TREATMENT OF CRIMINALS AT MARI

A SURVEY *)

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The nature of our juridical evidence from Mari is unusual enough in its configuration as to require preliminary statements. For this reason, my discussion of the treatment of criminals according to the Mari texts will be prefaced by some general remarks concerning the nature of the information at our disposal.

As is well known, Mari's archives are not especially rich in juridical documents. The few examples, published in ARM VIII, seldom discuss penal matters. From the relatively healthier corpus of administrative and economic texts, we could extract a limited amount of legal information, which, however, contains negligible evidence bearing on our topic. So far not even a fragment of a law code has surfaced either at Paul Geuthner or, as far as I know, at Tell Hariri. What we do have, however, are letters which, now and then, preserve data relevant to us. Inherent to this form of documentation, even when preserved in optimum physical condition, are a number of limitations. I cite only the following: a. absence of either a fixed or a relative chronology for the larger portion of our epistolary data; b. lack of precise point of origin for some of these letters; c. rarity of occasion in which a discussion of penal import is carried through more than one text.

*) In order to retain the original shape of the paper read at Columbus, Ohio during the 185th meeting of the American Oriental Society, I have had to burden my footnotes more than they sensibly should be. Quotations from texts are given either when they differ from the translations in ARMT, or when the point at issue is thereby clarified. All numbers pertaining to documentation refer to the ARM(T) series, unless otherwise stated. As of this writing ARM(T) I-XV were available to me.

Although no references are made in this study to A. R. W. Harrison’s The Law of Athens: Procedure (vol. 2), Oxford, 1971, I should like to record its usefulness in shaping some of the themes discussed below.
Less serious in its implication is the fact that, to a large extent, the correspondants belong to the circle of the king and his family, this being hardly the group in which criminals abound.

Yet these limitations are counterbalanced by the large number of personal names that occur in the total corpus of texts. At its best, prosopography, especially when applied to an archive that is limited in time and area, is a powerful tool of research, often providing the context that is crucial to a proper understanding of unfolding events. A relatively bland example could be given when referring to X: 90, a text whose vocabulary indicates that a legal condition obtained. Diligent prosopography reveals the writer of the letter to be a woman of some standing, struggling to survive despite successive legal reverses. In the first instance, this woman had to pay a monetary judgement by dipping into her sons’ inheritance. In the second, she may have been subjected to foreclosure due to non-payment of taxes. Her house taken away from her, she could only hope that her addressee, the king very likely, would grant her a portion of land in which to forget her troubles. As it happens too often, we have no idea whether or not her wishes were granted.

1) Text treated by Römer, AOAT 12, 74-75 (l. 1-21), and 82-83 (l. 22-36). In particular, note the interesting sequence of legal vocabulary in l. 4-8: aššum KU. BABBAR ša Idin-Sin irgumamma bēli dinam uṭāhissašti aksišamma... “concerning the silver for which Idin-Sin sued me, and for which my lord has given us a trial, I came to complain, but...” Compare CT 2:46 (=Schorr, UAZP, 283; Ungnad, HG III, 706) with the sequence ragānum. kašūdum. dinam šiḥuzum and the evidence collected in the CAD K, 276 1,d).

Additionally, note l. 22-24: šanitam aššum Ė-ja eliyā (sic) idin-anu qaqqadam išši, “Another matter, Idin-Annu has acquired priority over me in the matter of my house”. See, on this idiom, Veenhof, SD 10, 161; AHw, 900 (j).

2) Those involved in X:90 include: a. Atrakatum, a lady from, apparently, Terqa (IX:25:23, 38; 26:26, rev 11’). She also writes X:91 assuring the king that she will relay to him a secret message brought to her by a specially-clad messenger. b. The name Sin-idinnam is known from practically all periods of Mari Old Babylonian (OB) history. Most profitably linkable to our Sin-idinnam are the instances which record him as an important official, an advisor, in Zimri-Lim’s court (VI:31:21) who is also in charge of storage facilities (X:17; cf., VII:204:2; IX:234:iii:7’); He appears also in IX:253:iii:10 and VII:207:10. In view of the continuity of functionaries despite the changes on the throne, it may be that Sin-idinnam is the same man who lived in the “Assyrian” period XV, 155. The Sin-idinnam of II:
We proceed by successively surveying matters of “jurisdiction”, of “organs of justice”, of “legal procedure”, and of “crimes and punishments”. We caution, however, that we are often made aware of criminal cases only when they reach such a degree of complication, that they necessitated the attention of the king. By then, however, whatever differences existed at Mari between civil lawsuits, that is ones pertaining to the private rights of individuals, and criminal proceedings, that is ones in which the state is involved, might seriously and effectively have become muted. To some extent, this blurring further inhibits a proper appreciation of the rules which governed military, religious, and international behavior.

I. Jurisdiction

By “jurisdiction”, we are concerned with establishing the proper center where action is taken against an accused. In order to gain a better perception of the problem, however, we must first segregate materials which are obviously concerned with military infractions. These include pronouncements about the proper division of booty (e.g. V: 72; II: 13). Since campaigns often include vassals as well as allies, friction among those involved could easily become intractable problems. A good example is afforded by noting V: 39. Ḥasidanum, governor of Karana during the ‘Assyrian’ period, writes his suzerain Yasmah-Adad, that “Atamrum, the Kisaluhhum has taken my share of the booty. He refuses to appear before the courts. I have repeatedly instituted proceedings against him. Judges have also tried him, but he keeps on refusing my lawsuit and on (opposing) my judges”. Again, we have no idea how the matter was resolved. But we do note that this same Atamrum later became a powerful king of Andariq³). Hence, it may be that the matter was ignored by Yasmah-Adad.

²⁷:31, however, was, doubtlessly, a Babylonian official. c. Mut-Bisir’s dossier is, except for XI:103:5, datable to the ‘Assyrian’ period (XV, 132; VII:58:5; Syria, 50(1973), 279), d. Sumu-ṭābi is known elsewhere only from X:91, a letter also sent by Attrakatum.

V: 72 reports the case of a man who, after a military campaign, despoiled the enemy, thus acting contrary to solemn vows; by Adad and Šamši-Adad, which should have limited his access to spoils of war. Incredibly, he was permitted to ‘shop around’ for a lighter sentence before paying 15 grains of gold 4).

Other legal complications could result from material activities. Desertion was endemic 5). We note repeatedly that the king confronted such cases that were brought to his attention in a quite inconsistent and ad hoc manner. Some deserters were arrested (VI: 35) 6), while the offenses of others were deliberately ignored (I: 13). A similar lack of legal precedence seems to surround the sentencing of those who missed registering for the (military) census 7). At times, a provincial

4) The writer of V: 72 is Qarradu known to us as a high official and, possibly, a military leader during the ‘Assyrian’ period (XV, 153). He relates that a certain Yawi-Addu had broken a solemn vow not to appropriate for himself booty from the temple of Adad. The listings of object taken in lines 13-14 makes it fairly clear that an inquiry must have been conducted on the matter before judgement was brought down: he was not to be spared (l. 5)! The first to impose sentence was Qarradu, who thus may have had a stake in this proceeding, and suqāqū (of Yawi-Addu’s village?). Appeals were subsequently made, it is interesting to note, in the following order: to Išme-Dagan of Ekallātum, to Šamši-Adad when the latter visited a certain city in the area, and finally, to Yasmah-Adad. Yawi-Addu’s defense was found in l. 19: “Did not Qarradu take [also from the booty]?”. Thus, it was left up to Yasmah-Adad to impose,—better: to reaffirm—the sentence (l. 24): a third (?) of a shekel of silver or 15 grains of gold. This sentence, of course, could hardly sustain and confirm the statement of l. 5.

