

THE CAREER OF A NEO-BABYLONIAN COURT SCRIBE

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Ile²i-Marduk, descendant of the Epeš-ili family, began work in the vicinity of Babylon as a member of a limited group of court scribes who recorded legal proceedings overseen by the Neo-Babylonian royal judges.¹ Later in life he moved from the Babylon region to Uruk, where he advanced beyond his original position as scribe. His career sheds light on the administration of justice outside of Babylon proper, and provides an example of how a career as a scribe was the first step towards a more advanced legal vocation in Neo-Babylonian Mesopotamia.

Royal Judges, Royal Notaries, and Court Scribes

The evidence for Neo-Babylonian court scribes, in general, is closely related to the evidence for two other professions, namely, royal judges and royal notaries. Studies of Neo-Babylonian legal texts have shown that both professions were restricted “collegia” organized into a discernable hierarchy.² The royal judges are known in Akkadian as *dayyānū ša šarri* or *dayyānū ša RN* (“judges of the king” or “judges of RN”). They are attested in “trial documents” (*Prozeßurkunden*), which are records of legal decisions composed in a regular form.³ The trial documents are sealed by the judges, whose names also appear in the documents themselves, following the recorded proceedings. The royal notaries, known as *tuššarrū ša šarri* (“scribes of the king”),⁴ are attested in a separate group of land-transfer documents that they sealed.⁵ There are also a number of land-related legal texts sealed by both the royal notaries and the royal judges.⁶

The sealing of the tablets is a marker of both the trial documents and the royal notary documents.⁷ From the point of view of actual writing, however, there is an important difference between the two

1. A version of this paper was read at the 2008 annual meeting of the American Oriental Society. I am grateful to the members of the audience for their comments, as well as to C. Wunsch and an anonymous referee from *JCS*. Any faults remain my own. Absolute dates follow R. A. Parker and W. H. Dubberstein, *Babylonian Chronology 626 B.C.-A.D. 75* (Providence: Brown University Press, 1956).

2. C. Wunsch, “Die Richter des Nabonid,” in *Assyriologica et Semitica: Festschrift für Joachim Oelsner*, eds. J. Marzahn and H. Neumann, AOAT 252 (Münster: Ugarit-Verlag, 2000), 567-74; H. D. Baker and C. Wunsch, “Neo-Babylonian Notaries and Their Use of Seals,” in *Proceedings of the XLVe Rencontre Assriologique Internationale*, Vol. 2, eds. W. W. Hallo and I. J. Winter (Bethesda, MD: CDL, 2001), 199-201.

3. Wunsch, “Die Richter des Nabonid,” 558.

4. Wunsch, “Die Richter des Nabonid,” 562 and 200.

5. Baker and Wunsch, “Neo-Babylonian Notaries,” 197-99. See also H. D. Baker, *The Archive of the Nappāhu Family*, AfOBeih 30 (Wien: Institut für Orientalistik der Universität Wien, 2004), 13-14.

6. Wunsch, “Die Richter des Nabonid,” 562.

7. See Wunsch, “Die Richter des Nabonid,” 562-63 for other characteristics of these texts.

groups of texts. The royal notaries, as befits their formal designation as “scribes,” not only sealed their texts, but also wrote them as well.⁸ Trial documents, on the other hand, were not written by the judges themselves, but by court scribes, entitled LU₂UMBISAG or LU₂DUBSAR (Akk. *tupšarru*, “scribe”). The names of the court scribes occur in the same position as the names of scribes in other Neo-Babylonian legal texts, and without the scribes’ seals.⁹

The trial documents show that court scribes, like the notaries and royal judges, also belonged to a limited circle. Of fourteen trial documents that can be dated between years 2 and 12 of Nabonidus (554–543 BCE),¹⁰ nine record the names of the same two court scribes, Nādinu descendant of Paḥāru and Nabû-šuma-iškun descendant of Rāb-bānê.¹¹ Nādinu and Nabû-šuma-iškun also wrote other texts that record litigation involving the royal judges, but which are not trial documents per se.¹² These other texts provide further confirmation of the scribes’ connection to the royal judges.

The number of trial documents is rather small, and any conclusions reached based on them must consider the question of how representative this sample of texts actually is.¹³ It is certainly possible that other, unattested court scribes wrote trial documents between years 2 and 12 of Nabonidus. Nevertheless, the members of the judicial “collegia” who act in these texts remain the same in most cases.¹⁴ So, even if in Babylon between years 2 and 12 of Nabonidus there were other royal judges and court scribes, the attested “collegia” of royal judges consistently worked with the attested pair of court scribes, Nādinu and Nabû-šuma-iškun.

