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The Aramaic ‘Fugitive’ Decree: A New Interpretation*

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Abstract

This paper presents a new interpretation of the so-called ‘Fugitive’ Decree, suggesting that it is concerned with setting migrants to work rather than apprehending a miscreant. It is based on an attempt to take into account the underlying Akkadian (Neo-Assyrian) terminology, to appreciate the overall structure and syntax of the text and to reflect the socio-political situation in Babylonia during the Neo-Assyrian period. It also makes a tentative claim that the text’s terminology reflects the different settlement patterns of the agriculturalist Chaldeans and pastoralist Aramaeans.

Keywords

Akkadian, epigraphy, labour, migration, Neo-Assyrian

In 1971, Caquot published an Aramaic legal text, the subject of which still remains something of a mystery. The piece was purchased in 1953 from an antiquities dealer in Beirut, and the circumstances surrounding its discovery remain obscure. Aside from the purchaser’s suggestion that it originated in northern Lebanon or Syria,¹ Caquot could only add that ‘Le contenu permet seulement d’affirmer qu’elle est originaire d’un territoire araméophone sous domination assyrienne, et on notera la présence de trois termes techniques

¹ I would like to express my thanks to Professor J.W. Wesseliuss for sending me a copy of his study of this inscription, and to the anonymous reviewers whose suggestions were gratefully received.

¹ Wesseliuss was justifiably cautious regarding this suggestion—see J.W. Wesseliuss, ‘The Aramaic Decree about Fugitives Reconsidered’, in E. Talstra (ed.), *Narrative and Comment: Contributions to Discourse Grammar and Biblical Hebrew presented to Wolfgang Schneider* (Amsterdam: Societas Hebraica Amstelodamensis, 1995), pp. 199–209 (p. 201).

accadiens transcrits en araméen'.² Greenfield, however, later asserted that the text dates from the Neo-Babylonian period,³ and Naveh, more specifically, suggested that it dates from the early sixth century.⁴

Neither Greenfield nor Naveh gave an explanation for their revision of Caquot's initial assessment, but in both cases it appears to have been based on palaeographical grounds. The most detailed published palaeographical analysis of the script of this inscription, however, remains that of Caquot, and his conclusion that, for the most part, the script is indicative of seventh-century Aramaic forms seems quite justified.⁵ Furthermore, Lieberman's study of seventh-century Aramaic script clearly demonstrated that there is considerable scope for differing forms in the Aramaic script of this period, due both to writing materials and text type.⁶ There is, therefore, no compelling reason to revise Caquot's dating of this inscription from the Neo-Assyrian to the Neo-Babylonian period. Indeed, more recent studies by Wesselius⁷ and Kottsieper⁸ accepted a seventh-century date on palaeographical grounds.

Initially, most of Caquot's readings were accepted, with only some minor changes being proposed by Kaufman and Lipiński.⁹ Fales,¹⁰ however, followed by Wesselius¹¹ and Kottsieper¹² reinterpreted the text more radically. In

² A. Caquot, 'Une Inscription Araméenne d'Époque Assyrienne', in A. Caquot and M. Philonenko (eds.), *Hommages à André Dupont-Sommer* (Paris: Librairie Adrien Maisonneuve, 1971), pp. 9–16 (p. 9).

³ J.C. Greenfield, 'Aramaic in the Achaemenian Empire', in I. Gershevitch (ed.), *The Cambridge History of Iran 2: The Median and Achaemenian Periods* (Cambridge: Cambridge University Press, 1985), pp. 698–713 (p. 699, n. 2).

⁴ J. Naveh, *Early History of the Alphabet* (second edition; Jerusalem: Magnes Press, 1987), p. 84.

⁵ Caquot, 'Une Inscription', p. 10—see pp. 10–12 for Caquot's detailed palaeographical analysis.

⁶ S.J. Lieberman, 'The Aramaic Argillary Script in the Seventh Century', in *BASOR* 192 (1968), pp. 25–31.

⁷ Wesselius, 'The Aramaic Decree', p. 206.

⁸ I. Kottsieper, 'Der Mann aus Babylonien—Steuerhinterzieher, Flüchtling, Immigrant oder Agent? Zu einem aramäischen Dekret aus neuassyrischer Zeit', in *Orientalia* 69 (2000), pp. 368–392 (376).

⁹ E. Lipiński, *Studies in Aramaic Inscriptions and Onomastics* (Leuven: Leuven University Press, 1975), pp. 77–82. Kaufman presented a paper on this inscription to the American Oriental Society, and made his suggestions personally to Lipiński.

