A Cuneiform Legal Presence in “The Report of Wenamun”?

James Elliott Campbell
University of Toronto

ABSTRACT

This article poses a question concerning the possible source(s) of the appearance, in an eleventh-century-BCE Egyptian narrative, of a legal injunction that, surprisingly, finds its closest written analogue in eighteenth-century Babylonian law. The author attempts to answer that question by postulating that the long process of idea transfer could have been facilitated by the Hurrians, a very culturally influential people often overlooked in general studies and discussions of the ancient Near East. This possible cuneiform legal presence in “The Report of Wenamun” (P. Moscow 120) concerns a Babylonian juridical concept known as šurqa(m) mullû(m), which involves, under particular conditions, the replenishment of the value of stolen goods to a victim of theft through municipal compensation. This concept is found on the law stele of Babylonian ruler Hammurabi, as well as in the laws of the Hurrian-influenced Hittites and the Hurrian-controlled municipality of Nuzi in the northeastern Mesopotamian kingdom of Arrapha. The potential Hurrian influence inside the pharaonic palace of Egypt, through royal marriages in the fifteenth, fourteenth, and thirteenth centuries, will also be discussed.

In piecing together our modern understanding of the ancient Near and Middle East, we must work with both clues given and gaps in the record encountered, which we try to fill in, as far as possible, using pieces of information bequeathed over two centuries through archaeology and the linguistic decipherment and study of what has been preserved to us of ancient texts and records. This process certainly applies to our understanding of the intercultural influences at work in the development of legal concepts in the ancient world. In this article, we shall look at a single idea preserved in ancient Near Eastern cuneiform law, one quite unique among ancient law “codes”: that of the juridical concept of what might be termed municipally or royally guaranteed “theft insurance.” This originally Mesopotamian legal concept shall be discussed, however, in connection with a literary text from Egypt’s early Third Intermediate Period, a work known as “The Report of Wenamun.”

SOME BACKGROUND ON THE WENAMUN PAPYRUS

In 1891, at El-Hiba, roughly 100 km north of Beni Hasan on the eastern bank of the Nile, an Egyptian peasant discovered a jar containing three papyri written in Late Egyptian hieratic. Later the same year, the renowned Russian Egyptologist M. W. Golenischeff of the Hermitage Museum in St. Petersburg bought all three of the papyri from an antiquities dealer in Cairo. One of these texts is the work under consideration here: “The Report of Wenamun,” or Papyrus Moscow 120 (hereafter P. Moscow 120).

In 1897, M. W. Golenischeff (to whom we also owe the discovery of the Middle Egyptian “Tale of the Shipwrecked Sailor” text) initially published a partial hieroglyphic transcription of the Wenamun papyrus in a collection of essays honoring the jubilee of Baron V. de Rosen. The Wenamun papyrus is now housed at the A. S. Pushkin Museum of Fine Arts in Moscow.

This single-copy papyrus has been variously dated to the later reign of Ramesses XI at the end of the Twentieth Dynasty (1186–1069 BCE), the early Twenty-First Dynasty (centered at Tanis, 1069–945 BCE), and the Twenty-Second Dynasty (a Libyan dynasty, also centered at Tanis, 945–715 BCE), in the time designated by historians of ancient Egypt as the Third Intermediate Period (1069–664 BCE).

“The Report of Wenamun” is a fairly unique specimen from the almost three millennia of Egyptian written output. It was composed at a time when the great New Kingdom and Ramesside periods of Egyptian empire had run their courses. Gone is the unitary pharaoh ruling over both Upper and Lower Egypt, and gone are the guaranteed victories and successes found in the Egyptian literature and royal inscriptions of old. Also missing is the long historical reverence among non-Egyptians for the power of Egypt and her envoys. For the Egyptian traveler at the end of empire, it was a whole new world, as Wenamun, the Theban envoy of Amun, finds out.

The protagonist and narrator of this tale is a man named Wenamun, whose official Theban title is smsw hıyṭ, or “Elder of the Portal.” His superior is the High Priest of Amun, a man named Herihor, who founded a dynasty of high priests at Thebes in the early eleventh century. Although in this story Wenamun
also has dealings with another historical figure, Smendes I (or Pharaoh Nes-ba-neb-djed, who founded the Twenty-First Dynasty at Tanis in the Delta), the historical dates of Herihor and Smendes do not coincide, but are subsequent to each other—Herihor (1080–1074 BCE) and Smendes I (1069–1043 BCE). Details such as this, of course, are why the “Report of Wenamun” is now considered a piece of Late Egyptian literature rather than an actual historical “administrative” report, as some scholars originally argued.

Wenamun’s journey begins when the high priest Herihor sends him on a mission to Syro-Phoenicia in order to procure timber from Lebanon for building, repairing, or rebuilding the “Amun-user-hat,” a ceremonial river-going barque for the god Amun. On the day of his arrival in Tanis (royal capital of the Twenty-First and Twenty-Second Dynasties), Wenamun presents to Smendes I and his queen Tent-Amun the “dispatches of Amun-Ra,” which state his mission and the authority to carry it out. Upon receipt of these letters of authority, both the king and queen say: “I will do, I will do as Amun-Ra, king of the gods, our Amun,” which state his mission and the authority to carry it out. Upon receipt of these letters of authority, both the king and queen say: “I will do, I will do as Amun-Ra, king of the gods, our lord has said.” Smendes and Tent-Amun then send Wenamun off to Phoenicia in a ship captained by a man named Mengebet. His first port of call is Dor, a town mentioned in I Chronicles 7:29, south of the renowned city of Tyre, and the future center of the Assyrian province of Dor, to be annexed by the Assyrian king Tiglath-pileser III in 734 BCE. In the period in which the Wenamun story is set, Dor was populated by both the Philistines and the Tjeker, two groups of “Sea Peoples” who had invaded the area in the thirteenth century.

