

Tablet Terminology at Emar: “Conventional” and “Free Format”

Terminología de las tabletas en Emar: Formato “convencional” y “libre”

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In memory of Raymond Westbrook, with every appreciation.

[Since 1975, soon after the discovery of cuneiform tablets at Late Bronze Emar, Daniel Arnaud's provisional division of the numerous legal documents into Syrian and Syro-Hittite types has become universal. Recognition of this contrast is essential to any use of this evidence, but the names themselves are a barrier to understand the nature of the distinction. Neither group is broadly Syrian, and no particular Hittite influence informs the Syro-Hittite texts. The so-called Syrian documents are better regarded as a Conventional Middle Euphrates style, old-fashioned and traditional to a small region near Emar. The others constitute no proper “style” and may be called a Free Format with this range of expression only at Emar.]

Key words: Emar, Late Bronze, Syro-Hittite, Middle Euphrates, Carchemish, Ugarit.

[En 1975, lors de la découverte des tablettes cunéiformes d'Emar datant de l'époque du Bronze récent, Daniel Arnaud avait proposé de répartir provisoirement les nombreux textes juridiques en deux catégories : le type syrien et le type syro-hittite. Cette répartition est aujourd'hui unanimement acceptée. S'il est essentiel d'en reconnaître l'utilité pour l'analyse des sources, les dénominations choisies sont en revanche un obstacle à la compréhension de la nature même de cette distinction. Aucun des deux groupes n'est véritablement syrien, et aucune influence hittite notable ne caractérise les textes syro-hittites. Les textes dits syriens s'apparentent plutôt au style « conventionnel » du Moyen-Euphrate, conservateur et limité à la tradition d'Emar et de ses environs. Les textes dits syro-hittites ne représentent pas à proprement parler un style et pourraient être qualifiés plutôt de « format libre », cette expression étant limitée à Emar.]

Mots clés: Emar, Bronze récent, Syro-Hittite, Moyen-Euphrate, Carchémish, Ugarit.

Over half of the Akkadian texts from Emar document private legal transactions, and together, these represent a trove of evidence for Syrian society in the late second millennium. In a larger project on Emar society and politics undertaken together, we find that what has become the standard terminology for

describing the numerous legal texts is inadequate to their actual character.¹ A division between “Syrian” and “Syro-Hittite” styles constructs a division into equal categories as if each equally represents a coherent scribal template and legal formulary. In fact, only the “Syrian” group presents a fixed style, and its range is much narrower than Syria as a whole. Meanwhile, the “Syro-Hittite” texts owe no particular feature to Hittite influence, and they include a diversity of legal language and formulation that renders them an identifiable group only by contrast to the “Syrian” type.

A new tablet terminology is needed, and this article offers one solution. It is not our goal to review the legal documents from Emar systematically, and Démare-Lafont has recently produced a thorough review of how law was formulated in these texts.² The focus of this brief proposal will be limited to the primary issues at stake in reevaluating the problem, with reference to detailed studies as relevant.

It has now been more than thirty years since excavations at Meskeneh on the elbow of the Euphrates River added archives from Emar to cuneiform evidence from Late Bronze Syria. Unlike the mixed finds from contemporary Ugarit, all documentation for Emar’s daily affairs, whether from private households or those of gods, was composed in Akkadian. A large portion of this writing consists of private legal documents, most pertaining to families of substance but no particular rank.³ These legal texts present an unusual conundrum: they do not occur in one dominant format, but rather they offer a variety that is unexpected for a single community in one period. Emar confronts us with what had to have been at least two different modes of scribal training for the same practical need and the same product. Purchase of real estate, arrangements for inheritance, adoption, and marriage could be executed in either scribal mode. There is no simple explanation for this pattern by population; the same sorts of people are involved in both sets. No evidence distinguishes either scribes or their clients by ethnicity, language, or place of residence.⁴

Daniel Arnaud, the principal epigrapher for the Emar excavations, named the two groups “Syrian” and “Syro-Hittite,” the first a “classical” and the second a “modern” form, so that scribes served two distinct attitudes toward the world around them, in texts that mostly come from the same period. The

1. This article reflects numerous conversations with Sophie Démare-Lafont over a long period, and it is a first attempt to articulate our growing frustration with the standard terminology for legal documentation at Emar. I wrote the piece alone for the 2008 annual meeting of the American Oriental Society, after which Professor Démare-Lafont read it and proposed some revisions.

