

Diverse Remarks on the Hittite Instructions*

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Anahtar Kelimeler: Hitit yönetmelikleri, Orta Hitit yönetimi, Kralî Muhafız Yönetmelikleri

Keywords: Hittite instructions, Middle Hittite administration; Instructions for Royal Bodyguards

An ‘Obligation and Oath’ Genre

The designation ‘obligation and oath’ for the genre in question is intended to highlight an understanding of these compositions according to which the ‘instructions’ or ‘prescriptions of obligations’, the *ishiu-*, are part and parcel of one text genre together with the ‘oaths’, the *lingai-* (see briefly Miller in press). These two elements jointly make up what can be understood as a ‘contract’ or ‘treaty’, in which the sovereign lays out the obligations being imposed upon the subject and the subject swears before the gods his commitment to them. The one element is hardly found without the other; in fact an ‘instruction’ or ‘obligation’ is a logical prerequisite to an oath, as the oath taker must express his acquiescence to some stipulation, even if this consists, e.g., (almost) entirely of personal loyalty to the king and his descendents.¹

* I would like to thank Metin Alparslan and Meltem Doğan-Alparslan of Istanbul University for the gracious invitation to present this paper at the Turkish Institute of Archaeology, Istanbul, and for their warm hospitality during my stay there. The research results presented here stem in part from recent work on preparing a volume of transliterations and translations of all the instruction compositions, to be published in the Writings from the Ancient World series of the Society of Biblical Literature.

¹ CTH 255.1 and 255.2, e.g., certainly rest at the *lingai-* end of the spectrum ranging from *ishiu-* to *lingai-*, as essentially every section ends with reference either to infractions being placed under oath or to the would-be offender and his family being destroyed by the oath deities. Still, one could argue that each section imposes an obligation upon which the persons in question are to take an oath, indeed, an obligation of personal and dynastic loyalty. Incidentally, it is not entirely correct, as asserted by Pecchioli Daddi (2005: 604), that the oath taking in this composition ‘does not apply to specific tasks, but only to their loyalty to the sovereign and his legitimate descendants.’ Though this certainly pertains to the overwhelming majority of the stipulations, a handful do in fact refer to

The converse would not necessarily be the case, but in practice, any important imposition of an obligation would have been accompanied by an oath before the gods in order to maximize the motivation of the oath taker, and in fact, hardly an instruction text (or treaty) is entirely devoid of some reference to oath and/or divine sanction.²

The Hittites apparently did not develop a category, or employ a word,³ for the summation of the two elements *ishiu-* and *lingai-*. They refer to the combined ‘contract’ or ‘treaty’ always as the ‘obligation/bond’ (*ishiu-*), the ‘oath’ (*lingai-*) or both. From this fact, however, one cannot necessarily deduce that these were two separate genres. Text categorization depends on the usage of words and concepts, not merely on the number of terms extant. One could contrast, e.g., Hittite usage of the designations *SISKUR/SÍSKUR* and *EZEN*, which can in fact be correlated not only with nearly exclusively discrete phenomena, but also with largely discrete textual categories.⁴ This is decidedly not the case with the distribution of *ishiu-* and *lingai-*, which, though obviously referring to two different real-world phenomena, do not correlate well with distinct textual genres.⁵

specific tasks or injunctions, e.g. (KUB 26.12+21.42 ii 12’-22’): ‘(12)Further, whoever of you lords who command the front(er) posts (14’)opposite the land of Azzi, opposite the land of Gasga (or) (15’)opposite the land of Lukka, no one shall knowingly violate the border; no one shall attempt going *arrusa*. (18’)Or (if) a malefactor (seeks to) re-enter, and you let him in, (20’) or you even let him go on his way, (21’)and he goes into another enemy land, (22’)then may these gods completely destroy him.’ Other specific tasks or duties are of course also mentioned, even if they almost all pertain to loyalty to the king, i.e. (KUB 26.12+21.42 i 4’-10’): ‘[(Further, yo)u w]ho are field commanders (5’) [(as well as those who)] are [(not) f]ield [(co)mmanders], and he who is a dignitary, (6’) [(but also he who is not)]; (if) something becomes too difficult [(for) My Maj]esty, (7’) [(but you do not ru)]sh to (my) aid; (8’) or [(you) w]ho are royal family [(to him)], you do not come to him [(im)]mediately, [(and)] you ignore [(him)], (10’) then that matter shall be placed under oath for you.’

² In CTH 262, the Instructions for the Royal Bodyguard, however, is found not a trace of divine sanction or oath. Whether further tablet(s) of this unfinished composition might have contained such is not presently ascertainable. (Kořak 1990: 84f. has suggested that KUB 21.47+KUB 23.82+KBo 19.58 might represent a further tablet of this composition, but this seems unlikely.) Cf. also the rather more fragmentary CTH 257, Instructions for the Mayor (of Hattusa), and CTH 263, Instructions for the Gatekeeper, the preserved portions of which likewise betray no hint of oath or divine sanction.

³ For the usage of *taksul-*, cf. Klengel 1999: 360 and n. 150; HEG T/D, 47f.; for Hittite terminology relating to this semantic field in general, see Zaccagnini (1990: 54-67).

⁴ The most significant exception being of course the *huwassana*-festival/ritual.

⁵ Naturally, this conception of the ‘obligation and oath’ genre as a unity must in no way detract from the value of studies that seek to analyze one or the other of these two elements separately; it does, however, seek to argue against the suggestion that these should be seen as two autonomous text genres, and in this point my understanding of the genre diverges to some degree from that of Pecchioli Daddi (e.g. 2005) and Giorgieri (1995: 19-29).

