

ROYAL JUSTICE OR *REALPOLITIK*? THE DIVINER ZŪ-BA'LA AND THE HITTITES ONCE AGAIN*

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Summary: Royal Justice or *Realpolitik*? The Diviner Zū-Ba'la and the Hittites Once Again

The aim of this paper is to reassess an incident involving the Emariote diviner Zū-Ba'la, a certain Alziyamuwa, and an unnamed ruler of Ḫatti. The imposition of *šahhan* and *luzzi* obligations upon the diviner and the confiscation of his landed property by Alziyamuwa have been regarded in previous scholarship as arbitrary and abusive measures, whereas the king's reaction would represent a just attempt to rectify them. Although this interpretation is certainly feasible, the present paper will discuss the evidence about the alleged abuses committed against Zū-Ba'la, the historical scenario in which they may have taken place, and the potential political considerations behind the royal verdict.

Keywords: Emar – Hittite Administration – Zū-Ba'la

Resumen: ¿Justicia real o *Realpolitik*? El adivino Zū-Ba'la y los hititas una vez más

El objetivo de esta contribución es reexaminar un incidente en el cual estuvieron involucrados el adivino emariota Zū-Ba'la, un tal Alziyamuwa y un soberano de Ḫatti no identificado. En la literatura académica previa se ha considerado que la imposición de las obligaciones *šahhan* y *luzzi* sobre el adivino y la confiscación de su propiedad llevada a cabo por Alziyamuwa fueron medidas arbitrarias y abusivas, mientras que la reacción del rey representaría un intento justo de rectificación. Si bien esta interpretación es factible, en el presente trabajo se discutirá la evidencia sobre los supuestos abu-

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* Abbreviations follow *The Hittite Dictionary of the Oriental Institute of the University of Chicago*. In addition, note: ASJ-14 = Tsukimoto 1992; *Emar* = Arnaud 1985, 1986, 1987b; ETBLM = Westenholz 2000; RE = Beckman 1996; SMEA-45 = Salvini and Trémouille 2003.

sos cometidos contra Zū-Baʿla, el escenario histórico en el que podrían haber tenido lugar y las posibles consideraciones políticas detrás del veredicto del monarca.

Palabras clave: Emar – Administración hitita – Zū-Baʿla

INTRODUCTION

Zū-Baʿla was a diviner from the ancient city of Emar who lived roughly between the end of the fourteenth and the middle of the thirteenth century BC.¹ This contribution will focus on one episode of his life that can be partially reconstructed from SMEA-45 1 (Msk 731097) and ETBLM 32, two Hittite letters addressed to a certain Alziyamuwa.² The first of them was found inside building M₁ during the excavations conducted at Meskene Qadime in the 1970s,³ whereas the second was purchased in the antiquities market and therefore lacks proper contextual information.⁴ According to SMEA-45 1:3–16, Zū-Baʿla lodged a complaint before an unnamed king of Ḫatti for two reasons: on the one hand, part of his landed property had been confiscated by Alziyamuwa—probably a Hittite official active in the Middle Euphrates region—and given to a man named Palluwa; on the other hand, he had been subjected to *šaḫḫan* and *luzzi*, i.e., a set of state-imposed obligations.⁵ In response to this complaint, the sovereign sent

¹ For an overview of the documents related to Zū-Baʿla and his family, see Cohen 2009: 147–180 (with previous literature); on their chronology, see Cohen and d’Alfonso 2008; Yamada 2013 (but cf. the rejoinder in Cohen 2013); Démare-Lafont and Fleming 2015. Although various members of this family claimed for themselves the title of “diviner,” it is not clear if they actually practiced the art of divination (Fleming 2000: 26–35; cf. Rutz 2013: 319–321; Michel 2014: 135 n. 586).

² SMEA-45 1 was initially translated by E. Laroche (1982: 54), and re-edited in full by M. Salvini and M.-C. Trémouille (2003); other editions with commentary can be found in Hagenbuchner 1989: 40–44; Singer 2000; Hoffner 2009: 367–371. ETBLM 32 was re-edited in Singer 2000 after a preliminary treatment in Westenholz 2000.

³ No specific find-spot unit is provided in the final publication (Salvini and Trémouille 2003: 225), but according to M. Rutz (2013: 144) the cumulative evidence suggests that SMEA-45 1 should be associated with Locus 1.

⁴ ETBLM 32 belongs to a group of cuneiform tablets housed at the Bible Lands Museum Jerusalem that can be linked by prosopography, seal impressions, and textual typology with those unearthed at Meskene Qadime (Westenholz 2000: xi).

a letter to Alziyamuwa (SMEA-45 1) ordering him to restore the confiscated estate and declaring that Zū-Ba'la should pay only that which he used to pay in the past. Both directives were subsequently repeated, with minor variations, by a ruler of Karkemiš in ETBLM 32.⁶

The prevailing view about this affair is that the Hittite king tried to rectify an abuse of power carried out by Alziyamuwa: I. Singer, for example, portrays it as a “blunt case of corruption” and describes the royal decision as “a just verdict against the abuses of the very administration that served the Hittite state.”⁷ Although this interpretation is certainly feasible, the present paper will discuss the evidence about the alleged abuses committed against Zū-Ba'la, their historical setting, and the pragmatic considerations that may have influenced the sovereign's ruling.