As to Yawi-Addu, the most fruitful prosopographical data would identify him with a scribe mentioned in VIII: 12: 10’s. In addition to Huffman, APN, p. 39, the following are further attestations of this PN: RA 65(1971): 44: iv: 22; 53: xii: 3; RA 61(1967), p. 20; XIV, p. 249.

On infringement of a tabbo (asakkum) taken (verb: leqūm, šakānum (?): II: 55: 36), and the penalties involved, see lastly Marzal’s good discussion in CBQ, 33(1971), 357-361. Add the occurrences in XIV: 22 (interdiction on killing a lion, a royal sport), and 67 (interdiction on slowing down an army’s (?) forced march).

5) As is clear from texts such as VI: 38 and XIV: 61-68, kings and bureaucrats took elaborate measures to prevent the escape of draftees.

6) Bahdi-Lim to Zimri-Lim: “Since my lord is now staying in the Upper Country, may my lord unequivocally order Kibri-Dagan [of Terqa] and Yaqqim-Addu [of Saggaratum] that these men not be allowed to escape. Whenever they are seized, they should bring them back, so that they will fear (to do it again) in the future (ll. 14-21)”.

7) Šamši-Adad to Yasmaḫ-Adad: “Concerning the troops who are with Sami-
governor would gingerly approach offenders (XIV: 63; 66), while on other occasions, he would threaten capital punishment (XIV: 61) in a language which neared the form of an edict. In a proclamation issued under quite similar circumstances, Kibri-Dagan, governor of Terqa, imposes death on the leaders who abet the crime, while the actual malefactor is merely to be jailed (II: 92; cf., 102). In a broken text (XIII: 108), however, we learn that those who ran away, possibly from the military draft, were to be impaled.

Recurring difficulties with deportees and exiles were also resolved on an ad hoc basis. Exiled dignitaries and (political) refugees from a hostile nation were either well received in the palace (V: 38, IV: 86) and

daḫum and who have escaped to Qatna, Sami-daḫum is sending his suqāgū in order that (these) suqāgū bind the deserters and return them to Sami-daḫum. When these men realize that they will bind them and return them to Sami-daḫum, they will never be willing to return (voluntarily) to their land, but will, instead, choose to enter another country (in order to seek asylum?). [Sami-daḫum’s act] will be a signal for the troops to desert! They will all desert!”

"Rather, let them [Sami-daḫum and the suqāgū] gather before La’um, and the suqāgū and give the following order (ṣiptām idīn): ‘All the troops who are deserting for Qatna, do not bind them and do not take them into custody (lā tukassā u ina qātim łą tanaddinā). Give them this order”.

This letter makes it clear that, in order to prevent widespread desertion which might have the effect of furthering defection, šamši-Adad advised a “hands-off” policy. That deserters from other camps were not always a welcome blessing is clear from VI:46; 64, and is clearly suggested in X:4. The last is treated most recently in Orientalia, 43(1974), 404-410.

8) Kibri-Dagan to Zimri-Lim (II:92) “My lord wrote to me concerning the summoning and ordering the troops of the Benjaminites villages. [The situation] is even better than my lord wrote to me! Now, even before the very same tablet of my lord reached me, at the time when I stayed in Mari with my lord, and had heard of this matter from my sources, I gathered the suqāgū of the villages and gave them the following ruling: ‘Whoever you are, (you, from) whose village (even) one man goes to the Upper (Country), and you do not seize him, and do not bring him to me, you shall die and not be spared’. This is the ruling which I gave them. Likewise, I gave strong orders to my outposts. Now according to what my lord wrote to me. I gave a ruling and strong orders to the troops: ‘I will seize and throw in prison any man who plans (to run away) toward the Upper (Country)…”.

On l. 19 of this text, see Marzal, CBQ, 33(1971), 338-339, and XIV:111:6 in II:102, Yaqqim-Addu, governor of Saggaratum, is faced with a similar situation. He threatens to jail whoever schemes to run away to the Upper Country.

9) Yasmah-Adad sends IV:86 to his brother Išme-Dagan. The obverse which speaks of exiles is unfortunately in sad condition. We begin translating with l. 30,
allotted choice land (IV: 10; V: 73); IV: 4; V: 35) or were parceled out as palace slaves (IV: 63). Were they to forment troubles in their host city, they could be executed (II: 18). It is apparent that, at times, they were deported to their homeland (IV: 5). In view of the strong protest lodged by Babylonian exiles, threatened with deportation, the last act may have been regarded as a gross infraction of international etiquette (XIV: 73).

International complications, be they of commercial or political nature, are also to be segregated. IV: 5, II: 103, and possibly XIV: 49, clearly preserve an (unwritten) agreement that escapees from an ally’s territory were expected to be returned. A Yamnadian deserter is caught and sent to jail (XIV: 75), probably pending deportation (see, possibly, obviously in the midst of a statement of Šamši-Adad: “...they will indicate fields for them and let them cultivate (them). As to those who are not bound by agreement or are unable to cultivate, appropriate (?) them as replacement for reservists, for these in fact are reservists. Have them receive grain, oil and wool from the palace. Now I have given instruction so that they will not revert and constantly set their mind on their ancestor’s pedigree, and constantly boast (of it). Thus, (some people) might forcibly take their fields away”.

“For sometimes now, I have repeatedly written to you about the exiles. They will cause you difficulties. No wonder that the king [Šamši-Adad] has given strict instructions on the matter of the exiles [cf., AHW, 947 (16, a) sub rakāsu(m)].

“Now give strong orders so that they inspect the exiles who have been set at liberty in the land...”.”

New translation of V: 38 is to be found in Finet, 18e RAI, 1970, 65

10) Since the GN mentioned in IV: 1 belong to the sphere of Saggaratum, we place this reference in this context.

11) Ur-samana, responsible for allotment of land, writes V: 73 to Yasmah-Adad. A large gap in the text precedes our quotation “...Nanna-manse is available. Since he has mastered well the scribal art, I had him meet with my lord. My lord ordered for him the allocation of a ‘house’, but they did not give it to him. My lord should write so that they give him a ‘house’. But because he is deported to Mari his ‘brothers’ are contesting his ‘house’. His ‘brothers’, who have been deported to Mari, are numerous, and are in possession of houses and fields within the land. (yet), they do not perform any corvée duty, but (even) pester him. May my lord investigate there the matter of his servant, so that they will not contest his ‘house’.”

12) Išme-Dagan writes II: 18 to Yasmah-Adad: “In truth, because of the émigrés in Saggaratum, there was rebellious activity (sartum), so that the king ordered executions there”. (lines 30-34).

13) ina qātim nadānum of XIV: 73:7’, tentatively rendered by Birot by the verb extrader, might better be translated, ‘to arrest, to take into custody’; cf. 1:13:29.
Aplahanda of Carchemish repeatedly writes that kidnapped Mariyites will be returned (V: 7; 8). We do not know whether or not the culprits were to be punished for such deeds. We could only point to X: 56 in which, in an obscure and fragmentary context, Addu-duri, a highly placed female in Mari’s palace, writes of the kidnapping of a man on his way to Yamḥad. The mention of bel arnim, ‘criminal’ in line 14, indicates that she was concerned with punishment of the guilty party. When an ally procrastinates in his duty to release another’s citizens, his own envoys might be subjected to imprisonment (XIV: 33). An interesting case involving the kidnapping of an ally’s citizens is reported in XIV: 77-78. Fearing political complications which would surely have ensued if the deed was uncovered, Zimri-Lim orders that the victims be sold to those Sutūnomads who roamed furthest from the scene of the crime. The governor of Saggaratum adds the further suggestion that they be made mute and blinded before their sale is affected.