¹⁰ F.M. Fales, 'Una diffida relative a fuorusciti mesopotamici in aramaico', in *AION* 38 (n.s. 28; 1978), pp. 273–282.

¹¹ See note 1.

¹² See note 8.

this paper, I intend to suggest a new interpretation, one which, I shall argue, takes into account the underlying Akkadian terminology, appreciates the overall structure and syntax of the text, and reflects the socio-political situation in seventh-century Mesopotamia to a greater extent than the previous interpretations.

To facilitate this, I provide the text below along with my proposed translation. Regarding the text, Kottsieper¹³ and Wesselius¹⁴ differed in only two letters, and in one case I follow Kottsieper's reading, and in the other I follow that of Wesselius.¹⁵ I have not arranged it according to line number but according to structure to enable the subsequent analysis. Discussion is kept to a minimum, and only focuses on those issues in which I differ from the current consensus or feel that more should be said on a particular topic.

Text	Translation
<i>wk't z' yš zy slq mn mt 'kdh ytnšg bbyth wbyrtyh</i>	And now this: A man who departed from the Land of Akkad shall be assigned to work in his clan or in his city.
<i>wl' y'hr wyntnnhy lb'l pqt mlk' mr' byt' zy 'l bbyth wḥzn gryt'</i>	And the clan chief, into whose clan he entered,* or the mayor of the city, shall not delay but shall assign him to the royal officials. [*or: who is over his clan—see discussion]
<i>wb'l pqt' zy ḥzwhy wl' ḥdwhy l' yhywn</i>	And the officials who saw him, but did not take him, shall not live.

Regarding the structure, we should first note that there are seven occurrences of *w* 'and, or' in this text:

- it is used twice between the corresponding pairs *bbyth wbyrtyh* 'in his clan or in his city' and *mr' byt'... wḥzn gryt'* 'the clan chief... or the mayor of the city'
- it is used twice between consecutive verbs: *y'hr wyntnnhy* 'he shall (not) delay but shall assign him' and *ḥzwhy wl' ḥdwhy* 'they saw him but did not take him'

¹³) See Kottsieper, 'Der Mann aus Babylonien', p. 369.

¹⁴) See Wesselius, 'The Aramaic Decree', p. 200.

¹⁵) The details are given in the discussion. Compare D. Schwiderski, *Die alt- und reichs-aramäischen Inschriften. Band 2: Texte und Bibliographie* (Berlin: Walter de Gruyter, 2004), p. 191, who presented various possible readings; and Fales, 'Una diffida relative', p. 282, where differences with Lipiński are highlighted. Both Lipiński, *Studies*, p. 79, and Caquot, 'Une Inscription', p. 9, now differ markedly from the more recent studies.

– and, crucially, it is used three times to introduce a new section: *wk't... wl'... wbl'...* In the translation given above, each of these cases has been translated ‘and’. Even if one chooses to omit them from the translation, however, the overall translation should acknowledge their function as section markers.

This last point especially enables us to appreciate the overall structure of the text. Previous analyses have struggled to come to terms with the structure of the inscription, and have resorted to syntactically unsatisfactory or awkward solutions. The solution offered here is certainly the simplest in terms of syntax.

wk't z' yš zy slq mn mt 'kdh...

And now this: A man who departed from the Land of Akkad...

The text opens with a reference to a man who departed (*slq*) from the Land of Akkad (*mt 'kdh*).¹⁶ Fales differed in his understanding of the syntax of the inscription, arguing that the *zy* is resumed by the subject of the verb *ytnšg*,¹⁷ and that *slq* is the object of *ytnšg*. He also assumed some kind of guilt on the part of the migrant, translating *slq* as ‘fuoruscito’, and thus understanding the opening of the inscription in the sense of ‘a man who meets a fugitive from the Land of Akkad...’.¹⁸ The problem with this is that it assumes an awkward change in subject between the first two verbs in this text, whereas my proposed solution allows for the *zy* to be resumed as the subject of both *slq* and *ytnšg*.

Wesselius solved the deficiencies in Fales’ analysis by having *zy* resumed by the pronominal suffixes on *byt'* and *qryt'*, and then also as the subject of the verb *y'hḏ*—‘A man in whose house or town... who does not arrest him’.¹⁹ Kottsieper offers a similar suggestion, but with *y'hr*—‘A man in whose house or town... shall not delay’.²⁰ Kottsieper’s suggestion, in using this verb as a negative imperative, introduces a new problem, as, in order to resume *zy* as the subject of *y'hr*, we must ignore the *w* in *wl' y'hr*. Consequently, the *w* is not translated and serves no function at all in Kottsieper’s translation. This *w* poses no problem for Wesselius’ reading *y'hḏ*, as the verb retains a narrative

¹⁶ So Caquot, ‘Une Inscription’, p. 15; Lipiński, *Studies*, p. 79.