2. “Eléments pour une diplomatique juridique des textes d’Emar, in S. Démare-Lafont et A. Lemaire éd., *Trois millénaires de formules juridiques sémitiques* (Actes de la Table Ronde EPHE 28-29 September 2006, Hautes Etudes Orientales; Paris:Droz, forthcoming).

3. For the Akkadian texts from the excavations led by Jean-Claude Margueron, see Daniel Arnaud, *Recherches au pays d’Aštata – Emar VI.3* (Paris, 1986), texts 1-21, 23-35, 40-41, 69-70, 74-98, 101, 103-104, 108-131, 133-257. Near the time of the initial excavations at Emar (Meskeneh), numerous tablets were removed, sold, and brought out of Syria illegally. They have appeared in various collections and are published under headings that acknowledge either more or less directly the presumed Emar provenance. A few of these texts may come from other sites, including Ekalte (Munbaqa). For a list of published texts, see Regine Pruzsinszky, *Die Personennamen der Texte aus Emar* (SCCNH 13; Bethesda, Md., 2003) xxv-xxvii.

4. Pruzsinszky (pp. 34-9) gathers lists of scribes and the texts they composed for both the “Syrian” and the “Syro-Hittite” groups, with three men who may have been responsible for tablets in both formats. Given the difference even in paleography between the two categories, with contrasting sign forms used, this solution is intrinsically unlikely. For instance, the two Dagan-tari’s in RE 18 (“Syro-Hittite”) and 57 (“Syrian”) write the ID/IT sign with a single middle horizontal in the first case (lines 7, 9) and with a double middle horizontal in the second (lines 2, 8, 13, etc.). The same goes for DA in 18:21, as opposed to 57:29 and 33. The LI signs in the two scribal groups are sharply different, with the “Syrian” type more elaborate (18:9, 13, 24; vs. 57:6, 14, 22, 23). For the first careful comparison of sign forms, see Claus Wilcke, “AH die ‘Brüder’ von Emar, Untersuchungen zur Schreibtradition am Euphratknief,” *AuOr* 10 (1992) 115-50.

“Syro-Hittite” name reflected his sense that in this tablet form, the classical tradition was directly recast (“remodelée”) in the period of Hittite sovereignty.⁵ Arnaud’s terminology has become standard.⁶

After struggling to define the basic nature of each document tradition and to understand its legal perspective and social affinities, we conclude that the terminology cannot bear the weight of the phenomena it describes. It is always difficult to revise standard terms in common use, but we propose that the material demands more accurate categorization. In place of Syrian and Syro-Hittite, we identify the first as a Conventional Middle Euphrates style, shared by some nearby towns, and the second as a Free Format approach that cannot be called a coherent “style.” By “Middle Euphrates,” we refer to a region in the immediate vicinity of Emar, part of the river valley but not necessarily applicable to any full section that may be identified by this name. The “Free Format” refers at present to practice from Emar alone, so that it could also be considered an “Emar Free Format.” These definitions are highlighted by comparison with other Late Bronze Syrian legal texts.

1. *Conventional and Free Format Documents in the Middle Euphrates*

One group of Emar documents shows little variation in structure and formulary. All documents witnessed by the local king and all sales of land in the name of the town god ^dNIN.URTA follow this format. This group displays strong ties to local, town-based political and social structures, including “the town” itself as a collective legal entity, the elders of Emar, ^dNIN.URTA as holder of real property on behalf of the town, and “the brothers” as witnesses to inheritance arrangements. The local king appears only in texts of this format, and he employed a particular set of scribes who perpetuated it.