Upon his arrival in this port town, Wenamun is treated as an envoy of Egypt would traditionally be treated. He is brought fifty loaves, one jug of wine, and a (perhaps already barbecued) ox haunch. What happens next, however, is a scene where the Egyptian author places the unpredictable hand of ill fate upon this Egyptian envoy and traveler.

**WENAMUN IS ROBBED IN THE HARBOR AT DOR**

\[iw w’ rm.t n txy.i br w’r(w)\]
\[iw txy.f nbw /// hw’ ir n dbn n diw\]
\[hd tbr tdyw ir n dbn n mdwti\]
\[hd h’rf dbn n mdw-w’\]
\[/// f nbw dbn n diw hd dbn n m’dbi-w’\]
\[iw.i dbn n txy dw’w\]
\[iw.i sm ti p3 nty p3 wr n im\]
\[iw.i dd n’f\]
\[tw.i txy.tw n (or m) txy.k mr\]
\[fr ntk p3 wr n pby t5\]
\[fr ntk pby.f smty\]
\[wh5 pby.i h’d\]

When a man of my ship fled
because he stole a vessel of gold, which amounted
to five deben,
four beakers of silver, which amounted to twenty deben,
and a bag of silver of eleven deben
((the total which he stole: 1) gold, 5 deben;
silver, 3 deben),
and after I stretched out on the morrow,
I set out for the place where the (local) ruler was,
and I said to him:
“I have been robbed in your harbor!
Now, you are the ruler of this land
and you are its judge,
so search for my money!”

(LES, 61, 13–62, 6)\[10\]

Right from the start of his misadventure, Wenamun begins on the wrong foot, so to speak, and displays toward Prince Beder, the ruler of Dor, what could be interpreted as an arrogant attitude born of the hubris of empire. Although the non-Egyptian characters in this story do try to educate Wenamun about the new realities of the larger world and the decline in Egypt’s once-commanding dominance, Wenamun’s usage here of the imperative form of the verb ḫḥ might indicate that he is still cruising on the fumes of the Egyptian historical past. This verb not only has the meaning “to seek out,” but the author may be employing a pun here, in that the word ḫḥ can also refer to an ignorant, incompetent person, or a fool. Essentially, in this tale, Wenamun could very well be standing before the ruler of Dor with an attitude which says, “I am a noble Egyptian on a mission from God, and I have been robbed in your harbor, so fool, search for my money!”

We should note that the author of “Wenamun” does write the verb form of ḫḥ (“to seek”) correctly, by employing the D54 determinative ("legs walking"). However, the other meaning of the word as a negative noun, spelled with the G37 determinative ("bad’ sparrow") and A1 ("seated man") determinatives, still might be present simultaneously, in sense and attitude, just behind the written usage. After all, the author could simply have used instead the imperative form of the perfectly applicable verb gmi, “to find.”

**PRINCE BEDER’S REPLY**

As further narrated by Wenamun, he then receives a reply from Prince Beder, that could be interpreted as being colored by the influence of Mesopotamian legal concepts.

\[iw.f dd n’i\]
\[n dus.k n mnhk.k br ptr bw’ ir; i’m n txy wdbi l’dk.k n’i\]
\[h5 n’i ltyw iw n(y) sw p’yi i t5\]
\[p3 lbyr txy.k br mtfw f ltyw.k h’d\]
\[wn iw.i dbi.f n k m pty.i w’d\]
\[s5 tw w gm p’yi.k ltyw n (or m) rn.f\]
\[ii fr p3 ltyw l’txy tw\]
\[ntk sw n(y) sw txy.k br\]
And he said to me:

"Now look, whether you are being weighty or you are joking, I do not understand the statement which you speak to me.

Were the thief, indeed, one belonging to my land, and was the one who came down to your ship and stole your money, then I would replace it for you from my storeroom until they (my men) had found your thief, whatever his name may be.”17

but truly, concerning the thief who robbed you, he is yours and belongs to your ship.”

(LES, 62, 11–63, 2)

With respect to the legal situation discussed here by the ruler of Dor with Wenamun, Laws 23, 126, and 11 from the Law Stele of Hammurabi are central to the investigation and discussion herein. The legal ritual or procedure recognized in Dor—and its accountability loopholes in cases of theft, as described by the prince of Dor to Wenamun—finds its closest analogue in Law 23 of the Hammurabi stele, composed in Akkadian and carved in the mid-eighteenth century BCE in Babylonia.

**Hammurabi Law 23**

> šamma ḫabbātum lā ittasḥat awilum ḫabtum mimmāšu ḫalqam maḥār ilim ubārāh alūm u rabānām la ina erēṣetānu u paṭṭišānu ḥabtum ʾiḥḥābtu mimmāšu ḫalqam išṭāšānum

> šamma - it; ḫabbātum - a thief; lā ittasḥat - has not been caught; awilum ḫabtum - the robbed man; mimmāšu - all of his; ḫalqam - lost (or stolen) property; maḥār ilim - in front of the (city) god; ubārāh - he establishes precisely; alūm - the city (or town); u - and; rabānām - the mayor; la ina erēṣetānu u paṭṭišānu - in whose (pl.) territory and district; ḥabtum - the robbery; ʾiḥḥābtu - was perpetrated; mimmāšu - all of his; ḫalqam - lost (or stolen) property; išṭāšānum - they shall restore to him.

