AN APPRAISAL OF EKALTE 11 (MBQ-T 65): 34 FROM TALL MUNBĀQA (SYRIA)

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ABSTRACT

The Akkadian text from Tall Munbāqa-Ekalte (Syria): Ek 11 (MBQ-T 65) contains on its line 34 a rather bizarre passage which still remains without a coherent translation since the Ekalte texts were published. Although this document uses a similar legal phraseology generally employed in the Ekalte documents, it shows an interesting difference in using the logogram Ì.LÁ.E and the penalty clause. These are expressed through a different clause pattern. The clear economic nature of the context assures in any case that Ì.LÁ.E is not used in this text in its normal position in the apodosis formula, but in the protasis. The aim of the present paper is to investigate this problematic context and to offer some new perspectives on trying to understand this difficult passage in the Akkadian of Ekalte.

RESUMEN

El texto acadio de Tell Mumbāqa-Ekalte (Siria): Ek 11 (MBQ-T 65) contiene en su línea 34 un pasaje sumamente raro que todavía permanece sin traducción coherente desde que se publicó este archivo. Aunque este documento emplea una fraseología legal similar a la de otros textos de Ekalte, muestra una diferencia interesante en la utilización del logograma Ì.LÁ.E y su cláusula de penalización. Éstos –logograma y cláusula de penalización– se expresan mediante un patrón desconocido. El claro contexto económico del pasaje asegura, en cualquier caso, que Ì.LÁ.E no se usa en este texto en su posición normal en la apodosis, sino claramente en la prótasis. El objetivo de esta contribución es investigar este problemático contexto del acadio de Ekalte y ofrecer nuevas perspectivas de interpretación.

KEYWORDS
Akkadian, Ekalte

PALABRAS CLAVE
Acadio, Ekalte

1. On some inconsistencies in the Akkadian of Ekalte

The real estate sale contracts from Tall Munbāqa-Ekalte[1] usually show a legal formulaic pattern. A final curse formula in the documents of the type: *ša awati(m) anna/eti*, 'He who these words …', is regularly followed by three different, though rather equivalent, Akkadian verbs: *unakaru* (in the D stem), *ibaqaru* and *iragumu* (in the G stem). This legal formula is also regularly followed by a penalty clause containing different kinds of punishment against those who, after the contract has been made official, might alter the conditions agreed in the transaction and accordingly established in the indentures.

In a number of the Ekalte documents we find the uncommon logographic expression Ì.LÁ.E.[2] Although this logogram is still very poorly documented among Syrian Akkadian archives, it is also found in the Akkadian texts from Tell Atshana-Alalakh in the Amuq valley[3] and, more interestingly for Ekalte studies, in the sale documents from Emar, also in the Euphrates area. This logogram Ì.LÁ.E has generally been interpreted as

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[1] MAYER 2001.
[2] MAYER 2001, p. 172.
[3] See WISEMAN 1953, p. 20; GIACUMAKIS 1970, p. 103. To our knowledge, this formula is only once documented in the Mittannian Alalakh archives from Level IV: namely Al.T.75:12', see WISEMAN 1954, p. 7; NIEDORF 2008, p. 326.

corresponding to Akkadian *šaqālu*, 'to pay', since the economic context in which it normally occurs clearly points to this general meaning. At the end of the sale contracts from Ekalte, the following formulaic pattern employs Ì.LÁ.E: "*Whoever in the future raises a claim for the field/house will pay* (Ì.LÁ.E) *1000 shekels to the city-god and 1000 shekels to the town*".[4] Two contracts from ancient Azû (modern site of Tall Hadidi, on the Syrian Euphrates) also include this dissuasive clause.[5] In addition, it is interesting that four documents from Ekalte (Ek 10, 61, 62, and 73) use the plural expression Ì.LÁ.E.MEŠ, which still remains without parallels in peripheral (Syrian) Akkadian texts.

On the other hand, it is also interesting to observe that the consequences for breaking a sale agreement are differently expressed in the texts from Ekalte and Emar: some Ekalte documents invoke certain divinities of the local pantheon through a curse formula (Ek 7, 22, 43, 70),[6] whereas other texts stipulate penalty clauses of payment (Ek 3, 4, 5, 6, 7, 8, 10, 62, 73, 74, 79, 80). It is also significant that only few sale contracts record both penalty clauses and a curse formula (Ek 2, 6, 9 and 61). Furthermore, it is interesting that several variations of a single legal pattern, shared with nearby Emar, are attested in the texts from Ekalte.[7] In our opinion, it is worth noting this remarkable *normal irregularity* in the use of legal formulaic pattern for penalty clauses in the sale contracts from Tall Munbāqa (also with regard to the not too unusual writing Ì.LÁ.E.MEŠ cited above).