It is thus commendable when Pecchioli Daddi (2005: 600) seeks to establish emic categories, suggesting that ‘the ancient definition should be kept and the tablets of binding/allegiance ... separated from those [designated as] an oath.’ In practice, however, Hittite scribes did not keep *išhiul*-tablets separate from *lingai*-tablets, and there is no emic correlate of the terms ‘contract’ and ‘treaty’. This leads Pecchioli Daddi inescapably to a categorization which in fact is based to a large degree on criteria other than and at times in conflict with the distribution of the terms *išhiul*- and *lingai*-, as becomes clear in the subsequent definition of her typology (ibid.: 601-607)⁶ and in the significant number and nature of exceptions to it (see below and n. 8). One imposes more regularity than is actually attested in the texts themselves when one attempts to divide the *išhiul*- and the *lingai*-elements into two genres, imagining that ‘the colophons of these documents show different definitions and distinguish tablets of the *išhiul* (binding/bond, allegiance), tablets of the *lingai*- (oath) and tablets that have no specific definition of genre’ (ibid.: 600). Indeed, this division forces Pecchioli Daddi (ibid.: 601) to create a further group of documents that ‘have, in the incipit or in the colophon, the double typological definition of “*išhiul* and *lingai*-tablet” (see also above and n. 7), to which she attributes three texts.⁷

In fact, however, many more of the instructions could be attributed to this latter group, since they likewise contain both obligation and oath terminology or in some way fail to fit into the one or the other category:

1) CTH 251, for instance, an Oath for Military Officers, is a paradigmatic oath composition, with nearly every paragraph ending either with the statement that the contrary behaviour described will be placed under oath or that the offender and his family will be destroyed by the oath deities. The final fragmentarily preserved portion of the composition also refers to the divine witnesses and begins a list of deities. Still, the text is clearly understood as an imposition of obligations, as i 51’ff. illustrates: ‘(51’)[And] these obligations

⁶ She writes, e.g. that ‘the texts thus defined [as *išhiul*-texts] are identified by the fact that they all contain very precise and detailed provisions addressed to various categories of royal employees’ (p. 601), but this applies only rather roughly to the texts in question. It also leads to a subgroup of the *išhiul*-category defined as ‘Texts that also contain elements typical of the oath-taking tablets’ (ibid.: 603). Why these are not subsumed under the ‘double typological definition of “*išhiul* and *lingai*-tablet” (ibid.: 601) is not explained.

⁷ KUB 26.10, KUB 31.102 and KBo 16.28, the latter of which, though in fact containing both obligation (*išhiul*[l, iii 10’] and oath (*nīš DINGIR-Lì*, iii 7’; *DINGIR*^{MEŠ}, iii 8’) terminology, does not fit the definition or attributes given by Pecchioli Daddi (ibid.: 601), as it preserves neither incipit nor colophon.

that I, My Maj[es]ty, am imposing on [yo]u (*išhiul išhiskemi*), [let them be] *im[portant to you]!* (52')[That which] I place in your hands, [accom]plish every la[st bit of it]!' Also the stipulation in i 41'ff. regarding the soldiers' rations is referred to as an *išhiul-*.

2) CTH 256, An Oath of Suppiluliuma II for the Men of Ḫattusa, is clearly to be sworn in response to obligations imposed upon them, primarily with regard to the care of certain mausoleums. In this context the term *išhiul-* occurs no fewer than four times (ABoT 1.56 iii 9', 24', 30', iv 10'),⁸ and the *luzzi-* duty/obligation is also found twice (iii 10', 12').⁹

3) CTH 258.2, Instructions/Decree of Tudḫaliya concerning Legal Matters,¹⁰ which Pecchioli Daddi (2005: 604) assigns to her oath category, clearly contain(s) a series of obligations and instructions (*išhiul-*), along with injunctions, though nowhere in the preserved text explicitly designated as such. It is, however, according to its colophon, the second tablet '(of) Tudḫaliya, Great King [...], of the oath (*MĀMĒTI*)' (KUB 13.7 iv 1'-2').

4) CTH 259, Tudḫaliya's Instructions and Oath for Military Officers and Governors, can be seen as a prime example of a text that is both an instruction and an oath composition. Indeed, while Pecchioli Daddi (2005: 603) classifies it as an *išhiul-*, following the designation found in the colophon, Giorgieri (1995: 137-205; 2005: 327 and n. 22) treats it as an oath text. In fact, it has all the signs of both. It begins with reference to the swearing of an oath to the

⁸ In iv 10' one can surely read *i]š-ḫi-ú-ul-ma-aš-~[* rather than Giorgieri's (1995: 297) *]x-ḫi ú-ul-ma-aš-[za*?

⁹ That this composition can therefore be regarded as an *išhiul-* as well as a *lingai-* text is of interest in light of Pecchioli Daddi's (2005: 604) important observation that 'Unlike the *išhiul* texts, the *lingai-* texts span a wide chronological area - from the Middle Kingdom to the end of the Imperial age.' Even so, however, the tendency she has observed remains clear and certainly begs for an explanation. One need not conclude, however, that the *išhiul-* genre died out while the *lingai-* genre lived on. One could just as easily assume that the term *lingai-* was increasingly employed to refer to a single 'obligation and oath' genre. Alternatively, it may be the case that the 'obligation and oath' genre evolved through time to increasingly emphasize the oath at the expense of the obligations. That said, there is no question that two of the last three kings of the Hittite empire, Tudḫaliya IV and Suppiluliuma II, were pathologically preoccupied with their legitimacy and with the loyalty of their subjects, and this is certainly reflected in the loyalty oaths from their reigns.