Because only two court scribes are known in Babylon during these years, it is difficult to say much about how—and if—they were organized. Nevertheless, there are some parallels between how the names of court scribes, royal judges, and royal notaries appear in the texts. The names of all three functionaries are written without the father’s name; only the personal name and the family name appear, with the title (“scribe” or “judge”) between them. This suggests that the court scribes enjoyed a professional status similar to that of the royal judges and the royal notaries. Furthermore, whenever both Nādinu and Nabû-šuma-iškun appear together in a text, Nādinu’s name always precedes Nabû-šuma-iškun’s. The names of the royal judges and royal notaries obey a similarly consistent order, which is understood as an indication of rank.¹⁵ Thus, as far as can be seen from the limited data, Nādinu may have ranked higher than Nabû-šuma-iškun.

Since royal judges and notaries are attested in Babylon before year 2 of Nabonidus and after year 12, the circle of court scribes existed then, as well. The scribe ^mNabû-mutir-gimilli descendant of Gaḥal-

8. Baker and Wunsch, “Neo-Babylonian Notaries,” 199.

9. Wunsch, “Die Richter des Nabonid,” 562 includes this fact among other features that distinguish trial records from land sales. For general discussion of sealing practices in the Neo-Babylonian period and the proliferation of sealing in the latter part of the fifth century BCE, see M. Jursa, *Neo-Babylonian Legal and Administrative Documents: Typology, Contents and Archives*, Guides to the Mesopotamian Textual Record 1 (Münster: Ugarit-Verlag, 2005), 4–6.

10. Nbn 64, 356 and 495; M. T. Roth, “The Material Composition of the Neo-Babylonian Dowry,” *AfO* 36/37 (1989/1990) 1–55, no. 1; *TCL* 12 86 and 122; C. Wunsch, “Und die Richter berieten . . .,” *AfO* 44/45 (1997/1998) 60–100, nos. 6, 13, 20, 21, 22, and 23; C. Wunsch, *Das Egibi Archiv: Die Felder und Gärten*, CM 20 (Groningen: Styx, 2000), no. 84; YOS 19 101. For the dating of these texts, see Wunsch, “Die Richter des Nabonid,” 570–71. Note that YOS 19 101 is not included in Wunsch’s catalogue.

11. Nbn 64 356, and 495; *TCL* 12 86 and 122; Wunsch, “Und die Richter berieten . . .,” nos. 6, 20, and 23; Wunsch, *Das Egibi Archiv*, no. 84. In the remaining five trial documents, Nādinu’s name is preserved in Wunsch, “Und die Richter berieten . . .,” no. 21 and Nabû-šuma-iškun’s is preserved in YOS 19 101. Nabû-šuma-iškun is also attested in Wunsch, *Das Egibi Archiv*, no. 90/*TCL* 13 219, dated to year 13 of Nabonidus. The names of the scribes are not preserved in Roth, “The Material Composition of the Neo-Babylonian Dowry,” no. 1 and Wunsch, “Und die Richter berieten . . .,” nos. 13 and 22. The role of two scribes in the production of a single document remains unclear.

12. Nbn 668 (Nādinu and Nabû-šuma-iškun) and Nbn 608 (Nabû-šuma-iškun). Both may also have written I. L. Holt, “Tablets from the R. Campbell Thompson Collection in Hashell Oriental Museum, the University of Chicago,” *AJSL* 27 (1910–1911) 216.

13. See Wunsch, “Und die Richter berieten . . .,” 61. For a more general discussion of the nature of Neo-Babylonian archives and the evidence they provide, see Baker, *The Archive of the Nappāḫu Family*, 4–6 and Jursa, *Neo-Babylonian Documents*, 1–6.

14. See the data collected in Wunsch, “Die Richter des Nabonid,” 570–71.

15. See Wunsch, “Die Richter des Nabonid,” 567–74 and Baker and Wunsch, “Neo-Babylonian Notaries,” 199–201.

Marduk wrote two trial documents during the reign of Neriglissar¹⁶ and the scribe ^mBēl-iddina descendant of Atû wrote two trial documents during the later years of Nabonidus,¹⁷ which suggests that these earlier and later scribes held positions similar to that of Nādinu and Nabû-šuma-iškun.

Royal judges, different from those active in Babylon, are also attested in documents from other cities.¹⁸ Presumably, they were organized like the judges in Babylon, and probably made use of court scribes, as well. Tracing the career of Ile²²i-Marduk descendant of Eppeš-ili, a court scribe who worked outside of Babylon offers insights into the administration of justice and the position of the court scribe where the data are otherwise scarce.