ALZIYAMUWA AND ZŪ-BA'LA

Apart from SMEA-45 1 and ETBLM 32, there is no further reference to Alziyamuwa in our sources. However, it seems logical to assume that he was a Hittite functionary under the jurisdiction of the king of Karkemiš. A few observations should be made in relation to his actions against Zū-Ba'la:

⁵ On *šahḫan* and *luzzi* in general, see the study by F. Imparati (1982) and more recently the work of R. Haase (2003: 638–639; 2008; 2009) and J. Lorenz (2017), as well as the corresponding entries in CHD (L-N: 90–91; Š: 2–7); particularly regarding SMEA-45 1, see Imparati 1982: 264–267; 1997: 209–210; Yamada 2006: 233–234; Pruzsinszky 2007: 30–31; Lorenz 2017: 198–199. Since these two words are often joined asyndetically in Old and Middle Hittite documents (as is also the case in SMEA-45 1:25), Imparati considers that “dès cette époque déjà on ne devait pas sentir fortement une distinction très nette entre les deux termes” (1982: 245; cf. also Haase 2003: 638). Moreover, according to J. Puhvel (2015; HED SA: 7–11) the word pair *šahḫan luzzi* should be understood as a unitary expression meaning “discharge of duty” or “service rendering.”

⁶ Based on the fact that Zū-Ba'la is referred to with the proximal demonstrative *kā-*, “this,” in SMEA-45 1:3 and ETBLM 32:3, H. A. Hoffner (2009: 367–368) suggests he might have accompanied the messenger(s) who carried both letters; cf. HKM 57:10 for a similar use of *kā-*, discussed in Goedegebuure 2014: 286–287.

⁷ Singer 2000: 70. Similar opinions are expressed in Laroche 1980: 241; Imparati 1982: 266; 1988: 227; 1997: 209–210; Arnaud 1987a: 11 n. 17; Beckman 1995: 31; Salvini and Trémouille 2003: 230; Yamada 2006: 227; Démare-Lafont 2008b: 214. On corruption in the Hittite bureaucracy, see Beckman forthcoming.

1. The confiscated properties are said to have belonged to a certain *ṁanda-ma-li* (SMEA-45 1:6). According to M. Yamada, this should be understood as the Hittite rendering of the PN Adda-mālik (^dIŠKUR-*ma-lik*), where the theophoric element Adda/Addu adopts a nasalized form and the final consonant is omitted.⁸ In turn, Y. Cohen argues that Adda-mālik was actually Zū-Ba^ʿla’s father-in-law, as suggested by the word *išhanittar(a)*- employed in the letter from the king of Ḫatti.⁹ He also claims that Adda-mālik’s daughter was a woman called Taršipu, whom Zū-Ba^ʿla had apparently married.¹⁰ In *Emar* 201 and *Emar* 202, two documents that postdate SMEA-45 1 and ETBLM 32, the diviner explicitly prevents a certain Ḫimaši-Dagan and the “three sons of Taršipu” (*i.e.*, Kattu, Zū-Aštarti, and Imūt-hamadī) from laying claim to his landed property.¹¹ Cohen follows J.-M. Durand and L. Marti in considering Ḫimaši-Dagan as Taršipu’s son from a former marriage,¹² and concludes that:

*The property of Adda-mālik referred to as confiscated in the Hittite letter is to be understood as part of the estate that this very person bequeathed to his daughter Taršipu and to which her sons were not to lay claim. It now becomes clear why the property fell into dispute. With Taršipu and Ḫimaši[-Dagan] demanding the property on one side and Zū-Ba^ʿla on the other, it might have been Alziyamuwa’s prerogative to seal the matter altogether by confiscating the property.*¹³

⁸ Yamada 1998: 327.

⁹ Cohen 2009: 153; see also Hoffner 2009: 368.

¹⁰ Cohen 2009: 151.

¹¹ See Solans 2014: 165–168, with previous literature.

¹² Durand and Marti 2003: 178. Contra Cohen 2009: 151, B. E. Solans (2014: 167 n. 861) considers that Kattu, Zū-Aštarti, and Imūt-hamadī should also be regarded as Zū-Ba^ʿla’s adoptive, and not biological, children; otherwise one could hardly explain the existence of written documents recording their father’s obligation to find them a wife (see *Emar* 202:17–20; cf. also Durand and Marti 2003: 178–179).

¹³ Cohen 2009: 154. Against Cohen’s hypothesis concerning the confiscation of Adda-mālik’s estate, it should be noted that *Emar* 201 contains a clause (ll. 34–39) declaring void two tablets held by Ḫimaši-Dagan, one of them sealed by Ini-Teššub and the other by the local authorities

However, Yamada has proposed a different reconstruction: in his opinion, Dagan-Iā'i—whose sons were made heirs by Zū-Ba'la in *Emar* 201, *Emar* 202, and *Emar* 203—was probably Adda-mālik's daughter,¹⁴ whereas Taršipu should be regarded only as a slave concubine.¹⁵ Upon marriage to Dagan-Iā'i, the diviner would have entered into Adda-mālik's household with the status of an adopted son and would have succeeded to his “high-ranking religious office.”¹⁶ Moreover, Yamada considers that the intervention of the kings of Ḫatti and Karkemiš when Zū-Ba'la inherited Adda-mālik's property may imply some trouble with the latter's natural son(s) or brother(s).¹⁷

Be that as it may, it is clear that Zū-Ba'la (1) owned real estate previously belonging to his father-in-law, and (2) precluded four individuals (Ḫimaši-Dagan, Kattu, Zū-Aštarti, and Imūt-hamadī) from raising any future claim against his legitimate successors, *i.e.*, Dagan-Iā'i's offspring. In view of this situation, it is possible that the confiscation of Adda-mālik's property was prompted by an inheritance dispute, as suggested by Cohen. In fact, Singer points out that apparently not all of Zū-Ba'la's real estate holdings were expropriated, since the imposition of *šaḫḫan* and *luzzi* involved land tenancy.¹⁸ The alleged handing over of the confiscated property to Palluwa, who might also have been a Hittite official,¹⁹ could suggest that the whole operation was carried out only to reap unlawful profits, but this interpretation cannot be proved or refuted.

of *Emar*. Solans (2014: 166–167) suggests that these documents might have recorded the adoption of Taršipu's sons by Zū-Ba'la, along with Ḫimaši-Dagan's primogeniture rights (cf. Durand and Marti 2003: 178). If we accept this reconstruction, then it would be odd to assume that a dispute between Taršipu/Ḫimaši-Dagan and Zū-Ba'la took place before Ini-Teššub's reign; see further below on the dating of SMEA-45 1/ETBLM 32 and *Emar* 201.

