

Seuchen (*mūtānū*, eigentlich Plural zu *mūtum*, Grundbedeutung also etwa "Todesfälle"). Hierfür sind mir aus unpublizierten Texten bisher drei Belege bekannt geworden.

Der erste Text ist kt 88/k 507/b, ein Brief von Pilaḥ-Ištar, dem Sohne des Aššur-rē'i. Nach dem Tode seines Vaters bedrängt Ilī-nādā, ein Gläubiger Aššur-rē'i's, ständig dessen Familie wegen alter Schulden. Pilaḥ-Ištar hat Angst und schreibt: "Was den Ilī-nādā, den Sohn des Bazīja, angeht, warum belästigt er dort immer wieder die Sklavin, versucht, das Haus zu versiegeln, und beunruhigt immer wieder meine Leute? Was schulden wir, mein Vater, ich und meine Brüder, daß er immer wieder Beschwerden an meine Sklavin richtet? Nach der Seuche lebte mein Vater (noch) 10 Jahre lang. Warum hat er meinem Vater keine Auflagen gemacht? Mein Vater wurde arm, er aber wurde reich"⁵.

Aššur-rē'i hat diese Seuche, die offenbar in Kaniš wütete, um 10 Jahre überlebt.

Das zweite Beispiel⁶ ist ein Brief, den Abāja aus Amkūa an Šum-abija geschickt hat. Z. 20-24: *āš-ta-ne-me-ma mu-ta-nu / i-na a-lim^{ki} a-ma-kam ša-il₅-ma šu-lu-um / bé-ti-ni šé-bi-lá-am* "Ich höre dauernd, daß es in der Stadt eine Seuche gibt. Frage dort nach und dann schicke mir (eine Nachricht) über den Gesundheitszustand unserer Familie." Die Frage des Abāja fordert Nachfragen "dort", das heißt am Wohnsitz des Briefempfängers, also Kaniš, über Gerüchte bezüglich der Stadt, d.h. Assur.

Das letzte Beispiel ist ein Gerichtsprotokoll zwischen Ennum-Aššur und Aššur-massu⁷. Z. 10-13: *iš-tù / mu-ta-ni / ša Bu-ru-uš-ḫa-tim* 4 GIN.TA AN.NA 1/2 *ma-na.TA TUG.HLA i-ta-aṭ-lam i-ta-dī-nu* "Seit der Seuche von Buruḫattum gab man gegen Barzahlung jeweils 4 Sekel für das Zinn, jeweils 1/2 Mine für die Stoffe." Wichtig ist hier, daß offensichtlich aller Verkauf nur *itaṭlam*⁸, d. h. gegen Barzahlung geregelt wurde.

Es bleibt festzuhalten, daß wir in dem Anatolien der altassyrischen Handelskolonien öfter mit lokalen Unruhen und Seuchen/Epidemien zu rechnen haben als bisher angenommen und daß auch große Handelszentren jener Zeit, wie z.B. Kaniš und Buruḫattum, hiervon nicht unberührt blieben. Die hier vorgestellten Texte beweisen auch, daß es schon lange vor Muršili II. Seuchen in Anatolien gegeben hat⁹. Ob wir auch Neues über Seuchen in Assur erfahren werden bleibt abzuwarten.

Zwar begegnen uns die "Unruhen" von Kaniš hier ebenso zum erstenmal, aber wir können beinahe sicher sein, daß wir in weiteren Texten, die bei den Ausgrabungen vor allem am Kültepe zu erwarten sind, noch des öfteren auf sie stoßen werden.

⁵ *a-šu-mi DINGIR-na-da* ⁶ DUMU Ba-zi-a / *mī-šu ša a-ma-kam am-tám* ⁷ *ik-ta-na-tù-ú / ú Ébé-tám* ⁸ *a-na kà-na-ki-im i-za-zu / ú nī-ši-a* ⁹ *up-ta-na-ru-du / mī-nam a-bi ú-lá a-na-ku* ¹⁰ *ú a-hu-ú'-a ha-bu-la-ni-ma ru-gu₅-ma-e* ¹¹ *a-na am-ti-a / i-ta-na-dí iš-tù mu-ta-ni* ¹² *10 ša-na-tim / a-bi / ib-lá-aṭ / mī-šu-um* ¹³ *a-bi / lá iš-ba-at / ú-lá a-na á-bi₄-a* ¹⁴ *nu-du-a-e / lá i-dí / a-bi il₅-ti-pi-ma* ¹⁵ *šu-ut / iš-tù-ru.*

⁶ kt 90/k 174.

⁷ kt n/k 1339.

⁸ Dieser bisher ganz singuläre Ausdruck steht zweifelsohne für das geläufigere *ana itaṭlim*.

⁹ s. KUB XV 1-30; XXI 27 + III 36 ff.

Aspects of Hittite Correspondence: Problems of Form and Content

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Introduction

The recent, interesting publication by Professor Sedat Alp² and Dr. Albertine Hagenbuchner³ of texts containing Hittite letters, along with other works published earlier by various scholars,⁴ have supplied Hittitologists with rich and valuable material, stimulating further research.

In an overall study of these letters which we are currently conducting, a number of interesting problems, both literary and political-cultural, have emerged. We should like now to offer some observations and results of our research for your attention.

A. Aspects of Form

Dr. Albertine Hagenbuchner has already pointed out the structure and formulas of Hittite letters, taking into consideration the geographical areas from which they came and the language in which they were written.

