A Mittani-Era Tablet from Umm el-Marra

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During the 1999 season of the joint Johns Hopkins University, University of Amsterdam excavations at Umm el-Marra, the first cuneiform tablet so far discovered in the Jabbul Plain area was found. The text, written in the presence of Šuttarna, king of Mittani, records a contract by a man named G/Kubi, who released his slave girl and her children to the status of ōanigalbatītu and provided them with real estate. The article contains an extensive legal and linguistic commentary, as well as a discussion of the seal of Sauštatār, an earlier king of Mittani, which is impressed on the tablet.

In the 1999 excavation season of the joint Johns Hopkins - University of Amsterdam expedition to Umm el-Marra directed by Hans Curvers and Glenn Schwartz, a Mittani-period cuneiform tablet was discovered. This tablet is the first to be retrieved from the site, as well as the first from its region, the Jabbul plain. Situated between Aleppo and the Euphrates valley in western Syria, the Jabbul is a rainfall-farming plain that also serves as an important conduit between Mesopotamia (via Emar) and regions to the west (fig. 1). At ca. 25 hectares, Umm el-Marra is the largest Bronze Age site in the Jabbul, and was occupied from the early third millennium to the later second millennium B.C., then reoccupied in Persian, Hellenistic, and Roman times (fig. 2).

The Umm el-Marra tablet was found in the 6×10 meter trench 1210/4084 (2×2 meter unit 1214/4082-029) in the North Area, not far from the zone of the city wall on the edge of the mound.¹ It derives from the earliest of three phases dating to Umm el-Marra period II, the Late Bronze period. In this phase were the very fragmentary remains of rooms with mud-plastered floors and disturbed walls. The tablet was found in the northwestern part of the trench on or near the room floor (fig. 3).²

¹ Schwartz et al. in press.
² J.J. Shirley and her team found the tablet in a wheelbarrow filled with dirt removed from a known location in the trench. Thus, the approximate findspot is known, but the tablet was not observed in situ.
The tablet, with the optimistic siglum UEM T1 (figs. 4–6), records the execution of a contract “in the presence of Šuttarna, the king” of Mittani, in which a certain Gubi, or Kubi, releases the woman Azzu, probably his slave concubine, as we can deduce from a similar document from Tell Brak, together with her children and one Ariḫamri (probably one of her children or another slave), to the status of hanigalbatatu. He gives Ariḫamri the houses belonging to one Ar-teššupa,

3 The tablet was studied in the field by Schwartz (with suggestions from A. Archi, M. Bonechi, and J. Eidem), who produced a rough copy and transliteration; Barbara Stuart made the photos. The text was then the object of study in a seminar led by the authors in Baltimore, during which substantive contributions toward its understanding were made by Lance Allred, Alhena Gadotti, and Bruce Wells. Subsequently, collations were made in Aleppo by Schwartz, Allred, and Gadotti. Valuable suggestions were also made by colleagues at other institutions: G. Beckman, E. von Dassow, J. Huehnergard, and R. Pruzsinszky.

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and he gives certain individuals to one Akiya (another released slave, or one of
the children of Azzu?). It concludes by asserting Gubi’s control over these gifts
for the duration of his life.

The tablet is sealed with the seal of Sauštatar, an earlier king of Mittani,
whose same seal is attested at Nuzi and Tell Brak as well, occurring at the latter
site on documents executed in the presence of Šuttarna’s immediate successors,
Artašûmara (TB 6002) and Tušratta (TB 8001).4 In addition to a common
dynastic seal, the Umm el-Marra tablet shares much else with the two Brak
tablets. They record similar contracts, and share much of their phraseology,
including both ḫanigalbatūtu and an otherwise unattested Š-stem of the verb
nazāru (TB 8001). Like TB 6002, UEM T1 is somewhat wider than it is long, but