¹⁴ Yamada 2013: 138 n. 59.

¹⁵ Yamada 2013: 144; cf. Cohen 2013: 291–292.

¹⁶ Yamada 2013: 138 n. 59. A number of scholars argue that Zū-Ba'la's father was an individual called Šuršu: see Hagenbuchner 1989: 43; d'Alfonso 2000: 276–277; Adamthwaite 2001: 35; Skaist 2005: 616–619; Rutz 2006: 597 n. 25; 2013: 282; Fleming 2008: 38 n. 36; Cohen 2009: 149–150; 2013: 291–292 (but cf. Yamada 2007; 2013: 143–144).

¹⁷ Yamada 2013: 138 n. 59.

¹⁸ Singer 2000: 69; however, cf. Lorenz 2017: 200–201.

¹⁹ Singer 2000: 69–70; see further below.

2. Yamada considers that some citizens of Emar served the Hittite administration in exchange for landed property, and concludes that Zū-Ba^ʿla belonged to this group of “Emaro-Hittites”:

Now we may ask if Zū-Ba^ʿla too was an Emaro-Hittite. The answer must be “Yes.” In fact, it is only in this context that the ‘oppression’ of Zū-Ba^ʿla can be fully understood. First, Alziyamuwa could impose the šahḫan- and luzzi-duties on him, since the ordinary Emaro-Hittites had to perform Hittite obligations. Second, it is not surprising that Alziyamuwa confiscated his landed property, since it was, in form at least, given him by the king of Carchemish; confiscation would happen to any Emaro-Hittite who was regarded as disloyal to the Hittite authority. Therefore, the deeds of Alziyamuwa were not exactly contrary to the Hittite policy concerning Emaro-Hittites, but rather, in a sense, faithful to it!²⁰

Although the rights and obligations of this putative category of citizens are not entirely clear, we should admit the possibility that the procedures applied by Alziyamuwa actually had a coherent basis in legal terms. It is not unreasonable to assume that, as a member of the provincial bureaucracy, he could rightfully impose and/or enforce specific obligations upon certain citizens under his jurisdiction. In fact, as L. d’Alfonso points out, “the Hittite administration at Emar had competence within each single field of the internal life of the city.”²¹ Moreover, the levying of taxes by Hittite officials on local residents is attested elsewhere in the corpus of Emar texts (e.g., the GIŠ.TUKUL-duty in *Emar* 18, *Emar* 33, ASJ-14 46, and ASJ-14 47).²²

The problem lies in determining whether the criteria adopted to impose šahḫan and luzzi upon Zū-Ba^ʿla were legitimate or arbitrary, and

²⁰ Yamada 2006: 233–234.

²¹ d’Alfonso 2005a: 20.

²² See Beal 1988: 289–291; Adamthwaite 2001: 99–114; Bellotto 2002; d’Alfonso 2005a; 2005b: 181–191; Yamada 2006: 229–232.

whether or not this was done to obtain illegal gains. Both issues are difficult to elucidate from the evidence at hand. In SMEA-45 1:10–16, the diviner claims that he did not have to fulfill those obligations previously.²³ This statement may imply that he had been declared exempt from *šahḥan* and *luzzi* in the past, as first suggested by Imparati,²⁴ or simply that these taxes had been only recently levied on him. The king's command is that Zū-Ba'la should pay the same as he used to pay before (SMEA-45 1:27–29), probably because he was unaware of the precise fiscal situation of the diviner.²⁵ It remains uncertain if further inquiries were actually conducted after the complaint was lodged, but from SMEA-45 1 it would appear that the plaintiff's testimony sufficed to annul the decisions taken by Alziyamuwa, regardless of any reason the latter might have had to justify them. On the other hand, as pointed out by Hoffner, it is not always evident in our documentation to whom *šahḥan* and *luzzi* were rendered.²⁶ Although Alziyamuwa could have been the direct beneficiary in this case, it is also possible that the court of Karkemiš was in charge of managing the collection of taxes at Emar.²⁷

The final ruling was perhaps influenced by Zū-Ba'la's prestigious profession, which is explicitly mentioned in both letters.²⁸ In fact, SMEA-45 1 contains an emphatic closing statement, formulated as a general warning and not directed in particular against Alziyamuwa: "He should do nothing else and nobody should oppress him!" (ll. 30–32: *ʿta¹-ma-i-ma le-e ku-i[t-ki] / i-ya-zi ʿna¹-an le-e / ku-iš-ki da[m]-mi-*

²³ A similar argument is found in HKM 52, where a scribe called Tarḥunmiya contends that *šahḥan* and *luzzi* were imposed upon him even though he had never performed these duties before; see Alp 1990; Imparati 1997.

²⁴ Imparati 1982: 265; see also Singer 2000: 69.

²⁵ Singer 2000: 69.

²⁶ Hoffner 1997: 244.

²⁷ As a matter of fact, the ruler of Karkemiš declares in ETBLM 32—if we accept Singer's restoration of line 16—that he will come and "release" (*tarnaḥḥi*) Zū-Ba'la, presumably from *šahḥan* and *luzzi*.

