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Ancient Near Eastern and
Biblical Law

Herausgegeben von
Reinhard Achenbach,
Hans Neumann und Eckart Otto

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Vorwort

Die Beiträge des ersten Teils des vorliegenden Bandes sind der Überlieferung wie auch den inhaltlichen Aspekten von überregionalen rechtlichen Vereinbarungen im Alten Orient und in der griechischen Antike gewidmet. So handelt es sich bei den Aufsätzen von Michael Stolleis, Guido Pfeifer, Klaas R. Veenhof, Hossein Badam-chi, Jana Mynářová, Elena Devecchi, Jacob Lauinger, Nadine Grotkamp und Gerhard Thür um die Schriftfassung von Vorträgen, die auf der vom 10. – 12. September 2012 in Frankfurt am Main unter Leitung von Guido Pfeifer veranstalteten Tagung „Staatsverträge des Alten Vorderasien. Überlieferung – Funktion – Rechtshistorische Perspektive“ gehalten wurden. Konzeptionell und organisatorisch handelte es sich dabei um eine Kooperationsveranstaltung zwischen dem Institut für Altorientalische Philologie und Vorderasiatische Altertumskunde der Westfälischen Wilhelms-Universität Münster und der International Max Planck Research School for Comparative Legal History sowie dem Institut für Rechtsgeschichte der Goethe-Universität Frankfurt am Main. Die Tagung stand im Kontext einer von den Altorientalisten der Universität Münster (Hans Neumann, Susanne Paulus) und Juristen der Universität Frankfurt (Guido Pfeifer) in Kooperation verantworteten zusammenfassenden Neuedition der keilschriftlich überlieferten Staatsverträge Mesopotamiens und Nordsyriens. Diese wird gegenwärtig im Rahmen der im Auftrag der Kommission für Alte Geschichte und Epigraphik des Deutschen Archäologischen Instituts herausgegebenen Reihe „Staatsverträge des Altertums“ erarbeitet. Ziel der Tagung war es dabei, den Blick auf spezifische und übergreifende Probleme altvorderasiatischer Staatsverträge um eine rechtsvergleichende Perspektive auf Griechenland, Rom und Byzanz zu ergänzen. Teilnehmer der Tagung waren neben Altorientalisten, Historikern und Juristen aus Münster, Frankfurt am Main und München auch entsprechende Fachvertreter aus Tschechien, Österreich, den Niederlanden, dem Iran und den USA.

Die Tagungsbeiträge werden ergänzt durch Aufsätze und Rezensionen, die entsprechend dem Profil der ZAR vornehmlich ausgewählte Probleme der altorientalischen und biblischen Rechts- und Sozialgeschichte zum Inhalt haben.

Münster, Dezember 2013

Die Herausgeber

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The Neo-Assyrian *adê*: Treaty, Oath, or Something Else?

Jacob Lauinger (Baltimore)

In an attempt to strike a balance between conveying some sense of the tradition of Neo-Assyrian “treaties” and exploring a specific aspect of that tradition, I focus in this article on the Akkadian word behind the translation, *adê*.¹ In the first half of the article, I explore translations of *adê* as “treaty” and “(loyalty) oath” via the texts of surviving *adê*’s and ancient descriptions of them and discuss some of the difficulties presented by each translation. In the second half of the article, I shift my focus onto the objects that were inscribed with the official text of an *adê*, individually known as the *tuppi adê* (“*adê*-tablet”). Because of the *tuppi adê*’s seal impressions and its association with *akītu*-ceremonies, I conclude by suggesting that *adê* is better translated as “duty, destiny.”

The practice of establishing an *adê* is only attested in the first-millennium, with one possible exception that is discussed below.² It involved one person, usually the Assyrian king, causing one or more other persons to enter into an agreement that constrained their

* Abbreviations not in The SBL Handbook of Style for Ancient Near Eastern, Biblical, and Early Christian Studies, ed. P. H. Alexander, J. F. Kutsko, J. D. Ernest, and S. A. Decker-Lucke, Peabody, MA 1999 or HKL are found in AFO with the following additions: EST = Esarhaddon’s Succession Treaty (= SAA 2 6); RINAP = Royal Inscriptions of the Neo-Assyrian Period.

1 The literature on the institution of the *adê* is vast. K. Watanabe, *Die adê-Vereidigung anlässlich der Thronfolgeregelung Asarhaddons*, BaM Beiheft 3, Berlin 1987, 6–8 gathers together some of the seminal discussions that appeared into the 1980’s. For subsequent literature, see B. Pongratz-Leisten, SAAS 10, 78 n. 265 to which may be added, *inter alios*, S. W. Cole, *The Crimes and Sacrileges of Nabû-šuma-iškun*, ZA 84, 1994 (220–252), 222; M. P. Streck, *Die Flüche im Sukzessionsvertrag Asarhaddons*, ZAR 4, 1998 (165–91), 166 n. 2; G. B. Lanfranchi, *Esarhaddon, Assyria, and Media*, SAAB 12, 1998 (99–109); F. M. Fales, *L’Impero Assiro: Storia e Amministrazione (IX-VII secolo a.C.)*, Roma 2001, 221–43; M. Weippert, *Assyrische Prophetie im 7. Jahrhundert v. Chr.*, OrNS 71, 2002 (1–54), 17 n. 67; S. Parpola, *International Law in the First Millennium*, in: HdO I/72/1–2 (1047–66), 1056–59; K. Radner, *Assyrische tuppi adê als Vorbild für Deuteronomium 28,20–44?*, BZAW 364, New York 2006 (351–78); B. Levinson, “But You Shall Surely Kill Him!”: The Text-Critical and Neo-Assyrian Evidence for MT Deuteronomy 13:10, in “The Right Chorale”: Studies in Biblical Law and Interpretation, FAT 54, Tübingen 2008 (166–94), 186; M. Sandowicz, *Oaths and Curses: A Study in Neo- and Late Babylonian Legal Formulary*, AOAT 398, Münster 2012, 65–72; H. U. Steymans, *Deuteronomy 28 and Tell Tayinat, Verbum et Ecclesia* 34, Art. #870. Note most recently the important contribution of F. M. Fales, *After Ta‘yinat: The New Status of Esarhaddon’s adê for Assyrian Political History*, RA 106, 2012 (133–158) which appeared too late to allow anything more than the most cursory incorporation herein.

2 The Middle Assyrian attestations gathered by AHW s.v. *adû* I are no longer accepted and are not found in CAD A/1 s.v. *adû* A, see A. Lemaire and J.-M. Durand, *Les inscriptions araméennes de Sfiré et l’Assyrie de Shamshi-ilu*, Genève/Paris 1984, 93 n. 9, citing previous literature.

behavior toward, usually, the Assyrian king himself or his crown prince.³ It is clear that the practice of establishing such an agreement continues one that is already attested in the Middle Assyrian period when the agreement is known as *riksu* or *rikiltu*, literally “bond”.⁴ A similar practice is attested as early as the Old Babylonian period with the “oath protocols” from Mari, where the agreement seems to have been designated by the word *isiktum*, literally “assignment, duty.”⁵

The word *adê* is usually taken to be a loanword from the Aramaic *ʿdy*, itself typically translated “treaty,” because the appearance of *adê* in Akkadian occurs at about the same time as the appearance of *ʿdy* in Aramaic.⁶ However, as Brinkman remarks, “[t]here is a faint, though, lingering suspicion that this picture may not be correct if an apparent attestation of *adê* some five centuries earlier in a damaged passage of the Tukulti-Ninurta Epic should be verified; but this is at present an isolated and not incontrovertible witness.”⁷ Indeed, Durand has proposed an Akkadian etymology for the word, connecting *adê* with what the dictionaries distinguish as a homophonous word with the meaning “work assignment, duty.” (AHw s.v. *adû(m)* III, CAD A/1 s.v. *adû* C).⁸ I return to Durand’s proposal at the end of this article.