I: 28 is a case which should be placed in a category of its own. It involves escapees from territory of a suzerain, in this case Šamši-Adad, to that of a vassal, in this case his son Yasmah-Adad. It is to be noted, however, that Šamši-Adad seems to provide his letter with a reason for demanding extradition of the culprit. No doubt, scrupulous regards for correct procedure were to be observed, even within a ruling family.)

We are left with data that pertain to the jurisdiction of Mari proper, provinces, and its immediate vassals. Proceeding backwards, we first

14) I: 28: “Now even a doctor, (in addition to) 3 cooks have fled toward you. Previously, girseqqū-personnel have fled during the spring season. You have settled these men and continued them in their position beside (your) girseqqū. There is much destruction and havoc. . . . They have come to you (solely) for the pleasure of the tavern. They have neither chief or superior. Have they anything to worry about? When they come to you, what do you give them? Are you to give them fine (?) silver or barley [i.e., anything they ask]? Where does your silver and barley, which you plan to give them, come from [i.e., is it yours to give]? ”

“Now I am sending Isme-Addu to you; bind these men and put manacles on them. (Furthermore,) place chains around their waist; strengthen their guards and have them brought to me; wherever I am, have them brought to me. In the future, before I (even) write to you, all those who flee toward you, bind them and have them brought before me”.

II: 46; XIV: 50).
note the instance in which a vassal asks Mari to try a case of sheepstealing, one which involved citizens from different powers (II: 79) 15). Yatar-Ami of Carchemish, son-in-law (?) and vassal of Zimri-Lim, sends him a man accused of treason, in order to have him undergo a river ordeal. If found guilty, that is if he drowned, the traitor’s belongings were to be given to his accuser. If cleared of any crime, however, his slanderer was to be burnt 16). Although deserters from vassal-states were to be returned, Mari, it appears from II: 64, XIV: 49, was invariably lax in fulfilling its obligations. One letter from Zimri-Lim, II: 60, even sarcastically rejects a vassal’s complaint on this score 17).

Matters concerning the jurisdiction of the šāpitum, the provincial

15) The case of II:79 deserves some attention. It is sent by Zakira-Hammu, governor of Qattunan in Saggaratum province. Our interest is focused on lines 10 ff: "Qarni-Lim [of Ašnakkum] has written to me as follows: ‘Ibassir, the shepherd and Šα-pi-El, the Hanean, who forcibly took away the sheep of Ḥasu-El, the Yamut-balian, now lives in Qattunan [read qa-₃at²-[u-na-an (ki)] in l. 16.] I have sent my servants to [my brother]. Now, (you) send to my brother (i.e. Zimri-Lim) the Haneans and Ya’uš-Addu [read: ya-₃u₁—₃IM in l. 19] the [x], together with Yašub-[x]. May my brother bring them to judgement’. This is what Qarni-Lim wrote to me.

“I answered Qarni-Lim’s servants as follows: ‘The shepherds are not my subjects. Their matter is in the hand of my lord’. This is what I answered Qarni-Lim’s servant. So, now the messenger which Qarni-Lim sent to my lord [read: iš₃u-du₃am in l. 30], and Qarni-Lim’s tablet which came to me. I have sealed and dispatched to my lord”.

What apparently occurred is the following: two men, Ibassir and Šα-pi-El, have rustled some sheep from Yamutbalian citizen of Ašnakkum, and proceeded to settle in Qattunan. Qarni-Lim, not normally one of Zimri-Lim’s most constant ally, asks Zakira-Hammu to dispatch the two accused to Zimri-Lim and to have them accompanied by Ya’uš-Addu, apparently Zimri-Lim’s ambassador to Qarni-Lim, a man whose dossier reveals him to be au-courant of events in Qarni-Lim’s territory (Huffmon, APN, 37; add X: 58:11, 17). The role of Yašub-[x] is not clear. Qarni-Lim, meanwhile, reveals that he had sent his own servant, possibly the plaintiff, to Zimri-Lim.

However, claiming little jurisdictional power over the matter, Zakira-Hammu refuses to order the culprits to Zimri-Lim. Instead, he refers the whole matter to the king.

16) Dossin, Symbolae Koschaker, (1939), 113-115. A recent translation is available in ANET³, 627-628.

17) Zimri-Lim writes II:60 to Kabiya of Kaḥat: “I have read the tablet which you sent to me. You wrote as follows: ‘The men who suffered wrong should (no longer) be wronged!’. These men have in no way suffered wrong! When I took Kaḥat, among the spoils...I took out...One or two (men) I carried away. Is it thus (that) I have wronged these men? What kind of a letter are you sending me?”.
governor, and to some extent the jurisdiction of nomadic chieftain, have been ably handled in the writings of Kupper, Marzal, and Rowton; those concerning the šandabakkum-official, have been studied by Birot 18). Here, I wish to limit myself to remarks concerning conflicts which, probably reflecting the lack of definite jurisdictional guidelines, no doubt frequently arose between two provincial centers. Kibri-Dagan of Terqa was involved in at least two cases which could be reconstructed. One was a drawn-out dispute with Šuri-Ḫammu, a tough chieftain of the Amnanum-(Onan ?-) clan, a dispute which we have discussed elsewhere 19). The other finds Kibri-Dagan struggling with Ḫammi-išṭamar of the Ubrabu-clan. We quote II: 94: “To Kibri-Dagan, from Ḫammi-išṭamar: ‘I have heard your message in which you said: ‘men of Terqa live in your place. Send me any of them against whom there is a law-suit (awatum mimma ertišmu ertiški türdaššunuṭi)’. This is what you said’. I had these two men [from Terqa] confront your envoy and said: ‘Dispute (the matter). If you are (palace) slaves or men in debt; if you are subject to lawsuit either on the part of the palace or on that of Kibri-Dagan, I shall have no mercy upon you, and shall extradite you’. They took the stand and argued with your envoy, but he was not able to dispute them. Now, would it be fitting for me to place awilū in fetters and (then) extradite them, so that I (end up) wrecking my district with my own hand?” 20).

This is not the only instance in which Kibri-Dagan and Ḫammi-išṭamar did not see eye-to-eye. The former writes III: 71 to Zimri-Lim about a matter which, it is apparent, was to be resolved with some urgency. A certain Yaḥzib-Addu, a man otherwise unattested in the

19) Kramer Festschrift, pp. 407-408 and n. 21. The information of XIV:83 is important but, unfortunately, obscure in the crucial lines 16-29. The text speaks of Šura-Ḫammu as having arrived by boat to Zarri-Amnan, a locality which, correcting slightly our statement in the Kramer Festschrift, p. 404, may have been situated on the border of Terqa/Saggaratum districts. He may have come to worship at the temple of Dagan located there (XIV:7).
20) See also Oppenheim’s translation, Letters, p. 103 (No. 42).
Mari archives, came before dawn to report to Terqa’s governor that Ḫammī-īštamar had him placed in prison. Yaḥzib-Addu, however, succeeded in escaping by piercing the wall of his jail. We do not know the full circumstances behind Ḫammī-īštamar’s action. Nor do we know whether Kibri-Dagan was approached by the escapee because the former had authority to countermand Ḫammī-īštamar’s action. We suspect, however, that Yaḥzib-Addu sought a man who was most likely, for personal reasons or otherwise, to champion his cause before the king 21).