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4 Oates et al. 1997:Chaps. 2(texts) and 3(seal).
Fig. 3. Findspot of UEM T1, North Area, trench 1210/4084.
this is not because it adheres to a format like the later Syro-Hittite-type tablets from nearby Emar, in which the cuneiform text is inscribed in lines parallel to the longer side of the tablet; rather, it is brevity that accounts for the shortness. UEM T1 has 15 lines plus a sealing at the end of the reverse, and measures 5.2 cm wide × 4.3 cm long. TB 6002, with 11 lines plus sealing, is 5.2 × 4.2—almost exactly the same dimensions as our tablet—and the longer TB 8001, with 23 lines plus sealing, is 5.8 × 7.2. Most of the Syrian-type tablets in Beckman 1996 have widths of between 5 and 6 cm, and an Alalah text, which, like ours, concerns a matter of ḫanigalbatu brought before the king of Mittani is 5 × 5. In other words, we are dealing with a relatively standard tablet width, which is indifferent to length.

The differences between the so-called Syrian and Syro-Hittite scribal practices defined for Emar concern not only tablet format and sealing practice, but also differences in morphology, syllabary, paleography, and lexicon, differences that can distinguish a Syro-Hittite-type tablet even when it is not in the broad format. In their differences, the Syrian-type tablets have affinities to Old Babylonian or Middle Bronze Akkadian, whereas the Syro-Hittite type is a later development, reflecting the Middle Babylonian practices of Late Bronze peripheral Akkadian.

The paleography and syllabary of the Umm el-Marra text is similar to that of the two Brak texts. Both UEM T1 and TB 8001 use what at Emar we would call the Syro-Hittite, that is, Middle Babylonian form of AH, rather than the Old Babylonian form found in the Syrian-type tablets at Emar, as well as, for example, at Ekalte and Alalah, and both texts have a separate sign for the glottal stop plus vowel, again in the Middle Babylonian/Syro-Hittite tradition. A Middle Babylonian value that is not in the Syro-Hittite syllabary, but does occur at Nuzi and in the Mittani letters at Amarna, is šir (EZEN), which is used by both UEM T1 and TB 8001. Except in the Hurrian PNN, there is no trace in the Umm el-Marra tablet of the indifference to voicing of syllable initial stops that is found in so many peripheral dialects (note especially a-di in l. 14) and there is just a little in the Brak tablets. The phonology of our text, together with the Brak texts, follows the Middle Babylonian model (as do the Syro-Hittite-type texts from Emar): umteššir rather than ataššir, uma’ar and not uwa’ar. Note, too, the “simplified” accusative suffix -šunu instead of -šunūti in the Umm el-Marra text.

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6 See the preceding note.
8 Von Soden 1991:No. 113; Schroeder 1915:82. The value occurs at Ugarit only in literary and lexical texts; see Huehnergard 1989:370.
9 DU for tú (TB 8001:10) and PA for bá in gāb-bá (TB 8001:15).
Transliteration

OBV. 1.  a-na pa-ni "šu-ut-tar-na [LU]GAL
2.  "gu-ú-bi ri-ik-sa ir-[kus]
3.  'az'-zu qa-du DUMU.MEŠ-ša
4.  û "a-ri-ḫa-am-ri
5.  a-na ḫa-ni-gal-bat-ut-ti
6.  um-te-es-šir-šu-nu
7.  É.MEŠ ša "ar-te-es-šu-pa
8.  a-na "a-ri-ḫa-am-ri

L.E. 9.  it-ta-din
10. i-na re-el-ti

REV. 11.  šu-uẓ'-zu-ur
12. 1 'SAL' 1 LÚ.ENGAR.RA' x (x) x
13. a-na "a-ki-ya i[t-][a-din
14. "gu-ú-bi a-di TLLA
15. 'ú-ma'-'ar'

SEAL  [sa-u] š-ta-[t-tar]
     [DUMU p]ar-sa-[t-tar]
     [LUGAL ma-][i-t[a-ni]

Translation

1. In the presence of Šuttarna, the king,
2. Gubi executed a contract:
3. Azzu together with her children,
4. and Ari-ḫamri,
5. he released
6. for Ḫanigalbat-ship.
7. The houses of Ar-teššupa
9. he gave
8. to Ari-ḫamri.
10. Among what remains,
11. He has no legal claim.
12. 1 woman (?), 1 cultivator (?) …
13. he gave to Akiya.
14. Gubi, as long as he lives,
15. shall exercise control (over the property).
TABLET FROM UMM EL-MARRA