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- 3 For the most famous example of someone other than the Assyrian king causing an *adê* to be established, see SAA 2 8, in which Zakutu, the dowager queen, fills the role. Note also SAA 18 100 in which courtiers have entered into an “*adê* of rebellion” (*adê ša sîhi*) in support of the prince Arda-Mullissi.
 - 4 For Middle Assyrian inscriptions in which Assyrian kings require a foreign ruler to swear an oath of servitude and to pay tribute, see K. Radner, Assyrische *tuppi adê* (see above note 1) 353–56. As in the Neo-Assyrian period, the oath is designated by the word *māmîtu*. A *māmîtu*-oath appears in the Tukulti-Ninurta Epic in connection with a word well-known from Late Bronze Age Hittite texts, *rikiltu*, typically translated as “treaty” in this context: “Our fathers e[stab]lished a treaty, they made the oath permanent” (*i[š-ku]-nu ri-kil-ta ab-bu-ù-ni ú-kîn-ḥu ma¹-mi-ta*, see P. Machinist, *The Epic of Tukulti-Ninurta I: A Study in Middle Assyrian Literature*, PhD dissertation, Yale University, 1978, 76 A 15’–16’). Again similar to Hittite edicts, the cognate word *riksu* is used as a self-designation in the Middle Assyrian Harem Edicts, as in, e.g., “Tukulti-Ninurta, overseer, son of Shalmaneser, also overseer, has issued a decree (*riksa irkus*) for the palace personnel” (AfO 17 276: 46).
 - 5 J.-M. Durand, *Précurseurs syriens aux protocoles néo-assyriens*, in: *Mélanges Garelli (1–71)*, 70. On the oath protocols, see recently D. Charpin, *Un nouveau “protocole de serment” de Mari*, in: *Opening the Tablet Box. Near Eastern Studies in Honor of Benjamin Foster*, ed. S. Melville and A. L. Slotsky, CHANE 42 (49–75).
 - 6 Of course, the logic of the explanation works both ways, see A. Lemaire and J.-M. Durand, *Les inscriptions araméennes* (see above note 2) 96 and Radner, *Assyrische tuppi adê* (see above note 1) 357. For Akkadian *adê* as an Aramaic loanword, see, *inter alios*, D. J. McCarthy, *Treaty and Covenant*, rev. ed., AnBib 21A, Rome 1981, 142; H. Tadmor, *Treaty and Oath in the Ancient Near East*, in: *Humanizing America’s Iconic Book*, ed. G. M. Tucker and D. A. Knight, Chico CA 1982 (127–52), 143; A. Lemaire and J.-M. Durand, *Les inscriptions araméennes* (see above note 2) 101–06; H. Tadmor, *The Aramaization of Assyria: Aspects of Western Impact*, CRAI 25, 455; and J. A. Fitzmyer, *The Aramaic Inscriptions of Sefire*, rev. ed., BibetOr 19A, Rome 1995, 57–59.
 - 7 J. A. Brinkman, *Political Covenants, Treaties, and Loyalty Oaths in Babylonia and between Assyria and Babylonia*, in: *I Trattati ne Mondo Antico: Forma, Ideologia, Funzione*, ed. L. Canfora, M. Liverani, and C. Zaccagnini, Rome 1990 (81–112), 82–83.
 - 8 Durand, *Précurseurs syriens* (see above note 5) 70 n. 167. See J.-M. Durand, *Réalités amorrites et traditions bibliques*, RA 92, 1998 (3–39) 33 for the attestation of this word in “un domaine ouest-sémitique, comme une catégorie qui régit une société tribale,” on which see also FM 8 126. For the distinction between *isiktum* and *adûm* at Mari, see J.-M. Durand, LAPO 17, 540.

As mentioned above, the word *adê* is frequently translated in the scholarship as “treaty.”⁹ There are times when the particular emphasis of this translation on “international relations” is quite helpful.¹⁰ For example, in this oracle query, the Assyrian king Esarhaddon is considering how to respond to a request delivered by envoys from the king of Scythia:

Bartatua, the king of Scythia, who just now has sent his messengers to Esarhaddon, king of Assyria [c]oncerning a princess – should Esarhaddon, king of [Assyria], give a princess in marriage to him, would Bartatua, king of Scythia, honestly speak true and sincere words of peace with Esarhaddon, king of Assyria? Would he keep an *a[d]ê* of [Esarha]ddon, king of Assyria? Would he act in a [manner] that pleases Esarhaddon, king of Assyria?¹¹

The unvarnished glimpse into Assyrian political life offered by this oracle query presents an image very different from the mighty military machine of the Assyrian empire to which we are accustomed. Rather than resorting to armed conflict to neutralize a potential threat from the Scythians, the Assyrian king contemplates using diplomacy in the form of a marriage of state and an *adê*, and the translation “treaty” seems quite appropriate to describe the agreement that might have accompanied the marriage of state. Indeed, such an agreement may very well have been made and then endured, if Herodotus is correct in asserting that Scythians fought for Assyria against the Medes in the empire’s final days.¹²

Other texts give us a sense of some of the conditions that *adê* might involve. For example, in this passage in his Letter to Aššur, Esarhaddon describes his actions after conquering Šubria, a buffer kingdom between Assyria and one of the other great powers of the day, the kingdom of Urartu:

“Concerning the Urartians who had fled from Urartu to Šubria, whom [Ur]sa, king of Urartu, wrote (to the king of Šubria about) and about whom he (the king of Šubria) did not heed his command, did not consent to give (them back), and wrote to

9 For the purposes of this article, I define “treaty” as “A contract between two or more states, relating to peace, truce, alliance, commerce, or other international relation; also, the document embodying such contract, in modern usage formally signed by plenipotentiaries appointed by the government of each state” (Oxford English Dictionary s.v. *treaty*, n., mng. 3b).

10 The following examples of *adê*’s and texts mentioning *adê*’s are of course selective by necessity. For a comprehensive collection of the attestations of the word *adê* in Neo-Assyrian texts, see Watanabe, *Die adê-Vereidigung* (see above note 1) 9–23. For a discussion of “treaties as instruments of Neo-Assyrian imperialism” that considers not just attestations of *adê* but also related words (e.g. *māmītu*, “oath,” *sulummū*, “peace,” and *tūbtu*, “friendship”) as well as the texts of the *adê*’s themselves, see S. Parpola and K. Watanabe, *SAA 2*, xv–xxv.

11 ^m*bar-ta-tu-a* LUGAL *šá* KUR ^r*iš^l-ku-za šá i-na-an-^rna¹* DUMU.MEŠ *šip-ri-šú a-na pa-an^{md} aš-šur-ŠEŠ-SUM-na* LUGAL KUR *aš-šur^{ki1} [i]-^rna¹* UGU DUMU.MÍ LUGAL *iš-pu-ra GIM^{md} aš-šur-ŠEŠ-SUM-na* LUGAL KUR [*aš-šur^{ki1}*] DUMU.MÍ LUGAL *a-na áš-šu-ú-tu it-tan-na-[áš]-šú^m bar-ta-tu-a* LUGAL *šá* KUR *iš-ku-za it-ti^m aš-šur-ŠEŠ-SUM-na* LUGAL KUR *aš-šur^{ki} dib-bi ki-nu-ú-tu šá-^ral¹-mu-tu šá šu-^rlum¹-mé-e i-na kit-ti-šú i-dab-bu-ú-bu a-[de]-e šá^{md} [aš-šur-ŠEŠ]-SUM-na* LUGAL KUR *aš-šur^{ki} i-na-aš-ša-a-ra [mim-ma] ^ršá¹ a-na UGU^{md} aš-šur-ŠEŠ-SUM-na* LUGAL KUR *aš-šur ta-a-bu ip-pu-ú-šú* (SAA 4 20 obv. 2-10, cf. rev. 5–10).

12 Herodotus, *Histories* I 103, see G. B. Lanfranchi, *I Cimмери: Emergenza delle élites militari iraniche nel Vicino Oriente* (VIII-VII sec. a.C.), HANE/S 2 bis, Padova 1990, 78–79.

him (Ursa) insolently, with replies filled with hatred, after I conquered Šubria with the help of Aššur, my lord, and reckoned its people as booty, I inquired and investigated, inspected and identified those people in order to safeguard the *adê* and because of the truth and justice that the great gods gave to me. I did not withhold a single Urartian fugitive. Not one escaped. I returned them to their land.”¹³

Šubria was “a country of refuge, which probably drew this tradition from its religion, and most probably from the existence of a refuge sanctuary.”¹⁴ One of Esarhaddon’s first actions on conquering the kingdom was to recapture the Assyrian and Urartian fugitives who had fled there. But, in doing so, he made clear that he was mindful of an *adê* he had sworn to the king of Urartu, and so he carefully separated the Urartian from the Assyrian fugitives, returning the former to their homeland. Thus, for this text, the Assyrian king’s *adê* might be described as a parity treaty concerning the extradition of fugitives.

Similarly, in a famous letter, the Assyrian crown prince admonishes an official:

Having listened repeatedly to each other(’s terms), the king of Elam and the king of As[syria] have made peace with one another by the command of Marduk and become *adê*-partners. (But) now you have detained all the men of the land (i.e. Elam) who came for the festival!¹⁵

Here, we see an *adê* between the superpowers Assyria and Elam functions like a parity treaty, evidently allowing for some freedom of movement by the Elamites in Assyria. Indeed, the festival mentioned in the text to which the Elamites were headed might very well have been to celebrate or affirm the establishment of the *adê* in question.¹⁶

Nor are all situations in which an *adê* seems to have functioned like a treaty restricted to agreements between equals. Rulers of small kingdoms not incorporated directly into the administrative structure of the Assyrian empire entered into *adê*’s with the Assyrian king. Accepting, and sometimes even requesting, subordination to the Assyrian empire in this way could be a double-edged sword, staying Assyrian aggression but provoking unrest at home, as the example of Pađi of Ekron, as known from Sennacherib’s royal inscriptions, illustrates:

13 *ina* UGU KUR URI-*a-a* šá *ul-tú qê-reb* KUR URI *ana* KUR šub-ri-*a in-nab-tú* [^mur]-*sa-a-a* MAN KUR URI *ina muḫ-ḫi iš-pur-u-ma la iš-mu-u qí-bit-su* [a]-*na na-da-ni ul im-gúr ek-ši-iš iš-pur-šú-ma e-tap-pa-lu ze-ra-a-te* [ul]-*tu* KUR šub-ri-*a ina tukul-ti* ^d*aš-šur* EN-*ia ak-šu-du-ma* UN.MEŠ-šú *am-nu-u šal-la-tiš* [aš]-šú *a-de-e na-ša-rim-ma ki-tú u mi-šá-ri iš-ruk-in-ni* DINGIR.MEŠ GAL.MEŠ [*ina*] *muḫ-ḫi* UN.MEŠ šú-*a-tu-nu aš-al ú-ši-iš a-ḫi-iṭ a-bi-ir-ma* [x] *mun-nab-tú* KUR URI-*a-a* 1-*en ul ak-la e-du ul e-zib ana* KUR-šú-*nu ú-ter-šú-nu-ti* (RINAP 4 033 iii 28’–34’).