II. Organs of Justice

The organs of justice and the terminology employed, do not differ radically from those of other Old Babylonian sources. The king was the chief officer. Undoubtedly, he maintained jurisdiction whenever he was in his capital. To him would be referred cases whether political (II: 95) 22), or criminal (II: 136) in nature. The nature of our documentation, unfortunately, does not allow us to properly assess those decisions which the king arrived at while in Mari. It is possible that such decisions were not recorded. Whenever he travelled outside his capital, however, hearings could be heard before the queen (X: 160; 114) 23), the major-domo, and other officials (X: 105). It is very likely that the king, upon receiving reports of such hearings, arrived at a

21) For attestations of the name Ḫammī-īštamar other than those in Huffmon, APN, 34, see XIII: 86, and XIV: 83: 87.
22) Announcing their decision to dispatch the elders of Qā, a locality in the Balīḥ region, to Zimri-Lim, Asqudum and Ḥaya-Ḥadum write II: 95. This text may be related to II: 75 which informs us that Qā, apparently enjoying a ‘republican’ form of government, had decided to aid Hammurapi (of Kurda?) without obtaining permission from Mari.
Asqudum’s career has been detailed by Finet, RA, 53(1959), 67-68. See further, however, ARMT XI, 130, and add X: 59: 8; 101: 9; XIII: 36: 35; 39: 15. XIV: 4 relates his demise under unfortunate circumstances.
Ḥaya-Ḥadum’s dossier shows him to be concerned mostly with the struggles occurring in the Upper Country. Apparently a troubleshooter for Mari, Ḥaya-Ḥadum strove to neutralize a threatened entente among Zimri-Lim’s enemies. On him, see Huffmon, APN, 33 and adds X: 157; 152, and Milanges Dussaud, II, 984-987.
23) X: 160 has been discussed in the Kramer Festschrift, p. 409-410. X: 114 has been treated by Römer, AOAT 12, 61-62.
verdict and communicated it to the proper party. Although his deputies sometimes suggested alternatives to royal decisions, there is no reason to believe that the king's orders were ignored. In XIV: 54, the king orders the jailing of subjects suspected of harboring a fugitive. This is carried out by the governor who, nevertheless, did not hesitate to present the king with evidence absolving the accused. At times, the king's commands were not implemented with the requisite alacrity, thus possibly allowing the passage of time to redress what the governor may have felt to be an overhasty decision (XIII: 107). It is clear, however, that the king felt free to alter even commonly accepted patterns of palace-citizen relations. According to XIV: 48, the king decided to allow the muskēnū to exchange service in a short term campaign for labor due the palace. Complications arose, as could be expected, when bureaucrats, responsible for preventing derelictions in duty, were not kept au-courant of their king's decision.

Finally, the large number of petitions requesting the king to alter bureaucrats', even his own decisions, judicial or otherwise, indicate him to the ultimate seat of appeal. As examples drawn from ARM X, we mention text No. 57 which concerns girseqqu-guards reacting to the king's decision to have one of theirs given away as a gift; No. 100 and 97 which contain pleas for the release of a kidnapped girl and for revoking the name of a woman from the roster of potential give-aways,

24) The case of XIV: 54 involved a certain Kaspū-Ištar and his two sons. He was an agent, it seems of an official who ruled in Saggaratum province. The king had written Yaqqīm-addu, that province's governor, to arrest and jail Kaspū-Ištar for allegedly harboring one of his sons, an escapee from Mari's work-force. Yaqqīm-Addu obeys his king, but does not fail to report Kaspū-Ištar's defense: one of his sons was assigned in Der of Terqa, and the other to Haya-Sumu. The last was probably not the ruler of Illansūra, but rather a provincial leader in Terqa. (cf., IX: 285: iv: 17; 237: 21; 253: iii: 8; XI: 207; 259; 270).

25) In XIII: 107, a text discussed by Kupper in RA, 58(1964), 79-80, the king orders Kibri-Dagan to secretly dispose of a certain Yarim-Dagan, burying him in an inaccessible ditch. Yarim-Dagan's dossier indicate that he was once a resident of Dunnim, a village in Terqa's district, near the borders of Saggaratum. He apparently was shifting his residence, and hence possibly his allegiance, to Ilum-muluk, a Benjamite stronghold. At one point, however, he was much involved in the saga of Kirum, a princess unhappily married to the king of Illansūra. On this, see JCS, 25(1973), 68-69.
TREATMENT OF CRIMINALS AT MARI

and No. 92 [26] which concerns a nanny, taken away by a high official, whose return is requested by the addressee.

We read of DI.KU₅ (dayyānum) ‘judge’, both in the singular and the plural [27]). The role of these officials is scarcely developed, however, probably because of the nature of our evidence. Moreover, we have no personal name attached to any judge, a condition which inhibits prosopographical reconstruction. That judges could be challenged, is clear from V: 39, a text treated above. A larger role seems to have been played by the šāpītum [28]).

It is not always possible to distinguish a difference in the vocation of police forces. Most often, we meet with the term baṣahātum; but we also read of sagbûm, šābûm nibrārum, šābûm muβallānum, šābûm nāṣirum, šābûm tagribātum, as well as individuals labelled āmeru, maṣṣārum, and rēdd [29]). Unspecified groupings of Haneans (e.g. XIV: 77), even  

26) Text and context of X:92 were recently presented in UF, 6(1974), 353-354.
27) VIII: 83: In a badly preserved civil case, a dayyānum judges a dispute concerning an ox.

VIII:87: In a civil suit presented before dayyānū, the property of a deceased is established.

IX:204:1: Reading of DI [KU₅] is not clear; see ARMT VII, 241-242 (§ 55)
IX:225 16 (=226:14): A sheep “ša DI.KU₅ Šal‘e-Dagan”. It is not clear to me what a ‘judge of a house(hold)/storehouse’ might imply. The PN Šal‘e-Dagan is known from as early as the Sumu-Yamam period (RA, 65 (1971), 54:xi:40 [a DIM.GAL]; VIII:2:21. A man from Kišite bore a homonym (?), VII:180:v':18'.

For the sake of completeness, we mention the occurrence of DI.KU₅ in the Yahdun-Lim disk, used as an epithet of UTU, Syria, 32(1955), 4:1:9

The vocabulary associated with the mention of dayyānum is not exceptional. In V:39 the verb dānum is used, while in VIII:87 burrum occurs. The vocabulary of VIII:83 is not clear.

28) On the ‘legal’ involvement of the šāpītum, e.g. II:94: 138; VIII:6; 84; X:160, see Marzal, JNES, 30(1971), 196-203. On pp. 203-205 of his study, Marzal attempts to refute Bottéro’s suggestion, made in ARMT VII, 241-242 (§ 55), that would equate DI.KU₅ with šāpītum. The evidence he marshalls is quite persuasive. It would be difficult to ignore, however, VIII:84 which has a šāpītum expressing a verdict in an inheritance case in a vocabulary which poaches seriously on a dayyānum’s territory: “PN₁ u PN₂ Sumu-hadum šāpītum dinam usāhissuniti.

29) The terms baṣahātum and sagṣkûm have been most recently treated with adequate bibliographical data by M. Anbar, UF, 6(1974), 439-441. He concludes that the terms are nearly synonymous: “Sagṣkûm est le nom courant de cette unité, baṣahātum, qui désigne le poste où est stationnée, est, semble-t-il, une innovation de la chancellerie de Zimri-Lim. Le mot baṣahātum est, peut-être, d’une origine ouest-sémitique (p. 441)”. 
solitary ‘bounty-hunters’ (VI: 42) 30), are also attested. In addition

The recently published ARMT provides us with further attestations of these terms (XIV, p. 251, 256). XIV:86 is noteworthy in that it is unique in preserving both terms, sagbūm and baṣaḥatum in the same document. Additionally, lines 17-22 may be taken to imply that a sagbūm unit was formed by a merhum, in this case Ibāl-pi-El. II:27, it is interesting to note, also records this same Ibāl-pi-El as raising a sagbūm-unit of 1000 men (but cf., XIII:41 in which a governor of Qattunan performs the same task). Such observations as are derived from a study of XIV:86 certainly complicate, but not necessarily seriously challenge, Anbar’s thesis.

