered* me. (20)  
[... ] he leaps.  
[... ] he submerged me.

(mutilated or missing) (23"3°)

[... ]... he transformed me,  
So that my arms were [... ] like those of a bird.  
Looking at me, he leads me to the House of Darkness,  
The abode of Irkalla,  
To the house which none leave who have entered it,  
On the road from which there is no way back,  
To the house wherein the dwellers are bereft of light,  
Where dust is their fare and clay their food;  
They are clothed like birds, with wings for garments,  
And see no light, residing in darkness.<sup>181</sup>  
In the House of Dust, which I entered, (40)  
I looked at [rulers], their crowns put away;  
I [saw princes], those (born to) the crown,  
Who had ruled the land from the days of yore.  
[These *doubljes*<sup>182</sup> of Anu and Enlil were serving meat  
roasts;

They were serving bake [meats] and pouring  
Cool water from the waterskins.  
In the House of Dust, which I entered,  
Reside High Priest and acolyte,  
Reside incantatory and ecstatic,  
Reside the laver-anointers of the great gods,  
Resides Etana,<sup>138</sup> resides Sumuqan.<sup>184</sup>  
Ereshkigal [lives there], Queen of the  
nether world, (50)  
[And Belit-]Seri, recorder of the nether world, kneels  
before her.

[She holds a tablet] and reads out to her.  
[Lifting] up her head, she beheld me:  
[Saying: 'Who] has brought this one hither?'"

(The remainder of the tablet in the Assyrian Version  
is missing. The following fragment [*GETh*, 34; Pis.  
15-16] may be relevant, as argued by Schott, *ZA*, XLII  
[1934], 113 ff.)

"Remember all my travels [with him]! (4)  
My friend saw a dream whose [*portents*] were un[favor-  
able]:

<sup>130</sup> In CT, XLVI, 24 read: [»]/-[x]«-i. Cf. £ - [...] in 79-7-8, 320  
(*GETh*, pi. 27) and *ir(?)-[mu]-ma* in *UET*, vi, No. 394:61.

<sup>131</sup> Lines 33-39 are paralleled in *Descent of Ishtar*, obv. 4-10.

<sup>132</sup> If |*di-n*|*a-an* may be read.

<sup>133</sup> Legendary king of Kish who was carried to heaven by an eagle.

<sup>134</sup> God of cattle.

The day on which he saw the dream was ended.  
Stricken is Enkidu, one day, [a second day].  
Enkidu's [suffering],<sup>135</sup> on his bed, [increases].  
A third day, a fourth day [...].  
A fifth day, a sixth, and a seventh; (10)  
An eighth, a ninth, [and a tenth day],  
Enkidu's suffering, on his bed, [increases].  
An eleventh and a twelfth day [...].  
[Stricken] is Enkidu on his bed [*of pcun*]\|  
At length he called Gilgamesh [and said to him]:  
'My friend, [... J has cursed me!  
[Not] like one [fallen] in batde [shall I die],  
For I feared the battle [...].  
My friend, he who [is slain] in batde [is blessed].  
But as for me, [...].'"

#### Tablet VIII

(The extant texts of the Nineveh version contain  
only a few fragmentary lines of the first column of  
this Tablet. The gap has recently been filled in part  
by the Sultantepe text S.U. 51, 7, published by O. R.  
Gurney, with transliteration, translation and textual  
notes, in *JCS*, vm (1954), 90-95. The reverse duplicates  
for the most part the Nineveh material for column ii  
and has therefore been incorporated in the lines which  
follow. They contain the lament of Gilgamesh uttered  
before the elders of Uruk at the deathbed of Enkidu:)

(ii)

"Hear me, O elders [and give ear] unto me!  
It is for Enkidu, my friend, that I weep,  
Moaning bitterly like a wailing woman.  
The axe at my side, my hand's trust,<sup>188</sup>  
The dirk in my belt, the shield in front of me,  
My festal robe, my richest trimming—  
An evil *demon* rose up and robbed me!  
O my younger<sup>187</sup> friend, thou chasedst  
The wild ass<sup>188</sup> of the hills, the panther of the  
steppe!  
Enkidu, my younger friend, thou who chasedst  
The wild ass of the hills, the panther of the steppe!  
We who [have conquered] all things, scaled  
the mountains, (10)  
Who seized the Bull [and slew him],  
Brought affliction<sup>189</sup> on Hubaba,<sup>140</sup> who [dwelled] in  
the Cedar Forest!  
What, now, is this sleep that has laid hold on thee?  
Thou art benighted and canst not hear [me]!"  
But he lifts not up his head;

<sup>135</sup> cf. below, line II.

<sup>136</sup> Restored from the Sultantepe fragment.

<sup>137</sup> For *qufanu* cf. P. Jensen, *Keilinschriftliche Bibliothek*, vt (1900) 464-65.

<sup>138</sup> On *afyannu* see B. Meissner, *MAOG*, xi (1937), 11 f.

<sup>139</sup> The verb *lapatu* offers a close semantic parallel to Heb. *Psf* "touch, afflict"

<sup>140</sup> Variant of Humbaba, the IJuwawa of the Old Babylonian and Bogazkoy texts.

He touched his heart, but it does not beat.  
 Then he veiled (his) friend like a bride [...],  
 Storming over him like a lion,  
 Like a lioness deprived of [her] whelps.  
 He paces back and forth before [*the couch*], (20)  
 Pulling out (his hair) and strewing [it . . . ],  
 Tearing off and flinging down (his) finery,  
 [As though] unclean!"<sup>141</sup>  
 With the first glow [of dawn], Gil[gamesh ... ].  
 (long break)

(Hi)

"On a couch [of honor I made thee lie],<sup>142</sup>  
 I placed thee [on the seat of ease, the seat at the left],  
 That the princes of the earth [might kiss thy feet]!  
 Over thee I will make [Uruk's] people weep (and)  
 [lament],  
 Joyful people [I will fill with woe over thee].  
 And, when thou art gone,  
 [I shall invest my body with uncut hair],  
 And, clad in a [lion] skin, [I shall roam over the  
 steppe]!"

With the first glow of dawn, [Gilgamesh]  
 Loosened his band [...].

(The remainder of the tablet is missing or too fragmentary for translation, with the exception of the following lines:)

(v)

With the first glow of dawn, Gilgamesh  
 fashioned [...], (45)  
 Brought out a large table of *elammaqu* wood,  
 Filled with honey a bowl of *cornelian*,  
 Filled with curds a bowl of lapis,  
 [...] he decorated and exposed to the sun.

## Tablet IX

(i)

For Enkidu, his friend, Gilgamesh  
 Weeps bitterly, as he ranges over the steppe:  
 "When I die, shall I not be like Enkidu?  
 Woe has entered my belly.  
 Fearing death, I roam over the steppe.  
 To Utnapishtim,<sup>143</sup> Ubar-Tutu's<sup>144</sup> son,  
 I have taken the road to proceed in all haste.  
 When arriving by night at mountain passes,  
 I saw lions and grew afraid,  
 I lifted my head to Sin<sup>145</sup> to pray. (10)  
 To [. . . ] of the gods went out my orisons.  
 [...] preserve thou me!"

<sup>141</sup> The new Gurney fragment, *Anatolian Studies*, n. 27, appears to read a-sa[k-k]H "like a thing proscribed, taboo."

<sup>142</sup> cf. VII, iii, 41 ff.

<sup>143</sup> For Utnapishtim (Old Babylonian Utanapishtim), Mesopotamian hero of the Flood—Sumerian *Ziusudra* and Greek *Xisouthros*—cf. Th. Jacobsen, *The Sumerian King List* (1939), 76-77, n.34.

<sup>144</sup> On this name see Jacobsen, *op. cit.*, 75-76, n.32.

<sup>145</sup> The moon-god.

[As at night] he lay, he awoke from a dream.  
 [There were... ], rejoicing in life.  
 He raised his axe in his hand,  
 He drew [the dirk] from his belt.  
 Like an ar[row] he descended among them.  
 He smote [them] and hacked away at them.

(The remainder of the column is broken away. When he next appears, Gilgamesh had arrived before a mountain.)

(ii)

The name of the mountain is Mashu.  
 When [he arrived] at the mountain range<sup>146</sup> of Mashu,  
 Which daily keeps watch over sun[rise and sunset]—  
 Whose peaks<sup>147</sup> [reach to] the vault of heaven  
 (And) whose breasts reach to the nether world below—  
 Scorpion-men guard its gate,  
 Whose terror is awesome and whose glance was death.  
 Their shimmering<sup>148</sup> halo sweeps the mountains  
 That at sunrise and sunset keep watch over the sun.  
 When Gilgamesh beheld them, with fear (10)  
 And terror was darkened his face.  
 Regaining<sup>149</sup> his composure, he approached them.  
 A scorpion-man calls to his wife:  
 "He who has come to us—his body is the flesh of the  
 gods!"

His wife answers the scorpion-man:  
 "Two-thirds of him is god, one-third of him is human."  
 [The scorp]ion-man calls to the fellow,  
 Addressing (these) words [to the offspring] of the gods:  
 "[Why hast thou come on this] far journey?  
 [Why hast thou arrived] before me, (20)  
 [Traversing seas]<sup>150</sup> whose crossings are difficult?  
 [The purpose of thy com]ing I would learn."

(remainder of the column broken away)

(iii)

(Lines 1-2 destroyed. Gilgamesh replies:)  
 "On account of Utnapishtim, my father, [have I come],  
 Who joined the Assembly [of the gods, in search of  
 life].  
 About death and life [I wish to ask him]."  
 The scorpion-man opened his mouth [to speak],  
 Saying to [Gilgamesh]:  
 "Never was there, Gilgamesh, [a mortal who could  
 achieve that].<sup>151</sup>  
 The mountain's trail no one [has traveled].  
 For twelve leagues [extends its] interior. (10)  
 Dense is the darkness and [light there is] none.  
 To the rising of the sun [...];  
 To the setting of the sun [...]."

(remainder mutilated or broken)

<sup>146</sup> For this passage cf. H. and J. Lewy, *HUCA*, XVII (1943), 13 F.

<sup>147</sup> Since the name means "twins" in Akkadian, it is treated in the text either as singular or plural.

<sup>148</sup> cf. Oppenheim, *Orientalia*, XVII (1948), 46, n.3.

<sup>149</sup> Reading *if-bat*. Lit "he seized his sense and."

<sup>150</sup> For the restoration cf. Heidel, *GE*, 66, n.141.

<sup>151</sup> *ibid.*

(iv)

(top missing)

"Whether in sorrow [or pain],  
In cold or [heat],  
Sighing [or weeping—I will go].  
Now [open the gate of the mountain]!"  
The scorpion-man [opened his mouth to speak];  
To Gilgamesh he [says]:  
"Go, Gilga[mesh... ].  
The mountains of Mashu [...].  
The mountains (and) ranges [...].  
In safety may [...].  
The gate of die mountain [is open to thee]!"  
When Gilga[mesh heard this],  
To the word [of the scorpion-man he gave heed].  
Along the road of the sun [he went].<sup>152</sup>  
When one league [he had attained],  
Dense is the darkjness and light there is none];  
He can [see nothing ahead or behind].<sup>153</sup>  
When two leagues [he had attained]

(v)

(top broken)

When four leagues [he had attained],  
Dense is the dark[ness and light there is none];  
He can [see nothing ahe]ad or behind.  
When five leagues [he had attained],  
Dense is the dark[ness and light there is none];  
He can [see nothing ahead or behind].  
[When six league]s he [had attained],  
Dense is the darkness and [light there  
is none];  
He can [see nothing ahead or behind].  
When seven leagues he had attained,  
Dense is the darkness and [light there is] none;  
He can [see nothing] ahead or behind.  
Eight leagues he has tr[aveled] and he cries out.  
Dense is the dark[ness and] light there is none;  
He can [see] nothing ahead or behind.  
Nine leagues [he has traveled and he *feels*] the north  
wind  
[... fan]ning his face.<sup>154</sup>  
[Dense is the darkness and] light  
there is [none];  
[He can see nothing a]head or behind.  
[When ten leagues] he [had attained],  
[...] is near;  
[...] of the league.

<sup>152</sup> Apparently from east to west; cf. X (Old Babylonian Version), iv, n. In favor of this direction may be cited the fact that the ale-wife Siduri, whom Gilgamesh encounters in the course of his present journey, is a Hurrian term for "young woman" used to describe ijebbat, a form of Ishtar in the Hurrian texts; cf. e.g. *KUB*, xxvn, 38, iv, 8; 42; obv. 23. Note also the Hurrian fragment of the epic, *KUB*, vm, 61, which writes this name with *I* (line 4), thus confirming Jensen's old suggestion that Siduri and Siduri should be equated.

<sup>153</sup> Lit. "It permits him not [to see the fr]ont of it or his back"; re-stored from col. v, 34 and 41.

<sup>154</sup> For the entire passage cf. Oppenheim, *loc. cit.*, 47.

[When eleven leagues he had attained], the dawn  
breaks.<sup>155</sup>

[And when he attained twelve leagues], it had grown  
bright.

On seeing the grove of *stones*, he heads for [...].<sup>156</sup>  
The carnelian bears its fruit;  
It is hung with vines good to look at.  
The lapis bears *foliage*;  
It, too, bears fruit lush to behold.

(vi)

(This entire column is mutilated or lost. What little  
remains suggests a further account of the marvels to be  
seen in this garden of jewels.)

*Tablet X*

This tablet, which traces further the successive stages in Gilga-  
mesh's quest of immortality, happens to be represented by as  
many as four separate versions. Two of these, however, the  
Hittite (cf. *ZA*, xxxix [1929], 20 ff.) and the Hurrian (cf. *ZA*,  
xxxv [1924], 133 ff.), are extant only in fragments that are too  
slight for connected translation. Substantial portions are avail-  
able, on the other hand, in the Old Babylonian and Assyrian  
recensions. The Old Babylonian material was published by B.  
Meissner, *MVAG*, VH (1902).

OLD BABYLONIAN VERSION

(0)

(top broken away)

"r 1

1 . . . 1 . . .

With their skins [he clothes himself],<sup>157</sup> as he eats flesh.  
[ . ] . . , O Gilgamesh, which has not happened  
As long as my wind drives the waters."

Shamash was distraught, as he betook himself to him;  
He says to Gilgamesh:

"Gilgamesh, whither rovest thou ?

The life thou pursuest thou shalt not find."

Gilgamesh says to him, to valiant Shamash:

"After marching (and) roving over the steppe, (10)

Must I lay my head in the heart of the earth

That I may sleep through all the years ?

Let mine eyes behold the sun

That I may have my fill of the light!

Darkness withdraws when there is enough light.

May one who indeed is dead behold yet the radiance of  
the sun!"

(ii)

(Beginning lost. Gilgamesh is addressing Siduri, the  
ale-wife:)

"He who with me underwent all hardships]—

Enkidu, whom I loved dearly,

Who with me underwent all hardships—

Has now gone to the fate of mankind!

Day and night I have wept over him.

I would not give him up for burial—

<sup>155</sup> *ibid.*

<sup>156</sup> *ibid.*

<sup>157</sup> Supplying [*il-ta-ba-a*].



In case<sup>158</sup> my friend should rise at my plaint—  
 Seven days and seven nights,  
 Until<sup>159</sup> a worm fell out of his nose.  
 Since his passing I have not found life, (10)  
 I have roamed like a hunter in the midst of the steppe.  
 O ale-wife, now that I have seen thy face,  
 Let me not see the death which I ever dread."  
 The ale-wife said to him, to Gilgamesh:

(iii)

"Gilgamesh, whither rovest thou?  
 The life thou pursuest thou shalt not find.  
 When the gods created mankind,  
 Death for mankind they set aside,  
 Life in their own hands retaining.  
 Thou, Gilgamesh, let full be thy belly,  
 Make thou merry<sup>180</sup> by day and by night  
 Of each day make thou a feast of rejoicing,  
 Day and night dance thou and play!  
 Let thy garments be sparkling fresh, (10)  
 Thy head be washed; bathe thou in water.  
 Pay heed to the litde one that holds on to thy hand,  
 Let thy spouse delight in thy bosom!  
 For this is the task of [mankind]!"

(See the Supplement)

(iv)

In his wrath he shatters them.<sup>181</sup>  
 When he returned, he goes up to him.<sup>182</sup>  
 Sursunabu<sup>168</sup> his eyes behold.  
 Sursunabu says to him, to Gilgamesh:  
 "Tell me, thou, what is thy name?  
 I am Sursunabu, (he) of Utanapishtim<sup>184</sup> the Faraway."  
 Gilgamesh said to him, to Sursunabu:  
 "As for me, Gilgamesh is my name,  
 Who have come from Uruk-Eanna,<sup>185</sup>  
 Who have traversed<sup>188</sup> the mountains, (10)  
 A distant journey, as the sun rises.<sup>101</sup>  
 O Sursunabu, now that I have seen thy face,  
 Show me Utanapishtim the Faraway."  
 Sursunabu [says] to him, to Gilgamesh,

(See the Supplement.)

<sup>158</sup> For this approximate meaning of the particle *-man*, cf. ZA, XL (1931), 200, n.4.

<sup>159</sup> Reading *a-di*.

<sup>180</sup> Interpreting *hi-ta-at-tu* as the imperative form *fritaddu*, with Landsberger, ZA, XLII (1934), 134, n.i.

<sup>161</sup> Apparently the mysterious "Stone Things," cf. Assyrian Version, x, ii, 29.

<sup>162</sup> To the boatman.

<sup>168</sup> The Urshanabi of the Assyrian Version. For a suggested value *zur* as a reading of the first syllable in the Assyrian form of the name cf. A. Poebel, JAOS, 1. vii (1937), 54, n.22.

<sup>184</sup> Assyrian Utanapishtim. Perhaps "I have found life," (in a somewhat anomalous grammatical construction), in contrast to the warning *balatam la tutta* (i, 8; iii, 2) "life thou shalt not find," with which Gilgamesh is confronted.

<sup>185</sup> This time the entire phrase seems to be treated as a grammatical compound, which would explain the Akkadian genitive as referring to the whole; unless, of course, an error is to be assumed.

<sup>168</sup> Reading *la as-hu-ra-am*, with W. von Soden, ZA, XLII (1934), 135, n.i.

<sup>187</sup> See above, n.152.

Although the two versions overlap in several instances, it has seemed best to present each separately. For the beginning of this account cf. the Hittite fragments, ZA, xxxix (1929) 22, lines 9 ff. See the Addenda.

(i)

The ale-wife Siduri, [who dwells by the deep sea]  
 And sits [...].  
 For her they made a jug,  
 They made for her [a mashing bowl of gold].<sup>188</sup>  
 With a veil she is covered and [...].  
 Gilgamesh comes up to her and [...].  
 He is clad in skins [...],  
 The flesh of the gods is in [his body].  
 There is woe in [his belly],  
 His face is [like] that of a wayfarer from afar.  
 The ale-wife gazes afar off; (10)  
 Speaking in her own heart [she says] (these) words,  
 As she [takes counsel] with herself:  
 "Surely, this one is a killfer!<sup>169</sup>  
 Whither is he heading [...]?"  
 As the ale-wife saw him, she locked [the door],  
 She barred her gate, securing [the bolt].  
 But he, Gilgamesh, on hearing [the sounds],  
 Held up his point (*i^ staff*) and pla[ced . . . ].

Gilgamesh [says] to her, [to the ale-wife]:  
 "Ale-wife, what sawest thou [that thou hast  
 locked thy door], (20)  
 Hast barred thy gate, [hast secured the bolt] ?  
 I will smash [thy] door, shatfter thy gate!"

(The remainder of the column is badly mutilated. Much can be restored, however, from the repetitious sections of the succeeding columns and from a fragment [Sp. 299], published in *GETH*, PI. 42. cf. also A. Schott, ZA, XLII [1934], 132 f., whose restorations and numbering of the lines have here been adopted; cf. also Heidel, *GE*, 72-3.)

[Gilgamesh says to her, to the ale-wife]: (31)  
 "[I slew the watchman of the forest],  
 [Brought affliction on Humbaba who dwelled in the]  
 Ce[dar Forest],  
 [Sle]w the lions [in the mountain passes]."  
 [The ale-wife said to him], to Gilgamesh:  
 "[If thou art Gilgamesh], who didst slay  
 the watchman,  
 [Bring affliction on Hum]baba who dwelled in the  
 Cedar Forest,  
 Slay the lions in the mountain [passes],  
 [Seize and] slay the Bull that came down from heaven,  
 [Why then are] thy cheeks [wasted], is sunken thy face, (  
 [Is so sad thy heart], are worn thy features ?  
 [(Why) should there be woe] in *thy* belly,  
 Thy face be like [that of a wayfarer from afar],  
 [With] cold and heat be seared thy countenance,

<sup>188</sup> Restored with J. Friedrich and H. Zimmern, ZA, xxxix (1929), 53.

<sup>189</sup> Reading *mu-na'-[i-ru]*.

[As in quest of a wind-puff<sup>170</sup>] thou roamest over the steppe?"  
 [Gilgamesh says to her, to the ale-wife]:  
 "[O ale-wife, why should my cheeks not be so wasted],  
 [So sunken my face],  
 [So sad my heart, so worn my features] ?  
 [(Why) should there not be woe in my belly],  
 [My face not be like that of a wayfarer from afar], (50)  
 [Not be so seared my countenance with cold and heat],  
 [And in quest of a wind-puff should I not roam over the steppe]?<sup>171</sup>  
 [My younger friend],  
 [Who chased the wild ass of the hills, the panther of the steppe],  
 [Enkidu, my younger friend],  
 [Who chased the wild ass of the hills, the panther of the steppe],  
 [We who conquered all things, scaled the mountains],

## (ii)

[Who seized the Bull of Heaven and slew him],  
 [Brought affliction on Humbaba who dwelled in the Cedar Forest]—  
 [My friend, whom I loved so dearly],  
 [Who underwent with me all hardships],  
 [Him has overtaken the fate of mankind]!  
 [Six days and seven nights I wept over him],  
 [Until the worm fell out of his nose].  
 [Fearing death, I roam over the steppe];  
 The matter of my friend [rests (heavy) upon me].  
 [On faraway paths] I roam [over the steppe]; (10)  
 The matter of Enkidu, [my friend, rests (heavy) upon me].  
 [How can I be silent? How can I be still ?  
 [My friend, whom I loved, has turned to clay!  
 [Must I, too, like] him, lay me down,  
 [Not to rise] again for ever and ever ?"

[Gilgamesh] also says to her, to the ale-wife:  
 "[Now], ale-wife, which is the way to Utnapishtim?  
 [What are] its markers? Give me, O give me, its markers!  
 If it be seemly, the sea I will cross;  
 If it be not seemly, over the steppe I will range!"

The ale-wife said to him, to Gilgamesh: (20)  
 "Never, O Gilgamesh, has there been a crossing,  
 And none who came since the beginning of days could cross the sea.  
 Only valiant Shamash crosses the sea;  
 Other than Shamash, who can cross (it) ?  
 Toilsome is the place of crossing,  
 Very toilsome the way thereto,

<sup>170</sup> For *sikjt sari* Oppenheim, *Orientalia*, xvii (1948), 49, proposes "mirage." We obtain, however, much the same sense by translating "wind-puff," lit. "deposit, creation of the wind." cf. the *ziqiqu-amelitu* "wind-puff people," E. Ebeling, *Tod und Leben* (1931), 30 and 33, 35; and, below, XII, 82.

<sup>171</sup> For this passage see the rendering of Leonard, *Gilgamesh*, 47 f.

And in between are the Waters of Death that bar its approaches]  
 Where then, O Gilgamesh, wouldst thou cross the sea ?  
 On reaching the Waters of Death, what wouldst thou do?  
 Gilgamesh, there is Urshanabi,<sup>172</sup> boatman to Utnapishtim.  
 With him are the Stone Things.<sup>173</sup> In the woods he picks  
 'urnu-snafes.<sup>174</sup>  
 Go! Let thy face behold. (30)  
 If it be suitable, cross thou with him;  
 If it be not suitable, draw thou back."  
 When Gilgamesh heard this,  
 He raised the axe in [his hand],  
 Drew the dirk [from his belt], slipped into (the forest),  
 And went down to them.<sup>175</sup>  
 Like a spear he descended among them,

(See the Supplement)

## (iii)

Urshanabi said to him, to Gilgamesh:  
 "Why are thy cheeks wasted, is sunken [thy face],  
 Is so sad thy heart, [are worn thy features] ?  
 (Why) should there be woe in [thy belly],  
 [Thy face be like that] of a wayfarer from afar,  
 With cold and heat be seared [thy countenance],  
 [As in quest of a wind-puff] thou roamest over the steppe"  
 [Gilgamesh] said [to him], to [Urshanabi]:  
 "[Urshanabi, why should my] cheeks [not be so wasted],  
 [So sunken my face],  
 [So sad] my [heart], so worn my features ? (10)  
 [(Why) should there not be] woe in [my belly],  
 [My face not be like that of a wayfarer from afar],  
 Not be so seared [my countenance with cold and heat],  
 [And in quest of a wind-puff should I not roam over the steppe] ?  
 [My younger friend],  
 [Who chased the wild ass of the hills, the panther of the steppe],  
 [Enkidu, my younger friend],  
 [Who chased the wild ass of the hills, the panther of the steppe],  
 [We who conquered all things, scaled the mountains],  
 [Who seized the Bull of Heaven and slew him],  
 [Brought affliction on Humbaba who dwelled in the Cedar Forest]—  
 My friend, [whom I loved so dearly], (20)  
 [Who underwent with me all hardships],

<sup>172</sup> Sursunabu in Old Babylonian.

<sup>173</sup> The *lut abne* "those of stone" are apparently stone figures of unusual properties, to judge from the relevant Hittite fragment, ZA, xxxix (1929), 26, line 3, and pp. 59-60. cf. now J. Friedrich, *AfO*, xv (1945-51), 105 and *KUB*, xxxin, 123. Further see A. Millard, *Iraq*, xxvi (1964), 103-05 and C. J. Gadd, *Iraq*, xxviii (1966), 118-21.

<sup>174</sup> In referring to this passage, Landsberger, *Fauna* (1934), 63, points out that the *urnu-snake* has long been supposed to be a favorite with sailors. At all events, whatever the meaning of the term may be in the present connection, its properties seem to be on a par with those of the Stone Things.

<sup>175</sup> The stone images.

Enk[idu, my friend, whom I loved so dearly,  
 Who underwent with me all hardships]  
 [Him] has overtaken [the fate of mankind]!  
 Six days [and seven nights I wept over him],  
 Until [the worm fell out of his nose].  
 Fea[ring death, I roam over the steppe],  
 The mat[ter of my friend rests (heavy) upon me].  
 On [faraway] paths [I roam over the steppe],  
 [On] distant roa[ds] I [roam over the steppe];  
 [The matter of my friend rests (heavy) upon me].  
 How can I be sile[nt? How can I be still] ?  
 My friend, whom I loved, has turn[ed to clay]! (30)  
 Must I too, like him, lay me [down],  
 [Not to rise again forever and ever] ?"

Gilgamesh (further) says to him, to [Urshanabi]:  
 "Now, Urshanabi, which is [the road to Utnapishtim] ?  
 What are its markers? Give me, O give [me, its  
 markers]!  
 If it be seemly, the sea I will cross;  
 If it be not seemly, [over the steppe I will range]."

Urshanabi said to him, to [Gilgamesh]:  
 "Thy hands, Gilgamesh, have hindered [the crossing]!  
 Thou hast broken the Stone Things, hast picked [the  
 'urnu'-sna\es\  
 The Stone Things are broken, the *urnu* is not [in the  
 woods],  
 Gilgamesh, raise the axe in [thy hand],<sup>176</sup> (40)  
 Go down to the woods and [cut down twice-sixty] poles  
 Of sixty cubits each.  
 Apply the bitumen and attach *ferrules*.<sup>177</sup>  
 Then bring (them) [to me]!"  
 When Gilgamesh [heard] this,  
 He raised the axe in his hand,  
 Drew [the dirk from his belt],  
 Went down to the woods and cut [twice-sixty poles]  
 Of sixty cubits each.  
 He applied the bitumen and attached the *ferrules*;  
 And he brought [(them) to him].  
 Gilgamesh and Urshanabi boarded [the boat].  
 They launched the boat on the waves and they [sailed  
 away].  
 A run of a month and fifteen days they left behind by  
 the third day.  
 Urshanabi arrived thus at the Waters  
 [of Death]. (50)

(iv)

Urshanabi [said] to him, [to Gilgamesh]:  
 "Press on, Gilgamesh, [take a pole],  
 (But) let thy hand not touch the Waters of Death.[. . .]!  
 A second, a third, and a fourth pole take thou, Gilga-  
 mesh,  
 A fifth, a sixth, and a seventh pole take thou, Gilgamesh,

<sup>176</sup> For the remainder of the column cf. the Hittite recension, ZA, xxxix (1929), 24-25.

<sup>177</sup> cf. Thompson, EG, 48, n.i; OLZ, 1940, 307.

An eighth, a ninth, and a tenth pole take thou, Gilga-  
 mesh,  
 An eleventh, a twelfth pole take thou, Gilgamesh!"  
 At twice-sixty Gilgamesh had used up the poles.<sup>178</sup>  
 Then he ungirded his loins.[. . .].  
 Gilgamesh pulled off [his] cl[oth . . . ]. (10)  
 With his hand he holds it aloft as a *sail*.  
 Utnapishtim peers into the distance.  
 Speaking to his heart, [he says] (these) words,  
 As [he takes counsel] with himself:  
 "Why have [the Stone Things] of the boat been broken,  
 And rides [in her] one who is not her master ?  
 He who has come hither is not of my men;  
 And [. . .].  
 I peer, but I [cannot... ],  
 I peer, but [I cannot... ],  
 I peer, but [. . . ]." (20)

(The remainder of this column and the beginning of the next are lost. Gilgamesh meets Utnapishtim and, to judge from the available fragments, is greeted with questions that are exact duplicates of those previously put to him by Siduri and Urshanabi. The same holds true of the first part of his reply. The concluding part follows:)

(v)

Gilgamesh also said to him, to Utnapishtim: (23)  
 "That now I might come and behold Utnapishtim,  
 Whom they call the Faraway,  
 I ranged and wandered over all the lands,  
 I traversed difficult mountains,  
 And I crossed all the seas!  
 My face was not sated with sweet sleep,  
 I fretted myself with wakefulness;  
 I filled my joints with misery.  
 I had not reached the ale-wife's house,  
 When my clothing was used up. (30)  
 I [sl]ew bear,<sup>179</sup> hyena, lion, panther,  
 Tiger, stag, (and) ibex—  
 The wild beasts and creeping things of the steppe.  
 Their flesh I ate and their skins I *wr[apped about  
 me]*."

(The remainder of this column is too mutilated for translation. The beginning of the last column is broken away, except for the conclusion of the sage observations of Utnapishtim:)

(vi)

"Do we build a house for ever? (26)  
 Do we seal (contracts) for ever ?  
 Do brothers divide shares for ever ?  
 Does hatred persist for ever in [the land] ?  
 Does the river for ever raise up (and) bring on floods?  
 The dragon-fly [leaves] (its) shell<sup>180</sup> (30)  
 That its face might (but) glance at the face of the sun.

<sup>178</sup> Each pole was good only for a single thrust, since not a drop of the water must touch the hand; cf. GETH, 85.

<sup>179</sup> Reading *a-[du]-\a a-sa*.

<sup>180</sup> For *qilippu* cf. Oppenheim, *Orientalia*, xvii (1948), 50, n.3, although his precise interpretation has not been followed here.

Since the days of yore there has been no permanence;  
The *resting* and the dead, how alike they are!  
Do they not compose<sup>181</sup> a picture of death,  
The commoner and the noble,  
Once they are near to [their fate] ?  
The Anunnaki, the great gods, foregather;  
Mammetum, maker of fate, with them the fate decrees:  
Death and life they determine.  
(But) of death, its days are not revealed."

## Tablet XI

Gilgamesh said to him, to Utnapishtim the Faraway:  
"As I look upon thee, Utnapishtim,  
Thy features are not strange; even as I art thou.  
Thou art not strange at all; even as I art thou.  
My heart had regarded thee as resolved<sup>182</sup> to do batde,  
[Yet] thou liest indolent upon thy back!  
[Tell me,] how joinedst thou the Assembly of the gods,  
In thy quest of life ?"

Utnapishtim said to him, to Gilgamesh:  
"I will reveal to thee, Gilgamesh, a hidden matter  
And a secret of the gods will I tell thee: (10)  
Shurippak—a city which thou knowest,  
[(And) which on Euphrates' [banks] is situate—  
That city was ancient, (as were) the gods within it,  
When their heart led the great gods to produce the flood.  
[There] were Anu, their father,  
Valiant Enlil, their counselor,  
Ninurta, their assistant,  
Ennuge, their irrigator.<sup>188</sup>  
Ninigiku-Ea was also present with them;  
Their words he repeats to the reed-hut:<sup>184</sup> (20)  
'Reed-hut, reed-hut! Wall, wall!  
Reed-hut, hearken! Wall, reflect!  
Man of Shuruppak,<sup>185</sup> son of Ubar-Tutu,  
Tear down (this) house, build a ship!  
Give up possessions, seek thou life.  
Forswear (worldly) goods and keep the soul alive!  
Aboard the ship take thou the seed of all living things.  
The ship that thou shalt build,  
Her<sup>186</sup> dimensions shall be to measure.  
Equal shall be her width and her length. (30)  
Like the Apsu thou shalt ceil her.<sup>187</sup>  
I understood, and I said to Ea, my lord:  
'[Behold], my lord, what thou hast thus ordered,  
I will be honored to carry out.  
[But what] shall I answer the city, the people and  
elders?'<sup>188</sup>

<sup>181</sup> Lit "draw, design."

<sup>182</sup> For the sense of *tagmir libbi* cf. F. Thureau-Dangin, *Huitième campagne de Sargon* (1912), line 52, and p. 11, n.7. And for the factitive force of the intensive conjugation cf. Heidel, *EG*, 80, n.164.

<sup>183</sup> More specifically, "inspector of canals," cf. *Creation Epic*, VII, 62.

<sup>184</sup> Presumably, the dwelling place of Utnapishtim. Ea addresses him through the harrier of the wall.

<sup>185</sup> Line 11 has the uncommon form Shurippak instead.

<sup>186</sup> The Akkadian for "ship" is feminine, although without the grammatical feminine ending.

<sup>187</sup> For the description of the subterranean waters of the Apsu cf. *Creation Epic*, IV, 62.

<sup>188</sup> cf. my remarks in *Studies in the History of Culture* (1942), 60.

Ea opened his mouth to speak,  
Saying to me, his servant:  
"Thou shalt then thus speak unto them:  
"I have learned that Enlil is hostile to me,  
So that I cannot reside in your city, (40)  
Nor set my f[oo]t in Enlil's territory.  
To the Deep I will therefore go down,  
To dwell with my lord Ea.  
[But upon] you he will shower down abundance,  
[The choicest] birds, the rarest\*\* fishes.  
[The land shall have its fill] of harvest riches.  
[He who at dusk orders] the husk-greens,  
Will shower down upon you a rain of wheat" <sup>190</sup>

With the first glow of dawn,  
The land was gathered [about me].  
(too fragmentary for translation) (50-53)  
The litde ones [carr]ied bitumen,  
While the grown ones brought [all else] that was need-  
ful.

On the fifth day I laid her framework.  
One (whole) acre<sup>191</sup> was her floor space,<sup>192</sup>  
Ten dozen cubits the height of each of her walls,  
Ten dozen cubits each edge of the square deck.<sup>193</sup>  
I laid out the contours (and) joined her together.<sup>194</sup>  
I provided her with six decks, (60)  
Dividing her (thus) into seven parts.  
Her floor plan I divided into nine parts.  
I hammered water-plugs into her.<sup>198</sup>  
I saw to the punting-poles and laid in supplies.<sup>198</sup>  
Six 'sar' (measures)<sup>197</sup> of bitumen I poured into the  
furnace,  
Three sar of asphalt [I also] poured inside.  
Three sar of oil the basket-bearers carried,  
Aside from the one sar of oil which the *calling*<sup>198</sup> con-  
sumed,  
And the two sar of oil [which] the boatman stowed  
away.  
Bullocks I slaughtered for the [people], (70)  
And I killed sheep every day.  
Must, red wine, oil, and white wine<sup>199</sup>  
[I gave the] workmen [to drink], as though river water,  
That they might feast as on New Year's Day.  
I op[ened ... ] ointment, applying (it) to my hand.

<sup>189</sup> I take these genitive forms to denote the superlative, in accordance with Semitic usage. The literal sense would be "[A choice of] birds, a hiding of fishes."

<sup>190</sup> Restored from lines 87, 90. As has long been recognized, these lines feature word plays in that both *ku\ku* and *kibati* may designate either food or misfortune; cf. C. Frank, *ZA*, xxxvi (1935), 218. Wily Ea plays on this ambiguity: To the populace, the statement would be a promise of prosperity; to Utnapishtim it would signalize the impending deluge.

<sup>191</sup> cf. Heidel, *EG*, 82, n.170.

<sup>192</sup> Schott and Landsberger, *ZA*, XLII (1934), 137.

<sup>193</sup> The ship was thus an exact cube, cf. Heidel, *EG*, 82, n.173.

<sup>194</sup> Or "fashioned." "Contours," lit. "outside shape."

<sup>195</sup> For O. Neugebauer's explanation of the plugs cf. *ZA*, xui, 138.

<sup>198</sup> Lit "the needful."

<sup>197</sup> Var. "three *lar*." The *lar* was the number 3,600. If the measure understood with it was the *sutu* (seah), each *tar* designated about 8,000 gallons; cf. Heidel, *EG*, 83, n.178.

<sup>198</sup> For *niqqu* cf. A. Salonen, *Die Wasserfahrzeuge in Babylonien* (1939), 149, n.2.

<sup>199</sup> See A. Poebel, *ZA*, xxxix (1929), 149.

[On the sev]enth [day] the ship was completed.  
 [The launching] was very difficult,  
 So that they had to shift the floor planks<sup>200</sup> above and  
 below,  
 [Until] two-thirds of [the structure]<sup>201</sup> [had g]one [into  
 the water].

[Whatever I had] I laded upon her: (80)  
 Whatever I had of silver I laded upon her;  
 Whatever I [had] of gold I laded upon her;  
 Whatever I had of all the living beings I [laded] upon  
 her.

All my family and kin I made go aboard the ship.  
 The beasts of the field, the wild creatures of the field,  
 All the craftsmen I made go aboard.  
 Shamash had set for me a stated time:  
 'When he who orders unease at night,<sup>202</sup>  
 Will shower down a rain of blight,  
 Board thou the ship and batten up the entrance!  
 That stated time had arrived:  
 'He who orders unease at night, showers down  
 a rain of blight.' (90)

I watched the appearance of the weather.  
 The weather was awesome to behold.  
 I boarded the ship and battened up the entrance.  
 To batten down<sup>208</sup> the (whole) ship, to Puzur-Amurri,  
 the boatman,  
 I handed over the structure together with its contents.

With the first glow of dawn,  
 A black cloud rose up from the horizon.  
 Inside it Adad thunders,  
 While Shullat and Hanish<sup>204</sup> go in front,  
 Moving as heralds over hill and plain. (100)  
 Erragal<sup>205</sup> tears out the posts;<sup>206</sup>  
 Forth comes Ninurta and causes the dikes to follow.  
 The Anunnaki lift up the torches,  
 Setting the land ablaze with their glare.  
 Consternation<sup>207</sup> over Adad reaches to the heavens,  
 Who turned to blackness all that had been light.  
 [The wide] land was shattered like [a pot]!  
 For one day the south-storm [blew],  
 Gathering speed as it blew, [submerging the mountains],  
 Overtaking the [people] like a batde. (no)  
 No one can see his fellow,  
 Nor can the people be recognized from heaven.

<sup>200</sup> Read *ge-er-md-dit*, with Salonen, *op. cit.*, 93. I take the sense to be, however, that the weight had to be shifted around (*uitabbalu*) on the upper and lower decks (*elil u laplii*) to make the launching possible.

<sup>201</sup> Because of the masculine suffix (*iinipat-su*), the antecedent cannot be the feminine *eleppu* "ship." Perhaps *ekfdlu*, as in line 95.

<sup>202</sup> xi, c true bearing of the word plays mentioned in lines 46-47. In order to reflect the rhyme of the Akkadian, which the two halves of this line contain—perhaps to bring out the proverbial content—I have translated here *Ulati* as "night," instead of "evening, dusk."

<sup>208</sup> Lit "to calk," cf. Salonen, *op. cit.*, 152. This expression seems to mean here "to put the finishing touches to."

<sup>204</sup> For this reading of the names of the two heralds cf. *CT*, xxxv, 7, lines 19-20.

<sup>205</sup> i.e. Nergal, god of the nether world.

<sup>206</sup> Of the world dam.

<sup>207</sup> The term *luharratu*, with the elarive element /-, does not mean "rage," but "stark stillness, bewilderment, consternation." cf. line 131, below.

The gods were frightened by the deluge,  
 And, shrinking back, they ascended to the heaven of  
 Anu.<sup>208</sup>

The gods cowered like dogs  
 Crouched against the outer wall.  
 Ishtar cried out like a woman in travail,  
 The sweet-voiced mistress of the [gods] moans aloud:  
 'The olden days are alas turned to clay,  
 Because I bespoke evil in the Assembly of the gods.  
 How could I bespeak evil in the Assembly  
 of the gods, (120)

Ordering batde for the destruction of my people,  
 When it is I myself who give birth to my people!  
 Like the spawn of the fishes they fill the sea!  
 The Anunnaki gods weep with her,  
 The gods, all humbled, sit and weep,  
 Their lips *drawn tight*,<sup>209</sup> [ . . . ] one and all.  
 Six days and [six] nights  
 Blows the flood wind, as the south-storm sweeps the  
 land.

When the seventh day arrived,  
 The flood (-carrying) south-storm subsided in the  
 batde,

Which it had fought like an army. (130)  
 The sea grew quiet, the tempest was still, the flood  
 ceased.

I looked at the weather: stillness had set in,  
 And all of mankind had returned to clay.  
 The landscape was as level as a flat roof.  
 I opened a hatch, and light fell upon my face.

Bowing low, I sat and wept,  
 Tears running down on my face.  
 I looked about for coast lines in the expanse of the sea:  
 In each of fourteen<sup>210</sup> (regions)

There emerged a region(-mountain).<sup>211</sup>  
 On Mount Nisir<sup>212</sup> the ship came to a halt. (140)  
 Mount Nisir held the ship fast,  
 Allowing no motion.

One day, a second day, Mount Nisir held the ship fast,  
 Allowing no motion.

A third day, a fourth day, Mount Nisir held the ship  
 fast,  
 Allowing no motion.

A fifth, and a sixth (day), Mount Nisir held the ship  
 fast,  
 Allowing no motion.

When the seventh day arrived,  
 I sent forth and set free a dove.  
 The dove went forth, but came back;  
 Since no resting-place for it was visible, she turned  
 round.  
 Then I sent forth and set free a swallow.

<sup>208</sup> The highest of several heavens in the Mesopotamian conception of the cosmos.

<sup>209</sup> Var. "covered."

<sup>210</sup> Var. "twelve."

<sup>211</sup> cf. Oppenheim, *Orientalia*, xvii (1948), 54; for *nagu* see H. and J. Lewy, *HJCA*, xvii (1943), 11-15.

<sup>212</sup> For the identification of Mount Nisir with modern Pir Omar Gudrun, cf. my report in *AASOR*, viii (1926/27), 17-18.

The swallow went forth, but came back; (150)  
 Since no resting-place for it was visible,<sup>212\*</sup> she turned  
 round.  
 Then I sent forth and set free a raven.  
 The raven went forth and, seeing that the waters had  
 diminished,  
 He eats, circles, caws, and turns not round.  
 Then I let out (all) to the four winds  
 And offered a sacrifice.  
 I poured out a libation on the top of the mountain.  
 Seven and seven cult-vessels I set up,  
 Upon their pot-stands I heaped cane, cedarwood, and  
 myrtle.  
 The gods smelled the savor,  
 The gods smelled the sweet savor, (160)  
 The gods crowded like flies about the sacrificer.  
 When at length as the great goddess<sup>213</sup> arrived,  
 She lifted up the great jewels which Anu had fashioned  
 to her liking:  
 'Ye gods here, as surely as this lapis  
 Upon my neck I shall not forget,  
 I shall be mindful of these days, forgetting (them) never.  
 Let the gods come to the offering;  
 (But) let not Enlil come to the offering,  
 For he, unreasoning, brought on the deluge  
 And my people consigned to destruction.'  
 When at length as Enlil arrived, (170)  
 And saw the ship, Enlil was wroth,  
 He was filled with wrath over the Igigi gods:<sup>214</sup>  
 'Has some living soul escaped ?  
 No man was to survive the destruction!'  
 Ninurta opened his mouth to speak,  
 Saying to valiant Enlil:  
 'Who, other than Ea, can devise plans ?<sup>215</sup>  
 It is Ea alone who knows every matter.'  
 Ea opened his mouth to speak,  
 Saying to valiant Enlil:  
 'Thou wisest of gods, thou hero,  
 How couldst thou, unreasoning, bring on the deluge ?  
 On the sinner impose his sin, (180)  
 On the transgressor impose his transgression!  
 (Yet) be lenient, lest he be cut off,  
 Be patient,<sup>216</sup> lest he be dis[lodged]!  
 Instead of thy bringing on the deluge,  
 Would that a Hon had risen up to diminish man-  
 kind!  
 Instead of thy bringing on the deluge,  
 Would that a wolf had risen up to diminish man-  
 kind!  
 Instead of thy bringing on the deluge,  
 Would that a famine had risen up to l[ay low] man-  
 kind!  
 Instead of thy bringing on the deluge,

<sup>212\*</sup> More exactly "appeared," from \*(w)apu, in view of the repeated writing with p.

<sup>213</sup>» Ishtar.

<sup>214</sup> The heavenly gods.

<sup>215</sup> An allusion to one of the common epithets of Ea.

<sup>216</sup> For *iadadu* in the sense of "heed," and the like, see XII, 32.

Would that pestilence<sup>217</sup> had risen up to smi[te  
 down] mankind!  
 It was not I who disclosed the secret of the great gods.  
 I let Atrahasis<sup>218</sup> see a dream,  
 And he perceived the secret of the gods.  
 Now then take counsel in regard to him!  
 Thereupon Enlil went aboard the ship.  
 Holding me by the hand, he took me aboard. (190)  
 He took my wife aboard and made (her) kneel by my  
 side.  
 Standing between us, he touched our foreheads to bless  
 us:  
 'Hitherto Utnapishtim has been but human.  
 Henceforth Utnapishtim and his wife shall be like unto  
 us gods.  
 Utnapishtim shall reside far away, at the mouth of the  
 rivers 1'  
 Thus they took me and made me reside far away,  
 At the mouth of the rivers.  
 But now, who will for thy sake call the gods to Assembly  
 That the life which thou seekest thou mayest find ?  
 Up, lie not down to sleep  
 For six days and seven nights."  
 As he sits there on his haunches, (200)  
 Sleep fans him like the whirlwind.  
 Utnapishtim says to her, to his spouse:  
 "Behold this hero who seeks life!  
 Sleep fans him like a mist."  
 His spouse says to him, to Utnapishtim the Faraway:  
 "Touch him that the man may awake,  
 That he may return safe on the way whence he came,  
 That through the gate by which he left he may return to  
 his land."  
 Utnapishtim says to her, to his spouse:  
 "Since to deceive is human, he will seek  
 to deceive thee.<sup>219</sup> (210)  
 Up, bake for him wafers, put (them) at his head,  
 And mark on the wall the days he sleeps."  
 She baked for him wafers, put (them) at his head,  
 And marked on the wall the days he slept.  
 His first wafer is dried out,  
 The second is gone bad,<sup>220</sup> the third is soggy;  
 The crust<sup>221</sup> of the fourth has turned white;  
 The fifth has a moldy cast,  
 The sixth (still) is fresh-colored;<sup>222</sup>  
 The seventh—just as he touched him the man awoke.

Gilgamesh says to him, to Utnapishtim the Faraway:

<sup>217</sup> Lit "Erra," the god of pestilence.

<sup>218</sup> "Exceeding Wise," an epithet of Utnapishtim.

<sup>219</sup> By asserting that he had not slept at all. Lit. "Mankind being wicked, he will seek to deceive thee." For *rattu*: *rattu* cf. B. Landsberger, *ana ittilu* (1937), 233.

<sup>220</sup> cf., e.g., *Liidlu*, *Babyhniaca*, vn (1923), 169, 35.

<sup>221</sup> For the Heb. cognate *kflwwan*, cf. Jer. 7:18.

<sup>222</sup> For *bailu* in reference to color cf. my remarks in *JAOS*, LXVIII (1948), 13. The entire episode, as has long been recognized (cf. especially, Landsberger, *ZA*, xz.11, 141, n.i), depicts the progressive deterioration of the bread wafers (not loaves) day by day. The technical problem is how this was indicated. To add to the difficulty, the term for the sixth stage—*bailu*—is ambiguous in that it may mean either "cooked, ripe" or "light-, fresh-colored." In the latter instance, stages 4-6 would be judged by the color.

"Scarcely<sup>223</sup> had sleep surged over me, (220)  
When straightway thou dost touch and rouse me!"  
Utnapishtim [says to him], to Gilgamesh:

"[Go], Gilgamesh, count thy wafers,  
[That the days thou hast slept] may become known to  
thee:

Thy [first] wafer is dried out,  
[The second is gone] bad, the third is soggy;  
The crust of the fourth has turned white;

[The fifth] has a moldy cast,  
The sixth (still) is fresh-colored.

[The seventh]—at this instant thou hast awakened."  
Gilgamesh says to him, to Utnapishtim the Faraway:

"[What then] shall I do, Utnapishtim, (230)  
Whither shall I go,

[Now] that the Bereaver has laid hold on my [mem-  
bers]?

In my bedchamber lurks death,  
And wherever I se[t my foot], there is death!"

Utnapishtim [says to him], to Urshanabi, the boatman:  
"Urshanabi, may the landing-pl[ace not rejoice in thee],

May the place of crossing renounce thee!  
To him who wanders on its shore, deny thou its shore!  
The man thou hast led (hither), whose body is covered  
with grime,

The grace of whose members skins have distorted,  
Take him, Urshanabi, and bring him to the washing-  
place.

Let him wash off his grime in water  
clean as snow, (240)

Let him cast off his skins, let the sea carry (them)  
away,

That the fairness of his body may be seen.

Let him renew the band round his head,  
Let him put on a cloak to clothe his nakedness,

That he may arrive in his city,  
That he may achieve his journey.

Let not (his) cloak have a moldy cast,  
Let it be wholly new."

Urshanabi took him and brought him to the washing-  
place.

He washed off his grime in water clean as snow.  
He cast off his skins, the sea carried (them) away,  
That the fairness of his body might be seen. (250)

He renewed [the band] round his head,  
He put on a cloak to clothe his nakedness,

That he might ar[rive in his city],  
That he might achieve his journey.

[The cloak had not a moldy cast, but] was [wholly]  
new.

Gilgamesh and Urshanabi boarded the boat,  
[They launch]ed the boat on the waves (and) they  
sailed away.

His spouse says to him, to Utnapishtim the Faraway:

<sup>223</sup> Reading *an-ni-mil*, for which see W. von Soden, *ZA*, xli (1933)» 129>  
n.3.

"Gilgamesh has come hither, toiling and straining.  
What wilt thou give (him) that he may return  
to his land?" (260)

At that he, Gilgamesh, raised up (his) pole,  
To bring the boat nigh to the shore.

Utnapishtim [says] to him, [to] Gilgamesh:  
"Gilgamesh, thou hast come hither, toiling and straining.  
What shall I give thee that thou mayest return to thy  
land?

I will disclose, O Gilgamesh, a hidden thing,  
And [*a secret of the gods* I will] tell thee:  
This plant, like the buckthorn is [its . . . ].  
Its thorns will pr[ick thy hands] just as does the *rose*.  
If thy hands obtain the plant, [thou wilt  
find new life]." (270)

No sooner had Gilgamesh heard this,  
Than he opened the *wa[ter-pipe]*,<sup>224</sup>  
He tied heavy stones [to his feet].  
They pulled him down into the deep [and he saw the  
plant].

He took the plant, though it pr[icked his hands].  
He cut the heavy stones [from his feet].  
The [s]ea<sup>225</sup> cast him up upon its shore.

Gilgamesh says to him, to Urshanabi, the boatman:  
"Urshanabi, this plant is a plant *apart*,<sup>228</sup>  
Whereby a man may regain his *life's breath*.  
I will take it to ramparted Uruk, (280)

Will cause [ . . . ] to eat the plant . . . !  
Its name shall be 'Man Becomes Young in Old Age.'  
I myself shall eat (it)

And thus return to the state of my youth."  
After twenty leagues they broke off a morsel,  
After thirty (further) leagues they prepared for the  
night.

Gilgamesh saw a well whose water was cool.  
He went down into it to bathe in the water.  
A serpent snuffed the fragrance of the plant;  
It came up [from the water] and carried off the plant.  
Going back it shed [its] slough.<sup>227</sup>

Thereupon Gilgamesh sits down and weeps, (290)  
His tears running down over his face.

[He took the hand]<sup>228</sup> of Urshanabi, the boatman:  
"[For] whom,<sup>229</sup> Urshanabi, have my hands toiled?  
For whom is being spent the blood of my heart?  
I have not obtained a boon for myself.

For the earth-lion<sup>280</sup> have I effected a boon!  
And now the tide<sup>281</sup> will bear (it) twenty leagues away!  
When I opened the *water-pipe*<sup>282</sup> and [ . . . ] the gear,

<sup>224</sup> See below, line 298.

<sup>225</sup> Reading *|t|am-tum*, with W. F. Albright, *RA*, xvi (1919), 176.

<sup>226</sup> Reading *ni-sih-ti*.

<sup>227</sup> Note that the process is one of rejuvenation, not immortality.

<sup>228</sup> cf. Bohl, *HGE*, 161.

<sup>229</sup> For *man-ni-ya* cf. v. Soden, *ZA*, XL (1932), 199.

<sup>230</sup> An allusion to the serpent?

<sup>231</sup> See Albright, *loc. cit.*, 175 f.

<sup>232</sup> The opening of the *ratu* (normally "pipe, tube," apparently took place in connection with Gilgamesh's dive (cf. also 1. 271). But the details remain obscure. Note, however, the *Eridu Creation Story*, n, where



I found that which has been placed as a sign for me:  
 I shall withdraw,  
 And leave the boat on the shore!" (300)  
 After twenty leagues they broke off a morsel,  
 After thirty (further) leagues they prepared for the  
 night  
 When they arrived in ramparted Uruk,  
 Gilgamesh says to him, to Urshanabi, the boatman:  
 "Go up, Urshanabi, walk on the ramparts of Uruk.  
 Inspect the base terrace, examine its brickwork,  
 If its brickwork is not of burnt brick,  
 And if the Seven Wise Ones laid not its foundation!  
 One 'sar' is city, one sar orchards,  
 One sar margin land; (further) the *precinct* of the  
 Temple of Ishtar.  
 Three sar and the *precinct* comprise Uruk."

### Tablet XII

Contents and circumstantial evidence mark this tablet as an inorganic appendage to the epic proper. The basic theme is concluded with the hero's failure to attain his quest. Moreover, the last lines of Tablet XI are the same as the final lines of the introduction to the entire work (I, i, 16-19). Lasdy, Gadd (*RA*, xxxi [1933], 126 ff.) and Kramer (*JAOS*, LXIV (1944)) 7 ff. have demonstrated that Tablet XII is a direct translation from the Sumerian; the remaining tablets—as pointed out by Kramer—give every indication of creative borrowing and independent formulation. The Akkadian version of the present tablet is a translation of the second part of a Sumerian legend. The first part—disregarded by the Akkadian translator—is fortunately extant and has been published by Kramer in his monograph *Gilgamesh and the Huluppu-Tree* (1938). Since the beginning is essential as an introduction to Tablet XII, it may be summarized briefly, as follows:

Shortly after the creation of the universe, a tree growing on the bank of the Euphrates was uprooted by the south wind. Inanna (Ishtar) took the floating trunk and planted it in her garden in Uruk. She intended to use it, in due time, as timber for her bed and chair. When several hostile beings interfered with Inanna's plan, Gilgamesh came to her rescue. In gratitude, Inanna made from the base of the tree a *pu*\u, probably a magic Drum, and from the crown a *mi*\u, apparently a Drumstick of similar magic potency, and gave them both to Gilgamesh. One day both these precious objects fell into the nether world. Gilgamesh sought to retrieve them but could not. Lamenting his loss, he cried "O my *puk*\u, O my *mikk*" It is at this point that the Akkadian translation, known to us as Tablet XII, sets in, a fact witnessed by the catch-line at the end of Tablet XI.

To Kramer (*loc. cit.*, 22-23 and n.113) and to Gadd we owe the further recognition that the small fragment containing the beginning of the first eight lines in Thompson's edition (*GETh*, Pi. 55) is not part of the main portion of the tablet, but a duplicate (as shown, among other things, by the fact that no proper join has been made). What Thompson mistook for the beginning of the tablet is in reality line 4, corresponding to line 48 in Gadd's Sumerian text. Line 1 is, of course, given by the catch-line. In the translation given below, restorations based on the Sumerian text will be indicated by square brackets. I had the opportunity to talk over the whole problem with Dr. Kramer and I have adopted from him several new observations which will be pointed out in the footnotes.

the same term is used, perhaps to a pipe connecting with a source of sweet waters which would nourish the miraculous plant.

"That time when I verily ha[d]<sup>233</sup> the *Drum* in the  
 carpenter's house,  
 [(When) the carpenter's wife was verily like my  
 mother who bore me],  
 [(When) the carpenter's daughter was verily like my  
 younger sister]!  
 Lo, [who will bring up] the *Drum* from the nether  
 world] ?  
 [Who will bring up] the *Drumstick* [from the nether  
 world]?"  
 Enkidu<sup>284</sup> [says to him, to] Gilgamesh, [his lord]:  
 "My lord, why criest thou (and) why [is so ill] thy  
 heart?  
 Lo, I will bring [up] the *Drum* from the nether world,  
 I will bring [up] the *Drumstick* from the nether  
 world."  
 Gilgamesh [says to him, to] Enkidu,  
 [his servant]: (10)  
 "If [thou wilt go down] to the nether world,  
 [I will speak a word to thee, take my word];<sup>235</sup>  
 My admonition(s)<sup>236</sup> [heed thou well]:  
 Clean raiment [thou shalt not put on]!  
 As a sojourner<sup>237</sup> they would ma[rk thee].<sup>238</sup>  
 With sweet oil from the cruse thou shalt not anoint thee!  
 At its fragrance they would gather about thee.  
 A throw stick into the nether world thou shalt not hurl!  
 Those struck with the throw stick would surround thee.  
 A staff into thy hands thou shalt not take! (20)  
 The spirits would tremble<sup>28</sup> on thy account.  
 Sandals to thy feet thou shalt not fasten,  
 A sound against the nether world thou shalt not make,  
 Thy wife whom thou lovest thou shalt not kiss,  
 Thy wife whom thou hatest thou shalt not strike,  
 Thy son whom thou lovest thou shalt not kiss,  
 Thy son whom thou hatest thou shalt not strike!  
 The wailing of the nether world would seize thee!"—  
 "She who rests, she who rests,

The mother of Ninazu,<sup>240</sup> she who rests;  
 Her holy shoulders are not covered  
 with raiment, (30)  
 Her cruse-shaped breasts are not wrapped with cloth."<sup>241</sup>  
 [To his lord's admonitions Enkidu gave no] heed.<sup>242</sup>

<sup>238</sup> Kramer (*JAOS*, LXIV [1944], 22, n.113) restores the end of the catchline as *e-lu-u*, on the basis of the Sumerian passage. The current restoration *e-z[ib]* makes excellent sense. If correct, it might represent a somewhat free rendering. For the translation of *pukAu* and *mi/ekAu* cf. Landsberger, *ZDMG*, LXXXVIII (1934), 210 and S. Smith, *RA*, xxx (1933),

<sup>234</sup> This line is found only in the corresponding Sumerian passage and *CT*, XL.VI, 34.

<sup>235</sup> This line occurs only in the Sumerian text, Gadd, *loc. cit.*, line 55, restored by Kramer, *BASOR*, 79 (1940), 25, n.25. By incorporating the verse, we obtain the same count as is given in *GETh*.

<sup>238</sup> For *ajir(tu)*, *Sum. n.a.r.i.*, cf. Kramer, *ibid.*, and *Creation Epic*, VI, 144, note 120.

<sup>287</sup> For *ubaru* cf. *AASOR*, xvi (1935/36), 124, note, and J. J. Stamm, *Die akkadische Namengebung* (1939), 264.

<sup>238</sup> Reading *ti-a-af[du-ka]*, with Kramer, *loc. cit.*, 21, n.105.

<sup>289</sup> For the verb cf. *Creation Epic*, VII, 45.

<sup>240</sup> Husband of Ereshkigal, queen of the nether world.

<sup>241</sup> These three lines are repeated in 47-49. They appear to constitute a refrain, but the precise import is now lost.

<sup>242</sup> For *ladadu*, when corresponding to Sumerian *b u . i*, cf. the associated terms *maharu*, *nekelmii*, *redii*, which taken together point to the semantic range "observe, follow, give heed"; cf. Deimel, *SL*, 371, 73.



[He] put [on clean raiment]:  
 [They mar]ked him as a sojourner].  
 With [sweet] oil from the cruse [he anoin]ted himself:  
 At the frag[rance of it they gath]ered about him.  
 [He hurled] the throw stick in[to the nether world]:  
 [Those struck] with the throw stick surrounded him.<sup>848</sup>  
 A staff [he took into his] hand:  
     The spirits trembled [on his account].  
 Sandals to [his feet he fastened], (40)  
 A sound [against the nether world he ma]de,  
 [He kissed his beloved] wife,  
 [He struck his] hated wife,  
 [He kissed his be]lov[ed son],  
 He str[uck his] hated [son]:  
 The wailing of the nether world seized him.  
 "She who rests, she who rests,  
     The mother of Ninazu, she who rests;  
 Her holy shoulders are not covered with raiment,  
 Her cruse-shaped breasts are not wrapped with cloth."  
 She allow[ed] not Enkidu to ascend from  
     the nether world. (50)  
 Nam[itar did not seize] him, Fever<sup>244</sup> did not seize him;  
     The nether world seized him.  
 [Nergal's] unsparing deputy did not seize him;  
     The nether world [seized] him.  
 On the [battle]field of men he did not fall;  
     The nether world [seized him]!  
 The[n] my l[ord], the son of Ninsun,<sup>245</sup>  
     Weeping over Enkidu, his servant,  
 Went all alone to [Ekur], the temple of Enlil:  
 "Father [Enlil], lo, my *Drum* fell<sup>248</sup> into the nether  
     world,  
 My *Drumstic*\ [fell into the nether world];  
 Namtar did not seize him,<sup>247</sup> Fever did not seize him;  
     The nether world seized him.  
 Nergal's unsparing deputy did not seize him; (60)  
     The nether world seized him.  
 On the batdefield of men he did not fall;  
     The nether world seized him!"  
 Father Enlil did not intercede for him in the matter;<sup>248</sup>  
     [To Ur]<sup>249</sup> he went:

<sup>243</sup> In the Akkadian copies of the text, the latter halves of lines 37 and 39 have been transposed. The correct sequence is indicated by lines 18-21, above.

<sup>244</sup>cf. ZA, XLI (1933), 219; Sumerian *A sig*, personified, see Kramer, *loc. cit.*, 21-22 and n.106.

<sup>245</sup> i.e. Gilgamesh.

<sup>248</sup> Lit. "the pu<sup>u</sup> fell for me."

<sup>247</sup> Lines 59-68 can now be almost completely restored with the aid of the fragment published by E. F. Weidner, *AfO*, x (1935/36), 363 ff.

<sup>248</sup> Dr. Kramer has called to my attention the fact that the Sumerian (which is to be pieced together from texts already published and others which he expects to utilize for a connected publication of the whole tale) has here *inim.bi.nu.mu(e).db.gub* "in this matter he did not stand by him." The corresponding Akkadian phrase *amat ul ipul-iu* (pre-served on the Weidner fragment) has hitherto been rendered "answered him not a word." In view of the evidence of the Sumerian, however, I now suggest that *apalu* should be taken in its common legal sense "to satisfy," the whole yielding thus "gave him no satisfaction in the matter"; or better still, in the sense of *ida apalu* "to intercede for," cf. J. J. Stamm, *Die a\adische Namengebung* (1939), 171, the entire clause meaning "did not intercede for him in the matter." It is noteworthy, also, that the noun is *amat*, not *amatam*, Le. in a predicative and not in an objective sense: "in what the matter was."