14 T. Dezsö, Šubria and the Assyrian empire, *AcAnthung* 46, 2006 (33–38), 37, see also K. Radner, Between a Rock and a Hard Place: Mušasir, Kumme, Ukku and Šubria - the Buffer States between Assyria and Urartu, in: S. Kroll, C. Gruber, U. Hellwag, M. Roaf, and P. Zimansky, ed., *Biainili-Urartu: The Proceedings of the Symposium held in Munich 12-14 October 2007*, *AcIr* 51, Leuven 2012 (243–264) 263.

15 LUGAL KUR NIM.MA^{ki} *u* LUGAL KUR *aš-šur*^{ki} *a-ḫa-meš ki-i il-te-nem-^fmu^l-[u] ina a-mat* ^dAMAR.UTU *it-ti a-ḫa-meš is-se-el-mu u a-na* EN.MEŠ *a-de-e šá a-ḫa-meš it-tu-ra* ERÍN.MEŠ KUR *gab-bi ma-la a-na i-sin-na il-li-ku-ni gab-bi a-kan-na tak-te-el* (SAA 18 7 obv. 3–10).

16 M. Waters, *SAAS* 12, 43.

(As for) the officials, nobles, and people of Ekron who threw Padî, their king, the bearer of the *adê* and oath of Assyria, into iron fetters and handed him over to Hezekiah, the Judean, they became afraid for the unspeakable act which they had antagonistically done.¹⁷

Still, if what we might describe as Padî's treaty of subordination was the cause of his troubles at home, it also brought the Assyrian king to his aid, for after besieging Ekron and killing the rebels, Sennacherib declared, "I brought Padî, their king, out from Jerusalem, (re-)installed him on the throne of lordship over them, and imposed the tribute of my overlordship upon him."¹⁸

Details of certain *adê*'s imposed by Assyria onto subordinate kingdoms are also known from the texts of the actual *adê*'s themselves (on the *adê* texts as a group of sources in general, see below). For instance, a damaged *adê* with a ruler whose name is no longer extant (SAA 2 13) forbids that king not only from making peace with an enemy of Assyria but also from sharing military intelligence with him. And not all *adê* with subordinate polities concerned military matters. Esarhaddon's *adê* with Baal of Tyre (SAA 2 5), might be described as a trade agreement, being concerned with commercial matters such as the status of shipwrecked cargo, the ports and roads to which the Phoenician ships have access, and the regulation of the sailors' behavior while in port.

To summarize, in a number of instances, an *adê* seems to function in a way that is quite consistent with our understanding of "treaty" as "A contract between two or more states, relating to peace, truce, alliance, commerce, or other international relation" (see note 9 above). We see that *adê*'s between Assyria and another party of equal standing accompany a marriage of state and concern matters such as the extradition of fugitives and movement across borders. Similarly, *adê*'s between Assyria and rulers of lesser standing involved matters such as the regulation of foreign affairs, military intelligence, and commerce.

However, other times, a translation of *adê* as "treaty" fits uneasily because the parties involved are obviously not representatives of different "states." This uneasy fit is apparent in letters written by the chief scribe of Assyria, Issar-šumu-ereš, such as this one in which he reports to the king on the availability of Assyrian scribes at Calah to enter into an *adê*: "(As for) the scribes, those from Nineveh, Kilizi, and Arba-el can enter the *adê* (since) they have come. (But) those from Libbi-Ali [have] not [come]."¹⁹ Another letter from Issar-šumu-ereš makes it clear that not just the scribes but also a variety of other Assyrian scholars were required to enter into an *adê* on this occasion: "The scribes, the haruspices, the exorcists, the physicians, (and) the augurs, (both) those stationed in the palace (as well as) those living in the city, will enter into the *adê* on day 16 of Nisannu."²⁰

17 ^{lú}GIR.NÍTA.MEŠ ^{lú}NUN.MEŠ ù UN.MEŠ ^{uru}am-qar-ru-na ša ^mpa-di-i LUGAL-šú-nu EN a-di-i ù ma-mit ša KUR aš-šur^{ki} bi-ri-tú AN.BAR id-du-ma a-na ^mha-za-qi-a-ú^{kur} ia-ú-da-a-a id-di-nu-šú nak-riš a-na an-zil-li e-pu-šú ip-lâh lib-ba-šú-un (RINAP 3 004 42–43).

18 ^mpa-di-i LUGAL-šú-nu ul-tu qé-reb ^{uru}ur-sa-li-im-mu ú-še-ša-am-ma i-na ^{gis}GU.ZA be-lu-ti UGU-šú-un ú-še-šib-ma man-da-at-tú be-lu-ti-ia ú-kin še-ru-uš-šú (RINAP 3 004 48).

19 ^{lú}A.BA.MEŠ DUMU.MEŠ ^{uru}NINA¹[^{ki}] ^{uru}kâl-zi-a-[a] ^{uru}arba-il-a-[a] a-na a-de-e e-^rru¹-[bu] it-tal-ku-^rú¹-[ni] ^{uru}ŠA-URU-a-a ^rla¹ [il-lik-ú-ni] (SAA 10 6 obv. 6–11, see LAS 2 3–5 for commentary).

20 [^{lú}]A.BA.MEŠ ^{lú}HAL.MEŠ [^{lú}]MAŠ.MAŠ.MEŠ [^{lú}]A.ZU.MEŠ [^{lú}]da-gil-MUŠEN.MEŠ ^rman¹-za-az É.GAL ^ra¹-šî-ib URU ^{uru}BARÁ UD.16.KÁM ina ŠA a-de-e er-ru-bu (SAA 10 7, obv. 6–14, see LAS 2 5–6 for commentary).

And not just court scholars but any and all Assyrians including members of the royal family could enter into an *adê*. For instance, following the death of Esarhaddon, Aššurbanipal's grandmother, Zakutu, established an *adê* with a group of persons headed by two of the king-to-be's older brothers, the crown prince of Babylon Šamaš-šumu-ukin, and another prince, Šamaš-metu-uballit, who had likely been passed over to become third in line to succeed to the throne:

[The *adê*] of Zakutu, the wife of Senna[cherib], [kin]g of Assyria, the mother of Esarhaddon, king of Assyria, with Šamaš-šumu-ukin, his (i.e. Aššurbanipal's) beloved brother, with Šamaš-metu-uballit and the rest of his brothers, with the king's progeny, with the magnates, the governors, the bearded officials, the eunuchs, (and) the courtiers, with the exempt and all those who enter the palace, (and) with the Assyrians, young and old.²¹

Indeed, Aššurbanipal himself states that his father had earlier required the entire populace of Assyria to swear an *adê* to protect his succession to the throne.²² Remarkably, multiple exemplars of this particular *adê* (often called the “Vassal Treaties of Esarhaddon” or “Esarhaddon's Succession Treaty,” and hereafter abbreviated as EST) have come down to us. At least nine exemplars were found at Nimrud in 1955, and as recently as 2009, a new exemplar was discovered at the Assyrian provincial capital of Tell Tayinat, ancient Kullania; three fragments of the *adê* were also found during Walter Andrae's excavations at Aššur in the early 20th century.²³ Independent “city lords” from Assyria's eastern periphery enter into the *adê* in the Nimrud exemplars, while in the Tayinat exemplar, the provincial governor of Kullania and his administration enter into it (the contracting party in the Aššur fragments is unknown).²⁴ The multiple exemplars of EST highlight the inadequacy of the

21 [a-d]e e 'ša' fza-ku-u-te MUNUS.KUR šá m30-P[AB.MEŠ-SU] [MA]N KUR AŠ AMA m^{aš}-šur-PAB-AŠ MAN KUR aš-šur TA* m^dGIŠ.ŠIR-MU-G[I].NA PAB ta-li-me-šú TA* m^dGIŠ.ŠIR-UG₂.GATIL.LA ù re-eh-te PAB.MEŠ-šú TA* NUMUN LUGAL TA* l^uGAL.MEŠ l^uNAM.MEŠ l^uša ziq-ni [L]Ú.SAG.MEŠ l^uGUB-IGI TA* l^uzak'-ke-e ù l^uTU-KUR gab-bu o'(text: u) TA* DUMU.MEŠ KUR aš-šur 'LÚ' [qā]l-lu LÚ dan-'nu'¹ (SAA 2 8 obv. 1–9). On Šamaš-metu-uballit, see E. Weissert, Aššurbāni-apli, I. Assurbanipal's rise in power, PNA 1/1 (160–63), 162.

22 “(Esarhaddon) gathered the people of Assyria, great and small, from the Upper to the Lower Sea. In order to protect my status as crown prince and afterwards the exercising of the kingship of Assyria, he caused them to swear an *adê* sworn by the (great) gods. He made the binding agreements strong” (ú-pah-hir UN.MEŠ KUR AN.ŠÁR^{ki} TUR u GAL ša tam-tim e-li-ti ù šap-lit a-na na-šir DUMU LUGAL-ti-ia ù EGIR-nu LUGAL-tu KUR AN.ŠÁR^{ki} e-pe-še(var. -eš) a-de-e MU DINGIR.MEŠ (var. adds GAL.MEŠ) ú-ša-áš-kir-šú-nu-ti ú-dan-ni-na rik-sa-a-te, BIWA 15–16: 18–22, see also E. Reiner, Your Thwarts in Pieces, Your Mooring Rope Cut: Poetry from Babylonia and Assyria, Michigan Studies in the Humanities 5, Ann Arbor 1985, 18–19.