¹⁷ The awkwardness of Fales’ argument, particularly in his use of the verb *ytnšg*, is demonstrated well by Wesselius, ‘The Aramaic Decree’, pp. 200–201.

¹⁸ ‘L'uomo che si imbatte in un fuoruscito dal paese di Akkad’—see Fales, ‘Una diffida relative’, pp. 280–282.

¹⁹ Wesselius, ‘The Aramaic Decree’, p. 200.

²⁰ ‘Ein Mann, in dessen Haus oder dessen Stadt... darf nicht zögern’—see Kottsieper, ‘Der Mann aus Babylonien’, p. 369.

sense. On the other hand, with my suggestion, we do not have to wait until the third verb, but we can resume *zy* straight away and as the subject of every verb in the opening sentence.

Regarding the verb *slq*, Caquot noted that ‘revient ici à signifier “venir”’.²¹ Lipiński, however, went further and asserted that the verb *slq* refers specifically to a journey in a northerly direction.²² To justify this, he referred to a brief note in which G.R. Driver suggested that, in the Hebrew Bible, the root ‘*lh*’ can mean ‘to go up country’, i.e. ‘to journey northward’, and the opposite root *yrd* can mean ‘to go down country’, i.e. ‘to journey southward’. Driver himself observed that there are problems and possible exceptions to this, and also acknowledged that, for the passages where his suggestion works, it is also possible that ‘*lh*’ simply refers to a journey across the highlands and that *yrd* similarly just refers to a journey in hilly country.²³

The major problem with Driver’s hypothesis, of course, is the assumed underlying orientation. There is no evidence of a north-south orientation in ancient Israel, and so no reason why an association would be made between, for example, *north* and *up*. Generally, direction was orientated to the east, with, for example, the south being considered on the *right* rather than *down*.²⁴ A subsequent paper in which Leslau attempted to support Driver’s hypothesis, with examples from various Ethiopian languages, actually weakened it as there are clearly examples in which the verb of ascent means to travel in an eastward direction and the verb of descent means to travel in a westward direction.²⁵ There is, therefore, no external support for Lipiński’s assertion that the Aramaic root *slq* refers to a journey in a northerly direction.

Wesselius also allowed for the possibility of *slq* implying movement in a northerly direction, but he set it in a strictly Mesopotamian context by

²¹ Caquot, ‘Une Inscription’, p. 12.

²² Lipiński, *Studies*, p. 79.

²³ G.R. Driver, ‘On עלה “went up country” and ירד “went down country”’, in *ZAW* 69 (1957), pp. 74–77.

²⁴ For a summary of the various ways in which the geographical regions or cardinal points are described in the Bible, see L.I.J. Stadelmann, *The Hebrew Conception of the World: A Philological and Literary Study* (Rome: Pontifical Biblical Institute, 1970), pp. 131–133. For a wider discussion of an orientation to the east, with reference to terminology in Akkadian, Arabic, Aramaic, Hebrew and Ugaritic, see D. Talshir, ‘The Relativity of Geographic Terms: A Re-investigation of the Problem of Upper and Lower Aram’, in *JSS* 48 (2003), pp. 259–285 (pp. 261–262).

²⁵ W. Leslau, ‘An Ethiopian Parallel to Hebrew עלה “went up country” and ירד “went down country”’, in *ZAW* 74 (1962), pp. 322–323.

suggesting that it could refer to movement upstream and be a calque of Akkadian *elû* ‘to go up’.²⁶ Wesselius’ ‘go upstream’ is certainly more appealing than Lipiński’s ‘go north’, as it does not depend on an incorrect understanding of the root *slq* and there is some external support for it. This support, however, relates to a much more limited journey than is usually suggested, relating to journeys between upper and lower Babylonia and, therefore, not necessarily providing evidence to support a northern Mesopotamian or Levantine destination.²⁷