If a thief has not been caught, and the man who was robbed establishes precisely, in front of the (city) god, his property (in fact) is not stolen, and his city council affirms it before the (city) god, all that which he made claim to (as being stolen), he shall double (it), and to his municipal council he shall give (as penalty).

To satisfy one of the stipulations in Law 23, Wenamun, as noted previously, would certainly have been able to precisely establish before the city god of Dor all that was stolen from him, for he gives an exact tally in his report:

1. One vessel of gold, amounting to five deben.
2. Four beakers of silver, amounting to twenty deben.
3. One bag of silver, amounting to eleven deben. [dmd tiv], i.e., “the total which he stole” = five deben of gold (~455 g ~16 oz); thirty-one deben of silver (~2,821 g ~99.5 oz) [1 deben = ~91 g; 28.35 g = 1 oz].

Wenamun’s primary problem and predicament in this case, however, is that he brings forward no witnesses when he presents his complaint before the prince of Dor. As Law 11 on the Hammurabi stele clearly states, bringing forward witnesses in such a situation as Wenamun finds himself is essential.

**Hammurabi Law 11**

> šamma bēl ḫulqīm sībi mūdē ḫulqīṣu lā itbalam šar tuṭišama iddāk

> šamma - it; bēl - a man (of the awilum class); mimmāšu - his property; ḫalqīm - is not lost (stolen); sa - and; mimmē - all of my property; ḫalqī - is lost (stolen); ʾiṭṭābi - he has declared; bābtānum - his municipal council; ʾiṭṭabbir - has made an accusation; kīma - that; mimmāšu - his property; ḫalqī - is not lost (stolen); bābtānum - his municipal council; ina maḥār ilim - in front of the (city) god; ubārīšu - affirms it; sa - and; mimmē ša - all that; irgāmu - which he made claim to; uṭṭašāmā - he shall double (it); sa - and; anna bābtānum - to his municipal council; inaddin - he shall give.

If a man, whose property is not stolen, has declared, “All my property is stolen!” and his municipal council has made an accusation that his property (in fact) is not stolen, and his city council affirms it before the (city) god, all that which he made claim to (as being stolen), he shall double (it), and to his municipal council he shall give (as penalty).
In Wenamun’s particular case, the ruler of Dor alludes to a similar legal situation as the one described in Hammurabi Law 23, except he mentions to Wenamun that the thief was one of Wenamun’s own shipmates, and was also perhaps an Egyptian, as Wenamun originally refers to the thief as a rmṯ, a word often used by Egyptians to refer to other Egyptians (although Wenamun, at the end of the story, also uses rmṯ to refer to the people of Prince Tjeker-Ba’al of Kepny [Byblos]). Nonetheless, the fact that the thief came into the port of Dor as a visiting foreigner is presented by Prince Beder as a legal loophole to avoid replacing Wenamun’s allegedly stolen property from his own city’s treasury. Such a loophole is presented as customary procedure in Beder’s statement “then I would replace it for you from my storehouse” (wṁ iw.i dbr.j n.k m pĂi.w Ăi wd3), as well as from Law 23 on the stele of Hammurabi, for situations in which the thief cannot be found (šumma ḫabbātum lá ḫattashat, “If a thief has not been caught…”).

Perhaps, in Syro-Phoenicia, this law of replenishing a person’s stolen goods when the authorities were unable to apprehend the thief (and the stolen property) applied only to theft suffered by a resident, a tax-paying citizen, or a visitor who was robbed by a resident citizen, as Prince Beder implies when he says, “Were the thief, indeed, one belonging to my land…” Perhaps also, as Hans Goedicke suggests, some type of maritime law affected Wenamun’s case such that foreign ships and the crimes occurring on them (i.e., Wenamun being robbed by a shipmate) were considered sovereign affairs to be settled and solved among the captain, crew, and international passengers. This legal treatment of maritime traffic would exempt a municipality from the legal responsibility of replenishing the value of goods stolen among the highly mobile participants of that maritime traffic, as in the case of Wenamun. This loophole is quite similar, and for many of the same reasons, to a Hittite theft compensation law (discussed further on) involving theft by vagrant wanderers and the compensation responsibilities of the municipality or community.

Other problems with Wenamun’s claim, essentially making it legally null and void, are that, as referred to in Hammurabi Law 11, he has brought forward no witnesses who can verify his claims to have even possessed the 5 deben of gold and 3 deben of silver in the first place, nor does he know the name of this possible Egyptian shipmate who stole the property of Amun, nor does he seem to make any effort to discover his identity. So we have an accusation of theft with no witnesses and no suspect’s name— and all from an Egyptian envoy who also shows up in Syro-Phoenicia without any official documents stating his mission and authority to do business on behalf of the rulers of Egypt! He seems to have left the “dispatches of Amun-Ra” back at Tanis with Smendes and Tent-Amun. Nevertheless, the prince of Dor most graciously agrees to search for Wenamun’s thief and “money.” And with regards to this idea of the ruler of Dor sending out his men to look for Wenamun’s stolen property, it is of interest to note that in later Ptolemaic law, in cases of theft, men called “searchers” would also be sent out to look for stolen property.

