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**PHILOLOGICAL NOTES ON ESHNUNNA
AND ITS INSCRIPTIONS**

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PHILOLOGICAL NOTES ON
ESHNUNNA AND ITS INSCRIPTIONS

By
THORKILD JACOBSEN



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FOREWORD

The three essays contained in this study are intimately related to the work of the Iraq Expedition, in which their author has taken an active part—and not only as epigrapher—from its inception.

The first embodies the results of an investigation undertaken by Dr. Jacobsen in 1930, to determine which form of the ancient name of Tell Asmar had the best claim to be adopted by us. For various reasons the originally listed occurrences of the name could not be re-numbered when new material, published or discovered since the writing of the essay, was inserted in the proofs. The dating of the material is largely based on stratigraphical evidence.

In the second essay Dr. Jacobsen publishes an important discovery made in the otherwise unimportant upper strata of an area excavated in the season of 1931/32. It proves incidentally the correctness of a thesis which he had propounded during the previous summer at the XVIIIth International Congress of Orientalists in Leyden.

The third essay deals with a letter found at Tell Asmar in 1930. It is treated separately from the other documents of its class, because Dr. Jacobsen considers it evidence that by the end of the 3d millennium B.C. Eshnunna was adhering in legal matters more closely to Assyrian than to Babylonian usage. It is important that a similar conclusion has followed from a study of the archeological material. Several architectural and glyptic traits, for instance, group Eshnunna with Assur in the north and sometimes with Susa in the south instead of with Babylonia proper. And though in some cases the ethnic peculiarity of the region east of the Tigris seems to account for the difference, at other times there is clear proof of the continued validity of a Sargonid, Akkadian tradition as its cause, and the parallel with the letter of Išur-Adad is then complete.

Thus this study aptly exemplifies a characteristic of the Oriental Institute's work in Iraq by which we ourselves set great store, namely the intimate correlation of literary and material remains, of philology and archeology, in the reconstruction of its ancient history.

HENRI FRANKFORT

TELL ASMAR
January, 1934

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LIST OF ABBREVIATIONS

<i>AD</i>	Langdon, <i>Tablets from the Archives of Drehem</i> (Paris, 1911)
<i>AJSL</i>	<i>American Journal of Semitic Languages and Literatures</i>
<i>As.</i>	Tell Asmar
<i>CH</i>	Code of Hammurabi
<i>CL</i>	Jean, <i>Contrats de Larsa</i> (Musée du Louvre. Département des antiquités orientales, "Textes cunéiformes" X [1926])
<i>CT</i>	<i>Cuneiform Texts from Babylonian Tablets, &c., in the British Museum</i>
<i>KAH</i>	Otto Schroeder, <i>Keilschrifttexte aus Assur historischen Inhalts</i> II ("Wissenschaftliche Veröffentlichung der Deutschen Orient-Gesellschaft" XXXVII [Leipzig, 1922])
<i>KAR</i>	Ebeling, <i>Keilschrifttexte aus Assur religiösen Inhalts</i> III ("Wissenschaftliche Veröffentlichung der Deutschen Orient-Gesellschaft" XXVIII 3 [Leipzig, 1917])
<i>KAV</i>	Schroeder, <i>Keilschrifttexte aus Assur verschiedenen Inhalts</i> ("Wissenschaftliche Veröffentlichung der Deutschen Orient-Gesellschaft" XXXV [Leipzig, 1920])
<i>Lutz</i>	Lutz, <i>Legal and Economic Documents from Ashjdly</i> ("University of California Publications in Semitic Philology" X 1 [1931])
<i>Lutz IX 2</i>	Lutz, <i>Sumerian Temple Records of the Late Ur Dynasty</i> ("University of California Publications in Semitic Philology" IX 2 [1928])
<i>MDP</i>	<i>Mémoires de la Délégation en Perse</i>
<i>MVAG</i>	<i>Mitteilungen der Vorderasiatisch-ägyptischen Gesellschaft</i>
<i>OBI</i>	Hilprecht, <i>Old Babylonian Inscriptions</i> I (The Babylonian Expedition of the University of Pennsylvania. Series A: "Cuneiform Texts" I [Philadelphia, 1893])
<i>OECT</i>	<i>Oxford Editions of Cuneiform Texts</i>
<i>OIP XI</i>	Chiera, <i>Sumerian Lexical Texts from the Temple School of Nippur</i> ("Oriental Institute Publications" XI [Chicago, 1929])
<i>OLZ</i>	<i>Orientalistische Literaturzeitung</i>
<i>PBS</i>	University of Pennsylvania. The University Museum, "Publications of the Babylonian Section"
<i>R</i>	Rawlinson, <i>The Cuneiform Inscriptions of Western Asia</i> I-V (London, 1861-84; Vol. IV, 2d ed., 1891)
<i>RA</i>	<i>Revue d'assyriologie et d'archéologie orientale</i>
<i>RISA</i>	Barton, <i>The Royal Inscriptions of Sumer and Akkad</i> (New Haven, 1929)
<i>RT</i>	<i>Recueil de travaux relatifs à la philologie et à l'archéologie égyptiennes et assyriennes</i>

<i>RTC</i>	Thureau-Dangin, <i>Recueil de tablettes chaldéennes</i> (Paris, 1903)
<i>SAK</i>	Thureau-Dangin, <i>Die sumerischen und akkadischen Königsinschriften</i> ("Vorderasiatische Bibliothek" I [Leipzig, 1907])
<i>SBH</i>	Reisner, <i>Sumerisch-babylonische Hymnen</i> ("Mittheilungen aus den orientalischen Sammlungen" X [Berlin, 1896])
<i>SBP</i>	Langdon, <i>Sumerian and Babylonian Psalms</i> (Paris, 1909)
<i>T.A.</i>	Tell Asmar
<i>TD</i>	H. de Genouillac, <i>Tablettes de Dréhem</i> (Paris, 1911)
<i>YOS</i>	"Yale Oriental Series," <i>Babylonian Texts</i>
<i>ZA</i>	<i>Zeitschrift für Assyriologie</i>

I

THE NAME OF ESHNUNNA

INTRODUCTION

The name of Eshnunna has been handed down to us in different orthographies, and a not inconsiderable uncertainty as to its reading still prevails among scholars. I need only mention readings as different as *Tupliaš*, *Abnunnak*, *Ašnunnak*, *Ešnūnna*, etc.

While this uncertainty as to the reading of the name Eshnunna in itself would make a closer study of the material advisable, the necessity of having a uniform rendering of the name for the publications of the excavations has made the undertaking of this study imperative.

However, the relatively short time which has been at my disposal for collecting the material has made it impossible to search the cuneiform literature as thoroughly as I should otherwise have done. The collection of material presented in the following pages therefore lays no claim to completeness; nevertheless I believe that it is sufficiently representative to permit us to follow in outline the historical development of the writing of the name Eshnunna.

Before presenting the material I shall deal with one reading which is based on a misconception; it is the reading *Tupliaš*, which not so long ago dominated in Assyriological literature.

The basis for this reading is the syllabary II R 39, No. 5, where we read in line 59

è š - n u n - n a^{ki} // ^{mat}tup-li-ia-áš.¹

This passage was taken to mean that ^{mat}tupliaš was the phonetic rendering of an ideographic group ÈŠ.NUN.NA.KI. However, the numerous variants to ÈŠ.NUN.NA.KI show plainly that this writing is not ideographic but phonetic in character: è š - n u n - n a^{ki}; so the passage cannot be intended to tell us anything about the *reading* of the name. It must be a geographic note to the effect that the old city of Eshnunna was situated in the district which—at the time the syllabary was written—was called ^{mat}tupliaš. This “reading” should therefore be discarded altogether; there is no proof, not even a probability, that the name *Tupliaš* was ever used as a name for the city of Eshnunna.

¹ Spaced roman represents Sumerian; italics are used for Akkadian etc.

MATERIAL ON WHICH THE STUDY IS BASED

DYNASTY OF AGADE

Transliteration	Translation	Source
(1) <i>in iš-nun^{ki}</i>	in Eshnunna	Unpublished ²
(2) <i>a-na iš-nun^{ki}</i>	to Eshnunna	Unpublished ²
(2a) <i>i-nu-mi en-bi-ig-ḥa-ni-iš išak-ki iš-nun^{ki}</i>	in the days of Enbiqhanish, <i>ishakku</i> of Eshnunna	Lutz IX 2, No. 83 rev. iii 42-46 ³

THIRD DYNASTY OF UR

(2b) <i>in iš-nun^{ki}</i>	in Eshnunna	As. 31-765
(2c) <i>ur-gú-edin-na isag áš-nun-⟨na⟩^{ki}-ka-ta</i>	from Urguedina, <i>ishakku</i> of Eshnunna	As. 31-T. 333
(2d) <i>ki ba-mu isag áš-nun-na^{ki}-ta</i>	from Bamu, <i>ishakku</i> of Eshnunna	Fish, <i>Catalogue of Sumerian Tablets in the John Rylands Library</i> (Manchester, 1932) p. 25, No. 119
(3) <i>ki kal-la-mu isag áš-nun^{ki}-ta</i>	from Kallamu, the <i>ishakku</i> of Eshnunna	AD No. 45, lines 2-3
(3a) <i>bala kal-la-mu isag áš-nun-⟨na⟩^{ki}-ka⁴</i>	offering of Kallamu, <i>ishakku</i> of Eshnunna	Fish, <i>op. cit.</i> p. 44, No. 362

² From a collection of economic texts from the time of the dynasty of Agade. The collection was bought in Baghdad in February, 1930; as provenience the dealer mentioned Tell Asmar. The collection is now in Chicago.

³ Although this text was published with tablets from the 3d dynasty of Ur, it clearly belongs to the period of Agade as shown by both script and language.

⁴ Fish gives a š, which is probably only a misprint for á š.

