ADDENDA ET CORRIGENDA


While this seems to be still the most reasonable thesis suggested so far, it is not without its own difficulties. The contrasts are often not as definitive as one might assume. Central Mesopotamian documents often contain “peripheral” elements: are these Old Akkadian remnants, indices of external influence, or something entirely different? Furthermore, although I assume that much of the cuneiform law found in the deeds of Alalakh and Ras Shamra is of an archaic Mesopotamian background (cf. p. 31, end of the first note), nevertheless, one cannot preclude the possibility that these documents do reflect an indigenous Western (“Amorite”) legal tradition (cf. the term šamidšt, above, p. 20). Thus, not all peripheral law is necessarily Old Akkadian. Finally, the very assumption of a contrast between Sumerian and Akkadian law is now open to question (cf. the discussion, above, pp. 90-95). The whole problem of the traditions of cuneiform law deserves a systematic investigation.

P. 21. To the transfer clauses cited above, add the following: *eqlu e-el ša-mu ba-a-lu* “the field is clear (of claims), it is bought and taken into possession” in Harris, *Khafajah* 82:17. This clause should be compared with the Susa transfer clause: *eqlu ša-i-im [u kaspu li-qi] “the field is bought [and the money has been received]” in *MDP* XXIII 206:30; cf. also *MDP* XXIII 208:21 and 209:8-9. (For other connections between Susa and Khafajah, cf. above, p. 100, n. 4). The parallel between OB el, MA uppā and NA šarīp should also be noted.

P. 23n. My investigations into the NA background of many terms and clauses used in the deeds (cf., above, pp. 179-192) has to be coordinated with Kutscher’s studies concerning the syntactical orientation of the language of the deeds. While the content of the deeds points, at least in part, to a NA (political) milieu, the language of the deeds points to a Western milieu. I would suggest the following tentative synthesis of these two points of view.

The indigenous legal traditions of second millennium Syria-Palestine (reflect ed in the deeds of Ras Shamra and Alalakh, and in contemporary West-Semitic legal loan words into Egyptian) were taken over by the first millennium Aramean dynasties of the West. (Note the continuity of the West-Semitic term *spr “deed/inscription” from Ras Shamra to Sefire). As Mazar (*The Biblical Archaeologist Reader* II, ed. E. F. Campbell and D. N. Freedman [New York, 1964], pp. 145 ff.) has pointed out, these kingdoms with their expanding mercantile and administrative activities, could not have functioned efficiently without some sort of a legal formulary written, without a doubt, in Old Aramaic. One would naturally expect that the verbs in this formulary would be placed at the beginning of the sentence, following Western linguistic patterns. Thus, the Elephantine formulary, with its Western linguistic orientation, must be, at least in part, a reflex of this Old Aramaic formulary. These, then, are some of the historical implications of Kutscher’s grammatical investigations.

However, the strong NA component in the Elephantine formulary clearly indicates that this formulary is not simply a direct scion of the Old Aramaic one. Before it made its way to Egypt, it must have undergone a strong “Assyrianization,” comparable to that which the local Aramaic dialects of the West experienced when they gave way to the (Eastern-based) *Reichsaramäisch*, introduced by the Assyrians when they conquered the area. Although NB, Egyptian and Persian elements were subsequently assimilated, the Elephantine formulary represents, in essence, a fusion of the Old Aramaic formulary, based on Western cuneiform traditions, with the *Reichsaramäisch* formulary, based on Assyrian ones.


P. 31, n. 2. In order to determine more exactly the proximate model of the clause *lā grīnk dyn wēbb*, it will be useful to break it down into its various linguistic components. First of all, *grīh* is not used absolutely (like the OB *lā igerri*), but with an object (*grīh dyn not grīh*). Secondly, this object is complex