At Emar, this style goes back to a time before Hittite domination. The paleography has affinities with earlier rather than 13th-century imperial Hittite, as well as with Alalakh level IV, and the style appears to

5. The original definition is found in Arnaud, “Catalogue des textes cunéiformes trouvés au cours des trois premières campagnes à Meskéné qadimé Ouest (Chantiers A, C, E, et trouvaille de surface),” *AAAS* 25 (1975) 87-8. For a clear articulation of Arnaud’s sense of the two categories, see his *Textes syriens de l’Âge du Bronze Récent* (Aula Orientalis Supplementa 1; Barcelona, 1991) 9-10. “Un seul coup d’œil aux tablettes montre que cette collection, comme les documents des fouilles régulières, se partage en deux groupes: un groupe ‘syrien’, où la tradition mésopotamienne, pour employer une formule approximative, est prédominante, et un groupe ‘syro-hittite’, où la tradition ‘classique’ a été remodelée dans des formes nouvelles. Un des critères le plus apparent est le gabarit: les documents qui ressortissent au premier groupe sont écrits parallèlement au petit côté; la ligne d’écriture dans le second cas, au contraire, suit le long côté. Les formulaires mêmes sont différents, ainsi le scribe ne se glisse pas parmi les témoins (sauf exception) dans les tablettes ‘syro-hittites’. La paléographie est aussi suffisamment autre pour montrer des caractéristiques qui s’imposent au-delà même de la ‘main’ particulière de chaque rédacteur. Les acteurs comme les témoins ne sont pas les mêmes dans chacune de ces traditions: à s’en tenir à des impressions, on en conclura, avec prudence, que certains Syriens, dans la vallée du moyen-Euphrate, étaient attachés à des habitudes anciennes, peut-être antérieures à la main-mise hittite, et que d’autres, novateurs, cherchaient la synthèse entre la traditionnel et le nouveau. On ne s’étonnera pas que les protocoles qui se montrent les plus fidèles à l’héritage social et culturel apparaissent sur des tablettes ‘syriennes’: là, se trouvent exprimés la solidarité clanique et ses gestes symboliques, sous le contrôle du pouvoir indigène (et d’abord de la famille royale et des Anciens), alors que les dignitaires hittites sont les protagonistes des documents ‘syro-hittites’. On prendra garde aussi que les scribes, par leur formation même, ‘classique’ ou ‘moderne’, ont pu imposer leur manière de rédiger: cette opposition serait peut-être moins fondée dans les faits de la société euphratéenne. Reste que la double formation des notaires doit bien refléter, d’une manière ou d’une autre, la double attitude de leurs clients, toujours, nous semble-t-il, maîtres du choix d’un scribe: elle peut l’avoir exagérée; elle ne peut guère, en tout cas, l’avoir créée: elle la reflète. Fidèlement? Ce sera l’objet d’une enquête, à venir, sur la civilisation syrienne du moyen-Euphrate. Certes, seul un classement chronologique strict des documents permettrait de confirmer cette impression (mais un tel classement est-il vraiment possible dans le détail?): le modernisme ‘syro-hittite’ gagne de génération en génération. »

6. In his grammar of Emar Akkadian, Stefano Seminara (*L’accadico di Emar* [Rome, 1998] 9-20) offers a detailed review of differences between the two groups. Assignment of new names does not diminish the usefulness of this important discussion. See also the careful descriptions in D. Beyer, *Emar IV: Les sceaux* (Göttingen, 2001) 421-23.

have roots in the region that precede and have nothing to do with the influence of Hatti.⁷ Seminara regards the group as reflecting a generally Old Babylonian heritage.⁸ Documents in the same style have been found at Ekalte and Azu, not far upstream from Emar and from the same or a slightly earlier period, so that the format pertains to more than just this one center.⁹ We therefore call these “Conventional Middle Euphrates” texts, “conventional” rather than “classical,” because they depend on patterns that carried the benefits and perhaps some of the constraints of well-worn language.

