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**DES POLYTHÉISMES AUX
MONOTHÉISMES**

Mélanges d'Assyriologie offerts à Marcel Sigrist

édités par

Uri GABBAY et Jean Jacques PÉRENNÈS



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Maurizio VIANO

The Economic Activities of the Zū-Ba‘la Family and the Archival Practices in Building M₁ at Emar

When I first met Marcel Sigrist at the École Biblique in Jerusalem I was immediately struck by his kindness and his willingness to show and share his work. It is therefore a great pleasure to participate in this volume in his honor with a contribution on Emar, a subject that he also touched upon.

The site of Meskene on the western bank of Lake Assad in Syria was the target of a salvage campaign by a French mission in the 1970s, following the construction of the Tabqa dam. The earliest epigraphic finds enabled the identification of the site with the ancient town of Emar, known since the period covered in the Ebla archive by the name of Imar, which thrived during the Late Bronze Age under Mitannian and Hittite rule.¹ The archaeological and epigraphic finds date to a period between the mid-14th and early 12th century BC.² After the controlled excavations were completed, the site was extensively looted and many cuneiform tablets found their way into museums and private collections around the globe.

During the early stage of research at Emar, it was noticed that cuneiform tablets from the site could be divided into two different groups according to their format, sign shapes, language, sealing practices, and legal formulae. These two scribal traditions were termed Syrian and Syro-Hittite by Daniel Arnaud, the epigraphist of the French mission.³ There is another outstanding difference between the two sets of texts: persons and institutions mentioned in one tradition

¹ For an account of the French excavation see RUTZ 2013, 56-80.

² A new German mission discovered layers predating the Late Bronze Age that invalidated Margueron's (1980) early claims that the town was relocated under Hittite rule, see FAIST, FINKBEINER 2002.

³ ARNAUD 1975b.

never or very rarely appear in documents of the other tradition. The king and the members of the royal family, the temple authority Ninurta, and other local institutions such as the Elders or the Brothers are almost exclusively associated with the Syrian tradition, while the Hittite authorities are only mentioned in Syro-Hittite sources. It was first thought that the two traditions were contemporaneous and operated side by side until the demise of the city.⁴ Thanks to several studies on the chronology of Emar texts,⁵ it became apparent that the Syrian tradition with its archaic traits was older and that the Syro-Hittite tradition was introduced at a later stage.⁶ It is now generally recognized that the Syro-Hittite tradition overlapped with the Syrian and eventually replaced it when the native monarchy came to an end. Nevertheless, the length of the overlap is debated: some scholars wish to extend the period when the two traditions coexisted,⁷ while others, including the present author, tend to limit it. As I have argued elsewhere (and this contribution builds on that argument), I believe there is evidence that the Syrian tradition was replaced by the Syro-Hittite tradition following the consolidation of Hittite rule, and that there was virtually no overlap between the two sets of sources.⁸ The local monarchy came to an end and from that moment onward Emar was directly controlled by the Hittites through their officials.

A key role in the Syro-Hittite sources is played by the family of Zū-Ba'la, which held the office of “diviner of the gods of Emar.” The family resided in Building M₁, which yielded the largest archive in Emar, accounting for about ninety percent of all texts from the site.⁹ Building M₁ was initially identified with a temple but is now interpreted as a multifunctional building that comprised a private residence and a scribal school and hosted cultic activities.¹⁰ Despite the fact that

⁴ ARNAUD 1975a.

⁵ SKAIST 1998, D'ALFONSO 2000, DI FILIPPO 2004, COHEN, D'ALFONSO 2008, DI FILIPPO 2008.

⁶ For an up-to-date overview of different positions on Emar chronology see DÉMARE-LAFONT, FLEMING 2015.

⁷ DÉMARE-LAFONT, FLEMING 2009, DÉMARE-LAFONT, FLEMING 2015; YAMADA 2013 represents an extreme and minority view by considering, as with Arnaud, the two traditions as wholly contemporary.

⁸ VIANO *in press-a*.

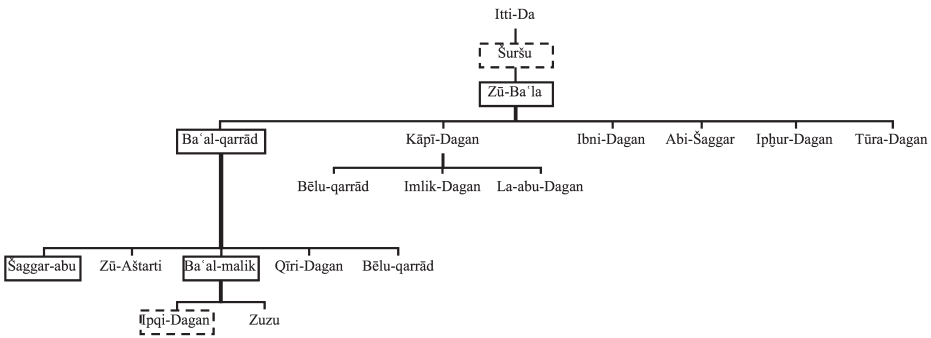
⁹ COHEN 2009, 10.

¹⁰ See McCLELLAN 1997, 30, OTTO 2006, 491, RUTZ 2013, 303-307.

the family of diviners is associated with texts of the Syro-Hittite tradition, both Syrian and Syro-Hittite tablets were found at Building M₁.