\[\text{\textit{Surqa(m) Mullā(m): Compensation for Stolen Property in Mesopotamian Law}}\]

In Wenamun’s legal situation, what is under discussion is called, in Akkadian, \textit{surqa(m) mullā(m)}. It is a legal concept derived from Babylonian law, meaning “to pay compensation for stolen goods,” or “to replenish stolen property.” \textit{Surqa(m)} = “theft, stolen goods” (from the root: \textit{ṣrq/ṣarāqum}—“to steal”); \textit{mullā(m)} = “replenishment, compensation” (from the root: \textit{ml'/malā'um}—“to fill”). This term is found in texts at Babylon, Nuzi (Yorghan Tepe), and Hattusa (Boghazköy), royal capital of the Hittites.

This Mesopotamian concept of \textit{surqa(m) mullā(m)}, as found in Hittite law, perhaps due to Hurrian influence, concerns itself with a particular class of society. Allbrecht Goetze translates Law 49, from the first of a pair of Hittite law tablets, as:

\[
\text{If a hipparas man steals, there will be no compensation. If he is considered a felon, the community to which he belongs will make compensation. . . .}
\]

From the context, it would appear that the Hittite term “hipparas man” is related to the Akkadian noun \textit{ḥāpiru(m)}, which refers to a type of vagrant, and is derived from the verb \textit{ḥāpiru(m)}, “to become vagrant,” “to decamp.” As it would be difficult to find a vagrant wanderer who had committed a theft, no compensation [based on the conditional clause \textit{šumma ḫabbātum lá ḫattashat} (“If a thief has not been caught, . . . “)], is applicable here in this particular Hittite law. However, if the vagrant is a repeat offender within the district, and the municipality has not taken care of the offender, then the “community” becomes responsible for compensation to the victims of any future thefts committed by such a felonious individual.

Found in the municipal archives of Nuzi, which was under the overlordship of the Hurrian state of Mittani for a century and a half (ca. 1500–1350 BCE), is a legal injunction which also specifically mentions the concept of \textit{surqa(m) mullā(m)} as follows:
The city or local officers are responsible for paying compensation for offenses committed in their districts."

Here, as in Hammurabi Law 23, is a legal referral to the Akkadian word paṭṭum, or "district," as "in whose territory and district the robbery was perpetrated" (la ina erṣetišumu u paṭṭišumu ḫuṭtam iḫḫatu)—an area of legal responsibility and authority. Wenamun himself indicates his awareness of a ruler’s jurisdiction and responsibility concerning theft when he states:

Now, you are the ruler of this land and you are its judge, so search for my money! (ḥr ṳnḫ prwr n ṣmṭy ti, ḥr ṳnḫ prw fir smty, ṳ网吧 ṳnḫ ḫḥ).

G. R. Driver and John Miles suggest that the reason a city’s officials had to pay this compensation is because they "failed to maintain law and order" in their district or area of legal responsibility and authority. In this respect, it must be mentioned that in the ancient world there existed no such notion as we have of "secular" law. On this earth, the function of the king was to administer the laws of the pantheon’s supreme deity, or that of the sun god, the traditional deity of justice (Šamaš, Re, et al.). The Akkadian term for what we call "law" was kitum u mišarum, which literally means "truth and justice." Kitum = "truth, reality, righteousness, justice, steadiness, reliability," as opposed to là kitum—"untruth, lies"; mišarum (also mišaru) = "justice." Appropriately, Mišarum is also a name of Šamaš, the Mesopotamian sun god and deity of justice,19 and carved on the top of the Hammurabi stele is a depiction of the king standing before the divine throne, receiving the Law from this very same solar deity. It was thus the king’s sacred duty to maintain the order and crime-free harmony of the earthly world on behalf of the gods. In the Akkadian language, the king’s function on behalf of the divine order was mišarum akānum—"to establish just order, to bring about justice."20 The failure on behalf of the ruler to maintain justice completely and at all times in his god-given domain may have prompted ideas such as the city-state or municipality compensating victims of theft within their areas of jurisdiction when the thief and stolen goods could not be found.

On the Question of Cross-Cultural Influence

Because we are discussing a possible cuneiform legal presence in an Egyptian text and the transference of a unique idea from one end of the Near East to the other through both geographic space and historical time, our discussion must necessarily deal with thorny issues of "influence," and on this question, any legal system or juridical tradition can be both a recipient of influence as well as a transmitter thereof. Bernard S. Jackson, in his Evolution and Foreign Influence in Ancient Law, discusses five characteristics that show possible evidence of the juridical influence of one system on another:21

1. The usage of similar or identical terminology.
2. The employment of loan words, e.g., in pre-Mughal times, Hindu law, such as that found in the Manu- satāt, had no concept of divorce, yet later it shows the influence of Islamic law by employing the Arabic term talaq for "divorce."
3. The similarity of legal rituals or formal procedures, e.g., the Mesopotamian legal ritual or procedure of the "river ordeal," used to decide between two legal contestants when both swear before the city god and council of elders that their conflicting testimony is true.
4. The form in which a law is expressed, e.g., the casuistic form of Hammurabi’s laws, or laws stated in the form of a dialogue, as in classical Greek law.
5. Cultural contact between two civilizations.

