

Bemerkungen zu § 76 der hethitischen Rechtssatzung

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Die Übersetzung des Paragraphen:

Wenn jemand Rind, Pferd, Maulesel (oder) Esel pfändet und es an Ort und Stelle stirbt, bringt er es hin und er gibt den Preis für es¹,

dürfte der herrschenden Meinung entsprechen². Dennoch gibt es Unklarheiten hinsichtlich der juristischen Wertung.

I

1. Welcher Art ist die Pfändung?

Die Pfändung dient der Bestellung einer Sicherheit, des Pfandes, welche die Erfüllung einer bestehenden Schuld sichern soll. Tritt diese nicht ein, so soll sich der Gläubiger aus dem Pfand befriedigen dürfen. Die Bestellung des Pfandes kann freiwillig oder unfreiwillig geschehen. Ein deutliches Beispiel für den letzteren Fall sind die §§ 164/65, welche zeigen, daß ein Schuldner sich gegen eine Pfändung wehrt, sei es, daß er das Bestehen des behaupteten Anspruchs bestreitet, sei es, daß er sich gegen den Umfang der Pfändung wehrt.

Der in § 76 geschilderte Vorgang ist dem gegenüber nicht so deutlich. Das Verhalten des Pfandgläubigers wird mit *appatariya*- bezeichnet. Dieses Verbum hängt mit *ep*- "nehmen" zusammen. Eine Sache als Pfand nehmen kann man auch dann, wenn es dem Schuldner nicht gefällt, er sich aber gegen die Pfändung schlecht wehren kann, weil der Anspruch des Pfandgläubigers besteht, so daß er die Wegnahme - wenn auch widerwillig - duldet. Ein Gläubiger, welcher auf Grund eines bestehenden Pfandrechts das Pfandobjekt an sich nimmt, macht von seinem Recht Gebrauch und nimmt das Tier zu sich. Eine *gewaltsame* Wegnahme ist dem Verb *appatariya* vielleicht doch nicht so ohne weiteres zu entnehmen³.

2. Beim Pfandgläubiger verendet das Tier. Ausgedrückt wird das durch das Verbum *ak*- "sterben, getötet werden".⁴ Wenn das Tier ein Pfandobjekt ist, dann schadet sich der Pfandgläubiger selbst, falls

1. E. von Schuler, "Die hethitischen Gesetze", *TUAT* I 1982-1985, 109.

2. Vgl. J. Friedrich - A. Kammenhuber, *Hethitisches Wörterbuch*, Band I 1975², s. v. *appatariya* und *arnu*; ebenso J. Puhvel, *Hittite Etymological Dictionary*, vol. 1, 1984, s. v.

3. Ich überdenke deshalb meine *BiOr* 26, 1969, 312, geäußerte Meinung.

4. Friedrich-Kammenhuber [2] s.v.

er das Tier töten sollte. Es kann sich also wohl nur darum handeln, daß das Tier aus irgendwelchen Gründen verendet: Es kann krank werden, es kann schlecht behandelt werden. Letzteres geschähe wieder zu Lasten des Pfandgläubigers. Aus wirtschaftlichen Überlegungen heraus wird man deshalb annehmen dürfen, daß das Tier krankheitshalber ohne Verschulden des Pfandgläubigers zugrundegeht.

3. Jetzt ist dieser verpflichtet, das Tier "hin- oder fortzubringen". Aber wohin? Dazu habe ich mich an anderer Stelle geäußert⁵ und angenommen, das Tier sei dem Pfandschuldner zurückzugeben, damit dieser sich davon überzeugen könne, daß es nicht durch Schläge und dergl., also auf natürlichen Wege umgekommen sei. In Betracht könnte in einer ländlichen Umgebung auch eine Untersuchung durch die "Ältesten" kommen.

4. In einem nächsten und letzten Schritt fordert die Bestimmung die Zahlung des Preises des Tieres. Ist der Kadaver oder der Marktwert des lebenden Tieres gemeint? Die Antwort fehlt. Geht man von allgemeinen Überlegungen hinsichtlich der Schadensersatzpflicht aus, so wird es sich um den Marktpreis gehandelt haben. Bei Tilgung seiner Schuld erhält der Herr des Tieres nämlich keinen Kadaver, sondern ein lebendes Tier, welches natürlich wertvoller ist.

II

Zur Beantwortung der aufgeworfenen Fragen ist die Rechtsfolge heranzuziehen, wonach der Pfandgläubiger neben der Rückgabe des Kadavers des Tieres dessen Herrn (wohl seinem Eigentümer) den Preis des Tieres ersetzen muß.