THIRD DYNASTY OF UR—*Continued*

	Transliteration	Translation	Source
	(4) pú-zur- ^{dt} iš-pak lú kal-la-mu isag áš-nun ^{ki}	Puzur-Tishpak, the man of Kallamu, the <i>ishakku</i> of Eshnunna	TD 5493, lines 5–6
	(5) kal-la-mu isag áš-nun-na ^{ki} -ka lú- ^{ds} uen arad-zu .	O Kallamu, <i>ishakku</i> of Eshnunna, Lu-Sin is your servant	PBS XIII (1922) No. 31, seal
	(6) ki i-tu-ri-a isag áš-nun ^{ki} -ta	from Ituria, the <i>ishakku</i> of Eshnunna	YOS IV (1919) 73 obv. 3–4
	(7) ki i-tu-ri-a isag áš-nun-<na> ^{ki} -ka-<ta> ⁵	from Ituria, the <i>ishakku</i> of Eshnunna	TD 4691 rev. 2–3
	(8) i-tu-ri-a isag áš-nun-na ^{ki} -ka ara(d)-da-ni-e ⁶	Ituria, <i>ishakku</i> of Eshnunna, his servant	As. 31–792 ^{5a}
∞	(9) bala isag áš-nun ^{ki}	offering of the <i>ishakku</i> of Eshnunna	<i>Babyloniaca</i> VIII (1924) Pl. XI; <i>HG</i> 11 rev. 1
	(10) šà áš-nun-na ^{ki} -ka ág-e-dam	he will measure out in Eshnunna	Scheil in <i>RT</i> XIX (1897) 55
	(10a) áš-nun-na ^{ki} -ta	from Eshnunna	Reisner, <i>Tempelurkunden aus Telloh</i> (Berlin, 1901) No. 44 obv. 7
	(10b) áš-nun-na ^{ki} -ta [a-ga]-d é ^{ki} -š è	from Eshnunna to Agade	As. 30–T. 396
	(10c) ni-pru ^{ki} -ta áš-nun-na ^{ki} -š è	from Nippur to Eshnunna	As. 30–T. 396
	(10d) ʾšà ʾ áš-nun-na ^{ki}	in Eshnunna	As. 31–T. 213

⁵ See discussion on p. 12.⁶ The final -e is the subject element.^{5a} A pivot stone of Ituria. See "Oriental Institute Communications," No. 16 (Chicago, 1933) p. 5.

FALL OF THE THIRD DYNASTY OF UR TO END OF THE FIRST DYNASTY OF BABYLON

	Transliteration	Translation	Source
	(11) m u b à d á š - n u n ^{ki} - k a b a - d ù	year when the wall of Eshnunna was built ⁷	T.A. 185, 207
	(11a) m u k i - r i - k i - r i i s a g á š - n u n ^{ki}	year when Kirikiri became <i>ishakku</i> of Eshnunna	As. 31-T. 115, 119, 128-29
	(11b) m u k i - r i - k i - r i i s a g á š - n u n - n a ^{ki}	year when Kirikiri became <i>ishakku</i> of Eshnunna	As. 30-T. 153, 202
	(12) k i - r i - k i - r i i š a k á š - n u n - n a ^{ki}	Kirikiri, <i>ishakku</i> of Eshnunna	Kirikiri's seal inscription ^{7a}
	(13) b i - l a - l a - m a i š a k á š - n u n ^{ki}	Bilalama , <i>ishakku</i> of Esh- nunna	T.A. 302
+	(14) b i - l a - l a - m a i š a k á š - n u n - n a ^{ki}	Bilalama , <i>ishakku</i> of Esh- nunna	T.A. 309
	(15) m u b i - l a - l a - m a i s a g á š - n u n - n a ^{ki} é - s i k i l ^d t i š p a k b a - d ù	year when Bilalama, <i>ishakku</i> of Eshnunna, built the E-sikil of Tishpak	As. 30-T. 350
	(15a) m u b i - l a - l a - m a i s a g á š - n u n ^{ki} SAG+DU MAR.TU š u - T U ^{7b} - r a (b i - i n - r a)	year when Bilalama, <i>ishakku</i> of Eshnunna, smote a upon the head of Amurru	As. 31-T. 73

⁷ One text, As. 30-T. 241, seems to have è š - n u n^{ki} instead of á š - n u n^{ki}.^{7a} Published in "Oriental Institute Communications," No. 13 (Chicago, 1932) pp. 42-44.^{7b} Deimel, *Šumerisches Lexikon* (Rom, 1925-33) No. 58A.

FALL OF THE THIRD DYNASTY OF UR TO END OF THE FIRST DYNASTY OF BABYLON—*Continued*

	Transliteration	Translation	Source
	(15b) bi-la-la-ma [i]sag [á š] - n u n ^{ki} p ú z u r - d ^t išpak warad-[zu]	O Bilalama , <i>ishakku</i> of Esh- nunna, Puzur-Tishpak is your servant	As. 30-T. 225
	(16) me-ku-bi DUMU.SAL bil- la-ma isag áš-nun ^{ki}	Mekubi, daughter of Billama the <i>ishakku</i> of Eshnunna	MDP XIV (1913) p. 24 obv. 5-8; SAK p. 180
	(17) ú-šur-a-wa-sú <i>išak áš-nun-na</i> ^{ki}	Ušurawasu, <i>ishakku</i> of Eshnunna	T.A. 226
	(17a) mu ú-šur-a-wa-sú isag áš-nun ^{ki} gišgu-za ma ḥ ^d nin-giš-zida ba-dím	year when Ušurawasu, <i>ishakku</i> of Eshnunna, made (on his own ac- count) the throne of Ningishzida	As. 31-T. 58
5	(18) a-zu-zum <i>išak áš-nun-</i> <i>na</i> ^{ki}	Azuzum , <i>ishakku</i> of Esh- nunna	T.A. 310; As. 30-T. 224
	(18a) mu a-zu-zum isag áš-nun-na ^{ki} i-dím- ma	year when Azuzum, <i>ishakku</i> of Eshnunna, made the	As. 30-T. 559
	(19) i-šar-ra-ma-šu <i>išak áš-</i> <i>nun-na</i> ^{ki}	Isharramashu , <i>ishakku</i> of Eshnunna	T.A. 306; SAK p. 174
	(20) ur- ^d nin-mar ^{ki} <i>išak áš-</i> <i>nun-na</i> ^{ki}	Urninmar , <i>ishakku</i> of Esh- nunna	T.A. 301
	(20a) mu ur- ^d nin-mar ^{ki} isag áš-nun ^{ki} [. . .] - a - ba (?) ba-dím	year when Urninmar, <i>ishakku</i> of Eshnunna, made the	As. 30-T. 715

FALL OF THE THIRD DYNASTY OF UR TO END OF THE FIRST DYNASTY OF BABYLON—*Continued*

	Transliteration	Translation	Source
	(21) <i>ur-dnin-giš-zi-da išak aš-nun-na^{ki}</i>	Urningishzida , <i>ishakku</i> of Eshnunna	T.A. 300; <i>SAK</i> p. 174
	(22) <i>i-bi-iq-dadad išak áš-nun-na^{ki}</i>	Ibiq-Adad , <i>ishakku</i> of Eshnunna	T.A. 303b; As. 30–T. 227
	(23) <i>da-du-[ša]⁸ šār èš-nun-na^{ki}</i>	Dadusha , king of Eshnunna	<i>KAH</i> No. 3
	(24) <i>na-ra-am-dE[N.ZU] šār èš-nun-na^{ki}</i>	Naramsin , king of Eshnunna	T.A. 307
	(25) <i>šar-ri-i-a išak áš-nun-na^{ki}</i>	Sharria , <i>ishakku</i> of Eshnunna	T.A. 308
9	(25a) <i>mu šar-ri-ia isag áš-nun-na^{ki} [gišgu-za bi]-tuš</i>	year when Sharria, <i>ishakku</i> of Eshnunna, ascended the throne	As. 30–T. 624
	(26) <i>i-ba-al-pe-el išak áš-nun-na^{ki}</i>	Ibalpel , <i>ishakku</i> of Eshnunna	T.A. 305; <i>SAK</i> p. 174
	(27) <i>i-ba-al-pe-el šār èš-nun-na^{ki}</i>	Ibalpel , king of Eshnunna	T.A. 311
	(28) <i>i-bi-iq-dadad šarrum mu-ra-pi-iš èš-nun-na^{ki}</i>	Ibiq-Adad , the king who enlarges Eshnunna	T.A. 312
	(29) <i>i-bi-iq-dadad išak áš-nun-na^{ki}</i>	Ibiq-Adad , <i>ishakku</i> of Eshnunna	T.A. 303

⁸ This restoration is certain from the brick inscription of Ibalpel, T.A. 311, and from several other passages where the name occurs. Lutz gives *id-du-ša* in his Nos. 50, line 13, and 109, line 16. I cannot explain this and should be grateful to Lutz if he would collate the passages. All passages which I have seen, as well as *KAH* No. 3, give *da* as the first sign.

FALL OF THE THIRD DYNASTY OF UR TO END OF THE FIRST DYNASTY OF BABYLON—Continued

Transliteration	Translation	Source
(30) <i>be-la-kum išak áš-nun-na^{ki}</i>	Belakum , <i>ishakku</i> of Esh-nunna	T.A. 304; SAK p. 174
(31) <i>mu wara(d)-sà isag áš-nun-na^{ki} gišgu-za bi-tuš-a</i>	year when Waradsa, the <i>ishakku</i> of Eshnunna, ascended the throne	T.A. 233
(32) <i>mu ḥa-am-mu-ra-bi lugál-e ki-su-lu-ub₄-gar nim^{ki}-ma zag mar-ḥa-šik^{ki}-ta su-bir₄^{ki} gu-ti-um^{ki} èš-nun-na^{ki} ù má-al-gi^{ki} nam-dugud-bi i-im-zi-zi-eš-àm GÀR.DAR-a-bi i-ni-in-gar-ra-a</i>	year when King Ḥammurabi , who had brought about the overthrow of the host which Elam (counting) from the border of Marḥashi, Subartu, Gutium, Eshnunna, and Malgium had raised in mass (Ḥammurabi, 30th year)	<i>OECT</i> II (1923) Pl. V, cols. i ff.
(33) [<i>mu ḥa-am-mu-ra-bi lugál-e</i>] <i>ki-su-lu-ub₄(?) - <gar>^{8a} èš-nun-na^{ki} su-bir₄^{ki} gu-ti-um^{ki} me₆-ta šu bí-íb-šub-bi</i>	[year when King Ḥammurabi] cast down in battle the host of Eshnunna, Subartu, and Gutium (Ḥammurabi, 30th year)	<i>OECT</i> II, Pl. V ii 1-3; <i>RA</i> XI (1914) 162, No. 32
(34) [<i>mu ḥa-am-mu-ra-bi lugál</i>] <i>èš-nun-na^{ki} a-gal-gal-la mu-un-gul-la</i>	[year when King Ḥammurabi]ed Eshnunna, which a flood had destroyed	<i>PBS</i> V (1914) No. 95, line 5

^{8a} Text: *ki-su-lu-lu*.