The family of Zū-Ba‘la spanned five generations. After Zū-Ba‘la, the office of chief diviner, officially known as the “diviner of the gods of Emar”, passed to his eldest son Ba‘al-qarrād and in turn to his son Šaggar-abu, who apparently died early, and was thus replaced by his younger brother Ba‘al-malik. Ba‘al-malik sired two sons, Ipqi-Dagan and Zuzu, and the office was possibly passed down to Ipqi-Dagan.¹¹ A secondary family branch developed from another one of Zū-Ba‘la’s sons, Kāpī-Dagan, who bore the title of diviner and had three sons.

Figure 1 – The Zū-Ba‘la Family



Names of chief diviners are enclosed in rectangles; a dashed rectangle indicates that the identification of the individual as chief diviner is uncertain.

The diviners of Zū-Ba‘la’s family were responsible for the administration of the cult not only at Building M₁ but also at the temples of Ba‘al and Aštarte. Their names and seals are found on several administrative documents from these three venues, and letters to Hittite officials found in Building M₁ illustrate the management of the cult.¹² In addition to the official duties of the members of the Zū-Ba‘la family, the Emar sources also illuminate their private activities, which are the focus of this paper.

In the proceedings of the Konstanz conference, Di Filippo¹³ suggested that all the tablets found in Building M₁ should be ascribed

¹¹ See ADAMTHWAITE 2001, 32, COHEN, D’ALFONSO 2008, 12.

¹² On the administration of the cult at Emar see COHEN 2011; see also COHEN 2009, 162-163, 165, 171-175.

¹³ DI FILIPPO 2008.

to the archive of the Zū-Ba‘la family. The main argument is that some Syrian sale contracts where members of the royal family appear as buyers were transferred to Zū-Ba‘la’s family as titles to properties (*tuppāt ummātim*) and kept in the archive of Building M₁.¹⁴ Additionally, one of these properties (E 137c) was recorded in the Syro-Hittite land registry E 168, which also lists one property purchased by the diviner Ba‘al-qarrād (E 206). In a recent contribution to appear in a volume dedicated to Clelia Mora (Viano *in press-b*), I strengthened this position.¹⁵ In addition to the Syrian sale contracts, other Syro-Hittite documents that do not directly involve the family of Zū-Ba‘la can be linked to the diviners’ archive. Most notably, the presence of E 216, the sale of a child, in Building M₁ can be understood only in relation to E 217, which records the sale of the same child together with her siblings to the family of Zū-Ba‘la because the buyer in the previous sale had failed to remit payment. I further showed¹⁶ that such links go beyond the sale contracts and can be demonstrated for texts that were previously considered isolated, such as wills (see below under E 186-187¹⁷). There is enough evidence to support the claim that the tablets stemming from other private archives, both Syrian and Syro-Hittite, were kept by the Zū-Ba‘la family as titles to properties. From this starting point it is possible to analyze the range and extent of the family’s economic activities.

1. *Real Properties*

Members of the family of Zū-Ba‘la are involved in several transactions concerning different types of real estate and agricultural land. As mentioned above, the legal documents found in Building M₁ can be divided into two different groups, one composed of Syro-Hittite deeds recording the activities of Zū-Ba‘la’s family, and a second group forming a repository¹⁸ of both Syrian and Syro-Hittite

¹⁴ DI FILIPPO 2008, 59-60.

¹⁵ The inferences in VIANO 2012, 134, are to be abandoned.

¹⁶ VIANO *in press-b*.

¹⁷ For the supposed isolation of E 186-187 see RUTZ 2013, 294.

¹⁸ The term repository is used in a broad sense and does not imply that these tablets were stored in a separate part of the archive, although it is not excluded.

tablets in which the family of Zū-Ba‘la is not directly involved; the latter tablets were preserved in the family archive as titles to properties. Indeed, all the Syrian and Syro-Hittite documents within the repository record real properties.¹⁹ It follows that the family of Zū-Ba‘la somehow acquired these properties.

As far as the documents directly involving the family of diviners are concerned, various legal transactions or agreements attest to the expansion of their assets. The market was certainly a source for the acquisition of properties, but only a few sale contracts recording members of the Zū-Ba‘la family as buyers are preserved (BLMJ 8, E 199, E 206, and E 207). Additionally, E 225 records the sale of a share of an inheritance by Ipqi-Dagan son of Ba‘al-malik to his brother Zuzu. E 199 is a very fragmentary document recording the purchase of an unpreserved quantity of real properties, including an orchard, by Zū-Ba‘la. The documents BLMJ 8, E 206, and E 207 all date to the second generation, that of Ba‘al-qarrād, who purchases two unbuilt plots of land (^{ki}*eršetu*)²⁰ in E 207 and two orchards in E 206 and BLMJ 8. As mentioned above, the orchard bought in E 206, and perhaps that in BLMJ 8,²¹ is recorded in the land registry E 168.²² Another sale contract is the Syrian tablet E 158, according to which a certain Šuršu son of Itti-Da, who bears the title of diviner, purchased a house during the reign of the king Pilsu-Dagan. It is here understood that this Šuršu is the father of Zū-Ba‘la mentioned in E 194: 20,²³ who lived at the time of the monarchy before the introduction of the Syro-Hittite tradition.

Despite the meager number of sale contracts, other types of documents clearly attest that real properties were purchased by members

¹⁹ See VIANO *in press-b*.

²⁰ For ^{ki}*eršetu* as an unbuilt plot of land see WILCKE 1990.

²¹ MORI 2003, 142 n. 114, DI FILIPPO 2008, 58 and n. 52.

²² In E 206 only part of the orchard was actually sold, but in E 168 the entire property is recorded, probably because the remaining part was already owned by Zū-Ba‘la’s family, see VIANO 2016, 163-164.