¹⁰ Pecchioli Daddi (2005: 599) omits CTH 258.1 from the genre entirely, asserting that it has 'no specific recipient', but this is not the case. It is directed at the 'men of the city', who are addressed in the 2nd pl. in iii 8'-11' or 2nd sg. in iii 14', which recalls the addresses of CTH 251, 'all Ḫattusa', CTH 253.1 and 254, 'whoever is in Ḫattusa', CTH 256, 'the men of Ḫattusa' and CTH 259, 'all the men (of Ḫattusa)'. One might perhaps argue on other grounds that 258.1 should be seen as an edict or decree, but not on account of it having no specific recipient.

king, the queen and their descendents (A i 1'-6'), followed by a list of deities called to witness (7'-17'). Essentially the remainder of the text prescribes rather specific commands and injunctions to its addressees, the military officers and governors. The last paragraph before the colophon then refers again to the 'words of this tablet' and to the oath deities who are to destroy anyone who would not obey its words. As mentioned, this tablet is labelled by the scribe an *ishiu-*, not a *lingai-*, despite the fact that the instructions are clearly and explicitly embedded within an oath.

This case is a telling one, since it demonstrates one key point: the division into the genres *ishiu-* and *lingai-* is an etic, not an emic, partition. Giorgieri is certainly correct in assigning it to his oath category, as it clearly contains all the defining elements of that genre. To the Hittite scribe, however, this was not a textual category, and he could just as well label it an *ishiu-* as he could have a *lingai-*.

5) CTH 264, Instructions for Priests and Temple Personnel, in many ways is, perhaps paradoxically, one of the most secular sounding of the genre. It is designated an *ishiu-* in its colophon and in fact contains a long series of injunctions and instructions. Interestingly, though the punishment for offenses is often death (e.g. i 59f., ii 15f., 49^{f.}, iii 16, 19f., 52ff., 83f., iv 33, 54f.), in several instances a comparatively mild and entirely secular penalty is meted out. In iii 32ff., e.g., a person who fails to fulfil his guard duty is to be humiliated by being forced to carry water from a spring into the temple three times in the nude. In iii 41f. a person who ruins a festival by starting a brawl is required to perform the festival and provide the provisions for it. In iv 8ff. a person who fails to bring certain food stuffs to the deities punctually is fined one cow and ten sheep, and in iv 22ff. a person who underreports the yield of a harvest in order to collect the rest for himself will have all his grain taken away and given to the deities' store. This seeming discrepancy, however, is easily explained. Since the priests and temple personnel in question work directly for the deities, it is self-explanatory that their actions will be directly observed and, if necessary, punished by them. In ii 22^{ff.}, e.g., it is said that 'the w[(ill)] of a deity is indeed [(fi)]rm. He does not hasten to seize (the offender), (23^{f.}) [(but w)]hen he does seize (him), he does not let go again.' The personnel are assured that 'the deities will avenge (any misdeeds) some day. (68^{ff.}) They will most malevolently confront you yourselves, your wives, your sons (and) your servants' (ii 67ff.). Punishment might also be meted out in kind, as seen in iii 64ff.: 'If a pig (or) a dog ever touches the wooden uten[(sil)]s (or) the ceramic wares that you have, (66ff.)but the kitchen foreman does not throw

them out, and he gives the deities to eat from unclean (utensils/wares), then the deities will give him faeces (and) urine to eat (and) drink.’ In this sense, these instructions are different than all the others: here, the instructions serve to support and enforce the duties and obligations that the temple personnel owe to the deities, whereas in all the other instructions it is the deities who are to sanction and enforce the duties and obligations that the servants of the king and the state owe to their earthly masters. Thus, an oath in the sense seen in the other texts of the genre is naturally not to be expected.

Still, though the text is designated an *ishiu-* by its scribe, the last two paragraphs of injunctions end with the prescription of oaths and associated rites that the personnel are to pronounce and perform: ‘You shall proclaim before the deity as follows: (49ff.) “If we hastily claimed these young animals for ourselves, or we have given them to our foreman, or to our wives, sons or another person, (52f.) so that we have wronged the deities themselves, ...” Then you will drink empty the rhyton of the deity itself. If you are innocent, (54f.) (then it is due to) your patron deity. But if you are guilty, then you will be destroyed along with your wives and your sons’ (iv 48ff.); ‘They shall take the rhyton of the deity him/herself down from the altar, and they shall proclaim as follows: (71ff.) “If we have snatched for ourselves the savoury share from the (very) mouth of the deities, and claimed it for ourselves, or we have sold it for ourselves, (74) or we have exchanged it and taken payment for ourselves, (75) and replaced it with an emaciated one, (76f.) then may you, O deity, continually haunt us, along with our wives and our sons on account of your own share!”’ (iv 69ff.). Though these oaths and associated rites are designed to discover the guilty parties in unsolved crimes, it is presumably no coincidence that this classic instruction text ends with oaths. Thus, once again, the strict separation of the *ishiu-* and *lingai-* texts into two genres is seen as somewhat artificial.

6) CTH 265, Instructions for Royal Servants on the Purity of the King, is booked by Pecchioli Daddi (2005: 603) as belonging to the *ishiu-* category, as it clearly contains specific instructions and obligations for the palace personnel, but nowhere does the term appear in the composition. Not only do several passages make clear that the prescriptions found in the text are to be accompanied by divine sanction,¹¹ in fact, even the term *lingai-* occurs in a passage in which the personnel are explicitly required to take an oath:

¹¹ E.g. KUB 13.3 ii 7'-13': '[If] someone causes [impur]ity, someone [ange]rs the heart of the king, and you say as follows: "[The king] won't see us;" the king's gods are already watching you! They will turn you into a goat, and they will drive you into the mountains, turn you into a *partridge*, and they will drive you to the cliff.' See also i 9'f. and 18', iii 18-20, iv 5'ff.

‘Furthermore, all you kitchen personnel: ... you shall swear an oath to the person of the king month for month. You shall fill a ceramic cup with water, and you shall pour it out before the sun-deity, and you shall speak as follows: “He who causes impurity and gives the king impure water, may you, o gods, pour out his soul like water!” (KUB 13.3 ii 20’-iii 2).