23 The *editio princeps* of the Nimrud exemplars is D. J. Wiseman, The Vassal-Treaties of Esarhaddon, Iraq 20, 1958 (1–99+plates), see SAA 2 6 for the most recent edition. For the Tayinat exemplar, see J. Lauinger, Esarhaddon's Succession Treaty at Tell Tayinat, JCS 64, 2012 (87–123). For the Aššur fragments, see E. Weidner, Assurbānipal in Assur, AfO 13, 1939–41 (204–18) and E. Frahm, Historische und historisch-literarische Texte, Keilschrifttexte aus Assur literarischen Inhalts 3, WVDOG 121, Wiesbaden 2009, Nos. 70–71.

24 On the designation “city lord” (*bēl āli*), see G. Lanfranchi, Esarhaddon, Assyria, and Media, SAAB 12, 1998 (99–109), 101 n. 7; K. Radner, An Assyrian View on the Medes, in: Continuity of Empire(?): Assyria, Persia, and Media, ed. G. Lanfranchi, M. Roaf, and R. Rollinger, HANE/M 5, Padova 2003

translation of *adê* as “treaty,” for in this case we know that the exact same *adê* was imposed on persons within the state itself as on the rulers of other states.

That a translation “treaty” fails to encompass the semantic range signified by *adê* is of course not a new observation. Attempts to convey a better sense of the word’s range frequently return to the idea that the *adê* is fundamentally an oath, often times with the added nuance that it is a loyalty oath, and that it only obtained an expanded role in international relations secondarily. In fact, in 1959, only one year after the initial publication of the Nimrud exemplars of EST, the first fascicle of AHW appeared, in which *adê* is translated as “Eid” (s.v. *adû* I).²⁵

Certainly there are good reasons for seeing the oath as central to the *adê*. For instance, in letters and inscriptions, *adê* can appear as the direct object of *tamû*, “to swear,” and in apposition with *māmītu*, “oath,”²⁶ the syntax of the *adê*’s themselves is often reminiscent of the construction of oaths in the Assyrian dialect, in which a positive assertion is constructed as a negative conditional clause in the subjunctive mood and a negative assertion, as a positive conditional clause in the subjunctive; and the longest and best-preserved *adê*, EST, contains what is apparently the *verbatim* oath sworn by the subordinate party.²⁷

(37–64), 49; and most recently, K. Radner, Assyria and the Medes, in: The Oxford Handbook of Ancient Iran, ed. D. T. Potts, Oxford/New York 2013 (442–56), 444.

- 25 A few quotes depicting similar positions on the *adê*’s character are included here for illustrative purposes: “Both the *riksu* or *rikiltu* and *adê* texts are sworn documents, but while the oath plays a secondary and supplementary role in the former texts, it plays a primary and paramount role in the latter. This is what we might call a ‘loyalty’ oath in modern parlance. The interpretation which I would like to propose for the *adê* texts in general is that they represent sworn pacts of loyalty imposed by a sovereign party upon one or more subordinate parties” (I. J. Gelb, Review of The Vassal-Treaties of Esarhaddon by D. J. Wiseman, *BiOr* 19, 1962 [159–62] 162); “all ancient treaties are a kind of loyalty oath. This is their distinctive formal characteristic: the obligation is presented as depending on an oath, not on an authoritative decree or an agreement certified by witnesses” (McCarthy, Treaty and Covenant [see above note 6] 118–119); “*adê* bedeutet meiner Ansicht nach nicht Vasallen- oder Staatsvertrag. *adê* sind, genau genommen, kein Vertrag zwischen zwei Parteien, seien sie gleichrangig oder einander untergeordnet. *adê* sind vielmehr ein religiöser Begriff insofern, als sie eine Vereidigung bezeichnen, die vor den Göttern – begleitet von religiösen Handlungen – vorgenommen wird” (Watanabe, Die *adê*-Vereidigung [see above note 1] 24); “Als eigene Urkundenform dürfte daher der Treueid auch nur in ganz besonderen politischen Situationen vorkommen. Wie im folgenden darzulegen sein wird, ist eine solche Situation etwa für die Thronfolgeregelung Asarhaddons zugunsten seines Sohnes Assurbanipal (SAA 2 6) gegeben. Dabei soll unter Heranziehung bislang noch kaum beachteten, einschlägigen heth. Textmaterials insbesondere auch deutlich gemacht werden, daß diese in mehreren Ausfertigungen überlieferte Urkunde, die sowohl in der Präambel wie auch im Kolophon ausdrücklich als *adê* bezeichnet ist, keinen Vertrag, sondern einen Treueid darstellt” (F. Starke, Zur urkundlichen Charakterisierung neuassyrischer Treueide anhand einschlägiger hethitischer Texte des 13. Jh., *ZAR* 1, 1995 [70–82], 73).
- 26 E.g. “the people of Aššur who swore (*itmû*) an *adê*, an oath (*māmītu*) of the great gods, with water and oil to protect my kingship, did not come to their assistance” (UN.MEŠ KUR *aš-šur*^{ki} *ša a-de-e ma-mit* DINGIR.MEŠ GAL.MEŠ *a-na na-šar* LUGAL-ti-ia ina A.MEŠ ù Ì.GIŠ *it-mu-ù ul il-li-ku re-šur-us-sun*, RINAP 4 001 i 50–52).
- 27 SAA 2 4 may offer another example of such a quotation; note especially the switch from 1st person to 2nd person at line obv. 12’, see S. Parpola, Neo-Assyrian Treaties from the Royal Archives of Niniveh, *JCS* 39, 1987 (161–89), 173 (more questionable is SAA 2 13, referenced there as another possible example and cited as “Text 4”). In SAA 2 9, another *adê* in which 1st person verbs appear, the relevant passages may be better understood as “solemn statements” (on which see below) than as the quotation of an oath in light of the curses that immediately follow. In any event, the text likely betrays a “Babyl-

May these gods witness (the following oath): We shall not start a rebellion (or) revolt against Esarhaddon, king of Assyria, our lord, or against Aššurbanipal, the great crown prince designate, or his brothers, sons of the great crown prince designate Aššurbanipal's mother, or the other sons who are the offspring of Esarhaddon, king of Assyria. We shall not form an alliance with his enemy. If we hear of sedition, instigation, the whisper of an evil, malicious, or ugly matter, or some criminal and disloyal speech concerning Aššurbanipal, the great crown prince designate, or his brothers, sons of the great crown prince designate Aššurbanipal's mother, we shall not conceal (it). We shall tell it to Aššurbanipal, the great crown prince designate. As long as we, our sons, and our grandsons live, Aššurbanipal, the great crown prince designate, shall be our king and our lord. We shall not place another king (or) the son of another king over us, our sons, and our grandsons. May all the gods who are named here hold us, our seed, and the seed of our seed accountable.²⁸

The oath is clearly an important part of the *adē*. But at the same time, it is only one part.²⁹ Let us consider the points made above in reverse order. While the actual oath sworn by the contracting party is embedded in EST, at 19 lines in length, this oath represents only 0.02% of the entire text. How do we understand the other 99.8% of the text, or more specifically, the 89% that is taken up with stipulations and curses?

Seemingly not as an oath, for oaths constructed as conditional statements should lack an apodosis, (i.e. should not be followed by a curse), as is precisely the situation with the embedded oath quoted above. But an apodosis is quite clearly present in EST in the form of

nian orientation" because of its dialect, ductus, and the list of deities invoked at the end, see A. K. Grayson, *Akkadian Treaties of the Seventh Century B.C.*, JCS 39, 1987 (127–160), 139. Due to their poor state of preservation, it is unclear whether other extant *adē* included the quotation of an oath.

28 DINGIR.MEŠ *an-nu-te lid-gu-lu šum-ma a-ni-nu ina* UGU ^m*aš-šur-PAP-AŠ* MAN KUR *aš-šur* (EN-*ni*) *u* ^m*aš-šur-DÜ-A* DUMU MAN GAL *šá É UŠ-ti ŠEŠ.MEŠ-šú* DUMU AMA-*šú šá* ^m*aš-šur-DÜ-A* DUMU MAN GAL *šá É UŠ-ti ù re-eh-ti* DUMU.MEŠ *ši-it lib-bi šá* ^m*aš-šur-PAP-AŠ* MAN KUR *aš-šur* EN-*i-ni si-hu bar-tú né-ep-pa-áš-u-ni pi-i-ni* TA* ¹⁰*KÜR-šú ni-ša-kan-u-ni šum-ma mu-šam-hi-šu-u-tú mu-šad-bi-bu-tu li-ih-šu šá a-mat* ^mHUL *la DÜG.GA-tu la ba-ni-tu da-bab sur-ra-a-ti la ki-na-a-te šá ina* UGU ^m*aš-šur-DÜ-A* DUMU MAN GAL-*u šá É UŠ-te ù ŠEŠ.MEŠ-šú* DUMU AMA-*šú šá* ^m*aš-šur-DÜ-A* DUMU MAN GAL *šá É UŠ-ti ni-šam-mu-u-ni nu-pa-za-ru-u-ni a-na* ^m*aš-šur-DÜ-A* DUMU MAN GAL *šá É UŠ-ti bé-li-ni la ni-qa-bu-u-ni u₄-mu am-mar a-ni-nu* DUMU.MEŠ-*ni* DUMU.DUMU.MEŠ-*ni bal-ta-a-ni-ni* ^m*aš-šur-DÜ-A* DUMU MAN GAL *šá É UŠ-ti la* LUGAL-*ni-ni la* EN-*ni-ni šum-ma* LUGAL MAN-*ma* DUMU LUGAL MAN-*ma ina* UGU-*hi-ni* DUMU.MEŠ-*ni* DUMU.DUMU.MEŠ-*ni ni-ša-kan-u-ni* DINGIR.MEŠ *ma-la* MU-*šú-nu zak-ru ina* ŠU¹¹-*i-ni* NUMUN-*[i]-ni* NUMUN.NUMUN-*i-ni lu-ba-²i-ú* (SAA 2 6 494–512)