Beruhete die Wegnahme des Tieres nicht auf einem Anspruch des "Pfandgläubigers", so verwundert die schlichte Pflicht zum Schadensersatz, selbst wenn der Marktwert des Tieres gemeint gewesen sein sollte. Das unrechtmäßige Verhalten hätte nach der Systematik der Rechtssatzung eine Buße erfordert. Da diese fehlt, denkt man an eine berechtigte Pfändung, also an eine Wegnahme auf Grund eines bestehenden Anspruchs, mag die Wegnahme nun im Einverständnis oder gegen den Willen des Schuldners erfolgt sein. In diesem Falle aber ist, sofern man von einer Verschuldenshaftung ausgeht, ein Haftungsgrund für den Pfandgläubiger nicht zu erkennen (oben I 2), so daß nicht einzusehen ist, warum er es ersetzen soll.

Meint aber der § 76 eine Erfolgshaftung, so wird eine Schadensersatzleistung in Geld verständlich, denn dann kommt es auf ein Verschulden nicht an; der Pfandgläubiger haftet für den in seinem Herrschaftsbereich eingetretenen Verlust. Dann aber fragt man sich, warum hier im Gegensatz zu den meisten Vorschriften der Rechtssatzung an eine Erfolgshaftung gedacht werden soll. Diese Form der Haftung ist uralte, die Verschuldenshaftung dagegen einer späteren Entwicklungsstufe des Rechts vorbehalten. Es könnte sein, daß in einer von Ackerbau und Viehzucht geprägten Kultur die Verpfändung von Tieren von Anfang an geläufig gewesen war, zu einer Zeit also, als man sich über die Frage der Schuld noch keine Gedanken gemacht hatte. Die uralte gesetzliche Regelung könnte sich in spätere Zeiten hinübergerettet haben⁶.

III

Ich meine also, der § 76 behandle den Fall der *erlaubten* Pfändung und begründete auf dem Weg der Erfolgshaftung die Schadensersatzpflicht des Pfandgläubigers.

5. R. Haase, *Studi Volterra* VI, 1971, 475 ff.

6. Vgl. z. B. die §§ 6 und IV der Rechtssatzung. Ähnlich § 23 Codex Hammurapi und Dtn. 21, 1-3. In diesen Bestimmungen kommt es nicht auf das Verschulden an. Der Grundeigentümer kann zwar seine Augen nicht überall haben, aber man geht vom Erfolg, vom Ergebnis aus und macht deshalb haftbar. Der Herrschaftsbereich hat die Gefahrtragung zur Folge.

Two Inscribed Phoenician Vessels in the Form of Pomegranates

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We have here two small vessels in the form of a pomegranate.¹ The first one is a terracota burnished vessel. Its height is 9.0 cm and diameter 8.9 cm (fig. 1). Its rim is formed as the top part of a pomegranate. On its upper part (near the middle) an inscription is incised after the firing of the vessel:

ʿštrt.

The last two letters are made carelessly in a very loose style and according to their shape we can say that it was not the work of a professional scribe.

The meaning is: "To (the goddess) ʿAštart" or "Belonging to ʿAštart".

On paleographical grounds we can date it by the VIII cent. B.C.E.

Our second item is a faience vessel made as a pomegranate (fig. 3). Its height is 5,35 cm and diameter 5,55 cm. This time the inscription appears in the rim. It is written on unbaked material in a careful, accurate, Phoenician script (fig. 2):

We read it: *ʿštrt*

"To (the goddess) ʿAštart" or "Belonging to ʿAštart".

In both inscriptions we prefer the first variant of the translation.

So, both vessels were dedicated to ʿAštart and the inscriptions have a votive character. They had to be given with the dedication to a sanctuary of ʿAštart. But it is unclear where the sanctuary was, for the provenance of both vessels is unknown.²

But these are not the first pomegranates (or vessels in the form of pomegranates) dedicated to a deity.