7) CTH 270, The Oath of Āṣḥapāla, which clearly contains quintessential oath terminology (KBo 16.50, 2-3, 20-21) and is formulated in the first person, also contains explicit and detailed instructions or obligations to which Āṣḥapāla and his men were to swear allegiance, including providing a specific number of troops from named towns (ll. 5-8) and the responsibility of reporting to the provincial governor any rumours of an enemy attack and participating in the defence of any real attack (ll. 14-20).¹²

The compositions referred to as state treaties, as intimated a moment ago, reinforce this perception. They, too, belong to the ‘obligation and oath’ category. They are certainly not treaties/obligations *or* oaths; they are both, and a Hittite could refer to them with either term (see, succinctly, e.g. Beckman 1999: 2; Devecchi, in press).¹³

These ‘obligation and oath’ texts, which the modern scholar attributes to categories such as ‘instructions’ and ‘treaties’, all had the aim of defining the duties and obligations of the subordinate within the administrative structure of the Hittite state and, through the oath, of sanctioning and witnessing his/her acceptance of these obligations before the gods. What we call the instructions emphasize more the obligations that the subordinates are to fulfil, while the vassal treaties stress the relationship between the Hittite overlord and the subject state, and the oath texts highlight the oath and divine sanction behind it. Still, they all belonged for the Hittites to the same category, ‘obligation and oath’. And since such an oath before god and king was often accompanied by ritual procedures and magical incantations, also texts like the so-called Military Oaths could very well belong to the category of the *ishiu*- und *lingai*-texts. Thus a text containing almost exclusively magic and ritual could belong

¹² Similarly, CTH 260, An Oath of the Dignitaries to the Royal Family of Arnuwanda I, likewise drafted in the first person, summarizes a series of stipulations to which the dignitaries accede by means of the swearing of the oath.

¹³ That they indeed belong to the same category is confirmed by the fact that a text such as CTH 260 (see n. 13) could be engraved upon bronze tablets, which were to be placed before the deities, in this case, before the Storm-god of Ḫatti, the Sun-goddess of Arinna and Iyarri of Ḫurranassi as well as others, whose names are no longer preserved. Exactly the same was done, of course, with the Bronze Tablet (iv 44-51).

to the same category as a state treaty in Hittite terms. The instruction texts were therefore more than merely didactic compositions, they were binding obligations and duties, *ishiuł-*, that by means of oath taking, *lingai-*, became legally and divinely sanctioned. These two categories can also hardly be separated; in fact they go hand in hand. Ideally the king dictated the obligations quasi as an edict, and the subordinate promised his loyalty with his oath before the gods, who of course served as enforcers of the oaths and would seek revenge against anyone who broke them. (Naturally, the king took no oath of obligation toward his subordinates.) A Hittite scribe could label most of the texts at issue either with the term *ishiuł-*, ‘obligation’, or *lingai-*, ‘oath’, depending on which side of the coin he was considering. Often a text that seems to us like a set of instructions will therefore bear the label *ishiuł-*, and accordingly a text containing oaths can be termed *lingai-*, but this must not be the case. Some texts of this genre, for example, bear both labels.

The Development of the Instructions and the Structure of the Hittite State

The origins of the ‘obligation and oath’ genre have been linked with texts such as the Palace Anecdotes and that text known as the Instructions for the Dignitaries, which Pecchioli Daddi (e.g. 2005: 600f.), who has contributed so very much to our understanding of the Instructions, has labelled ‘proto-*ishiuł*’ compositions. In a recent paper I suggested that this designation might overemphasize the link between them, and that these two early Hittite compositions can perhaps be compared with the later instructions at most with regard to their didactic aspect (Miller in press; see also Gilan 2007: 299f.). The anecdotes, e.g., show no signs of a contractual nature or divine sanction, and the terms *ishiuł-* and *lingai-* are not to be found in them. In the Instructions for the Dignitaries, the servants are addressed and reprimanded in the second person, unlike in the palace anecdotes, but there is, e.g., no hint of any contractual elements that one sees in the instructions.

Only later, in the Middle Hittite period, beginning with Tudḫaliya I and his successor Arnuwanda I does one find, and rather suddenly at that, texts that can clearly be categorized as fully developed obligation and oath texts, i.e. the quintessential instructions. In some recent scholarly literature it has been suggested that these MH texts were created as part of an effort to establish a new and different state and administrative structure. Pecchioli Daddi, e.g., writes (2002: 261):

The administrative system of the Hittite state, which, practically unchanged, allowed the management of Anatolian territory even in the imperial period, as we know, was fixed during the Middle Kingdom by the kings Tuthaliya I/II and, especially, Arnuwanda I: in fact, these sovereigns, through the assignment of specific duties to various categories of functionaries, introduced organizational structures that replaced the ‘family’ management of the state the kings of the Ancient and early Middle Kingdom had to confront.

This idea has been largely accepted, among others, by Giorgieri and Mora (2010: 146ff.; but cf. below) and Singer (2008: 252).

It seems more likely, however, that the instructions constitute rather an attempt to validate or institutionalize state structures and administrative modes that already existed.¹⁴ Though this paper cannot present a thorough comparison of Old Kingdom and Middle Hittite state organisation - indeed, such a comparison would be, due to the dearth of earlier sources, severely restricted - surely the similarities in this context outweigh the differences. Many of the offices regulated in the instructions are already functioning in the Telipinu Edict, for example (Collins 2008: 101). In the same document Telipinu (Hoffmann 1984: §§31-34) attempts to limit the power and wealth of the “grandees” (LÚ^{MEŠ} GAL), consisting of many offices known from the instructions as well (Imparati *apud* Klengel 1999: 346f. and n. 103), who were no longer to confiscate the property of those condemned to death for a crime. The *sahḫan*- and *luzzi*-obligations are attested already from the time of Ḫattusili I (KBo 10.2 iii 18f.).¹⁵ The magistrates/dignitaries (DUGUD) stationed in the provinces (CTH 272, §6) already rendered judgements in law cases that the king did not decide (e.g. HL §173a). And in the Palace Anecdotes various governors are seen to administer several cities of the kingdom. Ḫattusili I’s Testament is, despite strongly divergent rhetorical means, in many respects similar to the late Empire period loyalty oaths, except that Ḫattusili pleads to

¹⁴ Similarly e.g. Beckman (1995: 542); cf. *Imparati apud* Klengel 1999: 341f.