Ile²²i-Marduk as a Court Scribe

Between years 13 and 17 of Nabonidus (543–539 BCE), Ile²²i-Marduk descendant of Eppeš-ili, wrote five documents belonging to the extensive archive of the Egibi family.¹⁹ All five documents are records of litigation, including one trial document that involved Itti-Marduk-balāṭu, also known as Iddinaya, son of Nabû-aḥḫē-iddin, descendant of the Egibi family.²⁰ The five documents pertain to just three cases: three concern the transfer of escrow once held by Itti-Marduk-balāṭu's father,²¹ while the other two relate two separate cases regarding slaves owned by Itti-Marduk-balāṭu himself.²² Although this man belonged to the Babylonian branch of the Egibi family, the documents were not written in Babylon itself, but in Bāb-nār-Šamaš²³ and the city of Bit-šar-Bābili.²⁴ The judicial authorities they mention are different from those who were active in Babylon at the same time.²⁵

The names of several authorities occur in more than one of these cases. A *sukkallu* named Sîn-šēzib is mentioned in the case from Bāb-nār-Šamaš²⁶ and in one case from Bit-šar-Bābili.²⁷ A judge named Nergal-aḫa-ušur and a *kizû* named Kiribtu are mentioned in both cases from Bit-šar-Bābili, and may have been the local authorities there.²⁸ Only one judge, named Šuma-ukīn, is mentioned among the authorities in all three cases, even though these cases were heard in two different locations.²⁹ Perhaps he was a circuit judge of sorts, who joined the local authorities.³⁰ Alternatively, the fact that all three cases involve the same litigant, Itti-Marduk-balāṭu, may indicate a connection between him and the judge Šuma-ukīn.

Šuma-ukīn was probably a royal judge of equivalent standing to his contemporaries in Babylon. It is true that the documents themselves never refer to him as a “judge of Nabonidus,” or as a “judge of the

16. Wunsch, “Und die Richter berieten . . .,” no. 5. and C. Wunsch, “Eine Richterurkunde aus der Zeit Neriglissars,” *AuOr* 17–18 (1999–2000) 241–54.

17. J. M. Durand, *Textes babyloniens d'époque récente* (Paris: A.D.P.F., 1981), no. 60; Wunsch, “Und die Richter berieten . . .,” no. 26. Nabû-mutir-gimilli is attested as a notary, as well. See Baker and Wunsch, “Neo-Babylonian Notaries,” 211.

18. For a list of texts from the reign of Neriglissar and Nabonidus, see Wunsch, “Die Richter des Nabonid,” n. 33 (567–68).

19. Nbn 738, 1047, 1048, and 1113; *TCL* 12 120.

20. Nbn 1113. For this man's position as holder of the Egibi archive, see Jursa, *Neo-Babylonian Documents*, 65.

21. Nbn 1047 and 1048; *TCL* 12 120.

22. Nbn 738 and 1113.

23. Nbn 738.

24. Nbn 1113, 1047 and 1048; *TCL* 12 120. For geographic information on these locations, see R. Zadok, *Geographic Names According to New- and Late-Babylonian Texts*, RGTC 8 (Wiesbaden: Reichert, 1985).

25. See Wunsch, “Die Richter des Nabonid,” n. 33 (568).

26. Nbn 738:10–11.

27. Nbn 1113:28.

28. Nbn 1113:29 and sides; *TCL* 12 120:22–23.

29. Nbn 738 seal; Nbn 1113:29 and sides; *TCL* 12 120:24.

30. The role of the *sukkallu*, who heard the case at Bāb-nār-Šamaš but only one of the cases at Bit-šar-Bābili, requires further investigation.

king.” Nevertheless, his name is always followed by the title LU₂.DI.KU₅ (*dayyānu*, “judge”), including twice in the inscriptions beneath his seal. This titular convention applies to the names of royal judges in Babylon and, it may be assumed, in Bāb-nār-Šamaš and Bit-šar-Bābili, as well.³¹

If Šuma-ukīn was a royal judge, it follows that Ile²²i-Marduk was a court scribe. Like Nādinu and Nabû-šuma-iškun, Ile²²i-Marduk served the same judge and composed the same kinds of documents. Unlike the court scribes from Babylon, however, Ile²²i-Marduk wrote documents for the same judge in more than one location. This fact suggests a particularly close connection between the judge and his court scribe.

Ile²²i-Marduk in Uruk

Three documents written in Uruk, from the Eanna temple archives, attest to the activities of a man named Ile²²i-Marduk descendant of Eppeš-ili. In year 9 of Cyrus (530 BCE), he was the court scribe who drew up a trial record of the decision by several members of the Eanna administration, sealed by a judge named Bau-ēreš.³² Ile²²i-Marduk is mentioned in two texts written three years later, in year 3 of Cambyses (527 BCE).³³ In both texts, he appears alongside a royal judge named Rīmūt. In one, Ile²²i-Marduk, Rīmūt, and a vellum scribe named Bau-ēreš issue an order concerning fish offered in the Eanna.³⁴ The other is a preliminary protocol of the proceedings in a case of cattle that has gone missing from the Eanna.³⁵ Ile²²i-Marduk and Rīmūt are the two authorities who hear the initial accusation and who send messengers to find the accused culprit.