²³ For the identification of Šuršu as the father of Zū-Ba‘la see D’ALFONSO 2000, 276-277, COHEN 2009, 149-150, COHEN 2013, 291-292. Note that Šuršu bears the title LÚ.ŠU.MÁŠ.GÍD.GÍD – obviously a metathesis for LÚ.MÁŠ.ŠU.GÍD.GÍD – which also designates Zū-Ba‘la in E 201: 4. Outside of a colophon of Šaggar-abu (COHEN 2009, 166), this title is never used by other members of the family, who normally employ LÚ.ĦAL; it must have been an old-fashioned title as it appears in two other Syrian tablets, E 146 and Hirayama 7, see RUTZ 2013, 280-282.

of Zū-Ba‘la’s family on the market. Two documents, E 194 and Hirayama 43, record a dispute over a field (or fields)²⁴ located in the town of Šumi between the sons of Abī-kāpī son of Ḥurasu on one side, and the sons and grandsons of Zū-Ba‘la,²⁵ on the other side. The dispute occurred sometime between the second and the third generations of the Zū-Ba‘la family – Ba‘al-malik and Abī-Kāpī are mentioned but not Ba‘al-qarrād, who was likely already dead.²⁶ Although the sale contract is not preserved, it is clear that the land was sold by the sons of Abī-kāpī (or by Abī-kāpī himself) but the sale was later contested before the king of Karkemiš (E 194) and the temple authority Nergal (Hirayama 43).²⁷ Both trials ended with a verdict in favor of Zū-Ba‘la’s family, who retained ownership of the field. In Hirayama 43 it is said that the field originally belonged to Iššur-Dagan son of the king Ba‘al-kabar.²⁸ This implies that when Iššur-Dagan was still alive, either he sold the field to Abī-kāpī or the latter somehow took possession of the field after the demise of the monarchy and later sold it to the Zū-Ba‘la family.

Another attestation of the Zū-Ba‘la family’s involvement in the market of real properties is Ba‘al-qarrād’s own testament, SMEA30 7. As is clear from the following passage, houses that had once belonged to Iššur-Dagan were sold to the diviner Ba‘al-qarrād:

- 20 *ù a-nu-ma 4 tuṣ-pa^{hi.a} ša É-ti mI-šur^dKUR*
 21 *mDu-du DUMU A-bi-ka-pí a-na ŠÁM id-din-na*
 22 *1 tuṣ-pa mḤu-bá-bu DUMU EN^dKUR id-din-na*
 23 *ù 2 tuṣ-pí iš-tu li-it mdKUR-EN DUMU NIR^dKUR él-qa-a*

(20) And now the four tablets of the houses¹ of Iššur-Dagan, (21) Dudu son of Abī-kāpī sold me. (22) Ḥubabu son of Bēlu-Dagan sold me one tablet (23) and two tablets I took from Dagan-bēlu son of Matkali-Dagan.

Di Filippo²⁹ suggested that the four tablets were the Syrian sale contracts E 137, E 138, E 139, and E 140, all found in Building M₁,

²⁴ E 194: 1 records a single field (A.ŠÀ) while Hirayama 43: 4 refers to fields (A.ŠÀ.ME).

²⁵ For these documents see YAMADA 1993, COHEN 2009, 149-150.

²⁶ See COHEN 2009, 165.

²⁷ For the earlier date of E 194 see COHEN 2009, 10.

²⁸ Note that the practice of indicating real properties with the name of the previous owner is common at Emar; other examples discussed in the present contribution are E 168, E 186, E 225, and SMEA30 7.

²⁹ DI FILIPPO 2008, 59-60.

in which Iṣṣur-Dagan appears as the buyer of several properties. However, I argued³⁰ that because only E 139 deals with houses, specifically four houses, SMEA30 7: 20 should be understood as referring to a tablet of four houses (E 139), while the remaining three tablets possibly refer to E 137, E 138, and E 140. In my opinion, therefore, the four houses recorded in E 139; the field, the two orchards, and the ^{ki}*eršetu* recorded in E 137; the field, the vineyard, and the *tugguru* building³¹ recorded in E 138; and the orchard recorded in E 140, which once belonged to Iṣṣur-Dagan, were purchased by Ba'al-qarrād from various individuals. It is also not unreasonable to connect Dudu son of Abī-kāpī with the Abī-kāpī mentioned in E 194 and Hirayama 43, although none of his sons are mentioned and SMEA30 7 is the only Syro-Hittite document mentioning Dudu.³²

The land registries E 168, E 169, and E 170 represent an important source for understanding the extent of the assets of the Zū-Ba'la family, even though they are broken and preserve only a subset of the properties originally recorded. E 168 lists nine properties: three orchards (b, c, d), one vineyard (e), four fields (f, g, h, i), and an unpreserved type of property (a). As already mentioned, one of the orchards (c) was purchased by Ba'al-qarrād in E 206, and one of the fields (f) was one of the properties purchased by Iṣṣur-Dagan in E 137. E 169 preserves three fields (a, b, c). E 170 only preserves two properties, a field (a) and an orchard (b). As is clear from the evidence provided by E 206 and SMEA30 7, there is no doubt that all of the properties listed in these documents belonged to the family of Zū-Ba'la.

Marriage agreements were another way to acquire real properties. The earliest attestation of the family's wealth most likely relates to the transfer of a dowry. As recorded in E 201 and in the related documents E 202, SMEA45 1, and BLMJ 32, upon marriage to Taršipu, Zū-Ba'la received some houses, fields, and a vineyard from Addamalik, who was likely Zū-Ba'la's father in law, probably as part of

³⁰ VIANO *in press-b*.