What we offer now as examples mainly involves the identification of certain stylistic models and some motifs which are part of the patrimony of images belonging to the ancient Near-Eastern world, raised to the level of literary *topoi*.

To begin, we should like to consider the use of *metaphors* in letters.

For example, in KBo XIII 62,⁵ a letter in Hittite sent by an unknown person to the queen, presumably Puduḫepa, on the occasion of her being ill, the sender expresses his sorrow with the words: "My soul has gone down into the black earth"

¹ Part A is by S. de Martino and Part B is by F. Imparati.

² S. Alp, *Hethitische Briefe aus Maşat-Höyük*, Ankara 1991.

³ A. Hagenbuchner, *Die Korrespondenz der Hethiter* (THeth. 15-16), Heidelberg 1989.

⁴ For these, see the two works cited above, in their general bibliography and the bibliographies appended to the individual topics discussed.

⁵ A. Hagenbuchner, *op.cit.*, Nr. 15, 22-25.

(Obv. 10-11), an expression which has been documented elsewhere, mainly in rituals and mythological texts.⁶

A metaphor inspired by the animal world⁷ is found in KUB XIX 20,⁸ a fragmentary letter written in Hittite by a king, who it seems could be Šuppiluliuma I, to a Pharaoh. In the letter, the killing of a son of the Hittite king is mentioned; some scholars⁹ have seen a reference to the well known episode concerning Prince Zannanza recorded in fragment 28 of Table VII of the Annals of Šuppiluliuma I.¹⁰

In lines 19'-20' of the Reverse the sender emphasizes the brutality of the event with a metaphor featuring a hawk and a newborn, and thus vulnerable, bird. We speak here of metaphor and not simile, as instead some others have thought,¹¹ because the syntax typical of similes, that has been pointed out by J. Puhvel,¹² is missing.

Speaking of the transposition of aspects typical of animal behavior into the human world, there is an interesting comparison using the image of a wild bull (GU⁴AM) in a letter in Hittite KUB XXIII 103¹³ Rev. 12', where this animal seems to indicate an impetuous and irrational attitude.

Another metaphor illustrates the difficult position of the king of Hanigalbat, squeezed between the two powers of Hatti and Assyria, in a letter in Akkadian IBOT I 34¹⁴ Obv. 10-11, where it says: "If a man has two judges, the one comes forth and the other does not c[ome forth]."

Still in this letter a *hyperbole* is found in Obv. 18 in the wording of the message that Ehli-Šarruma, king of Išua, sent to the king of Hanigalbat, according to the translation of A. Hagenbuchner:¹⁵ "Are the servants of My Sun garbage?" With this hyperbole he intended to highlight the Hurrian king's disparaging attitude toward the Hittite vassals.

⁶ On the expression "black earth", see most recently J. Catsanicos, *BSL* 81 (1986) 131; N. Öttinger, *WdO* 20-21 (1989-90) 82-98; E. Neu, *Bochumer alttumswissenschaftliches Colloquium* 2, 1990, 110 ff.; J. Tischler, *HEG* III, 8 107-113.

⁷ Another metaphor from the animal world, found in KBo I 14 Rev. 18'-19', is difficult to understand, for the interpretation of the accadian verb *uzzanunini* and the reading of the two preceding signs (l. 19'). G. Beckman's hypothesis, *JNES* 45 (1985) 23-25, does not really fit the context, while that offered by A. Harak, *Assyria and Hanigalbat*, Hildesheim-Zurich-New York, 1987, 73 and note 24, by making the verbal form in question derive from the verb *zenû*, appears more suited to the context, but we feel that the reading EGIR-ya? should be excluded.

⁸ See A. Hagenbuchner, *op.cit.*, Nr. 208, 304-309.

⁹ See most recently the paper read by Th. van den Hout, XXXIX RAI, Heidelberg 1992.

¹⁰ See H.G. Güterbock, *JCS* 10 (1956), 94-98; G.F. Del Monte, *L'annalistica ittita*, Brescia 1993, 133 ff.; Th.P.J. van den Hout, *ZA* 84 (1994), 60-88.

¹¹ See A. Hagenbuchner, *op.cit.*, 309.

¹² *Homer and Hittites*, Innsbruck 1991, 21-29.

¹³ A. Hagenbuchner, *op.cit.* Nr. 191, 249-260, with bibliography.

¹⁴ H. Klengel, *Orientalia* 32 (1963) 280-291; A. Harak, *op.cit.* 77-79; A. Hagenbuchner, *op.cit.* Nr. 213, 313-315.

¹⁵ *Op.cit.*, 315.

Another hyperbole is found in a letter in Akkadian, sent by Hattušili III to Kadašman-Enlil II of Babylonia, KBo I 10 + KUB III 72¹⁶ Obv. 41, where we read: "In the country of my brother (that is, the king of Babylonia) horses are more plentiful than straw."

This expression, although written in Akkadian, in form recalls one in the text in Hittite by Kikkuli of Mittani, Table I, I 58, IN.NU.DA *iwar* "like straw," in the sense of "amply, profusely."¹⁷ However, it also calls to mind the hyperbole documented various times in the correspondence of El Amarna: "Gold in your country is dirt, one simply gathers it up,"¹⁸ used in reference to Egypt.