<sup>249</sup> The Sumerian omits this stage. But the analogy of the two other

"Father Sin, lo, my *Drum* fell into the nether world,  
 My *Drumstick* fell into the nether world.  
 Enkidu, whom [I sent] to bring them up, the nether  
     world seized.  
 Namtar did not seize him, Fever did not [seize] him;  
     The nether world seized him.  
 Nergal's unsparing deputy did not seize him;  
     The nether world seized him.  
 On [the battlefield of men he did not] fall;  
     The nether world seized him!"  
 [Father Sin did not intercede for him in the matter];  
     [To Eridu<sup>250</sup> he went]:  
 "[Father Ea, lo, my *Drum* fell into the  
     nether world], (70)  
 [My *Drumstick* fell into the nether world].  
 [Enkidu, whom I sent to bring them up, the nether  
     world seized].  
 Na[mtar did not seize him, Fever did not seize him];  
     [The nether world seized him].  
 Nergal's unsparing deputy [did not seize him];  
     [The nether world seized him].  
 On the battlefield of men [he did not fall];  
     [The nether world seized him]!"  
 Father Ea [did intercede for him in the matter].<sup>251</sup>  
 [He said] to [Nergal],<sup>252</sup> the valiant hero:  
 "O valiant hero, Ne[rgal... ],  
 [Open] forthwith a hole<sup>253</sup> [in the earth,]  
 That the spirit of [Enkidu may issue forth  
     from the nether world], (80)  
 That to his brother [he might tell the ways of the nether  
     world]."  
 Nergal, the valiant hero, [hearkened to Ea],  
 Scarcely had he opened a hole in the earth,  
 When the spirit of Enkidu, like a wind-puff,  
     Issued forth from the nether world.  
 They embraced and kissed each other.<sup>254</sup>  
 They exchanged counsel, sighing at each other:<sup>255</sup>  
 "Tell me, my friend, tell me, my friend,  
 Tell me the order of the nether world which thou hast  
     seen."  
 "I shall not tell thee, I shall not tell thee!  
 (But) if I tell thee the order of the nether world  
     which I have seen, (90)  
 Sit thou down (and) weep!"  
 "[...] I will sit down and weep."

relevant instances, and the space available on the Weidner fragment leave little doubt that *Vr* is to be supplied.

<sup>250</sup> cf. Kramer, *JAOS*, XL (1940), 246, No. 35.

<sup>251</sup> This important change in the usual restoration of the text is demanded by Kramer's material which yields the reading *inim.bi.ba.di.gub*; cf. *ibid.*

<sup>252</sup> The Sumerian clearly reads *Ut u*, but the Assyrian text has evidently *Nergal* in line 82; cf. Kramer, *ibid.*

<sup>253</sup> For *taWabu* "hole" cf. Jensen, *Keilschriftliche Bibliothek*, vi, 528 f. A hole in the lid of the gigantic sarcophagus of Ashurnasirpal II (cf. W. Andrae, *Das wiedererstandene Assur* [1938], 139) may have been intended for just such a purpose of allowing the spirit of the dead to issue forth.

<sup>254</sup> Reading *ul-ta-la-qH*, with E. Ebeling, *AfO*, viii (1932/33), 232.

<sup>255</sup> In view of the corresponding Sumerian *«/* (Kramer), Thompson's reading *ul-ta-an-na-h[u]* (*GETh*, 69) proves right as against Ebeling's suggested *ul-ta-an-na-a* (*loc. cit.*) "conversed," which Heidel has adopted (*GE*, 100).

"[My body . . . ], which thou didst touch as thy heart rejoiced,

Vermin devour [as though] an old garment.

[My body . . . ], which thou didst touch as thy heart rejoiced,

[... ] is filled with dust."

He cried "[Woe!]" and threw himself [in the dust],<sup>256</sup>

[Gilgamesh] cried "[Woe!]" and threw himself [in the dust].

"[... has thou seen]?" "I have seen."

(Lines 100-101 mutilated. 102-117, and 119-144 in Thompson's edition lost except for two signs. Probably before line 118 belongs the reverse of the Weidner fragment, *AfO*, x, 363, which supplies the concluding parts of twelve lines [numbered 2/-i3/ in the following translation]. Although Heidel's restorations from the Sumerian [Heidel, *GE*, 100-01] are probable, it seemed advisable at this time to render only what is available in Akkadian.)

"[... ]?" "I have seen: (2')

[... ] weeps over (it)."

"[... ]?" "I have seen:

[... ] eats bread."

"[... ]?" "I have seen:

[... ] drinks water."

"[... hast thou se]en?" "I have seen:

[... ] his heart rejoices."

"[... ] hast thou seen?" "I have seen: (10')

[Like that of a] good [scribe] is his arm bared.<sup>257</sup>

[... ] he enters the palace."

"[... ] hast thou seen?" "I have seen:

Like a beautiful standard [... ]. " (118)

(twenty-six lines destroyed)

"Him who [fell down] from the mast hast thou seen?" (\*45)

"[I have seen]:

Scarcely [... ] the pegs are pulled out."

"Him [who died] a sud[den] death<sup>258</sup> hast thou seen?"

"[I have seen]:

He lies upon the night couch and drinks pure water."

"Him who was killed in batde hast thou seen?"

"I have seen:

His father and his mother raise up his head, (150)

And his wife [weeps] over him."

"Him whose corpse was cast out upon the steppe hast thou seen?"

"I have seen:

His spirit finds no rest in the nether world."

"Him whose spirit has no one to tend (it) hast thou seen?"

"I have seen:

Lees of the pot, crumbs of bread, offals of the street he eats."

<sup>256</sup> For this and the following line cf. Heidel, *GE*, 100.

<sup>257</sup> cf. Heidel, *ibid.*, n.244.

<sup>258</sup> Reading *ia-mu-ti sur-[ri i-mu-tu]*, with Ebeling, *loc. cit.*

## Creation of Man by the Mother Goddess

The basic theme of this myth is the creation of man out of clay mixed with the flesh and blood of a slain god. Unfortunately, the Old Babylonian text which deals with this subject (A) is incomplete and in a singularly poor state of preservation. Furthermore, the account came to be used as part of an incantation to facilitate childbirth, with the result that the myth itself seems to have been restated only in its bare outlines. It is too important, however, to be ignored, in spite of its lacunae and its uncertainties.

The ritual part of this Old Babylonian text agrees closely with the concluding portion of the Assyrian Version of the Atrahasis Epic—a fact which was first recognized by E. Ebeling.<sup>1</sup> Accordingly, the Assyrian analogue in question has been detached from the Atrahasis Epic—with which it has only an incidental connection—and has been appended in this place as Version B.

Texts: (A) T. G. Pinches, *CT*, vi (1898), Pl. 5; republished with minor changes by S. Langdon, *UM*, x, 1 (1915), Pis. in-iv. (B) L. W. King, *CT*, xv (1902), Pl. 49, col. iv, and K. D. Macmillan, *Beiträge zur Assyriologie*, v (1906), 688. Principal edition and translation: E. Ebeling, *Tod und Leben* (1931), No. 37, pp. 172-77. Other translations: (A, obverse only) Langdon, *op. cit.*, 25-26, and Heidel, *BGz*, 66-67. (B) P. Jensen, *KB*, vi, 1, 286-87, and Heidel, *GE*, 115-16. The line count here followed is that of Ebeling, *loc. cit.*<sup>2</sup>

### OLD BABYLONIAN TEXT

(obverse)

(preceding column and top of the present column destroyed)

"That which is slight he shall raise to abundance;

The work of god<sup>8</sup> man shall bear!"

The goddess they called to enquire,<sup>4</sup>

The midwife of the gods, the wise Mami:

"Thou art the mother-womb,

The one who creates mankind.

Create, then, Lullu<sup>5</sup> and let him bear the yoke!

The yoke he shall bear, ... [...];

The work of god man shall bear!"

Nintu opened her mouth, (10)

Saying to the great gods:

"With me is the doing of (this) not suitable;<sup>8</sup>

With Enki is (this) work (proper)!

He purifies everything,

Let him give me the clay, then I will do (it)!"

Enki opened his mouth,

Saying to the great gods:

"On the first of the month, the seventh and fifteenth days, I will prepare a purification, a bath.

<sup>1</sup> *Tod und Leben* (1931), 172.

<sup>2</sup> It starts, however, with the first intelligible line and not with the first line of which there is any trace. Although Ebeling's additions and interpretations are offered with great reserve, they are not uniformly satisfactory.

<sup>3</sup> Read: *iu-up-ii-ik Him* with von Soden, *Orientalia* NS, xxvi (1957), 308.

<sup>4</sup> Read: *i-la-lu* with von Soden, *ibid.*

<sup>5</sup> i.e. "the savage, the first man," cf. *The Creation Epic*, VI, 6, p. 68, n. 86. Lullu corresponds in effect to Adam.

<sup>6</sup> Read: *it-ti-ia-ma la na-fu* with von Soden, *Orientalia* NS, xxvi (1957), 308.

Let one god be slain,  
And let the gods be purified by immersion  
In his flesh and his blood.  
Let Nintu<sup>7</sup> mix clay,  
God and man,  
Let them together be smeared with clay.  
Unto eternity let us hear the drum."

(remainder of obverse too fragmentary for translation)

(reverse)

[... ] her breast,  
[... ] the beard,  
[... ] the cheek of the man.  
[... ] and the raising  
[... ] of both eyes, the wife and her husband.  
[Fourteen mother]-wombs were assembled.  
[... ] \* Nintu,  
[Co]unts the months.

In the tenth month<sup>9</sup> they called [the *mistress* of] destinies,  
[N]inshubar came, (10)

With the ... she opened the womb,  
Her face brightened<sup>10</sup> with joy,  
Her head was covered,

[... ] made an opening,  
That which was in her came forth.<sup>11</sup>

She blessed (it). She ...

"It is I who created (it),... made (it),  
Let the midwives rejoice in the house of the one in  
travail!

Where the Bearing One<sup>12</sup> gives birth and (20)  
The mother herself suckles children."

(remainder too fragmentary for translation)

#### ASSYRIAN VERSION

(beginning mutilated)

[... they kis]sed her feet, (8)

[Saying: "The creatress of mankind] we call thee;

[The mistr]ess of all the gods be thy name!" (10)

[They went] to the House of Fate,

[Nin]igiku-Ea (and) the wise Mama.

[Fourteen mother]-wombs were assembled

To tread upon the [c]lay before her.<sup>18</sup>

[... ] Ea says, as he recites the incantation.

Sitting before her, Ea causes her to recite the incantation.

[Mama reci]ted the incantation; when she completed<sup>14</sup>

[her] incantation,

[... ] she drew upon her clay.

[Fourteen pie]ces she pinched off; seven pieces she  
placed on the right,

[Seven pie]ces she placed on the left; between  
them she placed a brick. (20)

<sup>7</sup> One of the names of the mother goddess.

<sup>8</sup> von Soden, *loc. cit.* restores: [ma(?)]-ra(?)]-«f(?) "the daughter of."

<sup>9</sup> Read: *el-ra rri*(!).

<sup>10</sup> Read: [na]-am-ru-ma.

"Read: *i-te-fi-i*(i).

<sup>12</sup> Apparently a reference to the mother goddess.

<sup>13</sup> cf. Ebeling, *op. cit.*, 176L

"Var. "had recited."

[E]a was kneeling on the *matting*; he opened its<sup>15</sup>  
navel;

[... he c]ailed the wise wives.

(Of the) [seven] and seven mother-wombs, seven  
brought forth males,

[Seven] brought forth females.

The Mother-Womb, the creatress of destiny,

In pairs<sup>18</sup> she completed them,

In pairs she completed (them) before her.

The forms of the people Mami forms.

In the house of the bearing woman in travail,

Seven days shall the brick lie.

... from the house of Mah, the wise Mami.

The vexed shall rejoice in the house of the one in travail.

As the Bearing One gives birth, (30)

May the mother of the child bring forth by herself.

(remainder destroyed)

## A Cosmological Incantation: The Worm and the Toothache

Among the incantations which contain cosmological material, one of the best-known attributes toothache to a worm that had obtained the permission of the gods to dwell among the teeth and gums. The present text, which is designated ideographically as an "Incantation against Toothache," dates from Neo-Babylonian times and was published by R. Campbell Thompson in *CT*, xvii (1903), Pl. 50. But the colophon indicates that the copy had been made from an ancient text. And indeed, the Man documents of the Old Babylonian period include a tablet with the Akkadian label *ii-pa-at tu-td-Um* "Toothache Incantation." The text itself, however,<sup>1</sup> is in Hurrian. But although it cites various deities of the Hurrian pantheon—and is thus clearly religious in nature—the context does not correspond to the Neo-Babylonian legend, to judge from the intelligible portions.

Selected translations: B. Meissner, *MVAG*, ix/3 (1904), 42-45; E. Ebeling, *AOT*, 133 f.; F. Thureau-Dangin, *RA*, xxxvi (1939), 3-4; and A. Heidel, *BG2*, 72-73.

After Anu [had created heaven],  
Heaven had created [the earth],  
The earth had created the rivers,  
The rivers had created the canals,  
The canals had created the marsh,  
(And) the marsh had created the worm—  
The worm went, weeping, before Shamash,  
His tears flowing before Ea:

"What wilt thou give for my food ?

What wilt thou give me for my sucking?" (10)

"I shall give thee the ripe fig,

(And) the apricot."

"Of what use are they to me, the ripe fig

And the apricot ?

Lift me up and among the teeth

And the gums cause me to dwell!

The blood of the tooth I will suck,

<sup>15</sup> Of the brick figure?

<sup>16</sup> cf. v. Soden, *ZA*, xu (1933), 113, n.5 (on p. 114).

<sup>17</sup> cf. F. Thureau-Dangin, *RA*, xxxvi (1939), 1 ff.

And of the gum I will gnaw  
Its roots!"

\*Fix the pin and seize its foot.\*<sup>2</sup> (20)  
Because thou hast said this, O worm,  
May Ea smite thee with the might  
Of his hand!

(There follow details about the treatment, the injunction to recite this incantation three times, the remark that the text had been copied from an ancient tablet, and the name of the scribe.)

## Adapa

The story of Adapa\* shares with the Epic of Gilgamesh the motif of man's squandered opportunity for gaining immortality. It is extant in four fragmentary accounts. The oldest and longest of these (B) comes from the El-Amarna archives (fourteenth century B.C.), whereas the other three (A, C, and D) derive from the library of Ashurbanipal. The order of presentation is contextual, except that C is roughly parallel to parts of B.

Sources: (A) A. T. Clay, *YOS*, v, 3 (1922), Pis. iv, vi; (B) O. Schroeder, *VS*, XII (1915), No. 194; (C) R. Campbell Thompson, *The Epic of Gilgamesh* (1930), Pl. 31 (K.8743); (D) S. A. Strong, *PSBA*, xvi (1894), 274 f. Selected translations: P. Jensen, *KB*, vi, 1 (1900), 92-101; J. A. Knudtzon, *Die El-Amarna-Tafeln* (1915), 965-69; S. Langdon, *UM*, x, 1 (1915), 42-43 and 46-48; A. T. Clay, *op. cit.*, 40-41; E. Ebeling, *AOT*, 143-46; and A. Heidel, *BG2*, 147-153.

A

[Wisjdom...[...].  
His command was indeed ... [ ... ] like the command  
of [Ea].  
Wide understanding he had perfected for him to disclose<sup>1</sup> the designs of the land.  
To him he had given wisdom; eternal life he had not given him.  
In those days, in those years, the sage from Eridu,  
Ea, created him as the *model*<sup>1a</sup> of men.  
The sage—his command no one can vitiate—  
The capable, the most wise<sup>2</sup> among the Anunnaki is he;  
The blameless, the clean of hands, the ointment priest,  
the observer of rites.  
With the bakers he does the baking, (10)  
With the bakers of Eridu he does the baking;  
Bread and water for Eridu daily he provides,  
With his clean hand(s) he arranges the (offering)  
table,  
Without him the table cannot be cleared.  
He steers the ship, he does the prescribed fishing for  
Eridu.  
In those days Adapa, the one of Eridu,  
While [ ... ] Ea ... upon the couch,

<sup>2</sup> This is the instruction to the dentist, as pointed out by A. David, *Operation dentaire en Babylonie*, *RA*, xxv (1928), 95 ff.

\* According to E. Ebeling, *Tod und Leben*, 27a, an unpublished syllabary equates *a-da-ap* with "man" (hence "Adam"?).

<sup>1</sup> Reading *\uH-lu-mu*.

<sup>1a</sup> In the sense of "something to be followed." cf. *la ahiz riddi* "unprincipled."

<sup>2</sup> Akk. *atrahasisa*, applied here as an epithet and not as a proper name.

Daily did attend to the sanctuary of Eridu.  
At the holy quay, the Quay of the New Moon, he  
boarded the sailboat;  
Then a wind blew thither and his boat drifted; (20)  
[With the o]ar he steers his boat<sup>8</sup>  
[ ... ] upon the wide sea.

(remainder destroyed)

B<sup>4</sup>

... [ ... ]  
The south wind b[lew and submerged him],  
[Causing him to go down] to the home [of the fish]:  
"South wind, [ . . . ]. me all thy *venom* ... [ ... ].  
I will break thy wi[ng]!" Just as he had said (this) with  
his mouth,  
The wing of the sou[th wi]nd was broken. For seven  
days  
The [south win]d blew not upon the land. Anu  
Calls [to] Ilabrat, his vizier:  
"Why has the south wind not blown over the land these  
seven days?"  
His vizier, Ilabrat, answered him: "My lord, (10)  
Adapa, the son of Ea, the wing of the south wind  
Has broken." When Anu heard this speech,  
He cried, "Mercy!" Rising from his throne: "[Let]  
them fetch him hither!"  
At that, Ea, he who knows what pertains to heaven,  
took hold of him,  
[Adapa], caused him to wear (his) [hai]r unkempt, a  
mourning garb  
[He made him put on], and gave him (this) [ad]vice:  
"[Adapa], thou art going [before Anu], the king;  
[The road to heaven thou wilt take. When to] heaven  
[Thou hast] go[ne up and] hast [approached the gate  
of Anu],  
[Tammuz and Gizzida] at the gate of Anu (20)  
Will be standing. When they see thee, they will [as]k  
thee: 'Man,  
For whom dost thou look thus? Adapa, for whom  
Art thou clad with mourning garb?'  
'From our land two gods have disappeared,  
Hence I am thus.' 'Who are the two gods who from the  
land  
Have disappeared?' 'Tammuz and Gizzida.' They will  
glance at each other  
And will smile.<sup>5</sup> A good word they  
Will speak to Anu, (and) Anu's benign face  
They will cause to be shown thee. As thou standest  
before Anu,  
When they offer thee bread of death,

<sup>8</sup> For lines 19-21 cf. A. Salonen, *Die Wasserfahrzeuge in Babylonien* (1939) > <sup>20</sup>- If should be added that Adapa's purpose was plainly to catch fish for Ea's temple, hence that god's primary interest in Adapa. For the importance of fishing to the temple economy cf. the so-called Weidner Chronicle, which employs this motif as a reason for the rise and fall of dynasties (and, incidentally, mentions Adapa). See especially H. G. Guterbock *ZA*, XLII (1934), 51 ff.

<sup>4</sup> This text lacks the normal metric form. For the sake of uniformity, however, each line has been treated in the translation as a verse of poetry.

<sup>5</sup> cf. B. Landsberger, *ZA*, XL (1932), 297-98.

Thou shalt not eat (it). When they offer thee  
water of death, (30)

Thou shalt not drink (it). When they offer thee a gar-  
ment,

Put (it) on. When they offer thee oil, anoint thyself  
(therewith).

(This) advice that I have given thee, neglect not; the  
words

That I have spoken to thee, hold fast!" The messenger  
Of Anu arrived there (saying as follows): "Adapa the  
south wind's  
Wing has broken, bring him before me!"

He made him take the road to heaven, and to heaven  
he went up.

When he had ascended to heaven and approached the  
gate of Anu,

Tammuz and Gizzida were standing at the gate of Anu.  
When they saw Adapa, they cried, "Mercy! (40)

Man, for whom dost thou look thus? Adapa,  
For whom art thou clad with mourning garb?"

"Two gods have disappeared from the land, therefore  
with mourning garb

I am clad." "Who are the two gods who from the land  
have disappeared?"

"Tammuz and Gizzida." They glanced at each other  
And smiled.® As Adapa before Anu, the king,

Drew near and Anu saw him, he called:

"Come now, Adapa, wherefore the south wind's wing  
Didst thou break?" Adapa replied to Anu: "My lord,  
For the household of my master, in the midst

of the sea (50)

I was catching fish. The sea was like a mirror.

But the south wind came blowing and submerged me,  
Causing (me) to go down to the home of the *fish*. In  
the wrath of my heart

I cursed the [south wind]." Speaking up at [his] side,  
Tammuz

[And] Gizzida to Anu [a good word

Addressed. His heart quieted as he was .. .<sup>T</sup>

"Why did Ea to a *worthless* human of the heaven

And of the earth the plan<sup>8</sup> disclose,

Rendering him *distinguished* and making a name for  
him?

As for us, what shall we do about him? Bread  
of life (60)

Fetch for him and he shall eat (it)." When the bread of  
life

They brought him, he did not eat; when the water of  
life

They brought him, he did not drink. When a garment  
They brought him, he put (it) on; when oil

They brought him, he anointed himself (therewith).

As Anu looked at him, he laughed at him:

"Come now, Adapa! Why didst thou neither eat nor  
drink?"

<sup>8</sup> Apparently pleased because Adapa mourned their loss.

<sup>7</sup> For a suggested reading cf. Heidel, *ad toe*.

<sup>8</sup> Lit. "heart."

Thou shalt not have (eternal) life! Ah, *per[ver]se*<sup>9</sup> man-  
kind!"

"Ea, my master,  
Commanded me: "Thou shalt not eat, thou shalt not  
drink!"

"Take him away and return him to his earth."

(remainder destroyed)

### C

When [Anu] heard th[is],

[... in the wr]ath of his heart

[... ] he dispatches a messenger,

[... , who] knows the heart of the great gods,

That he [... ]...

To reach [... of Ea], the king.

[... ] he discussed the matter.<sup>10</sup>

[... ] to Ea, the king.

[... ]...

(10)

[... ], the wise, who knows the heart of the great gods

[... ] heaven ...

[... ] unkempt hair he caused him to wear,

[... ]... and clad him with a mourning garb,

[He gave him advice], saying to him (these) [wor]ds:

["Adapa,] thou art going [before Anu], the king;

[Neglect not my advice], my words hold fast!

[When thou hast gone up to heaven and] hast ap-  
proached the gate of Anu,

[Tammuz and Gizzida] will be standing [at the gate of  
Anu]."

(remainder missing)

### D

[... ] he [... ]

[Oil] he commanded for him, and he an[ointed him-  
self],

[A ga]rment he commanded for him, and he was  
clothed.

Anu laughed aloud<sup>11</sup> at the doing of Ea, [saying]:

"Of the gods of heaven and earth, as many as there be,

Who [ever] gave such a command,

So as to make his own command exceed the command  
of Anu?"

As Adapa from the horizon of heaven to the zenith of  
heaven

Cast a glance, he saw its awesomeness.

[Th]en Anu imposed on Adapa [... ];

For [the city] of Ea<sup>12</sup> he decreed release, (10)

His [pri]esthood to glorify in the future he [*decreed*]  
as destiny.

[... ]... as for Adapa, the human offspring,

<sup>8</sup> The attributive element which here accompanies *ni-li* "mankind" is preserved as *d/fa-a-?-ti*, in the third position there is room at most for a short sign. Do we have here *fa-a-[a]-ti* (pi.), in the sense of "corrupt," etc.? The other possibilities that come to mind e.g., relating the form to *fi'u* "dizziness" or *di'u* "depression, niche," are even more dubious.

<sup>10</sup> For *iutäbulu amäti* cf. Th. Bauer, ZA, XLII (1934), 168, n.i.

<sup>11</sup> For *i&qü*, lit. "highly," cf. *issü elitum* "they cried out aloud," *Creation Epic*, III, 125.

<sup>12</sup> Eridu. The release in question signifies freeing from feudal obligations; cf. F. M. Th. Böhl, MAOG, xi/3 (1937), 18.

[Who... ], lord-like, broke the south wind's wing,  
Went up to heaven—and so forth—  
[ . . . ] what ill he has brought upon mankind,  
[And] the disease that he brought upon the bodies of  
men,

These Ninkarrak<sup>18</sup> will allay.

[Let] malady be lifted,<sup>14</sup> let disease turn aside.

[Upon] this [ . . . ] let horror fall,

Let him [*in*] sweet sleep not lie down,

[ . . . ] . . . joy of human heart(s).

(remainder broken off)

## Nergal and Ereshkigal

This Mesopotamian myth is so far known only from two fragments of a school text dating from the fourteenth century BC. and unearthed at Tell El-Amarna, in Egypt. In antiquity the myth was evidently used to train the Egyptian foreign-language student in acquiring a knowledge of Akkadian, at that time the common cultural medium of the whole region. This secondary use, however, did not enhance the reliability of the text. Furthermore, the tablet has suffered badly since then, one fragment (A) now belonging to the British Museum (published by C. Bezold and E. A. Wallis Budge, *The Tell El-Amarna Tablets in the British Museum*, 1892, No. 82), and the other (B) to the Berlin Museum (published by O. Schxoecker in *VAS*, XII [1915], No. 195). The basic study is that of J. A. Knudtzon, *Die El-Amarna Tafeln* (1915), 969 ff.; Knudtzon's line count has here been retained. For later translations cf. Ebeling, *AOT*, 210 ff. and Heidel, *GE*, 129 ff. See the Supplement, p. 507.

(obverse)

### Fragment A

When the gods were preparing a banquet,  
To their sister, Ereshkigal,  
They sent a messenger:  
"Whereas we can go down to thee,  
Thou canst not come up to us.  
Send up, therefore, that they take thy food-portion."  
Hence [Eresh]kigal sent Namtar, her vizier.  
N[amt]ar went up to lofty heaven.  
He enter[ed the place where the gods were *conversing*]  
They [ . . . and greeted] Namtar, (10)  
The messenger of their great [sister].

(Several lines mutilated or missing. It is clear, however, from what follows that Nergal, alone among the gods, failed to show the proper respect to the envoy of Ereshkigal. When this has been reported to her, she sends Namtar back.)

### Fragment B

Saying: "The god [who] did not rise [before]  
my messenger, (26)  
Bring *him* to me that I may kill him."  
Namtar went forth to speak to the gods.

<sup>13</sup> Goddess of healing.

<sup>14</sup> Lit. "rise, move."

<sup>1</sup> Or, possibly "[sit]ting."

The gods hailed him to speak to him [ . . . ]:

"Look and, as for the god who rose not  
before thee, (30)

Take him to the presence of thy mistress."

When Namtar counted them, a god in the rear  
was bald.

"The god is not here who did not rise before me."

[Off w]ent Namtar [to make] his [r]eport.

"[ . . . I counted] them,

[A g]od in the rear [was bald].

[The god who had not risen before me] was not there."

(Several lines mutilated or missing. In line 41 Ea is introduced into the story. Nergal appears to be in trouble, for the text goes on:)

"Take (him) to Ereshkigal!" Weeping,  
[he goes] (43)

Before Ea, his father: "When she sees [me],

*She will not let me live*<sup>2</sup> "Be not afr[aid]!"

I will give thee seven and seven [ . . . ]

To go with thee: [ . . . ,<sup>8</sup> Mutabriqu],

Sharabdu, [Rabisu, Tirid, Idibtu],

Be[nnu, Sidanu, Miqit, Beluri<sup>8</sup>"],

Ummu [(and) Libu. They shall go] (50)

With thee." [When Nergal arrives at the g]ate of

Ereshkigal, he calls out: "Gate[keeper, open] thy gate,

Loosen the latchstring<sup>4</sup> that I may enter!

To the presence of thy mistress,

Ereshkigal, I have been sent." Forth went the gatekeeper

And said to Namtar: "A certain god is standing at the  
entrance of the gate.

Come and inspect him that he may enter." Out went  
Namtar.

When he saw him, rejoicing<sup>5</sup> [ . . . ] he said

To his [mis]tress: "My lady, [it is the god w]ho months

Ago [dis]appeared, not having risen [before] me!"

"Bring (him) in! [When he c]omes in, I will

kill [him]!" (60)

Out went Namtar [and said]: "Enter, my lord,

Into the house of thy sister. [ . . . ] be thy departure."

[Answered] Nergal: "May thy heart rejoice in me."

(several lines destroyed)

(reverse)

### Fragment A

[ . . . ] at the third, Mutabriqu at the fourth,

[Shar]abdu at the fifth, Rabisu at the sixth, Tirid

At the seventh, Idibtu at the eighth, Bennu (70)

At the ninth, Sidanu at the tenth, Miqit

At the eleventh, Beluri at the twelfth,

Ummu at the thirteenth, (and) Libu at the fourteenth

Gate he stationed. In the court he cut down her [ . . . ].

<sup>2</sup> Highly uncertain. The translation follows Oppenheim, *Orientalia*, xix (1950), 152 in line 44, but assumes *u-lu-ba-la-fa-an-ni* to be a case of crasis for *ul-ubal(l)afanm*.

<sup>3</sup> The names of the first three demons are missing. Most of the extant names represent demons of disease; cf. *ibid.*, n.i.

<sup>3a</sup> Reading here and in line 72 *Bi-e-el-u'-ti*, not *Bi-e-el-u[b]-ri*; see A. Ungnad, *AfO*, xiv (1944), 268.

<sup>4</sup> cf. Heidel, *GE*, 131, n.100.

<sup>5</sup> *Ibid.*, n.101.

Nergal to his troop he gave (this) order: "The gates  
Are wide open! Now let me race to you!"

Inside the house he took hold of Ereshkigal,  
By her hair he brought her down from the throne  
To the ground, to cut off her head.

"Kill me not, my brother! Let me speak a word  
to thee!" (80)

When Nergal heard her, his hands relaxed. She weeps,  
humbled:<sup>6</sup>

"Be thou my husband and I will be thy wife. I will let  
thee hold

Dominion over the wide nether world. I will place the  
tablet

Of wisdom in thy hand. That shalt be master,  
I will be mistress!" When Nergal heard this her speech,  
He took hold of her and kissed her, wiping away her  
tears:

"Whatever thou hast wished of me since months past,  
So be it now!"

## Atrahasis

The name Atrahasis (Old Babylonian Atramhasis), i.e. "Exceeding Wise," is associated with more than one hero of the epic literature of Mesopotamia. The Epic of Gilgamesh (XI, 196) applies it to Utnapishtim, the hero of the Flood. The poems of Etana and Adapa make use of the same epithet. More specifically, however, the name is associated with a large epic cycle dealing with man's sins and his consequent punishment through plagues and the deluge. This cycle, which thus provides a parallel to the biblical motivation for the Flood, bore originally the name *Enuma ilu awelum* "When God, Man . . . Today it is commonly known as the Atrahasis Epic.

Fragments of this epic have come down to us in separate Old Babylonian and Assyrian recensions—as is also true of Gilgamesh. The Assyrian Version (Fragments C, D) dates from the time of Ashurbanipal. The Old Babylonian Version (Fragments A, B) is approximately a thousand years older, going back to the reign of Ammisaduqa, at which time it was copied from a still earlier text. Unfortunately, the extant material is but a small fraction of the original total. For according to the colophon on B, the Old Babylonian Version consisted of three tablets aggregating 1,245 lines, or about twenty times as many as are now available. The gaps in the Assyrian recension are only relatively less serious. The underlying relationship of all four pieces is assured by the joint evidence of phraseology, subject matter, and principal characters. Fragments of B and C, moreover, establish a direct connection with Gilgamesh, Tablet XI.

For the sake of convenience, a further fragment of an Old Babylonian flood text has been included in the present group. It has been marked as Fragment X and given a place immediately after Fragment B. For the present it cannot be determined whether this fragment ever did form an integral part of the earliest version of the epic; it might well have done so. On the other hand, column iv of Fragment D has been omitted from this context and placed instead at the end of Creation of Man by the Mother Goddess (pp. 99f.), where it clearly belongs. The eventual displacement is due to the fact that the present epic came to be used in Assyrian times (if not earlier) as an incantation for childbirth, for which column iv was apparently regarded as the proper accompaniment.

The source material is as follows: (A) A. T. Clay, *YOS*, v,

<sup>•</sup>Deriving the form from *duhhusu*, with v. Soden, *Orientalia*, xviii (1949), 403.

3 (1922), Pis. I-II and *Babylonian Records in the Morgan Library*, iv (1923), 1. (B) A. Boissier, *RA*, xxviii (1931), 92-95. (X) H. V. HUPrecht, *BE*, D, V (1910), 1. (C) F. Delitzsch, *Assyrische Lesestücke* (1885), 101. (D) L. W. King, *CT*, xv (1902), 49. Recent translations: Clay, *op. cit.*, 58 ff.; Ebeling, *AOT*, 200 ff.; A. Boissier, *op. cit.*; Heidel, *GE*, 105 ff.

### OLD BABYLONIAN VERSION

#### A (Tablet II)

##### (i)

[...]

The land became wide, the people became numerous,  
The land *bellowed*<sup>1</sup> like wild oxen.

The god<sup>1a</sup> was disturbed by their uproar.\*  
[*Enlil*] heard their clamor

(And) said to the great gods:

"Oppressive has become the clamor of mankind.

By their uproar they prevent sleep.<sup>3</sup>

[Let] the flour [be cut] off for the people,

[In] their [bellies]<sup>4</sup> let the greens be too few. (10)

[Above] let Adad make scarce his [rain],

[Below<sup>5</sup> let not] flow

[The flood, let it not rise from the] source.

[Let] the wind come,

*Laying bare* the ...

Let the clouds be blown up"

[That rain from heaven] pour not forth.

[Let] the land [with]draw its yield,

[Let it turn] the breast of Nisaba."<sup>7</sup>

##### (ii)

(beginning destroyed)

"In the morning let him cause ... to  
pour [down], (7°)

Let it extend through the night [...],

Let him cause to rain [...]

Let it come upon the field like a thief, let ...

Which Adad had created in the city [...]"

So saying, they called [...]>

Raising up a clamor [...],

They feared not [...].

(over three hundred lines destroyed)

##### (vii)

Enki [opened] his mouth,

Saying to *En[ltl]*:

"Why dost thou swear [...]?"

1 will stretch out my hand at the [ ... ] (390)

\*cf. v. Soden, *ZA*, XLIII (1936), 261.

<sup>1a</sup> i.e. Enlil, the head of the pantheon.

<sup>2</sup> For this noun cf. v. Soden, *ZA*, XLI (1932)» 168, n.2.

<sup>3</sup>cf. Sidney Smith, *RA*, xxii (1925)» 67-68. cf. also D iii, 3, 8, 41 and A Vision of the Nether World, rev. 21 (p. 110). It is worth noting that various phrases from this epic recur in the omens, e.g., the failure of the water to rise from its source, or the resort of mankind to cannibalism; for such passages cf. *Orientalia*, v (1936), 212.

<sup>4</sup> For the restorations in this and the following lines cf. Fragment D, iii, 42 ff., 52 ff.

<sup>5</sup> For the copyist's notation *hi-pi* »-/[«] "new break," see Heidel, *GE*, 108, n.19.

<sup>6</sup> See J. Laessle, *Bi. Or.*, xm (1956), 92.

<sup>7</sup> Nisaba was the goddess of grain. To "turn the breast" is "to repel." The whole phrase, which is repeated several times in the present epic, refers to the cessation of growth.

The flood which thou commandest [ — ].  
Who is he? I [...],  
If I create [a flood]<sup>9</sup>

(For the translation of a few  
more lines see the Addenda.)

(viii)

Atramhasis opened his mouth, (438)  
Saying to his lord:

(There follows the colophon which states that this is  
Tablet II of the series *Enuma ilu awclum*, that it consists  
of 439 lines, and that it was written by Ellit-Aya, the  
"junior" scribe, in the eleventh year of Ammisaduqa.)

B (Tablet III)

[Atramhasis] opened his mouth,  
[Saying] to his lord:  
"[... make known unto me its content  
[...] that I may see\ its ..."  
[Ea] opened his mouth,  
[Say]ing to his servant:  
"Thou sayest 'let me see\ ...'  
The task which I am about to tell thee  
Guard thou well:<sup>9</sup>  
'Wall, hearken to me, (10)  
Reed-hut, guard well all my words!<sup>10</sup>  
Destroy the house, build a ship,  
Renounce (worldly) goods,  
Keep the soul alive!  
The ship that thou shalt build.' "

(Remainder destroyed except for the significant colophon: "... Total 1,245 [lines] of three tablets. By the hand of Ellit-Aya, the junior scribe.... ")

MIDDLE BABYLONIAN VERSION  
X

(For the inclusion of this fragment cf. the introductory remarks. Largely destroyed.)

"[...] I will loosen. (2)  
[...] he will seize all the people together,  
[...], before the flood appears.  
[...], as many as there are,  
I will cause overthrow, affliction,...  
[ ... ] build a large ship.  
[ ... ] of good .. . shall be its structure.  
That [ship] shall be an ark,<sup>11</sup> and its name  
Shall be 'Preserver of Life.'  
[...] ceil (it) with a mighty cover.  
[Into the ship which] thou shalt make, (10)  
[Thou shalt take] the beasts of the field,  
The fowl of the heavens."

(remainder broken away)

<sup>8</sup> See J. Laessle, *Bi.Or.*, xin (1956), 93.

<sup>9</sup> For the following lines cf. the virtually identical passage in *Gilgamesh*, XI, 21 ff.

<sup>10</sup> Reading *zi-ik-ri-ya* with W. F. Geers, cf. Heidel, *GE*, 109, no. 25.

<sup>11</sup> cf. A. Salonen, *Die Wasserfahrzeuge in Babylonien* (1939), 51, under *eleppu qurqurru*.

NEO-ASSYRIAN VERSION I

C

"[...] like the vault of [ . . . ], (2)  
[...] stout above and b[elow],  
[...] calk [...].  
[...] at the stated time of which I will inform t[hee],  
Enter [the ship] and close the door of the ship.  
Aboard her [bring] thy grain, thy possessions, thy goods,  
Thy [wife], thy family, thy relations, and the craftsmen.  
Beasts of the field, creatures of the field, as many as eat  
herbs,

I will send to thee and they shall guard thy door." (10)

Atra[hasis] opened his mouth to speak,  
[Say]ing to Ea, [his] lord:  
"I have never built a ship [...].  
Draw a design [of it on the gr]ound  
That, seeing the [des]ign, I may [build] the ship.  
[E]a dre[w the design] on the ground (saying):  
"[...] what thou hast commanded [...]."

(remainder destroyed)

NEO-ASSYRIAN VERSION II

D

("i" = vi)

[When the th]ird year [arrived], (26)  
The people *became hostile* in their [...].  
When the fourth year [arrived],  
Their places became cramped,  
Their wide [...] became too narrow.  
Downcast<sup>12</sup> the people wandered in the streets. (30)  
When the fifth year arrived,

The daughter seeks entry to the mother,  
(But) the mother opens not [her] door to the daughter.  
The daughter watches the balances of the mother,  
[The mother] watches the balances of the daughter.<sup>13</sup>  
When the sixth year arrived,

They prepared [the daughter] for a meal,  
The child they prepared for food.

Filled were [...].  
One house de[voured] the other.  
Like *ghosts of the dead* their faces [were veiled].  
The people [lived] with bated [breath].  
They received a message [...]. (40)  
They entered and [...].

(remainder mutilated)

("ii" = v)

(beginning missing)

Above [Adad made scarce his rain], (29)

Below [was dammed up the flood], (30)  
[So that it rose not from the source].

The land withdrew [its yield],  
[It turned the breast of] Nisaba.

[During the nights the fields turned white].  
[The broad plain] brought forth sa[lt crystals],<sup>14</sup>  
[So that no plant cam]e forth, [no] grain [sprouted].

<sup>12</sup> See Heidel, *GE*, H1, n.28.

<sup>13</sup> That is, nobody trusted anyone.

<sup>14</sup> cf. Sidney Smith, *RA*, xxn (1925), 63-64.



[Fever was placed upon the people].  
 [The womb was bound so that it could not issue off-  
 spring].  
 [ . . . ]  
 [When the second year arrived],  
 [ . . . ] the stores.  
 [When the third year] arrived,  
 [The people] *became hostile* [in their... ]. (40)  
 [When the fourth year arrived],  
 Their [places] became cramped,  
 [Their wide... ] became too narrow.  
 [Downcast the people wandered] in the streets.  
 [When the fifth year arrived],  
 The daughter seeks [entry] to the mother,  
 [(But) the mother op]ens [not] her door [to the  
 daughter].  
 [The daughter] watches [the balances of the mother],  
 The mother watches [the balances of the daughter].  
 [When the sixth year arrived],  
 [They prepared] the daughter for a meal,  
 [The child] they prepared [for food].  
 [Filled were... ]. (50)  
 One [house] devoured the other.  
 [Like *ghosts of the dead* their faces] were veiled.  
 [The people] lived [with bated] breath.  
 [Endowed with wis]dom, the man Atrahasis—  
 His mind alert [to Ea, his lord]—  
 [Converses] with his god.  
 [His lord, E]a, converses with him.<sup>15</sup>  
 [ . . . ] the gate of his god.  
 Opposite the river he places his bed.  
 [ . . . ] his *rain* .. ,<sup>16</sup>

("iii"=iv)  
 (beginning destroyed)

[Because of] their clamor he is disturbed], (2)  
 [Because of] their uproar [sleep] cannot seize him.  
 [En]lil set up [his] Assembly,  
 [Say]ing to the gods, his sons:  
 "Oppressive has become the clamor of mankind.  
 [Because of their] clamor I am disturbed,  
 [Because of th]eir [up]roar sleep cannot seize me.  
 [ . . . ] let there be chills.  
 The pestilence shall [prompt]ly put an end  
 to their clamor! (10)  
 [Like] a storm it shall blow upon them  
 Aches, dizziness, chills, (and) fever."  
 [ . . . ] there developed chills.  
 The pestilence [prompt]ly put an end to their clamor.  
 [Like] a storm it blew upon them  
 Aches, dizziness, chills, (and) fever.  
 [Endowed with w]isdom, the man Atrahasis—  
 His mind alert [to] Ea, his [lord]—  
 Converses with his god.

<sup>15</sup> At this point the tablet contains the scribal notation *la-iu* "there is not," indicating a blank space in the original. The context, however, is not interrupted. cf. Heidel, *GE*, 113, n.37.

<sup>16</sup> Atrahasis evidently sought to obtain rain for his fellow men by means of some magic practices. Evidently he succeeded, but mankind presently reverted to its earlier ways.

His [lord], Ea, converses with him. (20)  
 Atrahasis opened his mouth, saying  
 To Ea, his lord:  
 "O lord, mankind cries out.  
 Your [*an*]ger consumes the land.  
 [E]a, O lord, mankind groans.  
 [The *anger*] of the gods consumes the land.  
 Yet [it is thou] who hast created us.  
 [Let there c]ease the aches, the dizziness, the chills, the  
 fever!"  
 [Ea opened his mouth to s]peak,  
 Addressing Atrahasis:  
 "[ . . . ] let there appear in the land. (30)  
 [ . . . ] pray to your goddess."  
 (mutilated)<sup>17</sup> (32-36)

[Enlil] set up his Assembly,  
 Speaking to the gods, his sons:  
 "[ . . . ] do not arrange for them.  
 [The people] have not diminished;  
 They are more numerous than before.  
 [Because of] their clamor I am disturbed, (40)  
 [Because of] their uproar sleep cannot seize me.  
 [Let] the fig tree be [cut] off for the people.  
 [In] their bellies let the greens be too few.  
 [Ab]ove let Adad make scarce his rain,  
 Below let the flood be dammed up,  
 Let it not rise from the source.  
 [Let] the land withdraw its yield,  
 [Let] it turn the breast of Nisaba.  
 During the nights let the fields turn white,  
 Let the broad plain bring forth potash,  
 Let the earth's womb<sup>18</sup> revolt,  
 That no plant come forth, no grain sprout.  
 Let fever be placed upon the people, (50)  
 Let [the womb] be bound that it issue not offspring!"  
 They c[ut] off the fig tree for the people,  
 In their bellies the greens became too few.  
 Above Adad made scarce his rain,  
 Below was dammed up the flood,  
 So that it rose not from its source.  
 The land withdrew its yield,  
 It turned the breast of Nisaba.  
 During the nights the fields turned white,  
 (As) the broad plain brought forth potash.  
 The Earth's womb<sup>18</sup> revolted,  
 So that no plant came forth, no grain sprouted.  
 Upon the people was placed fever, (60)  
 The womb was bound and issued not offspring.  
 (For column iv, which has been treated with another  
 myth, see the introductory remarks.)

## Descent of Ishtar to the Nether World

**This myth has as its central theme the detention of the goddess of fertility—Sumerian Inanna, Akkadian Ishtar—in the realm**

<sup>17</sup> To judge from the sequel, the plagues were halted once again, but only temporarily.

<sup>18</sup> See B. Landsberger, *WZKM*, LVI (1960), 113, n. 16.

of the dead and her eventual return to the land of the living. The cuneiform material is extant in Sumerian and Akkadian formulations. The Sumerian version is obviously primary. But although the Semitic version has various points of contact with the older source, it is by no means a mere translation from the Sumerian, for which cf. Kramer, pp. 52-57.

The Semitic version has come down to us in two recensions. The older of these (A) comes from Ashur. (For a fragment of a still older recension—which comes from Ashur and dates from the end of the second millennium B.C.—cf. the eleven initial lines published by Ebeling in *Orientalia*, xviii [1949], 32,37. To judge from this small piece, this older version represented an independent formulation.) Its text has been published in *KAR*, No. 1 (Pis. 1-4), and p. 321. The other recension (N) comes from the library of Ashurbanipal at Nineveh. Its text is found in CT, 15, Pis. 45-48. The translations include those by Jensen, *KB*, vi, 80 S. (N only); S. Geller, in *OLZ*, xx (1917), cols. 41 ff. (the first translation of recension A); Ebeling, in *AOT*, 206 ff.; and Heidel, *GE*, 121 ff. The present translation is a composite one in that it makes use, in common with all the renderings subsequent to the publication of A, of both the Nineveh and the Ashur version. Where the difference between the two is more than stylistic, the recension here followed will be explicitly indicated.

(obverse)

To the Land of no Return, the realm of [*Ereshkigal*],  
Ishtar, the daughter of Sin, [set] her mind.<sup>1</sup>  
Yea, the daughter of Sin set [her] mind  
To the dark house, the abode of Ikkal[la],<sup>2</sup>  
To the house which none leave who have entered it,  
To the road from which there is no way back,  
To the house wherein the entrants are bereft of li[ght],  
Where dust is their fare and clay their food,  
(Where) they see no light, residing in darkness,  
(Where) they are clothed like birds, with wings  
for garments,<sup>8</sup> (10)  
(And where) over door and bolt is spread dust.<sup>4</sup>  
When Ishtar reached the gate of the Land of no Return,  
She said (these) words to the gatekeeper:  
"O gatekeeper, open thy gate,  
Open thy gate that I may enter!  
If thou openest not the gate so that I cannot enter,  
I will smash the door, I will shatter the bolt,  
I will smash the doorpost, I will move the doors,  
I will raise up the dead, eating the living,  
So that the dead will outnumber the living."<sup>5</sup> (20)  
The gatekeeper opened his mouth to speak,  
Saying to exalted Ishtar:  
"Stop, my lady, do not throw it<sup>8</sup> down!  
I will go to announce thy name to Queen E[reshk]igal."  
The gatekeeper entered, saying [to] Eresh[kigal]:  
"Behold,<sup>7</sup> thy sister Ishtar is waiting at [the gate],  
She who upholds<sup>8</sup> the great festivals,  
Who stirs up the deep before Ea, the kfiing]."<sup>9</sup>  
When Ereshkigal heard this,

Her face turned pale<sup>10</sup> like a cut-down tamarisk,  
While her lips turned dark like a bruised  
^«»/»«-reed.<sup>11</sup> (30)  
"What drove her heart to me? What impelled her spirit  
hither?  
Lo, should I drink water with the Anunnaki?  
Should I eat clay for bread, drink muddied water for  
beer?  
Should I bemoan the men who left their wives behind?  
Should I bemoan the maidens who were wrenched from  
the laps of their lovers?  
(Or) should I bemoan the tender little one who was sent  
off before his time?<sup>12</sup>  
Go, gatekeeper, open the gate for her,  
Treat her in accordance with the ancient rules."  
Forth went the gatekeeper (to) open the door for  
her:  
"Enter, my lady, that Cutha<sup>18</sup> may rejoice  
over thee, (40)  
That the palace of the Land of no Return may be glad  
at thy presence."  
When the first door he had made her enter,  
He stripped" and took away the great crown  
on her head.  
"Why, O gatekeeper, didst thou take the great crown on  
my head?"  
"Enter, my lady, thus are the rules of the Mistress of the  
NetherWorld."  
When the second gate he had made her enter,  
He stripped and took away the pendants on her  
ears.  
"Why, O gatekeeper, didst thou take the pendants on  
my ears?"  
"Enter, my lady, thus are the rules of the Mistress of the  
NetherWorld."  
When the third gate he had made her enter,  
He stripped and took away the chains round her  
neck.  
"Why, O gatekeeper, didst thou take the chains round  
my neck?"  
"Enter, my lady, thus are the rules of the Mistress  
of the Nether World." (50)  
When the fourth gate he had made her enter,  
He stripped and took away the ornaments on  
her breast.  
"Why, O gatekeeper, didst thou take the ornaments on  
my breast?"  
"Enter, my lady, thus are the rules of the Mistress of the  
NetherWorld."  
When the fifth gate he had made her enter,  
He stripped and took away the girdle of birth-  
stones on her hips.

<sup>1</sup> Lit. "ear."

<sup>2</sup> Ereshkigal, Queen of the Nether World.

<sup>8</sup> cf. Gilgamesh, VII, iv, 33-39.

\* A adds: "[ . . . ] stillness is poured out."

<sup>5</sup> A reads: "So that the living will outnumber the dead."

<sup>8</sup> The door.

<sup>7</sup> This meaning of *annltu* in N is indicated by A's *annu*.

<sup>8</sup> A reads *mul-ki-il-tu*.

<sup>9</sup> This half of the verse in A only.

<sup>10</sup> From A.

<sup>11</sup> Word play *iabaf* "bruised": *!apat-!a* "her lips."

<sup>12</sup> Le. Ereshkigal would have cause for weeping if all these occupants of the nether world should be liberated by Ishtar. cf. Heidel, *GE*, 123, n.70.

<sup>18</sup> A name of the nether world, the Akkadian city-name *Kutii*.

<sup>14</sup> The form *muffii* "spread out" (clothing), as in Gilgamesh, I, iv, 12, 18, is paralleled by *lahafu* "strip," *ibid*, iii, 43. It may well correspond to our *mutafu*, cf. already, Jensen, *KB*, vi, 396. cf. also the analogous construction *esip tabcd*.

"Why, O gatekeeper, didst thou take the girdle of birthstones on my hips?"

"Enter, my lady, thus are the rules of the Mistress of the NetherWorld."

When the sixth gate he had made her enter,  
He stripped and took away the clasps round her hands and feet.

"Why, O gatekeeper, didst thou take the clasps round my hands and feet?"

"Enter, my lady, thus are the rules of the Mistress of the NetherWorld."

When the seventh gate he had made her enter, (60)  
He stripped and took away the breechcloth round her body.

"Why, O gatekeeper, didst thou take the breechcloth on my body?"

"Enter, my lady, thus are the rules of the Mistress of the NetherWorld."

As soon as Ishtar had descended to the Land of no Return,

Ereshkigal saw her and burst out at her presence.

Ishtar, unreflecting, flew at her.

Ereshkigal opened her mouth to speak,  
Saying (these) words to Namtar, her vizier:

"Go, Namtar, lock [her] up [in] my [palace]!  
Release against her, [against] Ishtar, the sixty mis[eries]:  
Misery of the eyes [against] her [eyes], (70)

Misery of the sides ag[ainst] her [sides],

Misery of the heart ag[ainst] her heart],

Misery of the feet ag[ainst] her [feet],

Misery of the head ag[ainst] her head]—

Against every part of her, against [her whole body]!"

After Lady Ishtar [had descended to the nether world],  
The bull springs not upon the cow, [the ass impregnates  
not the jenny],

In the street [the man impregnates not] the maiden.

The man lies [in his (own) chamber, the maiden lies  
on her side],

[ . . . ]lies [ . . . ]. (80)

(reverse)

The countenance of Papsukkal, the vizier of the great gods,

Was fallen, his face was [clouded].

He was clad in mourning, long hair he wore.

Forth went Papsukkal<sup>15</sup> before Sin his father, weeping,  
[His] tears flowing before Ea, the king:

"Ishtar has gone down to the nether world, she has not  
come up.

Since Ishtar has gone down to the Land of no Return,  
The bull springs not upon the cow, the ass impregnates  
not<sup>16</sup> the jenny,

In the street the man impregnates not the maiden.

The man lies down in his (own) chamber,

The maiden lies down on her side." (10)

Ea<sup>17</sup> in his wise heart conceived an image,

<sup>15</sup> N reads "Shamash."

<sup>16</sup> Causative form of *arii* "to concave," cf. Landsberger, ZA, xli (1933)» 228.

<sup>17</sup> A adds "the king."

And created Asushunamir,<sup>18</sup> a eunuch:

"Up, Asushunamir, set thy face to the gate of the Land  
of no Return;

The seven gates of the Land of no Return shall be  
opened for thee.

Ereshkigal shall see thee and rejoice at thy presence.

When her heart has calmed, her mood is happy,

Let her utter the oath<sup>19</sup> of the great gods.

(Then) lift up thy head, paying mind to the life-water  
bag:<sup>20</sup>

"Pray, Lady, let them give me the life-water bag  
That water therefrom I may drink."<sup>21</sup>

As soon as Ereshkigal heard this,

She smote her thigh,<sup>22</sup> bit her finger:

"Thou didst request of me a thing that should not be  
requested.

Come, Asushunamir, I will curse thee with a mighty  
curse!<sup>23</sup>

The food of the city's *gutters*<sup>24</sup> shall be thy food,

The *sewers* of the city shall be thy drink.

The shadow of the wall shall be thy station,

The threshold shall be thy habitation,

The besotted and the thirsty shall smite thy cheek!"<sup>25</sup>

Ereshkigal opened her mouth to speak,

Saying (these) words to Namtar, her vizier: (30)

"Up, Namtar, knock at Egalgina,<sup>28</sup>

Adorn the thresholds with *coral*-stone,

Bring forth the Anunnaki and seat (them) on thrones  
of gold,

Sprinkle Ishtar with the water of life and take her from  
my presence!"

Forth went Namtar, knocked at Egalgina,

Adorned the thresholds with *coral*-stone,

Brought forth the Anunnaki, seated (them) on thrones  
of gold,

Sprinkled Ishtar with the water of life and took her from  
her presence.<sup>27</sup>

When through the first gate he had made her go out,

He returned to her the breechcloth for her body.

When through the second gate he had made

her go out, (40)

He returned to her the clasps for her hands and feet.

When through the third gate he had made her go out,

He returned to her the birthstone girdle for her hips.

<sup>18</sup> A reads *Asnamer* throughout.

<sup>19</sup> A reads explicitly *ne-el* "oath."

<sup>20</sup> Akk. *halziq{q}u*.

<sup>21</sup> The scheme evidently succeeds as Ereshkigal, distracted by the beauty of *Asulunamir* "His Appearance is Brilliant," does not recover until it is too late.

<sup>22</sup> A gesture of annoyance, or derision.

<sup>23</sup> A reads instead:

"I will decree for thee a fate not to be forgotten,

A fate will I decree for thee,

Not to be forgotten throughout eternity."

<sup>24</sup> A has *e-pi-it*, for which cf. v. Soden, *Orientalia*, xvi (1947). 17«. For the meaning cf. Oppenheim, *Orientalia*, xix (1950). 138. n-3.

<sup>25</sup> For lines 24-28 cf. Gilgamesh VII, iii, 19-22.

<sup>28</sup> "Palace of Justice."

<sup>27</sup> There appears to be at this point a lacuna in N. A adds:

"[ . . . ], up, O Namtar, [talke [Ishtar] away.

[But i]f she does not give thee her ransom price, [br]ing her back." Namtar [t]ook her away and [ . . . ].

When through the fourth gate he had made her go out,  
 He returned to her the ornaments for her breasts.  
 When through the fifth gate he had made her go out,  
 He returned to her the chains for her neck.  
 When through the sixth gate he had made her go out,  
 He returned to her the pendants for her ears.  
 When through the seventh gate he had made her go out,  
 He returned to her the great crown for her head.  
 "If she does not give thee her ransom price, bring her  
 back."  
 As for Tammuz, the lover of her youth,  
 Wash him with pure water, anoint him with sweet oil;  
 Clothe him with a red garment, let him *play* on a flute of  
 lapis.  
 Let courtesans *turn* [Aw]<sup>29</sup> mood." (50)  
 [When] Belili was string[ing]\*<sup>o</sup> her jewelry,  
 [And her] lap was filled with "eye-stones,"<sup>81</sup>  
 On hearing the sound of her brother, Belili struck the  
 jewelry on [ . . . ]  
 So that the "eye-stones" filled [ . . . ] . . . .  
 "My only brother, bring no harm to me!  
 On the day when Tammuz comes up to me,  
 When with him the lapis flute (and) the carnelian  
 ring come up to me,  
 When with him the wailing men and the wailing  
 women come up to me,  
 May the dead rise and smell the incense."

## A Vision of the Nether World

Among the thirty-seven texts which E. Ebeling collected in his *Tod und Leben* (1931) there are several that bear on the subject of myths and epics. For the most part, however, the pertinent material is introduced indirectly, in connection with specific ritual processes.<sup>1</sup> Only Nos. 1 and 37—the first and last in the book—are directly relevant to the present section and hence have been utilized.<sup>2</sup>

Such understanding of No. 1 as we now enjoy is due primarily to W. v. Soden, who in ZA, XLIII (1936) produced a thoroughly revised transliteration, accompanied by photographs, translation, introduction, and brief commentary (pp. 1-31). Ebeling came back with a new transliteration in MAOG, x, 2 (1937) 1 5 which adds a few further improvements. A translation of the reverse of the text (v. Soden's lines 41-75) is given also by Heidel, GE, 132-136.

<sup>28</sup> This continuation of Ereshkigal's instructions appears to be out of place here, as regards the N version. A speaks of the ransom before Ishtar is led away (see the preceding note). The mention of Tammuz is likewise startling in this context. There is no indication in the Sumerian version—contrary to earlier assumptions—that Tammuz had gone down to the nether world. The concluding part of the myth, therefore, will remain obscure in its allusions so long as additional material is not available.

<sup>29</sup> This seems required by the context. It is by no means certain, however, that the final [ . . . ]-»-/« of A goes with [kabittu],

<sup>30</sup> cf. Oppenheim, *op. cit.*, 142, n.7.

<sup>31</sup> Interpreted as "beads" by R. Campbell Thompson, *A Dictionary of Assyrian Chemistry and Geology* (1936), xl.

<sup>1</sup> The same is true also of the large text (KAR, 1, 1915, No. 143) which deals with the passion and eventual triumph of Bel-Marduk; cf. the study by H. Zimmern, *Berichte der sächsischen Akademie der Wissenschaften, phil.-hist. Klasse*, LXX (1918), v, 1-52; see also S. Langdon, *Babylonian Epic of Creation*, 33-59, and the discussion by S. A. Pallis, *The Babylonian Akitu Festival* (1926), pp. 221-34.

<sup>2</sup> For No. 37 cf. *Creation of Man by the Mother Goddess*, pp. 99-100.

The text is inscribed on a large tablet from Ashur, dating from the middle of the seventh century B.C. It is in the form of a prose poem whose lines average over fifty signs each. The background of the story is political, but its mundane allusions are enigmatic and are further obscured by the mutilated character of the obverse. What does emerge is that an Assyrian prince, who is called Kumma<sup>8</sup>—evidently a pseudonym—is so presumptuous as to desire a view of the nether world. His desire is at last granted and the realm of Nergal and Ereshkigal is revealed to him in a dream, as recorded on the reverse of the tablet. In the following translation each line of the original is presented as a brief paragraph. The line count follows the count of the reverse; line 1 corresponds to v. Soden's 41, and so on.

(reverse)

[Kum]ma lay down and beheld a night vision in his dream: "[...]/ held and I saw his awe-inspiring splendor [...].

[Na]mtar, the vizier of the nether world, who creates the decrees, I beheld; a man stood before him; the hair of his head he held in his left, while in his right [he held] a sword [...].

[Na]mtartu, (his) *concubine*, was provided with the head of a *kjurtbu* \* (her) hands (and) feet were human. The death-god was provided with the head of a serpent-dragon, his hands were human, his feet were [...].

The evil [...] (had) the head (and) hands of men; his headgear was a crown; the feet were (those of) a . . . -bird; with his left foot he trod on a *crocodile*. Alluhappu<sup>5</sup> (had) the head (of) a lion, four human hands (and) feet.

'The Upholder of Evil' (had) the head of a bird; his wings were open as he flew to and fro, (his) hands (and) feet were human. 'Remove Hastily,'<sup>7</sup> the boatman of the nether world, (had) the head (of the) Zu-bird; his four hands (and) feet [...].

[...] (had) the head (of) an ox, four human hands (and) feet. The evil Utukku (had) the head (of) a lion, hands (and) feet (of) the Zu-bird. Shulak was a normal lion stand[ing] on his hind legs.

[Ma]mitu (had) the head (of) a goat, human hands (and) feet. Nedu, the gatekeeper of the nether world, (had) the head (of) a lion, human hands, feet (of) a bird. 'All that is Evil'<sup>8</sup> (had) two heads; one head was (that of) a lion, the other head [...].

[...] (had) three feet; the two in front were (those of) a bird, the hind one was (that of) an ox; he was possessed of an awesome brilliance. Two gods—I know not their names—one (had) the head, hands (and) feet (of) the Zu-bird; in his left [...];

The other was provided with a human head; the headgear was a crown; in his right he carried a Mace; in his left [...] / » *all*, fifteen gods were present. When I saw them, I prayed [*to them*].

<sup>8</sup> The full form of the name is given in obverse, 27 as <sup>1</sup> *Ku-um-ma-a*. This is normalized by v. Soden as "Kumma," and by Heidel as "Kum-maya." Either view would seem tenable.

<sup>4</sup> A demon pictured as a sphinx.

<sup>6</sup> The term itself (a loan word from the Sumerian) means a "hunting net."

<sup>6</sup> Akk. *Mukjl-rel-lemutti*.

<sup>7</sup> Akk. *Humut-tabal*. V. Soden (*OLZ*, 1934, 414) calls attention to the analogous "Speed spoil, Haste prey" in Isaiah 8:3.

<sup>8</sup> Akk. *Mimma-lemnu*.

(10) A man (also), his body was black as pitch; his face was like that of Zu; he was clad in a red cloak; in his left he carried a bow, in his right he [Id] a sword; with the left fo[ot] he trod on a *serp[ent]*.

When I moved mine eyes, valiant Nergal was seated on a royal throne; his headgear was the crown of royalty; in his two hands he held two wrathful *Maces* two heads [...].

[...] they were cast down; from [...] of his *arms* lightning was flashing; the Anunnaki, the great gods, stood bowed to the right (and) to the left [...].

The nether world<sup>10</sup> was filled with terror; before the prince lay utter *tf[////]»«/.* [...] took me by the locks of my forehead and dre[w me] before him.

When [I] saw him, my legs trembled as his wrathful brilliance overwhelmed me; I kissed the feet of his [great] godhead as I bowed down; when I stood up, he looked at me, shaking his [head].

With a fierce [c]ry he shrieked at me wrathfully like a fu[ri]ous storm; the scepter, which befits his divinity, one which is full of terror, like a viper,

He drew [tow]ards me in order to kill [me]; Ishum, his counselor, the intercessor who spares life, who loves truth, and so forth, spoke up: 'Put not the fellow to death, thou *do[ugh]ty* ruler of the nether world!

Let the subjects of all the land ever hear [...] of thy fame!' The heart of the all-powerful, the almighty, who vanquishes the evil ones, he soothed like clear water of the well.

Nergal *delivered* this his statement: 'Why didst thou *slight* my beloved wife, the Queen of the Nether World?<sup>12</sup>

[A]t her exalted command, which is not to be altered, Bib/«,<sup>18</sup> the slaughterer of the nether world, shall entrust thee to Lugalsula, the gatekeeper, that he may lead [thee] out through the Ishtar-Aya gate.

(20) [For]get and forsake me not, and I will not impose the death sentence; (yet) at the command of Shamash, shall distress, oppression, and disorders

[...] shall together blow thee down;<sup>14</sup> because of their *fierce* uproar sleep shall not engulf thee.<sup>15</sup>

This [*spirit of the dead*], whom [thou] hast seen in the nether world, is that of the exalted shepherd to whom my father, [...], the king of the gods, granted all that was in his heart;

[It is that of him] who all the lands from east to west fattened like ... as he ruled over all;

[Of him to whom] Ashur, in view of his priesthood, [...] the celebration of the holy New-Year's-Festival-

<sup>9</sup> Reading *me-i-fil*

<sup>10</sup> Akk. *arallu* (a Sumerian loan word), in stylistic contrast to *erjetum*, lit. "earth," which was used in the preceding lines.

<sup>11</sup> cf. v. Soden, ZA, XLIII (1936), 29.

<sup>12</sup> By being so presumptuous as to enter her realm.

<sup>18</sup> Reading highly uncertain. On the photograph (ZA, XLIII, Pl. 111) the sign is damaged and ambiguous. Ebeling reads *Bi-ib-bu*.

<sup>14</sup> Reading *lid-dib-ba-ni-ka-ma* (root *edebu*), with v. Soden, ZA, XLII, 30.