³¹ For the *tugguru* building see MORI 2003, 65-70.

³² This Dudu may perhaps be identified with Tutu son of Abī-kāpī, who appears as a witness in two Syro-Hittite legal cases brought before the overseer of the land Mutri-Teššup (E 205 and TBR 36), see RUTZ 2013, 291-292.

Taršipu's dowry.³³ Ownership of these properties was confirmed by the king of Karkemiš, Šaḫrunuwa, by order of the Hittite king Muršili, and later confirmed by Ini-Teššup.

Banking was another activity through which the Zū-Ba'la family enriched itself. In credit transactions, properties may be transferred to the creditors either pro term, as a security, or permanently, as a form of debt-settlement. E 209 is a document of security recording the transfer of a plot of land, ^{ki}*eršetu*, to Ba'al-qarrād as a hypothecary pledge for a sum of silver.³⁴ It is likely that the debt was never repaid and that the ^{ki}*eršetu* entered the patrimony of Zū-Ba'la's family, because the document dates to the second generation; in other words, it was kept as a property title.

Debt-slavery may be accompanied by the transfer of properties to the creditor. In the enslavement contract³⁵ E 215, Ba'al-malik repaid the debt of a certain Dagan-bēlu, who in exchange was enslaved together with his two wives and who transferred to the diviner his share of some fields and of a vineyard.

When a debtor's financial situation was not so desperate as to force him into bankruptcy and debt-slavery, a debt could be settled via a matrimonial agreement. Such is the case in E 213, a document that, as already argued elsewhere,³⁶ reveals that tablets with no apparent link to Zū-Ba'la's family were kept in Building M₁ as titles to property. E 213 belongs to the same dossier as E 186-187, which are two copies of an agreement between four brothers who shared their inheritance. One of the brothers, Abiu, receives a house previously owned by the sons of Iaḫsu son of Iaddu along with several goods.³⁷ This Abiu can be identified with the son of Zikria, who in

³³ I follow here the reconstruction provided by COHEN 2009, 151-154, which is largely based on DURAND, MARTI 2003, 177-178.

³⁴ For the hypothecary nature of the pledge see VIANO *forthcoming*, § 2.1.2.

³⁵ In the enslavement contracts the defaulting debtor enters into servitude (*ana arđūti erēbu*) to someone who pays off his debts (*šalāmu*), who is thus clearly not to be identified with the original creditor.

³⁶ VIANO *in press-b*.

³⁷ E 186: 12-18, É-tu₄ DUMU.MEŠ Ia-aḫ-šu DUMU Ia-[ad-d]i 9 me-at ŠE.M[ĒŠ 3 GU₄.MEŠ] // 19 UDU.ḪI.A ĞEŠ.MAR.ĠÍD.DA [(1) ĞE]Š.BANŠUR 1 ĞEŠ.[GU.ZA] // 1 a-sà-lu ZABAR 3 me-at K[I.LÁ.BI] 1 ut-ta-lu ZA[BAR TUR] // 2 gu-la-a-tu₄ ZABAR 1 [x GIBIL ZA]BAR [x-...] // a-na AMA-ut-ti-šu ša m[^dÉ-a-SIG₅ n]a-ad-na-at // a-na m^AA-bi-ú ù m^{La}-[dâ-dKUR n]a-ad-na-at // an-nu-ú-tu₄ ḪA.LA m^A-[bi-ú], "The house of the sons of Iaḫsu son of Iaddu, 900 (measures) of barley, 3 oxen, 19

BLMJ 14³⁸ bequeathed several items to his wife Ḥūdī for her *kubuddā’u*, including an *asallu* vessel of 300 shekels in weight, which is also mentioned as part of Abiu’s share (E 186: 14). After her husband’s death, Ḥūdī fell into debt and resorted to the diviner Ba‘al-malik to have her debt repaid, as reported in E 213. In exchange, Ba‘al-malik took Ḥūdī’s daughter as a wife and obtained all her properties, which included her main house, a vineyard, and another house located in the irrigation district of Zi’lu. Ḥūdī had previously bequeathed the main house, the vineyard, and all her belongings to her daughter Batta, as reported in E 213: 1-6; it is likely that this inheritance also included at least some of the items that Ḥūdī received from her husband as her *kubuddā’u*.

According to E 225 the house of Abiu was inherited by Ipqi-Dagan, son of Ba‘al-malik, who sold it to his brother Zuzu for 100 shekels of silver. It is likely that this was the very same house that Ḥūdī bequeathed to Batta and later transferred to Ba‘al-malik. Furthermore, we may suggest that this is the same house that Abiu received as his inheritance share in E 186-187, which is referred to as the “house of the sons of Iaḥsu son of Iaddu.” Thus, it may be inferred that Abiu bequeathed his house to his wife Ḥūdī in an unpreserved document, or that she simply acquired ownership over it after his death in the absence of other heirs.³⁹ It remains unclear whether the goods received by Abiu in E 186-187 and not mentioned as part of Ḥūdī’s *kubuddā’u* were also transferred to Zū-Ba‘la’s family.

E 225 records a second purchase by Zuzu of the inheritance share of his brother. Due to the fragmentary nature of the document, the quantities of goods exchanged cannot be precisely determined, but we can reconstruct that Ipqi-Dagan received, as his inheritance, a

sheep, a wagon, (1) table, 1 chair, 1 bronze *asallu*-vessel – 300 (shekels) its weight – 1 small *uttallu*, 2 bronze *gulattu*-bowls, 1 old bronze [...], (a female) who had been given to Ea-mudammīq as a nurse, was given to Abiu and Lada-Dagan; this is the share of Abiu.”