The Israel Museum possesses today a small ivory pomegranate (height 43 mm - diameter 21 mm: fig. 3) which came from the antiquities market of Jerusalem and received its preliminary publication by Lemaire.³ After that this ivory item was purchased by the Israel Museum and the late N. Avigad dedicated to this object an exhaustive study published in 1989.⁴ First of all he established the full authenticity of the object and inscription. Based on traces of some letters, he reconstructs the original text, and since the inscription runs around the shoulder of the ivory pomegranate, he defines the word, with which the text begins. He reads:

qdš khnm lby[t yhw]h

"Sacred donation for the priests of (in) the Hou[se of Yahw]eh"⁵

Avigad does not insist on any exact date of the inscription inside the framework of the VIII-beginning of the VI cent. BCE. The letters are more according to the shape of the VIII cent. BCE. Avigad brings also numerous ornaments from the whole Ancient Orient, whose depictions or pomegranates appear. And mostly these objects belong to the religious cult in Judah, Ugarit, Phoenicia and Cyprus. The illustration is an ivory "sceptre" from Kition, a city in Cyprus with an overwhelming Phoenician culture.

1. They are parts of the collection of Mr. Shlomo Moussayef in London, and he gave me his kind permission to publish them. I express my deep thanks to him. The photos are made by Mr. R. Deutsch.

2. In February-March 1997 in the Bible Lands Museum in Jerusalem, at the temporary exhibition, devoted to ancient Jerusalem at the display was a very similar to our second item - golden pomegranate of more or less the same size. It bears no inscription and belongs to a private anonymous collection.

3. A. Lemaire, "Une inscription paléo-hébraïque sur grenade en ivoire", *RB* 88, 1981, pp. 236-239.

4. N. Avigad, "The Inscribed Pomegranate from the House of the Lord", *Israel Museum Journal* 8, 1989, pp. 7-15.

5. Avigad, *op. cit.*, p. 11.

And therefore, our two Phoenician dedications give us, first of all, clear evidence that the pomegranate, or artifacts in its form, were used for dedication to Phoenician deities.

We have here an additional strong confirmation that the publication of N. Avigad treats a really genuine object with a genuine dedicatory inscription.⁶

Fig.1

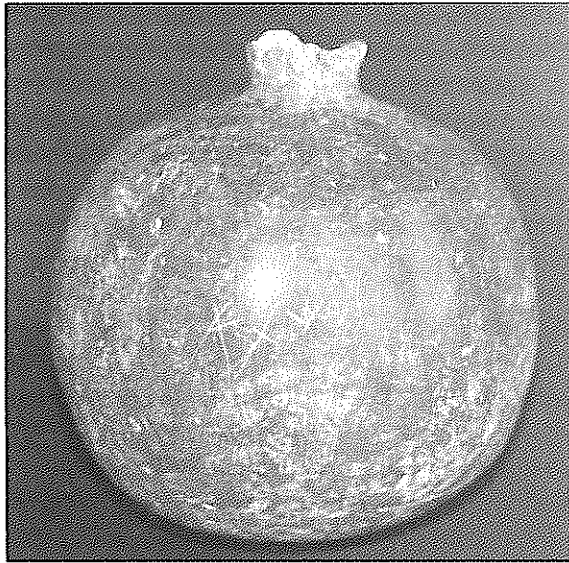
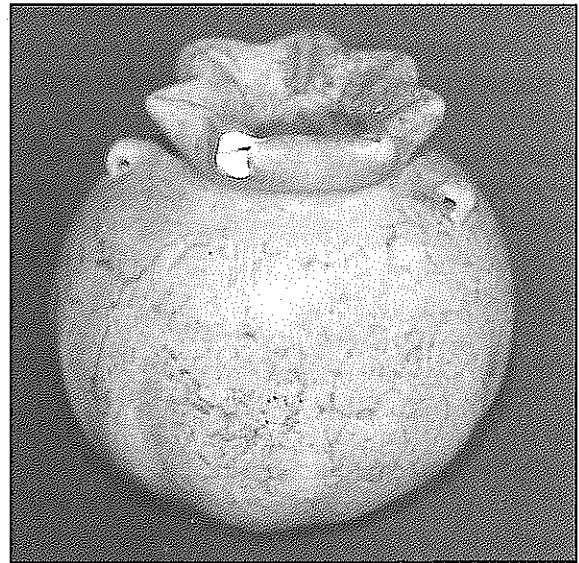