FALL OF THE THIRD DYNASTY OF UR TO END OF THE FIRST DYNASTY OF BABYLON—*Continued*

	Transliteration	Translation	Source
(35)	m u r i - i m - ^d a - n u - u m l u g a l - e [m] a - d a i a - m u - u t - b a - a - l u m ^{ki} [k i - - s] u - l u - u b ₄ - g a r è š - n u n - n a ^{ki} i - s i - i n [k] a - z a l - l u e - n e - b i - d a - m a (!) [n a m - r] a - a g - a i n - š i - l a ḫ ₄ - g i (?) - e š - à m [u ₄] n í g - u l - l i (?) - t a (? ?) r a (?) l a (?) b a (?) u m (?) - a (?) - m a [] - u š - à m [] - a - n i - t a [GĀR.DAR - a - b i i] - n i - i n - g a r - r a	year when Rimanum, the king of(?) the land of Yamutbal, by his brought about the defeat of the hordes of both Eshnunna and Isin as also of Kazallu, who had made razzias against him (<i>lit.</i> , made booty from him) and who from(?) days of old	IV R 35, No. 8
∞			
(36)	<i>a-na aš-nun-na</i> ^(ki)	to Eshnunna (time of Ammiditana)	CT VI (1898) Pl. 29, line 3
(37)	<i>i-na li-ib-bi aš-nun-na</i> ^{ki}	in Eshnunna	<i>Ibid.</i> line 5
(38)	^m <i>i-šár-bēl awīl èš-nun-na</i> ^{ki} <i>ša</i> <i>iš-tu mu-ti-a-ba-al</i> ^{ki} ^{m.d} <i>dagan-</i> <i>ba-an u-šu-ri-a-am</i> ⁹	Ishar-Enlil(?), a man from Esh- nunna whom Daganban has brought hither from Mutiabal	MDP II (1900) 81
(39)	[. . .] <i>awīl èš-nun-na</i> ^{ki} men from Eshnunna	RT XX (1898) 64
(40)	<i>i-na eš-nun-na</i> ^{ki}	in Eshnunna	CT VIII (1899) Pl. 37b, line 7
(41)	<i>[i]-nu-ú-ma a-na èš(?) -nun(?) -</i> <i>na</i> ^{ki} <i>ta-la-[a]k-ku-ú</i>	when you go to Eshnunna	Luckenbill in <i>AJSL</i> XXXII (1915/ 16) 285, lines 12–14 = Ungnad in <i>OLZ</i> XX (1917) 203, lines 12–14
(42)	^d <i>tišpak</i> <i>ù èš-nun-na</i> ^{ki} <i>ša(!) -lim</i>	Tishpak and Eshnunna are all right	<i>YOS</i> II (1917) No. 143 (= <i>OECT</i> III [1924] 70) line 6

⁹ I suppose that in Scheil's transliteration *Bel* stands for ^d*en-lil*. With the exception of *šár* (Scheil: ḫi) and *èš* (Scheil: ab) I give the passage as in Scheil's transliteration.

FALL OF THE THIRD DYNASTY OF UR TO END OF THE FIRST DYNASTY OF BABYLON—Continued

Transliteration	Translation	Source
(43) <i>i-na èš-nun-na^{ki} ālim^{ki} zi-ru-um</i> <i>ù še-um i-ba-aš-ši</i>	in Eshnunna is seed corn and grain	<i>Ibid.</i> line 9
(44) <i>a-na èš-nun-na^{ki} it-ta-aš-ḥa-am</i>	he has gone away to Eshnunna	Unpublished text from Khafaje, lines 43 and 47 ¹⁰
(45) <i>mār šipri èš-nun-na^{ki}</i>	the messenger from Eshnunna	<i>CL</i> No. 54, line 5
(46) <i>a-na ḥarran èš-nun-na^{ki} is-ḥu- ú-ru</i>	(when) they turned to the road of Eshnunna	<i>CL</i> No. 54, lines 8–9
(47) <i>ma-ša-rú-ti èš-nun-na^{ki}</i>	deposits in Eshnunna	Lutz No. 43, line 2
(48) <i>a-na èš-nun-na^{ki}</i>	to Eshnunna	Lutz No. 91, line 10
(49) <i>mu DUL.LU ŠU.ŠA.KI èš-nun-na^{ki} 11</i>	year . . . Eshnunna (1st dynasty document from Sippar)	Scheil in <i>RT</i> XIX 55
(50) <i>èš-nun-na^{ki}</i>	Eshnunna	<i>OIP</i> XI 250, line 8; cf. 211 iv 4; 216, col. i; 235 ii 12
(51) <i>èš-nun^{ki}</i>	Eshnunna	<i>Ibid.</i> 212 v 18
(52) <i>é dnin-a-zu èš-nun^{ki}-na</i>	the house of Ninazu in Eshnunna	Zimmern in <i>ZA</i> XXXIX (1930) 268

FALL OF THE FIRST DYNASTY OF BABYLON TO PERSIAN TIMES

Transliteration	Translation	Source
(53) <i>mu-še-ši-ib^{mat} áš-nun-na-ak nišē</i> <i>rapšālim^{tim}</i>	who causes widespread people to inhabit Eshnunna (reign of Agum- kakrime)	V R 33 i 35–37
(54) <i>ālu iš-nu-nak</i>	Eshnunna (on a boundary stone)	I R 66 ii 3
(55) <i>▷ iš-nu-nu-uk</i>	Eshnunna (Elamite text on a statue of Shutruk-Nahundi)	<i>MDP</i> VI (1905) Pl. 3, line 7
(56) <i>èš-nu-nak</i>	Eshnunna (cylinder of Cyrus)	V R 35, line 31

¹⁰ This text—a military roll—dates from the latter half of the 1st dynasty of Babylon. It belongs to a small collection of tablets bought in Baghdad in February, 1931. The provenience was Khafaje according to the dealer.

¹¹ Is it possible to read *k i! - s u! - l u - u b₄! - g a r èš-nun-na^{ki}*, i.e., Hammurabi's 30th year?

MISCELLANEOUS

Transliteration	Translation	Source
(57) ^d u m u n - b a n d a u m u n è š - n u n - n a // ^d banda ^{da} be- el èš-nun-na	Umunbanda (<i>var.</i> , Banda), the lord of Eshnunna	<i>SBH</i> p. 85, line 22 = p. 134, line 11; p. 136, line 23; <i>SBP</i> p. 154, line 22
(58) è š - n u n - n a ^{ki} // ^{mat} tup-li- iá-áš	Eshnunna (corresponds to) the land of Tupliash	II R 39, No. 5, line 59
(59) ^{dt} i š p a k // bēl èš-nun-na ^{ki}	Tishpak, the lord of Eshnunna	II R 60, No. 1, lines 5a and 4b
(60) èš-nun-na ^{ki} uššab ^{ab}	Eshnunna will become inhabited	<i>CT</i> XIII (1901) Pl. 50, line 29
(61) èš-nun ^{ki} uššab ^{ab}	Eshnunna will become inhabited	Craig, <i>Astrological-Astronomical Texts</i> (Leipzig, 1899) p. 60, No. K 3551, line 8
(62) AN.GE ₆ e - d a - m a r - z a // èš-nun-na ^{ki} ma-rad ^{ki}	an eclipse in Edamaraš, (which is bounded by) Eshnunna (and) Marad	II R 47, line 16 c-d ¹²
(63) ana šàr èš-nun-na ^{ki} purussū innaddin	to the king of Eshnunna a decision will be given	III R 60 i 34 and 42
(64) ^d lugal-èš-nun-na ^{ki}	the King of Eshnunna (a god's name)	<i>KAR</i> 142 rev. iv 18
(65) šum ša ^d a-mal ša èš-nun ^{ki} ki-i iqabbū ^u	that they mention the name of Amal of Eshnunna	Sm. 747 in Delitzsch, <i>Das baby- lonische Welterschöpfungsepos</i> (Leip- zig, 1896) p. 59, line 5
(66) [. . .]ma èš-nun-na ^{ki} of Eshnunna	<i>CT</i> XXXIX (1926) Pl. 31, Tablet LXXXVIII 12
(67) [. . .]// eš-nu-na-ak Eshnunna	Syllabary in <i>The Babylonian and Oriental Record</i> VI (1892/93) 68, line 5 ¹³

¹² This rather queer entry for a syllabary may have come from a commentary on a text of astronomical content. The commentator explained Edamaraš as “Eshnunna (and) Marad,” meaning, of course, that Edamaraš stretched from Eshnunna to Marad.

¹³ Only the right half of the syllabary has been preserved. The reference to this passage I owe to Dr. F. W. Geers, of the University of Chicago, who collated the text in the British Museum.

DISCUSSION OF THE MATERIAL

We may now proceed to a study of the various orthographies presented by the texts.

DYNASTY OF AGADE

During the period of the dynasty of Agade the name was written *iš-nun^{ki}*. It occurs in Akkadian context only, and in each instance it is governed by a preposition. As far as we can judge, this does not seem to have influenced the form of the name; so in all probability it was treated as indeclinable, as is often the case with geographic names in this period. We may therefore put *Ishnun* down as the form current in the period of Agade.

THIRD DYNASTY OF UR

In the period of the 3d dynasty of Ur the name occurs, but for one passage, in Sumerian context only. The one exception (2b) gives the form *Ishnun* exactly as did the Agade texts; but, since there is reason to believe that the scribe who composed this inscription intentionally used archaistic forms, it does not seem a safe guide to the orthography of its period (see p. 26). The Sumerian material falls into two groups, one in which the name is treated as indeclinable and one in which it takes grammatical affixes. To the first of these groups belong

- (4) púzur-^{dt}išpak lú kal-la-mu isag áš-nun^{ki}
for puzur-^{dt}išpak lu kallamu isag ašnun^{ki}-
ak-a(k),
(3, 6) ki kal-la-mu (i-tu-ri-a resp.) isag áš-
nun^{ki}-ta
for ki kallamu (ituria resp.) isag ašnun^{ki}-ak-
ak-ta,
and (9) bala isag áš-nun^{ki}
for bala isag ašnun-ak-a(k).