<sup>15</sup> cf. Atral)as's. A, 8; D, iii, 2, 8, 41; for the verbal root cf. Gilgamesh, V (Boghazkoy fragment, KUB, iv, No. 12, 6): *littu rahit muu*.

in-the-Plain, in the Garden of Plenty,<sup>16</sup> the image of Lebanon, [...] forever

[*Decr]eed*, and whose body Yabru, Humba, (and) Naprushu" protected, whose seed they preserved, whose army (and) camp they rescued, so that in battle no *charioteer* came near him.

[And h]e, thy begetter, the *e[min]ent*, the one experienced in matters, of wide understanding, broad and wise in spirit, who ponders<sup>18</sup> the designs of the earth mass,

(Who), *nevertheless*, sealed his mind to his<sup>19</sup> speech, who partook of the forbidden and trampled on the consecrated—you (two) will the fearsome brilliance of his majesty overwhelm speedily *everywhere*.<sup>20</sup>

May this word be laid<sup>21</sup> on your hearts like unto a thorn! Go (back) to the upper regions, until I bethink me of thee!' As he spoke to me,

I awoke." And like a man who has shed blood, who wanders alone in the marshes, (and) whom a catchpole has overcome,<sup>22</sup> while his heart pounded,

(30) Or like a young boar just matured, who has mounted on his mate—his insides constantly tumescing—he ejected dirt<sup>28</sup> from his mouth and behind.

He emitted a lamentation,<sup>24</sup> saying, "Woe, my heart!" Flying into the street like an arrow, he scooped up the dust of the road (and) market place into his mouth, as he kept sounding the fearsome *cry*, "Woe! Ah me!

Why hast thou decreed this for me (Thus) calling, he poignantly praised, before the subjects of Ashur the valor of Nergal (and) Ereshkigal, who had helpfully stood by this prince.

And as for that scribe who had previously accepted bribe(s) as he occupied the post of his father, owing to the clever understanding which Ea had imparted to him,

He heeded<sup>25</sup> in his heart the *w[ord]s* of praise, speaking thus inside him: "In order that the pacts for evil draw not close to me nor press upon me,

I will carry out the deeds [that *Nergal*] has commanded!" He went forth and repeated it to the palace, saying: "This shall be my expiation."

<sup>16</sup> A reference, obviously, to the celebration in the Country Temple at Ashur, for which cf. W. Andrae, *Das wiedererstandene Assur* (1938), 37-39, 214-15.

<sup>17</sup> For these three Elamite deities cf. v. Soden, *loc. cit.*, 30.

<sup>18</sup> For this as a possible nuance of *hafu* cf. the material collected by A. L. Oppenheim, in *Orientalia*, xrv (1945), 235-38.

<sup>19</sup> Referring to some unnamed deity.

<sup>20</sup> The Sumerian equivalent of this phrase, which Ebeling cites (*Tod und Leben*, 9, d) and v. Soden repeats (*loc. cit.*, 31), is in itself obscure in some respects. The Akk. may perhaps mean "as far as the wind (can penetrate)," hence "everywhere." Or perhaps "beyond trace."

<sup>21</sup> Less probable, for syntactic reasons, would be the derivation of the verbal form from *nafu* "scourge," cf. (*The Assyrian Lam*) KAV, 1 vi, 44.

<sup>22</sup> For *bel birhi* cf. the reference cited by v. Soden, *loc. cit.*, 31, but add, also, KAR, 174, rev., 3, line 25. Of special importance in this connection is a passage from the Erra Myth, KAR, 169, rev., 2, line 15, where *efel(?) btr-ki i-la-'a* is followed by *a-ku-u bel e-mu-qi i-kat-tam* "the weak shall overcome the mighty." Here *katamu* is parallel to *le'u* "prevail," and *bel emuqi* to an apparent synonym of *bel birhi*. Accordingly, the form *ihfummuiuma* in our verse cannot be derived, with v. Soden, from *\amS*, but must be connected with *katamu*.

<sup>28</sup> Lit. "clay."

<sup>24</sup> For the reading *sil-pit-tu* cf. Ebeling, *MAOG*, x, 2, p. 20.

<sup>25</sup> For this force of *iadadu* cf. Gilgamesh, XII, 32, and note 242, *ibid*.

## The Myth of Zu

This myth deals, in its Akkadian formulation, with the theft of the Tablet of Destinies and the arrogation of the supreme authority of the gods by the bird-god, Zu, who is eventually vanquished by one of the benign deities. It is probable that Zu belongs to the realm of the nether world.<sup>1</sup> The extant Sumerian material does not connect him with the episode that constitutes the core of the Akkadian myth. The Semitic versions are fragmentary, so that an adequate comparative study is as yet impossible. Until 1938 there was available only a portion of the Ashurbanipal recension (B). In that year, however, Father V. Scheil published two incomplete tablets of a Susa recension, which dates from Old Babylonian times and presents the two middle tablets—now largely mutilated—of what appears to have been originally a four-tablet composition. Recently collated and re-edited by J. Nougayrol, the Susa text has lately been supplemented by a close congener discovered among the Ashur tablets; it has been published in transliteration and translation by E. Ebeling. This combined new material (OB Version) helps to fill gaps in the Assyrian Version and carries the story farther. Since the conclusion, however, is still missing, the identity of the god who succeeded eventually in taming Zu remains uncertain. It may have been Ningirsu at the start (with Nougayrol), becoming supplanted by Ninurta (Ebeling) and eventually replaced by Marduk or the given local chief of the pantheon.

The translation of the OB Version, which precedes that of the Assyrian recension, has been pieced together from the Scheil-Nougayrol and Ebeling publications.

The Myth of Zu is of outstanding importance in that it links supreme cosmic authority (Enlilship) to the control of the Tablet of Destinies (cf. *Epic of Creation*, 1, 156).

Literature: OB Version, Text, *RA*, xxxv (1938), 20-23. Transliteration and translation, *ibid.*, 14-19, 22 ff.; J. Nougayrol, *RA*, XLVI (1952), 87-97; E. Ebeling, *ibid.*, 25-41. Assyrian Version, Text, *CT*, xv (1902), 39-40. Add now *RA*, XLVIII, 146. Translation, P. Jensen, *KB*, vi, 1 (1900), 47-55; Ebeling, *AOT*, 141-43; Heidel, *BGz* (1951), 144-47.<sup>1</sup> For OB text add now *LKA*, 1.

### OB VERSION

(Tablet 1 missing)

#### Tablet 2

He<sup>2</sup> took away the Enlilship; suspended were the norms.<sup>8</sup>

Father Enlil, their counselor, was speechless.

Blinding brightness spilled out, silence prevailed.

The Igigi, one and all, were upset;

The sanctuary took off its brilliance.

The gods of the land gathered one by one at the news.

Anu opened his mouth,

Saying to the gods, his sons:

"Which of the gods shall slay Zu?

His name shall be the greatest of all!" (10)

They called the Irrigator,<sup>4</sup> the son of Anu;

He who gives the orders addressed him:

"[In] thy *resolute* onslaught bring lightning upon Zu with thy weapons!

[Thy name shall be the greatest] among the great gods,

<sup>1</sup> cf. also T. Fish, The Zu Bird, *Bulletin of the John Rylands Library*, xxxi (1948), 162-71. B. Landsberger, *WZKM*, LVII (1961), 1-21 reads the name as Anzu.

<sup>2</sup>Zu.  
<sup>3</sup> This section corresponds to lines 21 ff. of the Assyrian version. The unambiguous OB nominative *parsii* confirms B. Landsberger's interpretation of the phrase (*AfO*, 11, 1924, 66) in the Nineveh account against the otherwise universal "the issuing of the decrees."

<sup>4</sup> Epithet of Adad. In the next line one might read *lu-ub-ri-iq* for *sti-up-ri-ik*, with Heidel, and render "strike with lightning."

[Among the gods, thy brothers], thou shalt ha[ve] no equal.

[Glorified before] the gods, pot[ent] shall be thy name!" [To Anu, his father, Adad add]re[ssed these words]:

"[My father, to the trackless mountain] w[ho] will ha[sten] P

[Who is like Z]u among thy sons?

[ . . . ] he deprived a god of [his] E[nlilship]!

[Now wh]at is there that could bring him

to justice?<sup>5</sup> (20)

[Behold,] his command is like that of the god of Duranki,"

[He who opposes] him becomes like clay,

[At] his [ . . . ] the gods waste away."

[Anu] bade him to forego the journey.

They called the [Fire-g]od,<sup>7</sup> first-born of Anunitum;<sup>8</sup>

He who gives the orders addressed him.

Shara they called, the first-born of Ishtar;

He who gives the orders addressed him.<sup>9</sup>

As the gods calmed, [they exchanged counsel.

The Igigi assembled, [ . . . ] troubled: (30)

They [caused] to *ascend* to him the master of wisdom, who dwells in the Deep.<sup>10</sup>

The matter that was in his mind [to Anu], his [father] he mentioned:

"I have disposed h[is] downfall [and . . . of] Zu

I shall make known in the Assembly."

Th[e gods of the land], hearing [this] his speech,

Were [*excited and*] kissed his feet.

[As for Ea,] the pre-eminence of Mah,<sup>11</sup> mistress of designs, he proclaimed in the Assembly:

"[Call] the potent, the resplendent, thy beloved,

The wide-breasted, who conducts the Seven to combat,

[Ning]irsu,<sup>12</sup> the potent, the re[splen]dent, thy beloved,

The wide-breasted, who conducts the Seven

to combat." (40)

When she had he[ard] this his speech,

Pre-eminent Mah signified assent.

The gods of the land rejoiced at her word;

Excited, they kissed her feet.

Having issued the call in the Assembly of the gods,

She instructed her son, her heart's beloved,

Saying to him:

"Before Anu and Dagan, the most exalted,

<sup>5</sup> One of the several idioms combining *reiu* and *nalii* (cf. A. L. Oppenheim, *J4oS*, LXI (1941), 252 ff. Before *it-ta-li* r<r-//[/<] I would read [mi-];-/<; cf. Gilgamesh, Yale Tablet, III rv, 10 and cf. *ZA* XL (1932), 200. N. (Nougayrol, *RA*, XLVI, 87 ff.) 88, 20 translates "set out for" and supplements [*Ia-d*]i-ii-st\*, which would seem to be grammatically precarious.

<cf. below, n.16.

<sup>7</sup> Reading [^BILG]I with Nougayrol, *ad loc.*

<sup>8</sup> A form of Ishtar.

<sup>9</sup> The Assyrian version repeats with each god the same speech that is attributed to Adad. The OB version avoids this redundancy.

<sup>10</sup> Namely, Ea.

<sup>11</sup> Nougayrol's revised reading shows that the goddess in question is *Mah*, a synonym of *Mammi*; the latter is indeed cited in line 48. And just as *Mammi* is described as n i n . m e "Lady of the Norms," (cf. Tallqvist, *Ahjkadische Gotterepitheta*, 1938, 414), our *Mah-Mammi* is glossed here as *belet* \u\surati "mistress of designs, decrees." Note also the mention of Ma(m)mi in the fragmentary introduction to the Assyrian version (*CT*, xx< 39. >> 2. 4; cf. Nougayrol, *RA*, XLVI, 87, n.1).

<sup>12</sup> For this god cf. Nougayrol, *loc. cit.* The Assyrian text, which comes in at line 52, substitutes Ninurta consistently.

[ . . . ] their regulations<sup>11\*</sup> they had proclaimed in the  
 Assembly,  
 [With sh]rieks of pain I gave birth to them all.  
 [ . . . the e]qual of the gods? I, Mammi!<sup>12b</sup>  
 [Who] ascertained for my brother and for Anu  
 the kingship of heaven?  
 [The . . . ] of the kingship which I ascertained am I!  
 [ . . . ] thy father I formed. (51)  
 [ . . . ] to appoint a *time*;  
 [For the gods whom / have fa]shioned bring forth  
 light.  
 Launch thy [full] offensive,  
 [ . . . ] let them . . . *the mountains*,  
 Capture [the fugitive] Zu,  
 And [(thus) bring peace to the *earth* which I crea]ted  
 While bringing chaos to his abode.  
 Heap up<sup>12c</sup> [things to frighten] him,  
 [Let thy terrifying offensive] rage [against him]. (59)  
 (Lines 60-63 are too broken for translation.)  
 Let the terror of thy (batde-)cry cast him down, (64)  
 Let him experience<sup>1\*</sup> darkness, let his sight change for  
 the worse!  
 Let him not escape thee in the encounter;  
 Let his pinion(s) collapse.  
 Let thy visage change like a demon's!  
 Bring forth the cyclone so that he cannot  
 recognize thy features.  
 (Two lines from Speiser's composite  
 translation have been omitted at this point.)

Let not the sun shine forth on high!  
 Let the bright day turn for him to gloom!  
 Destroy his breath by taming Zu!  
 Let the winds carry his wings to places undisclosed, (70)  
 Towards Ekur, to his father!  
 (Five lines from Speiser's composite  
 translation have been omitted at this point.)

<sup>12a</sup> Here *parsu* has its alternative sense of "rite, regulation," cf. *A/O*, n, 67.

<sup>12b</sup> I have followed Nougayrol in his interpretation of lines 47-51.

<sup>12c</sup> Read perhaps [i]i-ir-ta-ft-na\—which form is unambiguous in the Assyrian version II, 7; for the meaning cf. *Creation Epic*, VII, 119.

<sup>18</sup> For the same phrase in omens cf. A. Goetze, *JCS*, 1 (1947), 25<sup>^</sup>.

Let the winds carry his wings to places  
 undisclosed." (72)  
 When the hero had heard the speech of his mother,  
 His batde courage grew firmer (and) he repaired to  
 the mountain.<sup>14</sup>  
 She who hitches the Seven[-of-the-Battle],  
 The seven whirlwinds that ca[use the dust to dance],  
 She who hitches the Seven-of-the-Battle,  
 [Ordered the furious struggle, incited] his battle.

Let the gods . . . *the mountains*.  
 On the slope of Zu's mountain the god appeared. (80)  
 (Here ends Tablet II of the Susa version, the corre-  
 sponding point in Tablet II of the late recension being  
 line 35. The fragmentary text of Susa III has not been  
 included because it is duplicated by the better preserved  
 Tablet II of the late recension which has been translated  
 in the Addenda. The only exception is the last four lines  
 of Susa III on which see the Addenda.)

#### ASSYRIAN VERSION

(For column i see Supplement, p. 514.)

#### (ii)

And all the decrees of the gods he directed.<sup>15</sup>  
 To convey them he dispatched Zu,  
 Enlil entrusted to him the . . . of the entrance to his  
 shrine.  
 The [ . . . ]ing of pure water before him.  
 The exercise of his Enlilship his eyes view.  
 The crown of his sovereignty, the robe of his godhead,  
 His divine Tablet of Destinies Zu views constandy.  
 As he views constandy the father of the gods, the god  
 of Duranki,<sup>16</sup>  
 The removal<sup>17</sup> of Enlilship he conceives in his heart.  
 As Zu views constantly the father of the gods, the god  
 of Duranki,  
 The removal of Enlilship he conceives in his heart  
 "I will take the divine Tablet of Destinies, I,  
 And the decrees of all the gods I will rule!

<sup>14</sup> cf. N., 97, n. to j, 72 (after v. Soden).

<sup>15</sup> Reading *u-ma[-'ir]*. For the restoration of lines 2-3 cf. Nougayrol, *RA*, xi.vi (1952), 87, n.3.

<sup>16</sup> Here and in A (2, 21; 3, 8) the Temple Tower at Nippur rather than the city of Der.

<sup>17</sup> Reading M<sup>^</sup>-H/.



I will make firm my throne and be the master of the norms,

I will direct the totality of all the Igigi."

His heart having thus plotted aggression,

At the entrance of the sanctuary, which he had been viewing,

He awaits the start of day.

As Enlil was washing with pure water,

His crown having been removed and deposited on the throne,

He<sup>18</sup> seized the Tablet of Destinies in his hands,<sup>19</sup> (20)

Taking away the Enlilship; suspended were [the norms].

When Zu had flown away and repaired to<sup>20</sup> his mountain,<sup>21</sup>

Stillness spread abroad,<sup>22</sup> [silence] prevailed.

Father Enlil, their counselor, was speechless.<sup>28</sup>

The sanctuary took off<sup>24</sup> its brilliance.

[The gods of the l]and rallied<sup>25</sup> at the ne[ws].

Anu op[ened] his mouth to speak,

Saying to the gods, his sons:

"[Wh]o<sup>28</sup> will slay Zu,

And make his name the greatest [in] the settlements?"

(30)

They called the [Irrigator, the son of Anu;

[He who gi]ves the orders<sup>27</sup> addressed him.

They called Adad, the Irrigator, the son of Anu;

[He who gi]ves the orders addressed him:

"[Tho]u potent one, all-conquering Adad—immovable thy onslaught—

[Bring] lightning on<sup>28</sup> Zu with thy weapons!

Thy [name] shall fye the greatest in the Assembly of the great gods,

[Among the god]s, thy brothers, thou shalt have no equal!

[Let] built shrines [app]ear,

[In the] four [qu]arters establish thy cult sites, (40)

Let thy [cult si]tes re-enter Ekur!

[Glori]fied before the gods and potent shall be thy name!"

[Ada]d replied to the command,

Saying (these) words [to A]nu, his father:

"[My father, to the] trackless [mountain] who will hasten ?

[Who is li]ke Zu among the gods, thy sons?

[The Tablet of Destinies] he has seized in his hands,

[The Enlilship] he has taken away; suspended are the norms.

[Zu] has flown away repairing to his mountain.

His [utteran]ce has become like that of the god

of Duranki.

(50)

[He who opposes] him will become [like clay],

[At] his [ . . . the gods waste away]."

[Anu bade him to forego the] journey.<sup>29</sup>

(iii)

(The first twenty-three lines of this column [54-76 in consecutive line count] are almost totally destroyed, except for portions of the last five lines. These correspond to lines 49-53 above. Apparently another deity had been called in, but declined to go against Zu. It should be noted that in the Susa Version the first-born of Ishtar is the second god to be called [the third in the Assyrian Version]. Moreover, he appears to have accepted the challenge, unlike his counterpart in the present instance.)

[They] called [Shara], the first-born<sup>30</sup> of Ishtar. (77)

[He who gives the or]ders addressed him:

"[Thou pot]ent one, all-conquering Shara—

immovable thy onslaught—

(80)

fBring lightning upon] Zu with thy weapons!

Thy name] shall be the greatest in the Assembly of the great gods,

[Am]ong the gods, thy brothers, thou shalt have no equal!

Let built shrine appear,

In the four quarters establish thy cult sites,

Let thy cult sites re-enter Ekur!

Glorified before the gods and potent shall be thy name!"

Shara replied to the command,

Saying (these) words to Anu, his father:

"My father, to the trackless mountain who will hasten ?

Who is like Zu among the gods, thy sons ? (90)

The Tablet of Destinies he has seized in his hands,

The Enlilship he has taken away; suspended are the norms.

Zu has flown away repairing to his mountain.

[His] utter[ance] has [be]come [like that of the god of Duranki].

[He who opposes him will become like clay],

[At his . . . the gods waste away]."

[Anu bade Shara to forego the journey].

For the remainder of the tablet see the Supplement.

Another incomplete tablet [CT, xv, Pis. 41-42] belongs to the Lugalbanda cycle—represented primarily in Sumerian—which tells us that Lugalbanda set out to conquer Zu by first plying him with intoxicants. In a hymn of Ashurbanipal it is Marduk who is celebrated as "the one who crushed the skull of Zu." And we have seen that the Susa text features Ningirsu, and the new text from Ashur has Ninurta, but the ultimate conqueror remains in doubt)

<sup>18</sup> Zu.

<sup>19</sup> Here begins the parallel account of the OB version.

<sup>20</sup> Reading *ii-l(u)*; cf. n.17.

<sup>21</sup> The parallel text in N, 20 has *it-ta-li re-li-l(u)*. The sense appears to be here "to be distant in one's mountain, be secure." For "mountain" note the puzzling *yuR.MG.MtJ* in N., 92, 55, 79.

<sup>22</sup> The same form *ittatba*( is used here of "stillness" and in N., 3 of "brightness." Both meanings ("disappear" and "spread") are attested, deriving from an underlying "be poured out." For a close parallel to the present text cf. the passage in the Old Babylonian Legend, CT, xv, Pl. iv, 5.

"Reading *J[u-£a-ru]-ur*, with N., 2.

<sup>24</sup> The form *il-ta-£a-af* in N, 5 gives us the correct reading of the present form as *il-ta-£raf*.

<sup>25</sup> A, 5 has *iptanahhuru* "gathered time and again, from all sides."

<sup>26</sup> Perhaps *[a-a]-ii (ilu)* "which god?" in view of »-/« *ma-an-nu-um* in A, 9.

<sup>27</sup> cf. A, 11, which now gives us the correct supplementation.

<sup>28</sup> Supplying *[lu-u] b-ri-iq* from N., 11 with Heidel, BG, 145, n.17.

<sup>29</sup> The last three lines have been supplemented from 74-77.

<sup>30</sup> Reading *bu-kur* (not *bttrnu*), in view of *bu-k^ur* in N., 27.



## Etana

The legendary dynasty of Kish which followed the Flood lists among its rulers "Etana, a shepherd, the one who to heaven ascended."<sup>1</sup> Cylinder seals of the Old Akkadian period depict a shepherd rising heavenwards on the wings of an eagle.<sup>2</sup> And a figure by the name of Etana—a mortal in all respects, except that his name may be written with the determinative for "god," a usage applied also to kings of the Old Akkadian and some of the succeeding dynasties—is the subject of an elaborate legend. The subject matter is thus clearly one of great antiquity. Its popularity, moreover, is attested by the fact that the legend has come down to us in fragments of three recensions: The Old Babylonian (A); the Middle Assyrian (B); and the Neo-Assyrian—from the library of Ashurbanipal (C). With the aid of these three versions, of which the latest is by far the best-preserved, the outlines of the story may be reconstructed as follows:

Etana had been designated to bring to mankind the security that kingship affords. But his life was blighted so long as he remained childless. The one known remedy appeared to be the plant of birth, which Etana must bring down in person from heaven. The difficult problem of the flight to heaven was eventually solved by Etana's enlisting the aid of an eagle. The eagle had betrayed his friend, the serpent, and was languishing in a pit as a result of his perfidy. Etana rescues the bird and, as a reward, is carried by the eagle on a spectacular and fitful flight. His text fails us at the critical juncture. But the fact that the king list records the name of Etana's son and heir, and the further fact that myths depicted on seals do not normally commemorate disaster,<sup>8</sup> permit the conclusion that the ending was a happy one after all.

The various texts which represent the Old Babylonian and the Neo-Assyrian recensions (A and C) have been republished by S. Langdon in *Babyloniaca*, XII (1931), Pis. i-xiv, and have been discussed by him, *ibid.*, pp. 1-53. Our text references will be limited in the main to Langdon's copies, which furnish also an adequate guide to the respective sources. But Langdon's attempt to piece together a consecutive story from documents separated by more than a millennium has not been followed in this translation. Instead, the material has been grouped according to periods. Thirteen years after Langdon's publication, E. Ebeling was able to add to the Etana material by publishing fragments of a Middle Assyrian version, *AfO*, xiv (1944), Pis. ix-x, and pp. 298-303, together with new Neo-Assyrian fragments, *ibid.*, Pis. XI-XII, and pp. 303-07. Older translations include those of P. Jensen, *KB*, vi, 1 (1900), 100-15, and 581-88; and of E. Ebeling, *AOT*, 235-40.<sup>4</sup> Detailed references will be given with each of the headings in the translation which follows.

### OLD BABYLONIAN VERSION

A-i<sup>5</sup>

(o)

The great Anunnaki, who decree the fate,  
Sat down, taking counsel about the land.  
They who created the regions, who set up the establish-  
ments,  
The Igigi were too lofty for mankind,  
A stated time for mankind they decreed.

<sup>1</sup> cf. Th. Jacobsen, *The Sumerian King List* (1939), 80-81.

<sup>2</sup> H. Frankfort, *Cylinder Seals* (1939), 138-39, and Pl. xxiv-A.

<sup>8</sup> *ibid.*, 138. E. D. Van Buren, *Orientalia*, xix, 159 ff.

<sup>4</sup> cf. also, P. Dhorme, *Choix de textes religieux assyro-babyloniens* (1907), 162-81.

<sup>5</sup> *Babyloniaca*, xii (1931), Pl. xn and p. 10 ff.; *KB*, vi, v (1900), 582 ff.

The beclouded<sup>6</sup> people, in all, had not set up a king.  
At that time, no tiara had been tied on, nor crown,  
And no scepter had been inlaid with lapis;  
The shrines had not been built altogether.  
The Seven<sup>7</sup> had barred the gates against  
the settlers.<sup>6</sup> (10)

Scepter, crown, tiara, and (shepherd's) crook  
Lay deposited before Anu in heaven,  
There being no counseling for its<sup>9</sup> people.  
(Then) kingship descended from heaven.

(The remaining lines of this column, and nearly all of the following four columns, are missing. When the text becomes connected again, the eagle had appeared in the account:)

(v)

"O Shamash, ta[ke] my hand [...], (13)  
Me [...]."  
Shamash op[ened] his mouth, [saying to the eagle]:  
"Thou hast dealt wickedly [...].  
The detested of the g[ods and the forbidden thou didst  
eat]."

(vi)

By his [h]and he seized h i m . . . [...].  
In the eighth month he caused (him) to pass by his pit.  
The eagle, having received the food like a howling lion,  
Gained strength.  
The eagle opened his [mou]th, saying to Etana:  
"My friend, verily we are joined in friendship, I and  
thou!  
Say but to me what thou wishest of me, and I will grant  
it to thee."  
Etana opened his mouth, saying to the eagle:  
" . . . [ . . . ] . a hidden thing."

(tablet ends)

A-2<sup>10</sup>

(obverse)

"May the path be lost for him that he find not the way!  
May the mountain withhold from him its passage.  
May the darting weapon head straight for him!"<sup>11</sup>  
They swore (this) oath to each other.  
All were conceived, all were born.  
In the shade of the *styrax-ticc*<sup>12</sup> begets the serpent;  
On its crown begets the eagle.

<sup>6</sup> A metaphor for "mankind."

<sup>7</sup> Not "the seven gates were locked" (Langdon, *Babyloniaca*, xn, 11), but "the divine Seven (barred the gates)," cf., below, C-i, line 17, where these deities are equated with the Igigi.

<sup>8</sup> Reading *da-adl-nim*, cf. *da-ad-me* in the parallel passage, C-i, 18; the word means "settlements" and, by extension, "settlers," cf. B. Meissner, *Beiträge zum assyrischen Wörterbuch*, 1 (1931), 35-37. For the interchange *m/n* cf. *lalmjnu* "dual combat," W. v. Soden, *ZA*, XLI (1933), 169, and 166 n.i.

<sup>9</sup> Evidently, the earth's. The term *mitlu* "counseling, consultation" refers here to the function of the *maliku*, a cognate of the Hebrew word for "king." It is a significant commentary on the nature of kingship in Mesopotamian civilization.

<sup>10</sup> *Babyloniaca*, xn, Pis. xm-xrv and pp. 14 ff.

<sup>11</sup> This is the concluding part of the oath taken by the eagle and the serpent; cf. the Middle Assyrian Version (B), 4-7, and the Neo-Assyrian passage, C-2, lines 11-16.

<sup>12</sup> For this identification cf. R. Campbell Thompson, *A Dictionary of Assyrian Chemistry and Geology* (1936), xxvi.

When the serpent has caught a wild ox (or) a wild sheep,<sup>13</sup>

The eagle feeds, his young feed.

When the serpent has caught a leopard (or) a

tiger,<sup>14</sup>

(10)

The eagle feeds, his young feed.

After his young had grown in age [and size],

[Their] wings had ac[quired... ],

The eagle [plotted evil] in his heart:

"My young [have grown in age and size];

They will go forth to seek [...],

They will seek the plant(s) [...],

Then I will devour the young of the serpent [...]!

I will go up and in [heaven]

I will dwell [...]!

(20)

Who is there that [...]?"

The [little] fledgling, [exceeding wise],<sup>15</sup>

To the ea[gle, his father (these) words addressed]:

"Myfather, [...]."

(remainder of obverse destroyed)

(reverse)

(beginning mutilated)

The serpent cast down [his burden] before

[his young].<sup>19</sup>

(5)

He glanced round: [his young] were not there!

With his claws he [scrapes] the ground;<sup>17</sup>

[The dust of the nest covers] the sky.

[The serpent... ] weeps,

His te[ars]<sup>18</sup> flowing [before Shamash]:

(10)

"I put my trust in thee, valiant Shamash;

To the eagle I extended goodwill.

I revered and honored thine oath,

I upheld not evil against my friend.

Yet he, his nest is whole, but [my] nest is shattered,

The nest of the serpent has become a dirge;

His fledglings are whole, my young are not there!

He came down and devoured my offspring.

Know thou, O Shamash, that he pursues evil.

Thy net is the wi[de] field,

(20)

Thy snare [is the faraway sky].

May the eagle not [escape] from thy net,

The doer of ev[il and abo]mination,

Who upholds e[vil] against his friend!"

MIDDLE ASSYRIAN VERSION<sup>16</sup>

(i)

(beginning mutilated)

"May the da[rt]ing [weapon] head straight for him,

(4)

May Shamash single him out<sup>20</sup> from among the killers,

<sup>13</sup> cf. B. Landsberger, *Fauna* (1934), 10, 144.

<sup>14</sup> *ibid.*, 84.

<sup>15</sup> cf. the new fragment, *AfO*, xiv (1944), Pl. XII (K 5299) and pp. 304 T

<sup>16</sup> *ibid.*, 305, line 9.

<sup>17</sup> Reading *qa-qal-ra[-am]*, cf. *qaq-qa-ra*, *AfO*, xiv, *loc. cit.*, 11.

<sup>18</sup> Reading *dil-[ma-a]-lu*, cf. *ibid.*, 13 and n.52.

<sup>19</sup> E. Ebeling, *AfO*, xiv, Pl. ix and pp. 299-303; *LKA*, 14.

<sup>20</sup> Lit. "lift up his head," in the sense of "call to account"; cf. *The Myth of Zu*, p. HI, n.5.

May Shamash hand over the wicked one to the executioner!

May he place the wicked demon upon his plain!"<sup>21</sup>

On the crown of the tree the eagle begets,

At the base of the *styrax-tree* begets the serpent.

In the shade of that *styrax-ticc*

(10)

The eagle and the serpent formed a friendship,

Taking the oath to remain companions.

The desire of their hearts

They expounded to each other.

The serpent goes forth to hunt;

When *wild sheep* and *wild goats*<sup>22</sup>

The serpent has caught,

The eagle feeds, withdraws,<sup>28</sup>

His young feed.

When the serpent has caught mountain goats, gazelles

of the steppe,

(20)

The [ea]gle feeds, withdraws, his young feed.

When the serpent has caught [the leopard] of the

steppe, the creatures of the earth,

[The eagle] feeds, withdraws, his young feed.

[After the young] of the eagle

[Had grown] in age and size,

Had acquired [*stature*],

[The eagle the young of] his [friend]

[To devour set] his [mind].

(Remainder of the column destroyed. Column ii too fragmentary for translation. The context corresponds to our C-3, 39 if.)

NEO-ASSYRIAN VERSION

C-i<sup>24</sup>

(beginning mutilated)

The great Anunnaki [who decree the fate],

[Sat] exchanging their counsels [about the land]. (10)

They who created the four<sup>25</sup> regions [...],

The command of all the Igigi the people [*neglected*].

The [ . . . ] had not set up [a king].

In those days, [no tiara had been tied on, nor crown],

And [no] scepter had been [inlaid] with lapis.

The regions had not been created altogether.

The divine Seven against the people barred [the gates],

Against the settlers they barred [...].

The Igigi had turned away [from the city].

Ishtar a shepherd [for the people ... ],

(20)

And a king she seeks [for the city].

Enlil inspects the quarters of heaven [...],

As he continues searching [...].

In the land a king [...],

Kingship [...].

Then [his heart] prompted Enlil [...].

The gods [...].

<sup>21</sup> Oath sworn by the eagle and the serpent, cf. above, A-2, 1-3, and below C-2, 11-16.

<sup>22</sup> cf. Ebeling, *loc. cit.*, 300 f., n.15.

<sup>23</sup> See Langdon, *Babyloniaca*, XII, 15, n.5.

<sup>24</sup> *Babyloniaca*, XII, PL VII and pp. 7 ff.; cf. A-i, above.

<sup>25</sup> Reading *4-im* in place of Langdon's *id im*.

## C-2'

(beginning mutilated)

"Come, let us arise [...], (8)

We have sworn by the *nether world* [..:]!"The oath that they sw[ore] before valiant  
Shamash: (10)"[He who has transgressed] the bounds of Shamash,  
May Shamash [hand him over] for evil to the exe-  
cutioner!He who [has transgressed] the bounds of Shamash,  
May [the mountain] remove from him [its] pas[sage]!  
May the darting weapon [head straight] for him,  
May the snare, the curse of Shamash, overthrow him  
and catch him!"When they had sworn the oath by the *nether world*

They arose and went up to the mountain.

Each day they watch [...].

When the eagle has caught a wild ox or  
a wild ass, (20)

The serpent feeds, withdraws, his young feed.

When the serpent has caught mountain goats (or)  
gazelles,

The eagle feeds, withdraws, his young feed.

When the eagle has caught *wild sheep* (or) *wild goats*,

The serpent feeds, withdraws, [his] young feed.

When the serpent has caught [leopards (or) *ground*  
*t]igers*,

[The eagle feeds, withdra]ws, [his] young feed.

The eagle received the food; his young grew in age and  
size.When his young had grown in age and size,  
The eagle's heart plotted evil. (30)

And as his heart plotted evil,

He set his mind upon devouring the young of his friend.

The eagle opened his mouth, saying to his young:

"I will eat the young of the serpent; the serpent [...].

I will ascend to heaven that I may d[well there],

And I will descend to the crown of the tree to eat the  
fruit."

The little fledgling, exceeding wise,

(These) words to his father [addres]sed:<sup>27</sup>"Eat not, my father! The net of Shamash may cat[ch  
thee],The snare, the curse of Shamash, may overthrow thee  
and catch thee!He who has transgressed the bounds of Shamash, (40)  
[Him] Shamash [will hand over] for evil to the  
executioner!"But he heard them not, he hearkened not [to the words  
of his son].He descended and devoured the young [of the serpent].  
[...], in the middle of the day the [serpent came],<sup>28</sup><sup>26</sup> *Babyloniaca*, XII, Pis. i-n, and pp. 12 if.; E. Ebeling, *AOY*, 235 f.,  
Fragment A.<sup>27</sup> For this episode cf. the Middle Assyrian fragment, *AfO*, xiv, Pi. ix, ii,  
and pp. 301 if.; also the Neo-Assyrian fragment, *ibid.*, Pl. xn, and pp.  
304 β-<sup>28</sup> The concluding part of this fragment is pieced together from *Baby-*  
*loniaca*, xii, Pl. 11, 43 EF. and *AfO*, xiv, Pl. χπ (K 5299), obv. 8 ff.Carrying his load (of flesh); at the entrance to the nest  
H[e cast it down for his young].As the serpent [glanced round], his nest was not there;  
When he bent low, [he saw] (it) not.

With his claws he [scrapes] the ground;

The dust [of the ne]st [covers] the sky!

C-3<sup>29</sup>

The serpent [lt]es down and weeps, (2)

[His tears flowing] before Shamash:<sup>80</sup>

"I put my trust in thee, [valiant Shamash],

To the eagle [I extended goodwill].

Now my nest [...],

My nest is destroyed [...],

Shattered are my young [...].

He came down and devoured [my offspring].

[Know thou], O Shamash, the evil which he has done  
to me.

Verily, O Shamash, thy net is the [wide] earth, (10)

Thy snare is the [faraway] sky.

May [the eagle] not escape from thy net,

That evildoer, Zu,<sup>81</sup> who upholds [evil against his  
friend]!"[When Shamash heard] the plea of the serpent,  
Shamash opened his mouth, [saying] to [the serpent]:

"Go on (thy) way, cross [the mountain]!

I will bind<sup>82</sup> for thee a wild ox.

Open his inside, [rend his belly],

Pitch (thy) dwelling [in his befly]!

[Every kind] of bird of heaven [will descend to  
devour the flesh]; (20)The eagle [will descend] with them [to devour the  
flesh],<sup>88</sup>

[Since] he knows not [his ill fortune].

Looking for the succulent flesh, he will proceed *cau-*  
*tiously*,<sup>TM</sup>*Groping* to the recesses of the interior.When he enters the interior, seize thou him by his  
wings;

Tear off his wings, his pinions, and his [talons];

Pluck him and cast him into a pit [...].

Let him die the death of hunger and thirst!"

At the command of valiant Shamash,

The serpent went and crossed the mountain.

When the serpent reached the wild ox, (30)

He opened his inside, rent his belly.

He pitched (his) dwelling in his belly.

Every kind of bird of heaven descended to devour the  
flesh.<sup>29</sup> *Babyloniaca*, XII, Pis. rv-v and ii-m (Marsh Reverse); pp. 22 if.; *KB*,  
vi, 1, 104-08 (Jensen *lb*); *AOT*, 236-38 (Ebeling B).<sup>30</sup> cf. *AfO*, xiv, 305, line 13.<sup>31</sup> cf. pp. m-13.<sup>82</sup> In the sense of "charm, cast a spell upon."<sup>33</sup> This is the beginning of K 2527 rev. (*Babyloniaca*, XII, PL rv), which  
Langdon provides with a separate line count, as he does also the sequel, viz.,  
the reverse of the Jastrow Fragment, Pis. 11-in. Our line count is consecutive,  
paralleling that of Jensen's fragment *lb*, except only that Jensen's numbers  
are ahead by one; he had assumed a gap of one line after 21, which  
assumption proved subsequently to be erroneous.<sup>34</sup> Reading *sa-fa-a-ti* and adducing Aramaic-Hebrew *sif*, or *tud*, with  
W. F. Albright, *RA*, xvi (1919), 187. At any rate, the form cannot be read  
*idl-da-a-ti* with Ebeling, *AfO*, xiv, 305, n.57.

If the eagle but feared his ill fortune,"  
He would not eat the flesh with the (other) birds!  
The eagle opened his mouth saying to his young:  
"Come ye, let us go down and devour the flesh of this  
wild ox!"

The litde fledgling, exceeding wise,  
To the eagle, his father,<sup>36</sup> (these) words addressed:  
"Go [not] down, my father! Perchance  
Inside this wild ox lurks the serpent?"

The eagle [*consulting not*] with [*his heart*] (40)  
[Said] (these) [wor]ds:

"[I will g]o down [and eat the flesh of the wild ox]!  
How could [the serpent] devour me?"<sup>M</sup>

He heard them not, he heeded not the words of his son,  
He came down and lighted upon the wild ox.

The eagle inspected the flesh,

He examined its front and its hind parts.  
Again he inspected the flesh, examining its front and  
its hind parts.

Proceeding *cautiously*, he *groped* to the recesses of the  
interior.

When he entered the interior, the serpent seized him by  
his wings: "Thou hast entered (and) altered my  
nest, Thou hast entered (and) altered my nest!"<sup>86</sup>

The eagle opened his mouth, saying to the serpent:

"Have mercy upon me, and I will bestow  
upon thee

A marriage gift, like unto a bridegroom!" (50)

The serpent opened his mouth, saying to the eagle:

"If I release thee, how shall I answer Shamash on high?

Thy punishment would be turned against me,

Who should impose punishment upon thee!"

He tore off his wings, his pinions, and his talons,

[He pl]ucked him and ca[st him] into a pi[t],

[Saying]: "He shall d[ie] a death of hunger [and  
thirst]!"

[... ] the eagle daily beseeches Shamash:

"Am I to perish in the pit?

Who knows how thy *punishment* was imposed  
upon me?

Save the life of me, the eagle, (60)

And I will sound thy name unto eternity!"

Shamash opened his mouth, saying to the eagle:

"Thou art evil and hast grieved me gravely!

The detested of the gods (and) the forbidden thou didst  
eat

Though thou hast sworn, I will not come to thee I

(But) lo, a man that I will send to thee,

He will take thy hand!"

Etana daily beseeches Shamash:

"Thou hast consumed, O Shamash, my fattest sheep,

The earth drinking up the blood of my lambs.

I have honored the gods and revered the spirits;

The oracle priestesses have done the needful  
to my offerings, (70)

The lambs, by their slaughter, have done the needful to  
the gods.

O lord, may it issue from thy mouth;

Grant thou me the plant of birth!

Show me the plant of birth,

Remove my burden and produce for me a name!"<sup>40</sup>

Shamash opened his mouth, saying to Etana:

"Go on (thy) way, cross the mountain.

On seeing a pit, examine its inside!

Inside it lies an eagle;

He will give thee the plant of birth!"

At the command of valiant Shamash,

Etana went on (his) wa[y, crossed the mountain].

When he saw the pit, he examined its inside;

Inside [it lay an eagle],

Inasmuch as [Shamash] had there caused him to await

The eagle opened his mouth,

[Saying] (these) words to Shamash, his lord:

[...].

"The young of a bird [...],

[Le]ad him hither [...].

[Wh]atever he says [...],

[Wh]atever I say [...]."

At the command of valiant Shamash [...],

The young of a bird [...].

The eagle opened his mouth, saying [to] Etana:

"Why thou didst come [tell me thou]!" (10)

Etana opened his mouth, saying [to] the eagle:

"My friend, give me the plant of birth,

Show thou to me the plant of birth!

[Remove my burden and] produce for me a name!"

(At approximately this point comes in the Neo-As-  
syrian fragment, *AfO*, xiv, Pl. xi, and pp. 306-07. The  
text is badly damaged and Ebeling's suggested additions  
have been offered by him with all due reserve. The line  
count is that of Ebeling.)

(obverse)

[... ] the eagle looked at [him], (7)

Saying [... ] to Etana:

"Thou art, indeed, Etana, the king of animals!" (10)

Thou art Etana [... ]... !

Lift [me] up from the midst [of this pit],

Give me [... ]... ,

[And I will give thee] a human *offspring*!

[Unto] eternity I will sing thy praises."

Etana [says] (these) words t[o the e]agle:

"If I save thy life [... ],

[And bring thee up fr]om the pit,

[Unto d]istant times we [... ]!"

(remainder broken away)

<sup>40</sup> Meaning "son."

<sup>41</sup> *Babyloniaca*, xn, Pl viii, pp. 39 ff.; *KB*, vi, 1, 108-11 (Jensen n);  
*AOT*, 238 (Ebeling C).

<sup>35</sup> Here begins the parallel text, Marsh Reverse, *Babyloniaca*, XII, Pis. II-M.

<sup>36</sup> These words are supplied from *AfO*, xiv, Pl. ix, ii, 4.

<sup>37</sup> Ebeling, *ibid.*, 305, line 3, would read *it-ti [lib-bi-lu ul im-lik\_-ma]*, which yields excellent sense; it should be noted, however, that the copy (Langdon's Pl. 11, 7) does not altogether favor these additions.

<sup>38</sup> This reading by Ebeling (*ibid.*, line 4), accords well with the traces on the Marsh Fragment (*Babyloniaca*, xn, Pl. 11, line 8) and the new Ebeling text.

<sup>38</sup> See W. von Soden, *WZKU*, 1v (1959). 61.

(reverse)

"Upon me [...]  
From sunrise until [...].  
When he comes out of [...]

I will give thee [the plant] of birth!"

When Etana [heard] this,  
He filled the front of the pit with [...],  
Next he put down two [...],  
[... ]ing down before him [...].  
The eagle [was unable] to rise from the pit; (10)  
He [...].

[ - ] and [...]  
Again [he was unable] to rise from the pit;  
He flaps [his] w[ings ... ]ly.  
[... ] and [...];  
[For the third time from the pit] [he was unable] to rise.  
[He] flaps [his] w[ings ... ]ly.

(remainder destroyed)

C-5<sup>42</sup>

The eagle [opened] his mouth, [saying to Etana]:  
[... ]...  
At the entrance of the gate of Anu, Enlil, [and Ea],  
We did obeisance.  
At the entrance of the gate of Sin, Shamash, Adad, and  
[Ishtar]  
I opened the ... [ ... ].  
I loo\ round as I go down [...].  
She<sup>43</sup> was sitting in the midst of brilliance [...],  
[... ] she was laden [...]."  
A throne was placed and [...]. (10)  
At the foot of the throne lions [...].  
As I got up, the lions [...].  
Then I awoke, trembling [...]."  
The eagle [says] to him, to Etana:  
"My friend, bright [...].  
Up, I will bear thee to the heaven [of Anu]!  
Upon my breast place thou [thy breast],  
Upon the feathers of my wings place thou [thy hands],  
Upon my sides place thou [thine arms]!"<sup>45</sup>  
Upon his breast he placed [his breast], (20)  
Upon the feathers of his wings he placed [his] hands,  
Upon his sides he placed [his] arms.  
Excessively great was the burden of him!

When he had borne [him] aloft one league,  
The eagle says to [him], to Etana:  
"See, my friend, how the land appears!  
Peer at the sea at the sides of E[kur]!"<sup>46</sup>  
"The land has indeed become a hill;"<sup>47</sup>

<sup>42</sup> *Babyloniaca*, XII, Pis. ix-x, pp. 43 ff.; *KB*, VI, 1, 110-12 (Jensen I1ia); *AOT*, 239 (Ebeling E).

<sup>43</sup> Apparently, Ishtar.

<sup>44</sup> For the root-meaning of *rsn* cf. v. Soden, *ZA*, XI.1 (1933), 166, n.5.

<sup>45</sup> Note the word plays *kappu* "wing," and "hand" (from different roots), and *idu* "arm" and "side."

<sup>46</sup> "Mountain House," in the sense of "World Mountain."

<sup>47</sup> If the reading *li-m«/-da* is right, we have here a possible extension of the idiomatic, but still obscure, phrase *lada(-lu) emedu*, which is usually applied in a derogatory sense; cf. E. F. Weidner, *AfO*, xm (1939-41), 233 f.

The sea has turned into the water [of a stream]!"  
When he had borne [him] aloft a second league,  
The eagle says to [him], to Etana:  
"See, my friend, how the land appears!" (30)

"The land [ . . . ]!"  
When he had borne him aloft a third league,  
The eagle [says] to him, to Etana:  
"See, my friend, how the land appe[ars]!"  
"The land has turned into a gardener's ditch!"  
After they had ascended to the heaven of A[nu],  
Had come to the gate of Anu, Enlil, and Ea,  
The eagle (and) E[tana to]gether did o[beisance].  
[... ] the eagle (and) Etana.

(long gap)

C 6 4 8

"The burden [...].  
Leave [... ]  
[...]."  
The eagle thus [speaks to him]:  
"I will bear thee [...]."

The eagle [... ] a bird [...]  
There is not [...]  
Up, my friend, [...], (10)  
With Ishtar, the mistress [...],  
Alongside Ishtar, the mistress [...].  
Upon my sides [place thou thine arms],  
Upon the feathers of my wings [place thou thy hands]!"  
Upon his sides he placed [his arms],  
Upon the feathers of his wings [he placed his hands].  
[When he had borne him aloft] one league:  
"My friend, take a glance at how the land [appears]!"  
"Of the land... [...],  
And the wide sea is just like a tub." (20)  
[When he had borne him aloft] a second league:  
"My friend, cast a glance at how the land appears!"  
"The land has turned into a furrow [...],  
And the wide sea is just like a bread basket."  
[When he had borne him aloft] a third league:  
"My friend, cast a glance at how the land appears."  
"As I glanced round, the land [had disappeared],  
And upon the wide sea [mine eyes] could not feast!  
My friend, I will not ascend to heaven!  
Halt in (thy) tracks that [...]!" (30)  
One league he plunged down;

The eagle went down, and he abreast of him [...].  
A second league he plunged down;  
The eagle went down, and he abreast [of him ...].  
A third league he plunged down;  
The eagle went down, and he abreast [of him ...].  
[To within three cubits]<sup>49</sup> of the ground [of Anu],  
The eagle had fallen, and he abre[ast of him ...].  
[... ] the eagle has been bruised<sup>50</sup>; of Etana [...].

<sup>48</sup> *Babyloniaca*, XII, Pis. ix, xi, pp. 48 ff.; *KB*, vi, 1 113-15 (Jensen 111b)\ *AOT* 240 (Ebeling F).

<sup>49</sup> cf. v. Soden, *ZA*, XLV (1939), 77 f.

<sup>50</sup> At this decisive juncture the text unfortunately breaks off. The one verb that is preserved, *i-tar-ra*, is ambiguous in this context; v. Soden,

## The Legend of Sargon

The legend concerning the birth of Sargon of Agade is available in two incomplete Neo-Assyrian copies (A and B) and in a Neo-Babylonian fragment (C). All three were published in *CT*, XIII (1901): A—PI. 42; B and C—PI. 43. Text B alone contains incomplete lines of a second column; it is uncertain whether this column bore any relation to the Sargon legend.<sup>1</sup> A composite text of the actual legend, with variant readings, transliteration, and translation was published by L. W. King in his *Chronicles Concerning Early Babylonian Kings*, n (1907), 87-96. Latest (partial) translation and discussion: H. G. Giiterbock, *ZA*, xvi (1934), 62-64.\* \*(See Addenda.)

Sargon, the mighty king, king of Agade, am I.  
My mother was a high priestess, my father I knew not.  
The brother(s) of my father *loved* the hills.  
My city is Azupiranu, which is situated on the banks of  
the Euphrates.  
My mother, the high priestess, conceived me, in secret  
she bore me.  
She set me in a basket of rushes, with bitumen she sealed  
my lid.<sup>3</sup>

*loc. cit.*, has even suggested *i-haj-lal* "he grinds" as a possible reading. In view, however, of the points made in the Introduction, it is improbable that the adventure ended in death.

Langdon would fill part of the break with the small fragment K 8563 rev. (*Babyloniaca*, xn, PI. ix, and p. 52). It is too slight and inconclusive for a connected translation. But mention is made in it of Etana's wife, his kingship, and his ghost. Do we have here a speech addressed to Etana's son, BaliJ, whom the king list places immediately after Etana (Th. Jacobsen, *The Sumerian King List*, 1939, 80-81)? At all events, the prevailing view that Etana's flight resulted in misfortune would seem to stand in need of confirmation.

<sup>1</sup> The second column of B is duplicated by *CT*, XLVI, 46.

<sup>2</sup> For some parallel accounts cf. P. Jensen's article, *Aussetzungsgeschichten*, *Reallexikon der Assyriologie*, 1 (1928), 322-24.

<sup>3</sup> Lit. "door."

She cast me into the river which rose not (over) me.<sup>4</sup>  
The river bore me up and carried me to Akki, the  
drawer of water.

Akki, the drawer of water lifted me out as he dipped his  
e[w]er.<sup>5</sup>

Akki, the drawer of water, [took me] as his son  
(and) reared me. (10)

Akki, the drawer of water, appointed me as his gardener.  
While I was a gardener, Ishtar granted me (her) love,  
And for four and [ . . . ] years I exercised kingship.  
The black-headed [people] I ruled, I gov[erned];  
Mighty [moun]tains with chip-axes of bronze I con-  
quered,

The upper ranges I scaled,  
The lower ranges I [trav]ersed,  
The sea [lan]ds three times I circled.  
Dilmun my [hand] cap[tured],  
[To] the great Der I [went up], I [ . . . ], (20)  
[K]azallu I destroyed and [ . . . . . ].\*  
Whatever king may come up after me,

Let him r[ule, let him govern] the black-headed  
[peo]ple;

[Let him conquer] mighty [mountains] with chip-axe[s]  
of bronze],

[Let] him scale the upper ranges,  
[Let him traverse the lower ranges],  
Let him circle the sea \lan\ds three times!

[Dilmun let his hand capture],  
Let him go up [to] the great Der and [ . . . ]! (30)  
[ . . . ] from my city, Aga[de . . . ]  
[ . . . ] . . . [ . . . ] .

(Remainder broken away. The remains of column ii,  
as extant in Text B, and *CT* 46, 46 are too fragmentary  
for translation.)

<sup>4</sup> cf. Giiterbock, *loc. cit.*, 63.

<sup>5</sup> Reading *i-na fi-ib d[a]-li-[lu]*, with Landsberger, *ZA*, xi.11, 63, n.2.  
•Read: [Ka]-zal-lu u-naq-qir-ma. Cf. J. Nougayrol, *RA*, XLV (1951),  
179, n.2.



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# THE ANCIENT NEAR EAST AND MODERN PHILOSOPHIES OF HISTORY

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(Read April 19, 1951)

## I

PERIODS of transition from one age to another are necessarily times of epochal crises in the affairs of mankind. Traditional norms break down before a new pattern has become established. A cultural interregnum is the result. One such major crisis marked the change-over from the Stone to the Copper Age. Its reverberations were powerful enough to be picked up for us by the muted instruments of archaeology.<sup>1</sup> The advent of the Iron Age brought on another worldwide upheaval, vividly echoed this time in articulate written sources.<sup>2</sup> The clash between the Orient and Hellenism was accompanied by disturbances of similar proportions.<sup>3</sup> Its eventual outcome was to affect the world down to our times.

This generation is caught in yet another epochal interlude. Because the over-all crisis remains unresolved, our historians and philosophers, anthropologists and social scientists, have been struggling heroically with the record of the past

<sup>1</sup> This great industrial revolution has aptly been likened in its impact to the advent of the Steam Age. The actual start of the Copper Age dates not from the appearance of the earliest copper objects, which may employ the same techniques that are utilized in stone work, but rather from the first employment of basic principles of metallurgy.

<sup>2</sup> Such echoes are not wanting in the Old Testament although they have to be picked up in that source with the tools of comparative history. Thus the serious sociopolitical crisis which marks the introduction of kingship in ancient Israel is ascribed in that unique historical record which we know as *Samuel* to the caprice of the people who had grown tired of the rule of "judges." Just beneath the surface, however, we find a more convincing reason for the break with tradition: the grave danger to the young nation brought on by the arrival of the Philistines. Probing still deeper we come to the ultimate cause of the transformation that was to play an incalculable part in the cultural history of the world: the advent of iron which had brought the Philistines to Palestine just as it had transplanted many other groups and drastically changed the ethnic map of the contemporary world.

<sup>3</sup> Turner, Ralph, *The great cultural traditions 2*: 661-664, N. Y., McGraw-Hill, 1951.

in an effort to wrest from it an outline of the future. It is scarcely to chance alone that we owe so many contemporary or recent philosophies of history: those of Spengler and Toynbee, of Sorokin, Kroeber, and Northrop, among various others.<sup>4</sup> Their convergence at this juncture is plainly a reflection of the times through which we are passing.

This paper cannot presume to attempt an adequate analysis of the current studies of civilization. It will seek instead to address itself to one serious defect which all these studies share,<sup>5</sup> a defect that must leave the final conclusions in serious doubt. It is abundantly clear that the same basic data have led so far to sharply diverging interpretations. This situation, to be sure, is not unique, particularly when the nature of the problem is taken into account. It is a question, moreover, whether the common quest of all these inquiries, namely, a master pattern of mankind's destiny, can be achieved at all with the means at our disposal. It goes without saying, however, that the prospects of ultimate success will be reduced drastically if half of the total available evidence is neglected. Yet this is in effect the status in the present instance.

The intelligible units of historical study, whether we call them societies or civilizations, can be traced with the absolute minimum of requisite detail only for the relatively brief period in the record of man that is illuminated by written sources. It is a period of approximately five thousand years. Now for not less than half of this period, the first and formative half, our information is all but confined to the Near East.

<sup>4</sup> A convenient analysis of the principal recent works on the subject is furnished by Sorokin, P. A., in his *Social philosophies of an age of crisis*, Boston, The Beacon Press, 1950. Especially pertinent to our theme is also Albright, W. F., *From the stone age to Christianity*, chap. 2, Baltimore, Johns Hopkins Press, 1950.

<sup>5</sup> This statement does not apply to the works of Turner and Albright just cited. Their publication came too late to be utilized by some, but not all, of the aforementioned writers.



Yet that unique and enormously significant testimony is no better than a blank in the comprehensive studies just mentioned. Toynbee and Kroeber, two authorities to whom we are especially indebted for penetrating insights, are no exceptions in this regard.<sup>6</sup> They and the others make brief detours to Egypt, the popular though unrepresentative spokesman for the ancient Near East, but what they come out with is a fragmentary account, out of focus and out of date and hence thoroughly misleading. It is small wonder, therefore, that John A. Wilson, the author of the latest analysis of Egypt's complex experience, while generously acknowledging the influence of Toynbee on his own thinking, is constrained nevertheless to reject Toynbee's societal pattern of Egypt.<sup>7</sup> Even less satisfactory is the vestigial recognition, if any, that these works accord to the other areas of the ancient Near East, especially Mesopotamia. There is, for instance, no tenable definition of civilization whereby Babylonia can be isolated from Sumer, as is done by Toynbee.<sup>8</sup> On the other hand, Toynbee's Syriac society is a conglomerate of loosely assorted elements.<sup>9</sup>

These criticisms are ventured with a constructive purpose in mind. A flawless study of history would be possible only in the case of a dead subject dissected with the aid of tools that have no prospect of further improvement. In the present instance neither the subject nor the tools would appear to have reached a dead end.<sup>10</sup> Neverthe-

<sup>6</sup> Spengler's results will be left out of account in the following discussion because Spengler, in Kroeber's felicitous characterization, "is so little a scientist or historian that he does not really present evidence." See Kroeber, A. L., *Configurations of culture growth*, 828, Univ. of Calif. Press, 1944.

<sup>7</sup> *The burden of Egypt*, 32 n. 12, Univ. of Chicago Press, 1951. In references to Toynbee the one-volume edition will be used: *A study of history*, Oxford Univ. Press, 1947.

<sup>8</sup> *Op. cit.*, 29-30. The separation is suggested, to be sure, with a measure of hesitancy. Intimate unity, however, can be demonstrated instead with absolute confidence. In contrast, Toynbee's conclusion that the civilization of the Indus Valley was very closely related to that of the Sumerians (p. 28) has only resemblances of a very superficial nature to support it.

<sup>9</sup> *Op. cit.*, 18-20. Once again basic criteria of relationship have been neglected in favor of non-distinctive connections.

<sup>10</sup> Constant flow of fresh data and steady improvement in method make it difficult for an outsider to keep up with progress in Near Eastern history. The results on which he must rely may be many years out of date. The date of the introduction of the Egyptian calendar is a case in point. Kroeber (*Configurations . . .* 663 n. 2),

less, when students of civilization overlook the initial and normative half of recorded history, or if they start out on what is demonstrably a wrong track, their ultimate conclusions are not likely to be valid. No matter how slight the initial deviation may be, the error will progressively increase. Failure to incorporate the up-to-date findings on the Near East has thrown out of balance the existing philosophies of history and invalidated some of their principal results.

## II

What is, then, the positive contribution that the ancient Near East can make to the study of the origin, nature, and possible destiny of civilizations? We now have at least partial answers to these questions. They need not of themselves be universally valid. But they are based on what was in effect a vast experiment controlled over a period of nearly three thousand years. It should be remembered, moreover, that history, and historic societies with it, began in the Near East. From that time on certain fundamental patterns have persisted although their component elements might be reshuffled or altered. The societies involved cannot and do not remain isolated one from another. In course of time contacts are established with the adjacent regions to the East and West. Those with the West become particularly intimate and their continuity is never interrupted. Various features of Near Eastern societies thus find their way to Europe where they are destined to remain dominant and pervasive. To that extent, therefore, the West has incorporated Near Eastern patterns, some of which have survived as characteristic elements of our own civilization. It follows that a continuous thread links our times with the beginnings in the Near East. Facts of this sort make it very difficult at times to determine where one society leaves off and the next one takes over. Our present criteria would appear to be as yet too inexact for formulaic interpretations of history.

basing himself on Breasted, repeats the impossibly precise date of "June 15, 4241." Turner (*Great cultural traditions* 1: 207) cites 4226 B.C. Actually, it has been clear to specialists for a score of years that the early date was due to excessive enthusiasm on the part of a writer whose figure has since been repeated so many times that it may no longer be possible to counteract the error effectively. The authentic setting for the introduction of the Egyptian calendar was the early third millennium B.C.; see Wilson, *The burden of Egypt*, 30, 60-61.

The salient facts about the historic societies of the ancient Near East can be sketched here only in barest outline. To begin with, the recent discoveries of the earliest village settlements in Northern Iraq give us now an unbroken sequence of prehistoric occupations which lead up eventually to the emergence of history.<sup>11</sup> This preparatory stage covers a period of some two millennia, fixed accurately enough with the aid of radiocarbon dating. Several distinctive cultures confront us within that span, each identified by its typical products, yet each essentially a stranger to us because of the absence of writing. It is clear, however, that the cumulative achievement of those pioneering cultures, demonstrably the work of more than one group, provided the solid foundation for the historic structure to follow. The rise of integrated and articulate civilizations cannot be separated from that prior achievement. History did not emerge out of a vacuum.

Historic tradition begins with the Sumerians at about 3000 B.C. The immediate reason is the presence of writing, a manifestly Sumerian contribution. Since writing is presently copied by others, either as a direct borrowing or as an idea subjected to local adaptations, it goes on to furnish an ever expanding medium of communication which draws the world closer together in space and time. In thus making history possible, however, writing did not make history unaided. The originating society had to be advanced enough culturally and economically to create the necessary opportunity and to seize it when it occurred.<sup>12</sup> Lastly, the technological progress brought on by the advent of the Copper Age had helped to pave the way.

If students of social philosophies were challenged to name the one juncture above all others which they must fully explore, this should be the logical one to select. For it is at this point that history enters a groove from which it is never

to deviate appreciably. Thus far the matter has not received the concerted attention it requires. We know in any case that the Sumerians do not appear on the stage as a tangible factor until various unrelated cultures had been at work for many centuries.<sup>13</sup> It is evident from scattered archaeological and linguistic data that the Sumerians built industriously on a framework erected by others. Their own quantitative contribution to the society of which they were a part does not seem to have been preponderant. And yet it is to the Sumerians that historic Mesopotamia clearly owes the kind of civilization that was to remain dominant well into Hellenistic times and exercise a less direct influence over a larger area and a longer period. What was it, then, that made this particular society cosmopolitan and enduring? What were its activating and sustaining elements? One could say, of course, that the Sumerians constituted a catalytic factor which transformed that society into a dynamic body. But this would be only a label, not an explanation. The development that really took place could scarcely have been predicted. It might be described, in terms of other disciplines, as "a statistically highly improbable event," one of those things on earth, if not in heaven, never dreamt of apparently in your social philosophies.

At all events, some significant features of this development have become clear. Perhaps the best way to appreciate the essential elements of the society to which the Sumerians gave impetus and direction is to view that society in the light of its total historic career. In such a survey, the civilization under review ceases to be predominantly Sumerian, for it outlasts the Sumerians by many centuries. Nor can it be classified as Babylonian or Assyrian, since it embraces both these peoples as well as the Sumerians and others. It is, in brief, Mesopotamian. The yardstick of relationship in this case is not language, nor

<sup>11</sup> The earliest village assemblies have been found at Tell Hassuna, near Mosul and at Jarmo, between Kirkuk and Sulaymanya. Thereafter the story is taken up by many sites, among them Tepe Gawra, which was first assessed and excavated in large part by the writer. Cf. *Excavations at Tepe Gawra*, 1 (by E. A. Speiser), Univ. of Penna. Press, 1935. Volume 2 of this work (by A. J. Tobler), 1950, was published with the aid of a grant from the Eldridge Reeves Johnson Fund of the American Philosophical Society.

<sup>12</sup> I attempted to summarize this phase in a paper entitled "Some sources of intellectual and social progress in the ancient Near East," *Studies in the history of culture* (Leland volume), 51-62, Menasha, Wis., 1942.

<sup>13</sup> Whether the Sumerians were the originators of the earliest civilization of Mesopotamia is a problem that lends itself to two opposite interpretations. Those who, with the writer, regard the Sumerians as relatively late newcomers would seem to be in the majority and have the support of much of the latest evidence on the subject. Cf. my paper "The Sumerian problem reviewed," *Seventy-fifth Anniv. Vol. Hebrew Union College Annual*. In any case the present issue is not affected by the solution either way since it is admitted by all concerned that the Sumerians produced at most only one of the several prehistoric cultures of Mesopotamia, and that unmistakably Sumerian products do not appear until the dawn of history.

ethnic affiliation, nor yet political dominance. It is rather society as such that is here the minimum intelligible unit of history, precisely as Toynbee has postulated. But whereas Toynbee's analysis has led him to isolate Western Christendom as a single societal unit, he failed to realize that the entire orbit of Mesopotamian civilization was no less integral a unit than Western Europe and its cultural progeny. A prominent milestone in the study of history was thus missed.

We have then before us two impressive examples of cosmopolitan society, one ancient and the other contemporary. It must be left to the future to determine whether these two widely separated phenomena are not ultimately interrelated. What is now in order is a brief glimpse into the inner workings of the composite civilization of Mesopotamia. Central to it was the unified concept of the individual, the state, and the cosmos, a concept that reaches back to Sumerian times and may owe its effective formulation to the Sumerians. In substance all men were equal before the powers of nature. But nature was inscrutable and unpredictable. So long as the fate of mankind was ever in the balance, the destiny of the individual as well as the community might be affected for the better by piety, humility, and strict justice. This applied to the ruler as much as to his humblest subject. Each had the same prospect, the same hope. Correct conduct meant scrupulous observance of divinely sanctioned norms. These norms were embodied in the law which guided the ruler and safeguarded the subject. The law code became thus the charter of man's inalienable rights.<sup>14</sup>

In broadest terms, therefore, the law was the force that held the world together. It made the essential difference between order and chaos, civilization and barbarism.<sup>15</sup> It transcended eth-

nic, linguistic, and political boundaries. What made the system enduring, no doubt, was its implicit assurance of the essential equality of the rights and responsibilities of all concerned. Hence its appeal to diverse elements in an ever widening radius: not only the Babylonians and Assyrians,<sup>16</sup> but also the Elamites, the Amorites, the Hurrians, the Hittites, and others.