Such a topographical approach, however, can also lead to the opposite conclusion. Thus, as Talshir discusses in respect of Egyptian Aramaic, the use of *lyh* and *thtyh*, referring respectively to ‘upper/southern Egypt’ and ‘lower/northern Egypt’, was extended to refer in general to ‘south’ and ‘north’.²⁸ In the earlier Neo-Assyrian period, a similar topographical approach was adopted regarding Upper (i.e. southern) Aram and Lower (i.e. northern) Aram. Thus Talshir states, ‘It is of course possible that in this region an extension occurred in the meanings of the Aramaic terms *ly* and *tht* in accordance with the topography of Syria: *ly* ‘heights, highland’ came also to mean ‘South’, and *tht* ‘lowland’ came to mean ‘North’... It is thus possible that *ly* in (ancient) Syrian Aramaic and *lyh* in Egyptian (official) Aramaic both mean ‘South’...’.²⁹ It is, therefore, not the case that a verb meaning ‘to ascend’ will refer to movement in a northerly direction.

For reasons that will be explained below, I prefer to understand the verb *slq*, in this particular case, as being used in the sense of undertaking a long journey or migration. This use is clearly attested in later Aramaic dialects,³⁰ and is also paralleled in the use of Akkadian *elû* in the sense of ‘to go away, depart’.³¹

Regarding the expression *mt ’kdh* (= Akkadian *māt Akkadē*) ‘land of Akkad’, Lipiński, following Caquot, stated that it ‘designated in that period

²⁶ Wesselius, ‘The Aramaic Decree’, p. 201. Compare Akkadian *elēn* and *elēnu*—*CAD* E:83, 85.

²⁷ E.g. *ana Kutī Bābili Barsip e-li... ana Kaldi urid* ‘he went up to Cutha, Babylon, Borsippa... he went down to Chaldea’, i.e. a journey ‘up’ to northern Babylonia and then ‘down’ to southern Babylonia—all within southern Mesopotamia. See *CAD* E:117.

²⁸ E.g. to represent the cardinal points in descriptions of the dimensions of houses—see Talshir, ‘Relativity of Geographic Terms’, pp. 270–272.

²⁹ Talshir, ‘Relativity of Geographic Terms’, p. 276.

³⁰ Compare, for example, Jewish Palestinian Aramaic (see *DJPA*² s.v. *סלק*, §3 ‘to travel, emigrate’), and Syriac (see *PS* s.v. *ܫܠܟ*).

³¹ *CAD* E:124.

Babylonia'.³² It followed, therefore, that, for Lipiński, this decree concerns Aramaeans from southern Babylonia who had migrated in a northerly direction, i.e. to Syria or Lebanon.³³ Wesselius, on the other hand, correctly pointed out that *māt Akkadē* refers to northern Babylonia.³⁴

The traditional way of referring to the 'Land of Babylonia' was *māt Šumeri u Akkadē*, 'Land of Sumer and Akkad', using the Sumerograms for these toponyms and thus reflecting the underlying Sumerian phrase ^{ki}engi ^{ki}uri.³⁵ This terminology certainly continued to be used under the Neo-Assyrians to refer to the area of southern Mesopotamia.³⁶ It appears that these two regions were still perceived as having their own distinctive identities, despite often being united politically, and they were eventually placed in separate satrapies in the Seleucid period.³⁷ The first element, the 'Land of Sumer', referred to the southernmost part of Mesopotamia, roughly from Nippur to the Persian Gulf, an area including the cities of Shuruppak, Isin, Umma, Lagash, Uruk, Larsa, Ur and Eridu. The second element, the 'Land of Akkad', referred to the territory immediately to the north of Sumer, as far north as Eshnunna and encompassing the cities of Sippar, Babylon, Kish and Borsippa.³⁸ It is this very specific area that was the point of departure for the migrant in this text.

³² Lipiński, *Studies*, p. 79, following Caquot, 'Une Inscription', p. 12—'Le "pays d'Akkad" désigne à cette époque la Babylonie'. Caquot based his assertion on a note by Landsberger, which, incidentally, he had not seen but was taking as read by a colleague. Landsberger's note actually referred to the practice of two court astrologers who, in their prognostic writings, appear to use the phrase 'city of Akkad' to refer to the city of Babylon. Crucially, Landsberger was very specific, stating that the term used is URU *Akkad*, using the Sumerian logogram for 'city', rather than KUR *Akkad*, using the Sumerian logogram for 'land' (the usual equivalent for Akkadian *mātum*)—see B. Landsberger, *Brief des Bischofs von Esagila an König Asarhaddon* (Mededelingen der KNAW, afd. Letterkunde, Nieuwe reeks 28/6; Amsterdam: KNAW, 1965), p. 38 (n. 56).

³³ Lipiński, *Studies*, p. 79.