It is to Jackson’s fifth point that we now turn in this discussion. As previously mentioned, in the Hurrian-controlled town of Nuzi, within the large collection of fifteenth-century tablets excavated there, a legal injunction was written down, that says, “The city or local officers are responsible for paying compensation for offences committed in their districts.” This fifteenth-century legal directive from Nuzi is quite similar to the concept behind Law 23 on the mid-eighteenth century Hammurabi stele, which in form and content is itself very similar to the legal particularities found in the discussion between Prince Beder of Dor and Wenamun.

Thus, the fundamental question I am asking here is: through what avenue(s) of influence could a very specific Old Babylonian law from the eighteenth century have ended up in the cultural awareness of a post-New Kingdom, eleventh-century Egyptian scribe/author from El-Hiba in Middle Egypt? Due to the presence of the legal concept of municipal compensation for theft victims similar to that in Hammurabi Law 23 being found in the laws of geographical areas either politically controlled or culturally influenced by the Hurrians (i.e., Nuzi and Harruša), my hypothesis is that the long process of transfer was more than likely due to the Hurrians, who were long-time, traditional carriers of Mesopotamian culture into Anatolia, Syria, and the Levant. Because of several royal marriages between New Kingdom pharaohs and Hurrian princesses, a possible avenue of direct Hurrian-Mesopotamian influence was thus also opened into the royal house of Egypt during the fifteenth through thirteenth centuries.

The Hurrian Crescent and Hurrian Influence in the Near and Middle East

The Hurri people, or Hurrians, begin to sparsely appear in the records of Mesopotamia in the later Akkadian Empire period. Their origins are considered to be either the eastern Taurus Mountains or the highlands of the western Zagros
Mountains in Iran. In the Hebrew Bible, the Hurrians are mentioned as the Horim, or Horites, and often the biblical authors seem to make no distinction between the Hurrians and the Hittites (cf. Ezekiel 16:3). Of course, the earliest layers of the Hebrew Bible were not composed until some five and a half centuries after the disappearance of both the Hittite and Hurrian states, so the conflation of Hittite and Hurrian is quite understandable, for this and other reasons.

Just as pottery can be used to trace a particular cultural group across historical time and geographic space, so too can personal names trace a people and its gods, along with certain cultural changes and developments that affected or influenced them over time. Hurrian names in Mesopotamian documents begin to appear with greater frequency in the Ur III period (2112–2004 BCE). From several royal inscriptions and cylinder seals of the late twenty-second and twenty-first centuries, kings with Hurrian names are found employing the cuneiform writing system to compose texts in the Hurrian language, and are identified as being rulers over centers in northwestern Iran such as Simurru, Tukrish, and Shusharra, as well as the area around Nineveh in northern Iraq and in southeastern Anatolia. During this period there is also evidence of a Hurrian population living within the territory under direct control of the Ur III Empire. From various studies of Mesopotamian personal names, it is also known that the Hurrian people maintained a presence in Mesopotamia from the Old Babylonian period into the Kassite period (eighteenth through mid-twelfth century).

**Hurrians in the Eighteenth Century at Mari**

Among the many tablets excavated from the royal palace archives of King Zimri-Lim at Mari on the middle Euphrates, a number of texts in pure Hurrian demonstrate the level of Hurrian prominence at Mari in the eighteenth century during the time of the Amorite king of Babylon, Hammurabi. From these early eighteenth century archives at Mari (Tell el-Hariri), as well as from texts excavated near the upper Habur River in places such as Urkesh (Tell Mozan), a demographic picture emerges apparently showing that at this period, northern Mesopotamia west of the Tigris into Syria had a majority population mix comprised of Amorites (Amurru in Akkadian) and Hurrians (cf. above mention of Ezekiel 16:3, which might have been trying to say, “... your father was an Amorite and your mother a Hurrian.”). The Mari archives mention Hurrian dynasties directly ruling over two cities in northern Syria—Uršum and Haššum.

Literary texts from these archives—comprising nearly twenty thousand cuneiform tablets—show Hurrian as a fully developed written language by the early eighteenth century BCE. It is a non-Semitic, non-Indo-European language, which appears to belong to the Caucasian language family, along with Urartian.

**Hurrians in the Seventeenth Century at Alalah in Syria**

Late-seventeenth-century (level VII) tablets from the city of Alalah (Tell Atchana), in northwestern Syria on the northern Orontes, indicate that a large Hurrian populace had, by that time, settled along the arc of the “fertile crescent” all the way to the Syrian coast of the Mediterranean. At Alalah, in the kingdom of Mukish, roughly half the names found in the administrative records are Hurrian; the Akkadian language in use there at the time also shows significant Hurrian influence; and all the month names in usage, such as Kinuna (referring to the tenth month), are Hurrian.

From the seventeenth century, a definite and growing Hurrian cultural and political presence can be seen in Syria, as is described in documents from the Hittite Old Kingdom, composed under the reigns of Hattušili I (1650–1620 BCE) and Muršili I (1620–1590 BCE). By the middle of the second millennium, Hurrian texts are found at Tunip and at Qatna south of Hamath, and the archives at Alalah continue to illustrate the influence of Hurrianized Mesopotamian culture on the local religious and administrative system. At this time, the Hurrian influence in Syria and the Levant was so prominent that one of the names the Egyptians used to refer to this area was Ḥaru (W. F. Albright’s reading of the older term Ḥaru).