The physical medium which helped to preserve the integrity of the system and to facilitate its spread was writing, more specifically in this case

extant in Sumerian, Old Babylonian (two, namely, Eshnunna and Hammurabi's), Neo-Babylonian, Assyrian (two, namely, Old and Middle Assyrian), and Hittite. All of these, incidentally, are given in translation in *Ancient Near Eastern texts relating to the Old Testament* (ed. Pritchard, James B.), Princeton Univ. Press, 1950. In addition, there are legal documents from Elam, the Kirkuk region, Neo-Assyria, and Syria, all of which presuppose underlying codes. All of this extensive apparatus, widely distributed in space and time, is basically interrelated not only by virtue of the script employed but also, and more significantly, in respect to the attitude towards the law. (2) The celebrated Code of Hammurabi was recovered not in Babylon, where the stela that contains it was originally set up, but in Susa, whither it had been carried, with incalculable trouble, as a prized war trophy—eloquent tribute to the extraordinary esteem in which legal monuments were held by the politically hostile but culturally congenial neighbors of Mesopotamia. (3) The pre-eminent place of the law—*torah*—in the Old Testament and post-biblical Judaism is not due merely to a one-sided emphasis on legalism. Rather it is a reflection of the unshakable belief, which was first tested in Mesopotamia, that law was the framework of civilization. The validity of that tenet has amply been demonstrated in our own times.

<sup>16</sup> For the benefit of the non-Orientalist it may be in order to stress that the inclusion of the Babylonians and Assyrians in the same society with the Sumerians is based by no means on juridical inter-relationships alone. The Sumero-Semitic symbiosis that characterizes Mesopotamian civilization is probably unequalled in recorded history for integration and pervasiveness. It embraces religion and literature, arts and sciences, language and thought. For a variety of reasons the matter deserves closer attention than it has received so far from historians and social scientists. Not nearly so clear and unambiguous is the further question of the societal relationship between Mesopotamia and her neighbors. For instance, does Elam represent an independent society, or was its affiliation with Mesopotamia close enough to warrant our viewing the two as a unit? Is the connection between the Hurro-Hittite group and Mesopotamia on a par with Elam's? If biblical Palestine was related to Mesopotamia and yet distinctive enough from it to require separate listing, what are the criteria that can be employed in such cases with reasonable confidence? All these are questions on which much work remains to be done if social philosophies are not to operate in a virtual vacuum.

<sup>14</sup> Cf. above, note 4. A penetrating analysis of Mesopotamian concepts of state and cosmos is offered by Frankfort, H., *Kingship and the gods*, chaps. 16–22, Univ. of Chicago Press, 1948. Frankfort has overlooked, however, the key position which law occupies in that system.

<sup>15</sup> An adequate discussion of this aspect of the problem would take us too far afield. An outline of the argument is scheduled for an early issue of *The Canadian Bar Review*. For a lucid juridical summary cf. Koschaker, P., *Keilschriftrecht, Ztschr. deutsch. morgenländ. Gesellsch.* 89: 1–39, Leipzig, 1935, and for a discussion of the recent finds see Goetze, A., *Mesopotamian laws and the historian, Jour. Amer. Orient. Soc.* 69: 115–120, 1949.

A few random details, however, may be in order at this time: (1) Law codes in the cuneiform script are now

cuneiform writing. Hence law codes or legal documents reflecting the same basic philosophy are found among all the groups just mentioned. The underlying philosophy amounted in substance to a specific way of life. But more was diffused than the bare essentials of that philosophy. With intimate cultural relations once established, the way was open for further cultural exchanges: in literature, religion, arts and sciences, and the like. Eventually more than one item from this repertory found its way to other societies in Asia, Africa, and Europe. By the middle of the second millennium B.C. the cuneiform script had become an international medium and Akkadian the *lingua franca* of the age.

When these observations have been checked against the evidence of over two millennia, gathered from many lands, the fact is certain to stand out that the activating factor in this dynamic civilization was its central concept of society. Its principal manifestation was a form of government which has to be regarded as a democracy, more specifically a parliamentary democracy.<sup>17</sup> It was reflected in the joint authority of the assembly as opposed to autocratic rule. This type of government was what really constituted the overriding element of unity among otherwise diverse groups. Hence the ties that link Sumer with Babylonia and Assyria are fully as strong as those that make for the societal unity of England, France, and the Low Countries. If the whole of Western Christendom is to be regarded as a single society, then Elam, Anatolia, and Syria-Palestine may with equal justice be viewed as forming one society with Mesopotamia proper. The known political and economic conflicts within the one unit are no more pronounced than they are within the other. The striking feature about both these composite societies is that they are more closely related to each other, in spite of the intervening distances, than they are to their respective neighbors in space and time.

The truth of this last statement can readily be verified. Mesopotamian civilization was paralleled by that of Egypt over a longer period than the whole of the present era. Indeed, their interrelations can be traced back to prehistoric times. Interchange of material advances was unavoidable and major intellectual achievements were similarly diffused. In these circumstances it is perhaps

natural that the myth of the essential similarity of the two great centers should have gained universal currency. Historians, however, should not accept it as an established fact. Whereas material and intellectual advances are communicable, the underlying mental processes are not automatically transferable. Differences in native environment, moreover, may play a decisive role.

At any rate, Egypt and Mesopotamia represent two sharply contrasted societies. The universe of the Egyptians was the outcome of a single creative process. The creator continued his absolute rule on earth through a king in whom he was perpetually incarnate. The king was thus himself a god and his world was as stable as the immutable rhythm of the Nile. In this static universe there could be no room for insecurity. Even the reality of death was denied. History itself was a series of accidents. The king was the source of the law and, theoretically at least, the owner of all he surveyed. His was a serenely autocratic realm.<sup>18</sup> In the final analysis the Egyptian won peace of mind by sacrificing his liberty. The dramatic cosmos of the Mesopotamian, on the other hand, left him with a substantial measure of independence. In Egypt the end-product was a sense of resignation. In Mesopotamia anxiety pointed a way to hope. These are different ways of life, different worlds, in short different civilizations. Essentially the two never met. The reason for their basic incompatibility is abundantly clear.

### III

The ancient Near East may thus be said to have experimented with two distinct approaches to the problem of man's relation to society and nature. Two sets of answers were obtained. Neither was final, for the experiment was taken over by Europe and is still going on. By now the pattern has been taking shape for some five thousand years. Although the master pattern of the future may still be inchoate, its outlines have perhaps been foreshadowed nevertheless by the total experience to date.

Egypt's answer to the problem was a sublime autocracy. It led, in the words of a thoughtful Egyptologist of today, to collapse and sterility.<sup>19</sup> Mesopotamia's solution was a form of democracy, fumbling and fitful at times but one that none the

<sup>17</sup> Fundamental research on this aspect was done by Jacobsen, Th., Primitive democracy in ancient Mesopotamia, *Jour. Cuneiform Stud.*, 2: 159-172, 1943.

<sup>18</sup> See Frankfort, H., *Kingship and the gods*, chaps. 1-15.

<sup>19</sup> Wilson, J. A., *The burden of Egypt*, 317.

less carried enormous appeal and exercised a decisive influence on all who were exposed to it. What finally collapsed in Mesopotamia with the advent of Hellenism was the political content of the structure and with it certain ethnic and linguistic features. But the basic way of life, the ultimate activating factor of Mesopotamian society, was to prove indestructible. Its course had turned westward, through Anatolia and Syria, as early as the second millennium B.C., and it was to undergo a notable transformation in ancient Israel within the following millennium.<sup>20</sup> One instance of the essential vitality of that way of life is the continuity of legal tradition which is richly reflected in the linear progress of Mesopotamian, Biblical-Talmudic, and Islamic law. Another is the socio-religious continuity which is exemplified

<sup>20</sup> In the light of the foregoing remarks the memory of bondage in Egypt which figures as a recurring refrain in the Old Testament can hardly be due to the effects of oppression alone that marked the latter part of Israel's sojourn in Egypt—a relatively brief period affecting a limited number of ancestors. It may be ascribed with much greater plausibility of the fundamental incompatibility of the two ways of life involved.

by Judaism, Christianity, and Islam. These and other channels converge in the modern West.

It may well be that the existing theories of civilization cannot be reconciled with the fact of such extensive continuity against the background of constant change.<sup>21</sup> If this be so, the theories will have to be modified accordingly. We have already seen that certain historic results are in the nature of statistically highly improbable events. Does this apply primarily to one great branch of Near Eastern society, or is human history as a whole just such an unclassifiable phenomenon?

<sup>21</sup> Both the continuity and the change are still apparent in the modern Near East. The continuity is demonstrated by the very nature of Islamic society. The steadily accumulating quota of changes is reflected by the all but innumerable minorities of the Near East—religious, ethnic, and linguistic; furthermore, by the various divisive forces within the Islamic majority. To understand the contemporary scene one has to be aware of the continuity and the change, the old as well as the new. The region is much like a precious parchment inscribed many times and still in use; the key to the latest legend, however, may be concealed in the earliest palimpsest.



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## SOME FACTORS IN THE COLLAPSE OF AKKAD

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THE DYNASTY OF AKKAD, which was founded by Sargon about 2300 B. C., marked in many ways an epoch in the history of Western Asia.<sup>1</sup> Its political and military achievements were felt from Anatolia to Susa. Its economic enterprise may be inferred from demonstrable relations with the Indus Valley.<sup>2</sup> Even more impressive is the growing body of evidence which testifies to consequent social and cultural changes. All in all, so great was the impact of the rulers of Akkad on the contemporary scene that the two most illustrious of these, Sargon and his grandson Naram-Sin, lived on as favorite literary figures, in neighboring lands as well as in their homeland. Evidence of their deeds and fame has survived not only in Akkadian and Sumerian but also in Elamite, Hurrian, and Hittite.

The blend of story and history which characterizes the extant sources dealing with the Sargonids poses a serious problem for the modern historian. In view of the mythopoeic treatment to which the principals came to be subjected, can the fictional accretions be separated from the factual core? Are we able with the means now at our disposal to assess the real strength and extent of the Empire of Akkad? How much credence may one give to the laconic original accounts, and how skeptical should one remain with respect to the data preserved in the secondary literary sources? The historian's dilemma is further complicated by the fact that the traditional material, as opposed to the original accounts, is not consistent in itself. H. G. Güterbock's searching analysis has made it abundantly clear that the

literary tradition about the Sargonids, whether in Sumerian, Akkadian, or Hittite, is dominated by two mutually contradictory motifs.<sup>3</sup> The respective protagonists appear here not only as great heroes, but also—and this is true of Naram-Sin in particular—as ill-fated rulers. How is this discrepancy to be explained?

Güterbock approaches the problem by working back from the known fact of the conquest of Akkad by the people of Gutium. Because Naram-Sin was far better known to later generations than were the succeeding members of that dynasty,<sup>4</sup> tradition transferred to him the onus of the disaster that put an end to the dynasty and ushered in a century or so of rule by the hitherto obscure invaders.<sup>5</sup> Yet this explanation is favored neither by the circumstantial evidence of history<sup>6</sup> nor by the historic allusions in the literary sources. The matter calls for a re-examination, especially since certain new data have recently come to light. The results can be sketched here only in barest outline.<sup>7</sup>

<sup>3</sup> See his "Die historische Tradition und ihre literarische Gestaltung bei Babyloniern und Hethitern," *ZA*, 42 (1934), 1-91, and *ibid.*, 44 (1938), 45-149.

<sup>4</sup> *ZA*, 42, 75 f.

<sup>5</sup> The Sumerian King List puts the duration of the Gutian Dynasty at 91 years and 40 days. Weidner, *loc. cit.*, 98 estimates it at just over a hundred years.

<sup>6</sup> Cf. Th. Jacobsen, *The Sumerian King List* (1939), 117, n. 285, and pp. 204 ff., where a strong case is made out in favor of the view that the last kings of Akkad and the first kings of the Gutium Dynasty were contemporaries. Even the King List testifies to a period of chaos immediately following Naram-Sin's son Sharkalisharri; and the omens, which can constitute a good secondary source of historical evidence (cf. A. Goetze, *JCS*, 1 [1947], 265), know the time of "Who was king, who was not king?" as a historical milestone; cf. E. Weidner, *MAOG*, 4 (1929), 234.

<sup>7</sup> It is these secondary historical sources, which Güterbock himself has done so much to elucidate, that make the reign of Naram-Sin end in disaster; cf. especially *ZA*, 42, 52 ff., and Jacobsen, *King List*, 205. The only question that these sources leave ambiguous is the identity of the opponent responsible for Naram-Sin's downfall. The Weidner Chronicle (*ZA*, 42, 47 ff.) ascribes this deed to the Gutians, thus agreeing in part at least with the King List. But the text CT 13, 44, to which further references are made below, seeks the cause

<sup>1</sup> This is a rough figure, approximately half way between the current high and low dates. For a recent discussion of Mesopotamian chronology cf. E. Weidner, *AfO*, 15, 85 ff., 98.

<sup>2</sup> For the large number of Indian seals from Ur alone see C. J. Gadd, *Proceedings of the British Academy*, XVIII (1932), 191-210. For the Indian gaming piece from Tepe Gawra note Speiser, *Excavations at Tepe Gawra*, I (1935), 82 and 164. Cf. also, H. Frankfort, "The Indus Civilization and the Near East," in the *Annual Bibliography of Indian Archaeology* for 1932, 1 ff.

A few words, first, about the credibility of the original — one might say official — Sargonid accounts. The most convincing kind of support for the claims advanced in these laconic sources comes from the hostile territories involved. Susa has yielded monuments and inscriptions of Sargon and his successors.<sup>8</sup> Manishtushu built a temple and left an inscription in Ashur,<sup>9</sup> and an inscription of his son Naram-Sin has been recovered at Nineveh.<sup>10</sup> Farther west there is the long-known stele of Naram-Sin from Diarbekir.<sup>11</sup> In the light of such independent testimony there can be no reason for doubting Naram-Sin's assertion that he had marched to Talḥadum, in Anatolia.<sup>12</sup>

In these circumstances, moreover, we can no longer maintain a cautiously negative attitude towards the epic of *šar tamḥāri*, or 'King of Battle,' which is witnessed in fragments from Amarna, Ashur, and Boghazköy.<sup>13</sup> For all its fictional overlay, this record of Sargon's invasion of Anatolia would seem to rest on a substantial foundation of fact. Unexpected support for this view comes from a Louvre text, recently published by Jean Nougayrol, which furnishes an independent poetic version of what was apparently the same campaign.<sup>14</sup> The tablet dates back to Old Babylonian times, but the poem itself may well be earlier. In short, the authenticity of the central theme has been considerably enhanced.<sup>15</sup>

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ultimately in the action of the Umman-Manda, with the Gutians included among the victims. Güterbock (*ZA*, 42, 76) inclines to favor in this respect the Weidner Chronicle and its analogues. My preference for the Naram-Sin text represented by CT 13, 44 will be explained below.

<sup>8</sup> Cf. the convenient summary in G. C. Cameron, *History of Early Iran* (1936), 28 ff.

<sup>9</sup> Cf. R. Campbell Thompson in *AAA*, XIX (1932), 105 f., and I. J. Gelb, *Hurrians and Subarians* (1944), 36, n. 100.

<sup>10</sup> For references see Gelb, *ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> Cf. J. Lewy, *Halil Edhem Volume* (1947), 11 ff. The text (RIU 274) is a Larsa copy of an Akkad original.

<sup>13</sup> Cf. Weidner, *Boghazköi-Studien*, 6 (1922), and Güterbock, *ZA*, 42, 86 ff.

<sup>14</sup> *RA*, 45 (1951), 161 ff. Theme, language, and poor state of the tablet combine to make the text extraordinarily difficult to follow at several points, but its general tenor and many of its details are clear nevertheless. In subject matter we have here a source, or one of the sources, for *šar tamḥāri*, and in form a model for the poem of Tukulti-Ninurta I (cf. E. Ebeling, *MAOG*, XII/2).

As a result, various other literary compositions revolving about the great figures of the Akkad Dynasty have gained much in value as potential sources of historical intelligence.

What is especially in need of a fresh approach is the question of the Akkad collapse. Because the empire which Sargon had built and Naram-Sin had expanded has proved more solid and impressive than was generally supposed, the forces that brought about its downfall must likewise have been greater than was previously assumed. Now there is nothing to indicate that Gutium possessed the requisite power; certainly not if that power was actually applied in the course of Naram-Sin's reign—as is becoming increasingly likely<sup>16</sup>—rather than under the chaotic conditions which marked the waning years of the dynasty. The stay of the Gutians in Southern Mesopotamia left no discernible cultural trace. There is no measurable influx of Gutian proper names. Following their expulsion the Gutians appear to revert to the relatively minor tribal role which seems to have been theirs before they had moved into the limelight. That they did play a part in displacing the Sargonids cannot, of course, be doubted. What is, however, open to dispute is the importance of their role and the juncture at which they performed it. The whole problem can be reduced, I believe, to manageable proportion after the relevant data of history, archaeology, and tradition have been re-assembled and fitted into a single pattern.

On the basis of the combined evidence it is now clear that there were present at the time, in close proximity to Akkad, several important ethnic groups, each individually more noteworthy than Gutium and each capable of offering a greater challenge to Sargonid aspirations. The case of Elam, the perennial challenger to the east, requires no fresh emphasis. Northwest of Elam was the home of the Lullu, whose contacts with Sumer go back to early historic times.<sup>17</sup> That Naram-Sin

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<sup>15</sup> The legendary touches that characterize *šar tamḥāri* are not a feature of the present composition, which cuts down to about one half the time span between the Amarna age and the events described. The first literary utilization of the theme must obviously be put still closer to the source.

<sup>16</sup> See above, note 6.

<sup>17</sup> Cf. already my remarks in *Mesopotamian Origins* (1930), 88 ff. and the more recent discussion in *JAOS*, 68 (1948), 8.



held the Lullu in high regard is shown convincingly by the fact that he commemorated their defeat on two great reliefs, one of which is his celebrated Stele of Victory. But the Lullu could counter with steles of their own.<sup>18</sup> One of these, that of Anubanini,<sup>19</sup> testifies both to Akkadian cultural influence and to considerable native power.

Hurrian tradition lists among early world rulers the Lullu king Immashk who is placed before the Sargonids.<sup>20</sup> In Mesopotamian tradition a certain Anubanini is presented as a scourge of the land.<sup>21</sup> The text in question, which is attested in Old Babylonian as well as in Assyrian, is closely related to another literary composition, CT 13, 44, which mentions Naram-Sin by name, in an ominous context.<sup>22</sup> On chronological and substantive grounds, therefore, it is scarcely possible to separate the Anubanini of Babylonian tradition from the very real Lullu king of the same name. It follows that the Lullu must have caused much grief to the Sargonids.

Hurrian opposition to Naram-Sin is reflected in his official accounts which list among his opponents at least two rulers with Hurrian names.<sup>23</sup> Contemporary local documents place Hurrian kings in Namar<sup>24</sup> and probably in Karḥar,<sup>25</sup> both in a northerly direction from Akkad. Hurrian

tradition about world kings knows of a Hurrian ruler in Turkish, prior to the Akkad period.<sup>26</sup> More significant, however, than any of these details is the tablet of another Hurrian king by the name of Tišadal, which has recently been published by Nougayrol.<sup>27</sup> The script dates the document to the Akkad period, yet the language is not Old Akkadian; it is instead the oldest Hurrian text so far recovered.<sup>28</sup> The ruler's city is Urkish, which we know of elsewhere as the seat of the god Kumarbi, head of the Hurrian pantheon.<sup>29</sup> Hurrian pressure against the south was thus sufficiently advanced in the Sargonid age to result in intimate cultural interrelations.<sup>30</sup>

Farther west our information is as yet too spotty for a coherent picture. In any case, it is evident that those regions held a strong attraction for Sargon. His empire endured for over a century, well into Naram-Sin's reign. The kings of Akkad were successful, among other reasons, because they were able to pick off their opponents one by one. Eventually, however, the opposition came to appreciate the need for unity, since his-

<sup>18</sup> Cf. *JNES*, 1 (1942), 80 ff.

<sup>19</sup> The name may safely be normalized with single *-n* in view of the fact that double writing in this text is non-distinctive, as is shown by the form *An-nu-um* for Anu (line 13). The linguistic background of the proper name remains, of course, obscure. As for the name on the Sheikhan stele, usually read *Tar...dunni*, the only thing that seems clear about it is that it ended in *-ni*.

<sup>20</sup> KUB XXVII 38, iv 13.

<sup>21</sup> So-called "Legend of the King of Kutha" i 18, discussed by Güterbock, *ZA*, 42, 65 ff. To my thinking, Güterbock would seem to interpret too literally the mythological allusions at the beginning of the text and the following description of the attacking forces. I would see here a mythological setting for an originally historical core comparable roughly to the Utuḫegal text, *RA*, 9, 111 ff.

<sup>22</sup> See Güterbock, loc. cit.

<sup>23</sup> Namely, *Puttim-adal* of Shimurru and *Hupsūmkibi* of Marḥaši, cf. Gelb, *HaS*, 55.

<sup>24</sup> *RA*, 9 (1912), 1-4. The name *Ari-sen* (for discussion and literature cf. Gelb, op. cit., 56) is typically Hurrian.

<sup>25</sup> Gelb (op. cit., 57) has made the plausible suggestion that the name hitherto read *Ḫi-sa-a-ri* should be read *An-ki-sa-a-tal* (i. e., *Ankis-adal*), with a transparently Hurrian final element. For the reading *Kār-bar* see *ibid.*, note 72.

<sup>26</sup> I. e., *Kiklib-adal*, KUB XXVII 38, iv 14. Members of the Akkad Dynasty occur in the same text, lines 22 ff.

<sup>27</sup> *RA*, 42 (1948), 1-20.

<sup>28</sup> With the appearance of this important document the prolonged dispute as to the antiquity of the Hurrians within the orbit of the "cuneiform civilization" is settled definitely in favor of their early arrival. The occurrence of Hurrian names to the north of Akkad can no longer be ascribed to the accidental prominence of sundry individuals. It is instead added proof of ethnic migration on a considerable scale. This fact lends unexpected support, at least in part, to the theory which I advanced in *Mesopotamian Origins* (120 ff.) to the effect that the Hurrians as a people became a factor in Mesopotamia as early as the 3rd millennium B. C. That view had to be modified upon the discovery of the Gasur texts in a stratum underlying the Hurrian settlements at Nuzi, inasmuch as little if any Hurrian evidence could be found in those Old Akkadian documents; cf. my discussion in *AASOR*, XIII (1933), 13-54. (For the Gasur texts see Th. J. Meek, *HSS*, X [1935], and for a discussion of the evolving problem cf. Gelb, *HaS*, 6 ff.) It now becomes apparent that Hurrians had come down in numbers at least as early as Akkad times, but that they settled in various pockets, so to speak, rather than in contiguous stretches of land. Their infiltration increased during Ur III and reached its peak in the middle of the 2nd millennium.

<sup>29</sup> Cf. Güterbock's publication of "The Song of Ullikummi," *JCS*, 5 (1951), 147. 5.

<sup>30</sup> These interrelations, which included language, literature, and law, as well as religion and art, cannot be pursued in the present context.

torical tradition about Naram-Sin stresses the motif of a coalition involving seventeen hostile kings. According to one context the allies were repulsed,<sup>31</sup> but in another, and presumably later, instance they dealt the Akkadians a crushing defeat.<sup>32</sup> By combining these hints with sundry data from other sources we obtain a self-consistent pattern. It would appear that Akkad never did recover fully from the blow which it suffered under Naram-Sin. The empire shrank to provincial proportions and presently proved to be too weak to fend off even the Gutians. The precise time when the Gutians took over remains uncertain.<sup>33</sup> What is important in this re-evaluation of the combined evidence is the strong probability that Gutians had little, if anything, to do with the decisive turn in the fortunes of Akkad. That state may have maintained itself as a local power for some years following the death of Naram-Sin.<sup>34</sup> But the period that made history and was kept alive by legend had already ended. The agents responsible for the end were many, some known and others as yet obscure, but all influenced in some degree by prolonged contact with Akkadian culture.

Having utilized thus far the data of tradition

<sup>31</sup> KBo III, 13 (line 16'), and Güterbock, *ZA*, 44, 67 ff.

<sup>32</sup> CT 13, 44 i 15; cf. *ZA*, 42, 69 ff.; note also the related Hittite material, KBo III, 16-20, edited and discussed by Güterbock, *ZA*, 44, 49 ff.

<sup>33</sup> It is significant that CT 13, 44 ii 10 lists the Gutians among those who were affected by the disaster. It would follow that, once reduced to a local state, Akkad was not markedly superior to its immediate neighbors. Before long the relatively fresh forces of Gutium were able to seize the opportunity to assert themselves for a period of decades. On this reduced basis the temporary success of the northerners would not be out of keeping with the general picture. Incidentally, my assessment of Gutium in *Mesop. Orig.*, 96 ff. has to be substantially modified.

<sup>34</sup> See above, n. 6. The evidence of the Sumerian King List does not necessarily contradict this interpretation in view of the established tendency of such official tabulations to give successive listing to contemporary events in diverse centers; cf. Jacobsen, *King List*, 205 f. At all events, even in the official accounts it is Sharkalisharri alone that separates the end of Naram-Sin from the period of chaos. Significant in this connection is the evidence of the Old Babylonian omen texts according to which no less than three out of the five prominent rulers of the Dynasty of Akkad met their death in palace uprisings. We know now that assassination disposed of Rimush, Manishtushu, and Sharkalisharri (cf. Goetze, *JCS*, 1, 356 ff.), leaving only Sargon and apparently also Naram-Sin to their natural fate.

as an aid to the recovery of history, we are obliged to pursue the first a step farther. The text that deals explicitly with the Akkadian disaster under Naram-Sin, CT 13, 44, appears to ascribe the initial move—the context is unfortunately fragmentary at that point—to the Umman-Manda.<sup>35</sup> The action originates in Anatolia or beyond. It gathers momentum as it sweeps on with elemental force along the northern perimeter of Akkad towards Elam and onward, until at last it is lost to view, its fury apparently as yet unspent. Who the Umman-Manda may have been is still as much of a puzzle as ever. They turn up stubbornly, however, in texts whose relative antiquity is gradually becoming established, and their inclusion in the Old Babylonian omen material is a noteworthy confirmation of their historical reality.<sup>36</sup> The Umman-Manda are mentioned, moreover, in the Hittite Code,<sup>37</sup> so that the designation seems to have been concrete enough at the time.<sup>38</sup> Does

<sup>35</sup> ii 8; cf. KBo III, 18 + 19, line 20 and the references in n. 32, above.

<sup>36</sup> Cf. Goetze, YBT X, 44. 33. The apodosis *ši-ip um-man ma-ad-da* '(it is) a foot of the Umman-Manda' is in parallelism with such portentous signs as *šēp nukurtim* 'foot of hostility,' *ibid.* 40 and *šēp limuttim* 'foot of evil,' *ibid.* 58, as well as *šēp elamtim* 'foot of Elam,' 50. 3. This indirect association of Umman-Manda and Elam recalls in turn the long-known astrological passage, Virolleaud, *ACh, Sin* IV 21-22, which brings up Elam as a sequel to the irruption of the Umman-manda; cf. W. F. Albright, *JSOR*, 10 (1926), 242, and L. Oppenheim, *Orientalia*, 5 (1936), 221. The Old Babylonian material furnishes, of course, positive evidence of the long-held view that the events utilized in the omen literature of whatever age rest on old tradition. It follows that the references to the Umman-Manda in later texts of this category can no longer be dismissed as meaningless. One of these instances reports them, interestingly enough, as riding against the land (cf. Oppenheim, *loc. cit.*, 222), a possible indication of the means responsible for their phenomenal success. [Cf. also *ra-ki-ib i-me-ri*, YBT X, 44. 65 in the light of the discussion by S. Feigin in "Studies in Memory of Moses Schorr" (1944), 227-40 and A. Salonen, *ArO*, XVII 3/4 (1949), 320-21.] For the occurrence in the Spartoli Tablets see Albright, *loc. cit.*, 241 ff. and *BASOR*, 88 (1942), 34 ff.

If the association with Elam has any significance at all (in which case Gen. 14 would gain in relevance, cf. Albright, *loc. cit.*), it may well indicate that Akkad's neighbors to the east and north took advantage of the blow administered to Akkad by the Umman Manda.

<sup>37</sup> Par. 54.

<sup>38</sup> That the term came to have an appellative connotation (not unlike SA.GAZ, which is indeed found in the Hittite Naram-Sin fragment, KBo III, 20. 10') was

the occurrence of the term in the literary tradition concerning Naram-Sin point, therefore, to a historical event whose significance can only be sensed for the moment?<sup>39</sup> If the details of CT 13, 44 could be taken at face value,<sup>40</sup> we might have here a hint of great ethnic dislocations, precipitated perhaps by profound disturbances in the farther background, such as may well have ultimately brought the Luwians and Hittites into Anatolia. The possibility is attractive and by no means implausible. For the present, however, it remains wholly in the realm of speculation.<sup>41</sup>

What is not open to doubt, on the other hand,

demonstrated by Landsberger-Bauer, *ZA*, 37, 82. The original meaning, however, is another matter.

<sup>39</sup> Cf. Oppenheim, *Orientalia*, 5, 221 and n. 36, above.

<sup>40</sup> Not the least perplexing of these details is the indicated first objective of the assault by the Umman-Manda, namely, *šu-bat ʾEn-[il]* (should <sup>ki</sup> be added?), CT 13, 44 ii 8. Is this the Šubat-Enlil of the Mari texts, which is usually equated with Ashur? [Primarily because these texts list no other site as the capital of Shamshi-Adad. This argument from silence is enhanced by Shamshi-Adad's own statement, *AOB*, I, 20. 6-13, that his principal religious edifice in the city of Ashur was named Šubat-Enlil. As a usurper and foreigner, moreover, Shamshi-Adad had good reason to play down the traditional name of the capital in favor of a term with strong southern connections, as his use of the Babylonian inscriptional style independently demonstrates; cf. Landsberger-Balkan, *Bulleten*, XIV/53 (1950), 220. The suggested identification of Šubat-Enlil with Chagar Bazar (cf. *ibid.*, 252) is rendered unlikely, among other reasons, by the relative insignificance of the latter site as disclosed by the excavations.] If the identity of the Šubat-Enlil of the Naram-Sin text in question with Shamshi-Adad's capital should be borne out, we would have an excellent criterion for dating that text. But the problematical character of the equation cannot be overstated at this juncture.

<sup>41</sup> Another highly speculative point may be mentioned in this connection for what it may be worth. The link between the Umman-Manda and Anatolia brings up anew the question of Tid'al, king of the Goyim, Gen. 14. 1 [for a discussion of that chapter see Albright, *JSOR*, 10, 231 ff. and J. H. Kroeze, *Genesis Veertien* (1937)]. The identification of Tid'al with Tudhaliya has long been current. The name is pre-Hittite, cf. CCT I, 34 a 17. A recent onomastic study assigns the name to the proto-Hittic group, cf. *Afo*, 15, 6 and 15. This would place the *goyim* likewise in Anatolia and enhance their equation with Umman-Manda. But the basis is as yet too flimsy for serious deductions.

is the fact of an Akkadian Empire whose extent does not appear to have been overstated unduly in the official sources. The actual duration of this first real empire known to history probably fell short of the 117 years said to have elapsed from the accession of Sargon to the death of Naram-Sin. But the cultural results proved far more enduring. They constitute, incidentally, the most dependable kind of witness for the actual political superstructure. Elam became Akkadianized in official speech and institutions.<sup>42</sup> The Lullu honor Akkadian deities on their reliefs and phrase their inscriptions in Akkadian. The Hurrians take over Akkadian writing and with it important elements of religion, literature, and other aspects of culture, many of which find their way in due time to Hittite centers in a sort of cultural chain reaction.<sup>43</sup> The civilization that had gradually been built up in Southern Mesopotamia<sup>44</sup> over a period of many centuries is transformed from a provincial into a cosmopolitan factor, transcending geographic, ethnic, and political boundaries. That the traffic was not exclusively one-way goes without saying. But the original impetus appears to have come from Akkad. All in all, the enterprise of Akkad led to the first broad meeting of East and West and became a highly significant milestone in the early history of Western Asia.

<sup>42</sup> See Cameron, *History of Early Iran*, 33 f.

<sup>43</sup> Cf. Güterbock, *Kumarbi* (1946), 105 ff.; Speiser, *JAOS*, 62 (1942), 98 ff. In Hurrian texts Naram-Sin is mentioned in KUB XXVII, 38 iii 18, and Sargon *ibid.* iv 23 and KUB XXXI, 3 rev. 6, 10.

<sup>44</sup> Among the important developments which characterize the Sargonid age locally, special attention is due to the concept of *šukēnu*, whose origin is traced to Akkad times by Landsberger, *MAOG*, IV (1929), 306 and whose linguistic and cultural implication I have touched upon in a paper scheduled for publication in *JCS* in the near future. Political expansion brought with it marked changes in society, in internal as well as external relations, which paved the way for the rise of the "dependent" class of *muš-kēnu*. Perhaps the clearest support for this particular meaning is to be found in the omen literature; a phrase like *bēl mātīm . . . muš-ki-nu-tam illak* (Oppenheim has called attention to it in *Orientalia*, 5, 207, n. 9; illustrations could now be adduced also from Old Babylonian material) does not mean, of course, 'the king will become a pauper,' but rather 'the ruler will become a dependent.'



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## CULTURAL FACTORS IN SOCIAL DYNAMICS IN THE NEAR EAST

*E. A. Speiser*

**I**N THE MYTHOLOGY of the early twentieth century no motif was more commonly accepted than that of the Immuta- ble East. Now, at the mid-century junction, that same East faces the reality of epochal change. The facts of today show up the error of yesterday's appraisal. Yet the earlier myth owed its acceptance to a few strands of fact that had been woven into it. There is similarly an admixture of fiction in the pattern of facts of the present. Each instance is, in part, a result of faulty evaluation which can be traced to insufficient perspective; in each, the approach has been lacking in depth. This is true of the Orient in general, but is nowhere more sharply in evidence in the particular than in the Near East.

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This article is based on two of the author's papers, one presented in October, 1952, at the Princeton Conference of the Near and Middle East Committee of the Social Science Research Council, and the other read in April, 1953, at the annual meeting of the American Oriental Society, held in Washington, D. C.

No apology should be needed for relating social dynamics in the Near East to the pertinent cultural background. Yet all signs would seem to point to the conclusion that the connection between the observable level of a given society and its subsurface forces is not fully appreciated. It is one of the tenets of modern pragmatism that things are not important unless their usefulness is immediately apparent. This belief, which often amounts to an article of faith, can be seen reflected everywhere around us. In education it has led to a doctrinaire hostility towards most things past. More than one social science has little use in practice for works antedating the present century. The statesmen who strive to prepare for tomorrow help to impart a nightmarish quality to our todays because of their obtuse refusal to take our yesterdays into account.

Social processes are three-dimensional. Any cross-section through the present has but two dimensions. It is flat, and so is the extreme pragmatic approach. Only a cultist kind of pragmatism can affirm that the present should cut itself loose from all tradition in order to make a success of the twentieth century.<sup>1</sup>

The process of social change is three-dimensional by definition. It involves a stratified medium, for such change moves from one level to the next. The question is how far down one must reach beneath a given stratum to arrive at the origin and gain an understanding of what is being transformed at long last. The answer will depend on the length and tenacity of historic tradition that is still a living force in the area involved. Because the Near East started the world on its historic course, no other part of the globe has been watched over by history to a comparable degree. Nor has tradition held anything like the same sway in any other region. The Near East, for instance, is the home of the old Eastern Churches of Christendom, which still function there, through direct survivals and various offshoots, their role as a political factor having persisted in some cases to this day. There, too, one can find remnants of pre-Christian Judaism among the Aramaic-speaking Jews of Kurdistan. The superficial Christianity of the Mandaeans and the undisguised paganism of the

<sup>1</sup> J. Glenn Gray, "Is Progressive Education a Failure?" *Commentary*, XIV (May 1952), p. 110.

Yazidis lead back still farther. To be sure, not all of these groups are representative of the main stream of living tradition. Nor does that tradition operate exclusively through religious bodies, although it is most prominent in Islam, the dominant religion of the area. The present, in any case, has deep roots in the Near East and these must be traced through countless paths and bypaths. The region, in short, is much like a multiple palimpsest. There may be concern only with the latest inscription; but the key to its interpretation might well be hidden in the legend at the very bottom.

To carry this comparison a step farther, the immediate task is to dig down and decipher the record of the past only insofar as this can contribute to the elucidation of the present. This is not a question of recapitulating the entire cultural history of the Near East. It is on this specific issue that is found what is perhaps the major area of friction between the humanist and the social scientist. The humanist cannot give up the notion that everything which his special discipline has unearthed is vital to the total picture. The social scientist sees in the data furnished by the humanities much that is not germane to his purpose, and he proceeds thence to the erroneous conclusion that nothing of importance can be derived from that quarter. The fact of the matter would seem to be that society, which is the ultimate focus of all such studies, is not cut up into humanistic and functional segments. It is an integral body at which the respective disciplines may nibble, but which they cannot hope to fathom unless all the disciplines are brought to bear on it in harmonious cooperation. All should be means to the sole end of recapturing human progress in its totality. Yet such is obviously not the case, least of all where the Near East is concerned. Your student of the contemporary history of the area does not normally have a workable understanding of the dominant Islamic culture. The Islamist stays aloof, as a rule, from modern developments — except perhaps as a political partisan — and pays only lip service to the pre-Islamic background. And the student of the ancient Near East, while conceding that life went on after Hammurabi or Moses, will positively refuse to become involved in it after the age of Alexander. What is thus lost in this parochial

fragmentation is the sense of essential continuity between the latest manifestation of the Near Eastern experience of mankind and its meaningful explanation in the remote past.

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But how can it be ascertained what cultural features of the stratified past have helped to shape a contemporary socio-political entity? It is plainly an interdisciplinary task since no single discipline has anything resembling it among its stated objectives. The social sciences are not geared to research in depth and the humanities are likely to underestimate the social and political factors. What is called for is a socio-cultural analysis of a whole region, strategically important and wedded to tradition, in the process of radical change; thus it might be possible to obtain a sense of the direction to which the changes are pointing. Yet it is not clear what is the nature of the basic social organism whose component parts are to be analyzed. What is the fundamental unit which has to be considered?

That unit cannot be the Near East as a whole, for that region soon proves to consist of a number of various units distinct from one another. To be sure, the Near East is the joint product of geography and history. It is articulated by people who at this particular juncture in time are responding in one way or another to a variety of social, economic, and political pressures. Because environment has given the region a vital strategic role, its peoples and its resources are the concern not only of the local states but also of the world outside. But this formulation is merely another way of describing a two-dimensional approach. It ignores the past and manages to obscure the future. Yet the geopolitical approach is about as far as diplomacy is prepared and equipped to go, and it comes close to exhausting the capabilities of political science.

Before long, however, one is bound to discover that the three states of Turkey, Iran, and Israel differ significantly among themselves, and that each is in substantial contrast with the neighboring Arab states. Evidently, therefore, the unit which must be isolated is not the same thing as a region. The reasons for the difference are just as plainly bound up with history. The distinguishing feature in each instance is the added dimension of



time. To do justice to such manifestations in depth requires the services of history and anthropology.

Does this mean that it is the individual state on which the cooperating disciplines must focus? The example of the Arab world shows that the state cannot be the answer to our question. Surely, more than one Arab state has to all intents and purposes the same cultural setting. On the other hand, the concept of nation, as in "the Arab nation," will not serve either. For on closer examination the Arab states as a group fail to function as an integral unit. There are here instead several distinctive subdivisions. Looking, moreover, at "the Kurdish nation," one finds that body partitioned among Iran, Iraq, Turkey, and Syria. In none of these states are the Kurds the dominant ethnic element, and they have no independent status on the international scene. Thus neither state nor nation can be the answer.

Nor is the concept of society as synonymous with civilization really suitable for the purposes. Toynbee's Western Christendom would be roughly comparable to the Islamic Near East. It has been suggested, however — and the suggestion will be supported presently — that Turkey cannot be bracketed with Iran, that the two cannot be equated with the Arab states, and that the Arab states break up into several subdivisions. What is lacking, therefore, is a practical focus of interdisciplinary research when it comes to analyzing political entities in their significant cultural setting.

What are, then, the main characteristics of this elusive unit of socio-cultural inquiry? In common with the state this is a politically significant organism of recognized international standing. Turkey or Iran, for example, fulfills these requirements. Yet each presents also other features that are not germane to the present context. To give an obvious illustration, the Kurds constitute sizable minorities in both instances, yet they have no decisive bearing on the domestic situation in either state and their voice is scarcely audible in external matters. In other words, the Kurds do not enter to any substantial degree into the group personality that makes Turkey distinct from Iran, and each in turn distinct from any other state. Those group features, however, that prove to be distinctive have been often a long time in form-

ing. Islam played a major role in shaping Turkey on the one hand and Iran on the other, but the reason that the two can be contrasted, nevertheless, is that each had already been molded in its own particular fashion long before the advent of Islam. To understand each country, therefore, and to chart its future potential, it may be necessary to recede as far back into the past as the continuous thread of distinctive group personality will carry.

In going back, however, it is important to distinguish between the essential and the incidental, the enduring and the ephemeral. The complex in question is indeed a socio-political organism as the end product of its total cultural career. Still, that career has been a cumulative and selective process. Over its entire course it may have involved all sorts of major changes and modifications: in religion and outlook on life, in law and government — even in language and ethnic composition. That is precisely why it cannot be readily apprehended in terms of state, nation, culture, or society as such. Each of these concepts is at once too broad for some of the present purposes and too shallow for others. What matters is the effective core within each complex under discussion; the irreducible minimum of productive features without which one such organism might not be clearly distinguished from the next in the long perspective. In short, it is not simply a question of the cultural history of Turkey, Iran, or any other state; rather it is a question of that blend of the living past and the deep-rooted present which enables each state to function in its own distinctive way. It happens that the Near East, by reason of its total history and the singular effect of its immemorial traditions, is of all the regions of the world the one best suited for such a study. It also appears to be the region that is most urgently in need of such an investigation.

The task will be greatly simplified if a term can be supplied for the concept that has just been described. The name that suggests itself is *ethneme*, on the analogy of “phoneme,”<sup>2</sup> which in linguistics represents the minimum significant unit of sound. Just so, the ethneme would stand for the minimum distinctive politi-

<sup>2</sup> A better parallel in this instance would be “glosseme,” or the smallest meaningful unit of linguistic communication, but “phoneme” is slightly more familiar. The important thing is that abstractions of this kind can prove instrumental in the progress of a discipline. They have clearly done so in linguistics.

cal organism in its socio-cultural setting. Each ethneme has its own combination of features, some constant and others variable. Environment, for instance, would have to be regarded as a constant ethnemic feature. Language is a distinctive feature in many cases, but not necessarily in all; one need only call attention to modern Switzerland or to the several linguistic strata in Asia Minor within one and the same ethnemic body. In its long historic career the Near East has been the cradle of many ethemes. Some of these have long been extinct, e.g., the Sumerians and the Hittites. Others have been dormant for an incalculable period, notably the Kurds. In Israel, there is an instance of an ethneme that is again operative after nineteen centuries of dormancy. In any event, those ethemes in the Near East that are now functioning reach far back into the past. Whether any new ethemes are in the process of formation at this time there is no means of judging. For one of the ethneme's most prominent aspects is its extent in depth, and that can be appreciated only in retrospect.

Two incidental observations may be made in passing. One of these pertains to the emergent discipline of "national character" around which there has grown up a considerable body of literature within the past few years. The foregoing emphasis on cumulative group personality might have given rise to the assumption that the proposed concept of ethneme is but another name for national character. In reality, these two concepts have certain features in common, but they differ also significantly in a number of ways. The main difference would seem to be that the psychological factor, which is dominant in the idea of national character, is only a minor feature in the ethneme. On the other hand, the accent on the formative past applies in the case of the ethneme to the historic group as a whole and not primarily to the sum of its individual members. If the ethneme turns out to be a valuable tool, it may well prove helpful in the study of national character in an incidental way.

The other observation is in the nature of a warning. It cannot be stressed too strongly that what has been said about the ethneme so far, and what will be said presently, should be construed only as program notes. The whole thing is merely stuff for transforming. The entire concept must be refined, tested, and perfected.

For the present it is no more than an experiment which carries with it the promise of worthwhile results.

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If the ethnemic concept is to justify itself as a useful tool of interdisciplinary inquiry, one must see how it can be applied to the present subject. What is back of the ferment with which the Near East is now astir?

The logical approach to this question is through the medium of the local states. State and ethneme are often roughly comparable at first glance. It is only upon further probing that the two are found to diverge as the criterion of background is applied. For once the factor of time has been taken into account, a single ethneme may prove to have progressed through a stratified succession of states. The ideal objective would be to retrace these steps, starting with the uppermost level. In practice, however, the task is not at all simple, perhaps even out of reach. But there is a good chance that it may be possible to get down deep enough for an adequate perspective before some slip obliterates the proper course. It can be said at any rate that the Near East has left more footholds, and has spaced them over a longer stretch, than is the case with any other area.

If the Near East is viewed as a group of states, their outstanding characteristic is soon seen to be a pervasive weakness, both in internal and external matters. On the surface this weakness appears to derive primarily from external causes: the colonialism of the recent past which kept the area under outside domination in one form or another; the strategic and economic imperialism of still more recent date whereby the great natural resources of the Near East have been made the target of foreign exploitation; or, in the judgment of others, the blend of cultural and social factors that have been channeled through Zionism.

There can be little doubt that various outside forces have had an adverse effect locally. Colonialism and the Suez Canal, oil and the Palestine conflict — all these have acted as powerful irritants. Yet, they are relatively superficial manifestations, symptoms rather than causes. However, for one reason or another, the diplomats' analysis of the problems of the Near East has rarely advanced beyond the notice of such extraneous factors. In fact,

their diagnosis has often stopped with but one of these: Palestine, or oil, or the Suez. This is not to suggest that a more penetrating analysis would have served to obviate the present crisis altogether. Since the fundamental causes of the region's weaknesses do not stem from the outside, they have to be internal. The cure must come, therefore, from within. But a keener diagnosis might have left the outside world in a better position to know what to expect and guard against. As it is, the lid now threatens to be blown to pieces — and this in an area whose stability is essential to the world's equilibrium.

Once it is realized that the basic troubles of the Near East are rooted in the native soil, the immediate cause is not far to seek. It is the familiar chain reaction of extreme and chronic poverty on a mass scale, with the usual concomitants of malnutrition, disease, and illiteracy. Since the area is overwhelmingly agricultural, and mass poverty is a cancerous affliction, land holdings have passed in course of time from the indigent many to the successful few.<sup>3</sup> The vast majority of the population are consequently landless. Progress and reform are not in the immediate interest of the landlords and the landlords have a very substantial voice in the government. The governments are weak because their mandate is from the few and for the few. They can be neither honest nor representative. Eventually the need becomes urgent to divert the attention of the long-suffering masses from the ills within to some convenient target outside. Because of the abiding importance of the Near East, interested outsiders have always been ready to hand. They have been made to shoulder most of the blame, sometimes with good reason, but often also as mere scapegoats. In a climate such as this, it is primarily as instruments of diversion that xenophobia and obsessive nationalism spring up and prosper.

To be sure, this type of chain reaction is not restricted to the Near East any more than mass poverty itself. It is perhaps more pronounced here than elsewhere but it is certainly not unique. A drastic economic imbalance, moreover, is itself a symptom of something deeper. The fact has often been stressed that economic

<sup>3</sup> Sa'id B. Himadeh, "Economic Factors Underlying Social Problems in the Arab Middle East," *The Middle East Journal*, V (Summer 1951), pp. 269 ff.

problems cannot be divorced from the total context of the given civilization. The crisis brought about by mass poverty is seriously aggravated, if not induced, by underlying social and cultural conditions. The recent history of the whole of Asia bears this out.<sup>4</sup> But whereas the rest of Asia has been suffering from social and cultural disintegration for a few generations, the Islamic world has been the victim of the same malady for centuries. And the Near East is overwhelmingly Islamic.

Now Islam was destined from the very beginning to become a dominant ethnemic feature, far more so than any other major religion. For it was Muhammad's conviction that his mission included the task of founding a community which should be a State as well as a Church. Numerous tenets of Islam reflect the intimate blending of the spiritual and the temporal.<sup>5</sup> But while spiritual values often prove to be enduring, temporal policies, as the name implies, presently become outdated. By now, Islam as a spiritual experience has stood the test of time for some thirteen centuries. But it is also the state religion in a number of countries within the Muslim world. To the extent to which Islam is a State as much as a Church, the effect of the system on social and political progress has been negative for a long time.

It is neither feasible nor necessary to trace here in detail the inhibitive aspects of traditional Islam in the socio-political life of its community through the centuries. The long-term results in general have proved harmful in precisely those fields that affect the vitality of the society as a whole. Thus the Muslim laws of succession and the institution of the Waqf, or Pious Foundations, have jointly contributed to the progressive fragmentation of land holdings and the critical inequality of land ownership.<sup>6</sup> Education in a theocratic state is of necessity slanted, limited, and reactionary. Social practices remain stagnant. And international relations are hampered by numerous injunctions that were anachronisms a thousand years ago.

The pervasive weakness of Islamic society, therefore, is due in large measure to the dominant temporal features of the under-

<sup>4</sup> C. F. Hudson, "Why Asians Hate the West," *Commentary*, XIII (May 1952), p. 414.

<sup>5</sup> Arthur Jeffery, "The Political Importance of Islam," *Journal of Near Eastern Studies*, I (1942), pp. 383 ff.

<sup>6</sup> Himadeh, *loc. cit.*, 272 ff.

lying system. The obvious answer to the problem would be a resolute separation of Church and State. This is by no means a novel conclusion. It is implicit, for instance, in the statement of a distinguished Syrian educator and statesman, Costi K. Zurayk, who has written as follows: "When, however, it [Islam] became reduced to a set of doctrines to be taken on credence, and a code of laws and morals to be applied rigidly and blindly it turned out to be, as other religions in the same state, a burden rather than an inspiration, a paralysing shackle instead of a liberating force, the letter that killeth all real endeavor and progress."<sup>7</sup> A courageous Egyptian Muslim, Khalid Muhammad Khalid, refers to the same conditions in terms of witchcraft rather than religion.<sup>8</sup> Yet the logical step of divorcing State from Church has so far been taken by only one of the countries involved, namely, Turkey. And it is surely no mere coincidence that Turkey today is once again a progressive and dynamic state. But the rest of the Islamic community in the Near East has yet to reverse its downward trend.

It is thus apparent that the roots of the present crisis in the Near East reach deep down into the past. The surface weaknesses in the economic, political, and social fields are largely symptoms of underlying cultural ills. No lasting cure can be hoped for until the basic troubles have been attacked. Superficial reforms could achieve only ephemeral results. The best native thought in the Near East is well aware of this, in welcome contrast to outside analysis which seldom penetrates beyond the surface manifestations. But there are formidable obstacles to the kind of reform that is urgently needed. For the opposition comes not only from the thin layer of the landlords who control the economy and have a powerful voice in the government. Resistance to reform is even greater in the religious quarters which have arrogated unto themselves the authority over the region's cultural heritage. They can afford to be outspoken where the landlords cannot. Because they purport and are believed to have a monopoly on truth, their voice is the voice of blind fanaticism. In the much-filtered atmosphere of the Near East that voice

<sup>7</sup> "The Essence of Arab Civilization," *The Middle East Journal*, III (April 1949), p. 127.

<sup>8</sup> See the review of his book *Min huna nabda'* by Nicola A. Ziadeh, *The Middle East Journal*, V (Autumn 1951), pp. 506-508.

carries far and wide, drowning out other tones. The *Ikhwan al-Muslimun* ("Muslim Brotherhood") of Egypt and other Arab lands, and the *Fida'iyān* ("Devotees") of Iran may be extreme instances; yet such groups have a traditional hold on the rank and file, and their witchdoctor influence in recent developments is much too pronounced and tragic to be underestimated. The formula of the religious medicine men is particularly dangerous in that it compounds socio-political half-truths with age-old spiritual tenets. It is virulently anti-foreign, obsessively nationalistic, and fiercely reactionary. The hopeless masses are all too ready to embrace a cure-all that bears the stamp of inspired authority. In such a climate an effective change would have to be of elemental proportions.

It follows, at any rate, that Islam is a dominant ethnemic feature in the Near East. The name itself implies submission to divine authority and the entire history of the Islamic community points up the system as an overriding cultural factor. Accordingly, different conditions may be looked for where the influence of Islam is either negligible or has been measurably reduced. Such indeed is the case in three Near Eastern states. Israel has but a small Muslim minority, hence her socio-political status is markedly different from that of her neighbors. Lebanon is half Christian, with a consequent reduction in the social imbalance from which a Syria or a Jordan is suffering. And while Turkey is overwhelmingly Muslim, her progressive career in recent years dates back exactly to the time when religion was removed officially from the socio-political sphere. But if this could happen in Muslim Turkey, why have not the other Muslim states of the Near East followed suit?

The question is a logical one. The answer is bound up with the further features of the various ethnemes which contribute to those differences in national group personalities that are reflected in the several states of the region. To put it differently, the Arab states and Iran have not followed the example of Turkey — at least not so far — because the circumstances have not been the same in each instance. This is, of course, a plain fact. But it is scarcely valid to account for that fact with the invariable cliché that Turkey has had its Mustafa Kemal Atatürk whereas the



other states have not. The personal equation is important but it will not bear much probing in this context. A man may help to change the course of a nation only when the nation is ready for the process. Otherwise, the change would prove superficial and short-lived at best. Much that is not apparent on the surface went into the making of the Turkey of Atatürk. And since that formative background has led to results which serve to distinguish modern Turkey from other Muslim states, the factors in question would have to be either pre-Islamic or extra-Islamic. Thus ethnemic analysis, after noting the effects of Islam on the various ethnemes involved, now obliges us to go beyond the Islamic stage.

Let us dwell briefly on Iran, as distinct from both Turkey and the Arab states. Apart from geography, the outstanding differences are linguistic. Iranian has no family relationship with either Turkish or Arabic. The country has retained its pre-Islamic language, unlike Iraq, Syria, Jordan, and Egypt, all of which have become arabized. It might be argued that arabization succeeded where the process involved only the displacement of related Semitic languages, say Aramaic for Arabic; hence Iran was spared. Yet similar conditions obtained in Egypt, which adopted Arabic none the less. The linguistic aspect, in other words, must itself be a symptom instead of a cause. Language would seem to constitute a major ethnemic feature only when it is a vehicle for a distinctive culture.

That the distinctiveness of Iran extends indeed far beyond language is evidenced perhaps most clearly by the kind of Islam which that country has made its own. For Shi'ism, which is the sectarian stamp of Iran, shows significant differences from Orthodox Sunnism along lines that are by no means restricted to doctrinal issues. The schism, then, is basically cultural, and its roots would seem to be pre-Islamic. In other words, the distinction in this case is ethnemic. It sets Iran apart from the other Muslim states of the Near East, including Turkey, which are mainly Sunni. Backward Yemen happens to be Shi'i to be sure, but that country is scarcely articulate enough to have yielded sufficient data for ethnemic analysis. There is, furthermore, a narrow Shi'i majority in Iraq although the leading groups there are Sunni. This may well be one of the reasons why Iraq is still ambivalent in terms of a modern state.

In pursuing significant ethnemic characteristics in the Near East it becomes evident that the period of the introduction of Islam was a very important juncture. For as a cultural influence in a political framework Islam is unmatched by any other major religion. It is a singularly powerful factor for unity and solidarity among its constituent societies. Nevertheless, the rise of Islam apparently is too late a period for the starting point of the present inquiry. For by then there had already emerged certain basic features of several societies which were to survive in a number of modern states. Those features must ultimately be the key to today's problems and tomorrow's prospects. The impact of Islam served to level them in most instances but it could not suppress them altogether. In a region of immemorial traditions it may be necessary, it would seem, to trace the living past to its source if the mainsprings of the present are to be seen in the proper focus.

It goes without saying that Western diplomacy has not shown, and could hardly be expected to show, the least awareness of the truth of the foregoing statement. Western scholarship, however, should know better but it has shown little evidence that it does. Local elements are not quite as agnostic. Beyond the constant reminders of the past in social customs and institutions, there have been in the Near East conscious efforts to link the remote past with the present. Atatürk sought to do so by tracing the contemporary Turks first to the ancient Sumerians and later to the Hittites, with results that were far from academic so far as the effect on his country was concerned. A stridently vocal group in Iran is bent on reviving old Persian usages. Much of this activity is questionable as to soundness and purpose, yet it does reflect an inkling of a truth dimly perceived.

The Iranians behave today as they do because in some part they were conditioned that way long before the advent of Islam. The same is true of the dominant elements in Turkey, although there it is difficult to tell at this time how much of that behavior was motivated in ancient Anatolia and how much originated with the intrusive Turks. The means for making such nice distinctions are seldom available in adequate measure. If they were, it should be possible to arrive ultimately at a picture of an ethnemic personality that would bear no resemblance whatever

to the facile sketches by some anthropologists — happily not representative of their discipline — who are prepared to develop a picture of the composite Japanese, American, or whatever the case may be, as readily as a composite photograph can be produced. What is known is that, say, Turkey and Iran have each responded differently to similar impulses. Whether that difference is one of kind or merely one of tempo remains to be seen. Going back to a particular juncture in their respective careers, up to the advent of Islam, their courses are roughly similar. Beyond that juncture, however, and farther back into the past, their paths draw apart. It appears that this divergence is ultimately related to the disparate contemporary behavior of these two ethnic groups, enough so to make of these groups two distinctive ethnemes.

Now when one recedes as far as the age prior to the rise of Islam, hope fails for more than the long perspective in which most details are blurred and only the broad contours are discernible. In other words, with such remoteness all that may reasonably be expected to be recovered are certain enduring features of the given civilization. These features, however, add up to that specific society's own way of life, a cumulative solution of the larger issues of existence and destiny which enabled the group to leave its mark on history. For present purposes, moreover, this has to be a solution which was not to be wholly discarded by the succeeding societies down to our own day. Interest, at this point, would attach to the Hittites only to the extent to which they may help to shed light on modern Turkey; to the Achaemenians as a possible clue to contemporary Iran; and so on.

Two principal sources of information are open in this connection. One is the concept of state which represents a solution in terms of the individual's relation to society. The other is religion which reflects both the individual's and society's integration with nature. The reason why Islam has proved to be an outstanding ethnemic feature is precisely that the system embodies the two vital aspects of Church and State. This combination, however, is itself a legacy of earlier times, for the farther back one moves in the history of the Near East the harder it becomes to separate the two institutions.

In other words, Islam is a milestone in the Near East's career but in nowise the starting point of its historic traditions. By the time of its rise the people of the region had been experimenting with basic values for a very long time, singling out the time-tested solutions and arranging them into varying patterns. Islam was largely a restatement and a special arrangement of some of these solutions. The system was successful in the main because it had long been familiar in its essentials. But where the new pattern departed sharply from the old, Islam met with proportionate resistance and required more effort to impose. A measure of uniformity was thus achieved at length, not so sweeping, however, as to obliterate all traces of the underlying differences. These differences are still apparent throughout the area in countless intimate details. An ethnemic inquiry can safely disregard most such manifestations. But it cannot ignore any evidence concerning the oldest established concepts of state. For such concepts enter intimately into each society's way of life. They are experiences that are not readily given up. In the final analysis they turn out to be the very core of the individual ethneme.

This is obviously neither the time nor the place to develop the theme.<sup>9</sup> It is a relatively new theme and a vast amount of work remains to be done on it. In briefest outline, the ancient Near East bequeathed to the world two sharply contrasted systems regarding the relation of the individual to society, each embodied in its own logical concept of state. One of these was arrived at in Mesopotamia. It proceeds from certain inalienable rights of the individual, which are safeguarded by the law and protected by the ruler who is himself the humble servant of the law. The king's authority is further limited by the assembly which must approve all major decisions. This rule by assembly marks a substantial start towards representative government and democracy. The other solution was evolved and perfected in Egypt. Central to it is the assumption that the king is a god, beyond the reach of his subjects and a law unto himself. The resulting government is pervasively totalitarian. It is symbolized

<sup>9</sup> A fuller statement will be found in "The Ancient Near East and Modern Philosophies of History," *Proceedings of the American Philosophical Society*, XCV (December 1951), pp. 583-588.

early and with singular force by the monumental fact of the pyramids.

These two solutions constitute opposing and mutually incompatible ways of life. There could be no genuine compromise between them. The rest of the Near East usually had to be either in the one camp or the other. Contrary to popular assumption and the teaching of history books, there is here a complete dichotomy. Egypt remained in virtual isolation, but the Mesopotamian way found many ardent adherents. Among these was Anatolia, whose laws and general culture in Hittite times point unmistakably to Babylonia. Syria and Palestine, likewise, owed much to Mesopotamian inspiration, although their own contributions to the distinctive civilization that was thus emerging are in no danger of being overlooked. The inherent democratic tradition was to play a vital part in the ultimate development of Judaism, Christianity and Islam. Only Iran fails to show a decided trend. Though long the cultural associate of Mesopotamia, Iran came to evolve a concept of state that did not configure strictly either with that of her neighbor or with Egypt's.

One result in particular needs stressing in this connection. On the basic issue of a way of life, Egypt diverged sharply from the rest of the Near East throughout her long pre-Islamic history. In all the centuries since the advent of Islam Egypt has not been able to submerge altogether this ethnemic characteristic. Her traditional apartness and her recurring stress on the unity of the Nile Valley are two of the features that cut down beneath the Islamic stratum. The relatively greater immunity of the ruler in Egypt has been another such feature. This does not mean, of course, that Egypt subsists entirely on her pre-Hellenistic legacy. The long Islamic period has been a great equalizer. Hence, the pull towards Arab unity, and hence, too, the recent moves which put an end, at long last, to the abuses of which the royal house had been guilty. But the pull in the other direction is still a factor.

Another result of this examination is the distinction which it has brought out between the ethnic and the ethnemic complexes. Ethnically the Egyptians are Arabs. But by the ethnemic cri-

terion of the traditional concept of state, Egypt requires independent listing, apart from other Arab states. On the other hand, no such differences separate Syria, Jordan, and the Sunni Arab portion of Iraq. Since these three political entities also share other major ethnemic features — language, religion, geographic environment — they properly make up a single ethneme. Turkey shares with the Fertile Crescent the inherited feature of the concept of state, but differs from that area on other ethnemic grounds. Iran's distinctiveness expresses itself, among other ways, through Shi'ism, which proves to be a separate ethnemic feature within the larger complex of Islam.

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In conclusion, it may not be amiss to apply, as a practical but strictly tentative test, the over-all results of the foregoing discussion to selected problems of the contemporary Near East.

The most revealing case by far is that of Turkey. To begin with, due regard to the cultural factor makes it necessary to center on religion as a prime ethnemic element in the region. By reason of its anachronistic tenets in the socio-political sphere, traditional Islam must be viewed as the underlying cause of the present ills of the Near East. Turkey has furnished support for this conclusion in that her return to a progressive course dates back to her separation of Church from State under the determined leadership of Mustafa Kemal Atatürk.

It would seem to follow that the other Muslim states cannot expect a comparable improvement until each has instituted similar reforms. It is logical, therefore, to ask why they have not done so to date, profiting from the example of Muslim Turkey. This question was posed earlier in the present discussion, but no direct attempt to answer it has as yet been made. Nor is a clear-cut answer possible at this time in view of the complex nature of the problem. Some tentative suggestions, nevertheless, may be hazarded.

It is self-evident that a number of major features enter into the composition of any given ethneme. Their respective force varies from instance to instance so that the ultimate pattern is never the same. That is why each composite ethneme is a unit unto itself. In the case of Turkey, the religious factor — although far from

negligible — is evidently not as pronounced as in the neighboring Muslim states, whereas other ethnemic features would appear to be correspondingly stronger. A detailed inquiry might well yield more precise results along these lines. But certain general indications are available even now.

Islam is native to the Arab world but intrusive in Turkey. Its roots are necessarily deeper and firmer in the area of its origin. Any serious interference with the system would be bound to run up against greater obstacles in the Arab states than in Turkey. On the other hand, Turkey is heir to a democratic tradition that reaches back to remote pre-Islamic times. The reforms of Atatürk, however, were carried out, as was inevitable in the circumstances, by authoritarian methods. It is significant, therefore, that inside of a generation Turkey has taken steps to correct these conditions. Have these successive changes been due to surface factors alone, or should the result be ascribed to the collective group personality that represents the Turkish ethneme? This last possibility, at any rate, should not be discarded offhand.