2. An epigraphic analysis of Ek11(MBQ-T 65):34

This scribal inconsistency in the Akkadian of Ekalte seems especially interesting on trying to understand the rather bizarre passage in text Ek 11 from Tall Munbāqa, still completely obscure since the texts were published. Certainly, in Ek 11 (MBQ-T 65): line 34, we do find a formula which uses a legal phraseology similar to the one employed in the bulk of the Ekalte documents referred to above. However, it shows an interesting difference: not only the logogram Ì.LÁ.E, but also the penalty clause are expressed through a different pattern.[8] On the other hand, it is remarkable that the passage follows the abovementioned common rule of unfinished penalty clauses from Ekalte:[9]

[31] *ša ur-ra še-ra ki-ir-* [32] *ṣi-tam ù* ᴳᴵˢKIRI₆ *i-ba-qa-ru* [33] 1 *li-im* KÙ.BABBAR *a-na* ᵈ*Ba-aḫ-la-ka* [34] *ša a-wa-tim an-n*[*é-t*]*i* Ì.LÁ.E *ša-du-ti* [35] [*ú-na*]*-ka-ru* ᵈI[ŠKUR] [*ù*] *Da-g*[*an-m*]*a*.

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[4] *ša ur-ra*(*-am*) *še-ra*(*-am*) É/A.ŠÀ *i-bá-qa-ru* 1 *li-im* KÙ.BABBAR *a-na* ᵈ*Ba-aḫ-la-ka* 1 *li-im* KÙ.BABBAR *a-na* URUᴷᴵ Ì.LÁ.E. Ek 2:21-25; Ek 3:23-28; Ek 4:21-25; Ek 5:22-25; Ek 6:20-23; Ek 7:20-24; Ek 8:20-22; Ek 9:21-25; Ek 10:21-24; Ek 12:20-22; Ek 15:12-15; Ek 16:24-27; Ek 18:17-18; Ek 20:25-27; Ek 45:24-27; Ek 47:32-36; Ek 48:21-26; Ek 50:24-26; Ek 51:25-26; Ek 56:34-37; Ek 61:21-24; Ek 62:12-16; Ek 73:24-28; Ek 74:21-23; Ek 79:3'-5'; Ek 80:17-21; Ek 83:26-28; Ek 85:27-28; Ek 90:14-19; Ek 96:19-20; Ek 98:18-22.

[5] Had 2:27-30; Had 10:17-22.

[6] The complete curse which often followed the penalty clause was formed by a protasis (*ša a-wa-ti an-né-ti ú-na-ka-ar/i-bá-qa-ar*) and one or two apodosis: the first apodved the erection of a standing stone or *sikkānum* (NA₄.*sí-kà-na a-na* É-*šu li-iz-qú-up*), of which ultimate purpose remains a mystery. Both curses are also attested in nearby Emar, as can be seen, for instance, in E 17:32-40 (see ARNAUD 1985–1987; see also DURAND – MARTI 2003).

[7] See recently TORRECILLA 2012.

[8] We do not follow MAYER 2001, pp. 85-86, where Ì.LÁ.E is interpreted as part of the previous sentence; Mayer also suggests that *ša-du-ti* should be read as *ša <šu->du-ti*.

[9] See MARTI 2006.

Unfortunately, the photo provided in Mayer's edition, *ibid.* Tafel 50, does not allow us to recognize clear traces after *an-né-* at the end of line 34. However, if we follow Mayer's hand copy of this text in Tafel 6, it is our opinion that Ek 11 (MBQ-T 65): 34 could well read: *ša a-wa-tim an-n*[*é-t*]*i* Ì.LÁ.E *ša-du-ti* '*Whoever these words of the payment of the collection*', being the entire translation of the second penalty clause in this text, lines 34-35 as follows: '*Whoever these words of the payment* (Ì.LÁ.E) *of the collection* (*ša-du-ti*) *modifies, may Addu and Dagan* (…)' –penalty clause unfinished–. It is remarkable in any case that the text, according to the authorized photo and to Mayer´s hand copy, clearly sets the formula Ì.LÁ.E as being part of the protasis, instead of its normal position in the apodosis. A possible nominal concept of Ì.LÁ.E as 'payment' anyway expressed through the infinitive verbal form *šaq lu* 'to pay' (*šaqāl ša-du-ti*) would then seem, in this bizarre context, likely. In any case, as a new inconsistency feature in the Akkadian of Ekalte, it represents the only attestation of Ì.LÁ.E as being part of a protasis formula in Syrian Akkadian texts. Our analysis of this unusual –but clear– position of Ì.LÁ.E in the protasis of Ek 11:34 brings us to consider what appears to be the use of the Akkadian (Old-Babylonian/ Old-Assyrian) economic term *šadutu* after *šaq lu* 'to pay' (Ì.LÁ.E) in the present penalty clause from Tall Munbāqa.

3. *šadutu* in Middle Babylonian?

The Akkadian economic terms *šadd*('*a*)*tum* and *šadduttum* are separately listed in the Akkadian dictionaries *Akkadisches Handwörterbuch* (AHw)[10] and *The Chicago Assyrian Dictionary* (CAD). The CAD distinguishes between **šaddu'atu* (*šaddu'utu*) for Old-Assyrian and *šadduttu* for Old-Babylonian.[11] Both dictionaries respectively give the Akkadian verb *nadû* as original root for the first term *šadd*('*a*)*tum* and **šaddu'atu* (*šaddu'utu*), whereas only CAD Š I, p. 47a gives the verb *nadānu* as original root for *šadduttu*.