³⁸ Although BLMJ 14 comes from illegal excavations, it probably stems from Building M₁. FLEMING 2002, 365-367, argued that the “C” texts of the BLMJ collection stem from Building M₁, and C 24 is the accession number of BLMJ 14; see also COHEN 2009, 178.

³⁹ In BLMJ 14 Abiu established that his five sons were obliged to look after their mother, but because they are not mentioned in the documents written subsequent to BLMJ 14 we may surmise that they were no longer alive.

share of an undivided property⁴⁰ consisting of a house, a vineyard, some unpreserved properties in the town of Šumi, and a share of a *tugguru* building. Out of these properties Zuzu purchased the house, some unpreserved properties, and a share of the vineyard,⁴¹ as well as a share of the *tugguru* building, in exchange for a sum of silver (perhaps 115 *sh.*) and four vineyards (or orchards).⁴² It is likely that the unpreserved properties bought by Zuzu, probably field(s),⁴³ were the same properties located in the town of Šumi listed as part of Ipqi-Dagan's inheritance. Thus, because of the location, it is possible to suggest that this land was the same as that concerned in the above-discussed documents E 194 and Hirayama 43.

Probably related to E 225 is E 226, a fragmentary tablet recording an agreement between Zuzu and Ipqi-Dagan. It is said that the latter resided in a house bought by his brother Zuzu,⁴⁴ which most likely was one of the houses sold in E 225.

Other sources that may shed light on the patrimony of Zū-Ba'la's family are the fragmentary tablets E 177 and E 196. The testament E 177 – and the related fragments E 178 and E 179 – possibly deal with the principal wife of Zū-Ba'la and mother of Ba'al-qarrād, Dagan-la'i, who is mentioned as the testator's daughter (E 177: 18). Despite the lack of clear evidence, the fact that in the Emar documentation the personal name Dagan-la'i only occurs in E 177 and in Zū-Ba'la's testaments (E 201, E 202, and E 203) supports this identification.⁴⁵ E 177 states that Dagan-la'i must return the property of a house to her brother in exchange for 30 shekels of silver. The text mentions other real properties that form the inheritance share divided among the other children of the testator, but it is unclear whether these properties were related to the family of Zū-Ba'la.

⁴⁰ E 225: 9-10, [*mi-mi-ma*] H[A.L]A ša URU.KI ù A.ŠĀ.MEŠ // [*ma-la ša*] i[t-t]i ŠEŠ.ĪI.A-šú ik-šu-ud-šu, "It is all the share in the city and in the countryside, as much as he received together with his brothers."

⁴¹ It is understood here that a share of the vineyard remained in the hands of Ipqi-Dagan.

⁴² See DURAND 1990, 75.

⁴³ Arnaud restored A.ŠĀ.MEŠ in E 215: 13, probably on the basis of the non-vindication clause that mentions fields.

⁴⁴ E 225: 3-4, *i-na É^mZu-zu ŠEŠ-ia // iš-am-ma aš-ba-ku-mi*, "I live in the house that Zuzu, my brother, has bought."

⁴⁵ See DI FILIPPO 2008, 58 n. 49.

E 196 is a tiny fragment that may be linked to the Zū-Ba‘la family solely on the basis of the personal name Ba‘al-malik. Although Arnaud classified the fragment as a testament, its nature remains unclear. We understand that Ba‘al-malik owns a plot of land (^{ki}*eršetu*), and another house is perhaps mentioned in the document.

The economic activities of the secondary branch of the family, that of Kāpī-Dagan son of Zū-Ba‘la, are difficult to trace due to the fragmentary nature of the documents. As known from the letter E 264, Kāpī-Dagan attempted to usurp the role of chief diviner held by his nephew Ba‘al-malik,⁴⁶ but apart from a slavery-related document, to which I will return below, no sources are preserved concerning his private business. His son Bēlu-qarrād is mentioned in three very fragmentary contracts E 238, E 243, and E 246, but perhaps only in E 238 and E 246 as a buyer.

The number of plots of land and real estate properties owned by the family of Zū-Ba‘la cannot be precisely ascertained for several reasons. Firstly, documents listing properties may be badly preserved (e.g., E 203, E 204); secondly, quantities may be vaguely indicated (e.g., É.MEŠ and A.ŠÀ.MEŠ in E 201); lastly, some properties recorded without identifying details (i.e., location, dimensions, previous owners) cannot be traced across different sources, particularly those recorded in the lists of adjoining properties, which will not be taken into account here. Based on the sources discussed so far, we can count at least nine orchards, five vineyards, and five other parcels of land of which only the first element of the logogram is preserved (KIRI₆). The amount of fields is impossible to estimate, but the family owned more than thirteen fields and probably many more.

As for buildings, the family acquired an uncertain number of houses but surely more than ten, approximately six unbuilt plots of land, and two *tugguru* buildings. More than 52 properties are recorded to have been acquired by members of the Zū-Ba‘la family in documents directly linked to the family.

⁴⁶ For this feud see COHEN 2005.