Fig. 2



Handwritten text: $\frac{4}{X}$ wad

Handwritten text: $\frac{4}{9}$ wOL

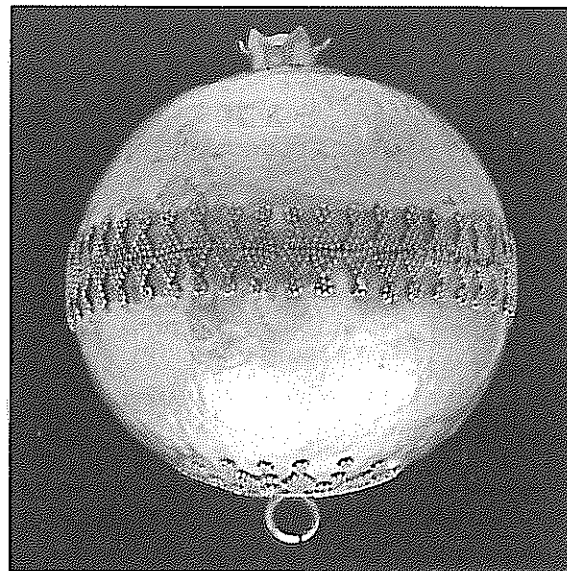


Fig. 3

6. We hope also that this will silence the unfounded criticism about the genuineness of all pomegranate objects given here.

The Interpretation of Hurrian *pid=(u)ua* in the Light of Hittite, Akkadian and Urartian Data

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It goes without saying that the help from bilingual texts, glosses or comparative material to understand a (dead) language both in grammar and lexicon is crucial. This holds certainly true in the case of Hurrian whose knowledge has progressed considerably since the discovery in 1983 of the Hurro-Hittite bilingual epic at Boğazköy. In this note I want to discuss a Hurrian verbal form that is found precisely in this text (KBo 32.13 I:11), namely *pid=(u)ua* (as I suggest to normalise it). The discussion will focus mainly on the outside help: 1) the Hittite equivalent in the bilingual, 2) the Akkadian equivalent of another Hurrian *pid*-verbal form, and 3) the Urartian cognates.

1) The Hurrian verbal form spelled *pí-du-ub-wa_a* in KBo 32.13 I:11 is rendered in the right column l. 12 with Hittite *ú-e-ḫa-at-ta*. The Hittite form can be easily analysed as the pres. mid. 3 p. sg. of the verb *ueḫ-* (*ueḫ=a=ttā*), with the meaning “to turn/move back/around”. Like in our passage, it can be sometimes found with the postposition *piran* (e.g. KUB 24.9 II 28 and dupl. 11 II 9, 27.67 II 1, III 5, 34, 53, 58, and also Akkadographically written *PA-NI*, e.g. KBo 4.1+ Vs. 16, 4.6 Vs. 15), having then the meaning “to turn/move before (someone)” –or also “to stand before (someone)” as a possible semantic derivation (as suggested by E. Neu *StBoT* 6 p. 198).

The passage in question, within the context of Teššub's visit to the Netherworld, reads as follows (col. II:12):

na-aš A-NA ḫIŠKUR pí-ra-an ú-e-ḫa-at-ta;

in translation: “And she (the Sun-goddess of the Netherworld, Allāni) turned before the Weather-god”. This Hittite sentence seems to translate rather literally the Hurrian text in the left column (col. I:11):

ḫIŠKUR-up-pa pí-du-ub-wa_a a-wi_i-ta.

Indeed the complement *ANA ḫIŠKUR piran* stands clearly for Hurrian *Teššob=pa* (<*va*) (Dat.) + final-postposition *av(i)=i=da* (Dir.).

Accordingly, the Hurrian verb *pid-* in this present-tense intransitive and reflexive construction (cf. Hitt. ‘middle’ voice) must have the meaning of “to turn/move (back)”. As for the verbal morpheme, its meaning is so far obscure. G. Wilhelm (*Fs. Heger* p. 664) suggested to read *pid=uff=a*, admitting that the force of the root-complement is still unknown. In paragraph 3 below, I shall discuss the alternative reading of the bound morpheme *=(u)ua* I have proposed.

A completely different interpretation has been recently put forward by E. Neu in the final edition of the bilingual epic (*StBoT* 32). There (pp. 250f.) he postulates the reading *pid=u=ua_a*, taking it as an intransitive participle with the dative suffix in the meaning of “zufrieden” and referring to Teššub (as he admits himself in n. 62, one would have rather expected “eine Dativschreibung **pí-du-up-pa*” besides the spelling *ḫIŠKUR-up-pa*). Accordingly, he discards our equivalence between the Hurrian and Hittite forms, understanding that Hitt. *ueḫatta* has “kein lexikalisches Pendant in der hu. Vorlage” and that the Hurrian sentence is a “Nominalsatz”.

2) The Hurrian verbal root *pid-* is found, as I suggest, in another form glossing its Akkadian counterpart in one tablet from the archive of Alalah level IV. AT 418 is an Akkadian administrative text that lists several articles of furniture (tables, chairs and footstools). The last three lines (ll. 7-9) read, as already proposed by A. Draffkorn Kilmer (*Hurrians and Hurrian at Alalah*, p. 233):

[a-n]a lú.[na]gar.meš ut-ta-e-ru-ni be-tu-ú-ši.