When Marzal evaluated the role of the merhum, JNES, 30(1971), 194-203, he had at his disposal only three personal names attached to that office. As a short excursus, we add a prosopographical note on Ibāl-pi-El who, as XIV:86 reveals, was a merhum. The Mari attestations of such a PN (Huffmon, APN, 23; XIV, p. 247) refer to more than one individual (Finet, ARMT, XV, p. 148, distributes the citations among 4 persons). Certainly one of those was the famous king of Ešnunna, Dossin, Syria, 19(1938), 117; whose name possibly also occurs in the seal of i-x-ra-hi-ya/DUMU bu-ṣi-ya/ir i-bi-al-ka-an (VIII:32). Another person by that name may have began his career, during the ‘Assyrian’ period, as a diviner (II:15). But we know much more about him as Zimri-Lim’s emissary to Babylon (cf., II:20-32; VI:21). As such, he was not above commanding troops and negotiating with other powers of the region. His son, Šubna-El, was known as a leader in Tīzrah, the important locality in Terqa’s district (RA, 42(1948), 69:7-8).

We have very little evidence that Ibāl-pi-El, the merhum, was ever a district governor. Thus, our dossier of this merhum does not support Marzal’s contention that “the merhum is higher grade, and commands wider territory, than a šāpiṭum (p. 202)”.

In XIV 53, the servant of a merhum is sent to arrest (ṣabātim) a man accused by the king of having spied (? awatam zabāhum l. 15-16) for Kurda. We do not, however, have clear evidence for Kurda’s hostilities to Mari.

Ṣabūm niḥrārum is used to capture escapees, III:35. See also XIV:121:11 where a ṣabūm ḫārūn ṣa naḥrāram was to be sent to capture slaves running away from the palace. The LÜ.MEŠ āmerū occur in X:174:6, treated most recently by B. Batto, Studies on Women at Mari, 63-64, in a context which would have them in a guarding mission. In X:175, a certain Yašub-Lim is called an āmerūm, a man who receives a reward upon delivering a message. We do not know whether this man is to be identified with either a sugāqum (VII:140:11:13) or with a citizen of Urah, a village lying in Benjaminite territory (VII:180:2:2’).

For protection of travelers and of property, we know of units called ṣabūm taqribātum (II:134:9-16), ṣabūm nāṣīrum (II:39:47; 96:15), ṣabūm muṣallīnum (Syria, 19(1938), 119:12; XIV:105; 120), and maṣṣārum (XV, 225-226; XIV, p. 254; X:88:18). Occasionally, rēdū-soldiers could be used to guard an escapee (IV:5; XIII:41). Sugāgū and laputtū are sometimes recorded as searching for a man to be placed in jail, RA, 66(1972), 119. It is possible that the nāgīrū mentioned in VII:217:10 and XIV:48:9 also played a role in this context.

30) ‘Bounty-hunter’ is possibly too loose a characterization. The individual in question, Kalan, is known to us from other Mari texts as an official of some importance; cf., Syria, 48(1971), 9:4; VII:205:17; 220:28; VIII:99:17; RA, 47(1953),
to the usual weaponry carried by these officers, tools of the trade include fetters (kursum), chains and manacles (šät qätim)\(^{31}\).

When detained or arrested (verb: kalüm; šabatum, rarely: halalum, e.g. 11:72:30), culprits could be ‘confined within the city’. It should be noted, however, that the expression abullätim kalüm only occasionally refers to this type of punishment\(^{32}\). At Mari, abullätim šūdüm does not at all seem to apply to a penal form\(^{33}\). For ‘prison’ we occasionally

123:28 [note p. 126]. From the ‘Assyrian’ period we have attestations of a homonym (?) in VIII:14:3', and 11:37.

31) The verb most commonly used with regard to binding prisoners is kasäm, either in the G or D stems. We occasionally meet with pādum in the G stem.

fetters: kursum, I:28:31, for the passage’s translation see CAD K,, 251 (lb).

manacles: (GIS) šät qätim, see Finet, ALM, 51 (§ 23 1), I:28:30; V:31:9-31; XIV:53:8.

32) abullätim kalüm. a. VI:42:5-9. Kibri-Dagan places an escapee in prison and had him ‘confined within the city gates (abullätim ikkalà)’. b. X:29. A certain Sinašarid, ‘confined within the city gates (abullätim ikkalà)’, writes a letter of protest ana ririm; cf., JCS, 25(1973), 76. c. X:85. Addad-šarrum is taken by the letter writer’s husband and ‘confined within the city gates (abullätim ikkalà)’. The rest of the text is broken but the verb wašārum, ‘to release’, occurs in 1. 8. We know of an Addad-šarrum practicing as a cook (?) IX:27:iii:2=24:ii:26, and as a gardener, IX:27:ii:30. A Babylonian sports the same name in XIV:72-73. d. XIV:46. Yaqqim-Addu reports to his king that Aham-nuta, has left (resigned?) his post as a sugāqum. Until he is persuaded to return, Mašum, the laputt-officer, a trustworthy person (cf. VI:49:16) is ‘confined within the city gates (abullätim kali)’.

While in example a. it is most certain that to be abullätim naklüm was not welcome, it is by no means clear that the same obtained in d. Indeed, we might interpret our idiom in that example to mean ‘to give responsibility’; cf., Syria, 48(1971), 11-12. We cannot as yet, assess the implications of examples b and c.

33) abullätim šūdüm. a. I:76 in biting language, Šamši-Adad berates his son’s decision to purchase the allegiance of well-born refugees from the area of Esnunna, by offering them good positions at Mari. Yasmah-Adad had written in lines 5-9: “Let me make them forget their (own) homeland and treat them fairly. Let them occupy a (good) position in the palace and let them ‘get to know the city gates (terti ekallim lu šabilit u abullätim ÎÎ šûdû’’. Šamši-Adad rejects his son’s proposal, implying that persons used to higher offices could not be trusted not to abuse a guest’s hospitality. b. III:76. Kibri-Dagan of Terqa was given strict orders not to allow anymore Subareans pass through Terqa. When to Subareans belonging to Lime-Addu arrived, however, Kibri-Dagan: “got them to know the city gates (abullätim uštēdāšnimûtû)”. Subsequently, an important official advised Kibri-Dagan to seek advise from the king on the matter.

O. B. evidence collected in CAD I/J, 34 (6, c) and A/I, 86 (f) (cf., Falkenstein, BiOr, 11(1954), 114) clearly indicate that our idiom did not promise the person to whom it was applied a pleasant stay in a town. The two citations from Mari,
meet with the term șibittum, bît esērī, and bît (łū) tâmkârim$^{34}$). However, prisoners were entered (verb: S/G of erēbum; G of nadâm for those however, may not be in agreement with such conclusions. In III:76 (b.) it is clear that the 10 Subareans were welcomed by Kibri-Dagan, especially since Lime-Addu was one of Mari’s loyal ally (Huffmon, APN, 50; XIV:57:9). Note, in this respect, Finet’s translation of this passage in ALM, 226 (82 e): “qu’ils soient mis au courant des portes”. We have absolutely no reason to suspect Kibri-Dagan’s act to have been hostile in nature. Indeed, the advice of Ḥabdu-Malik, a man in charge of the foreign quarters (?), may well have tried to remind Kibri-Dagan’s of the king’s blanket order not to distinguish between allies and hostile troops.