29 Cf. also some other objections to the *adē* as “(loyalty) oath,” e.g., “the word *adē* covers a much broader semantic field than just ‘loyalty oath and is best taken as a general term for any solemn, binding agreement. ‘Covenant’ would probably be the closest equivalent in English, but ‘treaty,’ ‘pact,’ and even ‘loyalty oath’ are equally acceptable, depending on the context. Regarding the latter, it must be kept in mind, though, that *adē*, as such, does not mean ‘oath’ or even ‘sworn agreement’” (Parpola, *Neo-Assyrian Treaties* [see above note 27] 182); “it is a mistake to approach the *adē* texts from the narrow viewpoint of ‘loyalty oaths.’ Basically, they are all binding political agreements, pacts, or treaties, whose exact nature was determined by the mutual status of the contracting parties” (Parpola and Watanabe, SAA 2, xv).

the Standard Curse section that follows the stipulations.³⁰ Just as significantly, the stipulations are in the 2nd person plural and so cannot be an oath taken by the subordinate party, since that is elsewhere in the 1st person! In this regard, Parpola and Watanabe have demonstrated convincingly that “a subjunctive expression like (*šumma*) *la taqabbûni* ‘you shall say’ was functionally more or less equivalent to indicative *taqabbi* ‘you will say’, the only difference being – as in English – that the former was more solemn and binding than the latter.”³¹

Again, I do not mean to minimize the importance of the oath to the *adê* by raising these points, for its importance is beyond doubt. For instance, in SAA 2 6, the quoted oath, though brief in length, occurs at a pivotal point in the text, almost exactly three-quarters of the way through the text, immediately after the Standard Curse Section and immediately before the Ceremonial Curse Section. In fact, some of the *adê*’s stipulations explicitly concern the oath.³² I simply want to emphasize that the act of swearing an oath was one element of the larger practice of establishing an *adê*. Because of its importance, the oath could stand by synecdoche for that practice, but in principle, *adê* is not synonymous with “oath.” For the remainder of this article, I would like to attempt a different picture of the *adê* that I hope will describe the practice more fully.

30 So already R. Frankena, *The Vassal Treaties of Esarhaddon and the Dating of Deuteronomy*, OtSt 14, 1965 (122–54), 125: “The grammatical structure of the text is interesting: the whole text has to be regarded as consisting of only one sentence construed in the form of a conditional construction, of which the protasis ends in l. 413 and the apodosis begins in l. 414. In their translations Wiseman and McCarthy do no justice to this particularity of the text; they take the protasis as a long sequence of oaths and McCarthy goes even so far as to raise objections against the CAD, which translates a similar construction from ABL 1239 as a simple conditional construction, whereas, in his opinion, the vassal-treaties of Esarhaddon would prove that the clauses were to be translated as oaths. He is of course right in pretending that *šumma lā* denotes the affirmative and *šumma* the negative oath in Accadian, but he does not take into account that these oath-sentences are conditional sentences without an apodosis.” As I understand the majority of *šumma*-clauses to be “solemn statements” (see below), I understand the protasis to be restricted to lines 397–413. This interpretation follows the translation of SAA 2 6, where the relevant lines are translated as conditional sentences, so also M. Krebernik, *M. Weinfelds Deuteronomiumskommentar aus assyriologischer Sicht*, in: *Bundesdokument und Gesetz: Studien zum Deuteronomium*. Herders Biblische Studien/Herder’s Biblical Studies 4, ed. G. Braulik, Freiburg/Basel/Wien/Barcelona/Rom/New York 1995 (27–36), 29. Note especially that positive statements are not negated with *lā* in these lines. On the interpretation of the *šumma*-sentences, cf. H. U. Steyrmans, *Deuteronomium 28 und die adê zur Thronfolgeregelung Asarhaddons: Segen und Fluch im Alten Orient und Israel*, OBO 154, Freiburg, Schweiz/Göttingen, 34–37 and Streck, *Die Flüche* (see n. 1) 187–90, citing previous scholarship. The other extant *adê* that are well-enough preserved for comment also contain apodoses in the form of curses, with the exception of SAA 2 8, which is likely an excerpt taken from a longer text or a preliminary draft (see n. 35 below).

31 S. Parpola and K. Watanabe, SAA 2, xl. As evidenced by comparing the different manuscripts of SAA 2 6, where one finds e.g. in line 301 the variant *la ta-šá-ka-na* (text 36) for the expected form *ta-šá-kan-a-ni* (text 35 +), see S. Parpola and K. Watanabe, SAA 2, xl for examples of this phenomenon as well as “[s]imilar variation between other functionally equivalent expressions.”

32 E.g. “As you stand at the place of this oath, you shall not swear the oath with your mouth only. You shall swear it wholeheartedly. You shall teach (it) to your sons who are born after the *adê*” (*šum-ma at-tu-nu ki-i ina kaq-qar ta-mi-ti an-ni-tu ta-za-za-a-ni ta-mi-tu ša da-bab-ti šap-ti ta-tam-ma-a-ni ina gumur-ti ŠÀ-ku-nu la ta-ta-ma-a-ni a-na DUMU.MEŠ-ku-nu ša EGIR a-de-e ib-ba-áš-šú-u-ni la tu-šal-mad-a-ni*, SAA 2 6 385–388).

To do so, I will focus on one *adê*, EST, because, as mentioned above, it has come down to us in multiple exemplars, and this fortunate event allows us to confirm that both vassal rulers and Assyrian administrators entered into the exact same *adê*. From a methodological point-of-view, this fact is quite helpful because it gives us some justification for considering any conclusions we reach about the nature of EST to be applicable to other *adê*'s whether they involve the rulers of subordinate polities or various officials in the Neo-Assyrian empire.

Another reason to focus on EST is that, uniquely, each extant manuscript is a *tuppi adê*, that is, an “*adê*-tablet,” the Neo-Assyrian term used to describe the actual objects on which the agreement was officially inscribed, as opposed to the other known tablets inscribed with *adê*'s. Those other tablets were mostly found at Nineveh and are chancery copies of *tuppi adê* that are no longer preserved.³³ Some of these chancery copies are multi-column tablets that originally contained the entire text of the *adê*;³⁴ others are written on small single column tablets and may preserve only excerpts from no-longer extant *adê*'s.³⁵ None show the two defining features of a *tuppi adê*: Rotation along the vertical axis, unlike normal cuneiform tablets, which need to be rotated along the horizontal axis in order for a reader to move from the obverse to the reverse; and impressions made by three different seals of the god Aššur: One, a relatively small seal that dates back to the Old

33 Although it does not preserve the word *adê*, Šamši-Adad V's agreement with the Babylonian king Marduk-zakir-šumi (SAA 2 1) seems to be an official inscription as well. However, this inscription was most likely written in Babylonia and sent to Assyria. It displays the Babylonian dialect, ductus, and an abridged version of a sequence of curses found in the Code of Hammurabi, see R. Borger, Marduk-zākir-šumi I. und der Kodex Ḥammurapi, OrNS 34, 1965 (168–69). Perhaps most tellingly, the text is carved into stone. As discussed in detail below, an Assyrian *tuppi adê* needed to be written in clay in order that it could be sealed with the seals of Aššur.

34 E.g. SAA 2 5, which ends with a descriptive label that specifies the *adê* has been concluded, the name of the contracting party, and perhaps the time or place of its conclusion: “Tablet of an *adê* that was established. Made by (lit. that of) Baal, the Ty[rian]. In/when [...]” (*tup-pi a-d[e]-e kun-nu šá^mba-a-lu^{kur} šu[r-ra-a-a] ina [...]*, SAA 2 5 iv 20'–21'). The word *kunnu* should not be a Babylonian verbal adjective as it does not agree with *adê* and makes little sense if it modifies *tuppi*. I analyze it as a Babylonian stative in the subjunctive mood as part of an asyndetic relative construction. For the Babylonian dialect in SAA 2 5, see, e.g., the precativ forms *lišēšibkunu* and *liza'iza* in the immediately preceding line (iv 19').

35 E.g. SAA 2 8, the *adê* imposed by the dowager queen Zakutu which does not conclude with a series of curses as usual but ends on a stipulation. Note also the restricted nature of the stipulations: If we take *nabalkattu* in line obv. 13 as an accusative of respect (cf. CAD S s.v. *salā'u* B v. usage a-2' (“whoever (among you) who makes up and spreads untruths and seditious lies.”) and K. Hecker, Der Loyalitätsvertrag der Zakūtu, TUAT NF 2, 92 (“Wer von euch ... lügnerisch ausübt”), the stipulations only concern traitorous speech, with no prohibition against actually harming Aššurbanipal! Given the many errors and omissions in the text as well as the absence of any descriptive label of the sort found in the *adê* of Baal of Tyre as described in note 34 above (the tablet ends with two blank lines), one wonders whether the text of the Zakutu *adê* as we know it might not be a preparatory draft for a longer *adê* rather than an excerpt from one, see already Parpola, International Law, (see above note 1) 1047 n. 3: “The corpus includes several short one-column tablets, two of which (nos. 8 and 10) are probably drafts and two (nos. 3 and 12), excerpt tablets.” See also Frahm, Historische und historisch-literarische Texte see above note 23) 133 for SAA 2 3 as “eine Kurzfassung oder einen Auszug der Loyalitätseide Sanheribs.”