²⁸ Zū-Ba'la is described as LÚ.AZU, "the diviner," in SMEA-45 1:4 and ETBLM 32:4 (Michel 2014: 135 n. 586). The granting of exemptions from *šahḥan* and *luzzi* to individuals and institutions related to the cultic sphere is attested elsewhere; see Imparati 1982: 236–243; Haase 2008.

iš-ḥa-iz-zi).²⁹ According to Singer, the occurrence of the phrase “for/to the deity” (*ANA DINGIR-LIM*) in ETBLM 32:20 must indicate that the king of Karkemiš explained the grounds for the verdict with reference to the sacred status of the diviner and his property.³⁰

The events reported in SMEA-45 1 and ETBLM 32 might represent a case of corruption, but our evidence is not clear-cut. By themselves, neither the confiscation of property (which may have been carried out in order to settle an inheritance conflict, or for other reasons unknown to us) nor the imposition/enforcement of taxes can be considered proof of an intentional wrongdoing: in fact, Alziyamuwa could have implemented both measures within the limits defined by the Hittite legal system, or could have simply misapplied a royal or vice-regal policy, without necessarily attempting to obtain personal profits.

This incident may perhaps be understood vis-à-vis the apparent contradictions between the customary practices of the Middle Euphrates region and the legal and social institutions introduced by the Hittites, which seem to have met with some resistance from the local population.³¹ If the controversy took place in a context where the juridi-

²⁹ The last phrase is reproduced word for word in ETBLM 32:10–11, also with the verb *dammešḫai-*, “to damage” (HEG T/D: 79–80; Kloekhorst 2008: 825–826). This verb, formed from the noun *dammešḫa-* (“damage, act of violence, punishment”), has been connected already by A. Götze (1925: 62–64; 1930: 178–179) with *tamašš-/tamešš-*, “to oppress.” On the basis of the relevant passages from each letter mentioned above, Yamada (2006: 227) considers that “both kings [*i.e.*, the ruler of Ḫatti and the ruler of Karkemiš] regarded the deeds of Alziyamuwa as ‘oppression,’ in other words, abuse of his power.” It is clear that the verb *dammešḫai-* indicates some degree of damage/oppression inflicted upon a given object, person, or area: in military incursions, for example, the enemy could damage the crops (HKM 25:20–21) or the countryside (HKM 46:17); likewise, the land of Ḫatti could be oppressed by a plague (*e.g.*, KUB 14.14+). Damage/oppression by means of the imposition of *šaḫḫan* and *luzzi* is attributed to the “men of the town” of Tapikka in HKM 52:25–39, and to the Kaška in KUB 17.21 i 24’–25’ (see CHD L-N: 91 [sub *luzzi-* c]); cf. also VS 28.129 (Hagenbuchner-Dresel 1999: 50–58) and ABoT 1.56 iii 4’–15’. Although the association between “oppression” and “abuse of power” suggested by Yamada is possible, the verb *dammešḫai-* seems to describe primarily an effect, *i.e.*, damage/oppression, without necessarily implying that the cause of this effect was a deliberate act of corruption by which the responsible agent sought to obtain personal benefits.

³⁰ Singer 2000: 69; cf. Beckman 2001: 196.

³¹ See d’Alfonso 2005a; 2005b: 177–199; Mora 2010: 167–168.

cal framework was still unclear or loosely defined, both parties might have considered that their rights were legitimate (*i.e.*, the right of Alziyamuwa to confiscate lands and to impose obligations, and the right of Zū-Ba'la to defend his property and his fiscal status).³² In any case, the available information is insufficient to determine with confidence whether the legal prescriptions in force at that time were respected or deliberately violated by Alziyamuwa for his own benefit.

SMEA-45 1 AND ETBLM 32 IN THEIR CONTEXT

In order to gain a better understanding of the whole episode, we could also attempt to place it in its wider historical context. A major obstacle in this respect is the fact that neither SMEA-45 1 nor ETBLM 32 provides us with a precise chronological anchor. However, apparently the same matter is mentioned retrospectively in *Emar* 201. This legal document, drafted during the reign of Ini-Teššub, contains a sort of historical prologue where the diviner declares how he acquired part of his property (ll. 1–18):³³

- 1 *a-na pa-ni* ^m*i-ni*-^dU-[*ub* LUGAL KUR URU.*kar-ga-mis*]
- 2 DUMU ^m*ša-hu-ru-nu-wa* L[UGAL KUR URU.*kar-ga-mis*]
- 3 DUMU DUMU-*šu ša* ^mLUGAL-^d30 LU[GAL KUR URU.*kar-ga-mis-ma* UR.SAG]
- 4 ^m*zu-ba-la* LÚ.MÁŠ.ŠU.GÍ[D.GÍD *a-kán-na*]
- 5 *iq-bi um-ma-a* x [...]
- 6 *it-ti* ^dUTU-*ši* [...]
- 7 *ù* ^m*mur-ši*-[DINGIR-*li*]
- 8 *a-na* ^m*ša-hu*-[*ru-nu-wa*]

³² The “treaty of Emar” (*māmītu ša* URU.*Emar*), mentioned in *Emar* 18, may have been enacted under the auspices of Ini-Teššub in order to bridge the gap between the Hittite laws and the native customary norms; see Yamada 1997: 19; d’Alfonso 2000: 290–292; Adamthwaite 2001: 203–207; Solans 2014: 163–164; Pruzsinszky and Solans 2015: 323–324.

³³ This transliteration follows that of Durand and Marti (2003: 177–178), which includes new readings after collation; however, cf. their restoration of lines 5–6: *iq-bi um-ma-a* ^rÉ¹.[MEŠ A.ŠÁ.MEŠ *ù* KIRI₆.NUMUN *ša* ^md¹ISKUR-*ma-lik*] / *it-ti* ^dUTU-*ši* [*ir-gu-um*]. See also Durand 1990: 70–71.