By the same token, the oft-voiced wish for an "Arab Atatürk" should be assessed in the light of what may be known about Arab group personality. Would Arabs respond as readily as did the Turks to the aims and methods of an Atatürk? Obviously major reforms in the system of traditional Islam can be expected to encounter considerably greater difficulties among the Arabs. As for authoritarian methods, would these, once instituted, prove more congenial to the Arab world, or less so, when compared with Turkey? It should not be forgotten that the submission which is implicit in Islam is submission to theocratic and not strictly secular dictatorship. In any case, the answer hinges on much more than the emergence of a strong leader.

Granting, moreover, the fact of group personality and group temperament in an ethnemic sense, do the Muslim Arab states constitute a single ethneme? There are good reasons against such an assumption. Egypt is clearly a unit apart. The Arabian peninsula can be shown to represent at least one other unit. The Muslim states of the Fertile Crescent are clearly a separate unit. This gives a minimum of three Arab ethnemes, which means that three separate lines of action can be expected in any given in-

stance. On the issue of Islamic reform, Egypt might well pursue one course, Saudi Arabia another, and the Fertile Crescent still another. Non-Arab Iran is naturally not to be bracketed with the preceding units.

What of the problem of receptivity to Communism? It goes without saying that several factors are involved. The prevailing social and economic conditions enhance the appeal of communist cure-alls. The strong ethnemic feature of religion operates in the opposite direction. In this impasse the scale could be tipped one way or another by the traditional concept of state that characterizes the respective ethnemes. On this score, Egypt would seem to be most amenable in the long run to a totalitarian solution, Iran less so, and the Fertile Crescent scarcely at all.

The issues of the Near East are, of course, not likely to be decided on a piecemeal basis. Because the fate of the region has a vital bearing on world stability, major political developments would probably take place here on a regional scale. But political questions as such are short-term problems. The fundamental issues of the Near East, on the other hand, have centuries of incubation behind them. They require long-term solutions. It is in this connection in particular that ethnemic characteristics bid fair to play a significant part.

Events of recent weeks and months have made it abundantly plain that matters have now come to a head. The Near East is on the eve of a transition which could well be of epochal proportions. The forthcoming changes will be brought into being by the various classes and groups within the population of each state, and they will react in turn on each of the participating elements. All this calls for many detailed investigations. Yet sight should not be lost of the fact that society is not the sum of so many fragmented sections. It is rather the synthesis of all of them through the entire length of its organic existence. It is a structure in depth, nowhere more so than in the Near East.





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## THE ALALAKH TABLETS<sup>1</sup>

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THE EXCAVATIONS of Tell 'Atšānah, ancient Alalakh, which Sir Leonard Woolley conducted in 1937-49, yielded a large number of exceptionally important inscribed records in addition to notable material finds. In his preliminary report on the tablets from that North Syrian site Sidney Smith gave the first indication of the significance of these discoveries,<sup>2</sup> while his pamphlet on *Alalakh and Chronology* sought at the same time to place the combined epigraphic and material evidence in a broader historical setting.<sup>3</sup> In 1949 appeared the study of *The Statue of Idri-mi*, again from the pen of Sidney Smith; this centered about a unique and doubtless the most important single text from Alalakh, remarkable alike for its manifold difficulties and inherent promise.<sup>4</sup> It can now be seen that these two characteristics typify the Alalakh documents as a whole.

The volume here under review appeared in 1953. Its author is D. J. Wiseman, of the Department of Egyptian and Assyrian Antiquities of the British

Museum. Mr. Wiseman's work starts out with a brief analytical introduction devoted to some of the historical, linguistic, and contextual problems of his texts. The core of the book consists of a descriptive catalogue of the tablets, over 450 in number, which sets forth the contents of each document, often with a full transliteration and a more or less literal translation. Attached to the catalogue are extensive indices of proper names, place names, professions and occupations, and selected vocabulary entries. Especially valuable are the appended autographed copies of the texts which take up 58 closely filled plates.

The book is thus a comprehensive report rather than a definitive publication. Many copies had to be left out and linguistic comment has been limited in the extreme. A fuller treatment would have required a publication several times the size of the present volume and would have entailed not only many months of additional labor but incalculable difficulties of financial nature. In these circumstances, all cuneiformists and students of the history of the ancient Near East cannot but feel indebted to Mr. Wiseman for publishing what he could without further delay. His exemplary autographed copies and the prodigious amount of spade work that has gone into the catalogue and the indices provide a solid foundation on which others can build. Adequate evaluation of new sources must necessarily be a co-operative effort. The material will have to be "processed" on many sides and for various aspects: historical, political, legal, social, economic, linguistic, and others. Yet all subsequent contributions to the Alalakh material, which are certain to be made in the months and years to come, will be the direct or indirect results of Mr. Wiseman's basic effort.

Any appreciation of the Alalakh tablets that is attempted at this time (February 1954) has to be tentative and restricted in scope: nothing like a consensus can be apparent until the appearance of a representative number of critical reviews; and limitations of space and time oblige a reviewer to restrict himself to a selection of notes and comments. The following remarks have to be judged

<sup>1</sup> Cf. D. J. Wiseman, *The Alalakh Tablets* (abbr. AT). Occasional Publications of the British Institute of Archaeology at Ankara, No. 2. Pp. iv + 163, with 58 plates of autographed texts.

<sup>2</sup> *Antiquaries J (ournal)* 19. 38-48.

<sup>3</sup> London, Luzac and Company, 1940.

<sup>4</sup> Publ. of the Brit. Inst. at Ankara, No. 1. To my review of the book in JAOS 71.151 f. the following remarks may here be added. Our understanding of *Idrimi* 26 f. has been advanced substantially by Goetze who would read INIM *ur-tab-bi-a-ku ú-ra-aq* and translate 'He/I made the word "big" for you, (but) he/I will make (it) "empty" (again),' with the appended suggestion that the subject referred to may be Idrimi's adversary (JCS 4.229 f.). An optional change in the reading of the first sign should help to make good sense of the entire phrase. Since *akan(n)a* is elsewhere followed either by *qabū* or by *šapāru*, as Goetze has noted, and since KA carries the required meaning, I propose to read *iqtabū* for INIM and to take the two following words as a (possibly proverbial) consolation: 'It has been much for you but (note the asyndeton) it will cease.' The verbs could well be taken impersonally, unless one prefers to see here a reflex of the passival expression of the underlying Hurrian. For laconic proverbs to sum up a complex situation cf., e. g., I Kings 20. 11.—At the end of l. 52 I would read *iš-me!-ma* '(When the king) heard,' which yields the very meaning that the context demands.

accordingly. They will be presented in two parts. The first part will concentrate on several points of a general nature which derive from an analysis of more than one text. The second part, on the other hand, will offer marginal notes to some of the individual tablets in the order in which these tablets have been presented in the book before us.

## I

The outstanding importance of the Alalakh documents is due to their bearing on a hitherto obscure section of the Fertile Crescent. The texts open up a new territory for research, which is the main reason why they are so difficult in many respects. To be sure, the border regions between Syria and Anatolia have been illuminated in recent decades by documents from Boghazköy and Ugarit. These sources, however, do not go back essentially beyond the middle of the second millennium. The preceding centuries have been so far a dark age in more ways than one. The Alalakh tablets now afford a means toward filling the gap. For they stem from two well separated levels; those from Level VII synchronize approximately with the Mari archives<sup>5</sup> and give us thus a substantial insight into local conditions in the 18th century which could hitherto be followed only with the aid of scattered references from the distant vantage point at Mari; the texts from Level IV,<sup>6</sup> on the other hand, constitute a solid guide to the 15th century. This still leaves us with a dark period of some two centuries, the dark age of Hittite history. Yet the new data on the older period enable us to see the later data in a better perspective and, incidentally, to readjust our views on the intervening years.

Wiseman has rightly stressed the fact that Alalakh was Hurrian to a considerable extent already in the 18th century (p. 9). This is immediately apparent from the proper names among which Hurrian elements are at least as prominent as the West-Semitic names, although their percentage does not become overwhelming until we reach

Level IV.<sup>7</sup> The onomastic evidence is borne out by the use of Hurrian technical terms; e. g., No. \*432<sup>8</sup> includes such tell-tale formations in *-ušhi* as *ga-aš-mu-uš-hi* and *tap-ḫu-uš-ḫu*, and such typical plurals in *-na* as *ša-an-ni-na* and *ḫi-li!-na*. It follows that Hurrian penetration into the area<sup>9</sup> must have been underway for some time. Since the mass settlement of the Hurrians cannot, therefore, be placed as late as the period of the relative blackout that precedes the middle of the second millennium, the Hurrians cannot very well be held responsible for that blackout, as has been often suggested. Rather, they were the victims of the upheaval in common with the West-Semitic portion of the population. Had the attendant disturbances been limited to Syria it would now be a comparatively simple matter to trace them to their source. For one significant ethnic element that is absent in the 18th century but attested in the 15th—not only at Alalakh but in Syria, Palestine, and elsewhere—consists of the Aryans.<sup>10</sup> Their impact could be and often has been exaggerated, but they were not a negligible factor by any means. By the time of the 15th century they had become hurrianized to a considerable degree, so much so that the Mitanni dynasty employs Hurrian as the official language even though the kings may still bear Aryan names. In other words, it is altogether plausible to assume that it was the irruption of these Aryans that upset the existing political and cultural equilibrium and interrupted progress for many decades—until at length the invaders succumbed in turn to the native cultures. This convenient hypothesis, however, is weakened by the fact of analogous conditions in contemporary Anatolia which Hittite evidence would seem to trace, at least in part, to the Kaškeans.<sup>11</sup> If the

<sup>7</sup> Where Wiseman places the Hurrian material at ninety-five per cent (p. 9).

<sup>8</sup> The book employs the asterisk to mark the older texts and this usage has been followed also in the present paper. There are occasional discrepancies in this connection, as between the catalogue and the indices, but such slips are relatively easy to rectify.

<sup>9</sup> Wiseman speaks of this element of the population in the 18th century as "already strong, if not indigenous" (p. 9). Much more evidence than is as yet available would be needed to support the alternative possibility.

<sup>10</sup> Cf. R. T. O'Callaghan, *Aram Naharaim*, 56 ff., and note the review in JAOS 70.307 ff.

<sup>11</sup> See now Goetze, BASOR 122 (1951) 20 ff. Previously the break in Hittite history had commonly been

<sup>5</sup> Some of these texts, however, raise serious chronological problems; cf., e. g., No. 412 (and see p. 9) which refers to a Kassite (no copy or transliteration is given).

<sup>6</sup> It should be stressed, however, that texts have occasionally been assigned also to levels other than VII and IV, as is noted in the Register (pp. 119-22).

events in question were interrelated — as seems probable — one would have to (a) connect the Kaškeans somehow with the Aryans; (b) assume that the Kaškeans had themselves been dislodged and driven by the Aryans; or (c) absolve the Aryans of any responsibility in the matter. In any event, the Hurrians cannot have been primary factors in this instance.

The marked increase of Hurrian linguistic matter in the 15th century texts raises many points, of which only a few can be touched upon here. For one, the likelihood has been greatly enhanced that most, if not all, of the names of the contemporary ruling house of Alalakh should be analyzed as Hurrian.<sup>12</sup> For another, the extant Hurrian vocabulary has been substantially increased, although much of this material can only be guessed at. Local dialectal differences have also come to the fore, e. g., *-uḫuli* (which forms occupational terms)<sup>13</sup> and *mušuni* (a divine epithet)<sup>14</sup> for the more commonly attested *mušni*.

ascribed to the Hurrians. There remains of course the inherent probability that more than one factor was at work, whatever the initial impetus may have been.

<sup>12</sup> Cf. JAOS 71. 151-52.

<sup>13</sup> The number of such formations is exceptionally large in these texts and they can be based on non-Hurrian stems (cf. the long known *ḫalsuḫlu*, Alalakh *balsubuli*, No. 101. 9, and add *ḫasḫlu* from the Billa texts, JCS 7. 116, n. 30; note, furthermore, *mašku-buli*, 'leather-worker,' No. 197; *purkullu-ḫuli* 'stone-cutter,' No. 227. 8, and the like. At no time does the suffix produce a genuine agent noun, C. H. Gordon, *Orientalia* 7. 51 and *AnOr* 25. 248. The only time that I know of when this suffix does not seem to denote an occupation is in *wuruḫli* 'south,' JAOS 61. 287, yet even here some such personification as 'stormer' (cf. Akk. *šutu/meḫū*) would seem to be implied.

<sup>14</sup> The alternation *mušni/mušuni* is known already from the Boghazköy texts, cf. OIP 57. 235. As for the meaning of this element, Goetze has recently called attention to the passage in the treasury inventory from Qatna, line 179, where a notice of two lapis statuettes is followed by *tu'āmū šum-šu šu-nu mu-šu-ni*, concluding that "*muš(u)-ni* means 'the twin'" (JCS 2. 137 f.). The only difficulty with this otherwise attractive interpretation is that it would require us to find 'twin' in a great variety of onomastic compounds (cf. OIP 57 [= NPN] 235 f.; JCS 2. 137 f. which includes *Aram-musuni*, now No. 39. 2; add *Aki-mušuni* 113. 3), and with more than one deity. There remains, of course, the possibility that we should translate "(two lapis statuettes,) namely twins; they are *mušuni*" and take *m.* in the hitherto posited sense of 'sublime' or the like (first proposed by Thureau-Dangin, RA 36. 22 f.). In that case *m.* would not be a gloss to *tu'āmu* but an additional comment on the statuettes.

For yet another, the relative scarcity of such material to date has led Wiseman to understandable errors. Some of these are simple to prove and rectify. E. g., in 2. 73 Wiseman reads [...] *šabē(meš) ḫur-ri-en-ni* and translates '(If) either with the Hurrian warriors, etc.' This reading is faulty on several counts: (a) The relevant adjectival form is *ḫurr/wuḫe*, not *\*ḫurrenne*;<sup>15</sup> (b) even if the latter were found, the syntax in this instance would have required the plural *\*ḫurrenna*; (c) this text employs elsewhere the phrase (*šar šabē Hurri* (lines 73, 74; cf. also *Idrimi* 44). The natural solution is to read here [*šar*] *šabē<sup>meš</sup> Hur-ri bēli<sup>i</sup>* (cf. the form *bēl<sup>el</sup>*, line 51). — Similarly, 442. 7 should not be read with Wiseman *GUŠKIN (ḪI.A) ru-uḫ-ḫe* but *u<sup>škin</sup>ḫi-a-ru-uḫ-ḫé*, thus giving us another occurrence of the (borrowed) Hurrian word for 'gold';<sup>16</sup> and *ma-ni-in ni-iḫ-tu-ma-ag-gi* (line 8) should be changed to *ma-ni-in-ni i.*; cf. *maninni* 'neck chain' or the like, EA 22 ii 6.

In regard to societal organization, too, the 15th century texts provide significant new evidence of Hurrian penetration. This is immediately apparent from the terms employed in this connection. Whether these consist of transparent Hurrian elements, such as *eḫelena*, or of real or possible loanwords from various quarters which appear as Hurrian plurals, e. g., *maryane-na*, *ḫupše-na*, it is now established beyond any possibility of dispute that the society which these terms describe was basically Hurrian.

The pertinent material is extensive but the picture which it yields is as yet far from clear. Some of the difficulties may be lessened when the census lists, which are the principal source on the subject, are published in full; for the present we have only a small number of the representative texts while the rest of the material, except for occasional transliterations, is merely summarized in the catalogue. As matters now stand, some old questions have been answered but at least as many new ones have been raised. Three main classes are to be distinguished: (1) *maryan(n)ena*; (2) *eḫelena/šuzubūtu*; (3) *šabē namē* (all plurals); cf. Nos. 129, 187. The first of these is clearly a class apart, but the boundary between the other two is at times rather fluid, on present evidence.<sup>17</sup>

<sup>15</sup> Cf. Speiser, *Introduction to H(urrian)* 2 n. 4.

<sup>16</sup> *Ibid.* 45, 113, 182; Ungnad, *Subartu* 96 f.

<sup>17</sup> Cf. AT pp. 10 f. and the texts in question *ad locc.*

Concerning the *maryan(n)ena* in Alalakh two significant facts emerge. First, No. 15 demonstrates<sup>18</sup> that although this was a hereditary class of nobles (l. 5), the ruler had the authority to raise a subject to that status at any given time, the "knighthood" remaining in the family thereafter. A priestly rank was, or could be, involved at the same time, probably implying economic grants from the temple estates. The particular incumbent of this text is assigned to the priesthood of Enlil/Kumarbi,<sup>19</sup> and is to have the same privileges as the priests of Tešub and Hebat. Second, all personal names of the *m.* that are listed in these texts and can be analyzed linguistically prove to be Hurrian: cf. Nos. 15, 128, 131). In other words, the term denoted a social category without regard to ethnic origins. And whether or not the word was originally Hurrian, it is certainly treated as one in this and in other contexts.<sup>20</sup> The long-asserted connection of this group with chariots and horses is fully borne by the Alalakh texts (cf. Index, p. 162). Ultimate cultural influence from the Aryan quarter remains thus probable, but the class name itself can neither prove it nor disprove it. The base *\*marya* is just as likely to be an Indo-Aryan borrowing from Hurrian as the converse.

The second category consists of the *eḫelena* (also *eḫelli* No. 211 and perhaps *e-ḫe-e*, Nos. 198, 202). These should not be equated formally with the *ḫanyahē*-class, as is done by Wiseman (p. 11), since the latter is clearly a sub-group of the *šābē namē* (cf. Nos. 129, 148-49). Synonymous with *eḫelena* is the term *šūzubūtu* (e. g., No. 131). Since No. 143 speaks of *mārē<sup>mes</sup> eḫelena ana šūzubu* and No. 187 appears to include the *š.* among those who are settled on the lands of the king, we may safely regard *š.* as Akkadian for 'freed-men' (from *ezēbu*), lit. 'released' (hardly 'to be sent away,' Wiseman, p. 66). The Hurrian root *eḫl* would then have to be similarly interpreted, an assumption that accords very well with the common

use of this element in theophorous names. The term is applied in our texts to such professions and occupations as shepherds, grooms, singers, leather-workers, and the like (Nos. 148, 197), which is entirely consistent with the above interpretation.

The third and lowest category consists of the *šābē namē* which may be rendered 'rural retainers.' Among the subdivisions of this group are the *ḫupšena* 'coloni'<sup>21</sup> and the *ḫanyahē(ḫ)e(na)* (e. g., Nos. 129, 131, 148, 149); the latter may be linked with or described as the *ekūtu* (No. 143; cf. also No. 132 and note *i-ki-te*, No. 190), perhaps something like 'indigent.' In any case, the *ḫanyahē* belong to a low class of crown servants whose tasks are not unlike those of the *eḫelena* (cf. No. 131), but whose social status is a notch lower (see above). They are socially on a par with the *ḫupše(na)*, with whom they are subsumed jointly under the *šābē namē*, although their respective occupations were not to be confused, to judge from the more detailed lists.

Aside from these classes stand the SA.GAZ/*Ḫab/piru*.<sup>22</sup> The important contribution of the Alalakh texts to the elusive problem which this group has posed is foreshadowed by Wiseman's remarks on p. 12 and will be discussed more fully in a forthcoming monograph by Moshe Greenberg. Associated with the SA.GAZ in a manner that has yet to be determined are the *šābē šanannu* (Nos. 145, 183, 352), also listed as *lú<sup>mes</sup> sa-nanu-ḫe* (No. 350. 9);<sup>23</sup> one text (No. 202) uses the form *lú a-ša-an-nu* and *a-ša-a-nu*. Albright's suggestion (p. 11, note 4) that this should be translated as 'archer(s)' is plausible, but his proposed derivation from Akkadian *šanānu-šitnunu*, based on a stem *šnn* 'to contest, strive' (*ibid.*), would seem exceedingly doubtful. It does not accord with the variants just cited, notably the writing with *s*, which should normally presuppose an underlying sibilant rather than a spirant.<sup>24</sup>

<sup>18</sup> Cf. also No. 91. For No. 15 note AJ 19. 43-44.

<sup>19</sup> Cf. B. Landsberger, at H. G. Güterbock, *Kumarbi* 107.

<sup>20</sup> Cf. F. Friedrich, AfO 14. 348 n. 7; Mitanni Letter iii 32; Speiser, at O'Callaghan, JKF 1. 324 n. 38; cf. also O'Callaghan's complete paper, *ibid.* pp. 309-24, "New Light on the *Maryannu* as 'Chariot-Warrior.'" Inevitably, this paper needs to be modified in the light of the added Alalakh material.

<sup>21</sup> Cf. BASOR 83 (1941) 36-39 and *ibid.* 86 (1942) 36-37.

<sup>22</sup> The unique form *Ḫa-a'-bi-ru* in \*58. 29 (18th century) is puzzling and (if the reading of the second sign is correct) potentially very important. Its main purpose may be conceivably to indicate some such form as \**Ḫābiru* which could be highly significant, if confirmed; cf. comment on \**Akaptahē*, 91. 2, below.

<sup>23</sup> Erroneously transliterated as *ša-*.

<sup>24</sup> Cf. my remarks in JAOS 68. 11 f.

Another interesting social designation is *šabēmeš maš-ki-en* (Nos. 180, 182; written logographically in No. 188). In view of the other lists, this term is more likely to represent a synonym for one of the groups already cited rather than an independent category. The most probable counterpart would seem to be *ekūtu* (see above). The vocalization with *-a-* in the first syllable (if it is not merely an orthographic variant) is not a radical departure in the Alalakh dialect; note, e. g., the regular writings *Kuša(h)*, the name of the Hurrian moon god (cf. Index, p. 140), for the otherwise attested *Kušuḫ*.

The texts have much to say also about prevailing economic conditions. Most important in this respect are the 18th century documents, inasmuch as the 15th century has already received independent illustration from the Ugaritic material and the Amarna texts, not to mention the valuable sidelights contained in the Arrapha material. According to these earlier texts, the local ruler (*šarrum*, lú<sup>25</sup>) often invested in loans<sup>26</sup> which he either made in the first instance or else bought up from previous creditors. The arrangement was antichretic, precisely as in the Nuzian *tidennūtu* transactions:<sup>27</sup> The person of the debtor (or members of his family) secured the loan while his services took care of the interest. The Alalakh term for this kind of transaction is *manzazanūtu* (Nos. \*18, \*20, etc.), obviously 'stand(ing) in.' The debtor in the case may be designated outright as 'hostage' (*liṭṭum*, No. \*23. 5). A prominent lender of this type is Ammitaku, ruler of Alalakh, and his standard formula deserves attention. It is *kaspum ul uššab (ù) ul itta/urar* (\*29. 9-11; \*30. 7-11, with the variant form *it-tu-ra-ar*; \*31. 8-9). The explanation of this laconic clause is aided by the corresponding 15th century variant: *kaspu*

<sup>25</sup> The latter designation can on no account be taken with Wiseman to mean 'Governor' (p. 2 and passim). Both designations, e. g., are applied in the older texts to Ammitaku without implying that he is ever anything other than the local ruler. The same usage is well attested in Mari and elsewhere. It is documented even for the Babylonian Hammurabi himself, e. g., ARM I 93. 6 f.: lúBābiliki and is the equivalent of 'Hammurabi, the Babylonian (ruler).'

<sup>26</sup> It is evidently this sort of situation that is alluded to in the Dialogue Between Master and Servant, KAR 96 rev. 7: *qip-tu eli qip-tu ip-pu-uš* 'he will make investment upon investment.' It was apparently a highly profitable enterprise.

<sup>27</sup> Cf. JAOS 52 (1932) 350 ff.

*šibta lā išu*<sup>28</sup> ù D.<sup>29</sup> *ig-ra la išu* 'the money is not subject to interest and the [debtor] is not subject to hire'; cf. 47. 10-11; 49. 12-14; 50. 4-5. Accordingly, the older clause must have a similar force. The first verb is obvious: 'it shall bear no interest,' or the like. The second verb, however, is troublesome. It presupposes \**ntrr* or \**ndrr*, which in turn would imply a denominative from *anduraru* 'fiscal release.'<sup>30</sup> Fortunately, such denominative use is attested in \*65. 6-7: *i-na an-da-ra-ri-im*<sup>31</sup> *ú-ul i-na-an-da-ar* 'she shall not be granted remittance from her financial obligations.' The older clause, then, turns out to mean 'the money shall bear no interest, neither shall it be remitted.'<sup>32</sup> The latter phrase says presumably that the transaction cannot be modified short of full payment by the debtor. In the later period, on the other hand, the debtor had to be given assurance that he could not be hired out at the creditor's whim or on account of the creditor's greed. The debtor's services, in other words, were not further negotiable.

## II

The comments which follow consist of selected marginal notes to individual texts, in the order of their presentation. Wiseman's system of marking the older texts with an asterisk has been retained. In addition, an "x" appended to the number indicates that the text, or passage, in question has not as yet been published in copy.

\*1: 18 — This clause bears a striking resemblance to the oath formula known from all the extant versions of the Etana Epic, cf. *Babyloniaca*

<sup>28</sup> *más nu tuku*; spelled out: *šī-ib-ta la i-šu*, No. 50. 4-5.

<sup>29</sup> D(ebtor). In \*49. 13 the person involved is IXXX-(Kušaḫ)-mati, whose name appears as Kušammati in lines 4, 9; in \*47. 10 the second party is referred to as *šī-na-ti* 'they,' namely, the debtor and his wife, the plural implying perhaps *nišū* 'the (other) people'; cf. \*24. 12.

<sup>30</sup> Cf. Weidner, ZA. 43. 120 ff.

<sup>31</sup> For the second *-a-* cf. *maškeñ*, above.

<sup>32</sup> A comparable provision in the *tidennūtu* texts reads: *šumma eglu mād lā inakkis šumma šeher u lā uraddi/a* 'if the field is (too) large, it shall not be curtailed; if it is (too) small, it shall not be increased'; in other words, the transaction is final; cf. JAOS 52. 354, 362. The present clause signifies that the money involved shall, on the hand, not be liable for interest and, on the other hand, it shall not be remitted; the conditions of the loan remain intact until the money has been repayed.

12 13.12, AfO 14 300.6. In a paper read at Yale University in 1952 I ventured to suggest that the Etana oath echoed an old treaty formula. The present passage confirms that suggestion. 19-20 — ‘shall impress (*liṭebbi*) feminine parts into his male parts,’ i. e., shall change him into a woman.

2: 5 — *mi-in-dì . . . mi-in-dì* ‘perhaps . . . perhaps.’ 21 — The second sign is not *šallatu* but *qa-du*, just as in line 27, where we must read <sup>1a</sup>*ḥa-za-an-nu qa-du 5 lú<sup>meš</sup> šibūti (ŠI-BU)<sup>meš</sup>-šu*; cf. the parallel <sup>1a</sup>*ḥa-za-an-nu it-ti 5 lú<sup>meš</sup>ŠI-BU!*, 3.32. 24 — read *a-na ka-ša!* 32 — The penalty involved adds up to 12 times the current price of males, cf. 3.18. The offence is theft, and we know from other roughly contemporary sources that the fine in such cases could be twelve-fold in certain circumstances; cf. D. Cross, AOS 10 32, and add G. R. Meyer, *Mitt. d. Inst. f. Orientalforschung* I (abbr. MIO, Berlin 1953) 122. The Anatolian instances, accordingly, are not as unusual as Meyer suggests. 49, 51 — read *i-pá-la-[aš]* and *iš-tu pá-al-ši*, ‘should breach’ and ‘from the breach’ respectively; note the accompanying *ḥa-ar-ri* (51) and cf. the provisions in CH 21 and Ex. 22.1. 55, 60 — *bu-RI-lu-ti* would seem to be clarified by the new provision of the Kizzuwatna treaty which has just been published by G. R. Meyer, MIO 1 116.17ff., cf. p. 120. There the point at issue is the transfer or expatriation of local inhabitants against the wishes of the state; note especially the use of *erēbu* in that connection, just as in the text before us. It is that sense, then, that *ana b.* must convey, and we should read accordingly *a-na bu-tal-lu-ti*. The term appears to be connected with *bitāti<sup>meš</sup> bi-tal-le-en-ni* (189x) and *bitāti<sup>bá</sup> ti-bal-li-nu* (192x), and the key to its origin may be contained in *annūtum awēlūtum<sup>meš</sup> ša ittabil* (163x). A decision in this matter may be possible when these texts have been published. 73 — on “*ḥur-ri-en-ni*” see above, p. 20.

4: 15 — Read *qá-ta-ti<sub>4</sub>* ‘surety,’ cf. \*24.12 (read *qá-ta<sub>4</sub>!-tu-šu-nu*).

\*7: 20 — The use of *lissuqma-lilqi* ‘shall receive a preferential portion’ is a good instance of the spread of intimate Mesopotamian legal concepts to neighboring areas as early as OB times; cf. Koschaker, NKRA 36 ff.

\*8: 8 — *paqdakkum* ‘was entrusted to thee.’ 31 — *ša itturuma* ‘he who again . . .,’ not ‘whoever retracts.’

\*11: 7 — Divide *a-bi a-ya-ši-im*, not *a-bi-a ya-ši-im*.

14, 15: The form <sup>1</sup>*Sa-uš-sa-ta-at-tar* may require a revision of the current etymology of the name, for which see AnOr 26.57.

16: 12 — The last sign must be *-ma!* (not *-šu*).

17: The background of the transaction here recorded has to be reconstructed (with consequent changes in the translation) as follows: S had asked for the hand of A’s daughter and had made the betrothal payment ‘in accordance with the custom (*paraš*) of Aleppo.’ Subsequently A ‘turned into an evildoer’ (*ana bēl mašikti ittur*) and was put to death for his crime, the palace confiscating his property. Now S recovers his deposit from the palace and releases the king from any future claim.

\*29 ff.: For *itta/urar* see above, p. 22.

\*35: 8 ff. — The full date formula (to be corrected in the Introduction, p. 4) reads: ‘Year of Ammitaku, the king (lugal.é), when he chose the daughter of the Ibla-ite (ruler) for his son for marriage.’

\*41: 12 — The spelling *u<sub>4</sub>-ra še-ra*, alongside such variants as *ú-ra-am še-ra-am* \*11.25, *ur-ra še-ra* 74.11, and others (cf. Introd., pp. 21, 22) is important in view of the remarks of E. Weidner, AfO 15.83. The phrase does not mean ‘day and night,’ with Wiseman, p. 24, but ‘for all time, forever,’ cf. Weidner, *loc. cit.* and the references there cited. Weidner considered, with all due reserve, the possibility that this idiom may somehow be based on the Hurrian pair *hur-* ‘day’ and *šer-* ‘night,’ assuming that v. Brandenstein’s translation of these terms is correct (cf. MVAG 46/2 71 n. 1). Added support of Weidner’s supposition might have been found in Aram. *’ortā* ‘dusk’ (not ‘light’). Yet the present writing with UD would seem to invalidate all such speculation. For the present, at any rate, the idiom has to be traced back to ‘day and dawn,’ whatever its further semantic development may have been.

\*42: 8 — Read *ba-al-tú* ‘surviving,’ cf. *bal-tù* 47.15.9 — ‘If any one among them wishes to leave’ (town, which bears a communal responsibility for the loan, he must first repay the loan in full).

49: 15 — *ana šulmāni* has here the sense of ‘as a bonus’; for *š.* in general cf. J. Finkelstein, JAOS 72 77 ff.

\*55. This text is highly significant in many ways in spite of words that are still obscure. In

*il-kam ù di-ku-tam* (7, 12) we have a phrase signifying corvée, conscript services.<sup>33</sup> A hendiadys, *il-kum ù kit-tum*, 'standing feudal service' is used in line 20. Should such an obligation apply to the purchased villages, it shall remain the responsibility of the seller. (The passage surely does not mean 'if there is justice' in these villages, p. 48.) There is a parallel clause in the Nuzi texts to the effect that the seller must bear the feudal services of the land involved (*ilka ša eqli nāši*). Infringement of the contract (*ša ibbalakkatu*) shall entail a fine of 10,000 (*ribbat*) shekels of gold and the forfeiture of property (*ina epirišu ittašši*). The noun in question may best be discussed under the following text.

\*56: This text starts out by listing three towns or settlements 'together with their districts.' There follow the respective *epiri* units of five other settlements. It is not clear whether these units are part of the first three townships or whether they concern only the last five settlements. Next appears this general statement: *ù è-pi-ri-šu a-ša-ar i-ba-aš-šu-ú ú-sa-an-na-aq i-li-iq-qí* (10-11) 'and wherever his *epiri* may be, he shall specify and take.' The forfeiture clause this time (37) reads *ina kaspišu illi* 'he shall forfeit his money,' without necessarily proving that *kaspu* and *epiri* are direct synonyms. In \*76 and \*95x the *e.* is linked with its town. In \*6.7 *e.* is listed alongside *mimmū*. Finally, \*58 speaks once again of 'the complete district' of the town conveyed and sums up significantly: *e-pi-ru an-nu-ú a-na e-pi-ri ša 'A-la-la-aḫ ú-ul tú-uḫ-ḫu* (15-17) 'that *e.* shall not be joined to the *e.* of the Alalakhian.' From all this it would appear that *e.* signifies (a) either the income from lands or (b) the total given land unit. In favor of the latter assumption is the parallel use of *pātu gamru* 'total district' (\*56.4, \*58.2) and the indication that an *e.* might be involved in occasional feudal services (\*55.6 ff.), i. e., that it could be a taxable

land unit. Wiseman's Index connects the word with the corresponding Akkadian term for 'soil' (p. 60), but his Catalogue suggests also 'harvest' (*ebūru*, at \*55) and even '?transit-tax' (fr. *erēbu?* at \*56). The Alalakh usage could well be based on the technical value of *epiru* in the mathematical texts, namely, 'volume, capacity' (cf. AOS 29 170; *Sumer* 8 54 f.), hence land-mass in general, real estate, or the like. 24—*ukāl ul inazzaq* 'shall retain unmolested.' 30, 31—Instead of rendering these lines '10 mana of copper *bakbatim* and 20 mana of copper *kazzutim*' (p. 48) we must surely read *10 ma-na síg ba-aq-ma-tim 10 ma-na síg ga-a-zu-tim* 'ten minas of plucked wool and ten minas of sheared wool.' These are annual sustenance rations, consisting of clothing, oil, and drink. Copper has no place in them. The descriptive terms, moreover, are well attested for wool, that of the sheep being plucked and that of the goats sheared (Cross, AOS 10 28). Note, furthermore, HSS V 14 8 f.: *3 ma-na síg meš bá-qí-ma-tù* 'three minas of plucked wool.'

70x: The name of the principal party cannot be Ili-šilli since the form <sup>1</sup>AN.MI.LI (48.3) interchanges with <sup>1</sup>I-lim-AN-ma (47.3) and must thus stand for <sup>1</sup>Ilimili(ma).—The price of 1,000 shekels of refined silver for a slave girl "and two others" is enormous when compared with the normal price of 25 shekels (67, 68). Some kind of error has to be assumed.

91: 2—The name which is normalized as Akap-dagan (p. 54) appears in the copy as <sup>1</sup>A-kab-ta-gan/hé. It can scarcely be anything other than *Agab-tahe*, cf. Ungnad, BA VI 5 p. 9, a possible variant of *Agab-tae* (*ibid.*, but cf. NPN 261). Such alternative writings coupled with the admissible *-ḫ* in *Kušu(ḫ)* (Speiser, IH 45), Alalakh *Kuša(ḫ)* (Index, p. 140), may perhaps have a bearing on the form *Ḫa-a'/ḫ-bi-ru* in \*58.29, suggesting there a graphic device signifying a long vowel or a stressed syllable.<sup>34</sup>

92: This is an important witness of marriage customs, but the text is unfortunately in poor condition. Here and in the two related texts

<sup>33</sup> The Akkadian phrase in question has to be viewed as a hendiadys (a badly neglected aspect of Akkadian grammar), just as the contrasted *il-kum u kittum*; in the first instance we have occasional obligations; in the other, standing services. For the use of the former phrase in Kassite texts cf. AfO 15.131. (In lines 4-5 AN-ut-sú-nu and er-še-es-sú-nu appear to be glosses to the preceding *e-le-nu* and *ša-ap-la-nu* respectively, as if reproducing the Sumerian *an.ta* and *ki.ta* with the appropriate pronominal suffixes, or better yet, the known Hurrian equivalents of these terms, *ašḫuwe* and *turiwe*, cf. *Syria* XII, Pl. LI iv 3-4.)

<sup>34</sup> It should be borne in mind, however, that the present instance involves a medial sound and that this may be analogous to the weak sound that is reflected by the 'à (É) of the Tišadal text (RA 42 6. 6, 18, 12, 16). There is, furthermore, the outside possibility that the second sign in *Ḫa-a'-bi-ru* is intended in some way to point to the proper pronunciation of the following labial; cf. IH 60 (on *Tešub-'adal*).



which follow genders are constantly confused (e. g., *aššatam<sup>tam</sup> ša-na-am* 94x. 16, cf. 93. 8), evidently under progressive Hurrian influence, there being no grammatical gender in that language. 6—read perhaps *i-z[i!-i]r-ši* ‘rejects him!’ 18—possibly *a-na-pa-ni-im-ma!* *ullad* ‘gives birth first.’

120: 6 — Should this be *a-na ma-ša-i id-di-in?*

128-184: For the social and military groupings, see above, pp. 20 ff.

189x-192x: The term *pur(r)i-na*, which is applied to lands and houses, is in all probability based on Akk. *pūru* ‘lot’ which is known to describe one type of real estate holdings under the crown in the social organization of the Hurrians; cf. JAOS 55 439. The Hurrian plural ending *-na* is not surprising in these circumstances.

224: 1 — *i-la-ku* ‘are scheduled to go’ (not ‘went,’ p. 78) is a technical term for conscription well attested in the Nuzi documents. rev. 4, 9—*a-na ma/ba-ga-nu-ti, ma/ba-ga-na* surely has nothing to do with ‘plucking sheep’ (p. 79). The term in question is evidently Hurrian *makanni* > *makanūtu* which has long been known to denote a form of ‘gift,’ cf. ZA 41 27 n. 1. In the present instance the men in question appear to represent a permanent assignment to Mitanni.

227: 6 — The occupation *mardatu-ḫuli* refers to the products described as *mardatu(m)* which are familiar from Nuzi and Mari, cf. JNES 11 136 f. A form of weaving or knitting, with possible extension to wicker work, is apparently involved.

\*237: 4-5 — In *a-na ku-na-te* and *a-na a-du-un* the 18th century texts would seem to have reference to ‘rations’ and ‘fodder’ respectively, as Wiseman has surmised. The first noun may be Semitic; cf. *a-na ku-un-na* \*238. 3 which shows that *-te* is a suffix. On the other hand, *a.* has to be Hurrian because of *a-du* \*238. 4, \*269. 73, *ad-du* \*245. 3, and *a-ad-du* \*256x, alongside *a-du-un*, since the grammatical complement is here *-n*. Incidentally, *-n* is found also occasionally attached to personal names, e. g., *Ammiya-an* \*238. 6, *Ḫaliya-n* \*238. 22 (alongside *Ḫaliya* \*388. 3), *Paliya-n* \*238. 31; cf. also *Ammuwa-n* \*239x. This variation, particularly in the older texts, should be borne in mind in connection with the problem of the *-n* in the Hurrian noun system in general, for which cf. IH 106 f.

\*269. The assumption that ‘the great king’ stands for the king of Mitanni (p. 86) can hardly

be made in connection with a Level VII text unless supported by good evidence; cf. also \*376 f.

329: 2 — *ta-bal*, here and *passim* cannot possibly be derived from ‘brought, delivered’ and taken to mean ‘newly-born’ (p. 94). Wiseman’s interpretation is refuted by his own 2 *ta-bal šar-šarrāti siparri* (396x), where a listing of ‘chains’ precludes anything like ‘newly-born.’ The Alalakh usage is paralleled in the Amarna letters, where *tapalu* may be used of horses, garments, and ornaments (cf. VAB 2 II 1529). On the other hand, this new material shows that ‘pair’ is also out of place (cf. Wiseman, p. 94) since the summation in 329. 12 proves the term to indicate single entries. The assumption that *tapalu* meant ‘pair’ (ZA 40 79 f.) was due to the use of this term with articles of clothing, where Semitic may have duals, or such a form as Akk. *ištēnūtu*; cf. our ‘pair of sleeves, trousers’). Basically, however, *t.* can mean only ‘item, outfit, suit,’ or the like. The translation would have to vary with the context.

407x: Read *saplu* ‘bowl.’

417: 2, 3 — Since lines 4 ff. say that so many pieces of furniture are to be made by each carpenter, the same notation must be sought in the preceding entries. Hence the repeated phrase at the end of 2 and 3 has to be given as *\*ki-ga<sub>3</sub>-dā-e* ‘three apiece,’ the number at the beginning serving as a determinative. The first line contains *šina-dae* ‘two apiece.’ The value ‘three’ for *kig* has long been suspected: cf. Speiser, ASOR 16 133 and IH 82, but this is the first time that we have positive confirmation. The suffix is composite, for it contains the element *-d/t-*, as in *emandruḫlu* ‘decurion,’ plus the adverbial *-ae* (IH 118 f.; RHA 39 196 n. 21).

422x: 3 — In *mi-še-na* we probably have the name of a country; cf. Lacheman, *Nuzi* I 541.

425: 2 — For *še-ša-tu-ub-ḫé-na* as a qualification of chariots cf. *Nuzi* I 538 (used of wheels).

432: 7 — The implement or weapon *ša-an-ni(-na)* (note ‘swords’ in line 13) may well belong to the *šanannu* etc. group of men, cf. above, p. 21, which would strengthen the assumption of the Hurrian origin of the term, without making it definite (note, e. g., *išpatena* ‘quivers’ in 430; cf. p. 110). The mention of 1 *a-la-la-aḫ* (line 30) (line 30) is suggestive in this context.

440. For the corrected readings of some of the Hurrian terms here given cf. above, p. 20.



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## AKKADIAN DOCUMENTS FROM RAS SHAMRA <sup>1</sup>

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RAS SHAMRA CONTINUES to maintain its position as one of the greatest archaeological treasure-troves of the Near East. After a full quarter of a century since its lucky discovery and nearly a score of seasons of excavation, the site does not begin to show any signs of diminishing returns. Virtually each season so far has been highlighted by outstanding contributions affecting our understanding of broad aspects of the ancient Near East. The latest campaigns have been no exception to this happy norm.

Foremost among the manifold finds from this site are, of course, its unique epigraphic treasures. The Ugaritic material, however, has tended—understandably enough—to divert attention from the fact that other scripts and languages had been in use in that same city. Yet to date Ras Shamra has yielded no less than five different scripts which were employed for a total of eight separate languages.<sup>2</sup> Within this literate and polyglot maze, “classic” cuneiform—syllabic, with but a thin sprinkling of logograms—ranks second only to the alphabetic script in which Ugaritic proper is recorded. Syllabic cuneiform was employed locally as a vehicle for Akkadian, Hurrian, Sumerian, and Hittite. Occasional specimens in that medium, representing sundry Akkadian texts and the Sumerian-Hurrian Vocabulary, have appeared from time to time in periodicals.<sup>3</sup> The 15th campaign, however, and even more so the 16th, recovered so many syllabic texts that an exclusive publication of this material became necessary. This has now

<sup>1</sup> Cf. *Le Palais Royal D'Ugarit III* (abbr. PRU III), ed. by Claude F.-A. Schaeffer (Mission de Ras Shamra VI): Jean Nougayrol (with contributions by G. Boyer and E. Laroche), *Textes accadiens et hourrites des Archives Est, Ouest et Centrales*. Paris, 1955. Vol. 1: Pp. xliii + 341, with 17 plates; Vol. 2: 109 plates of autographed texts.

<sup>2</sup> See J. Nougayrol, *Comptes rendus de l'Academie des Inscriptions* (abbr. CRAI) 29.1.54, p. 33. The scripts are: syllabic cuneiform, alphabetic cuneiform, Egyptian, hieroglyphic “Hittite,” and Cypriote. The languages are: Akkadian, Sumerian, Hurrian, Hittite, Hieroglyphic “Hittite,” Ugaritic, Egyptian, and Cypriote.

<sup>3</sup> Notably in *Syria* and in *RA*. For the Vocabulary see *Syria* X, Pls. L-LI.

been accomplished in PRU III which is devoted to the Akkadian and Hurrian documents from specific archives. In the meantime, the 17th campaign yielded 219 additional syllabic texts (including one in Hittite and one in Hurrian). These will be presented in a subsequent volume of PRU.<sup>4</sup>

PRU III consists of two handsome parts separately bound. One of these presents copies of the texts, as follows: Akkadian, plates I-CV (upwards of 250 texts and fragments); The Akkado-Hurrian Bilingual, CVI; Hurrian, CVII-CIX. All the Akkadian texts are given in the order of their accession, starting with three from the 8th campaign and continuing through the 163 from the 16th campaign. The burden of preparing all the autographs rested on M. Jean Nougayrol who has discharged it with signal success in spite of the very short time allowed him for the decipherment. The other and much the larger part of the work commences with a general introduction from the hand C. F.-A. Schaeffer, director of the expedition (ix-xxx). The documents as such are then subjected to an over-all analysis by Nougayrol (xxi-lxiii), who continues with the main body of the work (1-280), which consists of transliterations and translations (rearranged according to contents), analytical indices of selected terms and occupations, lists of proper names and places, and an indexed catalogue of the documents. M. G. Boyer provides a welcome comparative study of the juridical aspects of the material at hand (283-308). Finally, the Hurrian texts are discussed (311-335), M. E. Laroche presenting a penetrating study of the Hurrian sections proper while Nougayrol appends brief comments on the Akkadian paragraphs in the Akkado-Hurrian Bilingual. All in all, we have here before us the combined product of four distinguished specialists in as many separate fields; but by far the largest share of the entire task was borne by Nougayrol, and it is he, accordingly, who is entitled to the lion's share of our indebtedness for the successful accomplishment of a most significant enterprise.

<sup>4</sup> Cf. CRAI 29.1.54, pp. 30 ff.

The present work is highly significant for more reasons than one. It contains, for one, the eagerly awaited Bilingual, the first document to provide a direct test of the results previously obtained by modern students of Hurrian employing the combinatory method.<sup>5</sup> For another, we now have before us for the first time a substantial body of Akkadian documents capable of illuminating the juridical system of Ugarit, not to mention that city's international position and some of its societal and economic features. Furthermore, the very choice of Akkadian or Hurrian, as the case may be, in the cosmopolitan complex of a center in which Ugaritic was the dominant language, may in itself be an index not only of the communal composition within the city but also of broader intercultural relations.

In the following pages I shall not attempt to comment on the Hurrian portion of the new material, except for a few incidental remarks. A fuller treatment had better be undertaken in a separate discussion at a later date. The challenge of the new Akkadian documents is sufficiently absorbing in itself, quite apart from the fact that these documents add up to better than 96 per cent of the volume's total. To be sure, the quality of Nougayrol's performance has left little room for substantial improvement.<sup>6</sup> We are confronted, however, with what is a new province of the "cuneiform culture,"<sup>7</sup> and more especially of cuneiform law. Such a field will long require the combined efforts of many hands. M. Nougayrol has chosen, courageously and generously, to emulate his illustrious compatriot Scheil by presenting his pioneering efforts promptly for the common good, in the best sense of the phrase. As it is, the essential spadework has already been done and will be found embedded in the combined apparatus that has been furnished by Nougayrol himself, and also in the essay by M. Boyer. But the nature of the material is such as to raise up a fresh problem for each old question settled. In these circumstances any further comment bids fair to be constructive.

### 1. *Ugaritic Akkadian.* The principal features

<sup>5</sup> Cf. the remarks of Laroche, p. 324.

<sup>6</sup> The same holds true of the juridical comments by Boyer.

<sup>7</sup> See A. Alt, "Eine neue Provinz des Keilschrift-rechts," *Die Welt des Orients*, I, 78-92. Alt's conclusions, of course, will necessarily have to be modified as a result of the manifold increase in the sources.

of the local dialect of Akkadian have been singled out by Nougayrol (p. xxxvi), notably the absence of the subjunctive and the distinctly non-Akkadian word order in that the verb regularly precedes its object. The *š* of the possessive pronoun would seem to remain unaffected by a preceding dental (e. g., *mu-ut-ša* 'her husband' 16.200 21, 26; *mu-da-at-šu* 16.348 7), but this may be merely a matter of orthography; contrast *mārū<sup>mēš</sup>-sa* 'her sons' 16.252 7. As Nougayrol has stressed, the prefix *t-* of the 3rd p. fem. sg. is ordinarily encountered. It is vocalized *ta-*, but we find also *ti-it-ta-aš-ši*, *ti-it-ta-din-šu* 16.343 4, 7. The phraseology is frequently distinctive; e. g. *dina nummušu* 'to institute a lawsuit,' e. g., 16.205 18; *namāšu* 16.239 26; 16.270 33, 41. In general, this is an Akkadian dialect under oppressive West Semitic influence. Where Mesopotamian leanings are at all discernible, the gravitation would seem to be towards Assyria rather than Babylonia: cf. *ṭuppu ḥas(s)usu* 'memorandum' 15.41 5 as against Nuzi *ṭuppi ḥussusi, taḥsilti*; similarly, such verbal forms as *ittāš(š)ūni* 16.156 6, *ubbalūnim* 16.204 rev. 12'. The linguistic background of the respective scribes could of course affect their style. Thus *ḥašhat . . . ḥašhat-ma* 15.89 11, 13, each form followed by the resumptive *u*, recalls Nuzi expressions and points to Hurrian influence; similarly, *ilteqi-ša* 16.200 5, for which the context sanctions no other translation than 'was purchased *by her*,' can be interpreted only as an instance of the underlying passival construction that is familiar to us from Hurrian.<sup>8</sup> We may have a better slant on these problems after Nougayrol has presented a fuller linguistic apparatus, scheduled for a future volume.<sup>9</sup>

One may well ask at this point why Akkadian should have been used at all by the local government. We know that the dominant language was Ugaritic and there is no indication whatever of a significant Mesopotamian strain in the population. The answer is implicit in the very nature of the documents before us. Of the 254 Akkadian entries in the present work, 25 are letters, primarily from other rulers; 40 fall under the head of economic

<sup>8</sup> Cf. Speiser, *Introduction to Hurrian* (IH), pp. 208-9. Additional examples will be found in my paper on "Nuzi Marginalia" which is scheduled to appear in *Orientalia* 25.

<sup>9</sup> See p. xxxvi n. 2. It may also be noted that the construct state is generally ignored; e. g., *be-el-tum biti* 16.250 23.

documents; 8 are school exercises or the like; and as many as 179 texts are classified as juridical. In other words, close to three-quarters of the total number of documents published in this volume are of the legal variety. Since it was precisely in the field of law that the influence of Mesopotamia on the neighboring lands was strongest and most pervasive,<sup>10</sup> it should not surprise us to find once again that an otherwise independent culture imported in this particular instance not only a set of societal norms but also the medium in which these norms were originally put down. That Akkadian was, moreover, the language of international diplomacy in the ancient Near East has long been known from such archives as those of Amarna and Boghazköi. Akkadian school text are certainly to be expected in these circumstances. Lastly, the dividing line between legal and economic documents is often tenuous at best. In short, in certain specific fields Akkadian was the recognized medium of civilized communication quite immune from any local chauvinism. Even a Tushratta found it necessary to use this medium in most of his letters to his Egyptian contemporaries. There can scarcely be a more convincing example of the cultural dynamism of Mesopotamia in an age of her political quiescence.

2. *The Hurrians in Ugarit and Alalakh.* In view of the close proximity of Ugarit to Alalakh—a matter of some sixty miles only—one would naturally expect a corresponding relationship between these two centers in regard to ethnic and cultural conditions. Yet the facts fail to bear out any such theoretical premises. There are many similarities, inevitably, but on closer probing these prove to be less noteworthy than the actual differences.

A striking case in point is furnished by the Hurrian participation in the two societies concerned. Ras Shamra has yielded a number of Hurrian documents, both syllabic and alphabetic. It has given us, moreover, the only translated Hurrian attested to date, namely, the Sumero-Hurrian Vocabulary and the Akkado-Hurrian Bilingual. Neither of these textual categories is as yet known from Alalakh.<sup>11</sup> It would seem to follow, accord-

ingly, that the Hurrians were a more significant element in Ugarit than at Alalakh. A glance at the proper names, however, is sufficient to reverse such an estimate. It shows that the population of Alalakh IV was overwhelmingly Hurrian, whereas the same criterion applied to Ugarit—where the pertinent period is not much more than a century later—clearly points to a predominance of Semites. Similar results are obtained by contrasting the respective Akkadian “dialects” of Ugarit and Alalakh. The latter teems with Hurrian terms and tell-tale grammatical endings.<sup>12</sup> It is a concoction that could have been perpetrated only by Hurrian scribes whose Akkadian was very thin indeed. On the other hand, the Akkadian texts from Ras Shamra are virtually free from Hurrian glosses. The local scribes were likewise under the influence of their own mother tongue, but that tongue, being a relative of Akkadian, was not nearly the upsetting factor that Hurrian turned out to be. In other words, somewhere in that short space between Ugarit and Alalakh was drawn a significant linguistic boundary which reflected the underlying differences in ethnic composition.

The political position of the two centers accords well enough with the linguistic situation. It is now clear, thanks to the disclosures of the 17th campaign, that Ugarit acknowledged the ultimate suzerainty of Hatti.<sup>13</sup> Alalakh, on the other hand, was no less plainly in the Mitannian orbit. The master of the land of Mukish, in which Alalakh lay, was the *šar šabē Hurri* ‘the lord of the Hurrian hosts.’<sup>14</sup> And so Alalakh maintained relations with parts of the Hurrian empire as far east as Arapha.<sup>15</sup> Indeed, on a number of counts Alalakh turns out to have had more in common with far-off Nuzi than with nearby Ugarit. Even after the decline of Mitanni we hear that Mukish had joined the anti-Hittite camp and had invaded the land of Ugarit only to be repulsed by the forces of Suppiluliuma that had come to the aid of Niqmad, staunch ally of the Hittites.<sup>16</sup>

The linguistic and political evidence just

(AT), Nos. 438-440, where nearly all of the objects listed are Hurrian, contain Akkadian prepositions and numerals; no. 437 is a bare list.

<sup>12</sup> *Ibid.*, p. 9; Speiser, *JAOS* 74, 20.

<sup>13</sup> See CRAI 29.1.54, pp. 34-38; note also the qualifying remarks, 40-41.

<sup>14</sup> AT 2.73; cf. *JAOS* 74, 20.

<sup>15</sup> AT 82.

<sup>16</sup> See above, n. 13.

<sup>10</sup> See especially P. Koschaker, “Keilschriftrecht,” *ZDMG* 89, 1-39; cf. also A. Goetze, *JAOS* 69, 120; Speiser, “Early Law and Civilization,” *Canadian Bar Review* XXXI (1953) 863-877; *JAOS*, *Supplement* 17, pp. 8-15.

<sup>11</sup> Even such texts as D. J. Wiseman, *Alalakh Tablets*

sketched points to similar conclusions in the socio-cultural field. We need no longer expect as much correspondence between Ugarit and Alalāḥ in matters of law, government, and social organization as might be assumed on the sole basis of the geographic proximity of the two centers. Northern Syria was of course an area by itself, distinct from the adjoining regions to the north, east, and south. Yet within this relatively small area there were potent centrifugal forces operating in several directions. This compact segment of the ancient Near East was by no means the uniform cultural province that it was thought to be a few short years ago.<sup>17</sup> Nothing points this up more clearly than the evidence of the Akkadian legal documents from Ras Shamra.

3. *The "dynastic" seal.* One of the most characteristic features of these documents is the use of a special seal whenever the king appears in the text either as an active participant or as a witness. There are only two known exceptions to this rule out of a total of at least 121 documents.<sup>18</sup> What makes this practice unusual is the fact that the seal is not the personal symbol of the given ruler. It is instead the identifying mark of a remote and otherwise little known<sup>19</sup> predecessor, bearing the classic presentation scene before an enthroned figure and inscribed with a three-line legend, as follows: *Ya-qa-rum mār Ni-iq-mà-du šār uruŪ-ga-ri-it*. Nougayrol's painstaking examination has established conclusively that the extant impressions represent two actual specimens, an "original" and a "replica."<sup>20</sup> And there is direct written evidence to the effect that three men had once committed the 'grave sin' of making a counterfeit copy of 'the grand seal of the king' intending to make wrongful capital of their crime, but were apprehended and punished.<sup>21</sup> Evidently, therefore, authorized use of the seal could be a source of substantial revenue, a fact which the texts attest independently.

The juridical object of this type of seal was doubtless, as Boyer has stressed, to impart to the given act a presumption of permanence by giving it the sanction of the state as such instead of the

personal guarantee of the mortal ruler.<sup>22</sup> Indeed, many of the documents say so explicitly: *urra(m) šēra(m)*,<sup>23</sup> *ana dārī dūri, ana/adi dārīti(m)* 'for all future time.' It is the obvious prestige of the seal under discussion, and its unquestioning acceptance, that may have led to the all but complete absence of witnesses in the documents involved—another outstanding feature of the Akkadian legal texts from Ras Shamra. The impersonal seal was sufficient unto itself and it had the authority of the state behind it. In these circumstances it may perhaps be in order to substitute the designation "state seal" for the felicitous yet unduly committing "dynastic seal" which the publication employs.

Armed with this information from Ugarit we are now in a better position to do justice to the appearance of "dynastic" or "state" seals in other centers. At Alalāḥ Niqmepa is known to have used an old seal of Abban just as Sutarna employed one of Saušatar.<sup>24</sup> But the practice there was by no means exclusive, personal seals of the rulers being likewise in evidence. Moreover, the state seal appears at Ugarit most frequently on documents which have no parallel at Alalāḥ. Another center from which a state seal has recently been announced was Amurru,<sup>25</sup> but its bearing cannot be assessed until the document has been published. There remains, however, one place which is known to have used the state seal precisely as was done at Ugarit. That place was Boghazköi,<sup>26</sup> and the correspondence in usage has been duly noted by Boyer.<sup>27</sup> To appreciate, however, this connection to its full extent we must first turn our attention to a formula that is exceedingly common in the legal texts from Ras Shamra and is always accompanied by the state seal.<sup>28</sup>

4. The *našū-nadānu* formula. A large number of the texts combine in a single clause the verbs *našū* and *nadānu* conjoined by means of *u* 'and': *ittaši (išši, ittašūni, tattaši/tittaši) u iddin (it-*

<sup>22</sup> P. 285.

<sup>23</sup> For this phrase cf. *JAOS* 74, 23.

<sup>24</sup> Cf. Sidney Smith, *Antiquaries Journal* 19, pp. 38 f.

<sup>25</sup> See CRAI 29.1.54, p. 32.

<sup>26</sup> H. G. Güterbock, *Siegel aus Boğazköy I (AfO, Beiheft 5)* 47 ff.

<sup>27</sup> PRU III 288.

<sup>28</sup> The few texts which contain the formula but now lack the seal (16.254, 16.263) are broken at the top. It is a safe assumption that the seal impression was there originally.

<sup>17</sup> Cf. above, n. 7.

<sup>18</sup> Cf. p. xl n. 4.

<sup>19</sup> See No. 16.145 (p. 169) and cf. p. xxv.

<sup>20</sup> Pp. lx-lxiii.

<sup>21</sup> No. 16.249. The phrase *itepšū . . . išaṭṭurū* (17-19) surely means 'they made . . . in order to write.'

*tadin*, *ittadnū*, *tattadin/tittadin*). Since the interpretation of this formula has caused considerable difficulty,<sup>29</sup> a closer examination of the pertinent passages should not be amiss. The occurrences may be broken down into the following groups:

(a) The king *ittaši* (or *išši*) specified real estate stemming from (*ša*) *A* and *iddin* (or *ittadin*, often with the appropriate object suffix) to *B*; cf. e. g., 15.140, 16.197, 16.267.<sup>30</sup> *A* never has any say in the matter. *B* is the privileged party and this fact is at times underlined by the text. Thus in 16.247 the recipient is referred to as the 'servant' (*ardu*<sup>31</sup>) of the king and the act is termed *nidnu šarri* 'royal grant.' The *B* of 16.201 receives various parcels of land, including—significantly enough—'royal lands' (line 11), all of which are exempted from the *pilku* charge (cf. below, section 5): [*pil*]ku *yānu ina nidnūti šarri annūti* (rev. 4'); cf. 16.243. On occasions *B* is simultaneously "knighted," having been named the king's *maryannu*; <sup>32</sup> the rank carries with it a variety of exemptions; <sup>33</sup> cf. 16.132, 16.239.

(b) This category differs from the preceding in that here *B* assumes certain stated obligations. Sometimes a lump-sum payment to the king is made, and this may masquerade under the euphemistic designation of 'honorarium'; thus two texts speak of the *kub(b)udāti šarri bēlišu*: 16.256 (200 shekels of silver) and 16.260 (150 sh. of gold); one text uses in the same connection the verbal form *uktabbid*: 16.251 (100 sh. of gold). Or *B* may be charged with some form of *pilku*; e. g., the *p.* of the property conveyed (16.262), or the '*p.* of the leatherworker' (16.142). In 15Z certain lands of *A* (two individuals) are assigned by the king to *B* (three individuals) and the act is termed 'a grant' (*nidnu*) 'in perpetuity' (*ana dāri dūri*). Yet the true nature of this "favor" becomes apparent from the concluding notation:

<sup>29</sup> Cf. Nougayrol, PRU III 224; Boyer, *ibid.*, 286 ff.

<sup>30</sup> This is the commonest type of all, but there is no point in multiplying citations.

<sup>31</sup> As Nougayrol has emphasized (p. 32 n. 1), this term is here used seldom, if ever, in the sense of 'slave.' Indeed, there is scarcely any evidence about slavery as such in Ugarit. The dual sense of 'slave' and 'servant,' particularly 'servant of the king,' is of course well attested for West Semitic 'abd.

<sup>32</sup> For a recent discussion of this term see JAOS 74, 20 f.

<sup>33</sup> For these exemptions see below, section 5.

*ištēn<sup>en</sup>-šu šarru iddinšunu u šanītam 2 me'at kaspā iddinū ana šarri* 'for one, the king granted these and, for another, they payed the king 200 (sh. of) silver.' In short, the cases that belong to this group are not outright grants by any means. Some, at any rate, are plainly marked as purchases. According to 16.174, e. g., the initial *našū-nadānu* formula would seem at first glance to place this transaction under (a): land of *A* (a <sup>16</sup>*nayyālu*, see below) goes to *B* (a *šatammu* 'supervisor'). But the text goes on to state that 'for one (*ištēn<sup>en</sup>-šu*), *B* acquired it (*ilteqišu*) for 135 (sh. of) silver and, for another (*u šanām*), the king *ittašišu* . . . *u iddinšu to B.*'<sup>34</sup> It becomes clear, then, that the *n.-n.* formula has more than one sense.

(c) The formula is applied repeatedly to the same property: first by the king, when property of *A* is assigned to *B*; and next by *B* who re-assigns it to *C*. A good case in point is provided by a trio of texts which feature the same *B*, a certain dignitary by the name of Abdu:<sup>35</sup> 16.143, 16.157, 16.250. Three separate royal grants are transferred to as many sons of *B*, each son being expressly protected from any subsequent claim. The sons receive in addition the honorary court title of <sup>16</sup>*mūdū* (cf. below, section 6). For his part, Abdu undertakes to be a 'zealot for the king' (*ana šarri anih<sup>36</sup>*), cf. 16.157 24.

(d) *B* benefits under the *n.-n.* formula from more than one transaction. E. g., 16.263 starts out with an act of type (a), in that the king trans-

<sup>34</sup> The 1°—2° clause is itself formulaic and in some respects obscure. 1° is expressed by *ištēn<sup>en</sup>(-šu)*. An isolated variant is *it-ti-il-ta* 15.139 14. In view of the Nuzi adverb *iltiltu* 'once, singly, the first time' (Gadd 57 9; N 166 12; 315 1, 14; 375 13; HSS V 46 20; 49 7; HSS IX 26 4; 121 rev. 4; *il-ti-il-tu*, N 368 7; cf. C. H. Gordon, *Orientalia* NS 7 44), one might suspect here an error for *il-ti-il-ta*, except that there is also (the erroneous?) *it-ti-il-tu*, HSS V 71 7. 2° appears as *šanām(ma)*, *šanītam*, *ina šanišu*. The evident object of the phrase is to describe two separate steps of a single transaction. It is noteworthy that this particular clause occurs also apart from the *n.-n.* formula. We find it, e. g., with straight sales (15.109 3, 51-2) and also in an adoption document (16.200). There must be more to it than just formal approval by the king, since the ruler's action may come first (15.109 51). The whole matter needs to be gone into by a jurist. At any rate, the fact that this clause was used with the *n.-n.* formula constitutes independent evidence that outright grants were not involved in such instances.

<sup>35</sup> For the privileged status of this individual see Nougayrol, PRU III, p. 78.

<sup>36</sup> Lit. 'toils, strives.'

fers certain property from *A* to *B*, who is the king's brother. Then another principal appears, *C*, who makes a grant of his property (*ana nidni*) to his wife, *D*, under the same formula. *D* in turn transfers this property to *B*. The transaction is an outright sale (*ina šim gamir*),<sup>37</sup> yet the formula under review is once again employed (*tattašišu u tattadinšu*). The king participates this time as a witness from whose hand *B* receives the document of purchase. 15.85 is no less involved. It begins with a property transfer of type (a), in common with the preceding text, except that in this instance *B* is the king's sister. In addition, *B* receives further real estate from *C*. This second transaction is twice cast in terms of the *n.-n.* formula: *C ittaši . . . u ittadinšu ana nidni; ina šanišu N. šarru ittašišunu u ittadinšunu*. The last of these verbs can scarcely stand for 'grant' or 'sell' since the right to dispose of the properties in question can have been exercised but once in this particular connection, and only by *C*.