Assyrian period; the second, a seal which may date to the reign of Tiglath-pileser III; and the third, a seal from the time of Esarhaddon's father, Sennacherib.³⁶

These seal impressions are not simply decoration or a statement about Assyria's long uninterrupted history. The Seal of Sennacherib, in particular, bears a lengthy inscription that identifies it as the:

Seal of Destinies with [which] Aššur, king of the gods, seals the destinies of the Igigi and Annunaki of heaven and earth and of man[kind]. Do not change whatever he seals! As for he who changes (it), may Aššur, king of the gods, (and) Mullissu together with their sons slay him with their mighty weapons. I am Sennacherib, king of [Assyria], the prince who reveres you. He who erases (my) written name or alters this, your Seal of Destinies – erase his name and his seed from the land!³⁷

In other words, this seal was the realization on earth of the supreme god Aššur's Seal of Destinies, which he used to seal the Tablet of Destinies. As both Watanabe and George have pointed out, the myth *Enūma eliš* mentions that the Tablet of Destinies had a Seal:

And Qingu who had become great among them
He (Marduk) captured him and counted him among the dead gods
He took from him the Tablet of Destinies that did not befit him
He sealed it with the Seal and clutched it to his chest.³⁸

George cites this passage in an article in which he publishes a tablet that bears the copy of an epigraph. Seemingly, the epigraph originally accompanied a relief that depicted Aššur with the Tablet of Destinies. According to the epigraph, the Tablet of Destinies bears an image in which the Assyrian king Sennacherib stands before Aššur, and George remarks that “[t]he obvious way for a picture to be transposed on to a cuneiform tablet is by means of a seal, and it is suggested that the image of Assur on the Tablet of Destinies be understood as a seal impression.”³⁹ George marshals two pieces of evidence in support of this suggestion. First, he notes that the Sumerian ceremonial name and corresponding Akkadian

36 On these features of the *tuppi adê*, see already K. Watanabe, Die Siegelung der ‘Vassallenverträge Asarhaddons’ durch den Gott Aššur, BaM 16, 1985 (377–92); K. Watanabe, Die Anordnung der Kolonnen der VTE-Tafeln, ASJ 10, 1988 (265–66); Radner, Assyrische *tuppi adê* (see above note 1) 367. For the date of the second seal, see U. Moortgat-Correns, Zur Abrollung C auf den Vasallenverträgen Asarhaddons aus dem Jahre 672 zu Nimrud, SMEA 35, 1995 (151–71).

37 NA₄.KIŠIB.NAM.MEŠ [šá] AN.ŠÁR.MAN.DINGIR.MEŠ.NAM.MEŠ ^di-gi-gi ^da-nun-na-ki AN-e KI.TIM u LÚ-[u-ti] ina ŠĀ-bi i-kan-na-ku mim-mu-u i-kan-na-ku-ú la in-ni šá in-nu-u AN.ŠÁR.MAN.DINGIR.MEŠ ^dNIN.LÍL a-di DUMU.MEŠ-šú-nu ina ^gIS.TUKUL.MEŠ-šú-nu dan-nu-[u] li-ni-ru-šú a-na-ku ^{md}30-PAB.MEŠ-SU.MAN.KUR [Aššur]^{ki} NUN pa-lih-ka šá MU [šat]-ru i-pa-áš-ši-tu NA₄.KIŠIB.NAM.MEŠ-ka an-nu-u ú-nak-ka-ru MU-šú NUMUN-šú ina KUR pi-šit, see Wiseman, The Vassal-Treaties (see above note 23) 16. The inscription of the Old Assyrian seal reads ša ^da-šūr ša É a-lim^{ki}, “(Property) of Aššur. (Property) of City Hall,” see Larsen, City State, 214 n. 72. The inscription of the third seal is largely illegible, see Moortgat-Correns, Zur Abrollung C (see above note 36) 154.

38 ^ud qin-gu šá ir-tab-bu-u i-na bi-ri-šu-un / ik-mi-šu-ma it-ti ^dUG₅.GA-e šu-a-ta¹ im-ni-šu / i-kim-šu-ma DUB.NAM.MEŠ la si-ma-ti-šu / i-na ki-šib-bi ik-nu-kám-ma ir-tuš it-muh (*En.el.* IV 119–122, cited by Watanabe, Die Siegelung (see above note 36) 382 and A. R. George, Sennacherib and the Tablet of Destinies, Iraq 48, 1986 (133–46), 139.

39 George, Sennacherib (see above note 38) 139.

translation of the City Hall of Aššur is given in the so-called *Götteradressbuch* as “Where the Tablet of Destinies is put (and) the secret is sealed.”⁴⁰

Second, George turns to the exemplars of EST, which were sealed by the Seal of Destinies. The impression of this seal also depicts Sennacherib standing before Aššur and its inscription, in George’s words

explicitly reveals the function of the Seal of Destinies to have been the sealing by Aššur of both human and divine destinies, as irrevocably decreed by him in his position as king of the gods. There can be little doubt that the document ratified by Assur’s sealing is, on the mythological plane, the Tablet of Destinies.⁴¹

The act of sealing the *tuppi adê* was transformative. The exemplars of EST became Tablets of Destinies upon being sealed with the Seal of Destinies, and the stipulations inscribed on them were consequently transformed from mundane directives into the actual destinies of the various persons whose names or positions were written on the *tuppi adê*.

We can flesh out a larger context for this transformation if we return to *Enūma eliš*. As is well known, the myth is closely associated with *akītu*-ceremonies, especially the New Year’s *akītu*-ceremony at Babylon.⁴² In particular, it is clear from reconstructions of this ceremony that “two events on the 8th and 11th [days] ... seem to have developed into symbolic representations of the two divine assemblies described respectively in the 3rd and 4th, and 6th tablets of the Epic,”⁴³ namely the initial decree of Marduk’s destiny by the assembly of gods before his confrontation with Tiamat and that same body’s second decree of his destiny following Tiamat’s defeat and the construction of the Esagila.⁴⁴ At Babylon, the

40 e.ki.gar.dub.nam.tar.e.dè.kisib.gur?.sag.dil! = *a-šar šak-nu* DUB.NAM.MEŠ *pi-riš-tú kan-kát* = É URU (B. Menzel, *Assyrische Tempel 2*, St.P. s.m., Rome 1981, No. 64: 159, cited by George, Sennacherib (see above note 38) 140, see now A. R. George, OLA 40, 178–79 and A. R. George, *Studies in Cultic Topography and Ideology*, BiOr 53, 1996 (364–95) 391–92 for the reading of the lines after collation.

41 George, Sennacherib (see above note 38) 141.

42 “It must first be observed that although the word [*akītu*] certainly describes a particular kind of festival, there are various indications that the ceremony was not restricted to any one time of year, and that the king at least could initiate it at any time as he desired. We shall accordingly speak of ‘an *akītu* ceremony’ rather than ‘the *akītu* festival’” (J. N. Postgate, *The bit akitu in Assyrian Nabu Temples*, Sumer 30, 1974 [51–74] 60–61, see also B. Pongratz-Leisten, *The Interplay of Military Strategy and Cultic Practice in Assyrian Politics*, in: *Assyria 1995*, [245–52].).

43 J. A. Black, *The New Year’s Ceremonies in Ancient Babylon: ‘Taking Bel by the Hand’ and a Cultic Picnic*, Religion 11, 1981 (39–59), 50, see also B. Pongratz-Leisten, *Ina šulmi ṛrub*: Die kulttopographische und ideologische Programmatik der *akītu*-Prozession in Babylonien und Assyrien im I. Jahrtausend v. Chr., BaFo 6, Mainz am Rhein, 1994, 64.

44 “All of the great gods who decree [destinies] / entered and were filled with [joy] before Anšar ... They decreed a des[tiny] for Marduk, their avenger” (DINGIR.DINGIR GAL.GAL *ka-li-šú-nu mu-ši-mu* [NAM.MEŠ] / *i-ru-bu-ma mut-ti-iš* AN.ŠĀR *im-lu-u [hi-du-ta]* ... *a-na*^dAMAR.UTU *mu-tir gi-mil-li-šú-nu i-ši-mu šim-[ta]*, *En.el.* (SAACT 4) III 130–31 and 138, cf. IV 1–24); “The great gods gathered and / raised high the destiny of Marduk while prostrating themselves. / They invoked a curse upon themselves, / swore (an oath) by water and oil, (and) ‘touched throats.’ / They gave to him the power to exercise the kingship of the gods. / They confirmed him for the lordship of the gods of heaven and earth” (*ip-hu-ru-nim-ma* DINGIR.DINGIR GAL.GAL / *ši-mat*^dAMAR.UTU *ul-lu-ú šu-nu uš-kin-nu / ú-zak-ki-ru-ma a-na ra-ma-ni-šú-nu a-ra-ru / ina* A.MEŠ ù Ì.GIŠ *it-mu-ú ú-lap-pi-tu nap-šá-a-ti / id-di-nu-šum-ma šar-ru-ut* DINGIR.DINGIR *e-pe-šá / a-na be-lu-ut* DINGIR.DINGIR *šá* AN-e u KI.TIM *šu-nu uk-tin-nu-šu*, *En.el.* (SAACT 4) VI 95–100).