³⁴ Wesselius, 'The Aramaic Decree', p. 202.

³⁵ CAD M 1:417.

³⁶ See, for example, BM Cylinder 113203:9–15, as edited by S. Smith, *The First Campaign of Sennacherib, King of Assyria, B.C. 705–681. The Assyrian Text Edited with Transliteration, Translation, and Notes* (London: Luzac & Co., 1921), pp. 58–59.

³⁷ S. Smith, *Babylonian Historical Texts relating to the Capture and Downfall of Babylon* (London: Methuen & Co. Ltd, 1924), p. 157.

³⁸ See P. Bienkowski, 'Babylonia, Babylonians' in P. Bienkowski and A. Millard (eds.), *Dictionary of the Ancient Near East* (Philadelphia/London: University of Pennsylvania Press/British Museum Press, 2000), pp. 44–45.

...ytnšg bbyth wbgryth

...shall be assigned to work in his clan or in his city.

The main issue here is the meaning, and indeed the reading, of *ytnšg*. Kottsieper read *ytnšg* and translated it as ‘is recognised’,³⁹ whereas Wesseliuss read *ytnšg* and translated it as ‘is found’.⁴⁰ Wesseliuss’ interpretation is based upon a comparison with the Hebrew root *nšg* ‘to reach, overtake’, a possible use of this verb with this meaning in the Aramaic text of Ahiqar and the suggested parallel between the sequence of events in this text (to overtake, to arrest, to surrender) and the description of the capture of Zedekiah in Jeremiah 52:8–9 and 2 Kings 25:5–6.⁴¹ Kottsieper, however, was not convinced and noted that there is no suggestion in this text of a pursuit.⁴² Moreover, Wesseliuss himself noted that the Ahiqar text is itself obscure, and that there are no other comparable attestations of this root with this meaning.⁴³

Kottsieper’s own suggestion, however, while not relying on a pursuit, still assumes that there is something problematic about the presence of the migrant that necessitates him being delivered up to the king’s official—again, the text contains no suggestion that the migrant is in any way a miscreant. Furthermore, the meaning ‘is recognised’ for *ytnšg* is by no means certain.

The solution offered above is based on two observations: first, that at no point in this text is any crime ascribed to the migrant;⁴⁴ and, second, that much of the terminology of this text is either loaned directly from Akkadian (e.g. *mt ’kdh* = Akk. *māt Akkadē*) or is a calque on an Akkadian phrase (e.g. *yš zy* = Akk. *awīlu šā*).

In view of the latter observation, it is not unreasonable to consider the Akkadian root *nasāku* ‘to shoot, throw’, which is often used in the sense of ‘to assign someone to work, to impose a work assignment on someone’,⁴⁵ hence my translation of *ytnšg* as ‘(he) shall be assigned to work’. Compare also the Arabic root *نسق* ‘to put in proper order, marshal’, *تنسق* ‘to be disposed, arrayed’.

³⁹) ‘Erkannt wird’—see Kottsieper, ‘Der Mann aus Babylonien’, p. 369.

⁴⁰) Wesseliuss, ‘The Aramaic Decree’, p. 200.

⁴¹) Wesseliuss, ‘The Aramaic Decree’, p. 202.

⁴²) Kottsieper, ‘Der Mann aus Babylonien’, p. 384.

⁴³) Wesseliuss, ‘The Aramaic Decree’, p. 202.

⁴⁴) Both Fales and Wesseliuss assumed that the absence of any such statement is due to the crime being so obvious that it does not require explanation—see Fales, ‘Una diffida relative’, p. 281; Wesseliuss, ‘The Aramaic Decree’, p. 201. My solution, on the other hand, makes no such assumption.

⁴⁵) *CAD* N II:15–20.

According to this interpretation, this text, therefore, is simply stating that a new arrival is to be set to work, either in the *byt'* or in the *qryt'*, and that the person in charge, either the *mr' byt'* or the *hzn qryt'*, is to see that this happens by presenting the new arrival to the *b'l pqt'*. It is this official who is charged with overseeing this process effectively, on pain of death.