As will be seen, the form used in these texts is *Ashnun*.

The second group, in which the name occurs declined, also contains passages which call for a form *Ashnun*. They are:

- (2d) ki bamu isag ašnun-na(k)-ta (written
áš-nun-na^{ki}-ta)¹⁴

¹⁴ The correct construction of ki....-ta and šà....-a is ki....-a(k)-ta and šà....-a(k)-ta. See Poebel, *Grundzüge der sumerischen Grammatik* (Rostock, 1923) § 384. In the rather slovenly grammar of the account

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- (10d) 'šà' ašnunna-a (written áš-nun-na^{ki})
 (3a) bala kallamu isag ašnunna-ak-a(k) (written áš-nun-<na>^{ki}-ka).¹⁵

The majority of the cases within this group, however, present a different, longer form of the name, *Ashnunna(k)*. Since in Sumerian a final *k* disappears if not protected by a following vowel, the full form *Ashnunna* is preserved only in passages such as

- (8) ituria isag ašnunna-ak-a(k) (written áš-nun-na^{ki}-ka) arad-ani-e
 (5) kallamu isag ašnunna-ak-a(k) (written áš-nun-na^{ki}-ka) lu-^dsuen . . . arad-zu-(m)
 (2c) urguedina(k) isag ašnunna-ak-a(k)-ta (written áš-nun-<na>^{ki}-ka-ta)
 (7) ki ituria isag ašnunna-ak-a(k)-ta (written áš-nun-<na>^{ki}-ka-<ta>)¹⁶
 (10) ša ašnunna-ak-a (written áš-nun-na^{ki}-ka) ag-ed-am.

Where the final *k* is not protected by a following vowel we get the form *Ashnunna*, as in

- (10a-b) ašnunna(k)-ta (written áš-nun-na^{ki}-ta) and
 (10c) ašnunna(k)-še (written áš-nun-na^{ki}-šè).

The material from the period of the 3d dynasty of Ur thus gives us two different forms of the name, *Ashnun* and *Ashnunna(k)*. As may be seen from the list of material, in which the passages have been arranged chronologically, the two forms occur side by side all through the period.

FALL OF THE THIRD DYNASTY OF UR TO END OF THE FIRST
 DYNASTY OF BABYLON

For the period from the fall of the 3d dynasty of Ur to the end of the 1st dynasty of Babylon our material is more copious than for any

tablets from the period of the 3d dynasty of Ur, however, the genitive is regularly omitted, and the construction is *ki . . . -ta* and *šà . . . -a*.

¹⁵ The omission of -na seems due to a scribal mistake.

¹⁶ The scribe forgot -na in Nos. 2c and 7 and final -ta also in No. 7. Owing to the amiability of M. Dussaud and of M. de Genouillac of the Louvre, I was able to collate No. 7. The collation showed that the copy of M. de Genouillac is correct.

other period. It also contains more varieties of spelling than are found in the older periods.

In Akkadian context the name occurs undeclined in the following forms:

1. In the nominative as subject:
 - a) *Eshnunna* (written *ěš-nun-na^{ki}*) (42)
2. In the genitive as *rectum* of the construct state or governed by a preposition:
 - a) *Ashnun* (written *áš-nun^{ki}*) (13)
 - b) *Ashnunna* (written *áš-nun-na^{ki}*) (12, 14, 17, 18–20, 21–22, 25–26, 29–30, 36–37)
 - c) *Eshnunna* (written *ěš-nun-na^{ki}*) (23–24, 27–28, 38–41, 43–48)

In Sumerian context the following forms are found:

A) Treated as indeclinable:

1. In position for one genitive:
 - a) *isag ašnun* (written *áš - n u n^{ki}*) (11,^{16a} 11a, 15a–b, 17a, 20a)
2. In position for a double genitive:
 - a) *mekubi DUMU.SAL billama isag ašnun^{ki}* (written *áš - n u n^{ki}*) (16)

B) Treated as declinable:

1. Without grammatical elements affixed:
 - a) *ešnun^{ki}* (51)
 - b) *ešnunna^{ki}* (50)
 - c) *kisulub<gar> ešnunna^{ki} subir^{ki} gutium^{ki}* (33)
 - d) *[kis]ulubgar ešnunna^{ki} isin [k]azallu e-ne-bi-da-ma(!)* (35)
 - e) *ešnunna^{ki} a-gal-gall-a mu-n-gull-a* (34)
2. With one genitive element affixed:
 - a) *bilalama isag ašnunna^{ki}-(k)* (15)
 - b) *wara(d)sa isag ašnunna^{ki}-(k)* (31)
3. With locative element:
 - a) *e ninazu-(k) ešnunna* (written *ěš-nun^{ki}-na*) (52)

^{16a} In this one instance the scribe has added the particle -ka.

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There are four forms used in these passages: *Ashnun*, *Ashnunna*, *Eshnunna*, and *Eshnun*. The first three are common to both the Akkadian and the Sumerian material, whereas the last is known as yet only in Sumerian context. Their distribution over the period is as follows: *Ashnun* is found during the first half of the period only. The last example of its occurrence (20a) dates from the reign of Urninmar, who reigned a few generations before the 1st dynasty of Babylon.¹⁷ *Ashnunna* occurs all through the period, whereas *Eshnunna* is typical for the later half, occurring for the first time in an inscription of Dadusha (23), the grandson of Urninmar, and continuing to the end of the period. The last form, *Eshnun*, cannot be dated exactly, for it occurs only twice, once in a writing exercise (51)¹⁸ and once in a religious composition (52).¹⁹

Another interesting point regarding the occurrence of these forms is the curious fact that in the inscriptions of the rulers of Eshnunna the writings *áš-nun^{ki}* and *áš-nun-na^{ki}* are used exclusively when the ruler styles himself *ishakku* in the inscription, whereas *èš-nun-na^{ki}* is the only one used when the ruler styles himself *šarru*, "king."

This may be illustrated by the following list:

Kirikiri	<i>išak áš-nun^{ki}</i> (var., <i>áš-nun-na^{ki}</i>)	(11a-12)
Bilalama	<i>išak áš-nun^{ki}</i> (var., <i>áš-nun-na^{ki}</i>)	(13-15b)
Ušurawasu	<i>išak áš-nun-na^{ki}</i> (var., <i>áš-nun^{ki}</i>)	(17-17a)
Azuzum	<i>išak áš-nun-na^{ki}</i>	(18-18a)
Isharramashu	<i>išak áš-nun-na^{ki}</i>	(19)
Urninmar	<i>išak áš-nun-na^{ki}</i> (var., <i>áš-nun^{ki}</i>)	(20-20a)
Urningishzida	<i>išak áš-nun-na^{ki}</i>	(21)
Ibiq-Adad I	<i>išak áš-nun-na^{ki}</i>	(22)
Dadusha	<i>šār èš-nun-na^{ki}</i>	(23)
Naramsin	<i>šār èš-nun-na^{ki}</i>	(24)

¹⁷ Urninmar's grandson Naramsin was, as Ungnad has shown, contemporaneous with Sumuabum of Babylon. See Ungnad in *OLZ* XII (1909) 478.

¹⁸ This example may even be a mere scribal error, for all the duplicate texts, e.g. No. 50, have *eshnunna* (*èš-nun-na^{ki}*) in this place.

¹⁹ There can be no doubt about the existence of the form, for the writing *èš-nun^{ki}-na* must, according to the orthographical rules of the period, represent *ešnunna-a*. Cf. Poebel in *OLZ* XVIII (1915) 130 ff. Had the scribe intended a form *Eshnunna* he would have written *èš-nun-na^{ki}* (= *ešnunnā* < *ešnunna-a*).

Sharria	<i>išak áš-nun-na^{ki}</i>	(25-25a)
Ibalpel	<i>išak áš-nun-na^{ki}</i>	<i>šār èš-nun-na^{ki}</i> (26; 27)
Ibiq-Adad II	<i>išak áš-nun-na^{ki}</i>	<i>šār èš-nun-na^{ki}</i> (29; 28)
Abdiarah		
. . . .		
Belakum	<i>išak áš-nun-na^{ki}</i>	(30)
Waradsa	<i>išak áš-nun-na^{ki}</i>	(31)

This curious usage may perhaps be explained in the following way. The writing with *áš* was, as we have seen above, typical for the time of the 3d dynasty of Ur, whereas the writing with *èš* first appears with Dadusha, that is, approximately at the time of Sumuabum of Babylon. It is thus the later of the two orthographies.

It is a well known fact that people are more conservative in religious matters than anywhere else. Thus, when we find the old orthography retained in the inscriptions where the king styles himself *ishakku*, "feoffee," namely of the god, who alone had the right to the title "king," it may be because these inscriptions stressing the relation of the king to the god had an established orthography which could not easily be altered. In those inscriptions in which the ruler takes for himself the title "king" and which were—if only for that reason—more secular in their terminology a new orthography could more easily enter.

FALL OF THE FIRST DYNASTY OF BABYLON TO PERSIAN TIMES

The end of the 1st dynasty of Babylon was also the end of Eshnunna. Some great disaster must have overtaken the city, and we know that Agumkakrime made an effort to repopulate it. However, it never attained its former glory, and in spite of Agum's effort it probably became desolate again shortly afterward.

In the period from the end of the 1st dynasty of Babylon down to Persian times, when Eshnunna was only a more or less deserted town, it is referred to in historical inscriptions as

<i>Ashnunnak</i> (written <i>áš-nun-na-ak</i>)	(53)
<i>Ishnunak</i> (written <i>iš-nu-nak</i>)	(54)
<i>Ishnunuk</i> (written <i>iš-nu-nu-uk</i>)	(55)
<i>Eshnunak</i> (written <i>èš-nu-nak</i>)	(56)

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Since *Ishnunuk* is clearly a derivation (by vowel assimilation) from *Ishnunak*, we need list only three main forms: *Ashnunnak*, *Eshnunak*, and *Ishnunak*.