One other phrase might be à-propos in this note. It occurs in II:72, a letter which has most recently been translated by Oppenheim, letters, 105-106 (No. 46). It contains the gist of a treaty between Rim-Sin of Larsa and Hammurapi of Babylon (lines 9-16). The section of interest to us begins in line 29: “Sîme-tagup held back the messengers of the ‘vizier’ of Elam, for four days, from (reaching) Zimra-Hammu [king of Buzullum, XIV:41:5]. the tax-comptroller, Sin-iddinam, came out of the palace and placed these messengers in the warehouse of Enlil. Sîme-tagup who [unclear] confined him to his special-quarters (?)/guest-house (bâb napatiru iklatu), and cut down his rations . . .”.

Whatever may be meant by bâb napatiram (cf., CAD B 16 (2’), K 97 (3 ‘b’), the events recorded certainly occurred outside of Mari, very likely in Babylon or its vicinity. This is clearly indicated by the occurrence of  thụ-ụm-ụm-đi[e]n? of l. 3, a reading, and references concerning which, I owe to M. Stol, Leiden (cf. LIH 59 = IRSA, 215 (IVC6g), and CT 48:101:4, 16 the latter attestation indicating that a. bît šutummi of a temple could be used to confine wrong-doers. Note also X:8:15-18. It is also clear that those confined in the bâb napatiram were not treated terribly well, especially when rations were cut down (baraṣu).

$^{34}$ 1. șibittum. a. II:46. 3 men are brought from Karana and are thrown in prison (L.Ù.MES naṣ[ruṭim] ina šibittim [nadû (?)], l. 10-11”. b. Symbolae Koschaker, 113 (translation in ANET®, 627-628). A man who had accused others of treason is placed in jail pending the outcome of a river ordeal (mâhiṣ qaggadiiṣiṣu anni kēm ina šibittim inaṣṣarû, 1, 15-17). c, XIV:33. Asinum, a merchant/messenger from Terqa or Saggaratim (cf., VII:190:16; XIII:13:13) had gone to Emar, in Yamhadian territory, to negotiate the purchase of grain. Because a citizen of Emar had been thrown in jail, Asinum and his grain-filled boats were detained in Emar (Asinum aṭṭum łu imarim ta ina šibittim nadû kalâṣu, l. 7’-10’).

2. bît esērī. This term occurs in ii:24, 27 of the “Istar Ritual” published long ago by Dossin, RA, 35 (1938), 2. The context is lost in a break; but this passage deals with a muḫḫum-estatic, a prisoner’s compound, and releasing (of prisoners?).

3. bît łu tâmkârim. IV:3. This text has been elucidated by the comments of Oppenheim, JNES, 13(1954), 143 (cf., also CAD H 218). Šamši-Adad writes his son in Mari: “The bearer of this tablet, Naḥmanu, his brother is in the ‘home of the merchant’. Let him (Naḥmanu) give the silver of his creditor and (read: ǝl in l. 12) take away his brother”.

It is not certain that Naḥmanu’s brother was imprisoned in the bît olu tâmkârim. The text simply states that he was there (ibašši). But since Naḥmanu was to pay
already there) most often a nēparum\(^{38}\). When in the singular, the last term almost always refers to ‘prison’; the plural, on the other hand, seems to be applied to ‘workshops’. The difficulties in establishing the connection between the two forms are made manifest were one to study the dossier of Etel-pi-šarrim, a man in charge of such nēparum/ nēparātum\(^ {36}\). We know that a nēparum was located in Mari (II: 48; III: 31:41; RA 66 (1972), 119), Saggaratum (XIV: 54; 74; II: 102), Dūr Yaḥdun-Lim (XIV: 77), Qattunan on the Ḥabar (II: 129); and Suprum in Terqa province (X: 150)\(^ {37}\). We should not be surprised to learn, in the future, that a nēparum existed wherever royal palaces were built. III: 71 and X: 150 speak of prisoners breaking through (verb: palašum) the walls of their cells to make good their escape. It would appear, in the light of these attestations, that jails did not differ radically from other constructions used for dwelling purposes.

### III. Legal Procedures

The actual processes of justice followed no pre-established format. An important official’s misdemeanors are recorded in VII: 263, thus possibly constituting a bill of indictment\(^ {38}\)). Those who felt themselves the debts (of his brother), it may not be too bold to suggest that the debtor was held there involuntarily. The term bit tambārim (without ʿūl) occurs in one other Mari text. There, XIV: 17:15’ (also 2’ (?), see Birot ARMT XIV, 221), it is best translated by ‘bank’. It would not be unusual, though not unpeculiar, that a house of money deposits would also be used to detain debtors.

\(^{36}\) Preliminary sketch in Iraq, 34(1972), 61-62. Compare, as one example of such difficulties, texts X: 12 and 13 which are concerned with the same incident, and note the information culled from XIII: 40; 41; XIV, p. 255. All these have been discussed in the article cited in the preceding footnote.

\(^{37}\) Note that, in X: 150, those who escape from a nēparum were LU-MEŠ kinnattū. According to CAD K, 381 ff, kinnattūm refers to ‘menial workers’, but neither to criminals nor prisoners. One could only suppose that, in this case, the nēparum of Suprum to have been a ‘workshop’.

\(^{38}\) The nature of this text, VII: 263, was first noted by Landsberger, who communicated his ideas to Bottéro. See the last’s extensive note on the text, containing a summation of the charges levelled against the accused, in ARMT VII, 355-357. This man, whose name has not been preserved, may have been an official in Mislan, a town in Terqa closely related to Benjaminite settlements. VII 263 is datable to
wronged, approached either the king (e.g. X: 88) or of his officers. These sometimes referred the matter to the proper authority (XIII: 137). In criminal cases where no plaintiff appeared, as in the instance in which a baby’s body was found (VI: 43), a palace official questioned workers and heads of wards who were close to the scene of the crime.39)

the period of Zimri-Lim since those mentioned, Etel-pi-šarrim and Yaḥatti-El, were both Mari officials best known from that reign.

The accusations consist of wrongdoings apparently committed over a year’s time. The months are mentioned either specifically by name or simply by their number in the Mari calendar. Whenever possible, specific festivals, which may have seen large transactions of grains and beasts, were named. This was done, it is likely, as much to pinpoint the exact moment of the crime, as to underscore the enormity of this official’s guilt. In order for the proper authority to evaluate the veracity of the documentation, especially when concerned with the size and weight of the pilfered grain shipments, references are made to information ʾā (pī) kanikātim (iii: 9’, 10’) ‘according to sealed documents’. This is contrasted to information drawn from tuppātim lā kanikātim (iii: 13’), ‘unsealed tablets’. Furthermore, the naming of officials who were victim of this man’s malefeasance (ii: 6; iii: 16’, 23’) would have ensured personal testimony were it ever needed.

VII: 263 is not the only instance which hints of official corruption. In a sarcastic letter to his son, I: 73, Šamši-Adad makes it clear that an unnamed tax collector has been profiteering. We render lines 7-23: “You wrote to me about the barley which you have continually taken (as ration) for your wedū-notables [cf., ARMT XIV, 234, sub. 81: 38]. This district is not his [the tax collector’s]! The barley which you have taken (from him) is not his to tax! The one to two minas of silver which he collects yearly and presents as his contribution (MU.DU), where does he get (them)? Is it not from constantly selling barley, oil, and wine, that he collects such sums and presents (them)?... As if there were a silver mine in his district whence he takes silver and bring it (over)! Is it not because of the barley, oil, and wine, that he could collect and bring (over) this sum?...”