The last word was catalogued by herself among the words "that may be Hurrian". Indeed, Hurrian glosses in the Akkadian texts from Alalah level IV are not rare. Interestingly, a similar example has been recently put forward by van Soldt and myself (in *SCCNH* 9) for AT 100, where the Akkadian verb closing the text, *ú-ul iš-še-ni-bi-ir* (l. 12), is immediately followed by its Hurrian gloss *zi-ik-ki-ik-ki* (l. 13).

Likewise, then, I suggest to interpret the last word in AT 418 as *pid=oš=i*, "verbal root + past tense + (transitive) class marker", glossing thus Akkadian *utta'erūni*. This Assyrian form of *turru* "to return, to bring back" has a clear passive meaning in this sentence, probably influenced by Hurrian syntax, and can accordingly be interpreted in two different ways. Either as an impersonal plural, taking it thus as a perfect 3 p. pl.: "They have returned the (listed) items to the carpenter(s)". Or as a preterite of the Dt-stem (passive meaning of D) having then the items as subject: "The (listed) items have been returned to the carpenter(s)".¹ In any case, what is clear is that Hurrian *pid-* is here equated with Akkadian *turru*.

3) Hurrian *pid-(u)ua* and Urartian *bid-(i)ja*. Both examples, *pid=(u)ua* in the Hurro-Hittite bilingual and *pid=oš=i* in the Alalah text, show clearly that we are dealing with the same Hurrian verbal root *pid-*. What is also clear from their respective Hittite and Akkadian equivalents, as well as the context, is that the same root can be construed to express both transitive and intransitive actions. As a rule, these opposing functions should be morphologically expressed. In fact, as already pointed out, *pid=oš=i* in AT 418:9 does show the characteristic Hurrian transitive class-marker vowel =*i*. What I suggest then is to interpret the bound morpheme =(u)ua as the intransitive counterpart.

At this point, I want to draw the attention to the Urartian cognate of Hurrian *pid-*, namely *bid-*.² This verbal root is well attested in the Urartian corpus. Significantly, it belongs to the group of verbs which can take both transitive and intransitive markers. Indeed, the transitive verb, with the meaning "to return, to bring back", is formed with the characteristic Urartian class-marker vowel =*u*, cf. the past 3 p. sg. *bid=u=ni*. On the other hand, the intransitive counterpart is marked with the peculiar, and rather rare, intransitive indicator =*ja* (as opposed to the more common class-marker =*a*), cf. the past 1 p. sg. *bid=ja=dī*.³ To judge from the resultive meaning of these verbs and ours in particular "to turn [back/around]", it is possible to suggest (following the opinion of I.M. Diakonoff *HuU* p. 119, cf. also G.A. Melikišvili *StP* 7 pp. 53f.) that the intransitive class-marker =*ja* seems to provide a "middle" voice force to the root.

As a result of this clear parallel use of the same root *pid-/bid-*, I would like to suggest an equivalence between the Hurrian and Urartian morphemes, =(u)ua and =(i)ja. In support for this equivalence, one should mention that in some instances the Hurrian glide /y/ seems to correspond with Urartian /j/ (for this possible etymological phonetic equivalence, see I.M. Diakonoff *HuU* p. 54 n. 55).

1. In favour of the latter interpretation, one should perhaps mention a similar example found in a document from Nuzi where Hurro-Akkadian was admittedly in use. HSS 9 39, a *lišānu*-text from Šilwa-teššub's archive, states in ll. 7-9: 3 anše.kur.ra.meš a-na ʾšī-īl-wa-te-šub ut-te-er-ru-ni. Here, indeed, the form *uterrū* can hardly be an impersonal plural because it should rather stand for the 1 p.sg.

2. For a possible common etymology *bVdV and Eastern Caucasian cognates in the meaning of "side (> turn)", see I.M. Diakonoff-S.A. Sarostin *HUECL* p. 17.

3. Cf. the spellings *bi-dī-a-dī* [UKN 158:18] and *bi-dī-i-a-dī* [UKN 155F:13].

Further Comments on Ugaritic *wn*

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Since my previous short discussion of Ugaritic *wn*,¹ additional material has been noted which is presented here.² As before, the two aspects of form and function can be differentiated.