Regarding the precise meaning of *byt'*, it is again profitable to consider the general use of Akkadian terminology in this text. The three officers mentioned are the *b'l pqt'*, the *mr' byt'* and the *hzn qryt'*. Both the first and last of these are simple enough to identify⁴⁶—they are equivalent to the Akkadian expressions *bēl piqitti*, which refers to an administrative official,⁴⁷ and LÚ *hazan* URU, which refers to the chief officer in the local government and is often translated 'mayor'.⁴⁸ The middle term, however, is a little trickier. Lipiński correctly equated it with the Akkadian expression *bēl bīti*, but then translated it as the 'landlord'. Moreover, Lipiński translated the two occurrences of the noun *byt* in the inscription as 'estate',⁴⁹ thus understanding the law as referring to a migrant farmer renting a house and farm from a land owner. Similarly, Wesseliuss translated it as 'house', again assuming it refers to a physical place.⁵⁰

The problem with these explanations is that they do not take into account the socio-political meaning of the terms *byt/bītu* and *mr' byt'/ bēl bīti* in the Neo-Assyrian and Neo-Babylonian periods. The term *bītu* was used to refer to a clan or large ethnic group, particularly one which had migrated. Thus, for example, the Chaldeans were organised into clans such as the *bīt Dakkūri*, the *bīt Amūkani* and the *bīt Yakīn*.⁵¹ In this light, consider also Ezekiel 3:17, in which the prophet is appointed to minister to the exiled 'house of Israel'.

Furthermore, the term *bēl bīti* was used to refer to a clan chief, and, significantly, it is in this more political sense that it occurs in a list of ruling officials that includes the 'mayor': *lu EN É lu EN.NAM lu qīpūtu lu ḥazannu...*

⁴⁶ Caquot, 'Une Inscription', p. 16.

⁴⁷ CAD P:391–393.

⁴⁸ CAD H:163–165.

⁴⁹ Lipiński, *Studies*, pp. 79–80.

⁵⁰ Wesseliuss, 'The Aramaic Decree', p. 200.

⁵¹ P.-A. Beaulieu, 'Official and Vernacular Languages: The Shifting Sands of Imperial and Cultural Identities in First-Millennium B.C. Mesopotamia', in S.L. Sanders (ed.), *Margins of Writing, Origins of Cultures* (Oriental Institute Seminars 2; Chicago: The Oriental Institute of the University of Chicago, 2006), pp. 187–216 (194–195).

‘the chief of the clan, the governor, the official, the mayor...’.⁵² Hence my translation of *bbyth wbyryth* as ‘in his clan or in his city’, with the corresponding *mr’ byt’... whzn qryt’* being translated ‘the clan chief... or the mayor of the city’. The significance of this interpretation is discussed further below.

wl’ y’hr wytnnby

And he shall not delay but shall assign him...

The *w* marks the beginning of a new section and a change in subject. The subject of both of these verbs is either the clan chief or the city mayor, depending on where the migrant has arrived (see the final discussion below). I have followed Kottsieper in reading *y’hr* rather than Wesseliuss’ *y’hd*.⁵³ In Neo-Assyrian administrative texts, the verb *nadānu* often means ‘to assign (a person)’ to a person, in order to be put to work,⁵⁴ hence my translation ‘but he shall assign him to the royal official’.⁵⁵

...mr’ byt’ zy ’l bbyth...

...the clan chief, into whose clan he entered...

Alternatively, we could perhaps understand this as ‘the clan chief, who is over his clan’, if we take *’l b* to be a compound preposition either in the sense of ‘above from’,⁵⁶ or in the sense of ‘over within’.

wb’l pqt’ zy hzwby wl’ ’hdwby...

And the officials who saw him but did not take him...

⁵²) *CAD* B:295.

⁵³) Compare Kottsieper, ‘Der Mann aus Babylonien’, pp. 369, 383, and Wesseliuss, ‘The Aramaic Decree’, pp. 200, 203. There is nothing wrong with Wesseliuss’ reading or interpretation, as long as one assumes that the migrant is also a miscreant and merits arrest. As stated above, I do not make this assumption; furthermore, I divide the text differently to Wesseliuss.

⁵⁴) *CAD* N I:47.

⁵⁵) Again, it should be noted that Wesseliuss’ translation ‘and surrender him to the officer of the king’ is also well attested—see *CAD* N I:46–47.

⁵⁶) The meaning ‘from’ is well attested for both the Akkadian preposition *ina* and the Hebrew and Ugaritic *b*. Gordon refers to this as a general ‘Semitic feature whereby the prepositions meaning ‘in’ or ‘to’ connote also ‘from’—see C.H. Gordon, *Ugaritic Textbook* (Analecta Orientalia, 38; Rome: Pontifical Biblical Institute, 1965), p. 370.