The rest of Emar’s legal documents have been relegated to a single second class because of their contrast to the Conventional group. Whereas the Conventional Middle Euphrates texts are written across the short dimension, with seals rolled across the top and left margins on space left to accommodate them, none of the other texts adopt this format. They tend to be written across the longer dimension of the tablet. Where the Conventional group is distinguished by old-fashioned scribal technique, the rest have more up-to-date Middle Babylonian features.¹⁰ While the scribes who produce the Conventional type are wedded to traditional institutions that represent the town, the other texts most often invoke no special authority at all. In the occasional situations where they do, the authority usually reflects the arrival of the Hittite empire.¹¹ Emar’s Conventional Middle Euphrates texts include the full seven or eight generations of local kings, spanning well over a hundred years.¹² All of the other documents come from the last four generations or so of Late Bronze Emar, firmly within the horizon of Hittite rule and its Carchemish subsidiary, though they reflect no particular Hittite tradition.¹³

7. C. Wilcke, “AH, die ‘Brüder’ von Emar. Untersuchungen zur Schreibtradition am Euphratknie,” *AuOr* 10 (1992) 118-19; Seminara, *L'accadico*, 10. Seminara (13-16) offers a chart of “linguistic and graphical traits” that distinguish the two groups.

8. *Ibid.*, 12.

9. The roughly one hundred texts from Ekalte are published in W. Mayer, *Tall Munbaqa-Ekalte-II. Die Texte* (Saarbrücken, 2001). R. Whiting has made available the smaller number of tablets from Azu (Tell Hadidi) at <http://www.helsinki.fi/~whiting/hadidcat.html>.

10. Again, the long discussion by Seminara (pp. 9-20) presents a more complete catalogue of traits.

11. R. Westbrook (“Emar and Vicinity,” in Westbrook ed., *A History of Ancient Near Eastern Law* [Leiden, 2003] 658) contrasts the jurisdiction of local institutions and the Emar kings in the “Syrian” group to the jurisdiction of the Hittite/Carchemish administration in the “Syro-Hittite” legal texts. In fact, while the large majority of Conventional texts do record the witness of the local king, usually not by title, a very small proportion of the Free Format documents require any authority besides a selection of witnesses. One may begin with texts from the regular excavations (Arnaud, *Emar VI.3*). In Area A, texts 6, 7, 15, 16, and 21 have no specially named authority; 18 and 19 were drawn up at Carchemish and represent a separate type. In Area C, texts 30, 32, 33, and 35 have no named authority, and no. 31 was drawn up at Carchemish. In Area T, texts 75-79, 81-89, and 91 present no special authority. One has to wait until text 90 to find a sale of a vineyard with witnesses (listed in the style of Conventional texts) led by Luheya, the imperial Overseer of the Land (¹⁰UGULA.KALAM.MA). Text 93 records an inheritance arrangement in the presence of Šaggar-abi son of Dagan-tari, an associate of another Overseer of the Land, along with the elders of Emar (see also J. Westenholz et al., *Cuneiform Inscriptions in the Collection of the Bible Lands Museum Jerusalem: The Emar Tablets* [Groningen, 2000] 7-9, text 2). This pattern continues throughout the Emar legal documents.