MISCELLANEOUS

Quite different is the picture which we find when we turn to other classes of texts, such as the omen and explanatory literature. The form *Eshnunak* occurs only once (67), whereas the dominating forms are:

Eshnun (written èš-nun^{ki}) (61, 65)

Eshnunna (written èš-nun-na^{ki}) (57-60, 62-64, 66)

The explanation of this discrepancy is, however, quite simple. Most of the later explanatory and omen literature derives, as is generally recognized, from originals edited in Old-Babylonian times. Now we have just seen that this was the very period when the writings *Eshnun* and *Eshnunna* were in vogue and would naturally be used. From the originals they would therefore go down mechanically through one copy to another, and thus we may find them in texts written as late as Assyrian times. As evidence for the usage in the later periods they are, however, not suitable; so we may restrict ourselves to the forms presented by the historical inscriptions.

CONCLUSIONS

The results obtained for the various periods may now be tabulated:

Dynasty of Agade	<i>Ishnun</i>
3d dynasty of Ur	<i>Ashnun</i> , <i>Ashnunna(k)</i>
Isin dynasty through 1st dynasty of Babylon	<i>Ashnun</i> , <i>Ashnunna</i> <i>Eshnun</i> , <i>Eshnunna</i>
Kassite to Persian times	<i>Ashnunnak</i> <i>Eshnunak</i> <i>Ishnunak</i>

As thus seen, the forms divide into two main types: a short type represented by *Ishnun*, *Ashnun*, *Eshnun* and a longer type represented by *Ashnunna(k)*, *Ashnunna*, *Eshnunna*, *Ashnunnak*, *Eshnunak*, and *Ishnunak*.

The short type, which appears to be the older, is found as early as

the Agade period, lives on through the period of the 3d dynasty of Ur, and dies out shortly before the 1st dynasty of Babylon. The various forms belonging to this type differ from one another only in the rendering of the initial vowel. These different renderings, however, do not seem to reflect an actual phonetical development in the pronunciation of the name, for they are all understandable if we assume a spoken form *ešnun* with short unstressed *e*. That this sound could be rendered by the signs *iš* and *ěš* is obvious; and the name *eššu* for the sign *áš* shows that its *a* was pronounced in the direction of *e*, that is, as *ä*. The spoken form represented by the renderings of the short type would thus be *ěšnun*.

The second, longer type of the name appears for the first time in texts from the 3d dynasty of Ur. Until shortly before the 1st dynasty of Babylon it is used alongside the shorter type; but from the 1st dynasty onward it reigns supreme. The various renderings of the form belonging to the longer type are *Ashnunna(k)*, *Ashnunna*, *Eshnunna*, *Ashnunnak*, *Eshnunak*, and *Ishnunak*. As we have seen, the writings *áš*, *ěš*, and *iš* of the first syllable all represent the same spoken form, *ěš*.

As for the ending, which occurs in two forms, *-ak* and *-a*, we must remember that in Sumerian a final *k* which is not protected by a following vowel disappears. Accordingly we find that during the period of the 3d dynasty of Ur our name appears as *Ashnunnak* when followed by a vowel, otherwise as *Ashnunna*. For the following period, from the beginning of the dynasty of Isin to the end of the 1st dynasty of Babylon, our Sumerian material contains no passage where the name is followed by a vowel; so here we find only spellings with *-a*, *Ashnunna* and *Eshnunna*. The Akkadian material likewise uses the ending *-a*. This is natural, for cases where the name was followed by a postposition beginning with a vowel would be fewer than cases where this did not happen. The form in *-a*, not that in *-ak*, would therefore be the form most often heard and accordingly the one which was borrowed. The final *k*, which disappeared in Sumerian and which is likewise not found in the Akkadian renderings of the immediately post-Sumerian period, crops up again, however, in Kassite and later times. The phenomenon is not unknown, for other Sumerian words which live on as loan-words in Babylonian and Assyrian times

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sometimes regain an original final *k* which they had lost.²⁰ The explanation seems to be that although the *k* disappeared and was not expressed in writing by the Sumerians themselves, traces of it still remained in the spoken language. When therefore the tradition from the old orthography was broken and such words recorded anew from hearsay, the remnants of the *k* were detected and it appeared again in the written form. That this was actually what happened in the case of our name may be seen by a comparison of late passages such as Nos. 57–67, which have the name through literary tradition and where therefore the “Sumerian” orthography (*Eshnunna*) dominates, with passages such as Nos. 53–56 from boundary stones and historical texts, where the scribe had the name from hearsay and where we therefore find writings *with* the final *k*.

It follows then that the forms belonging to the longer type of the name seem also to go back to one single spoken form, which we may assume to have been *Eshnunna(k)*.

We have thus arrived at two main forms of the name: an earlier form, *Eshnun*, and a later one, *Eshnunna(k)*, which differs from the earlier only in that it adds the Sumerian genitive element *-a(k)*. How are these findings to be explained?

It is a well known fact that there was a time when the dimensional elements *-ak*, *-ra*, *-e*, etc., were not rendered in the Sumerian inscriptions, although they are grammatically necessary parts of the language. The reader was expected to figure out for himself the exact grammatical relationships between the various nouns and the verb, as, for example, the Arabic writing expects the reader to supply the necessary vowels. This phase of Sumerian orthography lasted until about the period of Urnanshe, after whose time the dimensional elements were generally expressed in writing.²¹ Therefore when we have two forms of a name which differ only in that the earlier form does not express the genitive element *-a(k)* which appears in the later form, it seems an obvious conclusion that the earlier form follows the ortho-

²⁰ Compare words like *sandabakku*, from Sumerian *ša(g) du b-a(k)* (see Landsberger in *ZA* XLI [1933] 189), *parakku*, from Sumerian *ba ra(k)*, etc.

²¹ See Poebel, *The Sumerian Prefix Forms E- and I- in the Time of the Earlier Princes of Lagaš* (“Assyriological Studies,” No. 2 [Chicago, 1931]) pp. 23–24.

graphical usage of the period of Urnanshe, when such elements were to be supplied by the reader, whereas the later form complies with the later, more explicit orthography.

That the general change from the earlier, elliptical orthography to the later, more explicit mode of writing took place shortly after Urnanshe, whereas the change from *Eshnun* to *Eshnunna(k)* must have occurred after the period of Agade and was not completely effected until the period of the 1st dynasty of Babylon, is not a serious objection, for proper names are always particularly slow in following changes of orthography, so that very often they retain from an older orthography features which have long been out of use elsewhere.²²

We may therefore assume that the writings belonging to the shorter form of our name—*iš-nun^{ki}*, *áš-nun^{ki}*, and *èš-nun^{ki}*—represent an orthographical tradition from the period prior to Urnanshe or at least are influenced by the usage of that period, whereas the forms of the type *Eshnunna(k)* represent the later, explicit orthography. Since the omission of the genitive element in the earlier forms of our name would thus seem to be a purely orthographical feature, we may conclude that the actual spoken form through all periods was *Eshnunna(k)*. With the form *Eshnunna(k)* our search has come to an end. We have found that in classical Sumerian the normal form of the name was *Eshnunna*, whereas under special circumstances, namely when followed by an affix with initial vowel, it was pronounced *Eshnunnak*. In English context, however, where the name can never occur with such grammatical affixes, the normal form must naturally be the correct one; so for use in the publications of the Iraq Expedition the form *Eshnunna* has been finally adopted.

²² Cf., e.g., Edinburgh, where the old *burgh* is still retained although the word is now generally spelled *borough*. Sumerian examples are *ká-dingir* with the later form *ká-dingir-ra* (= *ka-dingirr-a(k)*), *nin-ḥar-sag* as against later *nin-ḥar-sag-ga* (= *nin-ḥarsagg-a(k)*), *en-ki* as against *en-ki-(k)*, etc.

II

THE E-SIKIL INSCRIPTIONS OF SHULGI

The two inscriptions discussed below were found at Tell Asmar in 1932. They were stamped on baked bricks forming the pavement of the bathroom in a private house. Originally, however, these bricks must have been intended for the rebuilding of the temple E-sikil mentioned in their inscription.¹

The language of one of the inscriptions is Sumerian, of the other Akkadian. The Sumerian text (Fig. 1)² runs:

^d n i n - a - z u	"For Ninazu
l u g a l - a - n i	his king
š u l - g i	Shulgi,
n i t a ḫ k a l - g a	the mighty man,
l u g a l u r i ^{ki} - m a	king of Ur,
l u g a l k i - e n - g i	king of Shumer
k i u r i	and Akkad,
é - s i k i l	E-sikil,
é k i - á g - g á - n i	his beloved house,
m u - n a - d ù(!) ³	built for him."

The Akkadian inscription (Figs. 2-3)⁴ runs:

šul-gi	"Shulgi
da-núm	the mighty,
šār urí ^{ki}	king of Ur
ù šār	and king
ki-iḫ-ra-tim	of the four
ar-ba-im	quarters,
bānī (BA-DÍM)	builder of
é-sikil	E-sikil,
bit ⁴ tišpak	the house of Tishpak
in iš-nun ^{ki}	in Eshnunna."

¹ See Frankfort, *Tell Asmar, Khafaje, and Khorsabad* ("Oriental Institute Communications," No. 16 [Chicago, 1933]) pp. 55 and 57.

² As. 31-736.

³ Text has NI.

⁴ As. 31-765.