While in this hyperbole the tendency is to exaggerate in the direction of excess, the opposite tendency appears in a very fragmentary Akkadian letter, KUB III 73¹⁹ 8'-9'. In fact, it says: "(8')] no one has committed offenses against your country (9') no one has taken [... a blade of straw or] a splinter of wood to the border of your country," meaning that the borders of the recipient of the letter had not been violated in any way.

The expression "a blade of straw or a splinter of wood" to indicate something very small or worthless is common, as E. v. Schuler has pointed out,²⁰ in both the Akkadian and Hittite languages.

In the letter already mentioned of Hattušili III to Kadašman-Enlil II, KBo I 10 + KUB III 72 (see note 16), two hyperboles appear, one expressed in terms of space and the other of time.

In the first case Hattušili, in an attempt to clear himself of any suspicion of interference in Babylonian affairs, repeats that he has shown the Greats of Babylonia only his intention to protect the legitimate descendant to the throne; to demonstrate that his innocence is known to everyone, he uses the expression: "(Obv. 8) They have heard [these words from] east to west."

In the second case Hattušili, wishing to throw onto the Babylonian high court dignitary Itti-Marduk-balātu the responsibility for having misinterpreted his intention in favor of the heir to the throne, accuses the latter of wickedness and laments the fact that a man so old is still alive with the phrase: "(Obv. 21) Itti-Marduk-balātu, whom the gods have let live almost 3600 years!"

Another hyperbole, instead, appears ironical, in a rhetorical question in a letter from Mašat 75/16 (*HBM* 6²¹) ll. 11-14, where the king admonishes Kaššu for not having blocked an enemy invasion, using the words: "Did the enemy perhaps have magical powers and you didn't see him?"

In letter KUB III 61 Rev. 3,²² written in Akkadian, a person named Zuwa is indicated with the disparaging *epithet* "dog."²³ This epithet used in the same sense

¹⁶ A. Hagenbuchner, *op.cit.*, Nr. 204, 281-300.

¹⁷ See J. Puhvel, *HED* 2 (1984), 322.

¹⁸ Cfr. EA 16, 14-15; EA 29, 146-147.

¹⁹ A. Hagenbuchner, *op.cit.* Nr. 202, 275-277.

²⁰ *Orientalia* 52 (1983) 161-163.

²¹ S. Alp, *op.cit.*, 127-129.

²² A. Hagenbuchner, *op.cit.*, Nr. 345, 455-456.

²³ On the use of *kalbu* also in a disparaging sense, see *CAD* VIII, 72.

is found, for example, in a letter from Ugarit RS 18.54A l. 12, while it appears with different connotations in some letters from El Amarna,²⁴ where the image of the dog is used as a symbol of obedience.

We have noticed in various letters certain motifs, whose recurrence could be explained not as a reference every time to an event that actually happened, but rather as a literary *topos*.

The first case in this sense could be one we find in two letters in Hittite which seem to belong to the matrimonial *dossier* between Hatti and Egypt, at the time of Hattušili III and Ramses II. In KUB XXI 38, in all probability the rough draft of a letter from Puduhepa to the Pharaoh,²⁵ the Hittite queen apologizes for having displeased the Pharaoh, telling him a Babylonian ambassador's story about a princess from his country taken as a bride by the Pharaoh.²⁶ The passage is obscure, but it seems that an embassy from Babylonia was not able to make contact with the princess.²⁷ This passage is clarified by another in the fragmentary letter KUB XXVI 89,²⁸ where from l. 9' onwards it speaks again of the "daughter of the land of Babylonia" who married the Pharaoh; the Pharaoh, with the intent of refuting the rumor that she disappeared at his court, here points out that the Babylonian ambassadors, in his presence, had made contact with the princess.

It is interesting to note that also in the letter from El Amarna no. 1, written by Amenophis III to Kadašman-Enlil I about one hundred years before the other two letters mentioned above, reference is made to Babylonian ambassadors who had not been able to recognize their princess in the Pharaoh's harem. The Pharaoh invites the king of Babylonia to send a dignitary to Egypt in order to ascertain that the princess is present at court and thus in good health.²⁹

Certainly, it is possible that Babylonian princesses were always the victims of bad luck. It seems more plausible to us, however, to think that Puduhepa was reusing an episode from the past, which must have been well known in Near Eastern court circles. Her purpose was to procure an important position in the Egyptian court for her daughter, emphasizing to the Pharaoh the poor reputation he had with other courts as to how foreign princesses taken as brides to Egypt ended up.

The fact that Puduhepa specifies even the name of the Babylonian ambassador who would have told her the story is not necessarily a sign of veracity, but the use of real elements can function to give verisimilitude to her tale.

In some letters Hatti's fame as a cold country seems to be used to achieve a specific purpose: we shall recall here two examples of this.

In the often cited letter between Hattušili III and Kadašman-Enlil of Babylonia (KBo I 10 + KUB III 72), at ll. 62-66 of the Reverse, the Hittite king asks the

²⁴ See for example EA 315 ll. 17-18. EA 319 ll. 22-23.

²⁵ See W. Helck, *JCS* 17 (1963), 87-97; E. Edel, *Die ägyptisch-hethitische Korrespondenz*, Opladen 1994, 216-223.

²⁶ Rev. 7'-17'.

²⁷ For the various interpretations, see R. Stefanini, *Atti dell'Accademia Toscana di Scienze e Lettere "La Colombaria"* 39 (1964), 15, 48; *HW²* 200; E. Edel, *op.cit.*, 343.