ritual events of the 8th and 11th days involved bringing Marduk's statue to the *parak šīmāti*, "the Shrine of Destinies," where the destinies of the king and of the land were decreed.⁴⁵

Since a *tuppi adē* was quite literally a Tablet of Destinies, might the establishment of an *adē* have been connected to the decreeing of destinies that occurred during an *akītu*-ceremony? Some evidence suggests such was the case. The Nimrud exemplars of EST were found in the Throne Room of Nabu's temple, the Ezida,⁴⁶ and this room formed part of a complex of rooms known as the *bīt akītu*, "the *akītu* house," where the *akītu*-ceremony of Nabu and Tašmetu was performed at Nimrud.⁴⁷ Indeed, Oates has suggest that stone "tram-lines" found leading up to the dais (the *parak šīmāti*?) in the throne room were actually used to transport Nabu's statue during the ceremony.⁴⁸ Significantly, the *akītu*-ceremony of Nabu and Tašmetu occurred during the fourth and eleventh days of Ayyaru,⁴⁹ the same

45 Black, *The New Year's Ceremonies* (see above note 43) 46 and 48. As for the form of the decree, Black observes (p. 46), "What exactly this involved we cannot know. Maybe oracles and omens for the coming year were published: Babylonian omens were characteristically interpreted as concerning the king directly. Maybe it was a general affirmation of the king's authority."

46 The exemplars were found broken into over 300 fragments, together with fragments of ivory inlay that originally decorated the throne, and covered in ash from the burning of the temple. A line of thought holds that the Nimrud exemplars of EST were originally stored in the tablet room of the temple (room NT 12) and were brought into the Throne Room and smashed by the Medes when they conquered Nimrud, see, e.g. M. E. L. Mallowan *apud* Wiseman, *The Vassal-Treaties* (see above note 23) i; M. Liverani, *The Medes at Esarhaddon's Court*, JCS 47, 1995 (57–62), 62; B. Porter, *Noseless at Nimrud: More Figurative Responses to Assyrian Domination*, in: *Of God(s), Trees, Kings, and Scholars: Neo-Assyrian and Related Studies in Honour of Simo Parpola*, ed. M. Luukko, S. Svärd, and R. Mattila, StOr 106, Helsinki 2009 (201–220), 219; and most recently J. Scurlock, *Getting Smashed at the Victory Celebration, or What Happened to Esarhaddon's So-Called Vassal Treaties and Why*, in: *Iconoclasm and Text: Destruction in the Ancient Near East and Beyond*, ed. N. N. May (ed.), Oriental Institute Seminars 8, Chicago 2012 (175–186). Scurlock considers that the exemplars of EST found at Nimrud were originally deposited in Media and were brought by the Medes to Nimrud in order to be smashed in the Throne Room of the Ezida, because "[d]amaging or destroying the tablets was supposed to break the communication chain or turn the curses into harmless wraiths or both" (p. 182). In proposing this scenario, Scurlock does not account for the fragments of EST known from Aššur. Perhaps these belonged to a *tuppi adē* documenting the *adē* into which Nabopolassar presumably entered? Other scholars have considered the Nimrud exemplars to have been kept at their find spot, e.g. Radner, *Assyrische tuppi adē* (see above note 1) 369. Recently, Jennifer Swerida has emphasized to me (personal communication) that, although the EST fragments are often described as being found mixed together with the ivory fragments, they were actually found in layer 7, grey ash in the west end of the throne room, beneath which were found the ivory fragments and thick black ash (layer 8) and above which was found the mud-brick of collapsed architecture (layer 6), see M. E. L. Mallowan, *Nimrud and Its Remains*, Vol. 1, London 1966, 243 figure 204. She suggests an alternate scenario wherein the exemplars of EST were suspended above the throne dais and fell after fire consumed the objects at floor level (layer 8), at which time the tablets broke and were covered in the grey settling ash (layer 7), before in turn being covered by the collapsing mud brick (layer 6). This scenario fits well with the archaeological context of the Tayinat exemplar of EST, on which see below.

47 Postgate, *The bit akitu* (see above note 42), see also Oates, *Nimrud*, 119–23, and Radner, *Assyrische tuppi adē* (see above note 1) 368. On the importance of Nabu in the *akītu*-ceremony at Babylon, see Black, *The New Year's Ceremonies* (see above note 43) 55–56.

48 Mallowan, *Nimrud* (see above note 46) 240, cf. D. Oates, *Ezida: The Temple of Nabu*, Iraq 19, 1957 (26–39) 34–36.

49 Postgate, *The bit akitu* (see above note 42) 57–59.

month to which all extant colophons of EST are dated,⁵⁰ and Pongratz-Leisten has argued on the basis of later Babylonian evidence that the Throne Room was actually the location of the crown prince's investiture.⁵¹ Indeed, the fragmentary *adê* known as "Sennacherib's Succession Treaty" (SAA 2 3) actually mentions the *akītu*-house in a poorly preserved passage.⁵² A wealth of circumstantial evidence – the *tuppi adê*'s transformation into a Tablet of Destinies; the important role that decreeing destinies plays in the ritual program of the *akītu*-ceremony; and the material and textual associations of EST and other *adê*'s with that ceremony – converges, then, to suggest that the exemplars of EST were used in an *akītu*-ceremony that took place in the Ezida.

Some insight into the method of such use may come from the so-called "Covenant of Aššur" (SAA 9 3), a pastiche of oracles together with instructions for or a description of ritual events possibly in connection with Esarhaddon's coronation.⁵³ "This *tuppi adê* of Aššur enters before the king on a *cushion*. Fragrant oil is sprinkled about, sacrifices are performed, incense is burnt, (and the tablet) is read aloud before the king."⁵⁴ In this passage, the detail that the *adê* is read aloud seems particularly significant, for as Lawson observes in his study of representations of the Tablet of Destinies in the mythology of the

50 Among the Nimrud exemplars, dates are preserved on three fragments: 36 C dates to the 16th day while 54 D and 54 F date to the 18th day. A date is also preserved on the Tayinat exemplar, but unfortunately the day is damaged. It dates from the 16th to the 19th.

51 Pongratz-Leisten, *Ina šulmi īrub* (see above note 43) 104–05, see also George, *Studies in Cultic Topography* (see above note 40) 378–86.

52 SAA 2 3 rev. 8'. The context is a curse, and Parpola and Watanabe restore in line obv. 11' "[the gods of the *akītu*-house]" as the subject of an earlier curse, see already Parpola, *Neo-Assyrian Treaties* (see above note 27) 178–79. Parpola notes, "[t]he highly distinctive sequence of gods that appears in the curse sections of the text is otherwise known only from texts relating to Sennacherib's work on the Akitu Chapel of Assur," so that "[t]he fact that the Akitu Chapel is actually mentioned in line 8 of the text may indicate that the treaty ceremonies were synchronized with the celebration of the New Year's festival" (p. 164).

53 Cf., "Er besteht im wesentlichen aus Ritualanweisungen, die angeben, wie die Tafel dem König zur Kenntnis zu bringen ist," Weippert, *Assyrische Prophetie* (see above note 1) 17. On the date of SAA 9 3, see S. Parpola, SAA 9, lxx.

54 *tup-pi a-de-e an-ni-u šá^d aš-šur ina UGU ha-'u-u-ti ina IGI LUGAL e-rab Ì DÙG.GA i-za-ar-ri-qu UDU.SISKUR.MEŠ ep-pu-šú ŠIM.ĤÁ il-lu-ku ina IGI LUGAL i-sa-as-si-u* (SAA 9 3 ii 27–32). I follow B. Pongratz-Leisten, SAAS 10, 80 in understanding the phrase *tuppi adê anni'u ša Aššur* with a meaning "wie in anderen Fällen auch, als '*adê* (geschworen) bei Assur' ... und nicht als *adê* = 'Bund des Assur (mit dem König)'. Gestützt wird diese Interpretation durch die häufig gebrauchte Apposition: *mamūt ša GN* oder *nīš ilāni* 'Eid, Treueid bei den Göttern'," see also M. de Jong, *Isaiah among the Ancient Near Eastern Prophets: A Comparative Study of the Earliest Stages of the Isaiah Tradition and the Neo-Assyrian Prophets*, VTSup 117, Leiden/Boston, 2007 411 n. 211. De Jong (p. 411) understands the demonstrative *anni'u* that qualifies *tuppi adê* to describe the preceding text (i.e. SAA 9 3 i 1–ii 26). However, those lines are not the text of an *adê* but, in his own words, "reworkings of oracles that previously had been orally delivered and reported, and afterwards were inserted in an elaborate form into a new context." This same process explains the unexpected presence of the demonstrative before *tuppi adê* as well: The demonstrative lost its original referent on being excerpted. The *tuppi adê* in question may be the *adê* established by Esarhaddon's father concerning Esarhaddon's succession or a later *adê* that Esarhaddon himself established just before his accession, both of which are known from chancery copies at Nineveh (SAA 2 3 and 4 and the former from Esarhaddon's own inscriptions as well; for the dating of SAA 2 4 to "shortly before Esarhaddon's accession," see S. Parpola and K. Watanabe, SAA 2, xxviii). On *ha'ūtu* as cushion, see M. Nissinen, *Prophets and Prophecy*, 121 note k.

first millennium, “[t]exts in which the Tablet is used in an active way seem to indicate that it must be ‘activated’ by verbal command.”⁵⁵