¹⁵ This is not to say that a *sahḫan*- and *luzzi*- system was already in place in Ḫaḫḫum in northern Syria before Ḫattusili I ‘freed’ this city from it. Rather, this Hittite king presumably projected a tax and corvée system familiar to him from central Anatolia onto whatever system he saw functioning in northern Syria. Incidentally, this is presumably the same projection made by Arnuwanda and Ašmunikkal in their prayer (CTH 375; KUB 17.21++ i 28’-31’), in which they complain that the Gasga-people had imposed *sahḫan*- and *luzzi*- obligations upon the territories they had captured. For further such phenomena of societal attribution, see d’Alfonso 2010.

the officers and dignitaries that they remain loyal to his son instead of himself. The instructions are therefore not innovative in the sense of a major restructuring. They are more of a literary and administrative effort to record, preserve and fortify the status quo, or at least an idealized version of it.¹⁶

One sees, in fact, that other genres, the rituals for example, enjoy a similar significant rapid growth in textual production during this period, and one need not imagine major changes in state organizations or in the practice of magic and ritual in order to explain this increase (Miller 2010: 180f.). One is simply seeing the results of the more extensive use of writing in the context of administration.

Neither does one see a replacement of the nepotistic nature of administration, as Giorgieri (2008: 352 and n. 11) has made quite clear. Giorgieri's observations, in fact, render superfluous the suggestion that "Probably the idea of family had evolved to refer more to an extended family system, i.e., it was no longer the royal family alone that ruled using 'family management'; rather it was the more important families, usually related to the ruling dynasty either by blood or marriage ..." (Giorgieri and Mora 2010: 147), a pattern which actually applies equally as well to the Old Kingdom as to the later Empire and therefore represents no evolution at all.

Discovering the Guilty

One section of the Instructions for Priests and Temple Personnel warns against stealing an ox from the temple holdings and trying to cover it up. An oracle or drinking ordeal before a deity is employed in order to discover something. The passage has usually been translated and understood something like the following:¹⁷

If you sell a p[loug]h ox, or you k[il]l it (27) and you consume it, but then you *place*¹⁸ it before the deities (saying), (28) 'it died

¹⁶ This emphasis of the similarities between Hittite administration before and after Tudḫaliya I and Arnuwanda I is not intended to deny the real differences, perhaps the most important of which is the almost complete disappearance of the land grants, which had up until this time played an essential role.

¹⁷ Cf. Pecchioli Daddi 2004: 455f.; van den Hout 2003: 129; Taggar-Cohen 2006: 83.

¹⁸ Unless a scribal error is to be assumed, the form *tāisteni* can hardly be derived from *taya-*, 'to steal' (as assumed e.g. by Goetze (1950: 210) and McMahon (1997: 221), for which one would expect *taya(i)tteni*), *da-*, 'to take' (for which one expects *datteni*), or *taistai-*, 'to load' (for which one would expect *taista(i)tteni*), whereby one would not expect the allomorph *-steni* for the verbs of the *mi*-conjugation. It must therefore come from *dai-*, 'to place', despite the unexpected *ta-*, as

of emaciation,’ or ‘it suffered a serious injury,’ (29) or ‘it fled,’ or ‘a bull gored it,’ (30) but you yourselves consume it, and afterwards it becomes known, (31) then you will certainly replace the ox. If it (i.e. the crime) does not become known, (32) then you will go before the deity. If you are innocent, (then it is due to) your patron deity. (33) But if [you are] guilty, it is a capital offense for you.¹⁹

Syntactically the question is what the pronoun *-as* (l. 31) refers to. As this pronominal subject is syntactically clearly nominative, it can only be a nom. sg. comm. The only thing in the paragraph that could be a nom. sg. comm. is the ox, but this is surely not to be understood as the antecedent. This is why other translators have assumed that the pronoun *-as* represents ‘the crime’.

This understanding, however, is contextually very unlikely. This translation suggests that if the thief succeeds in stealing the ox and keeping it a secret, then he should perform the drinking ordeal before the deity. But why should anyone go perform the drinking ordeal if the crime has not even been discovered? Further, if the thief were to come forward and divulge that a crime had been committed, then his guilt would presumably already be clear and the crime would be solved. There would be no need for the drinking ordeal, intended to distinguish the guilty from the innocent, which follows explicitly in §§18’ and 19’, implicitly here, because the drinking ordeal is designed to distinguish the guilty from the innocent.

Therefore I would suggest that it is more likely that the drinking ordeal is to be conducted when the crime has been discovered, but it is not yet known *who* has committed the crime, the aim of the ordeal being to identify the

A. Kloekhorst (pers. comm.) kindly clarified for me. If so, perhaps the personnel is being warned against killing or otherwise disposing of and profiting from the valuable plough and threshing oxen, which are to be used for labour instead of sacrifice, and then to present it (or what might remain of it or perhaps the proceeds from its sale) to the deities as if it had somehow died by accident or disappeared in some other way. Support for this interpretation can perhaps be seen in the similarly formulated iv 75, where *tarnummen* is found rather than *taisten*.