²⁸ See A. Hagenbuchner, *op.cit.*, Nr. 228, 336-337; E. Edel, *op.cit.*, 214-215.

²⁹ EA 1 10-51

Babylonian ruler to send him some horses as a gift, specifying that they must not be old since in Hatti it is intensely cold and old horses do not survive. It is very probable that here Hattušili was emphasizing the rigidity of the Hittite climate in order to obtain younger, more resistant horses, and thus of greater value.

In letter KUB XXI 38 already mentioned, in ll. 17'-24' of the Obverse Puduhepa justifies her failure to send the Pharaoh some cattle and civil prisoners which were part of the dowry of her daughter, engaged to Ramses II, because the onset of winter (Obv. 23)³⁰ has prevented the departure of the caravan for Egypt.

Also in KBo XVIII 79 ll. 25' ff.,³¹ a fragmentary letter in all probability between two Hittite functionaries, one of these uses the pretext of the cold in order not to send the other a group of people, probably to use as a work force. The excuse however is not accepted by the other official, who does not consider the cold an insurmountable obstacle to reaching his goal.³²

In various letters, as too in other kinds of texts, the motif of "youth" recurs as a cause or justification for certain types of behavior or situations. In some cases it is difficult to establish if these are instances of a *topos* used instrumentally or an actual fact.

We can recall as an example letter from El Amarna Nr. 17, where Tušratta blames the interruption of diplomatic relations between his country and Egypt on his youth and the resulting negative influence on the wielding of power on the part of the people close to him (ll. 11-20).

Also in the often cited letter KBo I 10 + KUB III 72, Hattušili III attributes to the youth of Kadašman-Enlil II the fact that the Greats of Babylonia had taken certain positions against Hatti (Obv. 17-19, 33-34). Nonetheless, when Hattušili asks the Babylonian king for a promise of solidarity with Hatti against Egypt, he uses the expression: "Now you are a man," to invite him to assume his responsibilities (Obv. 76).³³

In a passage of the so-called Letter of Tawagalawa (IV 32-34)³⁴ the Hittite ruler who writes it offers his youth as a justification for his behavior in the past in regard to the recipient.

Since, in our opinion, various elements concur to render preferable the hypothesis that the sender of this letter is Hattušili III,³⁵ the use of the motive of

³⁰ We are accepting here the reading by Stefanini, *op.cit.*, 8-9 n. 5; W. Helck, *op.cit.*, 89, reads differently.

³¹ See A. Hagenbuchner, *op.cit.*, Nr. 131, 178-181.

³² We could perhaps also interpret in the same way the passage from letter *VBoT* 1 (= EA 31) 27, if we take the verb form *igait* to mean "to be cold," in connection with the Pharaoh's request to have people sent from the town of Kaška; on the various hypotheses for interpretation of the passage in question, see V. Haas, in W.L. Moran, *The Amarna Letters*, Baltimore-London 1992, 102-103; see also *HW²* 28, and J. Puhvel, *HED* 2, 257.

³³ We must keep in mind here the still controversial dating of this text: E. Edel, *JCS* 12 (1958) 130-133; M.B. Rowton, *JNES* 25 (1966) 240-249; C. Zaccagnini, in *I trattati nel mondo antico*, Roma 1990, 49 n. 37.

³⁴ See F. Sommer, *AU* 16-19.

³⁵ See, most recently, H. G. Güterbock, *Orientalia* 59 (1990) 157; S. Heinhold-Krahmer, *AfO* 38/39 (1991-1992) 143 n.47.

his youth takes on the value of a pretext. In fact, as is known, Hattušili was already an adult when he ascended to the throne.

We could cite many other interesting examples of stylistic aspects of the letters, but the time has come to move on to the second part of our research, which regards their contents.

B. Aspects of Content

As we have already pointed out, the letters are a precious source for a knowledge of the political, economic, social, administrative, juridical, and sometimes even religious situations of the Hittite kingdom.

Here we shall confine ourselves to some observations about juridical-administrative aspects that can be inferred from some letters from Mašat. In the course of our talk, we shall cite the letters with the numbering system used in the volume by S. Alp.

In this regard, we would like to mention two letters written by the Hittite king which appear to be connected: Mšt. 75/8³⁶ (HBM 36) and Mšt. 75/25³⁷ (HBM 30).

In the postscript to the first of these letters – which compared to the other seems to have been written earlier – Hašamili³⁸ addresses someone who is certainly higher in rank, as he calls this person *BĒLU MAHRŪ-YA* "my first lord" and also "my dear father." It is likely that this person can be identified as Himuili because the only other two uses of the expression *BĒLU MAHRŪ* in the Mašat letters refer to him.³⁹

In the postscript in question, Hašamili, after the greeting formula, describes to the addressee a situation about which he has informed him on other occasions, concerning a female slave belonging to Hašamili himself. She, who had with her some flour that was most probably stolen, had been captured by Himuili's administrators (*maniyahhanteš*) and taken back by them to the locality of Taḥazimuna.⁴⁰ There then follow some lines containing many gaps, in which it seems that grain is mentioned, but it is not clear if this is connected with the preceding topic.