Once again, the initial *w* marks the beginning of a new section and a change in subject. In this section, the subject of all three verbs is any official, who, if he neglects to press the migrant into service, will be punished.⁵⁷ All three verbs require a plural subject. In the Neo-Assyrian period, the plural of the Akkadian term *bēl piqitti* was *bēl piqittāte*,⁵⁸ with the only noticeable change being the addition of the feminine plural oblique ending to the second word in the chain. It is likely, therefore, that the second word in the Aramaic phrase *b'l pqr* should also be read as a feminine plural, rather than as a feminine singular, and that the whole phrase means 'officials'.

We can now try to set this text in its historical context. Given the language of the text and the point of departure, it was probably written with two groups in mind—the Aramaeans and the Chaldeans.⁵⁹ Both groups spoke Aramaic.⁶⁰ From the ninth century BCE, large areas of Babylonia were dominated by three Chaldean tribes,⁶¹ and these were often all-too-easily persuaded to revolt against Assyrian rule.⁶² Neo-Assyrian inscriptions, therefore, refer to Babylonia as *māt kaldī* 'Land of the Chaldeans'.⁶³ Although Aramaean settlement in Babylonia is attested earlier in the eighth century BCE, it is with the victories of Tiglath-Pileser III, in the second half of the eighth century, and his successors that the large scale Aramaean settlement in Babylonia occurred due to a series of mass deportations from their Syrian heartlands.⁶⁴

⁵⁷ Wesseliuss understands the root *'hd* as pertaining to the arrest of the migrant, which is certainly possible philologically. My reason for not following this line of interpretation, once gain, relates to the assumption of the migrant's guilt that necessarily accompanies this interpretation—cf. Wesseliuss, 'The Aramaic Decree', pp. 200, 203.

⁵⁸ *CAD* P:392.

⁵⁹ The nature of the relationship between these two groups is uncertain. Beaulieu, for example, asserted that 'the evidence leans toward the Chaldeans being a branch of the Aramaeans', while Kuhrt, on the other hand, insisted that 'such an identification is not really tenable'—see Beaulieu, 'Shifting Sands', p. 195; A. Kuhrt, *The Ancient Near East c. 3000–330 BC* (London: Routledge, 1995), II, p. 399.

⁶⁰ Beaulieu, 'Shifting Sands', p. 197.

⁶¹ Beaulieu, 'Shifting Sands', pp. 194–196.

⁶² E.g. Shamash-shum-ukin's revolt (652–648 BCE) against his brother Ashurbanipal had the support of the Chaldeans—see Kuhrt, *Ancient Near East*, p. 588.

⁶³ Beaulieu, 'Shifting Sands', p. 195.

⁶⁴ Beaulieu, 'Shifting Sands', pp. 194–196; see also E.G.H. Kraeling, *Aram and Israel or the Aramaeans in Syria and Mesopotamia* (Columbia University Oriental Studies, 13; New York: Columbia University Press, 1918), pp. 110–114, 139. For an interesting discussion of the nature of the settlement of Aramaeans, Chaldeans, Arabs and 'older Babylonians' (i.e. those

The next issue is the direction of the migration. Caquot suggested that the migration was from Babylonia to some locality in Syria or Phoenicia,⁶⁵ and Lipiński followed this, suggesting that it was a migration from southern Babylonia to northern Syria or Lebanon.⁶⁶ Wesseliuss wrote of a migration from Babylonia to northern Mesopotamia, and ascribed the miscreant nature of the migrant to his potential sympathy towards the Neo-Babylonian empire—consequently, Wesseliuss tentatively assigned it to the twilight period of the Neo-Assyrian empire, *circa* 626–605 BCE.⁶⁷

We have already seen, however, that there is no philological reason to assume a south-to-north direction for the verb *slq*, and, indeed, the opposite meaning is clearly attested elsewhere. If we assume that the law related to Aramaean migrants, such a south-to-north migration pattern for Aramaeans, as suggested in previous analyses, at the sort of scale that would necessitate the drafting of such a law, did not occur in the Neo-Assyrian or Neo-Babylonian periods. Indeed, the general pattern for Aramaean migration in these periods was north to south.