In respect of *form*, there now seems to be a strong consensus that *wn* = *w* + *hn*, a view considered in the previous note³. For example, Garr comments: "For a possible dialectal feature in the poetic corpus, note *whn* "and behold! in Krt and Aqht (KTU 1.14 III 14; 1.17 V 3) vs. *wn* "and behold" < **w-hn* in Baal (e.g., KTU 1.2 III 22; 1.4 IV 50) (see also *pn* "and behold" < **p-hn* in KTU 1.114:12)".⁴ It may well be that *phn* occurs in KTU 1.6 VI 10-11:

phn. ahym. ytn. b'l spuy. And behold, my brothers has Baal given me to eat,
bmm. umy. klyy my mother's sons to consume.⁵

While there may be doubts about *pn*,⁶ there can be no doubts at all about *whn/wn*.⁷ In other words, the syncope is no longer conjecture but a feature provided by the texts. Somewhat similar are *apn* and *aphn*, on which Avishur commented: "*Aphn* and *apn* are composed of two particles, *ap* and *hn* ("even", "to")".⁸ Note especially *ap.hn* (with word divider) in 1.17 II 28.⁹ Evidently, then, not only is

1. "Comments on Ugaritic *wn*", *AuOr* 12 (1994) 229-232 (discussing KTU 1.2 III 22; 1.3 V 38; 1.4 I 9; 1.4 IV 50; 1.4 V 6; 1.12 I 36; 1.24:30-32; 1.63:11 and 7.56:4 as well as the alleged occurrences in KTU 4.44:9 and 4.46:4). Note that J.-L. Cunchillos-J.-P. Vita, *II. Concordancia de Palabras Ugaríticas en morfología desplegada II.1* 'y, Madrid-Zaragoza 1995, entry 1759, pp. 753-754, lists eight occurrences of *wn*: 1.2 III 22; 1.3 V 38; 1.4 I 9; 1.4 IV 50; 1.4 V 6; 1.12 I 36; 1.117:4[restored] and 4.46:4; and J.-L. Cunchillos-J.-P. Vita, *II. Concordancia de Palabras Ugaríticas en morfología desplegada II.3 Apéndices e índices*, Madrid-Zaragoza 1995, p. 2251, lists 7.56:4 (in broken context).

2. To the bibliography given previously add P. J. van Zijl, *Baal; A Study of Texts in Connexion with Baal in the Ugaritic Epics*, Kevelaer/Neukirchen-Vluyn 1972, 78-79; on "emphatic" *wn* in KTU 1.2 III 22 and 1.24:30-31 cf. E. Zurro, *Procedimientos iterativos en la poesía ugarítica y hebrea*, Valencia/Roma 1987, 14, n. 68 and E. Zurro, review of *MLC, Bib* 64 (1983) 575-579 (577). Cf. also M. Dahood, "The Conjunction *wn* and Negative 'î in Hebrew", *UF* 14 (1982) 51-54. Note also O. Loretz, "Ugaritische Lexikographie", *SEL* 12 (1995) 105-120 (117-118 and 118, n.81) on 1.4 v 6-9, where *wn ap* is translated "Und siehe" and considered to be an anacrusis.

3. Note especially J. Tropper, "Ugaritisch *wn* (KTU 3.9:6) und der Schwund von anlautenden *h* im Semitischen", *UF* 21 (1989) 421-423, already mentioned in my previous short note. For wider application of the same principle cf. J. Tropper, "Die phönizisch-punischen Kausativbildungen im Lichte von Präjotierung und Dejotierung im Semitischen", *ZDMG* 145 (1995) 28-37.

4. W. R. Garr, "On Voicing and Devoicing in Ugaritic", *JNES* 45 (1986) 45-49 (49, n.50). Not all Garr's conclusions have been accepted, but this aspect was not considered by R. Voigt, "On Voicing and Devoicing in Ugaritic", in A. Kaye, ed., *Semitic Studies in honor of Wolf Leslau on the occasion of his eighty-fifth birthday* (Wiesbaden 1991) II, 1617-1630.

5. The text is given as in KTU².

6. However, cf. D. Pardee, *Les textes para-mythologiques de la 24^e campagne (1961)*, Paris 1988, 53 and *TOug* II, 75, n. 234: "La conjonction *pn*, usuelle en hébreu, ne l'est pas en ougaritique. C'est pourquoi bien d'autres explications ont été proposées pour ce mot".