Lands		
Property	Principal	Documents
Fields => 13	Zū-Ba'la	E 201 = E 202 = SMEA45 1 = BLMJ 32 (multiple) E 203 (1?)
	Ba'al-qarrād	SMEA30 7 = E 168f = E 137c (1) SMEA30 7 = E 138a (1) E 168g, h, i (3) E 169a, b, c (3) E 170a (1)
	Second-Third Generation	E 194 = Hirayama 43 = E 225? (1?)
	Ba'al-malik	E 215 (share)
Orchards ≈ 9	Zū-Ba'la	E 201 = E 202 = SMEA45 1 = BLMJ 32 (1)
	Ba'al-qarrād	E 206 = E 168c (1) BLMJ 8 (1) E 168b, d (2) E 170b (1) SMEA30 7 = E 137a, b (2) SMEA30 7 = E 140 (1)
Vineyards ≈ 5	Ba'al-qarrād	SMEA30 7 = E 138b (1) E 168e (1)
	Ba'al-malik	E 213 (1) E 215 (share)
	Zuzu – Ipqi-Dagan	E 225 (1)
Orchards / Vineyards = 5	Zū-Ba'la	E 199 (1)
	Zuzu – Ipqi-Dagan	E 225 (4)
Unidentified parcels of land ≥ 2	Zū-Ba'la	E 199 (?) ⁴⁷
	Ba'al-qarrād	E 168a (1)
Buildings and Building Plots		
Houses => 10	Šuršu	E 158 (1)
	Zū-Ba'la	E 201 = E 202 = SMEA45 1 = BLMJ 32 (multiple)
	Ba'al-qarrād	SMEA30 7 = E 139a, b, c, d (4)
	Ba'al-malik	E 213a = E 225a = E 186-187 (1) E 213b (1) E 196 (?)
	Zuzu – Ipqi-Dagan	E 225b = E 226? (1)

⁴⁷ The other property or properties purchased in E 199 are tentatively regarded as parcels of land, but this may not have been the case.

^{ki} <i>eršetu</i> = 6	Ba'al-qarrād	E 207 (2) SMEA30 7 = E 137d, e (2) E 209 (1)
	Ba'al-malik	E 196 (1)
<i>Tugguru</i> = 2	Ba'al-qarrād	SMEA30 7 = E 138b (1)
	Zuzu – Ipqi-Dagan	E 225 (1)

As seen with Iṣṣur-Dagan's tablets as well as with the inheritance documents E 186-187 and BLMJ 14, any Syrian or Syro-Hittite tablets found in Building M₁ that do not directly involve the Zū-Ba'la family can be regarded as property titles belonging to the family archive.

In addition to Iṣṣur-Dagan's purchases, two other sale contracts featuring the royal family were found in Building M₁: E 141 records the purchase of a house by Ba'al-malik son of Iṣṣur-Dagan; E 142 records the sale of a field by the king Elli. The latter document clearly did not belong to the archive of the royal family but to that of the buyer, a certain Itti-Šaggar, who bears the title of royal servant and who later alienated the property either directly to Zū-Ba'la's family or to someone else.

The other Syrian sale contracts found in Building M₁ can be sorted into two groups: sales by Ninurta and the Elders (E 143-155) and sales by private citizens (E 156-157; E 159-167; E 171-175). Besides Iṣṣur-Dagan's properties, the Syrian sale contracts record twelve fields,⁴⁸ three orchards,⁴⁹ six houses,⁵⁰ seven ^{ki}*eršetus*,⁵¹ one *tugguru* building,⁵² one *hablu* building,⁵³ and at least five unpreserved properties,⁵⁴ for a total of 35 properties. Real properties were perhaps also addressed in the fragmentary contracts E 244, E 247, E 249, and E 250, but only in E 247 is the word for house preserved. A house is also mentioned in E 253, probably along with other properties forming a share of inheritance.

Along with sale contracts, several Syrian testaments listing a minimum of eleven properties, mostly houses, were unearthed in

⁴⁸ E 142, E 146, E 147 (3), E 149 (2), E 162, E 163 (2), E 164, E 173.

⁴⁹ E 151, E 154b, E 175.

⁵⁰ E 141, E 156, E 157, E 160, E 161, E 174.

⁵¹ E 145, E 148, E 150, E 152, E 153, E 159, E 171.

⁵² E 143-144.

⁵³ E 154a.

⁵⁴ E 155, E 165, E 166, E 167, E 172.

Building M₁.⁵⁵ Other properties recorded in Syrian testaments are two *ki'eršetus*,⁵⁶ one *tugguru* building,⁵⁷ one orchard,⁵⁸ one vineyard,⁵⁹ and unspecified properties in the city and in the countryside that probably included houses and fields.⁶⁰ Other Syrian testaments are too fragmentary to preserve the type of property (E 193) or any references to properties at all (E 188, E 189, and E 195). The minimum number of properties recorded in the Syrian testaments is thus between 19 and 22.

The type and quantity of real properties recorded in the Syro-Hittite documents that are not directly associated with the Zū-Ba'la family can only be sorted out to a limited degree due to the fragmentary nature of the sources. Among the testaments, E 181 records two houses and one *ki'eršetu* and E 198 mentions a field, while E 182 only refers to a share of an inheritance and E 191 is too badly preserved. A number of Syro-Hittite fragments contain contracts, some of which might have been related to the Zū-Ba'la family, but their subjects are unknown.⁶¹

The properties recorded in the repository archive from Building M₁ – on both Syrian and Syro-Hittite tablets – number at least 60-70, of which at least 13 can be identified as fields, four as orchards, one as a vineyard, 21 as houses, ten as *ki'eršetus*, two as *tugguru* buildings, and one as a *hablu* building; to these we must add a number of unidentified or unpreserved properties. Regardless of the precise number of properties actually registered in these documents – which is of little importance – it is clear that the family of Zū-Ba'la ended up acquiring a vast patrimony (over one hundred properties!) if, as suggested here, all the tablets discovered in Building M₁ belonged to the family archive.