As *akītu*-ceremonies were typically performed annually, the exemplars of EST may have continued to be used in rituals long after the various contracting parties initially entered into the *adê*. We can find some support for this suggestion if we consider the different locations in which the exemplars of EST have been discovered. Radner emphasized the importance of this approach even before the discovery of the Tayinat exemplar, asking why the exemplars with the *adê* of the Median city lords – and only those exemplars – were found at Nimrud while another fragment was found at Aššur.⁵⁶ Now with the discovery of an exemplar of EST outside of Assyria in a temple at the provincial capital Tell Tayinat, the question becomes even more focused: Why were some of exemplars of EST kept in Assyria while others were sent out to the provinces?⁵⁷

Radner refers to an argument put forward by Steymans in this regard, namely that the governing factor that determined the place of deposition for the Nimrud exemplars of EST was Nimrud’s importance as a collection center for horses, since horses were the prized tribute from Assyria’s eastern vassals.⁵⁸ Stepping back, she remarks, “Damit sieht er die Person des Vereidigten als entscheidend für den Aufbewahrungsort der Tafel an,” before noting that, unfortunately, the small fragment of EST from Aššur cannot test this hypothesis because no indication remains of who entered into the *adê* of that exemplar.⁵⁹ Fortunately, the discovery of the new exemplar at the Assyrian provincial capital of Tell Tayinat does preserve this crucial datum, and it is fully in accordance with the predictions of Steymans’ hypothesis. If the governing principle that determined the location at which an exemplar of EST was deposited was the location to which the subordinate party delivered tribute, then

55 J. N. Lawson, *The Concept of Fate in Ancient Mesopotamia of the First Millennium: Toward an Understanding of Šimtu*, *Orientalia Biblica et Christiana* 7, Wiesbaden 1994, 130.

56 “Warum aber wurden gerade jene acht Vereidigungstafeln gefunden, und dann gerade im Nabû-Heiligtum von Kalhu – und nicht in Assur, Ninive oder auch Dūr-Sarruken? ... Es muß nun an dieser Stelle darauf hingewiesen werden, daß auch aus Assur ein kleines Fragment eines Paralleltextes zu den Nimruder Exemplaren bekannt ist,” Radner, *Assyrische tuppī adê* [see above note 1] 370–71). For the two additional fragments from Aššur that have since been published, see note 23.

57 I do not think that we should consider there to have been two sealed *tuppī adê* for each person or group entering into the *adê*, one of which was kept in Assyria and the other given to the oath-taker, as suggested, e.g. by H. U. Steymans, *Die neuassyrische Vertragshetorik der “Vassal Treaties of Esarhaddon” und das Deuteronomium*, in: *Das Deuteronomium*, ed. G. Braulik, ÖBS 23, Frankfurt am Main/Berlin/Bern/Bruxlles/New York/Oxford/Wien 2003 (89–152), 97. The reality of a *tuppī adê* as Tablet of Destinies on which the oath-takers’ very destinies were inscribed implies that only one tablet should exist for each group of oath-takers.

58 Radner, *Assyrische tuppī adê* (see above note 1) 372. The reference is to Steymans, *Die neuassyrische Vertragshetorik* (see above note 57) 96, where after discussing the evidence, Steymans concludes, “Die Fürsten des Ostens lieferten vor allem Pferde als Tribut. Kalhu und sein Nabû Tempel war die zentrale Musterungsstelle für Pferde in Assyrien. Es hat also einen konkreten Grund, warum die *adê* der Fürsten aus den Ländern im und jenseits des Zagros im Nabû Tempel von Kalhu gefunden wurden.” See also H. U. Steymans, *Asarhaddon und die Fürsten im Osten: Der gesellschaftspolitische Hintergrund seiner Thronfolgeregelung*, in: *WOO* 3 (61–85), 67–69. But on this suggestion cf. now Fales, *After Tayyinat* (see above note 1) 152 n. 115. See also Steymans, *Deuteronomy 28* (see above note 1) for the suggestion that the tablets “may have been kept in Calhu and not been given to them, because they [the Medes] lived in tents and had no temple buildings.”

59 Radner, *Assyrische tuppī adê* (see above note 1) 372–73.

we would expect the Tayinat exemplar to be deposited at the provincial capital and not in the Assyrian heartland, for it was the governor, ultimately, who collected taxes and levied persons within the province for military and labor service.

The exemplars of EST may have been deposited at the different places to which tribute was brought into the empire because the tablets continued to be used in an annual *akītu*-ceremony in which the subordinate party's destiny was reaffirmed and which coincided with the annual delivery of tribute long after the *adê* was initially established in 672 BC. Again, several threads of circumstantial evidence converge encouragingly on this point. Most striking is the find spot and physical characteristics of the Tayinat exemplar, which allow one to deduce that the tablet was displayed upright in the inner sanctum of a temple directly across from the altar.⁶⁰ How long the tablet was displayed in this manner is unclear because the date of the Tayinat temple's destruction is unknown, but the Nimrud exemplars were preserved for more than 50 years after their composition, and their find spot within the "akītu-house" complex in the Ezida is suggestive in this regard.⁶¹ Equally suggestive is the subject matter of the ivory inlays with which the Nimrud exemplars were found, as these inlays depict the delivery of tribute.⁶² Finally, in two intriguing passages of EST, the contracting parties are ordered to speak of the *adê* as one which Esarhaddon "wrote" (*issatar*) and "established" (*issakan*) in the perfect tense but which the king "causes them to swear" (*utammanāši*) in the present tense, signifying that the tablets continued to play a ritual role after their creation.⁶³

The scenarios I suggest here – first, that the *tuppi adê* was initially used in an *akītu*-ceremony that established the stipulations inscribed on it as the subordinate party's destiny; and second, that the *tuppi adê* continued to be used in an annual *akītu*-ceremony that coincided with the subordinate party's delivery of tribute to Assyria – must remain speculative due to the fragmentary and scattered nature of the evidence from which they are reconstructed. But the scenarios allow me to return at last to a stated aim of this article and attempt a fuller picture of the *adê* that acknowledges the importance of the oath to this practice without seeing the two as synonymous. In line with the scenarios outlined above, I describe the *adê* as a duty or obligatory behavior that was transformed and projected into

60 J. Lauinger, Some Preliminary Thoughts on the Tablet Collection in Building XVI from Tell Tayinat, JCSMS 6, 2011 (5–14), 12, and T. P. Harrison and J. F. Osborne, Building XVI and the Neo-Assyrian Sacred Precinct at Tell Tayinat, JCS 64, 2012 (125–43), 137.

61 The find spot is significant whether the tablets were actually deposited there or brought there by Medes who wished to break them at the site of their earlier oath, see note 46.

62 Mallowan, Nimrud (see above note 46) 248–50, with figures 209–10.

63 "You shall go and tell Aššurbanipal, the great crown prince designate, saying: 'Your father established an *adê* concerning <you> with us, (and) he makes us swear (it)'" (*šum-ma la tal-lak-^fa-ni-ni¹ a-na^m aš-šur-DÛ-A DUMU MAN GAL-u šá É UŠ-te la ta-qab-ba-a-ni ma-a AD-ka a-de-e ina UGU-hi-<ka>[?] is-si-ni is-sa-kan ú-tam-ma-na-a-ši*, SAA 2 6 349-52, see now JCS 64 96 v 5–7); "You shall bring frightful terror into their hearts, saying: 'Your (pl.) father wrote (this) in the *adê*, he established (the *adê*), and he makes us swear (it)'" (*pu-luh-tú NÍG.BA.MEŠ-te ina ŠÀ-^fbi¹-šú-nu la tu-še-rab-a-ni ma-a AD-^fku-nu¹ ina ŠÀ-bi a-de-e is-sa-ṭar is-sa-kan ú-[f]am-ma-na-a-ši*, SAA 2 6 357–59, see now JCS 64 96 v 13–15 with p. 116 for the reading of NÍG.BA.MEŠ). The change from perfect-tense verb to present-tense verb is striking enough that Watanabe, *Die adê-Vereidigung* (see above note 1) 160, who had at her disposal only the Nimrud exemplars in which the verb is poorly preserved, suggested the emendation *uttammināši*, for the perfect tense.

the divine realm so that it became a destiny, and I consider the method of transformation to be twofold: First, the sealing of the *ṭuppi adê* with Aššur's seals that changed an ordinary clay tablet into a Tablet of Destinies; and second, the subordinate party's oath that established such subordination to be his destiny just as the gods' oath established their subordination to Marduk in the passage from *Enūma eliš* quoted above.

Taken from this perspective, Durand's suggestion mentioned at the beginning of this article to connect the word *adê* to the homophonous Akkadian word *adû*, "work assignment, duty" is quite attractive. In the copy of the Sennacherib epigraph discussed above, the Tablet of Destinies is described as the "bond of supreme power," using the same word, *riksu*, that is used in Akkadian texts to designate the agreements between kings that we conventionally translate as "treaties."⁶⁴ Considering that a *ṭuppi adê* was in fact a Tablet of Destinies, it is not a large step from here to imagine how the obligatory behavior signified by *adê* might have become synonymous with *riksu* and its cognates in the Neo-Assyrian period, so that we might translate the Aššurbanipal inscription quoted earlier (see note 22): "He (Esarhaddon) caused them to swear an *adê* sworn by the (great) gods. He strengthened the bonds (of supreme power)."

64 [D]UB.NAM.MEŠ *ri-ki-is^den-lil-ú-[ti]* (Iraq 48 133 Text B line 1).