Notes


2. For the PN, cf. Gub-ba-a in Beckman 1996 25:1 (if DU there is indeed to be read gub); ku-ú-pi in Wiseman 1953 (last sign read -wa there); and Kūbiya at Nuzi, as well as names beginning with Kūbi/u in Nuzi PNN and GNN (e.g., in NPN, RGTC 10, and Müller 1994).

3. Azze is a feminine PN at Nuzi.

5f. Cf. TB 8001:4 a-na ḫa-ni-gal-bat-ú-ut-ti um-te-eš-šir-šu, and AT 13, where someone’s ḫa-ni-gal-ba-tu-ti is disputed before sa-úš-ta-tar LUGAL. See the legal commentary below for additional parallels.

7. For the PN, cf. ‘ar-te-šu-pa at Alalaḫ, and the common Arteššup at Nuzi.

11. The same verb is found on TB 8001:21, where a man wills certain properties to a woman and her children, but if she remarries, she will be šuzzurat together with her children, which must mean that they will be excluded from controlling the properties (so Wells). Durand 2000:484f. notes that nazāru can be used at Mari to mean “to make an unwarranted claim on property.” Could the apparent Š-stem of nazāru here and at Brak mean that any claim by the subject of the verb to the property will be considered unwarranted?

13. Akiya is a common Hurrian PN at both Alalaḫ and Nuzi.

14. adī TILA uma’ar occurs in TB 6002 and 8001, as well as at Nuzi and Ugarit (CAD s.v. āru).


Legal Commentary

UEM T1 describes a private legal act before the Mittanian king whereby an individual bestows certain benefits on three named persons. It is styled as a contractual agreement (riksu), but the contract appears to be unilateral, since only the benefactor, Gubi, enters into obligations. His undertaking is in three parts: release (vb. wuššuru), conferring of a new status (ḫanigalbatātu), and grant of property.

In its structure the document closely parallels TB 8001 from Tell Brak, which is likewise a unilateral contract before a Mittanian king, containing the same elements of release, new status, and property grant. We shall consider these three elements in turn.

1. Release

UEM T1 does not specify the original status of the beneficiaries, only the status they acquire as a result of the release, namely hanigalbatitu. A parallel is found at Alalah and Ugarit, where the process of release is used to bestow on individuals the status of maryannu, an elite class among the free citizenry. In AT 15 the king releases (uwaššar) one Qabia to maryannu status and makes him “like the sons of maryannu of Alalah,” i.e., as if he had been born into that status and, in addition, bestows upon him the hereditary office of priest of Enlil. In RS 16.132 (= PRU 3, 140) the king “purifies” (uzakki) one Adal-šenni and his sons and establishes them as maryannu.

On this basis, von Dassow suggests that “release” into maryannu or Hanigalbat status was, in fact, promotion from one free class to a higher class, involving freedom from encumbrances and obligations.13 A distinction needs to be drawn, however, between an act of release by the king and the same act by private individuals. A private citizen would not be able to confer promotion on a fellow citizen or release him from public duties. He could only affect the status of persons under his control, namely his slaves or possibly members of his family. wuššuru and zukkû are verbs typically used for manumission in Late Bronze texts and should be given this meaning wherever the act of a private person is involved, unless there are clear indications to the contrary. In RS 8.208 (= PRU 3, 110–11) both verbs are found together in a manumission: “From this day, before witnesses, A releases (uwaššar) his female slave B…, (declaring) thus: ‘I have poured oil on her head and I have purified her (uzakkiša). As the Sun is pure, so B is pure forever’…”14

Furthermore, where a private individual is the benefactor, this interpretation applies equally to release into maryannu status, as demonstrated by a document from Emir. In RE 66 a man declares: “I hereby release (umteššir) X my slave, together with his wife and children, to maryannitu…” There follows a paramone-clause obliging him to serve his master and mistress during their lifetime, becoming a maryannu only on their death. The document thus has the standard pattern of the manumission of a slave conditional upon care of the former owner during his lifetime.15

Accordingly, the release into hanigalbatitu in UEM T1 and in TB 8001 is likely to have been a manumission rather than a promotion of free citizens. In both cases, we can assume that the beneficiaries of the release had been slaves of the benefactor, even though they are not expressly described as such.