As shown by the way in which Iššur-Dagan's properties were acquired, as well as by the sale contracts where members of Zū-Ba'la's family appear as buyers, purchase on the market seems to have been the preferable way to expand the family's assets. The purchase of the four tablets of Iššur-Dagan suggests that the other Syrian sale contracts were also purchased on the market. In this regard it is important to

⁵⁵ E 176 (3), E 183, E 184 (?), E 185, E 190a, b, d (3), E 192d, E 197a.

⁵⁶ E 190c, E 192a.

⁵⁷ E 192c

⁵⁸ E 192b.

⁵⁹ E 197b

⁶⁰ E 180.

⁶¹ The other two Syro-Hittite documents E 254 and E 255 are too fragmentary.

stress that the most frequently recorded properties in Syrian contracts are fields, and this may account for the paucity of Syro-Hittite field sale contracts. While the number of Syro-Hittite sale contracts for all types of real properties is less than, although to some degree still comparable with that of the Syrian tradition,⁶² only five Syro-Hittite field sale contracts are preserved (Hirayama 13, E 82, E 115, TBR 38, and TBR 68). We may therefore suggest that in a geographical area where large-scale irrigation was absent⁶³ and cultivable land was scarce,⁶⁴ the availability and number of fields, their size, and their adjoining properties remained substantially unchanged over time, and consequently the simplest way to register a transfer of ownership was to transfer the previous sale contracts to the new owners as property titles. On the other hand, it seems plausible that in the city buildings were constantly built and rebuilt, and the space available for development must have been rather large, given the quantity of unbuilt plots of land (*ki'eršetu*) attested.⁶⁵ As a result, there was a greater need to draw up new contracts to register the sale of new buildings or buildings with modified dimensions. The modes of acquisition of the properties mentioned in the Syrian and Syro-Hittite wills are difficult to investigate, but it is likely that matrimonial agreements and the exploitation of indebted people played a role.

Other Business Activities

The two other main economic activities of the Zū-Ba'la family were banking and slave trading, two fields often interrelated. Members of the family of Zū-Ba'la are predominantly attested in documents recording consumptive debts, where they may appear as money-lenders (E 205 and E 209) or as a third party repaying someone's debt (E 213, E 215, and Subartu 17).

⁶² The higher number of Syrian sale contracts can be attributed to the longer duration of the Syrian tradition at Emar, as well as to the preservation of sales contracts as titles to properties, as argued in the present contribution.

⁶³ RECULEAU 2008, 132-133.

⁶⁴ Fields are usually small plots of land, see MORI 2003, 101-109, VIANO 2010, 260-262.

⁶⁵ MORI 2003, 48-65, VIANO 2012, 142-147.

E 209 is a document of security that, as seen above, records the transfer of an unbuilt plot of land (^{ki}*eršetu*) to Ba'al-qarrād as a hypothecary pledge for an outstanding debt of 14 shekels of silver. The debtor also had to provide two guarantors, and a clause perhaps stipulates debt-slavery in case of insolvency.⁶⁶ These additional guarantees were most likely imposed because the debtor was not considered a good risk. E 205 is a lawsuit concerning a loan of 25 shekels of silver issued by one of Zū-Ba'la's sons, Ibni-Dagan, who, after the debtor died without repaying his debt, obtained in court as slaves the debtor's children, who had been given as a pledge. We have seen above that Ba'al-malik repaid other people's debts: in E 213 he obtained the debtor's daughter as a wife, together with her properties, and in E 215 he enslaved the debtor along with his family and acquired his properties as well. The content of the last document, Subartu 17, is not fully clear but we can make out that La-abu-Dagan son of Kāpī-Dagan intervened in a lawsuit by covering a debt of 30 shekels of silver and thereby obtained, in an unclear form of slavery, a woman who was probably pledged by the debtor.⁶⁷ All these credit transactions led to the acquisition of real properties or of slave labor.

Two other debt-related documents pertain to business activities. E 200 is a receipt acknowledging the payment of a debt of 30 shekels of silver incurred by the diviner Zū-Ba'la, who quite surprisingly appears here as a borrower. Because we can safely exclude that Zū-Ba'la would have sought such a small quantity of silver due to financial distress, it is likely that he borrowed that sum for some business activity, likely to purchase goods. The lender, Dagan-kabar son of Bēlu, is known from two other texts as a sealer (TBR 22)⁶⁸ and as a purchaser of a slave-girl (TBR 52), and probably belonged to the city elite since he lent money to the diviner. Despite his vast patrimony, Zū-Ba'la resorted to borrowing money either because of a cash shortage or because he preferred using someone else's money rather than his own, as is customary in modern enterprises. The other document, AOAT

⁶⁶ I follow Arnaud's reading of E 209: 6-8, *ur-ra-am še-ra-am // ^mBu-zé-e-zu KÙ.BABBAR iš-tu qa'-ti ^{md}IŠKUR-UR.SAĜ i-ra-aš-ši // ARAD-ma ša ^{md}IŠKUR-UR.SAĜ šu-ú-ut*, "If in the future Buzezu obtains (additional) silver from Ba'al-qarrād, he will be Ba'al-qarrād's slave"; the reference to a further loan indicates that the debtor (Buzezu) might not have been able to repay his previous debt.

⁶⁷ For a full treatment of the document see VIANO *forthcoming*, § 3.1.3.2.