**The Nuzi Archives**

Excavated by Harvard from 1927 to 1931, the town of Nuzi (modern Yorghan Tepe), a municipal component of the small kingdom of Arrapha in the Kirkuk region of northern Iraq, yielded Akkadian archives totalling nearly 5,000 cuneiform texts dated ca. 1500–1350 BCE. Although a majority of personal names in the Nuzi archives were Hurrian, the texts themselves only provide information on the general society of Arrapha, and give no specific information that might be unique to Hurrian society or law in particular. There actually is no “Hurrian” law code per se, for they were primarily adopters and adapters of the already long-developed cultural and systems innovations of southern Mesopotamia, and functioned as cultural mediators between Mesopotamia and Western Asia. Thus, whatever legal concepts or practices were originally unique to the Hurrians became integrated over time with their adoptions of Sumerian and Babylonian law, preventing us from any real discernment of native Hurrian juridical concepts, practices, or procedures.

During the century and a half in question, the kingdom of Arrapha and its municipalities, such as the town of Nuzi, were ruled by the Hurrian state of Mitanni, so whether legal injunctions found among the texts in the Nuzi archives can be discerned as particularly Hurrian is hard to say. However, it would be illogical to suppose the Hurrian administrators would have been unaware of these legal injunctions, such as the one previously cited: “The city or local officers are responsible for paying compensation for offences committed in their districts...”
Hurrians in Fifteenth-Century Syria

During this same period, Alalah (level IV, later fifteenth century BCE) and the city-states of Aleppo (ancient Halab) and Emar (modern Tell Meskene, then-capital of the kingdom of Ashtata on the bend of the Euphrates in northern Syria), were all under the political control and cultural influence of Hurrian Mitanni, as stated by the Akkadian inscription on the statue of King Idrimi (ca. 1500, or 1480/70), ruler of Alalah and vassal of the early Hurrian king Parrattarna (second king of Mittani after Shuttarna I).40

Hurrian Texts at Ugarit, Fourteenth and Thirteenth Centuries

At Ugarit (modern Ras Shamra), a small city-state on the coast of northern Syria, excavated from the one-hundred-room royal palace were thousands of cuneiform tablets (dated ca. 1400–1200) written in a Semitic language (“Ugaritic”) that used an alphabetic cuneiform script. Found among the tablets of this large archive, which included texts written in Sumerian, Akkadian, Hurrian, Hittite, Egyptian, and even Cypro-Minoan, were school-texts listing Hurrian words with their equivalents in Akkadian, Sumerian, Hittite, and Ugaritic. Also excavated at Ras Shamra were Hurrian religious texts such as the Kumari myth cycle, which included “The Song of Kingship in Heaven” and “Song of Ullikummi,” written in Ugaritic script. Structural excavations at Ugarit include a Hurrian temple as well, all of which demonstrate the notable Hurrian cultural presence in Ugarit during this time period.41

“Hurrianization” of the Levant

In this Near and Middle Eastern history of Hurrian cultural diffusion occurring specifically between the eighteenth and thirteenth centuries BCE, it should be noted that the Hurrians appear to have played the important role of a westward-moving cultural conduit for Mesopotamian ideas to the rest of the ancient Near East, especially to the area of Syro-Canaan. It is this “Hurrianization” of the Levant, as Amélie Kuhrt calls it,42 which is of concern to our attempt to trace the path of Mesopotamian legal influence, in the form of a single law from the mid-eighteenth century law stele of Hammurabi, to its apparently analogous appearance within the hieratic text of an eleventh or tenth century Egyptian papyrus from El-Hiba in Middle Egypt.

The Royal Hurrian Connections to Egypt

From extensive archaeological evidence, we know that during the Later Bronze–Early Iron Age period (ca. 1550–1137 BCE; Ahmose [1550–1525] to Ramesses VI [1143–1136]), Egypt politically dominated the area comprising the Negev northward through the Lebanon into southern Syria, an area to which the Egyptians gave various names, such as Retjenu, Djahi, Fenkhru, Huru, and Kinamni (i.e., Canaan).

In the thirteenth century BCE, the world power triumvirate consisted of Ramsesside Egypt, the Hittite New Kingdom, and Kassite Babylonia. Amid this political triumvirate, the Hurrians, politically centered in their kingdom of Mittani, acted as purveyors of Mesopotamian culture to the Hittites and, to some extent, the Egyptians. Aside from contact through Egyptian political domination and/or trade relations, however, one of the most direct routes of one-on-one Hurrian contact and cultural influence would most likely have come into Egypt as the result of several New Kingdom pharaonic marriages to Hurrian princesses, as is described in detail in the international royal correspondence of the Amarna archive. In fact, it is from the El-Amarna archive (discovered in 1887) that scholars first encountered the Hurrian language, written in Akkadian cuneiform on El-Amarna letter 24 (EA 24).

In the El-Amarna archive are thirteen letters (EA 17–29) sent by the Hurrian king Tushratta to Amenhotep III (1390–1352), his principal wife Queen Tiye, and his son Amenhotep IV/Akhenaten (1352–1336). EA 12 contains a long list of treasures that accompanied King Tushratta’s daughter, the Princess Taduhepa,43 when she came to Egypt for her marriage to Amenhotep III, whom the Hurrians called Nimmureya. EA 23 tells of King Shutarna II, the father of Tushratta, sending the statue of the Hurrian storm-god Tešub’s sister, the goddess Šaušga (Hurrian equivalent of the Akkadian Ištar), to Egypt during the reign of Amenhotep III. EA 29, the last of the Hurrian letters in the El-Amarna archive, and addressed to King Akhenaten, mentions that King Tushratta’s aunt came to Egypt and married Amenhotep III’s father, Thutmose IV (1400–1390). Thutmose III (1479–1425) in the fifteenth century is also thought to have married a Hurrian princess.44 Thus, in the Amarna archive we can see—from the practice of political alliances made through royal marriage to several New Kingdom pharaohs—the contact points of possible influence between Mesopotamianized Hurrian culture and the royal house of Egypt and its scribal class.