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14 In AT 91, in a broken context, a man appears to make a woman and her children pure (zakil) and a maryannu through marriage. It would seem that she had been his slave concubine. See further below.
15 Note that even kings could use these verbs in a private capacity to manumit their personal slaves: RS 16.267 (=PRU 3, 110).
2. New Status

Manumission results in both freedom and citizenship, since freedom could exist only in context, namely membership of, and a recognized status within, a political entity. In Late Bronze documents it can be expressed by a number of terms: *maryannītu*, as we have seen, free to *šamaš* in documents from Emar,\(^{16}\) and *arawannītu*, a term at Emar derived from the Hittite word *arawanni*, meaning free citizen.\(^{17}\)

Paradoxically, the status of free citizen was marked by designation as a slave of the king, as opposed to the slave of a private person. “Slave” in a political context meant a hierarchical inferior, albeit personally free, and thereby a subject of the king. Even a king could be a slave of his overlord if he was a vassal. In a private context, slave meant a person who was the property of another person and, thereby, subject to the ordinary rules of the law of property.\(^{18}\)

The distinction is well illustrated by one of the Emar documents cited above. In *ASJ* 14 no. 46, a woman declares before the king of Carchemish (lines 22–23): “My slave X and his children are free citizens (*arawannītu*), they are slaves of the king. They are not subject to purchase…” (*ša la ŠAM šunu*).

Consequently, the status of *ḥanigalbatūtu* was likely to have been yet another way of describing the condition of free citizenship that a slave acquired through manumission. Some citizens, however, were more equal than others. The *maryannu* are generally thought to have been an elite.\(^{19}\) It may be asked how manumission could confer this promotion at the same time, catapulting the former slave above the ranks of less fortunate classes. Two possibilities may be posited.

First, if the slave had previously had a higher rank and had fallen into slavery due to debt, manumission would cause a reversion to the previous status. The expression “he remains a slave of the king” used of a debt-slave who redeems himself may refer to this process.\(^{20}\) Second, the manumitted slave might automatically acquire the same status as the manumitting owner. Ratification by the king may have been desirable, hence the frequent mention that the act was performed before the king, but in RE 66, at least, there is no such notice. In UEM T1 it would seem most likely that the manumitter was a *ḥanigalbatean* himself, who was concerned to bestow the same privilege on his former slaves, for reasons that will become apparent below.

\(^{16}\) Arnaud 1986: No. 177 (*wuššur*); RE 27 (*umteššir*); TBR 41 (*zakīl*). The concept is already found in Old Babylonian manumissions, e.g., VAB 5, Nos. 25, 27.

\(^{17}\) Arnaud 1986: No. 19; *ASJ* 14 46; TBR 32. In Hittite contexts, it can be written with the Akkadogram *ELLU*. See further Yamada 1995.


\(^{20}\) Arnaud 1986: No. 121; cf. no. 117.
Unlike *maryannūtu*, however, the privilege of *hanīgalbatītu* was more than a mere matter of rank or office, as a third source for the term, AT 13 from Alalāḫ, reveals. Before Sauštatar king of Mittani, one Irib-ḫāzi litigates with the king of Alalāḫ, Niqmepa, over his status of *hanīgalbatītu*. Niqmepa wins and Irib-ḫāzi is declared his slave. Since Niqmepa was a vassal of Sauštatar, the issue must have been whether Irib-ḫāzi was a subject of Niqmepa or whether, although resident in Alalāḫ, he could claim to be answerable only to the emperor. Since every citizen of Alalāḫ was indirectly a subject of the Mittanian emperor, the question probably revolved around his liability to pay feudal dues or taxes to the king of Alalāḫ.21 In UEM T1, therefore, the release makes its beneficiaries subjects of Mittani, not of the Mittani vassal with authority over Umm el-Marra.