⁶⁸ E 200 and TBR 22 bear the same seal impressions, see BEYER 2001, 138.

265.1, is a letter written in Middle Assyrian script sent by the Emarite merchant Ḥamiṣ-Dagal, who was held as a pledge in Assyria and forced to work as a slave.⁶⁹ The letter contains instructions for Ḥamiṣ-Dagal’s wife, who is to collect the money to pay her husband’s debt to the Assyrians and secure his release,⁷⁰ but it is formally addressed to Ba‘al-qarrād, who is called “my lord” by the sender. Although there is no definitive evidence, the addressee of the letter can be perhaps identified with the eldest son of Zū-Ba‘la. Ba‘al-qarrād’s role in the transaction remains unclear because he is only mentioned as the addressee of the letter and takes no responsibility for the fate of Ḥamiṣ-Dagal, who is solely accountable for the success or failure of the endeavor. Nevertheless, this document may attest the involvement of the Zū-Ba‘la family in international trade.

The remaining documents deal with the slave market. Four tablets record the purchase of slaves by members of Zū-Ba‘la’s family (E 211, E 214, E 217, and E 224). Three documents, E 211, E 214, and E 224, deal with chattel-slaves while E 217 records the purchase of famine-slaves.⁷¹ In E 211, Ba‘al-qarrād purchased for 120 shekels of silver seven slaves from a Dagan-tali’ son of Zūzu son of Abunni son of Tuteia. After Ba‘al-qarrād’s death, this sale was contested by the former owner, who brought a suit against Ba‘al-malik, but a verdict pronounced by the king of Karkemiš established the validity of the previous contract. In the sales E 214 and E 224 the buyer is Ba‘al-malik, who purchases two female slaves.⁷² E 217 is a well-known document⁷³ where once again we find Ba‘al-malik buying four children for 60 shekels of silver from a couple ruined by famine. According to E 216, the children’s parents had sought to sell their eldest daughter into matrimonial adoption,⁷⁴ but the price was not paid and they were forced to sell all their children to the diviner as slaves in

⁶⁹ For this letter see VIANO 2018, 16-17 with further bibliography.

⁷⁰ Ḥamiṣ-Dagal purchased from the Assyrians 2 minas and 5 shekels of silver measured according to the Canaanite weight, 2 *niksu*-textiles, and 1 *lubēru*-textile.

⁷¹ For the difference between chattel slaves and famine slaves see VIANO *forthcoming*, § 3.

⁷² Only E 214 reports the price: 35 shekels of silver.

⁷³ See ZACCAGNINI 1994.

⁷⁴ The child was adopted by the buyer and was intended to become the secondary wife of the buyer’s husband should the buyer bear no children; conversely, if the buyer bore children of her own, the child would be given as a wife to a third party in order to receive the *terḥatum*.

order to survive. As proof of the sale the footprints of three children were impressed on clay (E 218, E 219, and E 220).⁷⁵ Another tablet related to slavery that stems from the archive of Building M₁ is E 221. This document records the redemption of a slave by Ba'al-malik for 30 shekels of silver.

Conclusion

The legal documents found in Building M₁ can be sorted into two groups: documents – all Syro-Hittite tablets with the exception of E 158 – recording the activities of the Zū-Ba'la family, and a collection of Syrian and Syro-Hittite tablets kept by the family of diviners as titles to properties.⁷⁶ We have observed that the Zū-Ba'la family was engaged in various economic activities. The main one seems to have been the acquisition and management of real properties, i.e., buildings and parcels of land. The few documents that shed light on how the patrimony of the Zū-Ba'la family was formed reveal that purchase on the market was the most common means of acquisition. Obviously, it is not excluded that some properties were placed under the control of the chief diviner because of his institutional function;⁷⁷ consequently, we may regard the barley allotments in some administrative documents found in Building M₁ as coming from lands owned by the Zū-Ba'la family. Besides the market, matrimonial agreements and banking were sources for the expansion of the family patrimony. To what extent the family of Zū-Ba'la controlled or monopolized land ownership at Emar is difficult to gauge. Although we can postulate a concentration of property in the hands of the Zū-Ba'la family, such assets were not amassed through the exploitation of the lower social classes (as occurred in Nuzi) but mostly through the acquisition of property on the market.⁷⁸

⁷⁵ The fourth child was probably too young to have a foot impressed.

⁷⁶ The preservation of ancient tablets as titles to properties is specifically mentioned also in documents outside the archive of Building M₁, see E 123 and TBR 95.

⁷⁷ Note that the diviner managed the temple of Ninurta, the institution responsible for the sale of many real properties at the time of the Syrian tradition (E 311), COHEN 2011, 147-148.

⁷⁸ The acquisition of land through the exploitation of indebted people is very limited among other family groups as well, see VIANO *forthcoming*, § 7.

Sources show that the family of Zū-Ba‘la was also active in banking activities that were aimed at further increasing their assets or acquiring a workforce. Members of the family, particularly Ba‘al-malik, are also attested as acquiring slaves, probably as a workforce for their estate.⁷⁹ Finally, with the possible exception of AOAT 265.1, financing trade seems to remain a marginal activity.⁸⁰

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⁷⁹ According to the preserved sources, the family acquired 20 slaves, 8 males and 12 females; another document possibly related to the acquisition of bonded labor by Zū-Ba‘la’s family, E 210, is very fragmentary.

⁸⁰ Other elite families were much more involved in trade, particularly the family of Ḫima, see VIANO *forthcoming*, § 5.8.

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