- 9 LUGAL KUR URU.[*kar-ga-mis*]
 10 *iq-[bi]*
 11 *um-ma-a* [É.MEŠ A.ŠÀ.M]EŠ
 12 *ù* GIŠ.KIRI₆.[NUMUN]
 13 *ša* ^{md}IŠKUR-[*ma-lik*]
 14 *a-na zu-[ba-la]*
 15 *i-din-mi* *ù* [^m*ša-hu-ru-nu-w*]a
 16 LUGAL KUR URU.*kar-g*[*a-mis* É.MEŠ A.ŠÀ.ME]Š
 17 *ù* GIŠ.KIRI₆.NUMUN [*ša* ^dIŠKUR-*ma-lik*]
 18 *id-din* *ù* ^r*i*¹-[*na-an-na ku-un-ka*]-šu-/[*nu-ti*]

In the presence of Ini-Teššub, [king of the land of Karkemiš], son of Šaḥurunuwā, k[ing of the land of Karkemiš], grandson of Šarri-Kušuḥ, ki[ng of the land of Karkemiš, the hero], Zū-Ba^cla, the divin[er], said [as follows]: “[...] with His Majesty [...]. And Muršili[li] sa[id] to Šaḥurunuwā, king of the land of [Karkemiš]: ‘Give to Zū-[Ba^cla the houses, the field]s, and the orch[ard] of Adda-[mālik].’ And [Šaḥurunuw]a, king of the land of Kark[emiš], gave [the houses, the field]s, and the orchard [of Adda-mālik (to Zū-Ba^cla)]. And [now, seal them for me].”

Whether the ruler in question was Muršili II, as initially suggested by D. Arnaud,³⁴ or Muršili III/Urḫi-Teššub, according to A. Skaist’s proposal,³⁵ remains an open question.³⁶ This issue is especially relevant to infer Zū-Ba^cla’s age at the time when *Emar 201* was composed, and by extension to understand the term of office of all the sequence of divin-

³⁴ Arnaud 1975: 91–92; 1984: 179; 1987a: 12 n. 30.

³⁵ Skaist 2005: 613–614.

³⁶ J. D. Hawkins (2011: 97) notes that in sources other than seals there is yet no unequivocal evidence that Urḫi-Teššub used the name Muršili. However, as he points out, some possible examples have been proposed: see for instance the extensive discussion on KUB 21.33 by M. Cammarosano (2009, with previous literature). In any case, this should not exclude a priori the possibility that the king mentioned in Zū-Ba^cla’s testament was Muršili III.

ers.³⁷ Although Skaist outlines a reasonable chronological framework in his reconstruction, other Hittite sources may support an identification with Muršili II. Let us point out some remarks concerning this problem:

1. *Emar* 201:19–22 reads:

- 19 *i-na-an-na* ^m*i-ni*-[^d*U-ub*]
 20 LUGAL KUR URU.*kar-ga-mi*[*s* É.MEŠ A.ŠÀ.MEŠ GIŠ.KIRI₆.
 NUMUN]
 21 *ša* ^d*IŠKUR-ma-lik a-na* ^m*zu*-[*ba-la*]
 22 *ik-ta-na-ak-šu-nu-ti*

Now Ini-[Teššub], king of the land of Karkemi[š], sealed [the houses, the fields, and the orchard] of Adda-mālik to Zū-[Ba^ˆla].

In view of the fact that Ini-Teššub executed a sealed document for the diviner, Skaist infers that Šaḥurunuwa died before concluding “all the formalities necessary to restore the property to Zū-Ba^ˆla.”³⁸ This conjecture is central to his argument: since it is unlikely that a long period of time elapsed between the king’s command and its subsequent implementation, then it would be logical to assume that the matter was resolved by Ini-Teššub soon after his predecessor’s death—and therefore that it was Muršili III who gave the original order to Šaḥurunuwa.³⁹

However, the act of “sealing” (*i.e.*, giving by means of a sealed document)⁴⁰ the estate of Adda-mālik to Zū-Ba^ˆla does not preclude the possibility that the actual transference of goods had already been performed. In this respect, for example, two kudurru inscriptions dating to the twelfth century BC (MAI I 1 and MAI I 6) as well as another from the seventh century BC (ŠŠU 2) show that royal confirmation of land

³⁷ See Démare-Lafont and Fleming 2015.

³⁸ Skaist 2005: 613 (italics removed).

³⁹ See Skaist 2005: 613–614; Cohen and d’Alfonso 2008: 13.

⁴⁰ See CAD K: 140–141 (sub *kanāku* 4a).

grants made by a previous ruler could be solicited if the beneficiary had not received a sealed document as proof of ownership.⁴¹ Even if Zū-Ba^ʿla did possess an earlier sealed record,⁴² Ini-Teššub's intervention may have been requested simply to confirm or update its content: as a matter of fact, in RE 54—a confirmation of ownership issued by Ini-Teššub himself—the proprietor declares that the king “renewed” the tablets concerning his house.⁴³

⁴¹ Abbreviations follow Paulus 2014. In MAI I 1, a certain Munnabittu claims that in the past king Meli-Šipak had given him a field but had not sealed it; consequently, a third party was now contesting part of that property. The dispute was settled by Marduk-apla-iddina I in favor of Munnabittu, who received a sealed document ratifying his ownership. Another confirmation by the same ruler is recorded in MAI I 6: in this case the earlier land grant had been made by Adad-šuma-ušur, and a tablet impressed with the royal seal was also lacking. Finally, in ŠŠU 2 a man recalls that Esarhaddon had restored some fields to his father but had not given him a sealed record; the petitioner thus requests such a written guarantee from Šamaš-šuma-ukīn in order to prevent rival claims against him and his heirs (see Slanski 2003: 118–121 [but cf. Charpin 2002: 177–178]; Paulus 2014: 116–119).