¹⁹ KUB 13.4 iv 25-33: *nu ma-a-an GUD.A[PIN.L]Á (26)uš-ni-ia-at-te-ni na-aš-ma-an-za-an-kán k[u-e] n-na-at-te-n[i] (27)na-an ar-ḥa e-ez-za-at-te-ni šu-ma-aš-ma-an-kán DINGIR^{MES}-aš ta-a-iš-te-ni (28)ma-ak-la-an-₁na-az-₂wa-ra-aš BA.ÚŠ na-aš-šu-wa-za du-wa-ar-ni-iš-ke-et (29)na-aš-šu-wa-ra-aš pá₂-aš-ta na-aš-ma-wa-ra-an GUD.NÍTA GUL-ah-ta (30)šu-ma-aš-ma-an ar-ḥa e-ez-za-at-te-ni EGIR-zi-an-ma-aš iš-du-wa-₁a-₂ri (31)nu a-pu-u-un GU⁴ šar-₁ni-ik-te-ni-pát ma-[a-an-m]a-aš UL-ma iš-du-wa-a-ri (32)nu DINGIR-LÌ-ni pa-it-₁te-ni ták-ku pá₂-ku-e[š-t]e-ni šu-me-el^dLAMMA-KU-NU (33)ták-ku pa-ap-ri-[eš-te-ni]-ma nu-uš-ma-ša-at SAG.DU-aš wa-aš-túl.*

culprit. The pronoun *-as* thus refers to ‘him’, that is, the thief, previously not mentioned explicitly. We therefore should translate:²⁰

If you ... (and say), ‘it died ...’ (etc.), and afterwards it becomes known, (31) then you will certainly replace the ox. If he (i.e. the identity of the thief) does not become known, (32) then you will go before the deity.

The drinking ordeal is therefore employed when the thief has not yet been discovered. The personnel are in this case to go through the ordeal in order to discover who among them is the thief.

The Text Sequence in the Instructions for the Royal Bodyguards

The Instructions for the Royal Bodyguard (IBoT 1.36) is known from only one rather well preserved tablet inscribed in the Middle Hittite period. The text of the tablet presents some significant challenges, above all due to the many corrections and additions inscribed between and among the lines in a very small and shallow script. In Fig. 1 can be seen several lines added below the original text (left), and a few signs added between the lines (right). It seems likely that the scribe had finished his tablet with the normal script, but then either he, or perhaps his supervisor or teacher, read through the tablet and made these extensive corrections and additions in the smaller script.

Most of the corrections are added in the space at the end of a paragraph or between the existing lines (Fig. 2), but when necessary the scribe continued into the column divider, as seen most clearly at the end of the fourth paragraph of rev. iv. Further, some additions were too long for the scribe to fit below or between the lines of a paragraph, so he continued, e.g., from the end of the ninth paragraph of rev. iii around the edge and onto the obv. in column ii, where he continued in the space at the bottom of the sixth paragraph, where the additional signs were therefore written upside down.

The most extreme of the additions and corrections has caused quite some difficulties for the editors of the text. As one can see in Fig. 2, there are several lines added at the end of the third paragraph of obv. i, and these are continued into the free space at the end of the third paragraph of col. ii. Moreover, at the bottom of the rev. there is one line running through the penultimate paragraph of col. iii and continuing into col. iv, where five further lines are added below the text of the colophon. These additional lines on the rev. are also inverted vis-à-vis the normal text.

²⁰ See now similarly, Schwemer (2009: 104).

Editors of the text have long discussed in what order these additions should be read. In 1991 Güterbock and van den Hout published an excellent edition of these Instructions, and their solution to this question has since been accepted by all. In explaining his reasoning for the sequence that he had chosen, Güterbock wrote (Güterbock – van den Hout 1991: 43), ‘Since any person who makes substantial additions to a written page will use any space available, regardless where on the page he can find it, I assumed that our Hittite scribe had proceeded in the same way, so that some additions might be physically remote from the point where they belonged.’ With this in mind Güterbock and van den Hout read, understandably enough, (1) the first lines of the first paragraph, (2) followed by the addition in small script at its end (Fig. 3). They then assume, however, that (3) the scribe continued this addition at the end of the third paragraph, and when he ran out of space here, that (3b) he continued across the column divider into the space at the end of the third paragraph of col. ii. Here Güterbock and van den Hout assume that the scribe was finished with this addition, so (4) they continue reading with the normal text of paragraph 2, after which they naturally proceed to (5) the normal text of paragraph 3. Due to their understanding of the context, Güterbock and van den Hout then assume that the scribe added some further text to this third paragraph, and that (6-6b) he added this on the rev. Only then do Güterbock and van den Hout continue (7) with paragraph 4 of col. i.²¹

This sequence, however, leaves several unanswered questions, and it can perhaps be improved upon. The first question concerns the first long addition. Why would the scribe jump from the space at the end of paragraph one (2) to the space at the end of paragraph three (3) to continue with his added text? Why not simply jump down to the end of paragraph two, where there was also plenty of room to continue his addition? A second question is this: If the scribe wanted to add some further corrections after the text of col. i, paragraph three, and if he had no more space here because it was already filled by the earlier addition (3), so that he decided to add his further text on the rev. of the tablet, why did he begin writing this addition in the space between paragraphs in col. iii (6) instead of simply writing it in the large open space below the colophon (6b)?

²¹ In her earlier edition Jakob-Rost (1966) also assumed that the additional lines at the end of §1 continued the text of that paragraph, then continued with §2; she then read §3 including the lines added at the end of §3 followed by their continuation into the empty space at the end of col. ii, §3; she then continued with §4. She did not attempt to place the additional line inserted after iii 75 and below the colophon, but noted that (ibid. 222) ‘rein äußerlich gehört der Zusatz zu Kol. II ..., allerdings wohl schon zu einer früheren Zeile.’