For another instance of an official possible wrongdoing, see XIV: 111.

39) When a traveller’s decapitated head is discovered, Bahdi-Lim reports the failure of his search for the missing remains. VI: 37, however, reveals the palace official as more concerned with the proper burial of the victim’s head than with establishing the facts of the crime. This letter was written a day or so after XIV: 104; the latter is dated to the 27th of Lahhum. Since this would have placed the crime in mid-summer, it is likely that Bahdi-Lim’s concern about a quick burial might be related to practical considerations.

Another unsolved crime, this time the murder of caravaneers, is reported in II: 123. In XIV: 111, Yaqqim-Addu, governor of Saggaratum issues a proclamation (ṣāṭam nadānum), warning of grave consequences (?) -text fragmentary), if the gold that was stolen from the city’s temples were not recovered. When none other than the ruler of Qattunan is implicated, the last blames one of his subjects who is sent, together with the recovered loot, to the king.
Accusations sometimes reached a governor by means of 'secret sources' (*ahitum*, e.g. XIV: 51). As was stated above, hearings were conducted by royal officials. Addu-duri, a female intendant in Zimri-Lim's palace, heard testimony on dispute concerning real estate (II: 114) and money deposits (X: 58). These hearings, exemplified by XIV: 51, were mini-trials, complete with cross examinations and testimony of witnesses. Evidence brought to bear included contracts, documents (I: 130; X: 114), and witnesses (*šibum, mādūm*, e.g. I: 50; X: 90). Abettors of a crime appeared before an inquiry (I: 89). Scribes were present to record the testimony. In some cases (e.g. I: 130), oaths were administered. In difficult situations ordeals might be ordered. In important cases, it was apparently left to the king to decide the guilt of individuals and to impose sentence after receiving reports, and, in some instances, conducting further testimony.

IV: 58 is a letter sent to Yasmah-Adad in which his brother, Isme-Dagan informs him of his decision concerning a case presented before him. Although quite short, the letter permits us to reconstruct the circumstances surrounding a legal suit, and to recover the steps taken by the king to resolve the matter.

It seems that a certain Uštap-kiriš had borrowed money from Kazibu. It is unfortunate that we know nothing of these personalities, beyond the evidence of this text. But it is not unlikely that the former lived close to Mari. Uštap-kiriš leaves donkeys as a pledge with Kazibu, the number of which will become the object of the law-suit. Upon payment of the borrowed money, Kazibu releases one donkey. Claiming that he had left three donkeys as pledge, Uštap-kiriš takes matters in his own hands and 'kidnaps' a worker assigned to Kazibu. It is at this point that the matter reaches the king. The latter investigates and obtains the information that Uštap-kiriš did indeed 'kidnap' the young man, and that only one donkey was given as pledge. His ruling is that Kazibu's worker is to be released. It is noteworthy that Uštap-kiriš is not punished, at least as far as we know, for either his prevarication or his kidnapping. It may be, however, that Isme-Dagan was realistic.

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40) A classic case is translated in ANET, 627-628.
enough to know that punishment of a subject far from his own court may well have been difficult.

IV. Crime and Punishment

In the matter of crime and its punishment, we first note those that were political in nature. XIII: 107 contains a royal order to secretly dispose of one, Yarim-Dagan. As clarified above, reconstruction of events shows that the last, a former ambassador to the court of Ilansura, had espoused Benjaminitc causes. It may have been just a personal whim on the part of Šamši-Adad when he ordered a man imprisoned in such a way that no one would ever hear from him again (1:57). From the 'Assyrian' period, we have strong hints that a high official fell from favor. We do not know why. We have already spoken of the fate that awaited deserters and draft-dodgers. In II: 18, we read

41) We have information on the name 'Mašum' from the 'Assyrian' and Zimri-Lim periods. It may be that, as Birot suggests, ARMT IX, 329 (12), we are dealing with two different officials. Because of the number of Mari bureaucrats who saw service under both regimes, however, we might suppose Mašum to have risen to his former rank after a period of political eclipse. His seal impression is preserved on tablets found in Chagar Bazar, Irāq, 7(193), 42. His role as a DUB.SAR MAR. TU during the 'Assyrian' period has been recounted in Kupper, Nomades, 194. For additional references which date Mašum to the reign of Yasmah-Adad, see XIII: 141:7; 145 side; RA, 66(1972), 122:18; 68(1974), 32:6. For those stemming from the time of Zimri-Lim, see Birot, ibid., and add XIII: 31:23; 142:38, 43.

The texts which allow us to suppose a fall from favor for Mašum are IV: 5, V: 46, and very likely, XIII: 141. In the first document, (for translation, see Laesse, People of Ancient Assyria, 57), Šamši-Adad allows to his son that bit mašim ekallum irdi (l. 9). The verb redām used in this context means 'to confiscate', see AHw, 966 (9); Leichty, TCS IV, 328. Thus our line is to be rendered "The palace has confiscated the 'house' of Mašum". The second text, V: 46, records in lines 20-27 the request of Išar-Lim, a military leader (see Anbar, IsOrSt., 3 (1973), 21), for a female, servant of Mašum, who was taken into the palace. Lines 25-26 are obscure, but may indicate the further dissolution of Mašum's estate. Finally, XIII: 141, a text recently discussed by Finet, 18° RAI, 1970, 68-72, indicate the low status which Mašum's family had reached, very probably after his 'fall'. It would seem that his sister, once highly regarded (l. 7-10), married a muškēnum. Her two sons had been allotted to Mašiya, once a colleague of Mašum. But now the king wanted those children taken to Yawi-ila, the writer of the letter. The last, however, urges him not to insist on this step: "Heaven forbid that I should take these young ones: their father will petition the king [Šamši-Adad] (l. 17-19; cf. AHw, 578, (2,a))".
of mass executions carried out because of uprisings, apparently precipitated by the influx of exiles. Treason is punished by burning the guilty, together with his family (III: 73). Impaling (inagiššim šakānum (N-stem)) is known from XIII: 108:14'15' as a punishment meted out to runaways. On the other hand, the idiom napištam mu(ta)llām, occurring in a 'political' context, may refer to a formal act in which the overlord forgave his vassal's trespasses 42).

No attempts seem to have been made by the authorities to segregate the inmates of a prison despite the differing nature of their crimes. Largely because of the connection between the terms nēparum and nēparātum, we presume that prisoners were put to work (but cf. XIV: 16). It does not seem likely that long-term sentencing was prevalent. The jailed blabber-mouth who unwillingly gave away state secrets was surely not kept for long (RA, 66(1972), 119-120). Additionally, one might imagine serious complications among those incarcerated to have developed when a psychopathic parricide was thrown in jail 43). While in prison, a person might conduct complex negotiations to raise the amount of silver needed for his release. XIV: 17 tells the saga of a man who, despite the sale of his property could raise only 4/5 of the amount required for his release. Conversely, those who were not able to raise the requisite security money, which the palace demanded from those in a position to run-away, were locked in prison (V: 35:34-35).

A prisoner was released (verb: waldrum) upon payment of debts (IV: 3) or to accomplish work on a dam (XIV: 16). To please the Haneans, jugglers were set free, along with other Hanean deserters (XIV: 82). One unfortunate criminal (bēl arnim) was released from jail only to be executed. His head was paraded to put fear in the hearts

42) But cf., AHw, 598 (12 f), "voll erstatten".

Note also the Sī of kānum of 1:61:7, translation in n. 45. below. In XIV:66, Yaqqim-Addu of Saggaratum interferes in behalf of persons who did not register with the proper authorities. Since they were contrite (sarrātim lamdū, l. 37), the king is urged to simply let them register.