The other letter as well (HBM 30) was sent by the king to Himuili and another person whose name is missing because of a gap in the text. In the postscript Hašamili himself addresses Uzzu⁴¹ as *his brother*, and thus equal in rank to him. We learn from the passage that Uzzu, after having written repeatedly to Hašamili on the subject of the latter's slave, now gives no more news of her. It is possible that Uzzu kept the woman, either as compensation for the theft she had committed or because someone had entrusted her to him to await judgement perhaps since he

³⁶ S. Alp, *op.cit.*, 182 ff.

³⁷ S. Alp, *op.cit.*, 172 ff.

³⁸ On this figure, see S. Alp, *op.cit.*, 57.

³⁹ Mšt. 75/101 Rev. 11: see S. Alp, *op.cit.*, Nr. 29, 170 ff.; Mšt. 75/57 Obv. 19 lower edge 19-20: see S. Alp, *op.cit.* Nr. 52, 216 ff.

⁴⁰ On this locality, which appears a number of times in the letters from Mašat, see most recently S. Alp, *op.cit.*, 39 ff., and G. Del Monte, RGTC 6/2, 152.

⁴¹ See S. Alp, *op.cit.*, 104.

was a scribe in Mašat and worked next to Himuili. In fact Himuili seems to have been *BĒL MADGALT*⁴² and we know that this official was responsible also for the administration of justice. Hašamili requests that the slave be returned to him by means of his messenger; he specifies that he wants her back "in good condition" (SIG₅), that is *integral/intact*, stating thereby that he is willing to make restitution with triple whatever she took or stole.⁴³

This recalls §§ 95 and 99 of the Hittite Laws, which provide that a master could make restitution for damages resulting from a crime committed by one of his slaves, thereby avoiding the slave's mutilation.⁴⁴ In our letter this is alluded to in the request to have the slave back *intact*. The physical wholeness of a slave, in fact, was a guarantee of his or her efficiency in work and thus constituted an advantage for the master.

An opposite situation seems to be the case in letter Mšt. 75/60 (HBM 57).⁴⁵ The senders are Ilali and Kaši[l]ti, names appearing only here; the addressees, called here "dear brothers", must have been in Mašat; they are the *BĒL MADGALT* – whose name is not given explicitly but seems to be probably Himuili – and Huilli.

The subject of the letter is the case of Kaštanda, a slave of the priest⁴⁶ of the city of Urišta.

Kaštanda's position in the text depends on the interpretation of the form *wa-aš-ta* in l. 13, which has been seen by scholars in two different ways.

S. Alp⁴⁷ suggests it should be read as *wa-aš-ta<-aš>* with the sign *-aš* omitted by the scribe.

This would lead to the conclusion that Kaštanda would have committed an offence against a woman of the city of Gašša (*uruGa-aš-ša!*).

The sumerogram MUNUS (l. 12) does not have a phonetic complementation indicating its ending. Nevertheless, in our opinion, this sumerogram can be understood as an accusative of respect followed by the verb *wa-aš-ta<-aš>*.

Instead, R. Beal⁴⁸ understands *wa-aš-ta* as coming from the verb *waš-* "to buy"⁴⁹. He prefers this reading because, otherwise, we should find here *katta wašta-*.

⁴² See S. Alp, *op.cit.*, 60; see, however, R. Beal, *The Organisation of the Hittite Military*, Heidelberg 1992, 429-431.

⁴³ Rev. 21-22, upper edge 23-25, left edge 1-2.

⁴⁴ See F. Imparati, *Le leggi ittite*, Roma 1964, 267-270.

⁴⁵ S. Alp, *op.cit.*, 226 ff.

⁴⁶ We interpret LÚ as the determinative of DUMU.SANGA, because in the edition of the cuneiform text there is no space between the signs LÚ and DUMU; we are nonetheless aware of the fact that DUMU does not appear preceded by a determinative. Perhaps the determinative is justified here by attraction by SANGA, which we consider as part of the single expression DUMU.SANGA (on this expression in Hittite texts, see F. Pecchioli Daddi, *Mestieri, professioni e dignità nell'Anatolia ittita*, Roma 1982, 365); cf. in this sense also G. Del Monte, RGTC 6/2, 180. Differently S. Alp, *op.cit.*, 226 ff.

⁴⁷ *Op.cit.* 228.

⁴⁸ *Op.cit.* 433 n.1622.

⁴⁹ It must be pointed out however that the form *wašta* from *waš-* "to buy" would be a *hapax*, unless *wašta* in KUB XIII 9 + II 4 is meant as C. Melchert suggests apud R.

We think, instead, that *katta wašta-* means "to sin together with", according to §§ 187-190 of the Hittite Laws, whereas *wašta-* is "to commit a sin" with regard to someone.

The acceptance of one or other of the interpretations affects the meaning of the letter: in the first case Kaštanda would appear to be the offender, in the second, the injured party.

Anyway, from the context of the letter – and above all from the last two paragraphs – the first interpretation seems to be preferable.

In ll. 14-17 two men of the city of Haššarpanda (Himuili⁵⁰ and Tarḫumuwa), whose role in the matter is not clear, are mentioned. In fact, the passage in ll. 13 and 17 *nu=an=ši=kán... arḫa dāir*, literally "then they took away her (= the woman) for him/from him," can be understood either in the sense of these men as accomplices of Kaštanda (they took the woman away for him) or in the sense of their intervention in order to get her away from him to save her (they took the woman away from him).