12. The original demonstration of an extended chronology over two royal houses came from A. Skaist, “The Chronology of the Legal Texts from Emar,” *ZA* 88 (1998) 45-71. This hypothesis is generally confirmed, with refinements, in papers published together as part of the volume edited by L. d’Alfonso, Y. Cohen, and D. Sürenhagen, *The City of Emar among the Late Bronze Age Empires: History, Landscape, and Society* (AOAT 349; Münster: Ugarit-Verlag, 2008). See especially the contributions of Cohen and d’Alfonso, “The Duration of the Emar Archives and the Relative and Absolute Chronology of the City,” 3-25; Fleming, “Reading Emar’s Scribal Traditions against the Chronology of Late Bronze History,” 27-43; and R. Pruzsinszky, “Bemerkungen zu institutionellen Veränderungen in Emar in der Spätbronzezeit,” 65-77. Pruzsinszky also addresses related issues in “Emar and the Transition from Hurrian to Hittite Power,” in M. Heinz and M. H. Feldman eds., *Representations of Political Power: Case Histories from Times of Change and Dissolving Order in the Ancient Near East* (Winona Lake, Ind., 2007) 21-38.

13. F. Di Filippo, “Notes on the Chronology of Emar Legal Tablets,” *SMEA* 46 (2004) 175-214; Fleming, “Reading Emar’s Scribal Traditions.”

In broad terms, the two groups of Emar documents indeed present a contrast. Above all, the horizontal stance and up-to-date scribal technique of the one group display a shared starting point that represents an alternative to training for the Conventional format. It is not clear where the newer Emar approach originated. The relatively small number of documents drawn up at Carchemish are also set horizontally, although the tablets are shaped and sealed differently, thicker, with a large indentation from the royal stamp.¹⁴ The Carchemish documents appear in significant numbers only during the reign of Ini-Teššup, close to the date of the first appearance of Free Format texts. Possibly, this was a time of particularly direct contact between Emar and the regional center of the Hittite empire, and this provided the context for new external influence on scribal practices at Emar. If the adoption of the horizontal stance and current Middle Babylonian writing habits was inspired by practice at Carchemish, the practice took on a life of its own at Emar, where the format required no reference to imperial norms or authority.

Aside from these basic characteristics, the use of Conventional and Free Format modes is not distributed evenly among legal documents. A significant majority of the Conventional group are real estate sales, many of these for land held by the town in the name of the god ^dNIN.URTA.¹⁵ The Conventional style also appears with wills, adoptions, and marriage documents. Démare-Lafont considers that with questions regarding the condition of persons, as opposed to the more static domain of real estate, clients tended to prefer the Free Format, which offered greater flexibility.¹⁶ Almost all sales of persons and statements of obligation or guarantee are rendered in the Free Format. The inheritance arrangements illustrate the contrast. These occur in both types but with different characters. The Conventional texts detail the shares of each heir and are particularly interested in the goods involved, whereas the Free Format texts are more interested in the people involved, often mentioning some element of adoption and the obligation of support.

Both approaches are found with a range of legal arrangements, and there is indeed a contrast between the Conventional group and all the other texts for each type of legal need. The very uniformity of the Conventional style, however, can lead to the inaccurate conclusion that the others constitute an equally consistent type. In fact, the remaining tablets display varieties of tablet form, witness citation and sealing, transaction terminology, and more. They respond to the nuances of different legal situations with different clauses and conditions. Without the Conventional type as a foil, these would be striking mainly for their diversity.

Where the Conventional documents adhere to a limited set of fixed frameworks, the Free Format texts apply wide-ranging vocabulary and structure to the nuances of varying personal situations. There is no standard contract for marriage, for example. The description of the marriage itself in the Free Format texts uses four different formulae. Almost all of the documents that record obligations – loans, debt records, quitances, and lists of creditors – are drawn up according to the Free Format, in apparent response to each unique situation.¹⁷

14. Beyer (2001, 422) describes the Carchemish tablets as having the shape of a small pillow (coussinet) and striking thickness. Most of the fifteen Carchemish tablets associated with Emar come from the reign of Ini-Teššup, with only one from his predecessor Šahurunuwa and one reference connected with his son Talmi-Teššup. See Fleming, “Reading Emar’s Scribal Traditions”; and the discussions of M. R. Adamthwaite, *Late Hittite Emar: The Chronology, Synchronisms, and Socio-Political Aspects of a Late Bronze Age Fortress Town* (Louvain, 2001) 59; and Di Filippo, 185-86.