3. *Grant of Property*

Gubi grants land to one of the persons whom he releases, Ari-ḫāmrī. Since Gubi expressly reserves control over the property until his death, the gift is effectively a testamentary disposition. Nonetheless, the effect of the testator’s placing the gift in a contractual framework (*riksa iirkus*) is to make it irrevocable.

It is in the nature of inheritance throughout the ancient Near East that a testator could bequeath his estate only to a legitimate heir, namely a relative who could potentially inherit on intestacy. Bequests to an outsider were not possible. For this reason, an owner who wished to bequeath property to an outsider would usually adopt the beneficiary.22 The question thus arises, on what basis Gubi bequeathed land to Ari-ḫāmrī.

A clause from the more explicit Tell Brak parallel suggests an explanation. In TB 8001 the person manumitted is said to be the son of the owner’s concubine (*esirtu*). He is thus the owner’s illegitimate son by a slave. Furthermore, prior to the grant of specific property, the document states that the manumitter has included him as his heir (*summuḫu*), which points to a formal procedure in addition to manumission.23

Thus, in UEM T1 Ari-ḫāmrī was most probably the illegitimate son of Gubi by a slave-concubine, whom his father manumitted, legitimized, and granted a share in his estate. The intermediate stage of legitimation is assumed in the more tersely worded document. It is possible that Azzu was Ari-ḫāmrī’s mother, but we cannot be sure. In that case the residue of Gubi’s estate would

21 Compare the case of a resident of Emar who held feudal land directly from the Hittite emperor (and, in fact, claimed that he had been exempted from Hittite feudal dues): Hagenbuchner 1998:23; Westenholz 2000:32.

22 Examples from Late Bronze Syria are RE 28; 30; TBR 48, from Emar.

23 According to CH 170, the father in these circumstances legitimates his offspring by a declaration that may be the same as adoption, but that is not the only method. In MAL A 41 the same is achieved indirectly by marrying the concubine (and thereby automatically ending her slave status). The same procedure may lie behind RS 16.250: 20–24 (= PRU 3, 86). The verb *summuḫu* (found also at Nuzi) does not reveal the procedure involved: it may indicate adoption, recognition or some other form of legitimation.
go to her children manumitted with her, presumably still young, after deduc-
tion of the specific bequests to Ari-ḫamri and Akiya, who was perhaps another
(legitimate?) son. Note that in this document, as opposed to TB 8001, there is no
statement that the whole of the estate is allocated among the named bene-

In summary, UEM T1, in spite of its terse formulation, reveals a legal
arrangement of the same type as in a slightly later tablet from the Mittanian
empire, TB 8001 from Tell Brak. The law behind the arrangement fits in well
with what we know of legal practices in Syria of the late Bronze Age.

THE SEALING AND SCRIBAL PRACTICES

The Umm el-Marra text purports to record a contract executed “in the presence
of Šuttarna the king,” and is sealed with a Mittani dynastic seal. Are we to take
the king’s presence literally, or should we imagine royal magistrates with a
copy of the dynastic seal in hand making the rounds of the Mittani domain as
the king’s proxies? Or did the king himself make regular visits to provincial
centers, where he would have the opportunity to exercise his judicial pre-
rogatives?24 An Emar legal text recording proceedings “in the presence of Ini-
TešŠup [king of Carchemish]” and sealed with the royal seal specifically
reiterates at the end that “Maryanni and Puḫišenni the supreme scribe wrote it
in the presence of the king,”25 and Wilcke and Seminara have presented
convincing evidence that Emar documents with the king of Carchemish’s seal
(and others as well) were, in fact, written at Carchemish.26 Huehnergard makes
a similar claim for the foreign origin of texts found at Ugarit with Hittite or
Carchemish royal seals.27