We prefer the first hypothesis because the two people in question are, precisely with Kaštanda, the direct object of the verbal expression *para nāi-* "send out/send forth" in a paragraph that unfortunately has been damaged, but in which a judicial action (l. 31: *ḫann[atteni]*⁵¹) and a capture (l. 33: *ēpi[ani]*) are mentioned, as though the three were sent together to the recipients of this letter for judgement.

The use of the adverb *apiya* "there" in l. 32, as elsewhere in the Mašat letters,⁵² seems to indicate that some judicial proceedings must have taken place precisely in this locality, where the recipients of the letter were at the time. This is confirmed also by the expression *katti=šmi* "to the place where you are" in l. 21, where (ll. 18-24) the indictment of Kaštanda is mentioned.⁵³

We think, thus, that ll. 18-36 can be interpreted as follows: the writers of the letter have sent Kaštanda, the priest's slave, to Mašat to appear before Himuili and Huilli, who are requested to judge him properly (ll. 23-24).⁵⁴ The priest does not seem to make any moves in the slave's favor (ll. 25-30: "and it will happen that the [priest] will not [beg] (your) fa[vour] and will not s[ay] to you: 'Do not ju[dge] my slave.'") So, as we have said above, if the judicial proceedings go ahead, the three

Westbrook-R. Woodard, *JAOS* 110 (1990) 645. Nevertheless, in our opinion, the connection with the expression *ešḫanaš šarnikzil* in KUB XIII 9+ II 3 and the contrast with the formula "his hand sins" present in §§3, 4, II, III, V, VI of the collection of laws (see F. Imparati, *Le leggi ittite*, Rome, 1964, 185 ff.) still render valid the hypothesis of E. v. Schuler, *Fs. Friedrich*, Heidelberg 1959, 452.

⁵⁰ This is clearly not the well known Himuili, *BĒL MADGALTI*.

⁵¹ See above, l. 23 and Mst. 77/1 (*HBM* 60), l. 9.

⁵² See for example Mst. 77/1, ll. 15-16, in which the guilty parties are sent *there*, where the recipients of the letter are located, so that they can proceed with interrogation.

⁵³ We should note in l. 22 the designation of *nehḫun* in the first person singular, while we would expect to find the first person plural, since two people were signing the letter; this is probably a case of the use of the singular verbal form with a collective subject.

⁵⁴ On the verbs *ḫann(a)-* and *ašnu-*, see J. Puhvel, *HED* 3, 77-84, 1, 192-196; *HW* 2 I 372-383.

guilty parties (that is, Kaštanda and his accomplices) will be captured and sent to Mašat (ll. 31-36).

As we have already said, ll. 25-30 seem to describe a situation contrary to the one we highlighted in letter Mst. 75/25 (*HBM* 30) upper edge 23-25, left edge 1-2, where the master of a female slave who has committed a crime seems ready to offer triple compensation for the damages caused if he can just have the slave back intact (see our observations above). In the letter *HBM* 57 instead, the owner of the guilty slave seems not to want to compensate for the damage but prefers instead to send the slave up for judgement, since it probably was not to his advantage to make compensation, presumably a large one, if the offense against the woman came within the sphere of sexual crimes.

The letter Mst. 77/1⁵⁵ (*HBM* 60) Obv. 5 (*ŠA Dībi.a uttar*) and 9 (*Dībi.a*) also speaks of judicial matters. In it the sender, Šarpa,⁵⁶ speaks to the addressees Zaldumanni⁵⁷ and Huilli⁵⁸ on the topic of the judicial matters concerning the house⁵⁹ of Tarḫunmiya,⁶⁰ about which Šarpa has already written them on a wooden tablet (l. 6). He asks them to keep their eye on the house of this man – that is, Tarḫunmiya – and to judge correctly the relative judicial question. The same verbs, *ḫann(a)-* and *ašnu-*, are used with this meaning also in a similar instance in the letter examined earlier, Mst. 75/60 (*HBM* 57) ll. 23-24.

We learn from this letter that Tarḫunmiya has spoken to Šarpa about two people who have caused him some damage.⁶¹ Šarpa asks the addressees of the letter to bring the guilty parties to Mašat (l. 15: *apiya* "there"⁶²) for interrogation, and that they then be sent to him. Šarpa himself, going to the Hittite sovereign, will take them with him,⁶³ most likely in order to present them to the king for judgement. We know in fact that, when a case was particularly important, the assigned officials carried out the investigation, but final judgement fell to the king.⁶⁴

In the letter's postscript, addressed to Pallana and Manni, the sender, whose name is not given, asks Pallanna to keep his eye on his house.

⁵⁵ *HBM* 60, 232 ff.

⁵⁶ See S. Alp, *op. cit.*, 92.

⁵⁷ See S. Alp, *op. cit.*, 105 ff.

⁵⁸ See S. Alp, *op. cit.*, 63.

⁵⁹ That this is a building and not the goods belonging to Tarḫunmiya can be deduced from letter Mst. 75/57 (*HBM* 52) ll. 30-31, in which the same person asks Himuili to place a man UKU.UŠ in front of his house: on the term UKU.UŠ see S. Rosi, *SMEA* 24 (1984) 109-129; and R. Beal, *op. cit.*, 37-44.

⁶⁰ See S. Alp, *op. cit.*, 96-98.

⁶¹ In this regard we can recall that in the postscript to letter Mst. 75/43 (*HBM* 27), ll. 23-25, Tarḫunmiya asks Himuili to have a look at his house.