Of course, when the daughter of a Mittanian king traveled to Egypt to wed the Pharaoh, she customarily would come with a permanent Hurrian entourage, which would normally include priests, scribes, scholars, and possibly Hurrian musicians as well, so that she could hear the sacred music of her homeland. It is from these members of a Hurrian princess’ entourage that any kind of diffusion of Hurrian-transported, Mesopotamian legal concepts would have most likely come.

Ramesesses II and Queen Maat-hor-neferu-ra

Carved into the south wall of the court in front of Ramesses II’s Abu Simbel temple is a “marriage stele” consisting of forty-one lines of text. As described on this stele,”45 a
major potential source of Hurrian cultural diffusion came into the royal house of Egypt in the mid-thirteenth century with princess Maat-hor-neferu-ra, the daughter of Hittite king Hattušili III (1267–1237) and his Hurrian queen, Puduhepa, the High Priestess of the Sun-Goddess of Arinna, who was responsible for completing, at the behest of the king, the Hurrianization of the Hittite state religion. Within a cartouche carved on the stele, this Hittite/Hurrian princess is identified by her given Egyptian name, Maat-hor-neferu-ra, under which is written: sīt p3 wr t l Hīt(i) (“Daughter of the Great Ruler of the Land of Hatti”). From the large statue of Ramesses II at Tanis, where she stands by his left calf, the text tells us she was also given the esteemed royal Egyptian titles of hmt nswt wrt (“Great Royal Wife”) and hnw tīwy (“Mistress of the Two Lands”).

In 1246, regnal year 34 of Ramesses the Great (1279–1213), as Kudur-Enil completed his reign on the throne of Kasite Babylonia, the Hittite rulers Hattušili III and Queen Puduhepa, with great pomp, brought their eldest daughter7 to Egypt for marriage to the monarch destined to be that country’s longest-reigning. This marriage and political consummation between two of the three world powers at the time is intimated on the Abu Simbel marriage stele to be the result of the peace treaty made between Ramesses and Hattušili III in 1259 (Ramesses’ regnal year 21). This treaty is preserved on the walls of the Ramesseum and the Great Temple of Amun at Karnak, as well as in the Hittite archives at Hattuša in Anatolia, though in a slightly different version.

In 1239, Maat-hor-neferu-ra’s sister came to Egypt when Hattušili III offered yet another daughter to Ramesses in marriage, a union celebrated on a quartet of marriage stelae. After Queen Maat-hor-neferu-ra’s father Hattušili III passed away in 1237, her brother, Tudhaliya IV, ruled the Hittite kingdom through the end of Ramesses II’s reign in Egypt. Thus, for the second half of his sixty-seven-year reign, Ramesses the Great was familiarly connected to two Hittite kings who were both influenced by Hurrian religion and culture through Queen Puduhepa, wife to Hattušili III and mother to Tudhaliya IV, and mother to two of the royal wives of Ramesses II.

Mesopotamian Legalisms in Fifth-Century-bce Upper Egypt

It is also of interest to note, for the case we are attempting to make here, that E. A. Speiser, in his “Cuneiform Law and the History of Civilization,”84 points out that the papyrus Aramaic legal records kept by a fifth-century-bce Jewish garrison of the Persian administration on the island of Elephantine show definite Mesopotamian legal influence in both content and phraseology,85 so it is evident that even down to the late fifth century BCE, Mesopotamian legalisms were still finding a home inside the country of Egypt. On the Hurrian-Hebrew connection, E. A. Speiser writes:

... Hebrew origins are linked traditionally with Mesopotamia and are traceable to the same quarter on innumerable archaeological accounts. Yet there is much in the early Hebrew heritage that is neither West Semitic nor outright Mesopotamian. This significant residue is no longer a complete blank. A substantial portion of it can now be certified as Hurrian in that it is illuminated by independent Hurrian sources.

Conclusion

When I first read the text of “The Report of Wenamun” with Professor R. J. Leprohon in an early-morning Late Egyptian class at the University of Toronto, I was immediately struck by the very close similarities between the legal declarations of Prince Beder to Wenamun and Law 23 on the Hammurabi stele. In searching through many Mesopotamian law collections and preserved case documents, I also came to understand that this municipally or royally guaranteed “theft insurance” law was very unique, at least within the corpus of cuneiform law which is extant. When I found references to a similar practice in Hittite law (as well as in the laws of fifteenth- and fourteenth-century Nuzi, a city then under the overlordship of Hurrian kings), and when I took into account the history of royal Egyptian marriages to Hurrian princesses and the documented six-hundred-year history of the Hurrans as conduits and carriers of Mesopotamian culture into Anatolia, Western Syria, and the Levant, I felt it was fairly reasonable to suggest that the presence of this unique Mesopotamian legal injunction, both in Syro-Phoenician society and within the cultural awareness of an eleventh-century Egyptian writer, was due to a long process of transfer, with the Hurrans functioning as the idea-carriers and middlemen between the recording of a Babylonian law in the mid-eighteenth century and the appearance of its analogue within the narrative text of an eleventh-century Egyptian papyrus. The hypothesis presented herein, while neither conclusive nor of complete certainty, is nevertheless proposed to be a reasonable and possible suggestion as to how this particular question—concerning the intercultural transference of an ancient Near Eastern legal concept across centuries of time, and over large territories of space—might be answered.