For this and other reasons, I would like to suggest an alternative sequence (Fig. 4), one that would appear to be more parsimonious. It is clear that one must first read the first paragraph (1), and it is a reasonable assumption that the first addition at the end of this paragraph should be read thereafter (2). At this point I would, in contrast to Güterbock and van den Hout, simply continue reading with paragraphs two and three (3-4), which eliminates the unexplained jump from the end of paragraph one to the end of three (rather than two). At the end of paragraph three, it seems obvious that we should continue with the addition at the end of this paragraph (5), and it is certain that this addition continues across the column divider into column two (5b). At this point it is important to remember that the upper right corner of the tablet is broken away today. Originally, however, there is no reason why the scribe could not have continued from here, onto and around the edge (5c), then on through col. iii (5d) and into the empty space below the colophon in col. iv (5e).²² Perhaps he also wrote a few extra lines on the edge itself (5c). After this one long addition, then, one should continue with the paragraph that follows the addition, paragraph four (6). This solution is also suggested by the addition noted a moment ago, where the scribe continued from the space at the end of the eleventh paragraph of col. iii, around the edge onto the obv. of col. ii.

It will be remembered that Güterbock explained that he choose his sequence as he did because he felt that the context recommended it. The suggested alternative sequence, however, produces a contextual flow that is at least as sensible as Güterbock's, perhaps more so. Due to the several gaps in the text, however, it would be difficult to exclude or ardently defend either possibility on the basis of context alone; still, there may be a point or two that might be said to support the alternative sequence.

The original text of the first three paragraphs seems to detail how the guards were to be positioned in the courtyard in front of the palace. If the additions are deleted, it would read as follows:

§1 (i 1)[...] they [...] (2)[...] they [...]. The bodyguards [...] [u]p/[for]th, (3)and they [...] before the gatekeepers (and) the forecourt-cleaners. (4)They go in, and they stand at the gate of the courtyard. (5)Their [e]yes are tu[rn]ed forwards, so that they cover one courtyard of the pa[la]ce, and *they keep watch*.

²² Indeed, Jakob-Rost (see n. 22) also assumed that the additional text following iii 75 and below the colophon would have constituted a continuation from col. ii, but it apparently did not occur to her that the text of col. ii in question was in fact a continuation from col. i.

§2 (9)Then the bodyguards take (their) place in the courtyard of the bodyguard; (10)and 12 bodyguards stand by the inside wall in the direction of the palace, and they hold spears. If, however, 12 bodyguards (12)are not available – either someone has been sent on a journey (13)or someone is at home on leave – and there are too many spears, (14)then they carry away the spears that are left, (15)and they place them with the gatekeepers.

§3 (16)Gold-spear men, though, stand by the wall in the direction of the gate; (17)(i.e.), one bodyguard stands to one side near the gate in the direction of the wall of the bodyguard, whereas one gold-spear man stands to the (other) side near the gate in the direction of the wall of the gold-spear men, and they keep watch by day.

In brief, some (two?) bodyguards stand at the courtyard gate scanning the courtyard, and (a further?) twelve guards with spears stand by the wall of the palace. Gold-spear men are stationed toward the gate, and a bodyguard and a gold-spear man are positioned either side of the gate near their respective walls. So, apparently, read the text until the additions were inscribed.

Now, with the suggested revised sequence the added lines at the end of §1 would constitute an amendment to the disposition of the bodyguards prescribed in §1, i.e. they are to attend to the door-bolt in such and such a manner.²³ The additions following §3, then, form an amendment to the prescriptions in §3 concerning the further disposition of the bodyguards and, significantly, the gold-spear men, i.e. a gold-spear man is to interact in such and such a manner with the palace personnel, and further, the commanders of both the bodyguards and the spear-men are to regulate matters as described.²⁴ In contrast, in Güterbock's and van den Hout's sequence, in which not only

²³ I.e.: ... (7) they lift up ... bodyguards (be)fore [...], (8) and they lift it up *with* ...; they do not lift the door-bolt of the gate. And the [bodygua]rds, the gatekeepers (and) the forecourt-cleaners come out.

²⁴ I.e.: If inside, however, (20)some door-bolt has not been lifted, or if they somehow open the storehouse and there is (still) not enough *reed*, then if a low-ranking palace servant comes out *for reed*, the gold-spear man does not give it to him, so that when a high-ranking palace servant comes out – (21a)either a commander of ten, a military herald or a b[ody]guard comes – they can give him *reed*. If [...], (21b)he comes o[u]t, whereupon either a bodyguard or a [gold-spe]ar man [...]. (21c)In the guard's court, though, it is the commander of ten of the gold-spear who *excuses*. (21d)If someone stands badly, [...]. (21e)And it is the commander of ten of the gold-spear who *ex[cus]es* them. And [... a palace] servant. (21f)If a bodyguard, though, [... one co]lleague tells the (other) colleague; if [...] (21g)he tur[ns], he [...] to the wall again [...] (21h)and he says it.

the additions following §1 but also those following §3 are assumed to amend the original text of §1 (see Fig. 3), these additional prescriptions regarding the gold-spear men are related *before* the disposition of the gold-spear men has even been prescribed. Thus, one can indeed make a case for the content of the text and its additions supporting the suggested revised sequence, though this alone would not be decisive. Together with the above considerations regarding the physical path of the additional lines of text, however, the case for the revised sequence is robust.