⁴² Right in the middle of the reverse, SMEA-45 1 bears an imprint of about 2 × 1 cm with a relatively uniform pattern that obliterates some of the signs. D. Beyer (2001: 16, 438, 447) argues that this is the royal *sissiktum*, i.e., an impression of the hem of a garment of the king (CAD S: 322–325). Given that the hem could replace a personal seal in legal records, Démare-Lafont concludes that it essentially functioned as a “symbole de la personnalité juridique de celui qui l'utilise” (2008a: 13; cf. Malul 1988: 299–309; Podany 2010: 51–53; Tanaka 2013: 66–81). However, it is unclear why SMEA-45 1 was sealed with this technique. Salvini and Trémouille (2003: 228) consider that the official seal might have been unavailable at the time when the letter was drafted, or that perhaps the affair was deemed unimportant or too “private.” Since this is apparently the only recorded *sissiktum* in the Hittite corpus (Salvini and Trémouille 2003: 228), one may tentatively suggest that the ruler borrowed a legal mechanism in use at Emar and other Syrian cities (e.g., Ekalte; see Marti 2007), adapting it to the sealing procedure he was familiar with: the imprint seems to be positioned in the same way as the royal seal in the documents found at Ḫattuša (although most of the latter are sealed on the obverse; see Herbordt 2005: 25–39; Waal 2015: 44–48), and, unlike other examples from the Middle Euphrates region, it is not accompanied by a descriptive formula with the name of the owner of the hem (cf., for instance, ETBLM 4:35'–38').

⁴³ RE 54:3b–5 reads: *ṭup-pa.ḪI.A ša É-ti-ya / ṽiṽ-ta-ap-ru-mi ù LUGAL ṭup-pa.ḪI.A / ša-a-na-ti-ma ù-ut-te-di-iš-šu-nu-ti*, “they sent the tablets concerning my house, and the king renewed these tablets with others.” However, A. Tsukimoto has suggested that the verbal form *ṽiṽ-ta-ap-ru* could be derived from *labāru* and therefore translates “die Urkunden bezüglich meines Hauses sind veraltet” (1998: 188; cf. Huehnergard 2001: 136). He further notes that “mit ‘veraltet sein’ ist gemeint, daß die Tafel entweder äußerlich beschädigt oder inhaltlich veraltet war, wobei ich letzteres für wahrscheinlicher halte” (1998: 188).

With these considerations in mind, it is possible to envisage an alternative sequence of events where: (1) Muršili II gave an order to Šaḫuruwuwa and, as suggested by *Emar* 201:15–18, the latter actually carried it out; (2) many years later (around thirty, according to Cohen and d'Alfonso),⁴⁴ Zū-Ba'la turned to Ini-Teššub in order to define certain provisions for his succession, and in this process the king confirmed his rights over the estate of Adda-mālik.⁴⁵ Validation by means of a sealed record might have been necessary to neutralize potential claims if an inheritance dispute arose, especially considering that Ḫimaši-Dagan, now deprived of his patrimonial rights, was still in possession of another document that also had the seal of Ini-Teššub.⁴⁶ The c. thirty-year gap that has to be assumed in this reconstruction, resulting from the interval between the end of Muršili II's reign and the beginning of Ini-Teššub's, is certainly puzzling: S. Démare-Lafont and D. E. Fleming point out that “the M-1 archive does not preserve evidence for such a long occupation of the diviner's office by Zu-Ba'la, as by a larger collection of texts identified with him.”⁴⁷ However, this partial lack of evidence may well be a consequence of different factors related to the formation of the archive and/or archaeological chance, among other possible explanations.

2. Yamada rejects Skaist's hypothesis, claiming that the title ^dUTU-šī in *Emar* 201:6 refers most probably to the king of Ḫatti who was in office when the testament was drawn up, and that the individual mentioned in the following line (^mmur-šī-[DINGIR-lī]) was not the same person, but a preceding ruler.⁴⁸ He goes on to surmise that if the latter is identified

⁴⁴ Cohen and d'Alfonso 2008: 13 n. 41; see also d'Alfonso 2000: 275.

⁴⁵ d'Alfonso (2000: 275) considers that a confirmation of the previous king's decision was probably made in the first years of the following ruler, right after his installation on the throne.

⁴⁶ See note 13 above. In fact, according to Skaist, “it is very likely that the history of the property of Adda-malik was placed before the actual testament in order to emphasize that even though Ḫešmi-Dagan may have had documents stipulating that he was to receive the property of Adda-malik, the final right of disposition remained with Zū-Ba'la” (2005: 612 [italics removed]). Moreover, Solans (2011: 204 n. 250) points out that perhaps it was the diviner himself—if we accept Durand and Marti's restoration of *Emar* 201:18 (ⁱ1-[na-an-na ku-un-ka]-šu-/[nu-ti])—who requested the transfer of goods under seal.

⁴⁷ Démare-Lafont and Fleming 2015: 51 n. 32.

⁴⁸ Yamada 2007: 798–799; 2013: 138.

with Muršili III, then *Emar* 201 should be dated to the reign of one of his immediate successors. And since it has often been assumed that during the reigns of both Ḫattušili III and Tudḫaliya IV the Anatolian name Muršili was intentionally avoided when referring to Urḫi-Teššub,⁴⁹ Yamada considers that the scribes responsible for *Emar* 201 (*i.e.*, Marianni and Puḫi-šenni)⁵⁰ would have replaced it with the Hurrian one. Even though this line of reasoning is not without logic, it should be noted that the lacunae in *Emar* 201:5–6 preclude a full and unequivocal reading of the text.⁵¹

3. The evidence of contact between Ḫatti and the land of Aštata during Muršili II's reign offers a coherent background for SMEA-45 1 and ETBLM 32, favoring an identification with this king rather than with Muršili III.⁵² In fact, Zū-Ba'la is described by the Hittite sovereign as a “man of Aštata” (LÚ URU.aš-ta-ta) in SMEA-45 1:5. Three texts are of particular relevance here:

- KBo 4.4+ ii 59–62: from the annals of Muršili II we know that this ruler visited the region of Aštata in his ninth year, built a fortress there, and garrisoned it.

- KUB 14.4 iv 10–23: Muršili II's prayer about the misdeeds of his stepmother, the Tawannanna, deals with an incident involving the “silver of Aštata.”⁵³

- KUB 5.6+: this oracle report is the result of an inquiry conducted in order to determine the cause of an unnamed Hittite king's sickness (most probably Muršili II).⁵⁴ According to KUB 5.6+, a certain deity had to be worshiped “in the manner of Aštata” and therefore someone

⁴⁹ See the remarks by Cammarosano (2009: 195) concerning this putative “throne name *damnatio memoriae*.”