7. It may be that *û an-ni-û* in the Amarna tablets could have the same function (e.g. EA 81:44; 85:29-30; 92:23.25.(26?).37) as set out in A. Rainey, *Canaanite in the Amarna Tablets. A Linguistic Analysis of the Mixed Dialect used by the scribes from Canaan*. Vol. III. *Morphosyntactic Analysis of the Particles and Adverbs*. Leiden 1996, 158-159 (following R. F. Youngblood), but cf. W. L. Moran, *The Amarna Letters*, Baltimore/London 1992, 151.156.166.

8. Y. Avishur, *Studies in Hebrew and Ugaritic Psalms*, Jerusalem 1994, 282. See already K. Aartun, *Die Partikeln des Ugaritischen. I Teil*, Kevelaer/Neukirchen-Vluyn 1974, 70. Cf. Y. Avishur, "The Story of Abraham and Angel Visitors (Gen. 18:1-16) and Its Parallels in Ugaritic Literatures (2Aqht V: 4-31)", *BethMiqrâ* 32 (1987) 168-177 (169-170) [Heb.] (unavailable

the syncope of *whn* to the form *wn* paralleled by the forms *aphn* and *apn*, but both sets of forms actually do occur in the Ugaritic texts.¹⁰ Furthermore, these different forms may also represent different stages of the language, as Smith has pointed out: "If *wn* in the Baal Cycle derives from **w-hn*..., then the form *wn* in the Baal Cycle would be linguistically secondary to the form *whn* in Aqhat and Keret",¹¹ or possibly different dialects (see the quotation from Garr given above).¹²

As for its *function*, Smith notes: "The particle *wn* in (KTU 1.2 III) line 22b seems to provide connection to a preceding sentence. So 1.3 IV 46 = 1.3 V 38 = 1.4 I 9; 1.4 IV 50; 1.14 III 14; 1.17 V 3".¹³ However, this is in direct contrast with the main conclusion reached in my previous note, namely that *wn* can *begin* a new section in speech or narrative. For confirmation, we can look at the three literary passages where *whn* occurs.¹⁴ They are

KTU 1.14 III 14-15

whn. špšm bšb^c.
wl. yšn. pbl mlk. etc.

(Lo) and behold, with the sun¹⁵ on the seventh (day),
then King Pbl will not sleep, etc.¹⁶

KTU 1.17 V 3-5

whn. šb^c] bymm.¹⁷
apnk. dnil. mt rpi.
a<p>hn. ġzr. mt. hrnm[y]

(Lo) and behold, on the seven(th) of the days,¹⁸
then Danil, Man of Rapiu,
furthermore, the Hero, man of Hrn^m,¹⁹ etc.

KTU 1.23:46²⁰

whn. atfm. tšhn.
y. mt. mt etc.

(Lo) and behold, the two women did cry
"Oh, husband, husband, etc."

to me).

9. See now DLU I, 44: "functor de ilación narrativa "acto seguido, a continuación" (< *ap* (I) + *-hn* functor enf.; cf. Aartun PU 2 89s.)."

10. However, according to K. Aartun, *Die Partikeln des Ugaritischen. 2. Teil*, Kevelaer/Neukirchen-Vluyn 1978 90, *apn* = *ap* + *-n*; cf. DLU I, 44, where the syllabic equivalents *ap-pu-na* and *ap-pu-na-ma* are cited.

11. M. S. Smith, *The Ugaritic Baal Cycle. Vol. I Introduction with Text, Translation and Commentary of KTU 1.1-1.2*, Leiden 1994, 38. However, it should be noted that *aphn* and *apn* co-occur in the text from Aqht quoted here!

12. Note that both "behold" and "lo!" are archaic in English. The best approximation to *whn* is perhaps "(Lo) and behold".

13. Smith, *The Ugaritic Baal Cycle*, 257, n. 77.

14. The restoration *whn* proposed by several scholars in KTU 1.6 V 9 is correctly rejected by de Moor, AOAT 16, 230; cf. KTU². The putative occurrence in 1.19 IV 62 *w. hn dr. ylb. lmspr*, which Aistleitner translated "und dies möge das Haus (Ugarit) wiederholt rezitieren" (J. Aistleitner, *Untersuchungen zur Grammatik des Ugaritischen*, Berlin 1954, 34) is probably incorrect. The word division should be *w. hndt*, "and this" - note the word-divider - cf. DLU I, 168.