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Bemerkungen zu den hethitischen Dienstanweisungen

Eine Analyse der Beleglage der beiden Begriffe „Verpflichtung“ (*ishiu-*) und „Eid“ (*lingai-*) sowie des Inhalts der sog. Instruktionen und Eidestexte führt zu dem Schluss, dass *ishiu-* und *lingai-* zusammen eine Textgattung „Verpflichtung und Eid“ bilden. Diese „Verpflichtung und Eid“ Texte, die dem modernen Forscher mit einem gewissen Recht verschiedenen Gattungen wie „Dienstanweisungen“, „Verträge“ oder „Eidesleistungen“ anzugehören scheinen, hatten allesamt den Zweck, einem Untergebenen seine Rolle und Pflichten in der Herrschaftsstruktur der königlichen Familie bzw. des Staates zu erläutern (*ishiu-*) und ihn in dieser Rolle zu verpflichten und mit göttlicher Sanktion zu bestätigen (*lingai-*). Während der moderne Forscher durchaus berechtigt ist, *ishiu-* und *lingai-* getrennt zu betrachten, soll dies die Tatsache nicht verschleiern, dass hethitische Schreiber beide Elemente als eine Einheit verstanden und dementsprechend einen „verpflichtenden“ Text sowie eine „Eidesleistung“, oder einen beide Elemente enthaltenden Text, entweder als *ishiu-* oder als *lingai-*, oder beide, bezeichnen konnten.

Ein zweiter Teil des Beitrags stellt die These in Frage, nach der die Häufung der wichtigsten Dienstanweisungen in der Zeit Tudḫalija I. und Arnuwanda I. auf die Durchführung tiefgreifender struktureller Reformen seitens diesen beiden Herrschern hindeuten würde. Vielmehr scheint die rasante Zunahme dieser Textgattung in der mh. Zeit auf eine schriftliche Festlegung schon bestehender Verwaltungsstrukturen sowie eine heranwachsende Einsetzung der Schriftkultur in die Verwaltung hinzudeuten.

Nebenbei wird eine neue Interpretation einer Stelle aus den Dienstanweisungen für Priester und Tempelpersonell vorgeschlagen, die dahingehend gedeutet wird, dass diejenige, die verdächtigt worden waren, am Verschwinden eines Ochsen beteiligt gewesen zu sein, sich durch einen Trinkordal als schuldig oder unschuldig beweisen sollten. Das Ordal dient daher nicht zur Entdeckung des Deliktes sondern des Täters.

Schließlich wird eine alternative Reihenfolge der ersten mit mehreren in kleiner Schrift nachgetragenen Textabschnitten versehenen Paragraphen der Instruktionen für die Königliche Leibgarde vorgeschlagen. Da die aufgestellte und von der Fachgemeinschaft bisher ohne Ausnahme akzeptierte Rekonstruktion von H.G. Güterbock und Th. van den Hout einige Fragen vor allem bezüglich der Zusätze der ersten und dritten Paragraphen offen lässt, wird eine neue und erklärlichere Reihenfolge vorgestellt.

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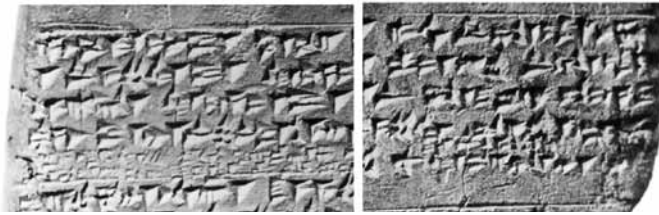


Fig. 1a-1b
Additions at the end
of IBoT 1.36 ii §3 and
in the third to last
paragraph of col. iii.

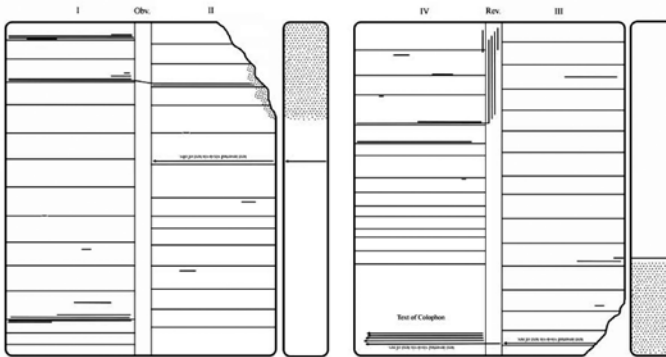


Fig. 2
Additions and
corrections to IBoT 1.36.

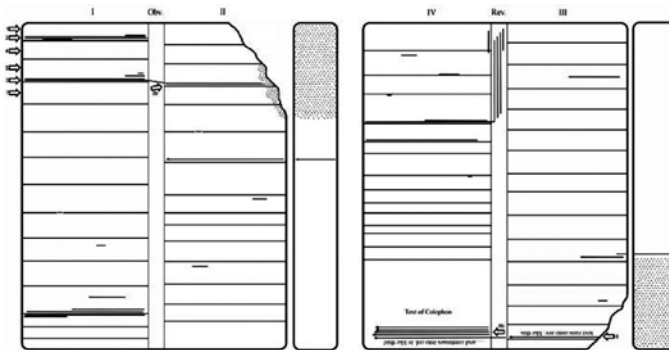


Fig. 3
Güterbock's and van
den Hout's sequence.

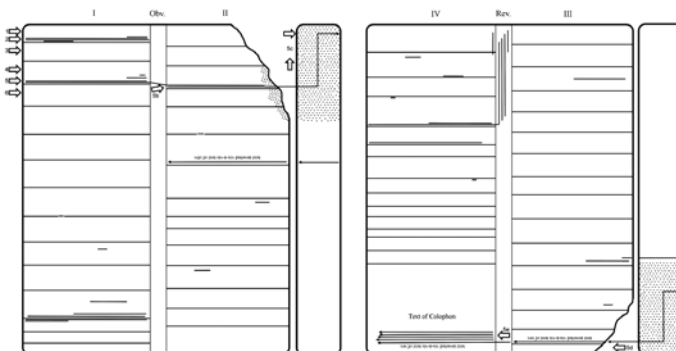


Fig. 4
Suggested alternative
sequence.