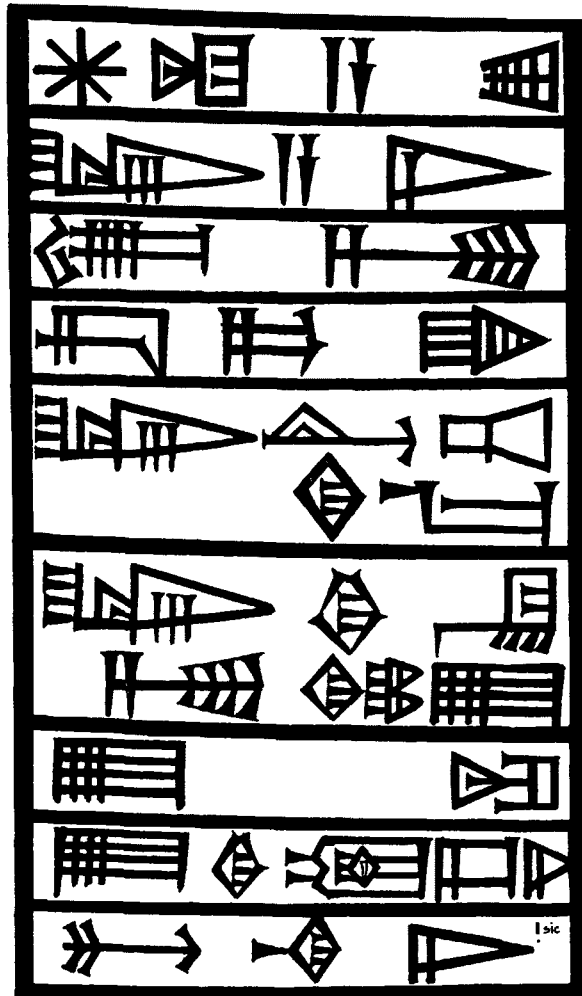


FIG. 1.—HAND COPY OF SUMERIAN INSCRIPTION ON BRICK AS. 31-736

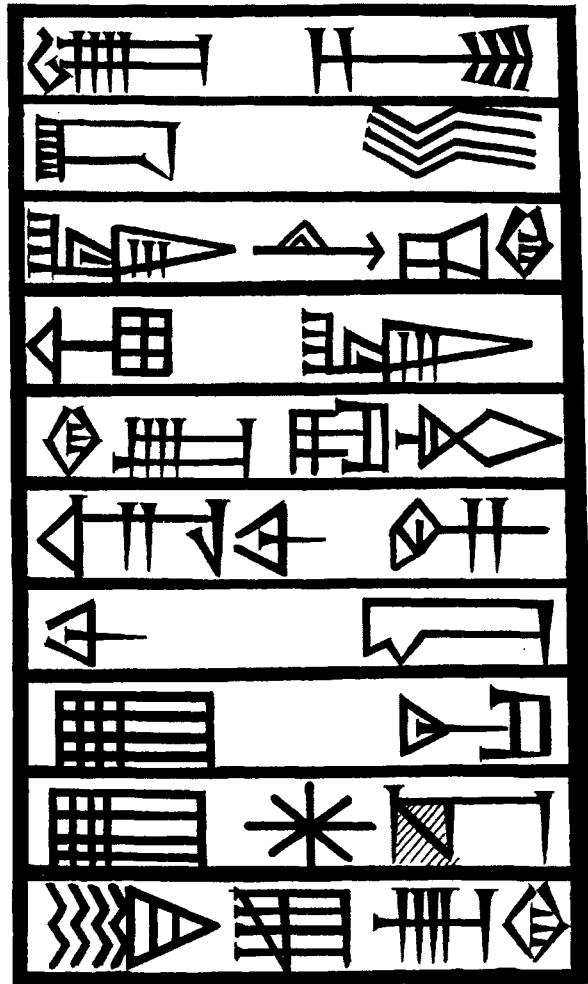


FIG. 2.—HAND COPY OF AKKADIAN INSCRIPTION ON BRICK AS. 31-765

A comparison of these two inscriptions is interesting in several respects. It is obvious that the Sumerian and Akkadian texts differ considerably, although they both commemorate the same event. Most striking is a divergence in the actual information conveyed by them.



FIG. 3.—INSCRIBED BRICK AS. 31-765. SCALE, 1:4

The Sumerian inscription is dedicated to Ninazu, whereas the Akkadian mentions Tishpak as the deity for whom E-sikil was built. It is perhaps more a matter of phraseology that Shulgi in the Sumerian inscription has the title "king of Shumer and Akkad," while the Akkadian styles him "king of the four quarters," and that the Akkadian version mentions Eshnunna as the city in which E-sikil is situated, a piece of information not given by the Sumerian.

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Alongside the differences in actual content and phraseology just mentioned goes a difference in disposition. The Sumerian inscription can be analyzed thus:

Deity (for whom temple is built)

Name: Ninazu

Appellative: his king

King (who builds the temple)

Name: Shulgi

Appellatives:

the mighty man

king of Ur

king of Shumer and Akkad

Temple

Name: E-sikil

Appellative: his beloved house

Verb: he built for him.

That is, it is a verbal clause consisting of indirect object, subject, direct object, and verb.

The Akkadian inscription is constructed quite differently:

King (who builds the temple)

Name: Shulgi

Appellatives:

the mighty

king of Ur

king of the four quarters

builder of E-sikil, the house of Tishpak in Eshnunna.

That is, it is a noun (the name of the king) with a series of appositions.

The difference in the dedication of E-sikil in the two inscriptions we shall leave aside for the moment and consider first the differences in phraseology and disposition. When we find two inscriptions, one in Sumerian and one in Akkadian, both of which commemorate the same event, it is natural to expect that one will prove to be a translation of the other. This, however, does not hold true with the E-sikil inscriptions, for the differences in phraseology and disposition which we have found to exist are so fundamental that we cannot possibly call one of them the translation of the other. They must be regarded as two independent compositions which have only their general content in common.

This result is interesting because the fact that the scribe who composed our inscriptions did *not* content himself with translating the

same text from Sumerian into Akkadian or vice versa, but felt obliged to compose a different inscription for each language, seems to allow of only one explanation. It suggests that two different literary traditions, a Sumerian one and an Akkadian one, survived in Eshnunna side by side at that time. If there existed a traditional Sumerian pattern and a somewhat different Akkadian pattern for inscriptions of this kind, it is easy to understand why the scribe in changing from one language to the other changed also from one pattern to the other. He had composed his Sumerian inscription to conform with traditional Sumerian patterns in disposition and phraseology, but the change to Akkadian made it natural for him to change over to the forms which Akkadian literary tradition demanded for an inscription of this type.⁵

That this explanation is correct and that the deviations found in the Akkadian E-sikil inscription actually are due to the influence of an Akkadian tradition can be demonstrated by comparison with Akkadian inscriptions from the dynasty of Agade. As a point in which the phraseology of the Akkadian inscription differs from that of the Sumerian we have mentioned Shulgi's title. The Sumerian version has *ni ta ḥ kal-ga lu gal urí^{ki}-ma lu gal ki-en-gi k₁ ri*, "the mighty man, king of Ur, king of Shumer and Akkad"; the Akkadian text substitutes *da-núm šār urí^{ki} ù šār ki-ib-ra-tim ar-ba-im*, "the mighty, king of Ur and king of the four quarters." Now the title "king of Shumer and Akkad" is never found in the inscriptions of the kings of Agade; on the other hand the title used by the Akkadian E-sikil inscription has a close parallel in the title of Naramsin as it appears on a seal from Lagash: *da-núm il a-ga-dé^{ki} šār [ki]-ib-ra-[t]im ar-ba-[im]*, "the mighty, god of Agade, king of the four quarters."⁶ Also Sharkalisharri's titles, *da-núm šār a-ga-dé^{ki} ù bù-ú-la-ti* "EN-LÍL, "the mighty, king of Agade and the domains of Ellil,"⁷ might be quoted.

Another difference mentioned above was the fact that only the Akkadian inscription names Eshnunna as the city in which E-sikil was built. The Akkadian version closely follows the Agade usage in this also; for the last phrase, *bānî* (BA-DÍM) *é-sikil bīt* ^{tišpak} *in išnun^{ki}*,

⁵ How indissoluble is the connection between form and language in Sumerio-Akkadian literature may be seen from the fact, pointed out by Landsberger, that even complete literary genres remain bound within the limits of the special dialect in which they originated. See von Soden in *ZA* XL (1931) 166.

⁶ *RTC* No. 166.

⁷ See p. 26.

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“builder of E-sikil, the house of Tishpak in Eshnunna,” is identical, except for the proper names, with the one used by Sharkalisharri, *bānî* (BA-DÍM) *é-kur bît* ^dEN-LÍL *in niprû*^{ki}, “builder of E-kur, the house of Ellil in Nippur.” Even the *writing* of the name of Eshnunna in the E-sikil inscription shows its dependence upon the Agade usage, for the orthography *iš-nun*^{ki} belongs to the period of the dynasty of Agade⁸ and is, outside of this very passage, not found at all in the period of the 3d dynasty of Ur.

Just as the Akkadian E-sikil inscription follows the usage of Agade inscriptions in phraseology and orthography, so also its complete disposition has exact parallels in these texts. As an example we may quote the inscription of Sharkalisharri (*OBI* No. 2):⁹

^d šar-kà-lí-šar-rí	“Sharkalisharri,
mār da-ti- ^d EN-LÍL	son of Dati-Ellil,
da-núm	the mighty,
šār a-ga-dé ^{ki}	king of Agade
ù bù-ú-la-ti	and the domains
^d EN-LÍL	of Ellil,
bānî (BA-DÍM)	builder
é-kur	of E-kur,
bît ^d EN-LÍL	the house of Ellil
in niprû ^{ki}	in Nippur.
ša duppam	Whosoever
su ₄ -a	this inscription
⟨ú⟩-sa-za-ku-ni	destroys
. ”

The disposition of this inscription is virtually identical with that of the Akkadian E-sikil inscription. We have

King (who builds the temple)

Name: Sharkalisharri

Appellatives:

patronymic: son of Dati-Ellil

the mighty

king of Agade and the domains of Ellil

builder of E-kur, the house of Ellil in Nippur

Curse on anyone who shall destroy the inscription.

⁸ Cf. p. 11.

⁹ See also *SAK* p. 164d; *RISA* p. 146, No. 2, and literature cited there.

The only differences to be found are that Sharkalisharri includes his patronymic among his other appellatives¹⁰ and ends his inscription with a curse on whosoever shall destroy the inscription. These differences, however, are of no consequence.

Other Agade inscriptions which show more or less completely the same disposition are:

Naramsin (brick inscription):¹¹

^d <i>na-ra-am-^dsin</i>	"Naramsin,
<i>bānî</i> (BA-DÍM)	builder
<i>bît</i> ^d EN-LÍL	of the house of Ellil."