(e) In some texts the king starts out not as a principal but as a witness, being thus formally identified by means of *ana pāni* 'in the presence of.' The initiative in such cases is ascribed to *A*<sup>38</sup>; cf., e. g., 16.156, which is actually a sale of land for 420 shekels: *A* (two individuals) *ittašūni . . . eqlāti<sup>mes</sup> šunu . . . u itta[d]nūšunu ana B*. The recorded presence of the king was calculated to make the transaction official and secure. But such juridically uncomplicated situations are rare. In other documents of this type the king starts out again as a witness but goes on, it would seem, to join *A* as a principal. In 16.140, e. g., *A* transfers money and lands (*išši-me A 4 me'at kaspā<sup>39</sup> u eqlāti<sup>mes</sup> . . . u iddinšu ana B*) in exchange for the latter's land. In these circumstances one is bound to be puzzled by the following statement: *istēn<sup>em</sup>-šu bēlšu ittadinšu u ina šanišu N. šarru ittadinšu<sup>40</sup>* (18-20). By what authority was the king bracketed with the owner? A possible clue may be found in 16.277 in which *A* (the queen) gives (*tattaši . . . u tattadinšu*) land to *B* (who is

the *A* of the foregoing document) in an exchange arrangement. Once again the king joins to ratify the proceedings. The practice may thus have been the norm where members of the royal family were concerned, but its juridical background remains to be clarified.

(f) The acts under the *n.-n.* formula are not always as definitive as they might seem. According to 15.88 the king *ittaši bit<sup>16.mes</sup>marza'i u iddinšu ana<sup>16.mes</sup>marza'i-ma*, i. e., he transfers to the *m.*<sup>41</sup> property that would seem to have been theirs to begin with. An analogous situation is reflected in a pair of closely related texts. According to 16.142 one king (Arḥalbu) assigns to *B* (*ittaši . . . u iddinšu*) the house and land of *A* in perpetuity (*urra šera*), subject to the *pilku* of the leatherworkers. But in 15Y another king (Niḫmeḫ) reassigns (*Ittaši . . . u iddinšu*) the same property to the same recipient. The only difference in the second instance is that *B* is shifted from leatherworker to the class of the <sup>16.mes</sup>ZAG.LU-*ti*<sup>42</sup> while an unnamed member of the latter group is transferred to that of the leatherworkers; in each case the *pilku* follows the artisan.

(g) Lastly, the *n.-n.* formula may be employed entirely apart from real estate. In 16.244 this formula describes the cession by the king of various revenues of a certain town to that town's commissioner (*rābišu*). An unusual occurrence is recorded in 16.353 which deals with a lawsuit concerning certain lands. After *B* (the defendant) had won the case, *išši-ma N. šarru tuppa ana B ittadin*. The object of the phrase is this time nothing other than a document.

When we now look back on the various conditions under which the *n.-n.* formula has been found employed, we can begin to appreciate why the interpretation of this phrase has led to conflicting results. Nougayrol suggests that the 'grant' implied by the second verb was genuine, the *A* in such cases being not the actual owner but only a temporary beneficiary under a mandate from the king who had the ultimate right to dispose of such property. This would certainly appear to be true of type (a). Nor is Nougayrol's assumption refuted by (b), provided that we take

<sup>37</sup> This is a familiar expression in the Middle Assyrian texts, cf. KAJ.

<sup>38</sup> Hence the position *A* in these cases contrasts markedly with the passive status of *A* in the previous examples. The respective parties were obviously not the same in so far as their legal rights were concerned.

<sup>39</sup> This is one of the rare instances where *n.-n.* is not used exclusively of real estate.

<sup>40</sup> See above, n. 34.

<sup>41</sup> For this occupation, which is found also as *marziḫu* (p. 234) Vroilleaud (*Syria* 28 176) suggestively adduces OT (and Aram.) *marzeḫ* (Jer. 16: 5, Amos 6: 7). Some kind of ritual chanting would seem to be indicated.

<sup>42</sup> Evidently a class of metal workers, cf. p. 237.



this group to represent profitable transactions disguised as grants; under (e), moreover, the king's participation may be due in some instances to his being the head of the royal family. There are cases, however, notably under (d), in which 'grant' fails to yield a consistent sense, so that Boyer is justified in speaking of "fictitious grants." The instability of some of the "donations" involved is emphasized under (f). And nothing like 'grant' or 'donation' can be reconciled with 16.353 (g) where the *n.-n.* formula is used to describe the handing over of a tablet.

Where results coincide so closely and differ so widely at one and the same time, there must be some common fallacy in the process by which they were obtained; some significant factor must have escaped notice. In the present instance, the source on which both the philologist and the jurist must fall back is the text itself. The trouble, then, must stem from the wording of the text.

The outstanding linguistic feature of the formula with which we are concerned is its invariable use of the two verbs *našū* and *nadānu*. Both are essential to the meaning intended so that the need could not be satisfied by either of these verbs used by itself.<sup>43</sup> They add up to a kind of hendiadys. The two verbs do not describe two separate actions but rather a single action modified in some specific way. If this assumption is right, *nadānu* cannot stand simply for 'to grant, give.' It must owe some special nuance to the accompanying *našū*. That nuance is not far to seek. What characterizes virtually every occurrence of the *n.-n.* formula is the fact that three parties are involved: the king, *A*, and *B*; *C*, *A*, and *B*; and the like.<sup>44</sup> It follows that this formula is best suited to three parties; and, conversely, that other terms should predominate in two-way transactions.

Furthermore, when we look for a single concept that might apply to all the types and instances

<sup>43</sup> It would therefore be a mistake to assume with Nougayrol (p. 224) that *našū* is insignificant and dispensable.

<sup>44</sup> Instances in which *A* (as a principal) disposes of his own property under the *n.-n.* formula are extremely rare; cf. 16.207, but this text is damaged and a third party may have been involved; in 16.140 *A* hands over his own money, but the property transferred is ascribed to *C*. Elsewhere (cf. type [c] above) the property is explicitly re-assigned. The characteristic situation is thus tripartite; it is possible, however, that the identifying formula could be applied sometimes, by extension, to bilateral transactions.

that have been listed above, one that comes to mind immediately is 'to transfer.' It has a ready application with any type of property, movable or immovable; it is just as appropriate with lands and buildings as with revenues and documents; and it is particularly in order in a tripartite scheme where the third party could serve either as an initiator or an intermediary in matters that involve the other two.

The meaning thus posited can be derived from *našū-nadānu* with very little effort. The basic sense of *našū* is 'to raise,' that of *nadānu* 'to give.' The same is true of their respective cognates elsewhere in Semitic, which is significant in this connection since the ultimate origin of the idiom in question is likely to remain in doubt.<sup>45</sup> The hendiadys would seem to connote 'to lift up in order to give,' 'to pick up and hand over,' or in short, 'to transfer.'<sup>46</sup> The final test of this working hypothesis must rest, of course, with the use of the phrase, and this test has proved positive as we have seen. There are, in addition, two other sources of corroborative evidence. One is the prevailing use of *nadānu* alone in otherwise analogous documents from the same archives. The other is the identical use of the same hendiadys in post-Biblical Hebrew where the matter is not subject to any doubt whatever.

The use of *nadānu* alone, as opposed to *našū-nadānu* in roughly comparable contexts, is relatively rare, yet a discernible pattern would seem to emerge. On at least two clear occasions (out of a small over-all total) the verb occurs where no third party is involved: in 16.190 the king has awarded (*ittadin*) to his *rābišu* certain land which is not linked with another individual; the act is described as *nidnu N. šarri*. And in 16.276 a village is deeded to a certain Eḫel<sup>47-d</sup> Kušuh (evidently the king's son-in-law) and to the king's daughter, free of all taxes and contributions—obviously a genuine grant; cf. also 15.147 rev. 5' ff. On two other occasions property was confiscated from *A* and awarded to *B*: in 16.269 *B* is singled out for having slain *B*, a traitor whose property is then presented by the king to his loyal follower (*nadin*

<sup>45</sup> In other words, the usage could have been indigenous to West Semitic.

<sup>46</sup> The *-fer* (cf. *našū*) of this rendering is certainly fortuitous, yet it is suggestive nevertheless.

<sup>47</sup> This is the correct reading of KAR in lines 13, 17; see Landsberger, *JCS* 8, 57 n. 111 and cf. also Speiser, *JAOS* 74, 21.

*nidnuš*); and in 16.145 the king favors (*ittadin*) *B*—no reason being given—with a threshing floor taken from a convicted criminal (*bēl arni*). When *B* later disposes of this asset for a price (*ina šim gamir*), the other formula (*ittasišu u ittadinšu*) is significantly employed.<sup>48</sup> Elsewhere, *nadānu* alone may mark straight sales. Perhaps the clearest case of this kind is 16.135 where *B* (the buyer) pays the king 2000 shekels of silver candidly designated as the price (*šim bīti eqlāti<sup>mes</sup> ana šarri ittadinšu*). Similarly, the same single verb is used repeatedly in the long list of various sales which are recorded in 15.109. It is thus apparent that by and large *n-n.* was not interchangeable with *nadānu* by itself. The distinction may not be manifest to us in each individual instance; a residue of scribal errors is always probable in a group of texts as large as this;<sup>49</sup> ‘to transfer’ may have been used now and then in the sense of ‘to sell,’ or the like. But the cumulative force of the evidence as a whole is surely unambiguous.

The combined use of *nš'* and *ntn*, the respective Hebrew cognates of Akk. *našū* and *nadānu*, is amply attested in Middle Hebrew and has survived in Modern Hebrew. The resulting phrase appears both as *maššā*(?)-*umattān* and as *lāšē*(?)-*wēlātēt*. It represents an undisguised hendiadys and denotes ‘business, dealings, intercourse, affairs.’<sup>50</sup> This usage is so well established that no one has had reason to inquire seriously into its linguistic background. The new evidence from Ras Shamra comes thus as a distinct surprise. Nobody could have surmised that this idiomatic Hebrew expression would turn out to have non-Biblical antecedents so far to the north and some fifteen centuries earlier. The long-range relationship, however, stands assured. It serves to underscore the popularity, the vitality, and the pervasiveness of the underlying concept throughout Syria and Palestine and all the way back to the middle of the second millennium B. C.

Yet the usage in question is not restricted to portions of the West-Semitic area. Although absent in Alalah, to judge from the available evi-

dence, it has turned up, as Boyer has pointed out,<sup>51</sup> at Boghazköi, in exactly the same circumstances as at Ras Shamra: *n-n.* formula jointly with the “dynastic” seal, which here bears the name of Tabarna. The action, which emanates from the royal family and is designated as *nīg.ba* (cf. Ras Shamra *nidnu*) is guaranteed for all future time (*urram šēram*).<sup>52</sup> Such far-reaching correspondence cannot possibly be accidental; the respective legal categories must have been homogeneous, thus providing further evidence of the close relations which existed between Boghazköi and Ugarit.

If this analysis has been more detailed than other sections of the present paper, it is solely because the problem under discussion is at once new and significant. It should be emphasized, however, in passing, that the results obtained are linguistic in the main. The legal background of the usage, and its various ramifications, will still require a thorough investigation. It is hoped, in any case, that the task of the jurist has now been simplified by the elimination of basic linguistic obstacles.

5. *Taxes and contributions.* In a summary review Nougayrol has drawn attention to the great variety of fiscal burdens with which the people of Ugarit were expected to cope: the tithe (*mašaru/mēšertu*) and the tax on pasturing rights (*maq-qadu*); customs (*miksu*); and a profusion of financial contributions such as on offerings (*kasap šarrakūti*), serving as the best man (*kasap su-sapinūti*); and of fines (*kasap dipali, sinḥa*).<sup>53</sup> In a great commercial center such as Ugarit both the standard and the cost of living must have been high. In order to maintain his own establishment in proper style, and to compensate also for his inferior status on the international scene, the king found it necessary as well as expedient to impose all manner of payments upon his subjects.

The term, however, that is found most frequently in this connection is *pilku*. Nougayrol lists it under “services,”<sup>54</sup> falling back in part on previous arguments of Oppenheim<sup>55</sup> and Cardascia.<sup>56</sup> Yet it so happens that the Ras Shamra material has more to add to earlier results than it

<sup>48</sup> Inasmuch as this second passage deals with a routine transfer.

<sup>49</sup> Such errors are assumed by Nougayrol in 16.189 4 (*i-DIN/i-ši* (!!)) and 16.206 4 (*ID-DIN/it-<ta>ši* (!!)); yet he leaves *i-ta-din* in 16.136 4 in a similar context (another *nadānu* form follows).

<sup>50</sup> See M. Jastrow, *Dictionary of the Talmud* 848.

<sup>51</sup> P. 288.

<sup>52</sup> H. G. Güterbock, *Siegel aus Boğazköy* I 48.

<sup>53</sup> P. 225.

<sup>54</sup> Pp. 226 f.

<sup>55</sup> *JQR* 36, 171 ff.

<sup>56</sup> *Les archives des Murašû* 166 f.

can gain from them. A brief discussion is hence in order.

The association of *pilku* with *ilku* would seem to be supported at first glance by the parallel phrases *ilku yānu* and *pilku/a yānu*.<sup>57</sup> But *ilku* is normally a feudal service bound up with specific lands. In the texts before us this term occurs exclusively with lands (15.140, 15.143, 15.155). Moreover, the transitive verbs that are used with *ilku* are normally *alāku* 'to perform, attend to' and *našū* 'to bear.' The corresponding verb with *pilku* is at Ras Shamra invariably *(w)abālu* 'to bring, contribute': *NN pilka ša . . . ubbal*.

The same verb is used independently of monetary payments. Individuals who have been raised to the rank of *mūdū* (see section 6) have to pay annually a stated sum (x *kaspa ubbal*) to the king or the queen, as the case may be. The payment involved is called *mūdātu*; cf. *20 kaspa ubbal mūdātšu* 16.438 7 (cf. 16.386 rev. 13'). This phraseology coincides with that in *kasap šarrakūti, susapīnūti* (see above). But it parallels also *pilka ša . . . ubbal*. It would thus appear that *mūdātu* is a form of *piku* although obviously no service as such.

Further light on the subject is shed by the various sources from which *pilku* may be derived. We find among them buildings (e. g., 16.140, 16.262), lands (e. g., 15.145, 16.130), a village (15.145) and *nīdnūtu* as applied to various forms of real estate (16.201). Among the ranks and occupations to which *p.* may be attached are the *mārū šarrati*<sup>58</sup> and the (lū, lū.meš) *mur'u* (16.139, 16.348), *rābišu* (16.139), *ša rēši* (16.162), *aškapu* (15Y, 16.142), *namūtu* (16.148), *UN-tu* (15.123), and *ZAG.LU* (15Y). Such a diversity of sources would not be consistent with the interpretation of *pilku* as 'service.' Combined with *ub-bal(ū)* the evidence points to a type of payment. I would tentatively suggest 'assessment.'

One reason for taking *pilku* as service was the etymology proposed by Oppenheim. On the basis of late and not entirely conclusive material—which was all that was available to him at the time—Oppenheim equated *p.* with Biblical *prk* 'corvée.'<sup>59</sup> This was all the more suggestive since the Neo-

Babylonian texts use *pirku*, alongside *pišku* and *pilku*.<sup>60</sup> But our older and fuller evidence from Ras Shamra knows of no other form than *pilku* (*pi-il-ku, pil-ku*, cf. p. 226), so that the middle radical is established as *-l-*, whereas *-š-* and *-r-* prove to be secondary. The etymology cannot thus stray far from the verb *palāku*, which yields not only 'to delimit, divide' but also 'to measure (Sum. bar). The West Semitic cognate of *pilku* is hence, necessarily *plg* (MHeb. and Aram.) 'part, share' (M. Jastrow, *Dictionary of the Talmud* 1176; for *k:g* cf. Akk. *sik/qiltu*, MHeb. *sig-gel*, M. Greenberg, *JAOS* 71 172 ff.). Accordingly, *pilku* is, on the one hand, 'section, district' as has long been known; and, on the other hand, 'segment, (proportional) share,<sup>61</sup> assessment' in legal terminology. This latter sense fits all the Ras Shamra occurrences very well indeed, varied though they are among themselves.

A possible addition to this group may be concealed behind the term *unuššu*, which occurs with *bitu* in 15.89, 16.167 and with *eglu* in 16.156. The accompanying verb is apparently *(w)abālu*, unless we attach significance to the writings *up-pa-lu* (15.89 21) and *ú-pa-lu* (16.156 15), in which case *uppulu* 'to satisfy' might have to be posited, with Nougayrol (p. 227); but such orthographies are admittedly inconclusive in these texts. Nougayrol is inclined (*ibid.*) to derive the term from Akkadian (but *a/eniš* means 'is weak, dilapidates' and lacks the connotation 'to toil'); yet the alphabetic occurrences yield *unt* (e. g., *RA* 37 29 4, 17) which points to a Hurrian background, and this is confirmed by the occupational term <sup>16.mes</sup>*ú-nu-šu-hu-li* attested at Alalah (*AT* 193 23, 199 33) which carries the common Hurrian morpheme *uhli/uhuli*. The precise sense, however, of this term remains elusive.

#### 6. Ranks and occupations. An adequate pic-

<sup>57</sup> The phonologic interrelationship would be the same as in *lubāš/ru, lubuš/ttu* 'garment,' except that there the original sound is *š*.

<sup>58a</sup> For *sikittu* cf. also my paper "Nuzi Marginalia" in a forthcoming issue of *Orientalia* 25.

<sup>61</sup> Cf. the parallel Neo-Babylonian *pūt piški : pūt zitti našū* (Oppenheim, *loc. cit.* 173), where *pūt x našū* 'to be responsible for x' (cf. Cardascia, *op. cit.* 167) can apply alike to the assessed share as well as to the inheritance share. Oppenheim's argument that *p.* cannot mean 'tax' because the term is found alongside *miksu* is hardly conclusive. The texts under review are eloquent proof of the fact that a profusion of taxes could be levied and collected at one and the same time.

<sup>57</sup> PRU III 226.

<sup>58</sup> 16.138 35. This is apparently a title denoting official association rather than an indication of family relationship. I take the common *mār šarri* of the Nuzi texts to be an analogous title.

<sup>59</sup> *Loc. cit.*

ture of the various social and occupational classes within a given society is naturally the safest guide to that society as a whole. The truth of this statement is abundantly demonstrated in the Code of Hammurabi. For the peripheral areas of the cuneiform expanse the pertinent material is increasing steadily, but much of the detail is as yet obscure. Ugarit is no exception in this regard. The terms in question are many and varied; indeed, a single new text from the 17th campaign is reported to contain more than 40 such designations.<sup>62</sup> As yet, however, some of the necessary data are lacking for a proper evaluation and classification of this material. In these circumstances the comments which follow will be restricted to a few of the more significant occurrences.

Among the higher echelons, a frequent title is *mūdū* which has already been cited in passing. The essential facts have been conveniently presented by Nougayrol (p. 234) with all the necessary references. The texts show the *mūdū* to be a person of high position in the immediate entourage of the king or the queen (*m. ša šarri, šarrati*). For this privilege the incumbent pays (*ubbal*) his sponsor an annual fee—usually the small sum of 10 shekels of silver—which is expressly designated as *mūdātu*. That *mūdū* was an appointive title rather than an established social rank is further suggested by the fact that the same person may be both a *mūdū* and a *maryannu* (e. g., 16.239); the latter term in itself marks one as a member of the aristocracy. That title, however, may carry with it highly prized rewards; thus a *mūdū* is declared free (*zaki*) from the jurisdiction of the chief of the chariotry and of the mayor; he is exempt from military obligations to the crown (*rēšūtu*); and the authorities may not requisition his property for foreigners (*ubru*); cf. the interrelated documents 16.157, 16.239, and 16.250.

The *ubru* clause as applied to the *mūdū* leads to interesting correlations. On the one hand, we find it repeated with an identical clause involving the *Ḫab/pīru* and 'the king's business' (*i-na māri-meš šī-ip-ru šarri! la-a i-la-ak* 15.109 54). The local ruler was thus required by his political masters to put up on certain occasions foreign contingents consisting of civilians (*ubru*) and/or mercenaries (*Ḫab/pīru*).<sup>63</sup> On the other hand, *ubārum* and

*mūdū* are linked, as Nougayrol has noted, in the same paragraph (41) of the Laws of Eshnunna, jointly with a third designation, *naptarum*.<sup>64</sup> There the purpose of the law was to protect the three classes just mentioned against possible discrimination in business matters. We know that *ub(ā)ru(m)* denoted a 'sojourner,' either in an inferior position (cf. Heb. *gēr*), or with a privileged status, as when he happened to represent the dominant power (e. g., at Nuzi<sup>65</sup> and so apparently also in Ugarit). The Eshnunna passage reflects the *ubārum* in a subordinate position. The accompanying *naptarum* would appear to mean something like 'displaced person, migrant,'<sup>66</sup> which accords nicely with 'sojourner.' It follows that we should seek a related connotation in *mūdū*. In view of the evident connection of this noun with *idū* 'to know,' the term is bound to refer to someone who knows X, or perhaps one known to X; in other words, to a friend or a protégé of X. In a frontier state like Eshnunna it may often have been essential for an outsider to be officially approved by the crown; *mūdū* may thus have come to be the accepted designation for just such a person. On the other hand, the Ras Shamra texts show that this formal designation—assuming that the above interpretation is approximately right—was not everywhere nor always so restricted. Because of its transparent derivation, in all likelihood, *mūdū* had come to reflect a privileged position in the court; such a dual sense, at the two extremes of the social scale, is a fact, at any rate, in the case of the analogous *ub(ā)ru(m)*. Our 'protégé' is not unsuited to render *mūdū* in both its class connotations.<sup>67</sup> Incidentally, the more or less token fee which the *mūdū* had to pay in Ugarit could be a survival from an earlier period when strangers may have had to buy their protection.

<sup>64</sup> Cf. v. Soden, *ArOr* XVII/2, 371 and PRU III 234. The last of these terms occurs as an occupation in our texts as well; cf. p. 223.

<sup>65</sup> Speiser, *AASOR* XVI, 124.

<sup>66</sup> v. Soden, *loc. cit.*, suggests a slightly different nuance.

<sup>67</sup> In its honorific sense *mūdū* might mean something like 'Councillor,' in which case it would be reminiscent of the old German "Geheimrat." Nougayrol is reminded of the OT *rē'a* (of the king); cf. II Sam. 15: 37, 16: 16; I Kings 4: 5. One might add here also the *me'yudda'im* who followed Ahab (II Kings 10: 11), inasmuch as this latter term furnishes an etymological as well as a functional parallel. As yet, however, all such terms are to us no more than empty titles. On the morphological problem of Akk. *mūdū* see P. Jensen, *ZA* 24, 124 ff.

<sup>62</sup> See CRAI 29.1.54, p. 31.

<sup>63</sup> On this subject see now the comprehensive monographs by Jean Bottéro, *Le problème des Ḫabiru*, 1954, and by M. Greenberg, *The Ḫab/pīru*, AOS 39 (1955).

Of the other occupational terms which occur frequently in the texts before us, some light has been shed on the <sup>16</sup>*nayyālu*, hitherto rare and obscure.<sup>68</sup> The position which he held was manifestly an inferior one. Nougayrol has pointed out that in the documents of type (a) above, where the king transfers property from *A* to *B*, and in similar texts of other types, the *nayyālu* is invariably an *A*, never a *B*.<sup>69</sup> In the Middle Assyrian documents he appears to have something to do with animal husbandry, if one may judge from the few extant occurrences. In these circumstances, and bearing in mind also the apparent derivation from *nālu* 'to recline,' we may tentatively translate 'squatter,' but with the special sense of one whom the state employed for menial labor on the land. And if etymological considerations may be carried a step farther, the Sam'al class term MŠKB might constitute a significant parallel.<sup>70</sup> But such comparisons should not be pressed too far so long as they are made in a virtual vacuum.

In bringing this section to a close, one cannot but draw attention to the comparable material from Alalah. It presents some striking parallels with Ugarit, yet the differences appear to outweigh the similarities. In both centers the aristocracy were the *maryannu*. But there is not at Ugarit an immediately apparent counterpart of the *ehelena/šüzubūtu* and the *hanyahhe* who seem to represent the bulk of the Alalah population.<sup>71</sup> Ugarit was a trading center with a secondary emphasis on arts and crafts. Alalah was part of a sprawling feudal empire. There were thus notable differences between the two in economy, kind of government, and social stratification, not to stress again the

<sup>68</sup> See p. 234 and cf. v. Soden, *ZA* 50, 171.

<sup>69</sup> P. 29.

<sup>70</sup> For a recent discussion of this troublesome designation see Landsberger, *Sam'al* 55.

<sup>71</sup> Cf. *JAOS* 74, 20 f. A possible analogue of Alalah's *hanyahhe* may be the local *ū.mešna-mu-ti*, 16.148 rev. 10, which is found also in Alalah as *šabē namē*. The Ras Shamra context is ambiguous and it has led Nougayrol to conclude that these *n.* were important officials or the like (p. 234). Yet all that the passage actually says is that the given recipient of royal grants had to pay on these grants (*nidnūti*) the *pilku* of the *namūtu*. It does not in itself prove that the recipient was one of the *namūtu*. Proceeding from the independent evidence to the effect that *namūtu* meant 'peasantry' it is entirely logical to construe the passage in question as saying that the only charge against the royal grant was the assessment upon the peasants or tenants who went with the estate.

contrasts in ethnic composition. Yet two such close neighbors, flourishing at approximately the same time, could not but influence one another. Some of the differences observed may turn out to be terminological in the main; others may prove to be basic. It is hoped that the flow of new texts may clear up most of the problems which the present material permits us only to glimpse but not to solve.

7. *Miscellanea.* Aside from such comprehensive questions as the ones that have just been discussed, there are numerous points of detail peculiar to the particular text or passage. The few marginal notes which follow are no more than a sampling of such points.

15.86 7: Nougayrol reads this line *pūhu* : *pu-ḫu-ka šub-ši*. While the text as a whole is admittedly confusing, and perhaps also confused (cf. PRU III 5. n. 1), the proposed reading of this line is suspect on several counts: the "Glossenkeil" following the initial logogram does not point to an Akkadian sequel; one would expect *pūhka* rather than *\*pūhuka*; and the accompanying verb elsewhere in these texts is *epēšu*, not *šubšu* (cf. 16.140 6, 16.371 5). All of these difficulties disappear if we adopt the normal reading *pu-ḫu-ka-ru-ši* and view the form as Hurrian. The noun *puḫugar-*, with the common Hurrian element *-ugar*, is well known not only from Nuzi but also as a loanword in Hittite.<sup>72</sup> The ending *-ši/e* is amply established as a nominal morpheme;<sup>73</sup> alternatively, there is the morpheme *-uši* (*-ozi-*) with verbal forms.<sup>74</sup> The indicated translation is thus either 'an exchange' or 'exchanged.'

15.132 23: The personal name <sup>[1]</sup>*Du-nu-ib-ri* recalls the long-known <sup>1</sup>*Tu<sub>4</sub>-ni-ib-ri* EA 17 47 and the familiar place-name *Tunib* (EA 57, 59, etc.). For *tuni* as an object associated with Teshub cf. Laroche, *JCS* 2 116 no. 26. Incidentally, I take this opportunity to re-affirm my argument (IH 140) that the *-b-* in such nominal compounds *Tuni-b-ewri* (although it may stand for *-p-* or *-w-*; cf. alphabetic *Ag-p-šr* RA 37 27 xi 4) is asseverative and not pronominal (contrast Goetze, *Language* 19 176); cf. especially the Akkadian names with *-ma-* as illuminated by the phrase <sup>d</sup>*Marduk-ma šarru* (Enūma-eliš IV 28).

Among the readings or interpretations that give

<sup>72</sup> Cf. Speiser, IH 139, and n. 207.

<sup>73</sup> *Ibid.* 116.

<sup>74</sup> *Ibid.* 143.

rise to questions are the following: In place of the unmanageable *ú-r[u(?)]-ur-šu(?)* 16.267 7 I would suggest *ú-pad!-daš-šu(?)* 'he redeemed her'; the same substitution of m./fem. pron. suffix is found in *ú-za-ak-ki-šu* (same clause). The normalization *terhātu* (15.92, 16.148, etc.) is surely to be changed to *terhatu* (short *a*).<sup>74a</sup> That *sum-mu-uh* is 'to share in' rather than 'to prosper' (fr. *šamāhu*) is established, at least for 16.358 28, by the following *itti* (29). For *undu* 'behold' > 'since' and not 'when' note 16.356 9 (correctly translated by Nougayrol in this instance); cf. my IH 89 f. The repeated assumption of *nābutu* 16.287 is surely to be modified into *nābutu* 'to flee' (Akk.) or *n'bd* (West Sem.); for the emphatic dental in this root there is no independent evidence.

Lastly, while this is not the place to attempt a detailed discussion of the Akkado-Hurrian Bilingual, on which Nougayrol and Laroche have collaborated fruitfully, one remark may be offered by way of illustration. In line 17 (p. 312) we read *te-a-la-an ar-ni*. Here *arni* is a loanword from Akkadian as shown by the corresponding Akkadian version (*arnušu*, line 12); *te-a-la-an* cannot be broken up, with Laroche (p. 321), into *tea* 'great, numerous' + *-la* (mark of the superlative) + *-an* (predicative particle), since the attested superlative form of *tea* is *te-ol-* (wr. with *-u*), cf. IH 130; it is to be analyzed instead as *tea* + *-l(l)a-* 'they' + *-an*; cf. *Mane-ra-la-n* Mit. II 116 'those with Mane are,' *wāšu-la* HSS XIV 620 29 'they

<sup>74a</sup> Cf. B. Landsberger, *OLZ* 1924, col. 723 n. 6; Goetze, at M. Burrows, *AOS* 15 (1938) 16 f.; note also Ug. *trh*.

shall be brought' (cf. *ušēribu ibid.* 11).<sup>75</sup> The whole means 'great/numerous are they, the sins,' i. e., 'many are the sins.' What is particularly significant about this passage is that it helps to understand the corresponding Akkadian. There (line 12) the first two signs are badly effaced as a glance at Nougayrol's faithful copy will show. Consequently, Nougayrol's proposed reading *la(?)dir<sub>4</sub>(?)-tū ar-nu-šu* is understandable although it makes little sense grammatically and is beset by semantic difficulties. If one were to retranslate the Hurrian into Akkadian the result would be clearly *ma'dū arnū(šu)*; this phrase actually occurs more than once.<sup>76</sup> Since the last sign of the first word is *-du*, and the middle sign is as close to *-a'*<sup>77</sup> as it is to *-dir<sub>4</sub>-*, the only question remaining is whether the traces of the initial sign can be filled out as *ma-*; Nougayrol's *la(?)*- is closer, but by no means sure and unambiguous. It is not even certain whether a collation would do away with guesses as the text now appears. I submit, however, with all due reservations, that the interpretation which I have suggested has the dual support of the Hurrian parallel as well as of Akkadian usage. Just the same, it is an amusing paradox that we have to look to Hurrian for a check on an obscure passage in Akkadian. Yet if future campaigns at Ras Shamra should unearth much more Hurrian material—as they well might—such a situation would become less and less of an oddity.

<sup>75</sup> See also *JAOS* 72, 95.

<sup>76</sup> See Mullo Weir, *LAP* 192; for the same phrase with the verb in the preterit cf., e. g., *imīdū arnū*, *MAOG* 12/2 iv 27.

<sup>77</sup> The remaining traces could admit of an additional *-a-*, but a form *\*ma-a'-a-du* would not be supported by good usage. In any case, the only clear sign is the final *DU*.



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# THE CASE OF THE OBLIGING SERVANT

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The Akkadian composition that has come to be known as the "Dialogue of Pessimism" contains, nevertheless, a number of features which militate against the common modern evaluation of this literary piece. A reconsideration of the whole problem is therefore in order. It is the purpose of this paper to attempt the task.

The evidence will be presented in three sections. The basis for the argument must be, of course, the text itself. Since transliterations of it are available in two separate studies,<sup>1</sup> they will not be reproduced here. A new (1) *Translation*, however, is clearly justified. Because this translation differs from its predecessors on a number of points, some of which are basic to the whole argument, the reasons for such departures, as well as incidental philological notes, will be given under (2) *Annotations*. After these preliminaries we shall be ready for (3) *Interpretation*.

The published cuneiform sources are as follows:  
A = VAT 9933, KAR 96 (Plates 170-73),  
B = VAT 657, Reissner, *Sumerisch-babylonische Hymnen* VI (p. 143), republished by Ebeling, MVAG XIII/2 (1919) Plates I-II,  
C = K 10523, *ibid.* Plate III,  
D = K 13830, R. J. Williams, JCS VI (1952) 1.  
A has been dated by the editor to the late eighth century (cf. Eb. p. 50). B is evidently Seleucid. Both C and D (the two K-texts) are small fragments, yet C is valuable for the beginnings of lines in paragraphs II and III which are not preserved elsewhere, as well as for the start and apparent sequence of our paragraph IV.

1. The special abbreviations used in this paper are as follows: Eb.: E. Ebeling, MVAG XXIII/2 (1919) 50-70; cf. also AOT<sup>2</sup> 284-87; Jac.: Th. Jacobsen in *The Intellectual Adventure of Ancient Man* (IAAM), 1946, 216-18; Lan.: S. Langdon, *Babyloniaca* 7 (1923) 195-209; M.: B. Meissner, *Babylonien und Assyrien* II (1925) 433-34; Pf.: R. Pfeiffer in ANET (1950) 437-38; Un.: A. Ungnad, *AfO* 15 (1945-51) 74-75.

For citations of the sources see below.

## Translation

### I

- 1 "[Slave, oblige me!]" "Yes, y[es], my lord!"  
"[Forthwith the chariot fetch and] ready for me! To the palace I will ri[de]!"  
"[Ride, my lord, ride! Thine *every w*]ish will come to pass for thee.  
[The mighty king] will defer to thee."  
5 "[No, slave, to] the palace, in truth, I will not ride!"  
"Ride not,] my [lord,] ride not!  
[*On a campaign thou didst not st*]art he will send thee;  
[A road] thou knowest [not] he will cause thee to take.  
[*In the depth*] of night he will expose thee to hardships."

### II

- 10 "Slave, obli]ge me!" "Yes, yes, my lord!"  
"[Forthwith fetch] and give me water for my hands! I will feast!"  
"Fe[as]t, my lord, feast! A round of banquets is the heart's relief.  
[To a feast] partaken of in a joyous mood and with hands washed comes Shamash."  
"No, [slave,] I will not feast, in truth!"  
15 "Feast not, my lord, feast not!  
To fast and to feast, to thirst and to gulp, goes against man!"

### III

- "Slave, oblige me!" "Yes, yes, my lord!"  
"Forthwith the chariot fetch and ready for me! To the country I will ride!"  
"Ride, my lord, ride! The stalking-man's stomach stays full;  
20 The hunting-dog has a bone to crack;  
The stalking hawk feathers (his) nest;  
The prowling *owl* becomes [. . .-l]i]ke."



"[No,] slave, to the country, in truth, I will not r[ide]!"

"Ride not, my lord, ri[de] no[t]!"

- 25 The stalking-man goes out of his mind;  
The hunting-dog's teeth will break;  
The stalking hawk's home is [a hole] in the wall;  
[And] the desert is the [h]ome of the prowling owl."

## IV

"Slave, ob[lige] me!" "Yes, yes, my lord!"

- 30 "I will build [me a house and obtain...!]"  
"Obtain, m[y] lord, obtain! . . . .!"

(lacuna)

"How can I build a house!" "Build not a house!

He who acts rashly destroys his patrimony."

## V

"[Slave, oblige me!" "Yes, yes, my lord!]"

- 35 "At the w[or]ds of my accuser I will remain silent!"

"Be silent, my lord, be si[lent]! *Silence is pleasing to Shamash.*"

"No slave, I will not, in truth, be silent!"

"Be not silent, my lord, [be not silent]"

If thou openest not thy mouth, [. . .],

- 40 Thy accusers will *be shackled* on [thine] account."

## VI

"Slave, oblige me!" "Yes, yes, my lord!"

"I say, 'I will commit a crime!' " "So do, my lord, [do]!"

If thou committest not a crime, empty will be your (*sic*) beer jug;

Who will give thee wherewith to fill your belly?"

- 45 "No, slave, I will not commit a crime!"

"[Do not, my lord, do not!"

The man who commits a crime is either killed, or comes to grief,

Or is maimed, or seized, or

Cast into prison."

## VII

- 50 "Slave, oblige me!" "Yes, yes, my lord!"

"I will love a woman!" "So love, my lord, love!"

The man who loves a woman forgets want and misery."

No, slave, a woman, in truth, I will not love!"

"Love not, my lord, love not!"

- 55 Woman is a snare, a trap, a pitfall.

Woman is a sharpened iron dagger

That will cut a man's neck."

## VIII

"Slave, oblige me!" "Yes, yes, my lord!"

"Forthwith fetch and hand me water for my hands! I will offer a sacrifice to my god!"

- 60 "Offer, my lord, offer! The man who offers a sacrifice to his god, his heart is glad;  
He makes investment upon investment."

"No, slave, I will not, in truth, offer a sacrifice to my god!"

"Do not, my lord, do not!"

Thou mightst accustom the god to follow thee like a dog,

- 65 Asking of thee either 'My due!' or 'Didst thou not ask? or anything else.'"

## IX

"Slave, oblige me!" "Yes, yes, my lord!"

"I will provide sustenance for our land!" "So provide, my lord, provide!"

The man who provides sustenance for his land, his grain

Remains his own grain, (yet) the interest thereon is abundant!"

- 70 "No, slave, I will not, in truth, give sustenance to the land!"

"Give not, my lord, give not! Debt will eat up thy grain; thy grain

They will understate to thee and will forever abuse thee on top of all."

## X

"Slave, oblige me!" "Yes, yes, my lord!"

"I say, 'I will do righteousness unto my land!' " "So do, my lord, do!"

- 75 The man who does righteousness unto his land,

His righteous deeds are placed in the ring of Marduk."

"No, slave, I will not, in truth, do righteousness unto my land."

"Do not, my lord, do not!"

Climb and wander about atop the ancient mounds!"

80 Behold the skulls of the hindmost and the foremost:

Which one is an evildoer and which one is righteous?"

### XI

"Slave, oblige me!" "Yes, yes, my lord!"

"Now then, what is worth while?"

To break my neck and thy neck,

85 To plunge into the river — that is worth while!"

"Who is so tall as to come up to heaven,

Who is so broad as to encompass the earth?"

"No, slave, I will slay thee and leave thee precede me!"

"Then could my lord survive me by as much as three days?"

[Colophon: Written and collated according to its original.]

### Annotations

I: A obv. 1–9; Eb. I; Lan. A

1. The logogram for 'slave' should be read here *arad* (in the vocative, for which cf. von Soden, GAG 621) rather than *ardu*, unless the possessive suffix (*ardi*) is to be supplied. A freer translation into English would be 'my man!'

For *mitanguranni* (and its later counterpart *muntangeranni*) various renderings have been proposed: (a) 'obey me' (Eb., M., Pf.); (b) 'gehörche mir immer wieder' (von Soden, GAG 96j); (c) 'agree with me' (Jac.); (d) 'listen to me attentively' (Un.). None is altogether satisfactory for one reason or another. 'Oblige me,' with its implicit durative connotation echoing the *tan*-form, would seem to meet all the requirements of morphology and of context.

Whether *annū* is a doublet to *anni* 'yes' (Eb.), or a demonstrative in the sense of 'this is he' (not unlike Heb. *hinnēnī* 'here I am') with Un., its present force is 'yes' in any case.

2. The phrase *dikūmma šamādum* has the broader sense of 'to fetch and put to work' already in OB times; cf. VAB VI 269.2 (said of silver). In this passage, however, there may be a conscious play on words (š. meaning specifically 'to hitch'), for paronomasia is a favorite pastime with our author.

3. The text would appear to point to [ša]m-mar-ka.<sup>2</sup>

4. Since the subject in lines 7 ff., which is carried over from this line, is in the sg., *ubbala* cannot be dual (with Eb.) but must be ventive.

5. The scheme of the A-version is to announce each switch by the master by means of *-ma* (except in line 45, where B this time reads *sar-tam-ma*). The required nuance is something like 'after all, on second thought, in truth.'

7. Lan. read [*ana ašri la te-]bu-ú* and translated, provisionally, 'unto a place whence one cometh not up.' The construction is impossible although the verb itself is probably right. The form *ušašbalka* in the next line suggests *gerra* or *urha* as its complement; this in turn points to *harrānu* in the present instance, hence evidently to the common *ana harrāni tebū* 'to undertake, start on a journey' (cf. e.g. CT 40 48. 4 ff.); perhaps, elliptically, [*a-na harrāni ša la te-et-]bu-ú?*

8. Cf. Gilg. Th. Pl. XII 13–14.

9. Eb. proposed, with reservations, [*eklētī<sup>3</sup> māti ašar ina*] *mu-ši mar-ša-ta ú-kal-lam-ka*, but the adduced passage in ABL 460 rev. 7 f. is not relevant and the translation '[Die Finsternisse des Landes(?), wo] es dir in der Nacht schlecht ergeht, wird er dich sehen lassen' is plainly troublesome. Lan. (followed by Pf.) read [*ur-ra u*] *mu-ši*; but the form *mūši* in this phrase is ungrammatical (although *muši u urra* — in that order — occurs). I have assumed, therefore, *ina šāt mūši*.<sup>4</sup>

II: A obv. 10–16; C 1–8; Eb. II; Lan. B

12. The hendiadys *saḥēru patānu<sup>5</sup>* indicates 'to go in a circle, to do continuously.'

13. I supply [*ana naptani*].

16. *eli/muḥḥi amēli alāku* surely has the sense of 'to go against human nature' (so Eb.). The context, moreover, calls for a distasteful chore.

2. So apparently Eb.

3. Eb.'s *eglēti* is an obvious slip.

4. For *šāt mūši* cf. Meissner, AS 4 69 f.

5. The whole subject of hendiadys in Akkadian has been badly neglected although the usage is very common. Of the various types of this construction I shall cite, for the present, only *laqū u dabābu*, Assyrian Laws B iii 13–14 'claim to possession'; *bēl adē u mamēt* 'subject to pacts under oath'; and the significant juxtaposition *ina sanāq atmē: sanāqa u atmē* 'by careful utterance,' PSBA 1916 136 34 and n. 95. Cf. also *dikumma šamādum*, above.

III: A obv. 17–28; C 9–20; Eb. III; Lan. C

Except for M., all translators have rendered *muttapaššidu* in this passage as ‘fugitive,’ placing the *tan*-form on a par with *naparšudu*: cf. Eb. (*ad loc.* and p. 65), Lan., Pf.; A. Heidel, AS 13 69. M. renders ‘hunter,’ evidently from the context, without giving an explanation. But the *tan*-form presupposes an iterative-durative connotation. English ‘stalk’ does the same thing. The passage in V R 10. 13–16, which is cited by Heidel, *loc. cit.*, applies this particular form both to the *surdū*-bird (‘falcon’) and to a conquered ruler, just as our text uses it to describe the hunter and the *ḥaḥḥurru*-bird (cf. below). ‘Slink away’ will do very well as an approximate synonym applicable to a defeated enemy.

21. The syllabaries equate *ḥaḥḥur(ru)* with *āribu* ‘raven,’ cf. Meissner, MAOG XI/1–2 11. In view, however, of *ḥ. sāmu* ‘red/brown *ḥ.*’ we have to posit some kind of ‘hawk.’

22. The attested meaning of *akkannu* is ‘wild ass,’ cf. Meissner, *loc. cit.* This sense is certainly possible in the present context (cf. Job 39. 5–6). Yet there is another possibility that should not be discarded. Meissner himself (*loc. cit.*) called attention to the fact that *akkannu* stands also for a bird associated with *suddinnu*, *āribu*, and *ḥaḥḥurru*; he found it difficult to make a choice between these two meanings in the present context, after having previously rendered ‘Jagd-falke(?)’ (M. 433).

My slight preference for an ornithological designation in this instance is due to the following arguments: Our passage cites *akkannu* alongside *ḥaḥḥurru*, precisely as does the vocabulary just mentioned. The latter lists also the *suddinnu*, perhaps ‘bat’ (cf. Landsberger, *Fauna* 97 n. 3, 141; Thompson, *Devils and Evil Spirits* I 130 35, 37), and the raven. Furthermore, the terms *murtappidu* (lines 22 and 28) and *namū* (28) are both familiar in connection with *efimmu* ‘ghost, specter,’ and this seems to be the image that our writer wished to evoke in line 28. We know that evil spirits could be banished by means, and in the form, of just such birds as those mentioned above (Thompson, *ibid.*, 134 65 f.). Finally, *akkannu* as a bird is apparently connected with *akkū*, a synonym of *qadū* ‘screech-owl’ (cf. CT 14 6.11). All in all, the owl would seem to

have a fair chance of ousting the wild ass from the present context.

In the second half of the line, only the first two signs, *i*-ME-, have been preserved out of probably six; the third sign could have been *-e* (so Eb.), in which case the verb was *i-me-e*. Since a present form is required, we may have here a defective writing for *immē* similar to *e-wi* (pres.) in the Irishum inscription, *Bellelen* 14 228.46 and *i-me-i* Lit. Keilschrifttexte aus Assur 62 rev. 6. In any case, this reading is supported indirectly by the occurrence of *na-mu-ū* in the counterpoint passage (28), since our writer resorts to punning skilfully and often. Now the favorite complement of *ew/mū* ‘to come into the state of, to become’ is that with the ending *-iš*, cf. Schott, *Vergleiche* (MVAG XXX/2) 10 ff. and von Soden, ZA 41 106 f. n. 4. It may not be mere coincidence, therefore, that what is left of the last sign could well belong to [s/š]iš; but there are too many possibilities for supplementing *x-x-s/šiš*. The general idea would be ‘settled, sedate, wise, reposeful.’

27. Here M., Lan., and Pf. supply [*hur-ri*] with good reason. The incidental pun on *ḥaḥ(h)ur(r)u* could well be deliberate.

28. The traces in the copy do not favor [š]u-*ba-su*, yet the context would seem to demand such a reading. Note, e.g., *šubatka bītu nadū ḥarbu* ‘thy home is an abandoned, ruined house’ (said of an evil spirit), Thompson, *op. cit.* 138 99.

IV: A obv. 37–38; C 21–23; Eb. V; Lan. D

The text of A is here obviously in disorder since the two concluding lines of the strophe have nothing to do with what precedes. The pertinent beginning is preserved in C, where it follows our §III, hence the present arrangement.

Eb. recognized the conflate nature of A’s fourth strophe but ascribed it to the telescoping of two independent sections, his IV and V (p. 52 n. d). As a result, Eb. IV lacks a conclusion (“Fehlt wohl der Schluss des Absatzes,” p. 57). Lan. tried to interpret C 21–23 + A obv. 29–38 as a unit. He was thus obliged to assume that the scheme of the resulting paragraph (his D) differed from that of the other sections, and he had to admit that “The connection between constructing a house and securing advantage over adversaries is not obvious . . .” (Lan. 201).

The arrangement here proposed proceeds from the assumption of a simple displacement in A alone: the superfluous lines came from another strophe (see under V, below). This does away, among other things, with the duplication reflected in Eb. IV and VI.

31. Since the servant always picks up his response from the last word in the master's statement (except for the last strophe where the change is in accordance with the over-all scheme; cf. under *Interpretation*), the *ri-ši* of C 23 must correspond to an antecedent *lurši*. This point has been overlooked hitherto.

32. For this force of *kē kē* (or *kī kī*) cf. Gilg. XI 179. For the use of this interjection (single) in an exclamation cf. *kī ḥabil Babyloniaca* VII 177 51, where the meaning is obviously 'what a shame! too bad!' (and not 'how he is disgraced?' *ibid.*). This compares with MHeb. *ḥābal*, Aram. *ḥābel* (with the same sense).

33. The rebus form *i-dŠEŠki* = *inanna* (which troubled Eb.) has been commented upon more than once; cf. Weidner, *AfO* 11 73 n. 32. The sense of *alik inanna* would seem to be 'he who acts on the spur of the moment, hotheaded.' In *bīt abišu iḥtepi* there is a clear play on the introductory *lubni bīta* — one more argument in favor of the proposed strophe arrangement.

V: B obv. 1-7; Eb. VI; Lan. F (cf. Eb. IV)

With this strophe begins the text of B, a version which diverges from A in the order of paragraphs (cf. e.g., under VI and VII) and occasionally also in content (e.g., IX). I have assumed that A obv. 29-36 and B obv. 1-7 were originally related in their themes but differed in details much as the respective versions of IX. The adduced section of A lacks a beginning (mutilated) and an end (scribal omission). What is left deals with accusers *bēl dabābi* whom the master would 'resolutely vanquish and enchain(?)' *lu-uk-mu-ma lu-ku-uš-ma lu-šil(?)ma*. B obv. 7 refers to *bēlu dīni* 'litigants' and uses in this connection the form *uš-ša-lu*<sup>6</sup>. Since neither version deals elsewhere with a legal theme, it seems most likely that we have here variant statements on the same topic. The apparent contrapuntal position of *lušilma:uššalū* (assuming that both forms have

6. If this is the correct reading. The last sign could well be SU but the resulting form does not make sense; see note to line 40.

been read correctly) would be a further case in point. At all events, the present translation adheres to B, where the prevailing scheme is maintained.

36. The suggested supplementation (*tābi eli Šamaš*) is based on PSBA 1916 133 11, 13.

40. Lan. reads *uz-za-zu*; but the last sign is at best *su* if not *lu*; moreover, there is no such present form to *i/uzuzzum*. The mention of 'accusers' makes it tempting to think of *šēlu* 'quarrel,' for which cf. R. Kraus, *AfO* 11 228 f., and this is what Ebeling appears to have done in AOT 285. Nevertheless, this cure would seem worse than the ailment, on morphological grounds in any case. I have posited in both instances an underlying *ešēlu* and have assumed an impersonal pl. in the present passage. It must be stressed, however, that reading and interpretation remain uncertain.

VI: A obv. 39-43; B rev. 1-8; Eb. VII; Lan. E

42. On the asseverative *kī(-mi)* cf. Eb. 62.

43. That *te-ep-šu* of A is a mistake for *te-ep(-pu)-šu* and sg. subj. is proved by the *te-ep-pu-uš* of B. The pertinent possessive suffixes, however, are in the plural; the reason for this discrepancy will be pointed out below.

The last word of this line has caused much trouble. Eb. operates with *tītu/tittu* 'clay,' in the sense of 'dirt > corpse' (pp. 58, 62); but this does not harmonize with the *ri-iq-qa* which precedes the noun in B rev. 3. M. renders 'Topf,' apparently in the sense of 'clay (pot).' Lan. reads *ḥi-id ku-[ma]* (*sic*) and translates 'what happiness is thine?' (p. 202), which fails to take into account, among other things, the DI- of B. Pf. has 'what becomes of your clay?'; this ignores *riqqā*. R. J. Williams suggests that we read *mi-nu-u ḥi-it-l[u-pu-ka]* (JCS 6 1), thus obtaining a contrast between clothing and food; yet the DI- in the other version cannot be disregarded.

The only value which  $\text{𒀗}$  and DI have in common is, of course, *tī*; but the *tītu* to which such a reading would normally lead has failed to yield satisfactory results. The trouble lies not in the reading but in the rendering, for 'clay' will not provide firm ground in this instance. A better prospect is furnished by the entry DUK KAŠ. ŪS.SA =  $\text{𒀗-it-tum}$ , RA 6 130, AO 2162 obv. 1.12. Since the sumerogram in question can hardly be separated from KAŠ.Ū.SA = d i d a



(Hrozný, *Getreide* 146) 'a bear beverage' (cf. Oppenheim, *Eames Catalogue* 70), we cannot but link *d i d a* with the *ḪI-it-tum* just cited (so already Hrozný, *loc. cit.* 147 n. 2), thus arriving at *ḫi-it-tum*. Whether or not there is here an ultimate connection with the common term for 'clay,' the meaning is explicit: 'a vessel for some kind of beer.' This meaning fits the present context admirably: 'empty is your beer jug' (var. 'what is [in] your beer jug?').

46. This line is missing in B (A is not available for this passage). It has been restored on the analogy of VII, where B likewise omits the first part of the reply while A has it.

VII: A rev. 1-3; B obv. 8-13; Eb. VIII; Lan. G

For this and the following strophes cf. the translation by Jacobsen (IAAM 216 ff.). Pertinent comparisons are given by Eb. 66 f. and Pf. 438 n. 2.

54. The line is missing in B.

55. The translation of Jac., which has been followed here, is supported by Prov. 7.10 f. and Eccl. 7.26.

VIII: A rev. 4-11; B. obv. 14-21; Eb. IX; Lan. H

The general sense of this strophe has been clear all along. Jac. (217) has further clarified the construction of the last line. My departures from his translation are slight: I take *lā tašāl* as a question, alluding to such requests as might be found, e.g., in letters to the gods. The overall sense is, "Be careful not to get your personal god into bad habits," or in other words, "One can teach an old god new tricks." The reference in line 64 is no more blasphemous than the familiar passage in Gilg. XI 161: 'The gods crowded like flies about the sacrificer.' The Mesopotamian's idea of reverence was plainly not the same as ours.

61. A vivid illustration of profitable investments by a person in authority is provided by the recently published *The Alalakh Tablets*, Nos. 26 ff., where Ammitakum, the local ruler, makes various loans and buys up previous debts — all against ample security and with obvious prospects of plentiful profits.

IX: A rev. 12-19; B rev. 9-14; Eb. X; Lan. I

The last three lines in A are obscured by breaks, hence the better preserved text of B has here been followed. It is evident, however, that the two

versions differed considerably as to details in this particular strophe.

68 f. In B this passage contains an obvious omission which has been restored from A: *uṭṭat-su<sup>7</sup>* (69) *uṭṭat-[su-ma ḫubullu-šu] at-ri*. A's division into verses was also plainly superior.

71. Here *ḫubullu* denotes 'debt' in contrast (which was, we may feel sure, intentional) to the preceding line where the word carries its alternate meaning 'interest.'

X: A rev. 20-28; B rev. 15-21; Eb. XI; Lan. J

74. The force of *usātu* in this strophe approximates that of Heb. *šedāqā*, especially in its later sense of 'charity.' Note in particular the juxtaposition of *bēl limutti:bēl usāti* (line 81) which is matched by Heb. *rāšā':šaddiq*.

76. The term *kippat* (A) refers apparently to the "ring" of the god which so often forms part of the rod-and-ring motif on Mesopotamian monuments; cf. the recent treatment by E. D. Van Buren, *ArOr* 17/2 (1949) 434-50. The sense of the passage would then be that the god weighs the subject's merits and returns to him his just deserts. The reading *kāp-pat* in B may either be another play on words ('palms') or a later simplification of the original idea. The mention of Marduk should have some bearing on the question of the original place of the composition.

XI: A rev. 29-37; Eb. XII; Lan. K; Un. *Afo* 15  
74-75

Note that in this strophe the servant fails to model his reply after his master's statement. The point will be discussed presently.

86 f. This couplet reproduces an ancient Sumerian proverb; see below, p. 104

89. Syntactically, the sentence is elliptical, the *kī* with the subjunctive having the function of a conjunction: '(I swear) that my master would (not) survive me by three days!' Cf. Un. *ad loc.* and von Soden, GAG 185k. This adjurative force of *kī* (exactly like that of *šumma* in oaths) is the third distinctive use of this particle in the composition before us, alongside the asseverative (line 42, etc.), and the exclamatory (*kē kē*, line 32).

#### Interpretation

The composition before us was no doubt familiar to the Mesopotamians under the name *Arad*

7. Perhaps *še' at/s-su*.

*mitanguranni*, after its initial words, in accordance with the normal usage of the time. In assessing this unique work, modern scholarship has shown a degree of unanimity that is no less exceptional. Ebeling found it to be "tinged with extreme pessimism."<sup>8</sup> Langdon was the first to call it "The Babylonian Dialogue of Pessimism,"<sup>9</sup> with Jacobsen,<sup>10</sup> Pfeiffer,<sup>11</sup> and Williams<sup>12</sup> concurring. Meissner saw in this piece an expression of the futility of all human endeavor,<sup>13</sup> for all that it might seem to be rather burlesque to our tastes. Similarly, Ungnad regarded the work as basically pessimistic, if not an example of philosophic resignation.<sup>14</sup>

The question may first be posed whether any outright "denial of all values"<sup>15</sup> would have been sanctioned by the meticulously pious Mesopotamians. The extant witnesses of the text represent, as we have seen, four separate sources. The oldest of these — and the longest (A) — contains, moreover, a colophon which refers to a still older original. The composition, in short, was not only popular but enjoyed also something like canonical status. It could not, in these circumstances, have sponsored views that threatened to subvert the tenets of contemporary orthodoxy.<sup>16</sup> Nowhere else in Akkadian literature can one find unrelieved heresy of the kind that this piece is

8. Eb. 50: "höchst pessimistisch gefärbt."

9. Lan. 195.

10. Jac. 216.

11. Pf. 437.

12. JCS VI 1.

13. M. 433. — [There has just been called to my attention the article by F. M. Th. de l. Böhl on "Die Religion der Babylonier und Assyrer," in *Christus und die Religionen der Erde II* (ed. F. König, Vienna 1951), 441–498, which includes a brief statement on the composition before us (493 f.) It is Böhl's opinion that the objective of the work was caricature. To that extent, therefore, our respective results coincide; the coincidence is made even closer by the fact that my first formal discussion of the piece, outlining the present conclusions, was likewise presented in 1951 (Spring) before a local faculty seminar on the Wisdom Literature of the Orient. In his particular context Böhl did not have the opportunity to give the full evidence on which his assessment is based so that a detailed comparison is not possible at this time. In any case, however, Böhl's general statement is welcome in this connection in that it constitutes independent support of the conclusions offered herewith. E.A.S.]

14. Un. 75.

15. *Loc. cit.*

16. Even *Ecclesiastes*, centuries later, had considerable difficulty in being admitted to the OT Canon.

alleged to reflect. The *Theodicy* ends on a note of hope.<sup>17</sup> Even that catalogue of human misery which bears the name *Ludlul bēl nēmeqi* leads up, as the name suggests, to a paean of praise for Marduk.<sup>18</sup>

Could it be, then, that the prevailing imputation of abject pessimism is not justified in the present instance? Because I believe that such is indeed the case, and because I owe it to my fellow-Assyriologists with whose opinions on this subject I herewith beg to differ, I offer the following arguments in favor of a revised assessment.

The common ascription of a pessimistic philosophy to the work before us is at best only a half-truth. On each of the projects which the master announces the servant has two opposite opinions. The one is just as positive as the other is negative; each is given in the same axiomatic manner. If the man is a pessimist in the second instance, he must be by the same token an optimist in the first instance. And lest it be asserted that what is really pessimistic is the net result, it should be recalled that each of these diametrically opposed views is pronounced with like finality. This is not close reasoning but outright ambivalence.

There is, furthermore, nothing spontaneous about the servant's responses. Each strophe is introduced with the unvarying command, 'Slave, oblige me!' The servant does merely as he is bidden. He has little choice in the matter. His personal views are not for publication. The man is truly the "Obliging Servant" in every sense of the phrase.

On further probing we learn also that the replies are far from original. 'Climb and wander about atop the ancient mounds'<sup>19</sup> is an all too obvious borrowing from the Gilgamesh Epic.<sup>20</sup> The public for which the dialogue was intended surely had no difficulty in spotting the allusion; it must have heard this lesson from archaeology many times. In lines 86–87 we have another ancient saying of which the Sumerian original is happily available. This was pointed out by Kramer<sup>21</sup> and it has since been stressed by Jacob-

17. Cf. Landsberger, ZA 43 (1936) 72; cf. also the comment, *ibid.* 42.

18. KAR 10 rev! 14 ff.

19. Above, line 79.

20. Gilg. I i 16; XI 303.

21. BASOR 96 (1944) 24 and JCS I (1947) 35 n. 215. Mr. Edmund I. Gordon was good enough to collect for me additional material on this point, but the present references would seem sufficient.

sen.<sup>22</sup> Other passages, too, are linked with the wisdom literature not only of Mesopotamia but of other parts of the ancient Near East as well.<sup>23</sup>

The servant, then, does little more than cite familiar sayings. It is this trait above all others that characterizes his replies; indeed, it is the key to the nature of the composition as a whole. Perhaps the strongest proof of the mechanical manner of the replies is contained in the couplet found in lines 43–44. The possessive suffixes in that passage are in the plural — ‘*your* beer jug,’ ‘*your* belly,’ not ‘thy . . .’ — although only one person is addressed and the singular is employed everywhere else. The proverb involved was evidently construed in the plural; it was too well known, apparently, to be tampered with for grammatical purposes. Nothing could better illustrate rigid adherence to familiar quotations.

If our literate servant deals thus in clichés and copybook maxims, what could be the object of the effort before us? Was it to demonstrate for the first time on record that “The devil can cite Scripture for his purpose”? Perhaps so, but hardly with the implications that Shakespeare had in mind. Strophe V is a good case in point. The master had just declared his resolve to remain silent at the words of his accuser. To this the servant, faithful to his custom to cling to his master’s last word, replies, ‘Be silent, my lord, be silent!’ This may seem innocent and dutiful at first glance. Let us bear in mind, however, that *sukut* also means ‘hush,’ just as its cognates do elsewhere in Semitic. A situation in which a servant could say this to his master and do so in all propriety must have been a source of much merriment in an oriental setting. It is scarcely credible that the double meaning in this instance was purely accidental. The trap appears to have been set with care if not with malice aforethought. If so, the aim of the work, or at least one of its main aims, was humor. We would seem to be here in the realm of broad satire, and not of ponderous philosophizing.

This brings us to the last strophe, which is basic to the evaluation of the piece as a whole. That particular section differs from all the others in tenor and in scheme. The master starts out with a question instead of announcing a plan. The

22. Jac. 218.

23. Cf. Eb. 66–70. Note also such links with Akkadian proverbs as the sequence *epru* and *usātu* in K 33851 obv. ii 13, 16 (PSBA 1916 133).

servant, in sharp contrast with his previous behavior, fails to pick up the cue. He comes back instead with a time-honored proverb that must have worn threadbare from the use and abuse by countless generations: ‘Who is so tall as to come up to heaven, who is so broad as to encompass the earth?’ What has this to do with the breaking of necks? Clearly, nothing. It is a plain *non sequitur*.

I submit that this reply by the servant was deliberately off the mark and that it was intended to underscore the farcical bearing of all that had preceded. Indeed, it is altogether probable that the audience was treated at this point to a visible sign of a change in mood, inasmuch as the piece may well have been designed for oral presentation by two performers. For the “master’s” retort comes very close to sounding like, “I will kill you, you reprobate, and have you precede me to the Nether World!” Whereupon the “slave,” steps out of character with this irreverent parting shot: “And do you really think, my precious lord, that you could last three days without me?”

Just who or what may have been the butt of this satire is another matter. Perhaps it was the weakling in a position of authority, or the cliché expert, or the incompetent in any walk of life. But whatever the target, the strictures of this unusual ancient work must have given great pleasure to the community at large, to judge from the number of extant sources. It is a pleasure that should not be lost on the modern reader.

In any event, *The Obliging Servant* surely has no close affinity with an Aethelred the Unready or a Hamlet, a Schopenhauer or a Spengler. One could make out a case for listing Jonathan Swift as a spiritual descendant of our ancient author.<sup>24</sup> All in all, the characters in our piece are related in some ways to that pair of worthies who have been working overtime for P. G. Wodehouse, namely, the Hon. Bertie Wooster and his matchless manservant, the imperturbable Jeeves.

The defense rests!

24. Cf. his *Complete Collection of Genteel and Ingenious Conversation*: “I can faithfully assure the reader that there is not one single witty phrase in the whole Collection which has not received the Stamp and Approbation of at least One Hundred Years, and how much longer it is hard to determine; he may therefore be secure to find them all genuine, sterling and authentic.” Aldous Huxley, who quotes this passage (*On the Margin*, New York, 1923, p. 88) calls the work “a diabolic picture of the social amenities” and “a never-ceasing stream of imbecility.”



AMERICAN SCHOOLS OF ORIENTAL RESEARCH

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'Ed in the Story of Creation

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## 'ED IN THE STORY OF CREATION

E. A. SPEISER

The traditional explanations of the term 'ēd in Gen 2:6 range from "spring, source" to "cloud" and "mist."<sup>1</sup> Each is no more than a guess based on the context, which happens to leave a large area open to speculation. The only other occurrence of the term, Job 36:27, is equally inconclusive and may itself owe something to the account in Genesis. In these circumstances, no progress towards the solution of the problem is possible without the aid of comparative etymology.

The best prospect of assistance in the matter rests with Akkadian, in view of the locale of the paradise story. The material, however, which is available there has proved to be almost too much of a blessing. Whereas formerly there was no etymology at all, Akkadian now furnishes two possible prototypes of Heb. 'ēd: (1) *edû*; (2) *id*. Both are loanwords from the Sumerian, yet they are unrelated generically. Each has to be judged on its own merits.