15. Démare-Lafont (“Éléments”) counts about 130, as opposed to about 40 in the Free Format.

16. “Le rapprochement avec les ventes d’individus, quasiment toutes Syro-Hittites, donne à penser que les questions touchant à l’état des personnes évitent de préférence la tradition Syrienne, le format Syro-Hittite offrant une plus grande souplesse” (“Éléments,” under discussion of adoption).

17. “Le format Syro-Hittite prédomine, mais aucun formulaire stable ne se dégage des documents, qui semblent répondre à des situations particulières” (“Éléments,” under discussion of obligations).

Démare-Lafont concludes finally that what has been called “Syro-Hittite” is really a “non-style,” replete with variety and innovation. She observes that if the “Syrian” or Conventional Middle Euphrates type is a “conservatoire,” venerating a body of received lore, then the rest reflect a “laboratoire,” generating new ideas at every fresh effort. We therefore decline to treat these as a single “style” with any delineated regional base. The texts found at Emar represent one sampling from the innovative production of larger Late Bronze Syria, from which we cannot yet distinguish narrower categories. We propose simply to identify these texts as belonging to a Free Format, the non-conformist, innovative scribal current that came into its own in the last phase of Emar’s existence, before its destruction in the 1180s.

2. *Emar and Ugarit: A Study in Scribal Contrast*

The Conventional Middle Euphrates style is not restricted to Emar alone. All the texts from Ekalte (Tell Munbaqa) stand in close continuity with this Emar group, although they appear to be slightly older.¹⁸ The Azu (Tell Hadidi) tablets in turn share much with the Ekalte texts, including even a scribe and an accompanying witness.¹⁹ Emar, Ekalte, and Azu all produced documents for sale of real estate held in the name of the town and a designated deity – ^dNIN.URTA for Emar, Ba‘laka for Ekalte, and Dagan for Azu. The legal texts from both Ekalte and Azu are entirely of the Conventional Middle Euphrates type, with upright stance and the same paleography, along with closely matching formulae. Seminara relates the paleography of Emar’s Conventional (“Syrian”) style to that of texts from Alalakh level IV, yet these do not share the specific custom of land owned by the town in the name of a god.²⁰ In any case, the evidence from Emar alone shows a significant continuity of form, grammar, and paleography across over a century. This is a settled, stable scribal practice that was preserved in at least one small region of the Middle Euphrates, in spite of the political encroachments of Mittani and Hatti.

At Emar, the more difficult task is to characterize the alternative Free Format. As “Syro-Hittite,” it represents a modification of the older “Syrian” style, modernized under the influence of the Hittite empire. The Free Format is certainly a creation of the 13th century at a site ruled by the Hittites through its regional capital at Carchemish. Based on the contents of the Emar Free Format texts alone, this scribal tradition does not appear to modify the Conventional type. No chronological trend has been established from more Conventional or “Syrian” traits to fewer as we move from earlier to later examples. The Free Format may be a local development, but it is not founded on the other prominent scribal tradition at Emar.

To evaluate the larger possibilities of scribal practice in 13th-century western Syria, under the shadow of Hittite rule, the written finds from Emar and Ugarit form a natural pair. Both sites are in northwestern Syria, both with the bulk of their archives dated to the 13th century, after the Hittite kingdom established dominance over the region. The contrasts between the two sets of written finds strike us immediately, with Ugarit’s alternative cuneiform alphabet with the local language, and the larger role of its palace. Nevertheless, if Hittite presence and the administrative shadow of Carchemish colored

18. The close graphical match of one Ekalte document (no. 80) with the single earliest text from Emar (AuOrS 1 14) suggests dates not more than a generation or two apart. Emar’s AuOrS 1 14 may belong to the mid- to late 14th century, which could place the Ekalte text slightly earlier (Fleming, “Reading Emar’s Scribal Traditions,” n. 17). Based on the Ekalte seals, Peter Werner now proposes a similar date (*Tell Munbaqa/Ekalte – III. Die Glyptik* [WVDOG 108; Wiesbaden: Harrassowitz, 2004]).