Sharkalisharri (brick inscription):¹²

<i>šar-kà-lî-šar-rî</i>	"Sharkalisharri,
<i>šâr a-ga-dé^k_i</i>	king of Agade,
<i>bānî</i> (BA-DÍM)	builder
<i>bît</i>	of the house
^d EN-LÍL	of Ellil."

Sharkalisharri (tablet):¹³

[<i>šar-kà-lî-šar-rî</i>]	"Sharkalisharri,
<i>šâr a-ga-dé^k_i</i>	king of Agade
<i>ù bù-ú-la-ti</i>	and the domains
^[a] EN-LÍL	of Ellil,
[<i>bā</i>] <i>nî</i> ([BA]-DÍM)	builder
[<i>é</i>]- <i>kur</i>	of E-kur,
[<i>bît</i>] ^d EN-LÍL	the house of Ellil
[<i>i</i>] <i>n nîprû^k_i</i>	in Nippur.
[<i>ša</i>] <i>duppam</i>	Whosoever
[<i>su</i>] ₄ - <i>a</i>	this inscription
<i>u-sa-za-ku-ni</i>	destroys
. "

Even in its arrangement, therefore, the Akkadian E-sikil inscription closely resembles inscriptions of the Agade period.

The detailed comparison of the two E-sikil inscriptions has thus shown (1) that the Akkadian inscription differs from the Sumerian in

¹⁰ Cf., however, *PBS* XIII, No. 14, and *RISA* p. 146, No. 5, in which Sharkalisharri seems to leave out the patronymic.

¹¹ *OBI* No. 4; *SAK* p. 164a; *RISA* p. 136, No. 1, and literature cited there.

¹² *OBI* No. 3; *SAK* p. 162a; *RISA* p. 146, No. 3. ¹³ *PBS* XIII, No. 14.

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a number of points both in disposition and in phraseology and (2) that in the very points where the Akkadian inscription deviates exact parallels to its usage can be found in Akkadian inscriptions from the dynasty of Agade. It seems safe to conclude, therefore, that the two E-sikil inscriptions rest on two different literary traditions, of which that underlying the Akkadian inscription goes back to the period of Agade.

Having explained the origin of the differences between the two E-sikil inscriptions which concern their phraseology and disposition only, we may return to the one puzzling point where the two inscriptions differ in actual content. Why does the Sumerian inscription mention Ninazu as the deity to whom E-sikil is built, whereas the Akkadian has Tishpak as lord of this temple?

In an earlier article¹⁴ I have endeavored to show that the original lord of E-sikil and chief god of Eshnunna was the Sumerian deity Ninazu. Later on, however, his position was usurped by a new deity, Tishpak, who was originally identical with the Hurrian weather-god Teshup. From then on Tishpak figures as the chief god of the city and lord of E-sikil. The date of Tishpak's intrusion may be fixed with some confidence to *before* the dynasty of Agade, for the personal names *^dtišpak-kum* and *ša-at-^dtišpak*, which testify to the presence of the god, occur on tablets from Eshnunna dating from the time of the dynasty of Agade.¹⁵ Since we have just seen that the Akkadian E-sikil inscription rests on a tradition which originated in the Agade period, that is, when Tishpak had already superseded Ninazu, it is perfectly natural that this inscription should have Tishpak as the lord of E-sikil.

Before Tishpak invaded Eshnunna, however, in pre-Akkadian times this city seems to have been a purely Sumerian community, as evidenced by the Sumerian names of the city, e š - n u n - a , the main temple, e - s i k i l , and the chief god, n i n - a z u . To this period, we may suppose, goes back the tradition underlying the Sumerian E-sikil inscription, which, since it originated before Tishpak had appeared, preserved the original name of the lord of E-sikil, Ninazu.

¹⁴ Frankfort, Jacobsen, and Preusser, *Tell Asmar and Khafaje* ("Oriental Institute Communications" No. 13 [Chicago, 1932]) pp. 51 ff.

¹⁵ Cf. *ibid.* p. 58, n. 2, which should read "not later than the dynasty of Agade" instead of "hardly before the dynasty of Agade."

III

A LETTER FROM ESHNUNNA AND AN
ASSYRIAN LAW

In one of the rooms of the burned palace was found a small number of tablets. All of them showed traces of the conflagration which destroyed the palace and can accordingly be dated to before the conflagration, that is, a few generations after the fall of the 3d dynasty or Ur.¹

One of these tablets, which proved to be a private letter, is of more than usual interest.²

¹*um-ma i-šur*-^d*adad-ma* ²*a-na um-mi-a* ³*qí-bí-ma* ⁴*a-wi-lu-ú šu-ut i-ti-šu-nu uš-bu* ⁵*šu-nu-ma a-ši-mi-im i-ti-nu-ni-ni* ⁶*a-n[a] sukkal-maḥḥim* ⁷*qí-bí-ma* ⁸*i-ti-in li-iš-ku-un* (rev.) ⁹*a-na ši-pt-ir* ¹⁰*šar-ri-im* ¹¹*i-ti-in* ¹²*[i]-iš-ku-un* ¹³*a-na-^lku^l-mi ar-ḫi-[i]* ¹⁴*ú-še-ši-ú-ni-in-ni-ma* ¹⁵*na-ti-ni-a* ¹⁶*a-ša-ba-tu*

"Says Išur-Adad: 'Say to my mother: "It is the patricians with whom I lived who have sold me."³ Tell the *sukkal-maḥ* (great vizier) that he may set to work, that he may set to work with the king's labor."⁴ (As for) me,⁵ quickly may they set me free, that⁶ I may summon (*lit.*, seize)⁷ those who have sold me.'"⁸

¹ See "Oriental Institute Communications," No. 13, p. 40.

² T.A. 230. ³ *a-ši-mi-im* from *an(a) šīmim*.

⁴ Lit., "he may put both hands, he may put both hands upon the king's labor." This expression does not to my knowledge occur elsewhere, but the meaning is clear. Cf. *qālam šakānu*, "in Bearbeitung nehmen" (Bezold, *Babylonisch-assyrisches Glossar* [Heidelberg, 1926] p. 272b). *I-ti-in* is accusative dual from *idu*, "hand," "arm."

⁵ *a-na-ku-mi* is in *casus pendens*; it is taken up again by the suffix in *ú-še-ši-ú-ni-in-ni*. The *-mi* of direct speech is due to the fact that Išur-Adad has now finished quoting what the mother is to tell the *sukkal-maḥ*.

⁶ We have here a case of subjunctive without a relative conjunction. On this construction see Thureau-Dangin in *RA* XXIII (1926) 27.

⁷ For *šabātu* = "summon" see Lautner in *Leipziger rechtswissenschaftliche Studien* III (1922) 12 ff.

⁸ *na-ti-ni-a* (= *nātinia*) is the regular plural participle in the accusative with 1st person possessive suffix.

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The beginning and the end of this letter are both reasonably clear. It would seem that the writer, Iṣur-Adad, had been sold illegally as a slave (lines 4–5) and that he is now taking steps to regain his freedom and prosecute those who sold him (lines 13–16).

The middle part of the letter, however, is rather puzzling. How are we to interpret the message to the *sukkal-mah* to “lay both hands upon the king’s labor,” and what bearing has it on Iṣur-Adad’s case?

Light is thrown on these problems from an unexpected quarter, namely from old *Assyrian* laws. Schroeder has published a text⁹ from Assur which, among others, contains two laws dealing with the case that a freeman, living in the house of a creditor as a pledge for debt, has been sold as a slave by the creditor. In one (lines 8–13) the freeman has been sold to an Assyrian; in the other (lines 14–21), to a foreign country. Since our man, Iṣur-Adad, apparently was not sold to a foreign country (he expects the officials to set him free), we are most interested in the first case.

Unfortunately, this first case is rather badly preserved, so the restoration and translation which I am offering here must remain hypothetical, though I believe them to be probable:

[šum-ma awīlu lu mār awīli] ù lu mārāt awīli ša ki-i šarpi ù ki-i
[ša-par-ti]
[i-na bīti-šu us]-bu-ni a-na šarpi a-na awīli ša-ni-im-ma [id-din]
[ub-ta-e-ru-š]u ša i-na bīti-šu us-bu-ni id-[di-nu-ni]
[i-pa-aṭ-ṭar] i-na šarpi-šu qa-as-su e-el-[li]
[šum-ma mi-it mi]-ḫir-šu a-na bēl mim-mu-ú id-da[n]
[30 i-na ḫaṭṭi i]-ma-ḫu-šú-šu 20 ūmē ši-par šarri e-pa-aš

“If a man sells to another man a man’s son or daughter who lives in his house for money and as a pledge, they shall examine him. He shall redeem the one who lived in his house and whom he sold, and he shall forfeit his claim. If he (i.e., the person sold) has died, he (i.e., the creditor) shall give one like him to the proprietor. He shall receive 30 strokes with a stick and perform 20 days of convict labor (*lit.*, work of the king).”¹⁰

⁹ KAV No. 6.

¹⁰ The reconstruction offered above is based upon the following considerations: The case with which the law deals is that of a person, living in the house of a creditor as security for a debt, who has been sold as a slave by the creditor. That

Granted the restoration, this paragraph states that a creditor who sells a free person living in his house as a pledge must redeem the person sold and forfeits his claims upon the debtor. If we now compare this law with the letter of Işur-Adad, it becomes evident at once that Işur-Adad's case against the patricians corresponds in every particular to the one with which the law is dealing.

Işur-Adad must have been a freeman, for he wishes to prosecute the patricians for selling him and he takes it for granted that he will be set free immediately. There is evidence also that Işur-Adad actu-

this is so is evident from the phrase: "who lives in the house of a man for money and as a pledge." The expression "for money" has been explained by Lewy as meaning "for wages" (ZA XXXVI [1924] 149, n. 2), but this translation is not tenable. The expression must be explained in the light of similar expressions such as *kî ħubulli*, "as security for a *ħubullu*-debt," in KAV 1 vii 33. That "for money" really means "as security for a debt" in our passage is made perfectly clear by the addition, "and as a pledge." Had the two expressions, "for money" and "as a pledge," been different in meaning, we should have expected the text to read "for money or (*ù lu*) as a pledge"; but the text gives "for money and (*ù*) as a pledge," where "for money" as an expression of wider connotation is evidently narrowed down by the more precise but fundamentally identical "and as a pledge."