⁶² See on the use of this adverb our observations on p. 110; this does not exclude Alp's interpretation, *op. cit.*, 235 l. 15 and 338, of the expression *anda dāi-* as "ins (Gefängnis) setzen."

⁶³ From Obv. 21-26 we learn also that one of these two people, UDU-šiwali, has damaged Tarḫunmiya's cart, and Šarpa decides that the guilty party must return the cart in good condition (SIG₅); there does not seem to be any fine levied as punishment for the offender.

⁶⁴ See in this regard F. Imparati, *RHA* XXXII (1974) 63 ff. and 99 ff.

We can presume that the sender of the postscript was Tarḫunmiya from a comparison with letter Mšt. 75/64 (*HBM* 81) in which Tarḫunmiya seems to be addressing the same people (see ll. 1-3, 29-32).⁶⁵

Other letters also inform us about the problem of Tarḫunmiya's house. In the postscript of letter Mšt. 45/43 (*HBM* 27) Tarḫunmiya asks the *BĒL MADGALTI* (that is, Himuili) to keep his eye on his house (ll. 24-25). This expression should not be understood here nor in the postscript to letter Mšt. 77/1 (*HBM* 60) in the sense of a generic request for protection, based on what is seen in the postscript of letter Mšt. 75/57 (*HBM* 52), where Tarḫunmiya addresses Himuili using the same expression and adding an explicit request for protection, that is the assignment of a man UKU.UŠ to guard his house, so that no harm should come to it (ll. 25-33).

We can deduce from the context of these letters a sequence of the events they concern. *HBM* 27, which contains only a request for protection without any reference to damages already suffered, would seem to be the first in Tarḫunmiya's dossier; *HBM* 52 would then follow it, with the request for protection from any harm; the third letter chronologically would be *HBM* 60, which speaks of the judiciary question concerning the matter of Tarḫunmiya's house.

A further problem concerning Tarḫunmiya's house emerges from *HBM* 52, addressed by the high official Ḫattušili to Himuili. While in the postscript sent by Tarḫunmiya it is his house that is discussed, Ḫattušili's letter concerns the house of the scribe which was located in Himuili's administrative jurisdiction, thus in Mašat, and which had undergone some damage. It is possible that both the letter and the postscript deal with the same house and the same case, given that Tarḫunmiya is a scribe. This question also seems to be connected with a problem of the imposition of fiscal duties *šahḫan* and *luzzi*. It would be too lengthy to take on this problem here; a work of F. Imparati specifically on this subject is currently in preparation.

One last interesting judicial case is presented in letter Mšt. 75/46 (*HBM* 68),⁶⁶ where the overseer of the military heralds⁶⁷, presumably Kaššu,⁶⁸ complains of the fact that certain people continue to cause him harm, even though he has never done anyone any ill and has not taken anyone's house or possessions. This must instead have frequently happened on the part of people holding positions of power in the administration of the Hittite kingdom.⁶⁹

Kaššu will report all of this to the king so that some people will be sent to investigate the matter; these will then bring the guilty party before the king, who will personally conduct the investigation. From the context it appears that Kaššu does not trust the fact that the investigation, in which he might be implicated, will

⁶⁵ Thus in letter *HBM* 60, Tarḫunmiya would have been with Šarpa, perhaps in the city of Šapinuwa.

⁶⁶ S. Alp, *op. cit.*, 250 ff.

⁶⁷ See, most recently, R. Beal, *op. cit.*, 396 ff., with literature; a different translation by S. Alp, *op. cit.*, 340.

⁶⁸ See S. Alp, *op. cit.*, 70-75.

⁶⁹ See F. Imparati, *JESHO* 25 (1983) 56 and 264 ff., and in *Stato Economia Lavoro nel Vicino Oriente Antico*, Milano 1988, 226 ff.

be conducted by functionaries assigned to the place for the administration of justice.

It is not clear here if Kaššu has actually suffered harm or if instead he is trying to intimidate the addressees of the letter with the possibility of a recourse to the king to protect himself from accusations that might be made of embezzlements he committed.

In the letter Kaššu seems to be accused for having distributed some flour, perhaps arbitrarily, to the inhabitants of the city of Kašipura.⁷⁰ Other letters reveal that Kašipura was often subject to raids from the Kaškeans and thus afflicted by famines,⁷¹ this city sometimes appears in connection with Kaššu.⁷²

From one of these letters – Mšt. 75/21 (*HBM* 5) – sent by the king to Kaššu, we learn that the latter has taken some oxen that were in the locality of Kašipura, which belonged to the administrative district of another official, EN-tarawa. The king orders Kaššu to return the oxen.

Kaššu's presence in this locality, even though he was not its administrator, can be explained by military reasons, since Kaššu is a high-ranking officer in the army and as such often had to deal with the dangers posed by the Kaškeans.

It is not possible to establish whether Kaššu took the oxen for his own personal purposes or to use them during some military operation; in any case, he did receive some sort of benefit from it, either economic or of prestige, even at the cost of creating a conflict of authority with other officials.

In this regard, for instance, we can recall the contrast existing between Kaššu and Himuili, testified by letter Mšt. 75/53 (*HBM* 54). Here it is Kaššu who admonishes Himuili about the latter's failure to use some seeds and his hostile attitude toward Kaššu's messengers. It appears also that Kaššu tried to intimidate Himuili with the threat of a Palace investigation (ll. 18-24).