Under *nadû*(*m*) III, in the Š stem, AHw p. 708b 6) provides several Old-Assyrian verbal forms derived from *šuddu*, *šuddi*, although they are scarcely documented and remain as problematical attestations in clear economic contexts for silver meaning '*hinterlegen, deponieren lassen*' ('to make somebody pay'). These forms are: *ša-di-šu* or *ša-du-im*, in which the *ša-* prefix stands for an infinitive Š stem of *nadû* in the Assyrian dialect *šandu'u* turning into *šaddu'u*.[12] CAD N I, p. 69a 7 also gives *šuddû* the sense of 'to have someone make a payment, a deposit' in economic contexts, whereas for Akkadian *nadānu* in the Š stem, also in economic contexts, AHw p. 703a gives *šaddunu* the sense of '*geben lassen, eintreiben*' ('to collect').

On the other hand, *šaddunu*, from Akkadian *nadānu*, with the *ša-* prefix of the infinitive Š stem ('to make somebody give') reveals the provenience of the abstract substantive ending *–ūtum* in *šadduntu* or *šadduttum* 'collection'.[13] Thus, as the Assyrian forms *šaqquru* or *šandu'u* turning into *šaddu'u* (from *nadû*), Akkadian *šaddunu* and *šadduttum* also seem Assyrian dialectal forms (verbal infinitive and abstract noun, respectively) derived from *nadānu* in the Š stem.[14]

From the discussion above, it becomes clear that the nominal form *šaddū*('*a*)*tum* from *nadû* is to be understood as a 'fee (to be) paid' –so CAD Š I, p. 43b– whereas

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[10] AHw p. 1124a.

[11] We sincerely thank R. Biggs for useful (e-mail) comments on the complex significance of the use of the asterisks * and ** for difficult Akkadian words throughout the CAD. See CAD Š I, pp. 43 and 47,

[12] See parallel forms from Akkadian *banûm* under GAG, Verbalparadigma 32, p. 41*.

[13] CAD Š p. 47.

[14] See parallels from Akkadian *naqārum* under GAG, Verbalparadigma 22, p. 27*.

šadduttum from *nadānu* is to be translated as a regular 'collection (of debts)' –here we follow CAD Š I, p. 47b as well–, also supposed to be paid.

Both terms *šaddū(ʾa)tum* (from *nadû*) and *šadduttum* (from *nadānu*) occur in clear economic contexts. It is also important to note the usual compulsory character of these 'fees' -*šaddū(ʾa)tu-* and 'collections (of payment)' –*šadduttu*–, generally paid to administrative authorities. It is also important to note that from Akkadian *šadduttu* some interesting shortened forms spelt *ša-du-ti(-im)/-tim* in Mesopotamian legal documents are also found.[15] Since *šadutu* in economic contexts could stand for a shortened nominal form from both *nadû* and *nadānu*, it remains unclear how should it be interpreted in the Š stem. In any case, *šadutu* in this text, if Mayer´s copy is right, would appear to be an Assyrian form of a well contextualized economic term maybe not too uncommonly employed in northern Syria. Morphologically, it is a well-known typical Akkadian abstract noun in –*utu*.

In the clear economic context of this penalty clause in Ek 11:34-35: ʻ*Whoever these words of the payment* (Ì.LÁ.E) *of the collection* (*ša-du-ti*) *modifies, may Addu and Dagan* (…)ʼ, it seems to us that *šadutu* could well have survived as an economic concept in legal practice in Middle Babylonian economic texts from Late Bronze Age Syria. The bizarre character of the passage certainly poses still big problems, for which our present proposal should just be taken as an essay to solve this difficult context in Ek 11:34. It goes without saying that this interpretation should cautiously remain as an open suggestion towards understanding Syrian Akkadian singularities that will need further parallels.

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[15] CAD Š I, p. 47b.

WISEMAN 1954 = D. WISEMAN, "Supplementary Copies of Alalakh Tablets", *Journal of Cuneiform Studies* 8, 1954: 1-30.

ABBREVIATIONS

AHw = W. VON SODEN, *Akkadisches Handwörterbuch* I-III, Wiesbaden 1972-1985.

Al.T. = Abbreviation of D. WISEMAN, *The Alalakh Tablets*, Occasional Publications of the British Institute of Archaeology at Ankara, 2, London 1953.

CAD = *The Assyrian Dictionary of the Oriental Institute of the University of Chicago*, Chicago/Glückstadt 1956ff.

Ek = Ekalte (ancient name of modern Tall Munbāqa, Syria)

GAG = W. VON SODEN, *Grundriss der akkadischen Grammatik*, Analecta Orientalia 33/47, Pontificium Institutum Biblicum, Roma 1969.

Had = Tall Hadidi, Syria.

MBQ = Tall Munbāqa (modern site of ancient Ekalte, Syria).