19. Hadidi no. 1 was drawn up by Pazuri-Dagan and includes the witness, Huzamu son of Abi-hamis (see Ekalte no. 26); comment from Robert Whiting, Hadidi document website (see note 9, above). Fifteen documents were found at Azu, including 8 from a jar and the other 7 from fill in the same house.

20. See the description of Level IV legal texts in Ignacio Márquez Rowe, “Alalakh,” in Westbrook ed., *History of Ancient Near Eastern Law*, 703. Almost all of the 33 domestic legal documents are royal deeds.

everyday scribal practices, then the results would be evident at both locations. Truly Syro-Hittite style would be found at both Ugarit and Emar.

Comparison of the legal documentation at Emar and Ugarit allows us to test the definitions of Emar’s primary tablet groups against contemporary practice at one remove from the nearby Euphrates valley, but close enough for plausible continuity. Anything “Syrian” about Emar custom should apply to Ugarit as well, and both sites experienced the impact of Hittite conquest. The result of this comparison confirms that Emar’s Conventional Middle Euphrates type is indeed a local style, not broadly “Syrian.” It also places the innovations of Emar’s Free Format group in a regional context that both highlights their particular fluidity and creativity and suggests participation in some broader Syrian trends.

Ugarit has no representative of the Conventional Middle Euphrates document tradition, and the archaic Old Babylonian style script is missing from the Ugarit repertoire. Rather, Ugarit shares the more up-to-date Middle Babylonian scribal hand of the Free Format texts from Emar, and this carries with it certain scribal practices shared across northwestern Syria. At the same time, the impressive contrasts between the two groups shows that each set derives from deeply separate and indigenous developments.

Ugarit’s Akkadian documents are written across the shorter dimension, like the Conventional Middle Euphrates type, though without the left margin for seals, and with a shape closer to square. The form of the Ugarit tablets is closer to that of Emar’s Free Format group, except turned the other way. This difference of orientation provides the most striking physical contrast with the Free Format texts, and it does indicate that scribal habits for legal documentation developed along separate lines at the two sites. We cannot tell whether the vertical stance of the Ugarit documents reflects an older practice that shared this with the Conventional Middle Euphrates style. The Akkadian documents from Ugarit are clustered in the reigns of the first four kings, somewhat earlier than the range of Free Format texts from Emar, though there is no reason to explain the contrast in terms of date rather than place. Perhaps the more significant difference between Emar’s Free Format and the texts from Ugarit is the strong association of Ugarit’s king and palace with a more up-to-date scribal hand.

Even as Ugarit’s documents stand in a broad continuity with Emar’s Free Format, they display features totally unknown at Emar that confirm the impression from stance alone that we have substantially distinct local traditions. Further examination of the Ugarit material is necessary for a more precise formulation, but one example provides a useful point of departure. I have chosen a text that is by nature close to common Emar types, a sale of real estate, a vineyard, not drawn up in the king’s presence. Such transactions are numerous in the Emar archives.