The two Brak documents that closely resemble our text claim to have been
executed “in the presence of” the Mittani kings Artašumara (TB 6002) and
Tušratta (TB 8001), but Tell Brak cannot have been far from the still unlocated
Mittani capital Waššukkanni. It would have probably been no more difficult for
residents of Brak to travel to Waššukkanni28 than for people from Emar or
Ugarit to reach Carchemish. But the voyage to the upper Ḫabur region would
have been considerably more arduous from Umm el-Marra, or from Alalah,29
where two texts, also with a Mittani dynastic seal, claim to be written “in the
presence of Sauštatar the king” (AT 13 and 14). An examination and closer
study of the Alalah tablets might reveal dissimilarities from the rest of the
Alalah material that would suggest foreign origin. At Umm el-Marra, there are

24 Rulers travelled, as is abundantly clear already from the Ebla and Beydar texts (Ismail
25 Arnaud 1986: No. 201.
28 But we can also imagine the Mittani ruler holding court in the Mittani palace at Brak
itself (Oates et al. 1997).
as yet no comparanda, but if neutron-activation analysis showed similarities between the clays of UEM T1 and the two Brak tablets, it would suggest that all three were, indeed, products of the Mittani capital.29 The strongest argument at present that the Umm el-Marra tablet was written in Šuttarna’s capital is the presence of the Middle Babylonian value šīr (EZEN), which otherwise does not occur in Syria west of the Euphrates, but is found at Brak, Nuzi, and in the Mittani letters found at Amarna.

It is far from certain, then, that our text fulfills Beyer’s desire for documents from the vicinity of Emar or the surrounding region that would shed light on the scribal practices in that area during the period of Mittani hegemony.30 UEM T1 dates to the “seemingly blissful era of King Šuttarna II,” that is, the early fourteenth century, when “Mittani again could bask in glory as the undisputed master of north Syria and the Ėzira.”31 If our tablet was, indeed, produced at Umm el-Marra, it seems odd that a century and a half later, under Hittite suzerainty, scribes at Emar and other sites on the Euphrates less than 50 km distant from Umm el-Marra were writing Syrian-type tablets that, if we didn’t know better, we would judge to be much older than our tablet.32 And at Mittani Alalah, only a generation or so earlier than our tablet, a Syrian-type paleography is employed.33 Thus, even if the Syrian-type scribal practices at Emar in the mid-thirteenth century represent the kind of provincial archaizing characteristic of many peripheral Late Bronze Akkadian dialects,34 in early fourteenth-century Syria, midway between Emar and Aleppo, we would certainly expect Syrian-type scribal practices. Instead, we have a tablet with strong affinities to the area beyond the Euphrates where Middle Babylonian norms were current. While we await excavation of the additional tablets that will surely clarify matters, it is probably best to assume the Umm el-Marra tablet is a product of the Mittani heartland, or, at the very least, it was written in Mittani chancellery style, rather than local Syrian style, in the presence of the Mittani king or his representatives at Umm el-Marra.

29 One would, of course, need to compare those results with the analysis of the Amarna tablets from Waššukkanni (Dobel et al. 1974–77).
30 Beyer 2001:196.
31 Kühne 1999:218.
32 Note the continuing controversy regarding the date of the Syrian-type tablets from Azû and Ekalte, which Mayer 2001:14–19 insists are substantially earlier than the similar Syrian-type tablets from Emar, but Wilcke 1992:120–25 argues are contemporary with Emar. The solution is perhaps to be sought in the direction of Skaist 1998, who proposes a much broader time range for the Syrian-type tablets from Emar (1400–1220). See, too, Podany 2000:12 on the “surprising conservatism in Hana … in scribal and legal tradition. Documents written at the beginning of the era, in the eighteenth century, are so similar to those written at the end that … they were assumed to have been written within a few decades of one another rather than hundreds of years apart.”
33 Wilcke 1992:118.
34 Moran 1992:xixf.
TABLET FROM UMM EL-MARRA

UEM T1 obverse

UEM T1 lower edge
UEM T1 reverse

UEM T1 lower edge
Works Cited