15. For the difficulties here see Watson, "Final *-m* in Ugaritic", *AnOr* 10 (1992) 223-252 (246).

16. "Y mira, al alba del séptimo, no podrá dormir *Pabilu*, el rey" (MLC, 295); "Voici, au lever du soleil, le septième jour, le roi Pabil ne pourra dormir" (TOug I, 522); "And look! At sunset of the seventh king Pabilu will not be able to sleep" (ARTU, 197); "Ma ecco, all'alba del settimo" (P. Xella, *Gli antenati di Dio. Divinità e miti della tradizione di Canaan*, Verona 1982, 165), etc.

17. The syntax here is difficult - *bšb^c ymm* is expected, as in 1.17 I 15 and 1.17 II 39; perhaps *šb^c* is in the "accusative" and is a cardinal number understood as an ordinal number, "on the seventh", with *bymm* = "among the days", or the whole expression could simply be a scribal mistake. Cf. also Margalit, UPA, 291, although he does not discuss the syntactic problem (correct his 1.17:V:13 to 1.17:VI:3).

As translators generally agree, in each of these passages a new phase of activity begins. In the first, threatened by the besieging army, the king is unable to sleep at sunrise (or perhaps, sunset).²¹ In the second, Danil begins the activity of judging at the gate after his son has received the bow and arrows. The third example is the apodosis to the twofold protasis of lines 39 and 42 ("If the two women should cry, etc.") and clearly opens the final section of stanza II (lines 37-49), as set out by Hetteema.²² The conclusion then, is that in both function and form, and with due allowance for syncope, *wn* and *whn* are the same word.²³

The meaning of *whn* is not in dispute since it is precisely equivalent to *mk*, "behold": *mk špšm bšb^c*, "Behold, with the sun on the seventh (day)" (KTU 1.14 III 3-4), matches *whn. špšm bšb^c* (lines 14-15) with the same meaning.²⁴

It can be noted, in addition, that only in the non-literary text KTU 2.33:27 is a *word-divider* used between *w* and *hn*: *w. hn. ibm. šsq. ly*. The translation, however, is disputed but perhaps the most likely is "And behold, the enemy is pressing me hard".²⁵

18. "Y he aquí (que pasaron) siete días, entonces, etc." (MLC, 374); "Then, on the seventh day" (Margalit, UPA, 148); "Et voici, le septième jour" (TOug I, 427), "Ecco che dunque, nel settimo giorno" (Xella, *Gli antenati*, 198) etc.

19. On these epithets cf. Margalit, UPA, 251-260.

20. Mentioned already in *AuOr* 12 (1994) 230, n.6 (correct "Virolleadud" to "Virolleaud" there). According to J.L. Cunchillos, "Le pronom démonstratif *hn* en ugaritique. Son existence, son histoire, ses rapports avec les autres démonstratifs et avec l'article", *AuOr* 1 (1983) 155-165 (160), this *hn* is proclitic.

21. See M. Dietrich - O. Loretz, "Die ugaritischen Zeitangaben *šbu špš II 'rb špš* und *špšm*", *UF* 22 (1990) 74-77; cf. P. Xella, "Le 'formule' rituali ugaritiche relative al sole (*'rb špš w hl mlk e šba/šbu špš whl mlk/ym*)", *UF* 16 (1984) 339-349.

22. T. Hetteema, "'That it be repeated'. A Narrative Analysis of KTU 1.23", *JEOL* 31(1989-90) 77-94.

23. There may be an occurrence of *whn* in 1.108:1 - the text runs [-]n. *yšt. rpu. mlk. 'Im. wyšt* - and there is room for two signs at the beginning, but Pardee, *Les textes paramyologiques*, 83, rejects it as unexpected syntax in this position and prefers to restore *hln*, following M. Dietrich - O. Loretz, "Baal *rpu* in KTU 1.108; 1.113 und nach 1.17 VI 25-33", *UF* 12 (1980) 171-182 (174-175). See, similarly, TOug II, 113, n. 345 (correct their *hln* to *hln*).

24. Gordon, noted that *mk = hn* (UT § 19.1472), but in fact *mk = whn* (*w + hn*); on *mk* cf. Aartun, *Die Partikeln des Ugaritischen I. Teil* (1974) 71-72. See also 1.6 V 8; 1.15 III 22; 1.19 IV 17 and 1.22 I 25.

25. See TOug II, 336 and n. 32 for various alternatives and discussion. Also, J. Tropper, *Der ugaritische Kausativstamm und die Kausativbildungen des Semitischen. Eine morphologisch-semantische Untersuchung zum Š-Stamm und zu den umstrittenen nicht-sibilantischen Kausativstämmen des Ugaritischen* (Münster 1990) 55. The meaning "he aquí" is accepted in DLU I, 167.