The term *edû* has been known for many decades in the sense of "flood, waves, swell," and it was compared with Heb. 'ēd well over sixty years ago.<sup>2</sup> The only reason, apparently, why this equation has enjoyed only limited acceptance is that the passage in Genesis suggests subterranean waters, a meaning that is not automatically implicit in the hitherto known values of Akk. *edû*. Accordingly, P. Dhorme advanced in 1907 a rival etymology based on Akk. *id* (fr. Sumerian *ÍD* "river").<sup>3</sup> H. Zimmern was undecided between *edû* and *id*.<sup>4</sup> E. Sachsse, in a special article on 'ēd, adduced *id* once again, but limited the sense to "canal, water-course."<sup>4a</sup> It was not until 1939 that W. F. Albright furnished the argument which raised the equation Heb. 'ēd = Akk. *id* from a casual and precarious suggestion to a highly attractive probability.<sup>5</sup>

Yet all the doubts about this latter identification were not dispelled even then. It could not be denied, for instance, that *id*, when so pronounced, had a specific cultic bearing, notably so in the Assyrian Laws.<sup>6</sup> Generally, moreover, the Sumerian logogram in question was read in Akkadian as *nāru* "river" and could not, as such, have led to Heb. 'ēd.<sup>7</sup> Such objections need not be decisive in themselves. The whole question,

<sup>1</sup> For details cf. the standard commentaries.

<sup>2</sup> This comparison is weighed already in A. Dillmann's *Die Genesis* (1892), p. 52, on the authority of an advanced fascicle of F. Delitzsch, *Assyrisches Handwörterbuch*; cf. the complete edition (abbr. HWb), 1896, p. 22 b.

<sup>3</sup> *Revue Biblique*, 1907, 274.

<sup>4</sup> *Akkadische Fremdwörter*, p. 44.

<sup>4a</sup> ZAW 39 (1921) 176 ff.

<sup>5</sup> JBL 58 (1939) pp. 102-3, n. 25.

<sup>6</sup> See *ibid.* for this and other references.

<sup>7</sup> This does not apply necessarily to the passages which Albright cites from L. W. King, *Seven Tablets of Creation* I 128 f. and from the Mari letters (*Syria* XIX 126). Nevertheless, we can be sure of Akkadian *id* as distinct from *nāru* only when the term is spelled out syllabically; and such explicit instances are relatively rare.

however, remains open; indeed, Albright himself did not regard it as definitively solved.

It so happens that all the facts in favor of equating Heb. 'ēd with Akk. *edû* have never been jointly brought to bear on that equation. Each has been available separately for a long time. Cumulatively they would seem to add up to a case against which it would be difficult to take valid exception.

(1) In the Vocabulary VAT 10270 iv 44 ff.<sup>8</sup> the following entries are listed in sequence:

(Sum.) A.GI <sub>6</sub> .A	=	(Akk.) <i>e-gu-[u]</i>
A.DĒ.A	=	<i>e-du-u</i>
A.SI.GA	=	<i>e-si-gu</i>
A.ZI.GA	=	<i>me-lu</i>
A.MAḤ	=	<i>bu-tuq-tum</i>

All these are synonyms for certain bodies of water (= A). The first three are direct loanwords from the Sumerian, with the initial *a*-vowel changing to *e*- under the influence of *e/i* in the following syllable (A. DĒ.A > \**ede'a'u* > *edû*). The character of the group as a whole is indicated by the last two entries: *butuqtum* "break-through" (of the subterranean water); *mēlu* "flood, (ground) flow."

(2) One of the common usages of *mēlu* is repeatedly attested in the following refrain from the Atrahasis Epic:

"Above, let Adad make scarce his rain;  
Below, let the flow (*mēlu*) be dammed up,  
That it rise not from the source."<sup>9</sup>

Thus *mēlu* is used expressly to signify the flow that rises from underground springs. Synonymous with it is the term for water that has broken through to the surface (*butuqtum*), and also *edû*.

(3) In another vocabulary *edû* is defined as *šaqû ša eqli* "watering of the field."<sup>10</sup> The terms listed under (2) above make it clear that the process involved is not the result of manual irrigation but the consequence of natural phenomena. It will be recalled that Gen. 2:6 says of 'ēd that it "would rise (*ya'lē*) from the earth and water (*w'hišqâ*) the whole face of the ground." We find thus both with Heb. 'ēd and with Akk. *edû* the same verb (*šqy*) employed to describe the function of the respective nouns.

(4) All in all, Gen 2:6 contains three terms which are represented by cognates in pertinent Akkadian contexts:

<sup>8</sup> Cf. B. Meissner, *Assyriological Studies* I, p. 10, No. 4.

<sup>9</sup> Cf. ANET 106 iii 44-5. For the use of *našû* as an intransitive ("to rise"), particularly with *mēlu* "flow," see Delitzsch. HWb 485 b.

<sup>10</sup> This equation has long been known; cf. Deimel, ŠL 579, 324 b; it was cited, e. g., by Sachsse, ZA 39, p. 181.

(Heb.) 'ēd corresponds to (Akk.) edû	
ya'lē	mēlu
hišqâ	šaḳû

Plainly, the Biblical verse might have been lifted verbatim from an Akkadian lexical work.<sup>11</sup>

(5) Finally, one could scarcely counter the force of the above argument by pointing out that *edû* should have resulted in some such form as Heb. \*'ēdê. For one, 'ēd is a rare term, found but twice in the whole OT; and the posited Akkadian original is itself a loanword, lacking the full potential of native terms. For another, even an established \*'ēdê could have developed an alloform 'ēd. One need only be reminded of Heb. 'ēš "fire" which has a well attested alloform 'iššê; note furthermore the Akk. cognate *išätum* (sg.; the corresponding plural is *išätatum*).

## THE SITE OF ANCIENT GILGAL

JAMES MUILENBURG

The location of ancient Gilgal has long remained one of the unsolved problems of Palestinian topography. Of the sites of such other early sanctuaries as Shechem and Shiloh, we have considerable knowledge. These have been excavated, and the results have served to illuminate both the history and religion of ancient Israel. But the situation with Gilgal is quite otherwise. Even its name raises difficulties. Was it originally a *gîlgal*, a circle of stones such as is found not infrequently in eastern Palestine? Or does the tradition reflect the existence of a Canaanite sanctuary, later appropriated by the Israelites after their crossing of the Jordan? Or did Gilgal first receive its name from the twelve stones which tradition credits the Israelites with having brought up from the bed of the Jordan and with having set up at this place as a memorial to Yahweh's deed in their behalf? The answers to such questions are by no means simple; yet it may be pointed out that nineteenth-century discussion has been dominated all too frequently by views of Israel's religion, such as worship of stones *etc.*, which contemporary scholarship has all but repudiated.

The importance of Gilgal in the history of Israel and its significance in her cultic life have in recent years been placed in a clearer perspective by the form-critical studies of Albrecht Alt,<sup>1</sup> Martin Noth,<sup>2</sup> Gerhard von

<sup>11</sup> Which is not to suggest that this actually occurred.

<sup>1</sup> "Josua" in *Werden und Wesen des alten Testaments* (Berlin, 1935), pp. 13-29. Reprinted in *Kleine Schriften*, I (München, 1953), pp. 176-192. Other relevant studies reprinted in *Kleine Schriften* are as follows: "Die Wallfahrt von Sichem nach Bethel" (I. pp. 79-88), "Die Landnahme der Israeliten in Palästina" (I. pp. 89-125), "Erwägungen über die Landnahme der Israeliten in Palästina" (I. pp. 126-175), "Das System der Stammesgrenzen im Buche Josua" (I. pp. 193-202), and scattered references in Vol. II.

<sup>2</sup> *Das Buch Josua* in the *Handbuch zum alten Testament* series, Tübingen, 1953. See also *passim* in his *Überlieferungsgeschichtliche Studien*, Erster Band (1943).



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## The Biblical Idea of History in its Common Near Eastern Setting\*

E. A. SPEISER

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AMONG the many celebrated documents from Mari, there is a letter containing this invaluable observation: 'No king is powerful on his own. Ten or fifteen kings follow Hammurabi of Babylon. A like number may follow Rim-Sin of Larsa, Ibalpiel of Eshnunna, or Amutpiel of Qatanum. There are perhaps twenty who follow Yarimlim of Yamhad.'<sup>1</sup> This incidental comment, addressed by Itur-Asdu, governor of Nahor, to King Zimrilim of Mari, is a sage bit of historical wisdom. It shows a keen awareness of the composite sources of authority and is fully alive to the checks and balances of international relations. We have here, furthermore, an unexpected attempt to reach out beyond the specific detail to broader general principles. To our surprise we find that people of that period were not always just so many unreflecting pawns caught in the web of history. Some of them, at any rate, could stand back and appraise impersonally the historical process. But it is the date of the message that makes it so remarkable. The link with the city of Nahor in the region of Harran and the direct reference to Hammurabi of Babylon point unmistakably to the Patriarchal Age. In short, the generation of Abraham, even the very district where his family was settled, could not have been strangers to the concept of history.

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\* This paper was read at the Second World Congress of Jewish Studies, held in Jerusalem in 1957.

<sup>1</sup> See G. Dossin: Les archives épistolaires du palais de Mari, *Syria*, 19, 1938, p. 117.

The Bible is first and foremost a unique distillation of history. Now no process of this kind and magnitude can unfold in a vacuum. The people of the Bible, who were to make history in more ways than one, were neither politically nor culturally isolated from other societies. Like the kings mentioned by the governor of Nahor, they did not stand alone. They were an integral part of a larger pattern. Hence the ultimate achievement that is the Bible cannot be properly understood, still less appreciated, except in terms of the setting in which this work originated, and of the initial values which it went on to transfigure and transcend.

As a work that bears on history, the Bible embodies a variety of incidental detail. Its central issues, however, are the larger questions of life and destiny. In other words, the Bible is not so much a chronicle of events worth recording, or thought to be worth recording, as an interpretation of significant happenings. Thus it is essentially a philosophy of history. Now any historiosophy, by definition, presupposes an advanced intellectual and spiritual background. It requires the backdrop of a major civilization. The ancient Near East was the home of two independent historic civilizations, one of which flourished in Mesopotamia and the other in Egypt. Accordingly, the biblical idea of history has to be viewed in the context of the native historiosophies of Egypt and Mesopotamia. But before this can be done, it will be necessary to restate for purposes of ready reference the salient characteristics of these two dominant civilizations of the region.

All advanced societies must come to grips with two issues above all. One is the relation of the individual to society. The other is the alignment of both individual and society to nature and the universe. The former is reflected in law and government. The latter finds expression in religion. The essence of a given civilization will be determined in the main by its distinctive answer to these two basic questions. The most pressing political and economic problems of the day are secondary and ephemeral in comparison.<sup>2</sup>

The two issues just mentioned are, in turn, interdependent. Yet they are seldom in true equilibrium. It is this that makes for the immemorial rivalry

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<sup>2</sup> Cf. my remarks in *Mid-East: World Center* (Science of Culture Series, ed. Ruth Nanda Anshen, 7). New York, 1956, p. 35. The following remarks on Mesopotamia contain a summary of various themes which I have had occasion to develop in the following publications: (a) *Some Sources of Intellectual and Social Progress in the Ancient Near East*, *Studies in the History of Culture* (W. G. Leland Volume), Menasha, Wisconsin, 1942, pp. 51-62; (b) *The Ancient Near East and Modern Philosophies of History*, *Proceedings of the American Philosophical Society*, 95, 1951, pp. 583-588;

between church and state. As we go back in time, moreover, our scientific horizons shrink progressively. There may still be a measure of truth in the saying that just as mythology is the science of the past, science is the mythology of the future. The fact remains, nevertheless, that mythology—or what we would today call mythology—had a vastly greater effect on ancient society than theology has on modern life. Hence religion in general was the overriding factor in the older civilizations and a powerful influence on law and government. And because the religious solution of Mesopotamia differed radically from that of Egypt, the two respective societies were sharply at variance with each other, far more than is commonly realized.

The outstanding single feature of the cosmos of the ancient Mesopotamians was the tenet that no single god is the ultimate source of power and authority; none is truly omnipotent. All the leading figures of the Mesopotamian pantheon had themselves been created. Final authority resided in the community of the gods as a body. Only the assembly of the gods had the power to choose the head of the pantheon, as in the case of Marduk, or to bestow immortality on a human being, as was the case with Utnapishtim. This restriction served as an important buffer against absolutism, but it also made for uncertainty and insecurity, in heaven no less than on earth. The destiny of the universe had to be decided afresh each year. Nothing was settled for all time, nothing could be taken for granted.

Another fundamental tenet of the world-view of the Mesopotamians was that human society was an exact replica of the society of the gods, with the temple tower, or *ziggurat*, constituting a tangible link between heaven and earth. No mortal ruler, therefore, could lay claim to absolute authority, inasmuch as that privilege was withheld even from the highest god. The authority of the ruler was thus doubly restricted. On the one hand, his mandate stemmed from the gods, to whom he was accountable for his every action. And on the other hand, the king was subject to the will of the assembly of his elders, just as the head of the pantheon was bound by the wishes of his celestial assembly.

These twin checks on the power of the mortal ruler—one cosmic and the other societal—had a direct effect on the Mesopotamian concept of state. In

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(c) Early Law and Civilization, *The Canadian Bar Review*, 31, 1953, pp. 863-877; (d) Authority and Law in Mesopotamia, *Journ. American Oriental Society*, Suppl. No. 17, 1954, pp. 8-15; and especially (e) Ancient Mesopotamia, in R. C. Dentan, ed.: *The Idea of History in the Ancient Near East* (American Oriental Series, 38). New Haven, 1955, pp. 35-76, and the literature cited in all these publications. The present summary was thought desirable for purposes of minimal background.

these circumstances, the state could evolve into nothing but a kind of democracy.<sup>3</sup> For government by assembly and the circumscribed authority of the king could scarcely add up to anything else. The main beneficiary was the individual, whose rights were protected by the law—more specifically the cosmic, unalterable, and impersonal law called *kittum*,<sup>4</sup> an approximate synonym of Hebrew *'emeth*. The ruler was ever the humble servant of the *kittum*, never its master. The presence of writing was a further safeguard against abuses or distortions on the part of the king. Written compilations of laws are now known to go back to the third millennium. The deeply entrenched legal tradition of the land is reflected, moreover, in the hundreds of thousands of documents about the practice of law which have been dug up in Mesopotamia proper. The law becomes a powerful magnet that draws other areas into the orbit of the expanding Mesopotamian civilization—Elam and Anatolia, the Hurrians and the Hittites, Alalakh and Ugarit. In all these instances the Akkadian language remains the internationally accepted legal medium and goes on to serve as a vehicle for cultural fertilization in other fields. This dynamic legal tradition was to be reflected in part long after the parent civilization had been supplanted, notably in the very name of the Babylonian Talmud and in the several legal schools of Islam which flourished on Mesopotamian soil.

In the light of all this, there is no need to refute the all too common assumption that Mesopotamia subscribed to the concept of a divine king. This view is based on superficial evidence lifted out of its proper context. Deification of rulers in Mesopotamia was never a consistent, widespread, or thoroughgoing practice; it was rather a sporadic and surface manifestation devoid of any lasting influence. Hammurabi was never guilty of this practice, nor was any of the long line of Assyrian kings, even at a time when their authority extended over Egypt. The very idea of a divine ruler was incompatible with the fundamental tenets and spirit of Mesopotamian civilization.<sup>5</sup>

All in all, Mesopotamia's solution of the ubiquitous societal problem proved to be enormously successful and productive. The same cannot be said of her concurrent religious solution. Since nothing in the cosmos was permanent and

<sup>3</sup> Cf. Th. Jacobsen: *Primitive Democracy in Ancient Mesopotamia*, *JNES*, 2, 1943, pp. 159-172.

<sup>4</sup> Speiser, *op. cit.* (supra, n. 2d), pp. 12-13.

<sup>5</sup> For the subject in general, cf. R. Labat: *Le caractère religieux de la royauté assyro-babylonienne*. Paris, 1939; H. Frankfort: *Kingship and the Gods*. Chicago, 1948; C. J. Gadd: *Ideas of Divine Rule in the Ancient East*. London, 1948; Speiser, *op. cit.* (supra, n. 2e), pp. 63-64.



secure, there could be no values that were truly enduring. The celestial regime was unpredictable and capricious. The gods had to be forever propitiated if a favourable decision was to be obtained from them at all. This called for constant watchfulness and increasingly elaborate ritual. The cosmos, in short, lacked a true basis for an ethical approach to life. Form rather than content promised the best protection against the whims of heaven. In terms of a philosophy of history, the past was desperately important to be sure, but only as a check against the recurrence of previous disasters. It was not a positive factor in the understanding of the present or a more confident facing of the future. In the end, this emphasis on outward forms became a barrier to inward progress. The collapse of Nineveh and of Babylon was due not so much to the superiority of outside powers as to the crushing weight of the internal structure.<sup>6</sup> By that time, however, the civilization of Mesopotamia had long outgrown its earlier ethnic, linguistic, and political boundaries.

The Egyptian way was in its essential religious aspects the direct opposite of the Mesopotamian. The cosmos of the Egyptians was the outcome of a single creative process. The demiurge continued his absolute rule on earth through a king in whom the creator was perpetually incarnate. The king was thus himself a god whose world was as stable as the rhythm of the Nile. Because the land was ruled by a divine mediator, the alignment of society with nature was perfect and complete. In this static cosmos, unveiled once and for all in serene splendour, there could be no question about the wishes of heaven. Neither was there any room for the kind of impersonal law that the Mesopotamian had in his *kittum*. The pharaoh could never be the servant of any law; he could be only its source and master. In the words of John A. Wilson,

'He, as a god, *was* the state . . . To be sure, it was necessary for a new state to have rules and regulations for administrative procedures and precedent, but our negative evidence suggests that there was no codification of law, impersonally conceived and referable by magistrates without consideration of the crown. Rather, the customary law of the land was conceived to be the word of the pharaoh . . . The authority of codified law would have competed with the personal authority of the pharaoh.'<sup>7</sup>

How does this particular blend of religion and government influence the Egyptian idea of history? On this point one cannot do better than quote a statement from the pen of H. Frankfort:

<sup>6</sup> *Ibid.*, pp. 72-73.

<sup>7</sup> *The Burden of Egypt*. Chicago, 1951, pp. 49-50.

'... the Egyptians had very little sense of history or of past and future. For they conceived their world as essentially static and unchanging. It had gone forth complete from the hands of the Creator. Historical incidents were, consequently, no more than superficial disturbances of the established order, or recurring events of never-changing significance. The past and the future—far from being a matter of concern—were wholly implicit in the present... the divinity of animals and kings, the pyramids, mummifications—as well as several other and seemingly unrelated features of Egyptian civilization—its moral maxims, the forms peculiar to poetry and prose—can all be understood as a result of a basic conviction that only the changeless is truly significant.'<sup>8</sup>

The deep, indeed the unbridgeable, chasm between the civilizations of Egypt and Mesopotamia—the one with its static and the other with its dynamic world-view—should now be fully apparent. The two existed side by side over a longer period than the whole of the present era. In fact, their interrelations go back to prehistoric times. Material interchanges between them were unavoidable, and important intellectual achievements could not escape diffusion. Nevertheless, the widely-held view of the essential similarity of these two great centres of civilization proves to be a modern myth. Socially and spiritually they differed fundamentally. And their disparity was decisive, since it outweighed their similarities.

It would thus seem that our current practice of classifying civilizations according to their material forms fails to stand the test of subsurface probing. For that matter, even our methods of evaluating material remains may need refining where such products are but the symptoms of underlying spiritual conditions. The mere listing of outward differences may not be sufficient to reflect adequately the inner contrasts. Thus the architectural singularity of the Mesopotamian *ziggurat* as compared with the Egyptian pyramid does not begin to suggest the depth of the conceptual break between the two. The *ziggurat* embodied the aspiration of the Mesopotamians to forge a living bond between heaven and earth, between the abode of immortals and the world of mortals. The pyramid, on the other hand, was a monumental tribute—impressive but jejune—to a dead king. The one tells of hope; the other of resignation. Small wonder, then, that the Mesopotamian way was to survive, in countless transpositions, long after the physical collapse of the parent states. The Egyptian way lacked any comparable means of survival. Consequently, Mesopotamia has left firmer links with the modern West, in spite of the intervening distance of space and

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<sup>8</sup> *The Birth of Civilization in the Near East*. London, 1951, pp. 20-21.

time, than she ever shared with contemporary Egypt, her partner in the limelight of history over a period of several millennia. And the dominant factor in these relations was the underlying concept of society and the place of the individual in it. Egypt and Mesopotamia were as mutually incompatible as totalitarianism and democracy—and for precisely the same reasons.

The biblical idea of history must be similarly viewed against a background of ideas of the universe and society—of God, man, and the state. These ideas, in turn, have to be judged in terms of their general Near Eastern setting, since the world of the Bible was an integral part of the ancient Near East. The question, then, narrows down at the outset to this: How does the biblical ideal compare with the mutually contrasted ways of Egypt and Mesopotamia? For the setting is automatically circumscribed by the two dominant civilizations of the region. And when it comes to substance, the Bible is both a primary and a unique source on the subject of the idea of history, for the book as a unit is essentially a work of history. All the other aspects of the Scriptures are subordinated to this central theme.

The truth of this last statement must surely be self-evident. The Pentateuch deals with primeval history, the times of the patriarchs, and the gradual incubation of national consciousness among a people unused to independence. There follow accounts of the conquest, the settlement, and the monarchies. Several of the later books concentrate on post-Exilic history. But the prophetic books, too, are by no means oblivious of the historical process: they are invaluable commentaries on current political and military events. Thus the only portions of the Bible that do not address themselves to history in one way or another are the Psalms, the three wisdom books—Proverbs, Job, Ecclesiastes—and the Song of Solomon. Yet the very fact that these books were included in the canon, and the further fact that certain non-historical matter was introduced into the other books, should help to remind us that the Bible as a whole, although conceived as history, was meant to be history of a very special kind.

For the Scriptures were never intended to be a mere chronicle of events, a story of certain states, or even the biography of a nation. The reader who is interested in such things is told time and again where he can find them: in the *book of the wars of the Lord*,<sup>9</sup> the *book of Jasher*,<sup>10</sup> the *Chronicles of the kings of Israel*,<sup>11</sup> the *Chronicles of the kings of Judah*.<sup>12</sup> The aim of the biblical authors

<sup>9</sup> Num. xxi, 14.

<sup>10</sup> Joshua x, 13.

<sup>11</sup> 1 Kings xiv, 19.

<sup>12</sup> 2 Kings xxiii, 28.

was of a wholly different order. Their purpose was not so much to tell the story of a nation or of nations, as to give the history of a society embarked on a particular quest, the quest for an enduring way of life, a way of life that had universal validity.

This inspired objective is implicit both in the tone and in the content of the biblical narratives; and it was honoured and implemented by the successive compilers—perceptive, faithful, and anonymous—to whom we owe the composition of most of the individual works, and by the later sages to whom we are indebted for the final canon. The story of such a society cannot be told in terms of action and events alone. It has to be woven into an intricate fabric and enriched with a variety of pertinent detail: the laws which provide the framework that holds the community together; the religious beliefs and practices; the hymns and the secular poems, the songs gay and sad, the homely maxims, the affirmations and the doubts. This is how the non-historical sections and books came to be included. But at no time did the compilers lose sight of the basic truth that what was thus being put together was the composite record of a profound experience of mankind, perhaps the most profound of all if we are to judge from the influence of the Bible on subsequent generations. The Bible, in short, is basically a work of history, and more especially a work of historiosophy. And while the history with which it deals is necessarily limited in time and space and action, its ultimate significance is ageless and universal.

Now at what point in the course of the growth of the Scriptures did the conviction gain hold that this was a subject matter of extraordinary importance, inspired and sacred? The final canon affirms this conviction for the Bible as a whole. The emergence of the pentateuchal canon carries back the same belief, as applied to a portion of the Bible, several centuries earlier. The reception accorded the book of *torah* that was recovered under Josiah is proof that the concept of canonicity was already known in pre-Exilic days. And the references to the *book of the wars of the Lord* and the *book of Jasher* suggest by their implied distinction between special and routine writings that works of the non-secular kind were earlier still and were immediately recognized as being out of the ordinary.

What is, then, the earliest feasible date for the emergence of a canon—no doubt in oral form at first—which was eventually to develop into the Scriptures? As yet we have no sure means of arriving at a definite and absolute answer to that question. But this much can be asserted even now: the date must be earlier

than is commonly supposed. It has to be put ahead of the earliest narrative portions of the Pentateuch, quite probably before the time of Moses, indeed close to the age of the patriarchs. I realize that such an assertion is certain to provoke objections from many quarters. It is my duty, therefore, to develop the theme, and to justify and defend my position. Before this is done, however, we must turn once again to the subject of the biblical idea of history as seen in its general Near Eastern setting.

It is abundantly clear today that, of the two major centres of civilization in the area, it was distant Mesopotamia and not neighbouring Egypt that left the deeper cultural impress upon Israel. This was to be expected. For in the first place, the patriarchs had their roots in the land across the Euphrates and they continued to maintain ties with their original home. And in the second place, the Egyptian way was static and isolationist, whereas the Mesopotamian way was dynamic and expansive—naturally suited to reach out to other lands, Israel included.

These theoretical premises are borne out by concrete evidence. The biblical concept of state can be described as 'democratic' with at least as much justice as the Mesopotamian form of government. It is the 'people' (i.e. *demos*) of Israel who have a decisive say as to how and by whom they are to be ruled; it is they who set up their kings time and again. The leaders of Israel are invariably presented as mortal and fallible. Even a Moses could be guilty of faults all too human, faults that were to keep him from setting foot in the Promised Land. All this is a very far cry from the Egyptian image of a divine king. To be sure, an analogous belief in divine rulers is still occasionally ascribed to the Bible.<sup>13</sup> However, in our present state of considerably increased knowledge of these matters, such allegations amount to little more than an academic anachronism, utterly irreconcilable with attested biblical theory and practice.

The independent evidence of the law, moreover, serves to emphasize the fact that in the wide area of cultural correspondence between Mesopotamia and Israel, we are likely to be confronted with cases of actual kinship as opposed to mere coincidence. In both societies the law was impersonal and supreme; the king was its servant and not its source and master. Furthermore, the respective legal disciplines are closely linked in spirit and in content, notwithstanding numerous

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<sup>13</sup> See M. Noth: *Gott, König, Volk im Alten Testament*, *Zeitschrift für Theologie und Kirche*, 47, 1950, pp. 157-191 (= *Gesammelte Studien zum Alten Testament*. München, 1957, pp. 188-229).

differences in detail. And because many of the features that are common to both lands can now be traced back to the very beginnings of Mesopotamian civilization, Israel has to be regarded in this respect as the cultural descendant of Mesopotamia. Israel and Mesopotamia were jointly separated from Egypt by a conceptual curtain that could and did prove to be more difficult to penetrate than the most formidable physical barriers.

Such then is the general cultural background against which the biblical narrative depicts the dawn of Israel's history by recounting the story of the patriarchs. It is a story told in terms of its leading characters. As such it is an undisputed literary masterpiece. But is it history? Certainly not in the conventional sense of the term. Yet it cannot be set down as fancy. The author<sup>14</sup> retells events in his own inimitable way: he does not invent them. What is thus committed to writing is tradition, in the reverent care of a literary genius. Where that tradition can be independently checked, it proves to be authentic. This much has been evident for some time in respect of a number of incidental details. It now turns out that the main framework of the patriarchal account has also been accurately presented.

The very opening of that account records God's command to Abraham to leave his birthplace in Mesopotamia and journey to another land on a spiritual mission which will be gradually disclosed. There have been those who would dismiss this episode as a pious invention by the author, or as a decorative literary form. We now know, however, that wilful devices were not within the writer's scope—a point that will be presently developed more fully. To the narrator, at least, this particular command was a genuine experience on the part of Abraham. As such, it was to be honoured by a long line of later writers, all of whom saw in God's covenant with Abraham the very cornerstone of the spiritual history of Israel. Small wonder, therefore, that this covenant is made into one of the two dominant notes which the Bible uses as a recurrent refrain.

Now the country that Abraham was thus bidden to leave had achieved, as we indicated earlier, enormous social gains alongside an ever-growing spiritual deficit. The societal system of Mesopotamia was to spread in course of time to

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<sup>14</sup> I use here such terms as 'author' or 'narrator' in the singular throughout, without implying thereby that there was but one narrative source in the Pentateuch. For purposes of the present discussion it is entirely immaterial to what document a given passage may be assigned. The basic attitude to the subject matter is the same in each instance. The nicer distinctions in regard to numerous details do not affect the major theme under discussion.

other lands, Israel included. But the concurrent spiritual solution lacked the same broad appeal. Israel, for one, would have none of it. Can it, then, be pure coincidence that Abraham's departure from his homeland is attributed by tradition to a need for a healthier religious climate? The stated reasons for this departure correspond so closely with the facts of the local religious life as to make fortuitous agreement in this instance highly improbable. Were Abraham, or tradition, or the literary executor of the patriarchal traditions to have improvised an excuse for the fateful journey to the Promised Land, none of them could have dreamed up a motive more closely in consonance with the actual state of affairs.

Arrival in Canaan brings the patriarchs within the orbit of Egypt and into contact with the Egyptian world-view. But if the Mesopotamian way, in spite of its congenial societal features, was to Israel's forefathers sufficient grounds for departure, the Egyptian way could be little short of abomination. Exposure to Egypt was bound to lead to oppression, spiritually as much as socially. The exodus from Egypt was accordingly much more than just a physical undertaking. It was more truly and profoundly an act of liberation from intolerable spiritual bondage. Indeed, the Hebrew verb employed in this connection (אצו) means both 'to leave' and 'to go free'. The term 'exodus' stresses unduly the less significant aspect of that event. The real emphasis belongs instead to 'liberation', and more particularly to spiritual liberation; for we are told again and again that it was God who freed the Israelites from the bondage of Egypt for the express purpose of making them His own people.<sup>15</sup> This then is the aspect with which the Bible is principally concerned. Hence the remembrance of the Egyptian experience becomes the other dominant note in all biblical history, a note that is echoed through all the portions of the Scriptures and made into a recurrent refrain together with the covenant between God and Abraham. Only an indelible spiritual experience could sink so deep into the national consciousness.

Thus covenant and liberation, the two focal points of the biblical idea of history, link up unerringly with the two respective centres of civilization which for more than half of all recorded history set the tone for the Near East as a whole. The covenant adverts to Mesopotamia, the liberation to Egypt. Each reflects unalterable opposition to the spiritual values at which one or the other of the dominant civilizations had arrived. All the other aspects of biblical historiosophy—its evolution and its pioneering insights, its literary expression and the

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<sup>15</sup> Exod. vi, 7; Jer. xi, 4; xxx, 22; etc.

characteristics of the various writers who left us these accounts—are secondary questions by comparison. The migration from Mesopotamia and the rejection of Egypt are basic to all that is to follow; they add up jointly to mankind's first declaration of spiritual independence, the resolute proclamation of a new and different faith.

We come, lastly, to what is perhaps the keynote of this essay: to what period should we trace back the idea that Abraham's migration did not entail a change in the physical environment alone but that it meant also, and far more so, a decisive turn in the spiritual orientation of mankind? It was suggested earlier in this discussion that the emergence of this idea may have to be dated to the age of the patriarchs themselves—that is to a time close to the covenant with Abraham as recorded in the biblical narrative. One could reason, of course, that since the tradition about the covenant agrees so intimately with the pertinent internal conditions in Mesopotamia, its accepted dating should likewise be given credence. But this would be begging the question. Independent support is desirable. Can such support be adduced?

We need not look far for an answer. Vast stretches of the second millennium in the ancient Near East, hitherto hidden from view, have been brilliantly illumined in recent years by the finds from Mari, Nuzi, Alalakh, Boghazköi, Ugarit, and elsewhere; these have shed much incidental light on the dawn of biblical history. The separate episodes in the patriarchal account have thus acquired a new status in terms of antiquity and authenticity of background. The work and purpose of the biblical narrator consequently stand out in bolder relief.

Among the patriarchal narratives which have won, or deserve to win, a new respect as a result of the recent discoveries, there are several of exceptional significance in that they had come to be used for centuries as criteria of Israel's moral and ethical principles. These include the repeated motif of passing off one's wife as a sister (Gen. xii, 10 - xiii, 1; xx, 1-8; xxvi, 1-11); the transfer of the blessing from Esau to Jacob (Gen. xxvii); and the removal by Rachel of her father's household gods (Gen. xxxi, 19, 30, 32). Each of these passages lends itself to a moralizing interpretation; each has been handled apologetically by followers and friends, and with indignation or malicious delight by assorted ill-wishers. Yet all such moral judgments, if indeed they were in order in the past, now prove to be entirely out of place. For the incidents in question turn out to reflect with startling accuracy the customs and usages appropriate to the patriarchal period; they were peculiar to the societies with which the patriarchs



maintained relations, and they are—above all—wholly devoid of any ethical implications whatsoever.

The present context will permit only brief comments on the episodes just mentioned as they can now be restored to their proper social setting. The sister-wife motif emerges as a prominent feature of the laws of the Hurrians,<sup>16</sup> a people with whom western Semites are known to have lived in close symbiosis. Similar practices have also been traced to the Hittites.<sup>17</sup> A wife who had at the same time the status, though not necessarily the blood ties, of a sister happened to command greater protection and prestige than an ordinary wife. In the matter of birthright, the direct legal consequence was the title to a double and preferential share in the paternal estate. Yet the birthright—again in Hurrian society—did not always go with the eldest son. In given circumstances the incumbent could be designated by the father from among the younger sons. The primacy of such a position was thus a matter of the father's discretion rather than of chronological priority.<sup>18</sup> And finally, the Nuzi texts revealed some thirty years ago that transfer of the father's household gods was a prerequisite in certain cases where property was to pass to a daughter's husband.<sup>19</sup>

In the light of these discoveries, all three biblical stories assume a new and unsuspected significance. The wife-sister act was based on recognized northern practices. The bypassing of an older son in favour of a younger was in harmony with the Hurrian habit which left such matters to the discretion of the father. And Rachel's removal of the household gods has ample basis in Nuzi law: it was to all intents and purposes the act of a resolute young woman who literally took the law into her own hands as a precautionary measure against a greedy father.

Why is it, then, that the examples just cited, each capable of a simple and straightforward explanation, puzzled and misled so many generations of Bible translators and exegetes? With the help of hindsight, the answer becomes clear enough. The full meaning of these episodes was hidden from Bible interpreters because it had already been lost to the narrator himself; otherwise he would surely have taken the trouble to enlighten his readers just as he did so often elsewhere. Instead, the traditional narrative reflects puzzlement, as in the case

<sup>16</sup> Cf. P. Koschaker: *Fratriarchat*, *Zeitschrift für Assyriologie*, 41, 1933, p. 14.     <sup>17</sup> *Ibid.*, pp. 1-13.

<sup>18</sup> E. A. Speiser: 'I Know not the Day of my Death', *JBL*, 74, 1955, pp. 252-256; cf. also: *The Hurrian Participation in the Civilizations of Mesopotamia, Syria and Palestine*, *Journ. of World Hist.*, 1, 1953, pp. 323-324.

<sup>19</sup> S. Smith, apud C. J. Gadd: *Tablets from Kirkuk*, *Revue d'Assyriologie*, 23, 1926, p. 127.

of Rachel, or introduces speculation, as in the other instances. That this should be so is not at all surprising. The full significance of each episode depends on specific practices of a particular society remote in time and space from the immediate background of the narrator. Much of the motivation had been lost in transit. Only the bare details had come down intact.

In these circumstances, why were the narratives in question included at all? The manifest fact that the narrator no longer knew the explanation, yet set down the details—details which prove to be authentic reflections of a forgotten civilization—can mean but one thing: his aim was not to question or to reason why, but only to record faithfully what tradition had handed down to him. His task was to retell, not to originate. He might lavish his genius on the form, but not on the substance. To put it differently, the lives of the patriarchs had already become part of an oral canon some time between the period that was being depicted and the date of their earliest written presentation.

Now canon implies sanctity, and sanctity presupposes that extraordinary importance is thus being attached to the object or objects so venerated. The patriarchal narratives must have acquired such a status well before the date of the literary work in which they were incorporated; otherwise the writer would have felt free to recast them in terms of his own time and environment. In other words, the author approached this particular material as part of the living *torah*. In that context *torah* was not 'law'—which never is the primary sense of this term anyway—nor yet teaching and instruction in general. In its canonical sense *torah* stands for the body of teachings which collectively comprise a design for a divinely ordained way of life. Law enters into it only indirectly, in so far as the inner content requires a shell of formal regulations.

It is altogether appropriate, therefore, that the narrative portions which eventually came to be included in the Pentateuch should early have been viewed as integral components of the *torah*, and that they should have been so treated by their writer. By approaching the patriarchal episodes as inviolable, by faithfully reproducing details whose meaning had grown obscure, the narrator bears testimony to the prior canonical, or quasi-canonical standing of such material. Patriarchal traditions had to be viewed with awe because they reflected and illuminated the divine plan for an enduring way of life, an ideal not envisioned by other societies. The seeds of this concept had been planted far away and long ago. Their subsequent growth is but another way of describing the entire course of biblical history.

That the basic concept had a capacity for growth is abundantly demonstrated as we move from milestone to milestone, from the patriarchs to the prophets, from the prophets to the scribes. The record in which the whole experience has been distilled is the product of a thousand years and of many, many hands. Its insights are composite and cumulative. It reflects many variables. But through it all there runs a single central theme, the theme of a quest for a life worth living and, if need be, worth dying for. And basic to this theme is a single constant which embodies Israel's own solution of the problem of the relation of society to the cosmos. This solution proceeds from the affirmation that a sole and omnipotent master is responsible for all creation. But his ways are just and purposeful. Man's destiny is not foredoomed or preordained, for it is affected largely by man's own conduct and by his readiness to embrace the eternally valid teachings of God's *torah*. By thus being granted a share in influencing its own destiny, by being liberated from the whims of capricious and unpredictable cosmic powers, and by being freed from the authority of mortal rulers with divine pretensions, mankind was launched on a new course of responsibility, dignity and hope.

Once glimpsed and embraced, this ideal could prove to be enormously productive and capable of infinite enrichment. It was so in the historic career of Israel. In its simplest form it was certainly not beyond the reach of the sophisticated society of which the patriarchs were a part. Yet the available records would seem to suggest that Abraham alone had the vision and the determination to make this ideal his goal. Such at least is the meaning of God's covenant with Abraham in the light of the cultural history of his age.<sup>20</sup> As an earlier generation used to say of Moses—if Abraham did not exist in reality he would have to be reconstructed in theory. This might appear to oversimplify the whole issue. Yet the most intricate problems can often be reduced to deceptively simple fundamentals.

Thus the covenant with Abraham is the biblical answer to the religious solution evolved by the civilization of Mesopotamia, a civilization with which the biblical way was otherwise in essential harmony. But as a new design for living, a new faith of limitless scope, the ideal that the patriarchs had embraced

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<sup>20</sup> The machinery of covenant is already in full swing in Mari, especially among the west-Semitic tribes; and west-Semitic terms are used to describe it. On the other hand, the Hebrew word for 'covenant' ( ברית ) may ultimately be Akkadian; cf. M. Noth, Das alttestamentliche Bundschliessen im Lichte eines Mari-Textes, *Annuaire de l'Institut de Philologie et d'Histoire Orientales et Slaves*, 13 (Mélanges Isidore Lévy), 1955, pp. 433-444 (= *Ges. Studien*, supra, n. 13, pp. 142-154).

was destined to be put to its severest test in the other major centre of Near Eastern and ancient-world civilization. The Bible proclaims and the results confirm the fact that the patriarchs' original ideal proved sturdy enough to withstand the temptation of the fleshpots of Egypt and the Pharaoh's political and military might. The Egyptian way was rejected as a horror and an abomination. Abraham and Moses became the spiritual fathers of the biblical experience, and the covenant and the liberation emerged as its enduring historic cornerstones.

The pursuit of such an ideal, however, demands unflagging devotion and dedication. Such a spirit of sacrifice and self-denial cannot long be sustained unless it has become deeply ingrained in the sponsoring society. We thus come back to our earlier assertion that the canonical tradition among the people of the Book must be older than the age of the pentateuchal writers, older indeed than the time of Moses himself. The foregoing discussion has advanced the argument that certain significant elements in that tradition have to be traced back to the period of the patriarchs. If this were not so, the patriarchal narratives could not have been recorded with such startling accuracy, although the writers lacked full knowledge of their social implications. If this were not so, the tradition of God's covenant with Abraham would not have been one of the two principal refrains in all the Scriptures. And if this were not so, the historic experience of Israel could not have become a decisive experience of mankind. Indeed, if it were otherwise, there could never have been the unique phenomenon of Israel.



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"People" and "Nation" of Israel

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# “PEOPLE” AND “NATION” OF ISRAEL

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WORDS can serve not only to reveal facts but also to conceal them. Such catchwords as “people” and “nation” are often used with greater freedom, not to say abandon, than the situation warrants. This is frequently the case when these terms are applied to ancient Israel, particularly when they are made the basis for sweeping political, sociological, and theological conclusions. Actually, there is need for a good deal of tidying up at both ends, the modern and the biblical.

In current usage, the terms “people” and “nation” are not sharply differentiated. Only in technical discussions does one find a serviceable, if not quite precise, distinction of meaning. *People* tends to emphasize common cultural and social characteristics, while *nation* is mainly a political designation associated as a rule with state and government. In neither instance is there any explicit stress on racial origins.<sup>1</sup>

The Bible, for its part, uses a similar pair of terms, ‘*ām* and *gōy*. These nouns are always translated mechanically as “people” and “nation” respectively. This gives us rough approximations, but does not really tell us very much. For translation involves here not just words but the very fabric of a highly significant society. Hence the modern interpreter need be clear about what is meant today by “people” and “nation,” what the Bible means by ‘*ām* and *gōy*, and how these two sets of terms relate to each other. The key question, however, is the overall problem of ‘*ām* and *gōy*, a problem that is as yet far from settled.<sup>2</sup>

This paper seeks to focus on the Bible’s view of Israel as reflected by the use of ‘*ām* and *gōy*. The discussion is divided into three parts: (1) The uses of ‘*ām* and *gōy* in the Bible; (2) extrabiblical data; and (3) ancient Israel in the light of the combined evidence. The whole theme can be treated here only in brief outline. This should be enough, however, to indicate the principal results.

<sup>1</sup> For a convenient analysis of current usage see Webster’s *Dictionary of Synonyms* (1942), under “race,” p. 672.

<sup>2</sup> A useful philological discussion on the subject is furnished by Leonhard Rost, “Die Bezeichnungen für Land und Volk im Alten Testament,” *Festschrift Otto Procksch*, pp. 125–44. To the limited extent to which our independent lines of inquiry coincide (a portion of Section I, below), they are in substantial agreement and mutually complementary.

## I. THE USES OF 'ĀM AND GŌY IN THE BIBLE

The latest lexicon of the Bible, that of Koehler and Baumgartner, still carries the statement that *gōy* is not clearly differentiated (“nicht deutlich verschieden”) from ‘*ām* insofar as biblical usage is concerned.<sup>3</sup> Yet this judgment is sharply at variance with the vast bulk of the evidence in the case. Our lexicographers and all others who share this view could not have probed very deep. A check of the pertinent occurrences — there are more than 1800 instances of ‘*ām* and over 550 of *gōy* — should demonstrate conclusively that the weight of the evidence points in the opposite direction.

There is, to be sure, a small number of passages in which ‘*ām* and *gōy* are interchangeable. But the cases in question are relatively late and due in the main to stylistic variation or poetic parallelism; e. g., עַם כְּבֹד עוֹן (Isa 1 4); כְּלִמְתַּח הַגּוֹיִם וְהִרְפַּת עַמִּים (Ezek 36 15). Contrast, however, the older use of שְׁנֵי לְאָמִים: שְׁנֵי גוֹיִם (Gen 25 23), where the literary term *l'om*<sup>4</sup> rather than the familiar ‘*ām*, is employed as the poetic counterpart of *gōy*.

At any rate, against the slender minority of passages that do correlate ‘*ām* with *gōy*, the overwhelming majority indicate a clear and manifold distinction between the two nouns. The evidence may be summarized as follows:

a. Unlike ‘*ām*, *gōy* is never possessively construed with YHWH; there is no such construction as *gōy*-YHWH. Even with alien deities the pertinent term is ‘*ām*; cf. עַם-כְּמוֹשׁ (Num 21 29). This particular point has been frequently noticed but has not been followed through.<sup>5</sup>

b. Similarly, when Israel is spoken of as God's people, the forms employed are ‘*ammā*, ‘*ammā*<sup>h</sup>*kā*, or ‘*ammō*, but never *gōy* with possessive suffix. In fact, ‘*ām* is found hundreds of times with pronominal endings, as against only seven with *gōy*, each in connection with land.<sup>6</sup> Evidently, therefore, ‘*ām* is something subjective and personal, *gōy* objective and impersonal. Note וְרֵאדָה כִּי עַמְךָ הַגּוֹי הַזֶּה (Exod 33 13). The same utterance with the two nouns interchanged would be unthinkable in a biblical context, though not in translation. One begins to see now that the

<sup>3</sup> See p. 174. Contrast Rost, *loc. cit.*, p. 142.

<sup>4</sup> Neither this rare term nor the still rarer ‘*ummā*(h) has a bearing on the present discussion.

<sup>5</sup> Strictly speaking, therefore, all references to Yahweh as a “national” God at any given time are terminologically inaccurate. Yahweh is not specifically traced to a single locality as, say, Enlil is traced to Nippur, or Marduk to Babylon, or Ashur to his homonymous city. Theophanies on sacred mountains are not to be equated with political ties.

<sup>6</sup> Gen 10 5, 20, 31, 32; Ezek 33 13, 14, 15. For the affinity of *gōy* to land and the like see below under (e).

renderings "people" and "nation" are not one-to-one correlatives of 'ām and gōy.

c. To go a step further, 'ām appears often as an element in personal names, but gōy never; cf. Ammishaddai, Amminadab, Ammiel, and the like. The function this time is that of a kinship term, on a par with Abi-, Ahi-, and others.

d. The kinship connotation of 'ām is still alive in such idioms as נכרת ויאסף אל-עמיו "he was gathered to his kin" (Gen 25 8, 17, etc.), and מעמיו (e. g., Exod 30 33, 38), and the like, "he was sundered from his kin." In such instances the noun is normally in the plural, but not always. Cf., e. g., והיינו לעם אחד (Gen 34 16) "we shall thus become one family"; note also Ruth 1 16. It follows that 'ām was essentially a term denoting close family connections, and hence secondarily the extended family, that is, people in the sense of a larger, but fundamentally consanguineous, body.

e. In contrast, there is not the least hint of personal ties under the concept of gōy. The noun labels large conglomerates held together, so to speak, from without rather than from within. It is surely no accident that the so-called Table of Nations (Gen 10) speaks of gōyīm exclusively, all such entries being classified according to geographic (בארצחם) and linguistic (ללשונתם) principles. The subgroups there are designated as mišpāḥōt, thus showing that mišpāḥā(h) was basically an administrative rubric.

f. A word, like a person, is sometimes typified by the company it keeps. It is significant, therefore, that the usual coördinate of gōy is mamlākā(h) "kingdom." Cf. גוי : ממלכה (e. g., I Kings 18 10; Jer 18 7, 9; II Chron 32 15), or ממלכה : גוי (I Kings 18 10); note especially ממלכת גוי קדוש (Exod 19 6), and cf. also the four kingdoms out of one gōy (Dan 8 22). Correspondingly, the Israelites demand a king so that they may become like all the gōyīm (I Sam 8 20).

g. Furthermore, it is highly instructive to identify the indivisible units of the gōy and the 'ām respectively. In the former case it is 'ādām, the earthling, mortal, one of a crowd, or in short, a statistic; cf. ועל גוי יחד (Job 34 29), and note Ezek 36 13). Small wonder that 'ādām is itself originally a collective noun, a mass term, which is why it cannot form a plural. On the other hand, the ultimate component of the 'ām is 'zā, that is, the individual; cf. e. g., II Sam 15 30; 16 18. Analogously, one says אחד-העם (Gen 26 10). All of which casts added doubt on the authenticity of the phrase הגוי גם צדיק תהרג (Gen 20 4); it can be nothing else than an unfortunate textual corruption.

h. It thus becomes clear that where the Bible juxtaposes 'ām and gōy, it does so deliberately and for purposes of subtle distinction. Aside from וראה כי עמך הגוי הזה (Exod 33 13), which has already been cited, note רק עמיכם ונכון הגוי הגדול הזה (Deut 4 6). The phrase amounts to the



same thing as: After all, this large mass of humanity is made up of wise and discerning individuals!

i. In the light of the above facts, the typical verbs that may accompany the two nouns under discussion should prove to be of more than casual interest. A *gōy* can be made (הָעָרָה), established (הָקָם), founded (הָשָׂא), or the like. Egypt "came into being" as a *gōy* (Exod 9 24). Such states are not "born" all at once (Isa 66 8). They can, however, go out of existence (Jer 31 35). As opposed to all this, an *'ām* just is; it is a physical fact. As for its behavior, an *'ām* can eat and drink, be faint and suffer thirst, quarrel and complain and weep, tremble or flee or hide in caves, come into the world and eventually be buried. It is a group of persons. The *gōy*, on the other hand, even when not tied to the land or linked to a state, is a regimented body, e. g., when it crosses a stream<sup>7</sup> or makes war. The one, in sum, is discrete, the other collective.

To recapitulate, the modern concept of "people" is at best only a rough approximation to the biblical concept of *'ām*. The main difference lies in the suggestion of blood ties and the emphasis on the individual, both of which features are peculiar to the Hebrew term. On the other hand, *gōy* comes rather close to the modern definition of "nation." In any case, the gap between Hebrew *'ām* and *gōy* is greater than that between our "people" and "nation."

## II. EXTRABIBLICAL DATA

Once the various uses of *'ām* and *gōy* have been established within Hebrew, it is safe to venture outside and consult the evidence of cognate languages. What we find there is routine in some respects, but quite unexpected, and highly significant, in others.

*'ām* is a common West-Semitic term. It still carries in Arabic its original connotation of "paternal uncle." By extension, the noun came to designate the nuclear family as a whole (cf. Heb. *'ammīm*), and thence the family deity in personal names, notably in Amorite (cf. Hammurapi), Aramaic, and early Hebrew. The ethnic sense of the term is clearly secondary and based on kinship. In such occurrences the word stands primarily for a consanguineous group, or the extended family in the widest sense of the term. Its individual correlate is *'zš* which, significantly enough, has approximately the same dialectal distribution as *'ām*.

In marked contrast, Hebrew *gōy* has practically no cognates. Its only established relative is found in the Mari dialect of Akkadian, where it turns up as one of a number of borrowings from West-Semitic. The

<sup>7</sup> Josh 4 1.

meaning of Mari *gāw/yum* is "group, work gang,"<sup>8</sup> in striking agreement with the posited original connotation of Hebrew *gōy*.

What is especially noteworthy, however, is the hitherto unappreciated fact that Akkadian shows no trace of the West-Semitic pair 'ām and 'īš. The concept "men" collectively is expressed there by *nīšū* or *nīšūtu*, cognates of Hebrew 'anāšīm and 'enōš, but not of 'īš. The group term is *šābum*, which is etymologically the same as Hebrew *šābā'*, but semantically approximates Hebrew 'ādām. For "nation" Akkadian resorts to *mātum*, a word with the primary meaning of "country," and a secondary ethnogeographic value that appears also in Hebrew *gōy*. The Akkadian singular for "man" is *awēlum*, ultimately an adjective describing the upper class of the population, the citizenry alongside *muškēnum* "tenant" and *wardum* "slave."

In other words, in Mesopotamian society man was fitted into a pattern that differed sharply from the biblical, and with it from other West-Semitic groups. The main emphasis in Mesopotamia rested on the political unit and its administrative subdivisions. The overriding factor had come to be the state, regardless of ethnic composition, indeed a structure composed of diverse ethnic elements. The family played a part, inevitably, but its autonomy was severely restricted by political and economic considerations. Though blood was thicker than water, bread and taxes rated still higher. That is why adoption, which tends to loosen blood ties, became such a prominent factor in Mesopotamian society; contrariwise, the institution of the levirate, which stands guard over blood relationship, never took hold in Mesopotamia proper. And the ultimate component of the Mesopotamian community was the citizen rather than the individual as such, *awēlum*, as opposed to 'īš. In short, the Akkadian terminology on the subject, in sharp contrast with the Hebrew, reflects a highly sophisticated urban society, one that set little store by consanguineous groupings.

By the same token, the Hebrew pair 'ām and 'īš should presuppose a nonurban background, in common with other West-Semitic elements. Now in nomadic society the isolated individual has little chance of survival. Such an environment imposes unremitting group effort and a constant struggle against rival groups. In these circumstances, careful attention to blood ties promises maximum security. The family is paramount; but it will prosper or fail depending on the initiative and enterprise of its individual members.

These theoretical premises are supported by several concrete facts. There is not a single attested case of adoption in the whole of the Hebrew Bible, in marked contrast to Mesopotamia. On the other hand, the levirate, much though its hold may have been loosened through progres-

<sup>8</sup> Cf. *Chicago Assyrian Dictionary*, Vol. 5 (G), s. v.

sive urbanization, is never completely eliminated. Nor is the nomadic background, though obviously a thing of the past, altogether forgotten. It is recalled nostalgically by the prophets time and again. The period of wanderings in the desert was a golden age, an ideal that may yet be realized again in the future (Hos 2 16 f.; 12 10).<sup>9</sup> Urban life, on the other hand, contributes to corruption (Amos 6 8). Significantly enough, such remembrance of the past is often expressed in terms of family relations. Israel was then the bride, and God her bridegroom (Hos 13 15; Jer 2 2); or Israel was the son, and God the father (Hos 11 1). With so venerable a background, it is not at all strange that the accent on the family should have carried over into the postbiblical stage, and have remained prominent in Jewish life down to the present.

In sum, *'āš* as individual in an originally nomadic-pastoral family, and *awēlum* as citizen in an urban community,<sup>10</sup> epitomize two divergent modes of existence. The two terms are not interchangeable, nor are they found together in the same language. Each helps to circumscribe the group to which it appertains, the *'ām* in the one instance, and the *mātum* in the other. The dichotomy is complete and deep-rooted. As such it provides a major criterion for the sociological analysis of the ancient Near East.

### III. ANCIENT ISRAEL IN THE LIGHT OF THE ABOVE EVIDENCE

We are now ready to apply the terms *'ām* and *gōy*, as elucidated in the foregoing discussion, to the case of ancient Israel. The question, then, is not whether Israel was a people or a nation, since these concepts are neither indigenous nor sufficiently defined; rather, the question is whether Israel was an *'ām* or a *gōy*. The answer is plainly that Israel was both. And the direct evidence on which this answer is based yields further significant disclosures.

According to the biblical record, the history of ancient Israel begins with Abraham's migration from Mesopotamia. A mass of circumstantial evidence, both internal and external, tends to validate the substance of the passage in Gen 12 beyond the fondest expectations of the most confirmed traditionalists. Right now, however, we are concerned with the wording of the call that led to the migration. It contains the promise

<sup>9</sup> For the so-called nomadic "ideal" of Israel see most recently R. de Vaux, *Les Institutions de l'Ancien Testament*, I, pp. 30 ff. Whether such an ideal was ever actually recognized, or whether it was as strong as is often alleged, is not altogether certain, in view of some noteworthy arguments that have recently been raised against that view. The issue, however, is of no particular relevance to the present discussion.

<sup>10</sup> See W. von Soden, *Assyrisches Handwörterbuch*, p. 90.

ואעשך לגוי גדול (Gen 12 2) "I will make you into a great nation." The term in question is *gōy*, not *'ām*; and rightly so. For Abraham was an *'ām* to begin with, in the primary sense of the word, so long as he had a nephew named Lot.

There is nothing casual or accidental about this phraseology. It is consistent, invariable, and exclusive. It is applied again to Abraham in Gen 18 18, to Jacob in Gen 46 3 and Deut 26 5, and to Moses in Exod 32 10, Num 14 12, and Deut 9 13.<sup>11</sup> The reason, then, behind the patriarch's departure from Mesopotamia and the Israelites' liberation from Egypt was that Israel might be a nation. The *'ām* had been in Egypt for centuries anyway, where its numbers are stated to have become very large (Exod 1 9).

Yet we are told also on many occasions — and have the independent evidence of grammar and phraseology to the same effect — that, in terms of God's own connection with the people, Israel was his *'ām*. It was chosen and treated as such. But to carry out God's purpose, as that purpose is expressed by the Bible as a whole, the *'ām* was not enough; what was needed was the added status and stability of nationhood in a land specifically designated for that purpose.

With this last affirmation, one that is dictated by direct and explicit evidence, as we have seen, we touch on one of the very roots of the biblical process. The essence of that process was the undeviating quest for a worthy way of life, "the way of Yahweh," in the words of Gen 18 19. To be successful, that quest could not be confined to the care of an obsolescent nomadic society. It required the medium of an up-to-date civilization, a medium that could not function short of the institution of nationhood. But such an institution alone is but an empty form unless animated by the human element. As a historic process, therefore, a process that made world history, Israel can be understood only as both an *'ām* and a *gōy*. One without the other would be at best only a footnote to history.

<sup>11</sup> Similarly to Ishmael, Gen 17 20; 21 13, 18.



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The Verb SHR in Genesis and Early Hebrew Movements

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Semitic. It is, therefore, unlikely that a Semitic etymology should be sought for *p'* or *pym*, if that is what is represented by *p'*.

Finally, it is extremely likely that a reference to the *pym* is also found on Crete. A fifth-century coin found there bears the designation *παίμα*.<sup>8</sup> This otherwise unexplained word appears to be the name of the coin, and there is no reason to separate it from the weight *pym*.

The above examples are enough to indicate that the use of *pym* may have been widespread. It does not seem likely that it was originally a Hebrew weight. There is some doubt that it was even Semitic. It is interesting to note that the Biblical reference to it leaves doubt whether it was a Hebrew or Philistine weight. The cultural contact of the Philistines with the islands of Cyprus and Crete is well known. It is thus possible that the *pym* was first brought to Palestine by the Philistines, and that it was later adopted by the Phoenicians when they colonized the Mediterranean.

Something must be said, however, about the supposed Hebrew use of this weight as "two-thirds" of a shekel. If they used it in this sense they may have been impressed, as Clermont-Ganneau was, with the resemblance of its name to a "dual" of the word *pé(h)*, and may have given it this meaning. However, the evidence now available casts serious doubt on the validity of this etymology. The exact meaning of the word is not known, nor is its provenance. All that can be said is that it was a small weight commonly used for measuring silver.

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## THE VERB *SHR* IN GENESIS AND EARLY HEBREW MOVEMENTS

E. A. SPEISER

In Number 163 of the BULLETIN W. F. Albright has presented a new interpretation of "Abram the Hebrew."<sup>1</sup> It has come as a surprise to no one that the essay is comprehensive, packed with information, closely reasoned—and provocative. Its central thesis as well as its maze of detail will be weighed and discussed for a long time to come. If I now single out for comment one such detail, it is precisely because the particular point does not seriously affect Albright's main conclusions. It is, however, a critical detail on other grounds. That the dissident statement which follows has been afforded hospitality in a medium so intimately identified with Albright himself is but another instance of the Editor's unfailing objectivity.

In Section III of his study Albright states: "[C. H. Gordon] is probably right to insist on the interpretation of the finite forms of the stem *shr* in Gen. 34: 10, 34: 21 and 42: 34 as meaning "trade," just as the participial forms mean "trader(s)" in Gen. 23: 16 and 37: 28. It may be observed that the Revised Standard Version agrees with Gordon,

<sup>8</sup> Schwyzer, *Dialectorum Graecorum Exempla Epigraphica Potiora*, p. 178.

<sup>1</sup> BULLETIN 163 (October, 1961), pp. 36-54.

while the new Jewish Publication Society translation adheres to the more general meaning.<sup>2</sup> It so happens that I was the one who introduced the JPS rendering to which Albright alludes, so that it is now my responsibility to get my colleagues on the JPS translation committee off the hook. The subject has already been dealt with briefly in an address which the JPS subsequently published for private circulation.<sup>3</sup> But a fuller and more readily accessible statement is now clearly in order.

The question before us, then, is whether the verb *shr* in the passages cited above refers to trade or something else. The answer must be sought in the pertinent data of linguistics and context. Let us review both types and see whether they add up to a uniform and self-consistent solution.

1. The Hebrew verb *shr* is represented in the Old Testament by verbal as well as nominal forms. The finite forms of the verb are found only five times altogether: aside from the three Genesis occurrences (Gen. 34: 10, 21; 42: 34) once in Jer. 14: 18 and once in Ps. 38: 11 (in the reduplicated form *seharhar*). More common is the verbal noun *sōhēr* (act. participle).<sup>4</sup> In addition, we find scattered instances of the nominal forms *saḥar*, *sehōrah*, and *mishār*.<sup>5</sup> The meaning "trader" for *sōhēr* has never been in doubt, and related values are likewise assured for the three independent noun formations. The only matter at issue is thus the meaning of the finite verb.

2. The original connotation of the stem is vouched for by comparative etymology. The Akkadian cognate *saḥārum* is abundantly certified in the sense of "to turn, circle, traverse"; the same is true also of its Aramaic counterpart *sehar*. This underlying significance accounts readily for the specialized application to trade as reflected in the nominal uses of *shr* in Hebrew: the active participle describes someone who travels about, more particularly the peddler and the merchant; and the outright nouns signify other aspects of trade. What we need to decide is whether this derived connotation was already operative in the extant verbal forms. To be sure, we know that back formation yielded a secondary verb *shr* "to trade" in postbiblical Hebrew and Jewish Aramaic. But can we posit, let alone demonstrate, the same usage in the early narratives of Genesis?

3. It should be noted in passing that the concepts "to circle" and "to trade" are by no means mutually interchangeable. Akkadian never used its exceedingly common *saḥārum* as a semantic basis for its ubiquitous "merchant." To designate this characteristic occupation, Akkadian employed the more direct services of Semitic \**mkr* "to trade," arriving thereby at the noun *tamkārum*, which Sumerian appropriated very early as *d a m . g a r*, and Aramaic much later as *taggārā*. Heb.

<sup>2</sup> *Ibid.*, p. 44. For Gordon's statement see *Journal of Near Eastern Studies*, XVII (1958), p. 29.

<sup>3</sup> "New Light on the Eternal Book" (1957).

<sup>4</sup> Thirteen occurrences.

<sup>5</sup> The isolated *sōhērāh* (Ps. 91: 4), an article of armament, and *sōheret* (Esther 1: 6), a precious stone, are not directly pertinent, although the former at least may be plausibly linked to the verb *shr* but not to the specialized nominal forms.

*sōhēr*, on the other hand, is an indirect and circuitous development, lacking even the outward credentials of a professional term, which would have called for \**sahhār*. In other words, the semantic route "to circle, traverse > trader" is itself a detour, yet negotiable. But there is scarcely any communication from the opposite direction. The normal verbal associate of "merchant" is "to trade," not "to circle." It is essentially a case of one-way traffic all around.

4. Our next step, therefore, will be to ascertain whether the Heb. verb *shr* still carries the original meaning of the stem in any of its extant occurrences in the Old Testament. We ignore for the moment the three instances in Genesis, since they are the cases at issue. Furthermore, the passage in Jer. 14: 18 is much too obscure for dependable analysis. The text is uncertain, so that many authorities have felt obliged to resort either to emendation or to outright guesses. As the text stands, "for both the prophet and the priest 'trade to' land" (*sāhārū 'el 'ereš*) is obviously impossible; but "turn to land" (to use one of the attested meanings of the Semitic stem)<sup>6</sup> is not at all incongruous; nevertheless, such speculation could not be admitted as evidence. There remains thus only one further instance, *libbī seharhar* in Ps. 38: 11 [10]. Here we find general agreement on at least one point: no one has yet proposed to translate the phrase by "my heart has gone commercial." KJ has "panteth," old JPS "fluttereth," RSV "throbs," SB "le coeur me bat," and so forth. Actually, the ascertained etymology surely speaks for itself: "my heart goes round and round, pitapat." It follows that Heb. *shr* could "circle" no less actively than its cognates in Akkadian and Aramaic.

5. We come back now to the three problematic passages in Genesis. The ultimate criterion of meaning is, of course, not etymology but usage, and usage has to be determined from the context. But before we analyze the respective passages, we have a valuable clue in the syntax, which one has no business to ignore. Gen. 34: 10 reads (*u*) *sehārūhā* "(and) *shr* it," with the pronoun pointing back to "land"; Gen. 34: 21 has *weyishārū 'ōtāh* "let them *shr* it," with "land" once again as the antecedent; finally, Gen. 42: 34 states explicitly *we'et hā'āreš tishārū* "and you shall *shr* the land." In each instance, then, the verb is construed with a direct object. If we interpret *shr* as "to trade," we ought to be consistent and take the direct object with it; but in that case we obtain not "to trade *in* the land," but "to trade *the* land." Understandably enough, no translator has been rash enough so far to saddle these narratives with real estate transactions. Yet to stop half way is to do violence to elementary requirements of Hebrew construction.