Notes

This article is based on a lecture delivered March 20, 2009, before the Society for the Study of Egyptian Antiquities at the University of Toronto.

1. Extant Mesopotamian cuneiform law “codes.”

Twenty-First Century BCE

The Laws of Ur-Nammu (in Sumerian): The earliest preserved Mesopotamian law “code” is that of King Ur-Nammu (2112–2095), founder of the Third Dynasty of Ur.
Twentieth Century BCE

Nineteenth to Eighteenth Centuries BCE
The Laws of the Kingdom of Eshnunna (in Akkadian): This collection of laws was found on two tablets excavated at Tell Abu Harmal (ancient Shaduppum). Now a suburb of modern Baghdad, it was once a provincial hub within the kingdom of Eshnunna, which flourished in the Diyala region of Iraq from ca. 2000 to ca. 1770. The two tablets that comprise this collection of sixty-one laws were excavated in pre-Hammurabi layers.

Mid-Eighteenth Century BCE
The Laws of Hammurabi (in Akkadian): Sixth king of the First Dynasty of Babylon (1792–1750). The Hammurabi law stele, comprised of two hundred and eighty-two laws, was found by French archaeologists in the early twentieth century at ancient Susa in southwestern Iran. It had been transported there (most likely from the temple of Šamaš at Sippur, roughly 60 km north of Babylon) as war booty by an Elamite king in the thirteenth century.

Seventeenth Century BCE
The Edict of Ammisaduqa (in Akkadian): Tenth and penultimate king of the First Dynasty of Babylon (1646–1626). This edict primarily deals with a mišarum, or a royal decree of justice involving a remission of debts for the subjects of the realm.

2. El-Hiba was thought to be the southernmost outpost of Herihor’s control of Upper Egypt, although Arno Egberts explains that the earliest archaeological evidence of Theban control over El-Hiba is shown by the stamped bricks of the high priest Amun Pinudjem, who was separated from the time of Herihor by about a quarter of a century. Although it is certainly possible for the site to have acquired its administrative character during the earlier time of Herihor, no archaeological evidence can definitively prove that. R. J. Wenke, in his preliminary report, *Archaeological Investigations at El-Hiba 1980*, confirms traces of a pre-Twenty-First Dynasty settlement there, which appears to have been some type of administrative center. See also Arno Egberts, “The Chronology of ‘The Report of Wenamun,’” *The Journal of Egyptian Archaeology* 77 (1991): 60, n. 21.


9. Unless otherwise specified, all Egyptian related dates in this article are taken from the chronology of Egyptian history as found in Ian Shaw (ed.), *The Oxford History of Ancient Egypt* (New York: Oxford University Press, 2000), 479–483.


13. Gardiner suggests that the missing text is perhaps [dmd 1tv], “the total which he stole.”


15. Transliterated text constructed by the author from the hieroglyphic transcription of the original hieratic text of P. Moscow 120 as published by Sir Alan Henderson Gardiner in his *Late Egyptian Stories (LES)*, Édition de la fondation égyptologique reine Élisabeth, 1932. The two passages from P. Moscow 120 being discussed here are found in LES on page 61, line 13 to page 62, line 6 and page 61, line 11 to page 63, line 2.

16. Faulkner, 68.

17. Gardiner explains m ṣrn.f, literally meaning “in his name,” or “by his name,” as having the sense of, “whatever his name may be.” He also has noted that there are examples of this usage and meaning in Demotic literature (LES, note 1.20.a, p. 61a).


19. The Akkadian verb ḫalāqum technically means “to lose,” “to be lost,” or “to disappear,” and can refer to property, goods, or animals disappearing, getting lost, or becoming lost. In the context, however, of the three Babylonian laws being discussed herein, the various forms taken by the verb ḫalāqum are referring to “stolen” goods, not “lost” goods, and hence the employment of the phrase at the beginning of Hammurabi Law 23, summa ḫabbatum li itatšat (“If a thief has not been caught . . .”).


J. E. Campbell | A Cuneiform Legal Presence in “The Report of Wenamun”? 


25. Black, George, and Postgate, 106.


27. Black, George, and Postgate, 163, 212.

28. Black, George, and Postgate, 212.


41. Akkermans and Schwartz, 338.

42. Kuhrt, 288.

43. Hepa/Hepat, also Heba/Hebat, as in Hurrian female names such as Taduhepa and Puduhepa, refers to the divine consort of the Hurrian storm god Teshub.

44. Kuhrt, 293–294, 300.


46. Breasted, 184.

47. On this Abu Simbel marriage stele, Maat-hor-neferu-ra is referred to three times as the eldest daughter of Hattušili III, “. . . the eldest daughter being at their head . . .”; “We have been taken captive with all our possessions; my eldest daughter being before them . . .”; “Behold, the great chief of Kheta comes, bringing his eldest daughter, bearing much tribute . . .” Breasted, vol. III, 182–186.


**Other Works Consulted**