⁵⁰ On these officials, see d'Alfonso 2000: 279–280, 283–284; Adamthwaite 2001: 49–50; Mora 2004b: 435–436, 441; Cohen 2009: 112; Balza 2012.

⁵¹ See note 33 above.

⁵² See Cohen and d'Alfonso 2008: 13 n. 41; d'Alfonso 2011: 172 n. 19. For an overview of the Hittite documents concerning the land of Aštata, see Archi 2014.

⁵³ See de Martino 1998; Singer 2002: 73–77; Miller 2014.

⁵⁴ See most recently Ünal 2005; Beckman *et al.* 2011: 183–209.

was apparently sent there in order to bring a local priest (LÚ.SANGA) to Ḫattuša.⁵⁵ This text also mentions that the people of Aštata advised the Hittites to “incinerate birds before the deity” (KUB 5.6+ i 44'–48'). It is interesting to note here that Ba' al-qarrād, Zū-Ba' la's eldest son and heir, employed a seal depicting a scene that may be interpreted as the ritual incineration of a bird offered by a royal figure to a god (**Fig. 1**).⁵⁶ However, this iconographic representation and the events described in KUB 5.6+ are not necessarily connected.

4. d'Alfonso argues that Muṣšili II sought to impose an administrative model in Syria based on the direct contact with the local powers:

*Following the conquests of Suppiluliuma, the newly installed Hittite governors faced a dynamic opposition in the form of some powerful Syrian dynasties. This dynamic led the Hittite governors to develop their own general vision and broad guidelines for the many lands of the Syrian region. Further, the central imperial command did not have full control over military power in the region, because a significant portion of the troops was under the control of one of these new Hittite governors, the king of Karkamiš. Therefore, Mursili II had to correct the relationship between central command and local administrations in Syria by direct intervention.*⁵⁷

If we assume that it was actually Muṣšili II who responded to Zū-Ba' la's complaint, the political meaning of his decision may be interpreted from a different perspective—especially in the light of CTH 63.2.⁵⁸ This document is concerned with a dispute between Tuppi-Teššub of Amurru and three prominent Hittite representatives in Syria,

⁵⁵ In A. Archi's opinion, it is quite probable that this priest was “a member of the important family of Zū-Ba' la, if he was not Zū-Ba' la himself” (2014: 147).

⁵⁶ See Beyer 2001: 84, 351 n. 655; cf. also Minunno 2013: 44–45. An anonymous reviewer suggests that the shapes upon the altar are probably bread loaves, and that the figure to the left is just displaying his associated symbol, as usual in Syro-Hittite glyptic, rather than consigning the bird to the flames. On the attribution of this seal to Ba' al-qarrād, see Cohen 2009: 155–156.

⁵⁷ d'Alfonso 2011: 173.

⁵⁸ Re-edited with new joins in Miller 2007.

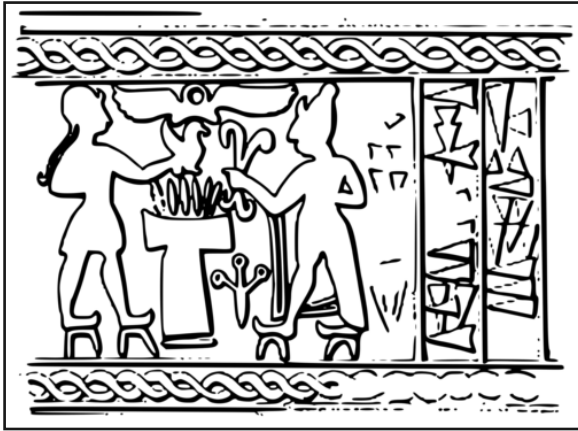


Fig. 1. Seal of Baʿal-qarrād (after Beyer 2001: 84).

one of whom was the king of Karkemiš.⁵⁹ Tuppi-Teššub’s antagonists had apparently refused to return some civilian captives from Kinahḫa to the ruler of Amurru, and instead had resettled them elsewhere. The fact that these officials acted jointly seems to indicate, as noted by d’Alfonso, that they intended to “eke out a political space in Syria well beyond the borders of their individual lands.”⁶⁰ Therefore, Muršili’s decision in favor of Tuppi-Teššub could be understood as an attempt not only to preserve the diplomatic ties with Amurru, but also to limit the political autonomy of his own subordinates.⁶¹

A similar rationale might explain the king’s attitude toward Alziyamuwa: apart from the potential advantages of having Zū-Baʿla as an ally in the region of Aštata, Muršili may have seized this opportunity to strengthen his authority over the provincial administration. In

⁵⁹ A certain Tudḫaliya is also mentioned among Tuppi-Teššub’s opponents in CTH 63.2. J. L. Miller (2007: 131–132, 137–138) suggests that he might have controlled the land of Aštata, based on a tentative restoration of KUB 19.31 obv. 5ʹ. On the possible identification of this individual with a Hittite official from Alalaḫ, see Niedorf 2002; Miller 2007: 137 n. 40; de Martino 2010: 93–94; Fink 2010: 53–54; d’Alfonso 2011: 166–167; Yener *et al.* 2014.

⁶⁰ d’Alfonso 2011: 168.

