

N. A. B. U 2013/4 (décembre)

déjà sacrifié par un collègue, mais dans le sacrifice d'une nouvelle bête, suivi d'un examen pratiqué par le même devin⁵⁾. Ce que le contrat ne permet pas de savoir, c'est si la *piqittum* avait été prévue d'emblée ; le contrat de prêt peut en effet avoir été rédigé à l'issue de la procédure.

1) D'après la copie, lire plutôt 'UDU' que 'SILA₄' ; dans le doute, je garde le terme « ovin ».

2) Voir déjà mes remarques dans « Marchands du palais et marchands du temple à la fin de la I^{re} dynastie de Babylone », *JA* 270, 1982, p. 25-65, spéc. p. 40 n. 36 (à propos d'une vente à crédit de bovins). JCS SS 2 85 montre bien la différence entre les deux notations, car il en offre la combinaison : il s'agit d'un prêt de 10 SILA₃ d'huile (l. 1) valant 1 sicle d'argent (l. 2 : ŠÁM 1 GÍN KÛ.BABBAR) pour acheter des agneaux (l. 3 : ana ŠÁM SILA₄.HI.A). Le prêteur est d'ailleurs le même devin Riš-Marduk ; voir à son sujet *RA* 108, 2014 (à paraître), à propos du dossier réuni par S. Richardson dans JCS SS 2, p. 58-69 (« J. The Diviners' Archive »).

3) Pour Mari, voir L. Marti, *Florilegium Marianum X. Nomades et sédentaires à Mari: la perception de la taxe-sugâgûtum*, Mémoires de NABU 11, Paris, 2008, p. 4-7. À titre de comparaison, notons qu'à Uruk sous le règne de Anam, le prix des ovins fluctuait également autour de 1 sicle par bête en moyenne (*BaM* 23, p. 127-128 n° 167).

4) Les données réunies par H. Farber (« A Price and Wage Study for Northern Babylonia during the Old Babylonian Period », *JESHO* 21, 1978, p. 1-51) concernent le gros bétail (p. 15), mais pas les ovins.

5) Voir déjà à ce sujet ma note de *NABU* 1994/4.

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83) Hittite *tarassawala*: “personally involved” in a trial? — In the subjugation treaty between Mursili II and Targasnalli of Ḫapalla (CTH 67) we find the following clause regulating the behavior of the subordinated kings of Arzawa in case a legal dispute should arise among them:

KBo 5.4, Rev.

- 16 [na-aš-m]a-aš-ma-aš DI-NU-ma ku-it-ki nu le-e nu-un-tar-nu-ut-te-ni nu ḫa-ar-pu ša-ru-ú-pa le-e
i-ia-at-te-ni
- 17 [nu-kán] le-e i-da-la-a-u-e-eš-te-ni nu ma-a-an šu-ma-a-aš šu-ma-a-ši-la ta-ra-aš-ša-wa-la nu ša-
ra-a ti-ia-at-ti-[en]
- 18 [nu-kán MA]-ḪAR^dUTU-ŠI ú-wa-at-te-en nu-uš-ma-aš-kán ḫa-an-ne-eš-na-az^dUTU-ŠI KASKAL-ši
te-eḫ-ḫi ma-a-an šu-ma-a-aš-ma Ú-UL
- 19 [ta-r]a-aš-ša-wa-la nu-kán MA-ḪAR^dUTU-ŠI LÚ^{mes} GAL.GAL-TÌ pa-ra-a na-eš-tén nu-uš-ma-aš
ku-it DI-NU nu-uš-ma-ša-at^dUTU-ŠI
- 20 [pu-nu-u]š-mi nu-uš-ma-aš-kán IŠ-TU DI-NI KASKAL-ši te-eḫ-ḫi

The correct understanding of this provision, which is attested only in this treaty, depends very much on the interpretation of the word *tarassawala*, which occurs in the sentences *nu mán šumāš šumāšila tarassawala* (Obv. 17) and *mán šumāš=ma UL [tar]assawala* (Obv. 18-19). These are the only two attestations of *tarassawala* in the whole Hittite corpus; thus in order to understand its meaning one should first establish its function in these two sentences.

The presence of a pronominal form in *-il(a)* (*šumāšila*) in the first sentence is decisive for understanding its syntax: such pronominal forms are always nominative and reinforce only subjects, not direct or indirect objects (Hoffner – Melchert 2008, 279 §18.7); therefore *šumāš* in the first sentence must be 2nd Pl. Nom., i. e. subject of the sentence. Since the second sentence is clearly parallel to the first, one can assume that also in this case *šumāš* is subject. Thus the two sentences can be translated respectively “if you yourselves are *tarassawala*” (Obv. 17) and “if you are not [*tar*]assawala” (Obv. 18-19), where *tarassawala* would be an adjective defining the subject.