RS 15.37 (*PRU* III 35) records the purchase of a vineyard by Puluzinu from Ahliyanu for 57 silver shekels. It is written across the shorter dimension. The script is Middle Babylonian, like that of Emar’s Free Format group, as visible in the signs IL (line 4), LI (line 5), and AH (line 5). Like many documents from Ugarit, it begins with the phrase, “From this day” (*ištu ūmi annī*). At Emar, inheritance arrangements and adoptions from both the Conventional and Free Format types are introduced this way, suggesting one point of contact between these corpora.²¹

Right after the opening, RS 15.37 states that the sale was performed “in the presence of witnesses,” as opposed to the standard presence of the named king. Free Format texts from Emar never invoke the local king’s authority, nor do they include him in their witnesses, because the king only retained the services of scribes who wrote in the Conventional format. There is never reason at Emar to contrast generic “witnesses” to the royal presence, and this clause has no counterpart in any Emar documents.

21. Among the texts from the French excavations, see for example in the Conventional format, Emar VI.3 34, 180, and 253 (all inheritance arrangements) and 256 (adoption); and in Free Format, 30, 181, 186, and 213 (all inheritance arrangements). RE 82 offers an example of adoption executed in the Free Format.

In spite of the variation among Emar Free Format texts, all real estate sales include a description of the land that changes hands, usually with reference to the owners of neighboring lots. The Ugarit vineyard sale does not bother with such detail. At Emar, the declaration of transfer may state either that a person has “bought” or has “taken” the property. In the latter case, the preterite is standard (*ilqe*), as opposed to the perfect (*ilteqe*) in RS 15.37. Finally, the Ugarit sale closes with a statement that the property “devolves” (*samātu*) to the buyer and his son “forever” (*addarīti*). This combination is entirely unfamiliar to Emar custom, which is preoccupied with statements denying any contesting claim, often as based on some previous document. While the strategies of the two scribal traditions contrast, such claim statements at Emar have the same legal effect as the “forever” clause at Ugarit, guaranteeing permanent ownership.

3. Conclusion

When we consider the diverse Emar documentation alongside the Akkadian finds from Ugarit, it is evident that the first division among 13th-century scribal traditions in northwestern Syria should be between the generally up-to-date hands with Middle Babylonian script and the Conventional Middle Euphrates style with scripts that harken back to Old Babylonian. At this level, Emar’s Free Format and all the Akkadian legal texts from Ugarit may be classed together, though the similarities of vocabulary and structure are modest. Taken on their own terms, the Free Format texts from Emar do not represent a single “style” or set of legal templates for a limited set of transactions. They have a wider range of legal application, and arrangements such as sales of persons and for domestic service are only drawn up with the Free Format. In light of their general contrast to the Ugarit group, we can see all the more how the Free Format is a distinct phenomenon, a response to local conditions, whether or not tablets are eventually found with the same range of features from nearby sites. So far, no such example has appeared. The one tablet discovered at El Qitar, also upstream from Emar along the Euphrates, has been called “Syro-Hittite” because it shares the basic orientation of Emar’s Free Format texts, but its contents are unlike anything from Emar, and show a strong Assyrian character. Although the date of the Late Bronze strata at El Qitar remains in question, the Assyrian aspect suggests a date after the withdrawal of Mittani, which could place this site in the period of Hittite domination, like Ugarit and Emar. It thus appears that scribal innovations developed according to local circumstances, not based on imperial influence.

At Emar, the diversity of scribal practice remains one of the most illuminating features of the archives, by itself a signal of the political decentralization that characterized the town. Naming the scribal products both reflects and shapes our understanding of what these represent.

We propose that the Conventional Middle Euphrates type be isolated first as a special local tradition, tied to the old collective politics of the town and maintained by local kings who clung to the legitimacy of that town tradition, even as they drew more power and wealth to themselves. The remaining texts from everyday legal affairs were created outside the constraints of local politics, without any fixed authority, finding authority as available rather than by convention. Free of any particular norms, and having no institutional sponsor, their scribes were at liberty to compose texts and even law itself according to individual need. In calling these texts Free Format, we ask their modern readers to abandon a search for a characteristic legal vocabulary or format to oppose to the Conventional group. We hope that with new names, readers will open themselves to the fluid and original character of this scribal stream, which represents a special expression of the decentralized social situation at Emar.