It is likely that we are dealing with a migration on a much more limited scale and in the opposite direction to that hitherto suggested, and that it concerns Aramaeans (and/or Chaldeans) who, under pressure from the increasing Assyrian domination of northern Babylonia in the seventh century, are travelling from the ‘Land of Akkad’ in a southerly direction towards the more strongly Chaldean southern Babylonia. As Kuhrt notes, ‘One result of Assyrian domination in the north of the country was that the fulcrum of political activity within Babylonia shifted from the north to the south, and that the Chaldean leaders gradually entered more directly into Babylonian politics.’⁶⁸ The priority for the Neo-Assyrians at this time was to ensure that these migrants would still provide an income for the imperial coffers and this required the cooperation of the Chaldean leaders in the south. Our suggestion, therefore, has an interesting consequence on how we interpret the overall law.

descended from previous waves of migrants such as Kassites and Amorites), specifically in relation to Nippur and its environs, see S.W. Cole, *Nippur in Late Assyrian Times c. 755–612 BC* (State Archives of Assyria Studies, 4; Helsinki: Neo-Assyrian Text Corpus Project, 1996), pp. 23–44.

⁶⁵ Caquot, ‘Une Inscription’, p. 16.

⁶⁶ Lipiński, *Studies*, p. 79.

⁶⁷ Wesseliuss, ‘The Aramaic Decree’, pp. 208–209.

⁶⁸ Kuhrt, *Ancient Near East*, p. 578—see pp. 576–589 for a summary of the various phases of Assyrian domination in Babylonia.

Chaldean power was concentrated in the large urban centres, while the Aramaeans, as the more recent arrivals, tended to be less assimilated, living in small settlements as farmers.⁶⁹ The law identifies two locations—the clan and the city—each ruled by an official specific to that location—the clan chief and the city mayor. It is possible that the city and its mayor is indicative of the more urbanised Chaldean settlement in Babylonia, and the clan and clan chief refers to the recently arrived, non-urbanised Aramaeans, who have still maintained their ethnic political structures.

Within each setting, the ruler, whether the Chaldean mayor in the urban setting, or the Aramaean clan chief in the rural setting, is responsible for ensuring that each migrant is set to work. This is done, in both scenarios, under the oversight of the royal officials who are the representatives of the central government. Thus there is a chain of command and accountability to ensure the effective management of the influx of migrants for the benefit of the empire. This would certainly coincide with what we know about Neo-Assyrian policy towards Babylonia, which, ideally, maintained peaceful relations with the Chaldeans in return for tribute,⁷⁰ and allowed exiled communities, such as the forcibly transplanted Aramaeans, to maintain their own established systems of government.⁷¹ Thus Tiglath-Pileser III, in a context referring to Babylonia, mentioned the tribute of luxury wood sent by the ‘princes of Aram and Chaldea’ (*malkī māṭ Arime u māṭ Kaldī*).⁷²

Although this suggestion for the significance of the clan and city, in respect of the Aramaeans and Chaldeans, is very tentative, the overall reinterpretation of the text given here merits serious consideration. It allows for a substratum of Neo-Assyrian administrative terminology regarding the verbs *nšg* and *ntn*, as well as the noun *byt*, and presents a syntactically satisfying solution.

⁶⁹ Thus Kuhrt, *Ancient Near East*, p. 575; see also Cole, *Nippur*, pp. 28–31, who states that the Aramaeans possessed more camels than the Chaldeans, and uses this as one marker that distinguishes between the more settled agriculturalist Chaldeans and the more migratory pastoralist Aramaeans.

⁷⁰ Kuhrt, *Ancient Near East*, pp. 578–589.

⁷¹ Thus Kuhrt, *Ancient Near East*, p. 617; see also P.R. Bedford, *Temple Restoration in Early Achaemenid Judah* (Supplements to the Journal for the Study of Judaism, 65; Leiden: Brill, 2001), pp. 47–48. Compare also the references to the exiled Jehoiachin as ‘king of Judah’ in 2 Kings 25:27 and also in some Neo-Babylonian ration lists—see W.F. Albright, ‘King Joiachin in Exile’, in *The Biblical Archaeologist* 5 (1942), pp. 49–55 (pp. 51–52).

⁷² Cole, *Nippur*, p. 25.

Abbreviations

- BASOR *Bulletin of the American Schools of Oriental Research*
 CAD A.L. Oppenheim *et al.* (eds), *The Assyrian Dictionary of the Oriental Institute of the University of Chicago* (Chicago: Oriental Institute, 1956–)
 DJPA² M. Sokoloff, *A Dictionary of Jewish Palestinian Aramaic of the Byzantine Period* (second edition; Ramat-Gan/Baltimore and London: Bar Ilan University Press/The Johns Hopkins University Press, 2002)
 KNAW Koninklijke Nederlandse Akademie van Wetenschappen
 PS J. Payne Smith, *A Compendious Syriac Dictionary &c.* (Oxford: Clarendon Press, 1903)
 ZAW *Zeitschrift für die Alttestamentliche Wissenschaft*

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