This analysis of the syntax of the two sentences allows one to rule out some of the current interpretations of *tarassawala*. In fact some authors seemed to have understood *šumāš* in both sentences as a 2nd Pl. Dat.-Loc., translating e.g. “wenn es euch selbst entscheidbar(?) dünkt” (Friedrich 1926, 63) and “if it (seems) reasonable to you” (Kitchen – Lawrence 2012, 499), while others have understood *tarassawala* as an adjective referred to the legal dispute (*DINU*), translating “if you yourselves have a resolvable dispute(?)” (Beckman 1999, 72) and “se la vostra (controversia) è risolvibile con un contraddittorio tra di voi” (d’Alfonso 2005, 91-92 with fn. 297).

If it is correct to interpret *tarassawala* as an adjective describing the subject of the two sentences, i. e. the vassals involved in a legal dispute, its meaning can be inferred from the different consequences

caused by whether they are or are not *tarassawala*. In both instances, the Hittite king will judge the case but if the vassals are *tarassawala*, they should set out and come personally to their sovereign, while if they are not *tarassawala*, they could send some high dignitaries instead. It seems therefore that being or not being *tarassawala* implies respectively having to show up personally in front of the Hittite king or being allowed to be represented by someone else. This leads me to exclude the meanings suggested by HEG T/D, *tarassawala*- 151 and HW² III, *ħanneššar*, 153, which translate respectively “wenn ihr selbst für euch rechtskundig⁷ seid” and “wenn ihr selbst sachverständig seid”: why should the vassals show up in front of the Hittite king, who would then decide the dispute, if they themselves are “competent”? In light of these considerations I suggest that *tarassawala* could rather mean “personally involved” or perhaps “eager to defend oneself” in a trial.

The whole passage could then be translated as follows:

“(Rev. 16) [Or], (if) you have some legal dispute, you shall not act rashly, nor act helter-skelter, (Rev. 17) nor act maliciously. If you yourselves are *personally involved*, then set out (Rev. 18) [and] come before My Majesty and I, My Majesty will put you on the road by means of a judgment. But if you are not (Rev. 19-20) [*person*]ally involved, then send high dignitaries to My Majesty: whatever legal dispute there is among you, I, My Majesty, [will inves]tigate it for you and will put you on the road by means of a judgment”.

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84) Zwei unveröffentlichte Zusatzstücke zu den Instruktionen Arnuwandas I. für Provinzgouverneure (CTH 261) — Unter den noch unveröffentlichten Bo-Texten des Anadolu Medeniyetleri Müzesi in Ankara befinden sich mit Bo 8274 und Bo 8326 zwei Stücke, die sich als zu CTH 261 gehörend erwiesen haben.¹⁾

Auch wenn man für die beiden Fragmente keine Angaben zum Fundort machen kann, bietet es sich an, diesen in Tempel I zu vermuten, da bis jetzt alle zu CTH 261 gehörenden Stücke mit eindeutiger Fundortangabe von dort stammen.²⁾

Während Bo 8274 KUB 31.91+ Vs. II 23’ff. dupliziert,³⁾ ist Bo 8326 Duplikat zu KUB 13.2+ Vs. I 9’ff. bzw. Vs. II 2’ff.⁴⁾ Inhaltlich ergibt sich allerdings kein nennenswert neuer Text. Die Stücke duplizieren größtenteils bereits bekannte Passagen.⁵⁾ Aus diesem Grund wird hier auf eine Bearbeitung verzichtet und neben den Textfotos nur eine Umschrift und ein kurzer Kommentar geboten.

Bo 8274

Vs.

- (1’) [] x x []
 (2’) [] x-x [EGIR]-an []
 (3’) [] na-at ar-ħa ħar]-kán na-at-za^{LÚ.MEŠ}SANGA []
 (4’) [MUNUS.MEŠ]AMA.DINGIR-LIM^{LÚ.MEŠ}GUDU₁₂ EGIR-an kap-pu-u-ua-an ħ[ar-te-en na-at EGIR-pa
 (5’) [i-ia-an-du na-at ka-ru-ú GIM-an ú-e-da-an] [e]-eš-ta
 (6’) [na-at EGIR-pa QA-TAM-MA ú-e-da-an-du nam-ma-aš-ša-an A-NA DINGIR^{MEŠ} n]a-ah-ša-ra-za
 (7’) [ti-ia-an-za e-eš-du A-NA^dIM-ma-aš-ša-an na-ah-ša-r]a-a-z me-ek-[ki]
 (8’) [ki-it-ta-ru ma-a-an É.DINGIR-LIM-ia ku-it-ki za-ap-p]i-ia-[at-ta]
 (9’) [na-at a-ú-ri-ia-aš EN-aš^{LÚ}MAŠKIM.URU^{KI}-ia EGIR-pa SIG₅-ah-ħa-an-d]u
 (10’) [na-aš-ma-kán A-NA^dIM BI-IB-RU ku-iš-ki na-aš-ma-kán t]a-me-e-da-ni ši-ú-ni
 (11’) [ku-e-da-ni Ú-NU-TUM ħar-kán na-at^{LÚ.MEŠ}SANGA^{LÚ.MEŠ}]GUDU₁₂
 (12’) [MUNUS.MEŠ]AMA-ia EGIR-pa i-ia-an-du

(13’) [] x x x