The fact that Kaššu often presents the possibility of a recourse to the king's intervention would lead us to think he had a good relationship with his sovereign; however, this is not confirmed by some of the Mašat letters which were sent to Kaššu by the king.

In fact, besides the already mentioned letter Mšt. 75/21 (*HBM* 5), we can cite also Mšt. 75/16 (*HBM* 6) ll. 1-14, where the king admonishes Kaššu for not having stopped the advance of the enemy, and Mšt. 75/70 (*HBM* 7), where the king seems to be pointing out to Kaššu that he knows his behavior very well (l. 23: "I know you, Kaššu!").

Thus, either Kaššu was boasting about the king's favor which in reality he did not enjoy, or at a certain point in his career he fell into disgrace with the king.

The king's distrust of Kaššu can be deduced also from KBo XVIII 54, a letter from Kaššu to the king, which we feel can be linked with the situation described in

⁷⁰ For this passage see R. Beal, *op. cit.*, 463 n. 1718. Kaššu seems to justify himself also concerning the taking of an ox belonging to the "stone-[house]", saying he knows nothing about it: lower edge 1-4.

⁷¹ Mšt. 75/18 (*HBM* 24) ll. 4-10 and Mšt. 76/1 (*HBM* 45) ll. 19-22.

⁷² Mšt. 75/21 (*HBM* 5), Mšt. 75/16 (*HBM* 6), Mšt. 75/15 (*HBM* 19), and Mšt. 75/53 (*HBM* 54).

the letters cited earlier; this one too contains Kaššu's justification in answer to an admonition from the king because of the negative results of a military campaign.⁷³

Certain elements in the letter in question lead to the conclusion that the Kaššu mentioned here is the same person as in the Mašat letters, despite the spelling of the name. The few names of people mentioned in the letter cannot be taken as indicative for a dating of the text; in fact, Kaššu and Tuttu⁷⁴ appear in Hittite documents from both the Middle Kingdom and the imperial period; Zarnaziti is found in the form Zarniyaziti – considered by E. Laroche as a variant of the former⁷⁵ – in a list of men contained in a text from Mašat,⁷⁶ however the social rank of these men does not seem to allow an identification of them with the persons in question.

More significant, instead, is the mention of a Great of the scribes (Obv. 6), because a Great of the scribes is the sender of letter Mašat 75/77 (HBM 72) addressed to Kaššu himself, in which (ll. 34-36) the sender asks the scribe to write to him "in Babylonian"; this fact concords with the passage, unfortunately fragmentary, of KBo XVIII 54 Rev. 15-16. We should also recall that a Great of the scribes, but on wooden tablets, writes to Kaššu letter Mst. 75/97+99 (HBM 73).

Further, the mention of the city of Talmaliya in KBo XVIII 53 (a fragment of a letter that seems to have been addressed by Kaššu to the king, contemporary with KBo XVIII 54⁷⁷) recurs also in letter Mst. 75/108 (HBM 88) 2'.

It is interesting to note as well that in KBo XVIII 54 Obv. 5' mention is made of a "famine" (*kaš-t-*), a topic that recurs frequently in the letters from Mašat.⁷⁸ Finally, both in KBo XVIII 54 and in the letters from Mašat Kaššu carries out his duties in military surroundings.

Other elements in favor of this datation of KBo XVIII 54 have been pointed out by several scholars.⁷⁹

In conclusion, the letters from Mašat which we have cited above and KBo XVIII 54 testify to the same political situation, and in all of them Kaššu must defend himself to the king for not having obeyed orders or for incompetence or lack of will.

This examination, albeit necessarily limited, has allowed us to clarify certain aspects of judicial procedure and the practical application of the laws, which is always useful due to the lack of Hittite documentation of the acts of juridical praxis.

⁷³ For the transliteration and translation of this text, see F. Pecchioli Daddi, *Mesopotamia* XIII-XIV (1978-79), 201-212.

⁷⁴ The anthroponym D/Tuttu is found, although in a fragmentary form, also in letter Mst. 75/67 (HBM 72) l. [26]; it also appears, along with Zarniyaziti, in a list of men from Mašat; see n. 43.

⁷⁵ *NH* Suppl. 1537.

⁷⁶ *HKM* 100 Obv. 18.

⁷⁷ See H.G. Güterbock, KBo XVIII, p. V.

⁷⁸ See the passages cited from S. Alp, *op. cit.*, 371 under the relative entry.

⁷⁹ See A. Ünal, *RIA* V (1976-80), 473 ff. under "Kaššu"; Th. van den Hout, KBo IV 10+, Dissertation Amsterdam 1989, 193; R. Beal, *op. cit.*, 402 n.1513; 457 n.1693.

Furthermore, the Mašat letters, coming as they do from a locality on the edge of the Hittite kingdom, shed light on the relationships between the various officials responsible for the administration and defense of these districts and their relationship with the central power.

Especially with regard to this last aspect, we have collected numerous examples and deductions in a monograph on Hittite correspondence that we are now finishing; unfortunately we do not have space here to describe them at length. At any rate, also the examples we have presented here show the opportunity that the administrative officials had, especially in areas on the edges of the kingdom, for committing abuses for their own personal advantage; furthermore they point out the king's intervention as a consequence in order to safeguard his own interests and the stability of his power.