Having ascertained the case with which our paragraph deals, we may turn to the restoration of the text itself. The first two lines expose—as is usual with Assyrian laws—the offense committed, which is usually followed by the statement that the offender must be examined and convicted (*ubtaerušu uktainušu*, "they shall examine him and convict him"). This phrase is, therefore, what we expect to find at the beginning of line 3. The vacant space, however, allows only for *ubtaerušu*, "they shall examine him"; but that is no objection to the restoration, since *ubtaerušu* is sometimes found without *uktainušu* (cf. KAV 1 i 75). This restoration, *ub-ta-e-ru-šu*, also fits the wedge which remains on the tablet.

After the exposition of the offense and after the phrase that the offender must be examined and convicted, the penalty is usually described. Now what penalty can we expect to find in a case like this? Let us consider the offense for a moment. A creditor has a claim upon a man who has given his son or daughter as a pledge to live in the house of the creditor. The creditor, however, not content to wait until the debtor can pay off the debt, tries to make good his claim prematurely by selling the pledge.

In the legal literature of the Babylonians and Assyrians we do not have an exact parallel to this case, but the Code of Hammurabi treats in § 113 a case which, although different, presents certain similarities to the one with which we are concerned. The case regulated in CH § 113 concerns a creditor who, like the one in our paragraph, is not content to wait until his debtor pays back the loan, but tries to make good his claim at once. The creditor in CH § 113 makes good his claim by taking grain belonging to the debtor from the latter's storehouse. As a penalty for this offense the creditor must give back what he has taken and in addition he loses his claim upon the debtor. Though this case is not identical with the one

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ally was the pledge of the patricians before he was sold, for in speaking of them he says: "the patricians with whom I lived." That is, Işur-Adad did not live at home but lived in the house of the patricians. Now it was characteristic for a pledge that, in contrast to other free persons, he did not live in his own home but had to live and work in the house of his creditor. So typical of a pledge was this feature, that the Assyrian law quoted above refers to the pledge simply as "the one who lived in his house" (line 10). The very fact that Işur-Adad

stated in *KAV* No. 6, § 2 (lines 8-13), it presents important parallels, for in both cases a creditor takes the law into his own hands and makes good his claims prematurely by making free with property belonging to his debtor. It may therefore well be, considering the close relationship between Assyrian and Babylonian culture, that the penalty imposed in *CH* § 113 can give us valuable hints for ascertaining the penalty imposed in the similar case in *KAV* No. 6, § 2; and if the Assyrian paragraph can without difficulty be so restored that the penalty which it imposes corresponds in principle to that imposed by *CH*, this will prove a strong argument in favor of our restoration.

Let us therefore for the time being assume that the penalty imposed in *KAV* No. 6 agrees in principle with that imposed in *CH* § 113. What would it be? In *CH* the creditor must give back what he has taken unlawfully and at the same time he loses his claim upon the debtor. In the Assyrian case this would mean that the creditor must give back the person whom he had sold unlawfully and at the same time lose his claim on the debtor. Now line 3 speaks of "the one who lived in his house" and can easily be restored as "the one who lived in his house and whom he sold he shall redeem." As the last verb I have restored *ipaṭṭar*, "he shall redeem," because only by redeeming the pledge sold as a slave could the creditor restore him to his father, the debtor. The sentence *ša ina bītišu usbuni iddinūni*, "the one who lived in his house (and) whom he sold," is a relative construction without *ša* before *iddinūni*, parallel to constructions like *awat iqbū*, "the word which he spoke." See Ungnad, *Babylonisch-assyrische Grammatik*, 2d ed. (München, 1925) § 16a.

The next line adds to this *ina šarpišu qassu elli*, "he shall lose his claim." Thus the penalty of giving back the pledge and losing his claim upon the debtor would seem to be absolutely identical in principle to that of *CH*.

However, there is a difficulty. The paragraph does not end at this point. Line 5 states that somebody shall give "his equal" to the owner. This can mean only that the creditor who sold the pledge shall give a substitute of equal worth to the debtor. This addition, which would make the penalty quite out of proportion to the offense, seems completely to overturn the parallelism to *CH* which we have just found. This difficulty, however, is not a serious one. It disappears when we look at the following paragraph (*KAV* No. 6, lines 14-21), which deals with a similar case. The only difference is that the person living as a pledge has been sold to a foreign country. The similarity of these two paragraphs is very pronounced. The disposition is exactly alike and the wording is for the greater part the same. In view of this extraordinary similarity between the two paragraphs, it is most

was sold as a slave at all makes it probable that he was a pledge, for only a pledge working and living with the slaves of his creditor would be exposed to such an encroachment; to ordinary free persons that was not likely to happen. We may thus conclude that Işur-Adad was a freeman who lived in the house of some patricians, probably as their pledge, and who was sold by them as a slave. This, however, is the same as the case treated by the old Assyrian law quoted above.

We are now in position to approach the problem presented by Işur-Adad's message to the *sukkal-mah*: "Tell the *sukkal-mah* that he may put both hands, that he may put both hands upon the king's labor." The term "king's labor" used here is well known in Assyrian legal language, where it means convict labor. Furthermore, it appeared in this sense in the very law quoted above, where it formed part of the penalty for selling a freeman who was one's pledge. Now, as we have just seen, this is the very crime of which Işur-Adad complains in his letter, so when he goes on to speak of "king's labor" it is evident that he must be referring to the penalty for the crime committed against him. The reference to the *sukkal-mah* now becomes intelligible also; for "king's labor," as indicated by the term itself, must have been labor on public undertakings such as road-making, building of temples, etc., which would be under the command of the *sukkal-mah*, a high official who functioned chiefly as minister of the interior.¹¹

We may therefore paraphrase Işur-Adad's words more or less as follows: "Tell the minister of the interior that he may now get on

important to find that the latter of them has a subcase, if the person sold as a slave has died, which makes it extremely likely that the same was true in the case with which we are dealing at present. If, therefore, on the strength of the parallelism of the two cases we restore *šum-ma mi-it*, "if he has died," in line 5 we get the subcase that the person sold has died and therefore cannot be restored to his father. Instead, quite logically, the offender must give a substitute; and, as his offense has been aggravated by the death of his victim, he receives a severe bodily punishment. The restoration "30 strokes" is based upon the parallel punishment in *KAV* 2 iv 32.

A restoration must of necessity always remain hypothetical, but it seems to me that there is much in favor of the one offered above. In the first place, it fits what remains on the tablet and gives good sense; second, the law which it presupposes corresponds in principle to the treatment of a similar case in the Code of Hammurabi; and, last, this restoration gives us a paragraph which in all details of disposition corresponds to the following one (lines 14-21).

¹¹ Meissner, *Babylonien und Assyrien* I (Heidelberg, 1920) 117.

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with the public works, for soon he will receive new convicts ready to serve their sentences (i.e., the patricians who should be sentenced to convict labor) for selling the freeman Işur-Adad." This remark about notifying the *sukkal-mah* is of course not to be taken quite seriously; it sprang from the high spirits of a debtor who through the folly and avidity of his creditors suddenly sees himself free of all his obligations and even with a good chance for revenge.

When we explain Işur-Adad's letter on the basis of the law in *KAV* No. 6, lines 8–13, there is one point which we cannot leave unmentioned. As will be noted, this law reserves the penalty of convict labor only for cases in which the sold pledge dies, whereas Işur-Adad, as we see from his letter, is very much alive. It is of course possible that Işur-Adad had forgotten this not insignificant point, but the difference between the law and the letter might be explained in another way, namely on the assumption that *KAV* No. 6, lines 8–13, represents a later edition of the law.¹² If that is true, it is quite possible that the differentiation between the case in which the pledge is still alive and the case in which he died after he was sold is not original but represents a later revision of the law. In Işur-Adad's time the law may have been more summary in its treatment of the offense, so that penal servitude was inflicted in all cases, whether the sold pledge had died or not.

But the question of how this small difference is to be explained is of only minor importance in comparison with the incontestable fact that a very close relationship exists between an Assyrian law from shortly after the period of Hammurabi and legal conditions in Eshnunna a few generations after the fall of the 3d dynasty of Ur, as ascertained from Işur-Adad's letter. The expression *wašābu itti*, which Işur-Adad uses, is common in old Assyrian legal language. Babylonian usage seems to prefer the phrase *wašābu maḥar* where the Assyrian uses *wašābu itti*;¹³ further, the penalty of convict labor, the "king's

¹² Since Koschaker published his study, "Quellenkritische Untersuchungen zu den 'altassyrischen Gezetzen'" (*MVAG* XXVI, 3. Heft [1921]), it has been generally admitted that the Assyrian laws are the product of a long development, including interpolations and re-editings of the various laws.

¹³ I have used the form *wašābu itti* for the sake of clearness; the correct "Assyrian" form is of course *wašābu ištu*. On this phrase and the Babylonian *wašābu maḥar* see Lewy in *ZA* XXXVI 149, n. 2.

labor," which we find in Işur-Adad's letter occurs frequently in the Assyrian laws, whereas the Code of Hammurabi does not know this penalty at all. Finally, this penalty forms in the Assyrian laws part of the penalty for selling a pledge, exactly as it does in Işur-Adad's letter.

That one and the same law should be in force in Eshnunna at the time of Işur-Adad, shortly after the fall of the 3d dynasty of Ur, and in Assyria some time after Hammurabi calls for an explanation.¹⁴ In an interesting article dealing with the old Assyrian matrimonial laws Lewy has attempted to prove that these laws correspond closely to what we may presume to have been law in pre-Hammurabian Babylonia.¹⁵ Lewy drew the conclusion that Assyria preserved the heritage from the times of Sargon and Naramsin much longer than did Babylonia. The evidence from Işur-Adad's letter points in the same direction. Assyrian legislation as we have it in *KAV* Nos. 1, 2, and 6, apparently reflects a much earlier Babylonian legislation which had at that time already been abandoned in Babylonia proper.

¹⁴ The possibility that Işur-Adad was an Assyrian and that his letter by some queer coincidence had come to Eshnunna is excluded by the pure Babylonian language of the letter. He writes *šipir*, not *šipar*, *ilti*, not *ištu*, etc.

¹⁵ *ZA* XXXVI 139 ff.