⁶¹ In this respect, Miller (2007: 143–144) points out that Muršili had previously issued another decree concerning the captives from Kinahḫa that seems to have been completely ignored by Tuppi-Teššub’s antagonists.

fact, the order given to Alziyamuwa was also detrimental to the interests of a certain Palluwa, who had received Zū-Ba'la's confiscated property.⁶² Singer suggests that this Palluwa could perhaps be identified with a Hittite prince known from two seals found at Alalah, where he carries the hieroglyphic title REGIO.DOMINUS ("country-lord").⁶³ This designation might be equivalent to cuneiform UGULA.KALAM.MA, "overseer of the land," one of the highest ranks of the Hittite bureaucracy in Syria.⁶⁴

CONCLUSION

The imposition of taxes upon Zū-Ba'la and the confiscation of his landed property have been widely understood as arbitrary and abusive measures carried out by one or more Hittite functionaries. However, the data at hand are currently insufficient to determine whether or not this was a case of corruption. Thus, we should not disregard the possibility that Alziyamuwa had put into effect both legal procedures within the limits imposed by his official prerogatives, or that he had misapplied a royal policy but did not intend to obtain illicit benefits. Zū-Ba'la's reaction was perhaps an expression of the indigenous resistance toward some of the laws and practices introduced by the Hittites in the land of Aštata.

Although the identity of the sovereign who sent SMEA-45 1 remains uncertain, it is clear that he issued an ad hoc ruling against the interests of one or two of his own subordinates (*i.e.*, Alziyamuwa and Palluwa). This decision might have been motivated by a sense of justice and royal duty, as suggested by Singer.⁶⁵ However, it could also

⁶² See SMEA-45 1:6–9.

⁶³ Singer 2000: 69–70. See the remarks by A. S. Fink (2010: 55) concerning the potential correlation between the find-spot of one of the seals of Palluwa at Tell Atchana/Alalah and the dating of SMEA-45 1 (but cf. Akar 2012 for a critical assessment of Fink's stratigraphic sequence).

⁶⁴ Singer 2000: 70; see also Mora 2004a. Since the high officials stationed in Syria usually had a close connection with the court of Karkemiš, Singer suggests that the king may have intentionally avoided mentioning Palluwa in ETBLM 32.

⁶⁵ Singer 2000: 70.

have been driven to some extent by *Realpolitik* concerns, especially if we assume that the incumbent ruler was Muṣṣili II. Considering the growing involvement of Karkemiš in the Syrian geopolitical scenario, the king may have intended to hinder the ambitions of the imperial bureaucracy and at the same time to benefit an actual or potential ally from the Middle Euphrates region.⁶⁶ In fact, the Hittites managed to establish a long-term partnership with the family of the diviner. Through this arrangement, the courts of Ḫatti and Karkemiš had the opportunity to reinforce their influence upon native ritual life,⁶⁷ while Zū-Baʿla and his successors could obtain some sort of protection or privileged treatment in return.⁶⁸

⁶⁶ In discussing royal intervention against the concentration of landed property by Hittite officials, Imparati writes: “Quindi il monarca ittita non soltanto vuole offrire di sé un’immagine di clemenza nei riguardi delle famiglie dei colpevoli, di protezione verso i deboli, i poveri e gli oppressi, di equità nell’esercizio della giustizia, di devozione alle divinità, di generosità nel concedere benefici - immagine che, per altro, non può che giovargli nell’esercizio del potere - ma anche intende tutelare concretamente la stabilità di questo col mantenimento di equilibri economici volti a contenere le grandi fortune e a difendere la pluralità delle fortune esistenti” (1988: 234). Likewise, Pruzsinszky and Solans (2015: 323–324) consider that the “treaty of Emar” (see note 32 above) and the edict of Ḫattušili III concerning the merchants of Ura at Ugarit (RS 17.130 and dupl.) seem to aim at protecting the local equilibrium from an eventual collapse produced by the economic activities of other inhabitants of the empire who enjoyed political privileges.

⁶⁷ See Archi 2014; Michel 2014: 213–260 (both with previous literature).

⁶⁸ The evidence at our disposal is too scant to provide a precise characterization of the relationship between the diviners of the Zū-Baʿla family and their overlords. It could perhaps be understood through the lens of patronage, broadly defined as a personal and voluntary long-term bond between partners of unequal socio-economic status, *i.e.*, a dominant patron and a subordinate client, based on the reciprocal exchange of goods and services (Westbrook 2005; for a wider comparative approach, see Eisenstadt and Roniger 1984). This idea, initially developed in the present author’s BA thesis, was suggested independently by L. Fijałkowska and J. Mynářová (2017). Patronage has been employed as an interpretative model in the field of ancient Near Eastern studies to describe, for instance, the link between the king and his scholars during the Neo-Assyrian period (Holloway 2002: 223–225; Westbrook 2005: 222–223; Radner 2011: 363–365; 2015: 66–67; Robson 2011), the self-representation of an Egyptian nomarch called Ankhtifi (Assmann 2002: 94–105), or the portrayal of the relation between the Judeans and Yahweh in the book of Daniel (Kirkpatrick 2005). E. Pfoh (2016) suggests that this conceptual framework can be applied on a larger scale to analyze the whole socio-political matrix of Syria-Palestine during the Late Bronze Age.

The diviners of Emar were involved in a number of exclusive activities that segregated them from the rest of the population, such as the supervision of public religious affairs or the transmission of cuneiform literacy and scholarly knowledge.⁶⁹ In the eyes of the local community, and probably of some foreign observers, they operated as mediators between the sacred and the secular domains. Hence, their potential impact on everyday political matters and decision-making processes should not be underestimated.⁷⁰ Zū-Ba'la's successful claim against Alziyamuwa is a reminder of how ancient experts could actively shape not only the world view but also the power relations of their time.⁷¹

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⁶⁹ On the prestige value of the Babylonian lexical tradition at Emar, see Veldhuis 2012: 92–96. An official identified as “the diviner” also performs various tasks in the ritual texts, including the scattering of seed in what appears to be some kind of sowing rite (*Emar* 446:51) and the anointing of the NIN.DINGIR priestess (*Emar* 369:20–21); see Fleming 1992: 89.

⁷⁰ See Arnaud 1987a: 12; Démare-Lafont 2008b.

⁷¹ See Pongratz-Leisten 2013.

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