43) It may be that XIII: 109 refers to another instance of parricide. Yasu-Dagan had 'detained' a man who had done something (barānum, a W.S. term?) to his father.
of the populace (II: 48). A man who killed his ‘brother’ was released, but he was placed on the roster of the palace (V: 35:24-27).

The palace levied fines against those who did not pay their share of the harvest (implied in I: 80), and those who breached their contract. In VIII: 1, a stiff fine was imposed on such a transgression despite the fact that the matter was labelled a ‘capital case’ (din nāpištim). In XIV: 79, the palace confiscated the goods obtained from the trafficking in slaves obtained in friendly lands. An official under whose supervision temple materials were either stolen or lost, was allowed to retain his post when fined double the amount involved (RA, 64(1970), 40-41). A stiff fine of 10 minas raised against an unknown crime was used to decorate Dagan’s throne (XIII: 110).

We know very little about damages which result from civil lawsuits. Since our evidence is practically limited to the documents published in ARM VIII, I refer the reader to Boyer’s treatment in ARMT VIII. Previously, we have alluded to the few instances of damage or compensation, to be paid an injured party, which are drawn from the letters (e.g. I: 130; IV: 3; 58). At this point, it might be appropriate to discuss a charge which is often levelled against individuals: slander. The Akkadian idiom most often used in the context joins the substantive karṣum, ‘calumny, accusation’, to the verb akalum. The possessive suffix attached to karṣum refers to the one who is slandered. Those who feel slandered try to prevent the accusations from being believed (maabrum), with a consequent loss of favor (idiom: ina libbim šusūm, X: 3:12-13).

Most of those complaining of slander are officials (V: 75; X: 73),

44) But note the usage of naggurum in V: 34, the crucial passage of which is rendered by Landsberger, JCS, 9(1955), 123. Note also b/pagārum as is employed in III: 36. On this text and others involving Kibri-Dagan and Sumu-Hammu, see Festschrift Kramer, p., n. 21. On asakkam akalum, see now M. Anbar, RA, 68 (1974), 172-173.
45) On this text, see Marzal, JNES, 30(1971), 207-208. Since the slanderer of Yašub-El is a man very trusted by the king, the latter had genuine reasons to feel defensive.

In I: 61:7-9 (text translated in Laessøe, People, 46-47), Šamši-Adad berates his son for allowing an upstart at the court in Mari to besmirch the reputation of a
and relatives of the king (a daughter: II: 115; a ‘sister’: X: 49). There is little evidence of a public accuser, such as is known in later periods.

As far as we could judge, these accusations and charges seem to be personal in nature, levelled before the king in order to better jockey for bureaucratic positions and to curry favor.

An accused could ask someone to interfere in his behalf. When Šiptu, Zimri-Lim’s wife, was slandered at her brother’s court in Aleppo, Mari’s ambassador to that state obtained a conciliation (D of salāmum + dative suffix, X: 156:21-22). Another approach is to try to damage the reputation of your accuser, by questioning his loyalty to the king (V: 75: rev. 4’-6’). An eloquent, if garrulous, Kapellmeister was eager to salvage his professional reputation before the king. He writes: “When my lord enters Mari in peace, let him command of us (example of) my work and the work of he who slanders me before my lord; and, on that occasion, let him decide what is better. Why should you constantly hear evil in secret? Let the servant and the [x] sit beside the lord. Let my lord confront us (with) whatever I accomplished (?) Š of bašûm) and whatever he accomplished (?). Before my lord countless things will I say to improve my situation, so that I may become cleared (?) durrum) from slander. And now, what good (does it do) should my lord learn of the matter bit by bit. . .48)

We have only one case of slander, stemming from petty bureaucratic jealousies, whose origins might, conceivably, be partially reconstructed. It concerns an important merchant who did not fully agree with Yasmaḫ-Adad’s allotment of land to a dignitary at Mari. As a result,
he criticized the king's judgement as he travelled from one place to another 49).

At this paper's conclusion, we might broach the subject of crime prevention. Warnings of the dire consequences awaiting a draft dodger or a deserter were often repeated. At times, an example was set by beheading a criminal and by displaying his head (II: 48). In order to prevent the escape of artisans and to discourage the pilfering of produce due to the palace, securities, bail, and guarantees (qâtâtum, nipûtum, mazzazânûm), either in monetary or human forms, were collected 50). Jewelers' guarantees were set so high that a group of prominent citizens was formed to pool resources 51). Unstable elements were also subject to posting of bonds (V: 35). In order to prevent regicide, what could be done was to repeatedly warn the king to protect himself, and to surround himself with intimate friends 52).

49) Our interpretation is highly hypothetical and depends on linking V:4 to VIII:12. The latter reads as follows: "King Yasmah-Addu has given as inheritance to Yarim-Addu, a field of the palace at Hutnim [on the Mari/Terqa borders, II:48:18; VII:225:12; 226:42] as much as there is (on it), the piling-up (damming up?) of which Tarim-sakim accomplished". Among those who witnessed this allotment of property is an Abi-eqar. Now, Yarim-Addu, and Tarim-sakim were well-known bureaucrats in Mari's palace. Abi-eqar, it is likely, is equatable with Abum-waqar, a man from Andariq (? VII:139) known as a wide-ranging merchant (XIII:63:5).

We meet with all these names, and that of yet another Mari official, in V:4, a letter Yasmah-Adad wrote to his brother in Ekallâtum: "You know that Abum-waqar has not ‘gone’ to the inheritance of Tarim-sakim and of the sons of La'um. He is a sly (?) person. Previously, he had wished me dead!...and now he abuses me (izzuranni). You know the gossip that he spoke [unclear and broken segment]. May this man never come to return here". On individual lines, cf., however, AHw, 832(sub parašu(m), 'to flatter'), and p. 712 (sub nahallu(m), nahlu(m) II, 'river bed'.

50) Forsomeexamples, see ARMT VIII, 217-227 andnoteIV:5 8 andV:3 5,discussed above. Also compare XIII:137 and X:160. XIV:47 gives a particularly clear instance in which human ‘securities’ are kept by the palace to replace escaped artisans. Note also the usage of ipterum, AHw, 385; XV, 181; XIII:137:6; XIV:17:14.

51) Note VIII:62, a text discussed in Kramer Festschrift, p. 403-404 and n. 16. 52) larrāqum (X:8:15; 81:7, cf., II:130:6), 'thief', and sarrârûm (AHw, 1030), ‘dupe, cheat’ are terms, with pejorative implications, which are applied to political enemies.

III:18 offers a good example of warning sent to the king. In this case Kibri-Dagan eloquently warns of criminals (bêl arnim) who are out to murder the king, acting "like a rabid dog, I/he know(s) not where (next) he will bite." Kibri-Dagan urges that: "until my lord has not controlled the (enemy) troops and placed his enemies
By its very nature, the above sketch must certainly have distorted the quality of life that Mari’s citizenry enjoyed. So to partially remedy this, I might be permitted to quote from a somewhat lyrical letter, II: 59, from one of Zimri-Lim’s many vassals: “To my father Zimri-Lim, from Kabiya, your son. The flock of the Haneans which feeds in my district is well. In the pastures there is water, and in the courtroom, they are justly treated (šálim Jim išar-is aššapat). Concerning the flock of Ḥanat and the city of Kaḥat, (everything) is well. May my lord write me of his well-being” 53).

and foes at his feet, and has not placed them all in prison, may my lord not step out of his palace for at least three to four days.”

53) Those who felt mistreated (verb: babalum, e.g. X:92: II:60; and possibly, dullum, above, n. 45) could, on the other hand, always make a complaint (ṭazzimtum, XV, 274; unnenum, I:91:15").