6. One could legitimately counter this last argument with the following question: if we restore to the above occurrences of *shr* the inherited connotation of "to circle" or the like, and more specifically "to wander about" (as will be presently suggested), would Hebrew still tolerate the direct object in such cases? For an answer we need not go farther

<sup>6</sup> Interestingly enough, the old JPS translation has here "are gone about to a land," even though it retains "trade" and "traffic" in the Genesis passages.



than the instructive parallel of Jewish Aramaic, in spite of the fact that the secondary influence of the established Heb. *sōhēr* is not negligible in that dialect. I quote the following passage from the recently discovered "Genesis Apocryphon":<sup>7</sup>

So I, Abram, set out to traverse and inspect the land (*lms̄hr wlm̄hzh 'r'h*). I started on the journey (*lms̄hr*) from the River Gihon and came to the shore of the sea, arriving at the Mount of the Ox. I journeyed on (*wshrt*) from that Great Salt Sea and continued along the Mount of the Ox towards the east, through the breadth of the land, until I reached the River Euphrates. I journeyed (*wshrt*) along the Euphrates to the east until I reached the Red Sea.<sup>8</sup> I kept on along the Red Sea until I reached the tongue of the Sea of Reeds, which issues from the Red Sea. I then journeyed (*wshrt*) southwards until I reached the River Gihon.<sup>9</sup>

In this single connected passage we find no less than five occurrences of Aram. *sh̄r*, each time with the indisputable sense of "to journey, wander." Significantly enough, the first instance is construed with the direct object, and—more important still—that object happens to be "the land," exactly as in the three Hebrew passages in Genesis.

7. The goal of our own wanderings has at last been reached. We are ready to leave the issue to the decisive criterion of content. Let us start with Gen. 42: 34. The situation there is clear at first glance. To teach his brothers a lesson long overdue, and to force them to return with Benjamin, Joseph invents the charge that they came to spy on Egypt. He detains Simeon under house arrest and permits the others to go home with emergency food supplies, but warns them not to come back unless they bring Benjamin with them. On that condition only can they effect the release of Simeon and *sh̄r* in the land.

How does this verb fit into the context? The ancient versions and the vast majority of commentators,<sup>10</sup> operate with "to trade (in the land)." Yet quite aside from the syntactical incongruence mentioned above, nothing could be more inappropriate in the circumstances. The brothers came to Egypt on a life-saving errand. They were anxious to go back as quickly as possible. To have them settle as land traders at a time of unprecedented famine would have been the farthest thing from anybody's mind. The only sense that the context permits, and the immediate situation calls for, is release from detention and unrestricted

<sup>7</sup> N. Avigad and Y. Yadin, *A Genesis Apocryphon: a Scroll from the Wilderness of Judaea* (Jerusalem, 1956).

<sup>8</sup> *I. e.*, the Indian Ocean, *op. cit.*, p. 31; the same terminology is used by Herodotus.

<sup>9</sup> The geography becomes confused towards the end, cf. *ibid.*, p. 32. On the Gihon see now E. A. Speiser, "The Rivers of Paradise," in the *Festschrift Johannes Friedrich* (Heidelberg, 1959), pp. 473-485.

<sup>10</sup> It is worth noting, however, that Rashi understood this occurrence in the sense of "to move about." Among the moderns, A. Dillmann, *e. g.*, (*Die Genesis*, 6th ed., Leipzig, 1892), p. 422, has *durchziehen*, but adds "des Handels wegen," although he explains the two occurrences in Gen. 34 as meaning "to move about freely," without reference to commercial purposes. G. von Rad, *Das erste Buch Mose* (Göttingen, 1953), p. 333, translates *umherziehen* here and *sich umtun* in ch. 34. SB (*La Sainte Bible*, Jerusalem, 1956) renders *trafiquer* here, yet *circuler* in the two other instances. This spot check shows that acceptance of the traditional interpretation has been far from unanimous.

travel in the land. The attested basic sense of the verb supplies this very meaning: you can traverse the land, move about freely in it.

The other two instances—actually two variations on the same theme—yield similar results. The narrative in question (Gen. 34) concerns Jacob's daughter Dinah. After his act of violence, young Shechem discovers that he is deeply in love with Dinah and asks for her hand in marriage. If her family would only agree, the remorseful youth pleads, the sojourning Israelites would be free to settle in the land and intermarry with the Shechemites (vv. 10, 21); the land would then be theirs to *shr*. The translators, once again all the way back to the Targumim and the LXX, render "to trade in." But the opposite of sojourner, or resident alien who is in the country on sufferance, is one who has the freedom of the land; and this is precisely the connotation of the stem in Semitic.

8. To summarize, the combined evidence of etymology, syntax, and context requires us to interpret the three verbal forms of *shr* in Genesis as analogues of Akk. *saḫārum*, common Aram. *seḥar*, and biblical *seḥar-ḥar* itself. Nor is this all. The incidental background of the patriarchal narratives also points to the same conclusion: Joseph "tended the flocks along with his brothers" (Gen. 37: 2). While at Shechem, the locale of Gen. 34, Joseph is reported as saying, "I am looking for my brothers. Could you tell me where they are pasturing?" (Gen. 37: 16). He describes his family to Pharaoh in these words, "The men are shepherds, having long been keepers of livestock, and they have brought with them their flocks and herds and everything they own" (Gen. 46: 32, and cf. 46: 34). Similarly, Joseph's brothers declare to Pharaoh, "We your servants are shepherds, just as our fathers were" (Gen. 47: 3). In none of these passages do we find the slightest hint about trading. To be sure, this is merely the self-image of the patriarchs, or rather their image as seen by the narrators. But the same applies to the particular narratives in which the verb *shr* occurs. Whatever the sociological status of the people may have been in reality—and this a point that has been left open so as not to beg the question—in their own literary retrospect it was the Ishmaelites and the Midianites, and the Canaanites and the Phoenicians who were traders, not the Israelites. As was remarked above, early Hebrew did not even boast a special term for "merchant," and hence had to harness for the purpose the participle *sōḥēr* by raiding a stem with a much more general semantic range. Every bit of evidence points thus uniformly to the same result, which is that the verb *shr* in Genesis had nothing whatever to do with trading.

9. In conclusion, one may ask why the verbal uses of the stem, so wide-spread in Akkadian and Aramaic, came to be dispensed with in Hebrew, so much so that only five instances survived in the entire Old Testament, their meaning eventually lost to tradition and translators alike. The answer should not be far to seek. A settled society could not long maintain itself in the ancient Near East without growing attention to trade, and the necessary terminology to go with it. This is why the descriptive form *sōḥēr* in Hebrew became in due time an indispensable technical term. As this derivative connotation became increasingly

prominent, the original meaning of the verb was driven out of use until it became obsolete and eventually forgotten altogether. This could not have happened, however, without a suitable replacement, which was supplied by the stem *sbb*. This stem has not only the sense of "to circle" but also, especially in the base or Qal form, the further connotation of "to wind through" (Gen. 2: 11, 13), "to wander" (2 Kings 3: 9), and the like, much the same as *shr*. Hence the Targumim normally render Heb. *sbb* by Aram. *shr*. All of this helps to explain why later interpretation was to wander so far afield in evaluating the surviving instances of the verb *shr* in Biblical Hebrew.

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### SOME REMARKS ON THE MEANING OF THE VERB *SHR* IN GENESIS

Professor Speiser's discussion speaks for itself. As usual, it is both learned and clear. If I disagree, it is not because the issue is significant for my analysis of the traditions of Abraham in the light of archaeology, but because I am reluctant to surrender traditional interpretations unless there is convincing evidence against them. In this case the most ancient translations agree in rendering "trade" in the three passages in Genesis: the LXX of the third century B. C. (*emporeúomai*); the Peshitta of the second century A. D. (or earlier), which actually replaces the common—but ambiguous—Aramaic *shr* by a derivative from *tgr*, "merchant"; the Vulgate, which follows Jewish rabbis of the late fourth century A. D. It is scarcely surprising that A. V., R. S. V., and most modern versions follow suit. The development from "travel" to "trade" is so natural (illustrated by the Hebrew participle and nominal derivatives of the verb *shr*, by Greek *empóron* and its cognates, by derivative uses of "travel, *reisen*, *voyager*," etc.) as to cause no surprise, and the specific Hebrew idioms can all be explained without difficulty.

I certainly think that the *later* Hebrews were more often shepherds than caravaners. On the other hand, now that it can be proved (see a forthcoming paper on the 'Apiru—'Abiru) that the ancestral Hebrews were caravaners, it would be strange if they did not later shift to trading on their own account as well as to herding sheep and goats. In Israelite times, if tradition is correct, their caravaning activities were forgotten, but their trading and herding occupations were both remembered.

W. F. ALBRIGHT

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<sup>1</sup> American Schools of Oriental Research: *Publications of the Jerusalem School*, Vol. III, 1961. X + 231 pages. Price \$7.00 postpaid (no discount).



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A SIGNIFICANT NEW WILL FROM NUZI

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A recently published volume of Nuzi texts, which we owe once again to the labors of E. R. Lacheman,<sup>1</sup> concerns itself, as the title indicates, with various types of family law. Included among these are some 25 documents dealing with testamentary provisions<sup>2</sup> (*tuppi šīmti*). Although the class as a whole is represented in previous Nuzi publications,<sup>3</sup> the new material adds very substantially to our knowledge of the subject, in spite of the fragmentary condition of most of the documents. The gains are both socio-juridical and linguistic and should lead to concerted study and discussion.

The present paper will focus on one particular text, No. 17. This will entail, however, close screening of several other texts in the new volume as well as a detailed re-examination of one older document (JEN 572). I will start out with a transliteration of the selected will, continue with a discussion of the various points involved, and conclude with a translation of the new document.

HSS XIX 17

1. *tup-pí šī-im-ti* [ša]
2. <sup>1</sup>A-ri-ip-pá-ab-ni d[umu Ši]-il-wa-te-[šub]
3. *šī-im-ta a-na* <sup>1</sup>A-kib-[ta-še-en-]ni
4. *a-na* <sup>1</sup>Tu<sub>4</sub>-ur-[ri-še-en-ni ù] *a-na*
- \* erasure 5. <sup>1</sup>\* Pal-te-[šub i-šī-i]m-mu-uš-šu-nu-ti
6. *um-ma* <sup>1</sup>A-ri-i[p-pá-ab-]ni-ma
7. *mi-nu-um-me-e* a.[ša.]meš<sup>ti</sup>-ya

1. Ernest R. Lacheman, *Excavations at Nuzi VIII: Family Law Documents*, HSS XIX (1962).

2. Since the beginning portions of several of the documents are missing or damaged, the exact titles cannot always be restored with confidence. In some instances the possibility of a combined adoption-will cannot be ruled out.

3. The largest block hitherto has been HSS V 70-74, for which cf. my edition and discussion (now considerably outdated) in "New Kirkuk Documents Relating to Family Laws," AASOR X (1930) 19-21, 49-57. For other samples cf. P. Koschaker, NKRA (*Abh. sächs. Ak. Wiss.* XXXIX, 1928) 64f.

8. é<sup>b4</sup>.meš<sup>ti</sup>-[ya] *mar-šī-ti-ya*
9. *ma-na-ḫa-ti-ya* mi-[i]m-<sup>Γ</sup>mu-šu-un<sup>Γ</sup>-šū-ya
10. ù 1<sup>en</sup> [níg].meš-ya a-[na <sup>1</sup>A-]kib-ta-še-en-ni
11. *a-na* <sup>1</sup>Tu<sub>4</sub>-ur-ri-še-[en-ni ù *a-na* <sup>Γ</sup>]Pal-te-ya
12. *at-ta-ad-nu* <sup>Γ</sup>i-na<sup>Γ</sup> [šà-š]u<sup>Γ</sup>-nu [ša]
13. *dumu.meš-ya* gal<sup>[bi]</sup> <sup>Γ</sup>ya-a-nu<sup>Γ</sup>
14. *um-ma* <sup>1</sup>A-ri-ip-pá-a[ab-n]i-ma
15. <sup>Γ</sup>Uk-ki-i-e *dumu.sal<sup>ti</sup>-ya*
16. *a-na ab-bu-ti a-na* a.šà.meš-ya
17. *a-na* é<sup>b4</sup>.meš-ya mi-im-mu-šu-un-šū-ya
18. *a-na* *dumu.meš-ya* ù *a-na* 1<sup>en</sup> níg.meš-ya
19. *nī-te-pu*-[u]š-mi
20. *a-du-ú* <sup>Γ</sup>Uk-ki-i-e
- lo.e. 21. *bal-tu<sub>4</sub>* 3 *dumu.meš-ya*
22. *an-nu-tu<sub>4</sub>* i-pal-la-ah-šū-nu-ti
23. *šum-ma* 3 *dumu.meš-ya*
- rev. 24. *i-na* pí ša <sup>Γ</sup>Uk-ki-i-e
25. *la* i-še-em-me <sup>Γ</sup>Uk-k<sup>Γ</sup>-i-i-e
26. *ki-ma* *dumu-šu* ù *ḫu-ud*-<sup>Γ</sup>du<sup>Γ</sup>-
27. *mu!*-*um-ma* dù.meš<sup>uš</sup>
28. *um-ma* <sup>1</sup>A-ri-ip-pá-ab-ni
- \* erasure 29. 10 *dumu.meš-ya* \* ša-nu-<sup>Γ</sup>ú<sup>Γ</sup>
30. *a-na* a.šà.meš-ya é.meš-ya ù
31. *mi-im-mu-šu-un-šū-ya* *la* i-sé-em-me-ḫu
32. *igi* Ši-il-wa-t<sup>Γ</sup>e-šub *dumu.lugal*<sup>Γ</sup>
33. *igi* Ša-ar-te-<sup>Γ</sup>e *dumu* Pu-ḫi-še<sup>Γ</sup>-en-ni!
34. *igi* Warad-ti-ya *dumu* <sup>Γ</sup>x-x-x-<sup>Γ</sup>nu
35. i[gi] Eḫ-li-bá-bu *dumu* Ur-[ḫi-t]e-šub
36. [igi] <sup>Γ</sup>H]a-šī-ib-til-la *dumu* <sup>Γ</sup>Ar-šī-mi-<sup>Γ</sup>ga<sup>5</sup>
37. *igi* Du-ra-ri *dumu* Pu-ḫi-ya
38. *igi* Tar!-mi-te-šub *dub.sar*
39. *dumu* Šarru-malik(AD.GI.GI)
- seals 40. na<sub>4</sub> <sup>Γ</sup>[Ši-]il-wa-te-šub *dumu*.[lu]gal
- u.e. 41. na<sub>4</sub> *dub.sar*
42. na<sub>4</sub> <sup>1</sup>Du-ra-ri na<sub>4</sub> <sup>Γ</sup>[Eḫ-[li-ib-a-]bu

le.e. 43. na<sub>4</sub> <sup>1</sup>H[a-ši-i]b-til-la na<sub>4</sub> <sup>1</sup>Ša-ar-  
te-e!  
na<sub>4</sub> <sup>1</sup>Warad-ti-ya

#### Textual and Grammatical Notes

Line 2. Hurrian names are transliterated in accordance with the phonetic values established in my *Introduction to Hurrian*, AASOR XX; hence post-vocalic stops are given as voiceless when doubled (*Arippabni*), but voiced otherwise (the [b] in the third syllable). This rule is not applied to compounds (*Šilwa-Tešub*) or in names whose Hurrian origin is uncertain (e.g., *Durari*, line 41).

5. The pron. suffix is acc. instead of dat. This is a relatively mild offence compared to some that the Hurrian scribes commit habitually in handling the markedly dissimilar syntax of Akkadian; see line 22.

12. *attadnu/attadin*.

The supplied readings in this line and the next accord with the extant traces and are assured by the pertinent passage in No. 23 4-6: *i-na mi-it-⟨ha-⟩ri-iš i-zu-[uz-zu] <sup>5</sup>i-na šā<sup>bi</sup>-šu-nu gal<sup>bi</sup> <sup>6</sup>ya-nu* "they shall divide equally: there is none among them who shall be the oldest." The use of *rabi* (predicative) for *rabû* (attributive) is apparently intentional and is justified by the context.

19. The first p. pl. is illogical, another instance apparently of the difficulties that Hurrian scribes experienced with Akk. pron. elements used as bound forms with verbs.

21 f. The context calls unmistakably for "these three sons of mine shall respect her" (the testator's daughter). Yet the grammar yields just as plainly "she shall respect them"! The instance is by no means an isolated one. The same kind of confusion is frequently in evidence when Akk. transitive verbs are equipped by Hurrian scribes with pron. object suffixes, and is readily spotted when the gramm. subject is in the sing. and the acc. suffix in the pl. The source of the solecism is traceable to the passival orientation of the Hurrian transitive verb as opposed to the active construction in Akkadian. In Hurrian proper the required statement would take the form "she shall be respected by them." By mechanically transferring this construction into Akkadian, without reversing the axis, the Hurrian scribe produced here, as his colleagues did elsewhere, the direct opposite of what he intended to express. For the

same kind of mutilation of the same stem, and in identical context, cf., among others, HSS V 73 13, and my comment in AASOR XVI 137; *Introd. to Hurr.* 206 f.

23-25. *šumma 3 mārūya . . . lā išemme*. If the sg. of the verb is deliberate, it may point to "if any of my three sons . . . fails to obey."

26 f. One of the infrequent instances in cuneiform texts where part of a word (*huddu-mumma*) is carried over to the next line.

27. The pl. sign in *dù.meš<sup>uš</sup>* appears to signify the double stop in *ippuš*, which distinguishes the present-future from the preterit; for the spelled-out form in the identical phrase cf. *ip-pu-uš*, JEN 572 29.

29. Though the last sign is partly obliterated, the traces point to *û*; yet the pl. would seem indicated as the nominal predicate of "my ten sons." The phrase, however, is elliptical; for an analogous but fuller construction cf. HSS V 7 13 f.: *lū 10 aššassu ša PN māra ša ulladu u rabi* "even if PN's wife should bear (as many as) 10 sons, each (note the sg. *māra*) shall (have the status of) an older one," i.e., any future natural son shall outrank the son now adopted. Cf. P. Koschaker, ZA 41 35 n. 2, who rightly corrected my reading of the third sign (*lu-û-u/lu-û 10*), AASOR X 34), but failed in turn to solve the syntax of the whole clause (as had I). Cf. note 27, below. The numeral 10 stands for an indefinite, as well as a specific, number; cf. Heb. "ten times"/"time and again," Gen. 31 7.

31. In place of the present of the B stem (*isem-meḫu*), the more common usage in such instances is the D-stem stative (*summuḫ*), e.g., HSS V 72 27, HSS XIX 14 20.

33. For this name and patronymic see NPN 125.

34. The reading *Warad/ttiya* is assured by the spelled-out form *Wa-ra-at-te-ya*; cf. NPN 172. I have no plausible suggestion for the damaged patronymic.

38. The initial *nu* is an obvious slip for *tar*, particularly since the scribe *Tarmitešub* appears also elsewhere (JEN 179 24; HSS IX 9 20).

#### General Comment

The term *šīmtum*, lit. "disposition, provision, decree," is in Nuzi and Arrapha<sup>4</sup> the technical term for "will, testament." Testamentary pro-

4. For Arrapha see Koschaker, *loc. cit.*

visions could either constitute the primary purpose of a document (*tuppi šīmti*, as in the present instance), or else they could be incidental to an adoption agreement.<sup>5</sup> Specific details of wills were subsumed in Nuzi under the title of *šīmu-maku*.<sup>6</sup>

The document before us raises afresh some old problems that have long been awaiting solution; and it also brings into sharp relief a practice that may have been implicit in the pertinent material published so far, but has not hitherto been spelled out in so many words.

One of the carry-over problems involves both the reading and the exact meaning of 1<sup>en</sup> nīg-ya (cf. line 10). On the basis of *mi-īm-mu-ya* in a parallel context (HSS XV 72 42), I long ago equated nīg (*ibid.* 73 8) with *mimmu/ū*.<sup>7</sup> This fails, however, to account for the preceding 1<sup>en</sup>; furthermore, HSS V 74 9 f. offers *mi-nu-um-me-e mar-ši-ti ma-na-ḥa-tù* 1<sup>en</sup>-zu ša PN "any acquisitions, earnings (see below), the *istēn* of PN," without a following nīg. In all probability, the logogram was left out accidentally. Nevertheless, the question remains whether the full 1<sup>en</sup> nīg should be read *istēn mimmu/ū*, *istēn būšu/bušū*, or perhaps merely as some abstract noun derived from *istēn*. Nor can *mimmu/ū* alone be ruled out altogether, in view of the new instance in HSS XIX 27, which can be supplemented safely enough despite the damaged condition of the text. The pertinent passage reads as follows:

1. *um-ma* <sup>1</sup>Ki-[ . . . . . ]
2. *dumu A-ga-bu-ra* <sup>1</sup>[x- . . . . ]
3. *ú-ul ma-ru-ya i-na* [a.šà.meš-ya]
4. *ù é<sup>bá</sup>.meš-ya ma[r!-ši-t]i-ya*
5. *ma-na-a-ḥa-ti-ya [i-na mi-īm-]mu-ya*
6. *ú-ul i-qé-er-r[i-ib]*
7. *ù it-ti dumu.meš-[ya ú-ul i-]zu-uz-zu*

"Thus (declares) PN<sub>1</sub> son of PN<sub>2</sub>: 'PN<sub>3</sub> is not my son! He shall have no rights (lit. "draw near") to my lands, buildings, my acquisitions, my earn-

ings, my *mimmu/ū*, and shall not inherit with my sons."

More important, however, than the actual reading of 1<sup>en</sup> nīg is the specific connotation of the phrase or term in question. Perhaps the most promising lead in this connection is furnished by the marriage contract published as JEN 435. The pertinent passages are as follows:

- (a) 18. *mi-nu-um-le*
19. a.šà.meš ù é<sup>bi</sup>.meš *mi-īm!-mu-šu-un-šu*
20. 1<sup>en</sup> nīg ḥa.la-šu *i-na* é<sup>bi</sup>.meš ša
21. PN<sub>1</sub> *i-le-qé*
- (b) 22. *mi-nu-um-le si-ki-il-t<sup>u</sup>*
23. 1<sup>en</sup> nīg-šu [š]a PN<sub>2</sub>
24. [1<sup>en</sup> nīg-š]u ša <sup>1</sup>PN<sub>3</sub> . . . . .
- (c) 33. *mi-nu-um-le* a.šà.meš ù é<sup>bi</sup>.meš
34. *mi-īm-mu-šu-un-šu* 1<sup>en</sup> nīg
35. *i-na* é<sup>bi</sup>.meš ša PN<sub>4</sub> ša *a-bu-ya*
- (d) 36. *mi-nu-um-le mi-īm-mu-šu-un-šu*
37. 1<sup>en</sup> nīg *i-na* é<sup>bi</sup> ša *um-mi-ya*

(a) "Any lands and buildings whatever, X, his share in the estate of PN<sub>1</sub>, he shall receive." (b) "Any *sikiltu*, X of PN<sub>2</sub>, X of <sup>1</sup>PN<sub>3</sub>." (c) "Any lands and buildings whatever, X from the estate of PN<sub>4</sub> my father." (d) "Anything whatever, X from the estate of my mother." The untranslated 1<sup>en</sup> nīg (X) is applied to real estate in (a) and (c), and to unspecified movable property in (b) and (d). It is thus evidently a summarizing expression or phrase, something like our "one and all, each and everything," and not unlike Akk. *istēniš* "altogether," as implied by the 1<sup>en</sup> component. But the exact reading or bearing of the accompanying nīg remains elusive so far.

A brief comment, in passing, about the terms *maršitum*, *mānaḥātum*, and *sikiltum*. Like Heb. *mignê*, Akk. *maršitum* is derived from a verb meaning "to acquire" and may be applied specifically to animal property; cf. PRU III 15.120 18 [m]ar-ši-tù *gud.meš (alpū/ī) ganá.udu<sup>bá</sup> (šēnu/i)*: Heb. *mignê bāqār, šōn*. Conceivably, this could also be the specific meaning in these texts. On the other hand, *mānaḥātum* points to "results of toil," comparable to Heb. 'āmāl, hence apparently "earnings," or the like. The two nouns jointly cover, in turn, the type of property which may sometimes constitute *sikiltum*, approx. "valuables" (cf. M. Greenberg, JAOS 71 172 ff.; E. A. Speiser, *Orientalia* 25 1 ff.; E. Cassin, RA 56 79 f.). Although applied often to a woman's "private purse," *sikiltum* may

5. E.g., No. 39, for which see below.

6. For this term see my discussion in *Orientalia* 25 (1956) 6-8. For new occurrences cf., e.g., Nos. 11 4, 19 50

7. AASOR X 51 (*ad loc.*). The use of the pl. determinative with this logogram indicates here either a collective or, as elsewhere in these texts, merely a long vowel (sometimes even a doubled consonant, e.g., *dū.meš<sup>u</sup>* for *ippuš* in line 27); this should favor *būšu/bušū* over *mimmu*; for the use of the latter cf. also No. 14 19.

designate movable possessions of members of either sex (cf. above, lines 22–24), and even such things as grain stored away as a reserve for possible future needs (cf. E. Cassin, *loc. cit.*), in short, something special. It is in this latter sense that *sikiltum* is used in personal names (for recent Alalah instances cf. AT 270 13 and the Abba-AN Šarra-AN seal AT 2, etc.). My identification of *sikiltum* with Hur. *nuwašši-we* (*loc. cit.* 2 ff.) has been bolstered considerably by the occurrence of the personal name *Nuwašši-<sup>d</sup>Tštar* in Alalah (AT 280 3; JCS 8 23), which neatly parallels *Sikilti-<sup>d</sup>Adad* and clearly removes *nuwašši-we* from the class of house furnishings (C. H. Gordon, *Orientalia* 7 60).

Another Nuzi problem of long standing is now capable, fortunately, of a more plausible solution than has been possible hitherto. I refer to the phrase *huddumumma<sup>8</sup> epēšum* (HSS XIX 17 26 f.). This expression has been known previously from two occurrences in JEN 572 (29, 31). Its semantic bearing can now be narrowed down with the aid of the new material, but it will be necessary in the process to go into considerable detail.

JEN 572 is sufficiently important in this connection to be given in full (except for witnesses and seals):

1. <sup>1</sup>Hu-i-til-la dumu Wa-ar-te-e-a
2. ù <sup>1</sup>Na-ni-ya dumu-šu
3. a-na ma-ru-ti
4. a-na <sup>1</sup>Ti-ir-wi-ya èr ša <sup>1</sup>En-na-ma-ti
5. it-ta-din ù <sup>1</sup>Ti-ir-wi-ya
6. <sup>1</sup>Na-ni-ya aš-ša-ta ú-ša-aḫ-ḫa-as-sú
7. ù a-na iš-pa-ru-ti ú-la-am-ma-as-sú
8. a-dí-i <sup>1</sup>Ti-ir-wi-ya bal-tu<sub>4</sub>
9. ù <sup>1</sup>Na-ni-ya it-ti aš-ša-ti-šu-ma
10. i-pal-la-aḫ-šu-nu-ti
11. im-ma-ti-me-e <sup>1</sup>Ti-ir-wi-ya im-tù-ut
12. ù <sup>1</sup>Na-ni-ya aš-ša-as-sú
13. i-le-eq-qè-e-ma ù a-šar
14. ḫa-du-ú i-il-la-ak
15. šum-ma <sup>1</sup>Ti-ir-wi-ya <sup>1</sup>Na-ni-ya
16. a-na iš-pa-ru-ti la ú-la-[a]m-ma-as-sú
17. ù <sup>1</sup>Hu-i-til-la i-ma-aq-qú-ut-ma
18. <sup>1</sup>ù <sup>1</sup>N<sup>7</sup>a-ni-ya dumu-šu i-le-eq-qè

8. I retain the spelling with *-dd-* rather than *-tt-*, contrary to the Hurrian treatment of double stops, partly because of the consistent orthography in the available occurrences, but mostly because of the inherent likelihood that the term may embody a loan from a Semitic source.

19. [ù <sup>1</sup>Ti-ir-wi-ya 5 udu.meš ki-m[a]
20. [nig.ba-š]u a-na <sup>1</sup>Hu-i-til-la
21. [i-na-a]n-din ù eme-šu [ša]
- lo.e. 22. [<sup>1</sup>Hu-]i-til-[l]a iq-ta-bi
23. [a-an-n]i-mi 5 udu.meš
- rev. 24. [a-šar <sup>1</sup>Ti-ir-wi-ya
25. [el-te-]qè-e-mi
26. [šum-ma <sup>1</sup>Na-]ni-ya <sup>1</sup>Ti-ir-wi-[ya]
27. <sup>1</sup>la i-<sup>1</sup> [pal-]la-aḫ-šu
28. ù! k[i-m]e-e lú dumu-šu
29. ḫu-ud-d[u]-mu-um-ma i-pu-uš
30. ù <sup>1</sup>Ti-ir-wi-ya <sup>1</sup>Na-ni-ya
31. ki-<sup>1</sup>na-an-na-m<sup>7</sup>a ḫu-ud-du-mu-um-ma ip-pu-uš
32. [um-ma <sup>1</sup>T]i-<sup>1</sup>ir-w<sup>1</sup>i-ya-ma <sup>1</sup>Na-ni-ya
33. a-<sup>1</sup>na<sup>7</sup> y[a-š]i [l]a ḫu-ub-bu-ul mi-im-ma-mi
34. im-ma-ti-me-e a-[n]a-ku im-tù-ut-mi
35. ù <sup>1</sup>N[a-]ni-ya aš-ša-as-sú
36. li-il-qè-e-ma ù a-šar ḫa-du-ú li-il-li-ik-mi
37. ma-an-nu ša i-na be-ri-šu-nu
38. ki.bal<sup>ka4</sup>-tu<sub>4</sub> 1 ma.na ku[babbar]
39. ù 1 ma.na guškin ú-ma-al-la
40. tup-pí ina ur-ki šu-du-ti
41. ina a-b[u-u]-l-li ša-ti-ir

(Witnesses and seal impressions.)

Although this document has received repeated comment,<sup>9</sup> no connected translation of it has so far been attempted to my knowledge. The main, if not the only, reason appears to stem from the obscurity inherent in the phrase *huddumumma epēšum*.<sup>10</sup> Otherwise the situation is relatively clear. It is a case of contingent apprenticeship-adoption. The “father” is to provide the boy with a wife and teach him the weaver’s trade. If the latter condition is not fulfilled, the natural father shall recover his son, while retaining the modest legal binder consisting of five sheep.<sup>11</sup> The boy has no financial obligations toward his guardian (33), and is free to make a new home for himself and his wife upon the “adopter’s” death.<sup>12</sup> The only explicit condition imposed on the

9. H. Lewy, *Orientalia* 10 (1941) 205–207; P. Koschaker, *OLZ* 1944 103; E. Cassin, *Jour. of Econ. and Soc. Hist.* 5 (1962) 123 n. 2.

10. Lines 29, 31.

11. As opposed to the customary rates in regular adoptions which averaged 30 shekels; a sheep was worth roughly one shekel.

12. Instead of maintaining, or remaining in, the family line of the deceased.



“adoptee” is that he treat the new “parent” with the customary respect; failing which, the latter may resort to *huddumumma epēšum* (26–31).

H. Lewy cautiously suggested that the phrase in question could mean “to marry (a man) to one’s daughter.”<sup>13</sup> But this interpretation is ruled out by lines 28–29, as will be shown presently. CAD (6 223a) is less committal, but its ambivalence can be traced to demonstrably faulty reproduction of the passage, which it normalizes as follows: “PN PN<sub>2</sub> [*ipal*]*lahšu u kīmē māršu hu-ud-du-mu-um-ma ippuš u PN<sub>2</sub> PN ki-na-an-na-ma hu-ud-du-mu-um-ma ippuš*” and translates “PN (the adopted child) will obey PN<sub>2</sub> (the adoptive father) and will . . . him like a son, and likewise PN<sub>2</sub> will . . . PN.” The palpable error consists in the omission of *lú* between *kīmē* and *māršu*, which has led in turn to a syntactical distortion of the entire passage.<sup>14</sup> Instead of a bilateral provision (PN will *h.* PN<sub>2</sub>, and PN<sub>2</sub> will do the same to PN), the stipulation is clearly unilateral: “[If] PN [fails] to show respect for PN<sub>2</sub>,<sup>15</sup> then just as a man *h.*’s his son, so too shall PN<sub>2</sub> *h.* PN.” The only conclusion permissible in the circumstances is that the meaning of the untranslated phrase belongs to the general range of “to treat someone in a certain way.” But it is a one-way street.

The above definition can now be narrowed down considerably with the aid of several documents in the new volume, all of which contribute in more ways than one to the understanding of both JEN 572 and HSS XIX 17. Each requires detailed treatment in the fuller context of Nuzi family law in general. Here reference can be made only to the details that were singled out above. A convenient starting point is HSS XIX 39 14 ff.:

14. *šum-ma* <sup>1</sup>*Ki-in-ni* <sup>1</sup>*Pa-i-t[e-šub]*
15. *la i-pal-la-aḥ-šu i-na p[é]-[šu]*
16. *la i-ši-im-mu-ú ù ki-[me-e]*
17. *dumu-šu ša lú ša* <sup>kur.mi</sup>*Ar-ra-ap-ḥé*
18. *i-pu-šu ki-na!-an-na-ma*
19. <sup>1</sup>*Ki-in-ni* <sup>1</sup>*Pa-i-te-šub*
- lo.e. 20. [*i-⟨ip⟩pu-u*]*s-sú-ma* <sup>giš</sup>*ku-ur-ša*
21. [*i-na*] *gír-šu i-šá-ak-ka<sub>4</sub>-an*

13. *Loc. cit.* 207.

14. It is improbable that the editors interpreted *lú* as a determinative with *dumu*.

15. The text clearly points to one sign before [*i-pal-la-aḥ-šu*], hence the formulation was negative, in conformance with nearly all the other pertinent texts; cf. the excerpt below.

- rev. 22. *ab-bu-ta i-na sag.du-ma*
23. *i-šá-ak-ka<sub>4</sub>-an i-na é ki-li i-na-an-din*
24. *hu-ud-du-mu-um-ma dù.meš-šu*

“If Kinni fails to show respect for Paiteshub, and does not obey him, then just as one treats the son of a citizen of Arrapha, so shall Paiteshub treat Kinni: he shall put fetters upon his feet, place the slave mark on (his) head, put him in the house of detention, thus *h.*-ing him.”

The close parallel with JEN 572 27 ff. is immediately apparent. The last possible doubt about the negative formulation of line 27 *ibid.* is now removed. The adoptive father is given the right to treat his ward in case of disobedience just as Arraphans normally treat their own sons. The boy may be fettered, or perhaps have his feet put in stocks,<sup>16</sup> the slave mark may be placed on head, or he may be put in jail. In short, the boy is to be disciplined, and that is what *huddumumma epēšum* turns out to mean specifically. Virtually the same clauses recur in 23 11–14 (with *hu-ud-du-mu-um-m[a dù]* in 14) and 32 7–11 (*hu-ud-du-mu-um-[ma dù]* again at the end).

Of particular interest to HSS XIX 17 is the adoption text *ibid.* 37. Aside from its other outstanding features, which cannot be taken up at this time, this document reintroduces two of the principal parties of No. 17, namely, Arrippabni and his daughter Ukkie, who once again is named as co-parent (*ana abūti*<sup>17</sup>) in charge of her younger brothers by adoption. The pertinent passage reads as follows:

33. *ù* <sup>1</sup>*Uk-ki-e* *dumu.sal-ya*
34. *a-na a-bu-ti a-na dumu.meš-ya ù*
35. *a-na* <sup>1</sup>*Še-gàr-til-la e-te-pu-uš*
36. *ma-an-nu ša ina ka* <sup>1</sup>*Uk-ki-e*
37. [*l*]*a i-še-em-mu-ú ina* <sup>giš</sup>*kùr-ší*
38. *i-na-an-dì-iš*

“I have herewith appointed my daughter Ukkie as co-parent of my (previous) sons and Shegartilla (the present adoptee). Anyone who fails to obey her may be put by her in fetters.”

Another document serves to explicate the phrase *Ukkie kīma mārišu*<sup>18</sup> u *huddumumma ippuš* of 17 25–27. In 19 25 ff. we read as follows:

25. [ . . . *dumu.meš-y*]*a i-na ka-i*

16. The logogram <sup>giš</sup>*gír* (as in 19 28) is spelled out here and in 37 27 (*kùr-ší*).

17. For this term see AASOR X 11.

18. The use of the masc./fem. pronominal suffix is due to the absence of feminine gender in Hurrian.

26. *ša* [‘*Ti-e-eš-n*]a-a-a *ša la i-še-em-mu-[ú]*  
 27. *i-bá-aš-[si ú]* *la i-pal-la-ḫu-ši ú*  
 28. ‘*Ti-e-[eš-n]*a-a-a *giš.gir i-na-an-din-š[ú]*  
 29. *ab-bu-ut-ta ú-maš-šar-šu i-na é ki-[li]*  
 30. *i-na-an-din-šum-ma ḫa-ši-iḫ-šu ki-ir-bá-[na]*  
 31. *i-ḫé-ep-pé ú ú-ka<sub>4</sub>-aš-šá-as-sú k[i-ma]*  
 32. *ya-ši e-te-pu-uš*

“[... If there is any one among my son]s who does not obey Tieshnaya or fails to show respect for her, then Tieshnaya may put fetters<sup>19</sup> upon him, apply the slave mark to him, put him in jail, (30) or, if it pleases her, break the clump of clay<sup>20</sup> to disinherit<sup>21</sup> him: she<sup>22</sup> may act as though she were I.” Analogously, *kīma mārīšu* in 17 26 indicates that the girl may treat her foster brothers with all the authority of a father.

It remains, finally, to comment briefly on the import of the clause *ina libbišunu ša mārīya rabi yānu* (17 12 f.). The fuller statement in 23 4-6 has already been adduced above, *ad loc.*, as the basis for filling in the missing signs. In terms of local family law, the two passages jointly testify explicitly that the (adoptive) father had the right to make all his heirs share alike, just as he had the power to assign to any one of them the rights and privileges of the first-born. The one aspect, of course, logically complements the other, but the negative end could hitherto be only inferred at best. The sweeping authority of the head of the household goes even farther. In No. 37 the same principal (Arippabni) stipulates that when his immediate heirs die, their sons in turn are not to claim their inheritance — presumably in so far as it stems from their grandfather — until they have reached maturity (*enūma mārūšunu ziqnāšunu illū* “when their sons come up with beards”) (19f.). To be sure, this particular testator does provide for a first-born (37 24 f.) — apparently a natural son — who is to receive a double share, whereas in No. 17 none is so designated and any other heirs are expressly excluded (lines 29-31). Yet this is but further evidence

19. Here written logographically, see above, n. 16.

20. An act symbolic of the dissolution of adoption; cf. P. Koschaker, ZA 43 231, and E. Cassin, *L'adoption à Nuzi* (1938) 39.

21. For this technical use of *kuššudum* see now also No. 9 14.

22. Lit. “I will act,” reflecting the frequent interchange in these texts of 1st and 3rd persons, stemming from the underlying passival orientation; see comment on 17 21 f., above.

of the far-reaching powers enjoyed by the head of the family under Hurrian law, and an added sidelight on Isaac's position in regard to Jacob and Esau.<sup>23</sup>

A connected translation of the two main documents before us may now be given, first of JEN 572 and next of HSS XIX 17, which has been the chief topic of this discussion.

#### JEN 572

Huitilla son of Warteya has given his son Naniya in adoption to Tirwiya, servant of Ennamati. (5) Tirwiya shall provide Naniya with a wife and train him in the weaver's trade. As long as Tirwiya lives, Naniya and his wife (10) shall show him due respect. When Tirwiya dies, Naniya shall be free to take his wife and go anywhere he chooses. (15) If Tirwiya fails to train Naniya in the weaver's trade, Huitilla may in such circumstances<sup>24</sup> take back his son Naniya. Tirwiya shall give Huitilla five sheep as his [present]. Huitilla has personally stated<sup>25</sup> as follows: “Yes, the five sheep from Naniya (25) [I have] received.” If Naniya fails to show respect for Tirwiya, then, just as a man would discipline his own son, (30) so shall Tirwiya discipline Naniya. [Thus] (declares) Tirwiya: “Naniya is not in debt to me in any way whatever. When I die, Naniya shall take his wife and go where he pleases.”

Whoever among them violates the agreement shall pay a fine of one mina of silver and one mina of gold. This tablet was written after a public announcement in the gate.

(Witnesses and seal impressions.)

#### HSS XIX 17

Will [of] Arrippabni son of Shilwateshub: he drew up a deed in favor of Akibtashenni, Turrishenni, and (5) Palteshub. Thus (declares) Arrippabni: “All my lands, buildings, acquisitions, and earnings of any kind, (10) and my movable property altogether (?) I have deeded herewith to Akibtashenni, Turrishenni, and Palteya. Among these my sons there is none who shall have priority.”<sup>26</sup> Thus (further declares) Arrippabni: “I have herewith appointed my daughter

23. Cf. my comment in JBL 74 (1955) 252-56.

24. *imaqqutma*, lit. “if it so befalls”; cf. P. Koschaker, OLZ 1944, 103 n. 1.

25. Lit. “the tongue of Huitilla spoke as follows.”

26. Lit. “who shall be the oldest.”

Ukkie as co-parent of my sons in regard to my lands, buildings, various possessions, and all my movable property. (20) As long as Ukkie lives, these three sons of mine shall show her due respect. If any of my three sons fails to obey Ukkie, then Ukkie may discipline him as though he were her own son." Thus (further declares) Arippabni: "No other son of mine — be they

10<sup>27</sup> — shall share in (30) my lands, buildings, or other possessions."

(Witnesses and seal impressions.)

27. Cf. No. 14 15ff.: *lu-ú 10<sup>meš</sup> (sic) dumu<sup>meš</sup>-šu ša* 'PN *a-na* PN [*ú-ul-la-du a-na a.šà.meš-y*]a *é.meš-ya* [*ù a-na*] *mí-im-mu-ya* [*la su-u*]m-mu-uh "Even if 'PN should [bear] PN ten sons, (none) shall share in my [lands], buildings [or any of] my property."



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# CUNEIFORM LAW AND THE HISTORY OF CIVILIZATION

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*"I, Hammurabi, am a righteous ruler, one to whom the Sun-god has granted the eternal truths"* (Code of Hammurabi xxvi 95-98)

## I

CIVILIZATIONS, like individuals, are known by their works. The most significant contributions of antiquity are those that posterity took over and has kept alive. And nowhere is the survival span greater than with the legacy of the historic civilization of Mesopotamia.

Our cultural debt to that remote civilization is far more substantial and varied than is generally recognized. When we reckon today our years by the sun and our weeks by the moon, and call the days of the week after the planets; when we look at our time-pieces to tell the hours and the minutes and the seconds in conformance with the sexagesimal system of numeration; when we approach the "babel" of tongues with the tools of linguistic analysis; when we write our official records, our scholarly treatises, our literary creations, or our private letters; when we reaffirm our faith in laws impersonally conceived and in government that shuns autocracy—when we do these and many other things, we are utilizing, whether we know it or not, the results of an immemorial experiment in living in which ancient Mesopotamia played a leading part.

Two of these achievements in particular stand out above all others, namely, writing and law. Writing has been perhaps the greatest single factor in the advance of mankind to date; for though science may have overcome space, writing conquered time, by converting all history into a continuous and indelible record. Yet that particular contribution of Mesopotamia was but an incidental by-product, a surface feature rather than a basic element of the parent civilization. Law, on the other hand, was bound up intimately with the very fabric of the underlying society. Since Mesopotamian law was to emerge as the overriding cultural factor at home and a potent influence on other cultures near and far, a closer look at that institution should be of more than merely antiquarian interest. It can be shown, I believe, that the subject

matter transcends regional, chronological, and inter-disciplinary boundaries.

With so much involved, it is fortunate that the pertinent sources are plentiful—indeed an embarrassment of riches. Our material ranges in time from the middle of the third to the end of the first millennium B.C., spanning thus the first half of all recorded history. And because there is at first nothing like it from any other land, the early legal records from Mesopotamia constitute the initial chapter in the history of jurisprudence in general. Geographically, the records stretch from Iran to the shores of the Mediterranean, and from Asia Minor to the borders of Egypt, thereby outstripping in each direction the boundaries of historic Mesopotamia. The languages involved include Sumerian, Akkadian, Elamite, and Hittite, among others. The total volume is literally incalculable, since much that has been dug up so far is yet to be published, and new texts are coming to light all the time. A single private home in the small provincial town of Nuzi, covering but a few generations, has yielded an archive of close to a thousand legal documents—almost three times as many as have come down to us from all of Egypt prior to the Persian era. As a result, we know that minor and out-of-the-way community from the middle of the second millennium B.C. more intimately than we know many a European capital at the time of Columbus.

The main thing, however, is that the legal tradition concerned is closely integrated in spite of the underlying differences in date, geography, political background, and language. The unifying factors outweigh all the divisive elements combined. One such common bond is the cuneiform script which was shared by all the languages and countries in question, so much so that even precision-conscious jurists speak today of "cuneiform law" rather than Mesopotamian law.<sup>1</sup> And if pedants should

<sup>1</sup> Paul Koschaker, "Keilschriftrecht," *Zeitschr. d. deutschen morgenländischen Gesellschaft* 89 (1935): 26.

demur on the ground that no discipline is wedge-shaped, and that such a label might be all too suggestive of sharp practices, they may be assured that the name is only a short-cut and that the practice was pursued with utmost propriety.

Another major unifying factor derives from the character and content of cuneiform law: wherever the system was in force, and whatever local modifications it may have exhibited, the fundamental concept was one and the same. This concept can be traced in each instance to its home base in southern Mesopotamia, the very region from which the script itself had fanned out as part of a broader cultural process. All in all, we have abundant material to study most of the periods and areas concerned, and thus gauge the grip that cuneiform law exercised on its host of followers throughout the long history of Mesopotamian civilization, as well as the effect that it had on later cultures.

## II

Complex systems are often found to stem from deceptively simple principles. Cuneiform law is a case in point.

The basic premise of cuneiform law, the source to which the institution as a whole owed both its content and its vitality, may be summarized as follows: Law is an aspect of the cosmic order and hence ultimately the gift of the forces of the universe. The human ruler is but a temporary trustee who is responsible to the gods for the implementation of the cosmic design. Because the king is thus answerable to powers outside himself, his subjects are automatically protected against autocracy, and the individual has the comfort and assurance of certain inalienable rights.<sup>2</sup>

Now if this is indeed the master key to the social history of Mesopotamia, it ought to operate with regularity regardless of time and place. The fact is that it does just that. The concept of law that has just been outlined is implicit in the very term that the Mesopotamians used for a comprehensive definition. In Akkadian, which merely reflects here the antecedent Sumerian, "law" is

<sup>2</sup> I have dealt with various aspects of this subject on several occasions. Cf. "Ancient Mesopotamia and the Beginnings of Science," *Nature* 146 (1940): 705-709; "Some Sources of Intellectual and Social Progress in the Ancient Near East," *Studies in the History of Culture*, Waldo G. Leland Volume (Menasha, Wisconsin, 1942), pp. 51-62; "Early Law and Civilization," *Canadian Bar Review* 31 (1953): 863-877; "Authority and Law in Mesopotamia," *Jour. Amer. Or. Soc.*, Suppl. 17 (1954): 8-15. See also Th. Jacobsen, "Primitive Democracy in Ancient Mesopotamia," *Jour. Near East. Stud.* 2 (1943): 159-172.

epitomized by the nontechnical phrase *kittum u mēšarum*, literally "truth and right." The two nouns are mutually complementary. In the Epilogue to his celebrated Code (from which the quotation at the beginning of this paper has been adduced) Hammurabi<sup>3</sup> states explicitly that the sun god Shamash, patron of justice, bestowed on him the various forms of *kittum* (expressed in the pl. *kīnātim*), whereas the authority of the legislator was limited to *mēšarum*. A slightly earlier ruler of the nearby center of Mari goes even further.<sup>4</sup> Shamash himself was not the source of *kittum* but only its guardian, for that boon, being eternal and universal, could not originate with gods, let alone mortals. An immutable aspect of the cosmic order, *kittum* is semantically the same as Biblical *'emet* (from *\*amint*), the original force of which still survives in the common loanword "Amen." The independent function of a ruler, whether divine or human, is confined to *mēšarum*, that is, just and equitable implementation. In other words, *kittum* and *mēšarum* combined express eternal verities.<sup>5</sup> Jointly, they spell law, but it is a broad and universally valid concept that is thus described, a system that is tantamount to a treasured way of life.

How the Mesopotamians arrived at such an affirmation is outside the scope of the present statement. What matters is that they did and that this approach was to have immensely fruitful consequences. At home, it made for order and stability under a state that was incompatible with autocracy, not just in theory but in actual practice; and the subjects, for their part, cherished the system, for it put even the lowliest among them on a par with the ruler in their common dependence upon higher powers. Abroad, various other lands proved eager to follow suit, however hostile they might be on other counts toward the political set-up in contemporary Babylonia.

Let us review briefly some of the major results in the central concept that has just been outlined, starting with internal developments.

(1) Truths that are considered valid forever cannot vary with time or person. Hence the laws

<sup>3</sup> Col. xxiv, rev. 96-98; cf. "Authority and Law . . .," 12-13. The conventional form "Hammurabi" (instead of "Hammurapi") has been retained here for the sake of convenience.

<sup>4</sup> Inscription of Yaḥdun-Lim, *Syria* 32 (1955): lines 4-6: "[Shamash,] whose allotted portion is *mēšerum* (local variant of *mēšarum*), and to whom *kīnātum* (nom. pl. of *kittum*) have been granted as a gift."

<sup>5</sup> Cf. the Biblical pair *'emet w'šedeq* "truth and righteousness," that is, eternal truths justly implemented.

that embody or reflect such truths are both timeless and impersonal.

(2) Interpretation of the law conceived in this fashion must not be left to lay parties. It has to be entrusted instead to professional judges.

(3) In their effort to arrive at decisions in consonance with sanctioned norms, the judges were often obliged to look to established precedent. In this pursuit they were aided not only by compilations or codes,<sup>6</sup> but also by comprehensive dictionaries of legal phrases and clauses, which had been compiled as early as 2000 B.C.,<sup>7</sup> some centuries before Hammurabi.

(4) A professional judiciary and the validity of precedent go hand in hand with the paramount authority of the written document, its ubiquitous presence, and its reverent handling. This is why Mesopotamians were such ardent believers in texts, and more particularly the legal document,<sup>8</sup> the written word serving as a tangible guarantee of the rights of the individual in society, and of harmony between society and the cosmos.

(5) A commitment in writing was a commitment not merely to the other party or parties, but even more so to the higher powers from whom the law stemmed. This solemn obligation was underscored by the use of the cylinder seal. Attestation by means of a seal impression was markedly more binding than a signature or a sworn assurance. The cylinder was fundamentally a detachable surrogate for the person, a piece of oneself.<sup>9</sup> In leaving its impression on a clay tablet, man surrendered himself to the powers of nature, who could then mete out due punishment in case of noncompliance. In exceptionally serious situations even this ominous pledge was insufficient; hence the still more personal imprints of fingernails,<sup>10</sup> or impressions of the fringe of the garment worn at the time in question were either added or

substituted. For the most part, however, the seal was deemed to be adequate. It identified the wearer as a responsible member of a civilized community, one who had been deputized, as it were, by the immortal stewards of the universe. As Herodotus was to remind us after the books on an independent Mesopotamia had already been closed at long last, no self-respecting Babylonian was likely to be seen without such a seal.<sup>11</sup> And the Bible tells us that even distant cultural clients of Mesopotamia subscribed to the same beliefs and practices, as witness the incident of Judah and Tamar.<sup>12</sup> The seal was thus in effect an isotope of Mesopotamia's cultural expansion and an index to that country's influence. All this gives new meaning to the term "Fertile Crescent," a meaning that was scarcely apparent to J. H. Breasted when he coined the phrase.

### III

So much for the essential characteristics of Mesopotamian law in its domestic operation. Its strength derived from the premise that law on earth must be in harmony with cosmic law and order. It remains now to examine the dynamic capabilities of the Mesopotamian system as evidenced by its effect on Babylonia's neighbors, other societies of the ancient Near East, and finally the Classical world and hence ultimately also Western civilization.

To begin with, Assyria remained to the end the bitter political rival of Babylonia. As a society, however, Assyria was thoroughly Babylonianized—in language, religious and cultural traditions, and particularly in law. There is indeed the inherent probability that the spread of legal concepts was largely responsible in turn for the other instances of cultural and social colonization. The same holds true of Western Iran in so far as law and government were concerned. To be sure, both Assyria and Elam were ruled at one time or another from Southern Babylonia, which might have accounted for the nonpolitical influence as well. But there are other instances where no comparable political factors were at work. The Syrian city-state of Alalah, for ex-

<sup>6</sup> G. R. Driver and J. C. Miles, *The Babylonian Laws* (Oxford, 1952) 1: pp. 5 ff.

<sup>7</sup> B. Landsberger, *ana ittišu* (Rome, 1937).

<sup>8</sup> Par. 7 of the Code of Hammurabi states explicitly that a purchase without contract and witnesses exposes the buyer to suspicion of theft and a possible death penalty; cf. also par. 40 of the considerably earlier Code of Eshnunna; see A. Goetze, *The Laws of Eshnunna*, Ann. Am. Sch. Or. Res. (New Haven, 1956) 20: pp. 113–115.

<sup>9</sup> For this function of the seal and its analogues cf. P. Koschaker, *Über einige griechische Rechtsurkunden aus den östlichen Randgebieten des Hellenismus* (Leipzig, 1931), pp. 116–117.

<sup>10</sup> G. Boyer, *Symbolae Koschaker*, *Studia et Documenta* (Leiden, 1939) 2: pp. 208–218.

<sup>11</sup> II 195. On the legal significance of the seal in general cf. M. San Nicolò, *Beiträge zur Rechtsgeschichte im Bereiche der keilschriftlichen Rechtsquellen* (Oslo, 1931), pp. 135–141.

<sup>12</sup> Genesis 38: 18. The point of this incident is not just personal identification but basic responsibility. In this particular instance the seal, as a solemn voucher, literally made the difference between life and death.

ample, was never dominated by Babylonia; yet it used Babylonian law and struggled with the Akkadian language as far back as the age of Hammurabi. Just so, the kingdom of Mitanni followed the same course at a time when Mitanni was the leading state in Western Asia. Similarly, Ugarit had its own dialect and employed a local alphabetic script for various administrative and literary purposes. When it came, however, to legal and diplomatic matters, Ugarit fell back on syllabic cuneiform and the Akkadian language, for such was the accepted practice in that part of the world. The Hittites, for their part, composed their legal code in their own distinctive kind of Indo-European or Indo-Hittite. Yet the very fact that the Hittites produced a law code altogether, one which reflects Mesopotamian influence not only in script but also in concept, places the product within the province of Mesopotamian jurisprudence.

It is thus apparent that one of the outstanding characteristics of Mesopotamian law was its strong appeal to other cultural centers. Where the exported goods still carry their original wrapping and labels—the script, the language, and the formal document<sup>13</sup>—the ultimate source can be identified at a glance. But even where such identifying marks are absent, the content can still be traced to its home base. A primary case in point is furnished by the Bible.

This is not to dredge up once again the old pan-Babylonian heresy. On the contrary, it is now increasingly apparent that the biblical process as a whole originated in a resolute protest against the religious orientation of Mesopotamia.<sup>14</sup> But this does not imply by any means that the Biblical leaders renounced everything that stemmed from east of the Euphrates. There is scarcely a section of the Old Testament, especially in its early portions, that fails to reflect some form of influence from Abraham's homeland—which is precisely what one should expect in the circumstances. And nowhere is such influence more pronounced than in the general field of law.

Whether one takes up the Book of the Covenant in Exodus, the legal material in Leviticus, Numbers, or Deuteronomy, or pertinent passages in various narrative accounts, the most intimate kind of connection is immediately apparent to anyone

who has dealt with both the Biblical and the Mesopotamian material. Yet mere correspondence in detail does not begin to define the closeness of the relationship involved. It is in the basic concepts of law and government that the strong ties between the Bible and Mesopotamia are especially prominent and significant.

In Israel, as in Mesopotamia, man was never the source of the law but only its servant. In both lands law was a gift from on high, a way of life that made all the difference between civilization and barbarism. The Bible epitomizes this approach in its term "Torah." If the Torah were no more than a collection of legalistic norms, Israel could scarcely have pointed the way to spiritual and social progress. Yet it was in Mesopotamia that the process got underway, thanks to the realization that *mēšarum* without *kittum* (or *šedeq* without *'emet* in biblical terminology) would be but a blind alley.

As in Mesopotamia, moreover, so too in Israel the law was the real backbone of society. This is why legal analysis was taken up with renewed vigor in the Mishnah, and eventually attained its fullest scope in the Babylonian Talmud. This last achievement surely owed a great deal to the circumstance of its Babylonian locale. Although historic Mesopotamia had expired centuries earlier, her legal traditions were far from extinct. Small wonder, therefore, that the Babylonian Talmud teems with loanwords not only from the Akkadian but even from the antecedent Sumerian. Thanks to such interconnections, the Talmudic and the cuneiform sources have much to offer each other in terms of illustration and clarification; this enormously rich mine of information is as yet virtually untapped. To this very day, the orthodox Jew uses a Sumerian term when he speaks of divorce. And when he participates in the reading of the Torah lesson in the synagogue, he still touches the pertinent place in the scroll with the fringe of his prayer shawl, wholly unaware of the fact that he is thus re-enacting the scene in which the ancient Mesopotamian impressed the hem of his garment on a clay tablet, as proof of his commitment to the provisions of the legal record.<sup>15</sup> The language and the persons and the circumstances have changed, the objectives are different, but the symbolism remains the same after some forty centuries.

<sup>13</sup> Koschaker, "Keischriftrecht," 28.

<sup>14</sup> Cf. my paper, "Three Thousand Years of Bible Study," *Centennial Review* 4 (East Lansing, Mich., 1960): 206-220 (esp. p. 228).

<sup>15</sup> The pertinent formula appears in the documents from Nuzi as follows: "[The participant] left an impression of the hem of his garment in the presence of witnesses."



Another case in point is the legal material in Old Aramaic. The papyri from Elephantine, at the southern extremity of Egypt, a small island manned by a Jewish garrison in the fifth century B.C., represent legal records that are unmistakably Mesopotamian in contents and phraseology.<sup>16</sup> So strong was the underlying legal tradition that it could be maintained, in a different tongue and amidst a sharply dissimilar society, nearly two thousand miles from its ultimate center of origin.

There is further the instance of Islamic law. So many heterogeneous traditions converge in that vast conglomerate that to separate the component parts is a task calling for a combination of specialists. Nevertheless, the fact is plain that this discipline did not begin to thrive until Iraq—Mesopotamia's Arabian successor—had taken a hand in it. Devotion to law was evidently in the local air, or soil.

A brief word, in passing, about the situation in ancient Egypt. No country could have achieved Egypt's cultural record, and maintained it over a comparable period of time, without a solid framework of internal law. The only question, then, is the kind of law that prevailed there. The answer is not far to seek. The same article of faith that deified the pharaoh made it inevitable that he be also the source and master of all law. It is no surprise, therefore, that Egypt has yielded no evidence of any kind of legal code impersonally conceived, since the authority of such a code would have competed with the personal authority of the pharaoh.<sup>17</sup> Nor can the virtual absence of legal records—there are fewer such witnesses from all of Egypt over a period of two millennia than there are from a single stray house in Mesopotamia representing no more than two centuries—be charged to pure coincidence. The obvious reason was the dominant concept of law in Egypt. By the same token, Egyptian law had scant appeal for outsiders. As suggested above, complex issues can sometimes be reduced to surprisingly simple explanations.

#### IV

There is thus abundant and compelling evidence that the legal tradition which originated in Mesopotamia had enough vitality to exceed its native limits in time as well as in space. It was a living and life-giving tradition because, in the final analy-

<sup>16</sup> See especially E. Kraeling, *The Brooklyn Museum Aramaic Papyri* (New Haven, 1953).

<sup>17</sup> J. A. Wilson, *The Burden of Egypt* (Chicago, 1951), pp. 49–50.

sis, it sprang from man's hope to achieve harmony with the cosmos. The question that remains to be posed is whether these social attainments in the ancient Near East had any important bearing on the Classical world. The problem can be stated at this time only in barest outline.

A direct comparison of cuneiform and Classical law is all but ruled out by chronological considerations. Legal documents in Greek do not turn up until the sixth century B.C., and then only in a trickle. The Twelve Tables of the Romans are later still. Moreover, what little we do get at first is admittedly primitive, and hence reflects an early stage of development.<sup>18</sup> In short, where formal law was concerned, the Classical lands got off to a relatively late start. By then, Assyria had already retired from history, and Babylonia was no longer a self-ruled country. Cuneiform law as such had only a few centuries of reflex existence left to it. In these circumstances there is little opportunity to synchronize legal data from the outgoing East with those from the emerging West.

In their attempts at a comparative appraisal, nevertheless, some students have sought to trace the Twelve Tables and the prior legal material from Greece all the way back to the Code of Hammurabi.<sup>19</sup> All such efforts are foredoomed to failure. Even in Hammurabi's time, legal imports from Babylon were adjusted to local needs and practices. Nor were Hurrian and Hittite and Biblical laws direct transcripts of Mesopotamian models. How, then, could there be a direct correlation between Classical law and Mesopotamian prototypes of far away and long ago?

The question, therefore, is not so much one of outright borrowing as of geographic and chronological links. In due course, Hellenism was to constitute a bridge between the Near East and Rome, which carried legal traffic among other kinds. To quote Paul Koschaker, himself a professor of Roman jurisprudence, "In my opinion there can be no doubt about the inclusion of oriental legal matter in Roman law—using the term 'oriental' in its broadest sense to include Hellenistic material as well."<sup>20</sup> But the Hellenistic age cannot be pushed back past the middle

<sup>18</sup> For present purposes it will suffice to refer to the very general account of J. Wigmore, *Panorama of the World's Legal Systems* (Washington, 1928), chs. 6–8.

<sup>19</sup> Cf. M. Mühl, *Untersuchungen zur altorientalischen und althellenistischen Gesetzgebung* (Leipzig, 1933); for Koschaker's criticism see his "Keilschriftrecht": 31, note 3.

<sup>20</sup> *Ibid.*, 29.

of the first millennium B.C., let alone leave room for the required incubation period. The contacts, then, must be sought elsewhere and much earlier.

We know, of course, that the Phoenicians flourished at the turn of the second millennium, and that farther back the Hittites were a dominant power. Both peoples were in close touch with the Aegeans. Indeed, Hittite relations with the West were intimate enough to be reflected in Greek mythology and literature.<sup>21</sup> Nevertheless, the case we are after does not have to be made abroad. Aegeans themselves have been positively identified in Syria in the fourteenth century B.C. In the port of Ugarit a special quarter was occupied by Minoans who had established there a merchant colony. Similar trading posts existed in all likelihood elsewhere along the Phoenician coast. Now trade was the one occupation above all others in which the written document was a necessity in all areas within the reach of cuneiform law. As was pointed out above, there are many business documents from Ugarit itself which were written, significantly enough, not in the local alphabet but in syllabic cuneiform and in the Akkadian language. The Minoan traders could not escape involvement in such written business transactions. In due time, they were bound to copy the process in dealings among themselves. As a matter of fact, samples of Minoan script have actually turned up in Ugarit, for law and literacy went hand in hand. The subsequent adoption of the Phoenician alphabet by the Greeks was due undoubtedly to similar commercial intercourse. Thus it was barter, not Homer, that made the Greeks literate. Progress often travels by such devious paths.

Now when traders take over a script in compliance with the legal demands of their profession, they have been exposed not only to the juridical details but also to the underlying concepts. Since the ideas that shaped the law of

the Mesopotamian pioneers promoted a way of life that militated against autocracy in government, it would be an anachronism to persist in the claim that the Greeks' aversion to authoritarianism was wholly a homegrown product.

When it comes to the development of Roman law, there are many threads to disentangle. One has to reckon with the influence of Greece, eventual contacts with the Near East itself, and the growing administrative pressures of an increasingly unwieldy political structure. Each of these factors must have had its effect on Roman law. The results could scarcely be homogeneous. At a minimum, Rome was indebted to the Near East, though indirectly rather than directly, for the law code and the legal document. That these instruments did not in the end prevent absolutism was due apparently to internal developments. But one cannot help wondering, just the same, whether Rome's growing familiarity with Egypt, the one Near Eastern exception to an otherwise consistent anti-autocratic norm, did not play its part in bringing absolute rule to Rome.

Today, though we freely acknowledge our manifold debt to Greece and the Bible, we do not always appreciate the extent to which Israel and Greece contributed to one of our fundamental affirmations, namely, that truly constructive power is power vested outside the agent who wields it. This abiding truth, however, was discovered long before the start of the Biblical and the Greek experiences. It was first glimpsed in ancient Mesopotamia; and once glimpsed, it was held on to tenaciously as a source of strength at home and an example to others abroad.

In over-all retrospect, we are justified in adding to the proverbial maxim *Ex Oriente Lux* a fitting twin with the name of *Ex Oriente Lex*. The light in this instance is in many ways but another aspect of law. And the region of the Orient which had much to do with the progressive dissemination of both light and law was ancient, but by no means outmoded, Mesopotamia.

<sup>21</sup> Cf. H. G. Güterbock, "The Hittite Version of the Hurrian Kumarbi Myths: Oriental Forerunners of Hesoid," *Amer. Jour. Arch.* 52 (1948): 123-134.