In these three texts from Uruk, Ile²²i-Marduk advances from the position of court scribe to the position of adjudicating authority. In all three texts, he still bears the title “scribe,” but only the earliest text from Uruk was clearly written by him.³⁶ Three years later, when he and Rīmūt heard the accusation about the Eanna’s cattle, another scribe, but not Ile²²i-Marduk, wrote the protocol of the proceedings.³⁷ In fact, even though Ile²²i-Marduk’s title is “scribe,” the text implies that he functioned as a royal judge, like Rīmūt. The introductory lines of the text mention only one judge; they state that the accusation was made “before Rīmūt, the judge of the king, and Ile²²i-Marduk, the scribe.”³⁸ But after the accusation is quoted, the text states that “the judges sent a messenger” (LU₂.DI.KU₅.ME LU₂.DUMU¹ *šip-ri . . . iš-pu-ru-ma*).³⁹ Since the text does not mention any other authorities before this point, the plural subject (marked clearly with a ME sign), and the plural verb in this sentence must refer not only to Rīmūt, but to Ile²²i-Marduk as well. Both men were understood to be judges.⁴⁰ If the adjudicator Ile²²i-Marduk is

31. See Wunsch, “Die Richter des Nabonid,” 558 for discussion of this titular convention.

32. OIP 122 38. For discussion of the case see D. B. Weisberg, *Neo-Babylonian Texts in the Oriental Institute Collection*, OIP 122 (Chicago: The Oriental Institute of the University of Chicago, 2003), 70–74. For prosopography of the Eanna administration, see H. M. Kümmel, *Familie, Beruf und Amt in spätbabylonischen Uruk*, Abhandlungen der Deutschen Orient-Gesellschaft 20 (Berlin: Gebr. Mann, 1979).

33. YOS 7 151 and YOS 7 159, as noted in Kümmel, *Familie, Beruf und Amt*, 114.

34. YOS 7 151. For a discussion of this text, see K. Kleber, “Die Fischerei in der spätbabylonischen Zeit,” WZKM 94 (2004) 147–48. Note that Bau-ēreš in YOS 7 151 may be the vellum scribe (*sepīru*) of Gobryas in OIP 122 38, which would further confirm the association between Ile²²i-Marduk and royal (or viceregal) functionaries. I am grateful to the JCS referee for this reference to Kleber and for the interpretation of the Bau-ēreš connection.

35. YOS 7 159. For discussion, see S. von Bolla, “Drei Diebstahlsfälle von Tempeleigentum in Uruk,” *ArOr* 12 (1941) 117–20.

36. OIP 122 38:47.

37. YOS 7 159:27.

38. YOS 7 159:2–3.

39. YOS 7 159:7.

40. The title “scribe” may mean that Ile²²i-Marduk became a notary, rather than a judge. What is important, however, is that the text itself refers to him as a judge. Ile²²i-Marduk’s position should not be confused with the position of the “Scribe of the Eanna,” on which see Kümmel, *Familie, Beruf und Amt*, 108–34 and R. H. Sack, “The Scribe Nabû-bāni-aḫī, son of Ibnā, and the Hierarchy of Eanna as seen in the Erech Contracts,” *ZA* 67 (1977) 42–52.

the same man named in the Egibi texts, he was already a seasoned, experienced court scribe by the time he began to hear cases in the Eanna.

But are the two court scribes named Ile²²i-Marduk descendant of Eppeš-ili actually the same person? Because court scribes' names were written without a patronymic, it is difficult to be perfectly certain that a scribe attested in the Eanna archive is the same as one in the Egibi archive. Nevertheless, since the circle of qualified court scribes was limited, names of court scribes that recur are likely to belong to the same person. The Ile²²i-Marduk texts date from the sixteen years between year 13 of Nabonidus and year 3 of Cambyses, a plausible span of activity for one person.⁴¹ Finally, the attestation in different archives need not indicate that different people are involved. It is possible that Ile²²i-Marduk relocated from the vicinity of Babylon to Uruk between year 17 of Nabonidus, when he is last attested in the Egibi archive, and year 9 of Cyrus, when he is first attested in the Eanna.

If the scribe Ile²²i-Marduk who worked for Šuma-ukin near Babylon is the same as the scribe Ile²²i-Marduk who worked in Uruk nine years later, his move from one city to another demands explanation.⁴² He probably did not move to Uruk in order to join the Eanna bureaucracy. Ile²²i-Marduk was a secular official who participated in legal cases involving the Eanna, but was not part of the Eanna administration.⁴³ The fall of the Neo-Babylonian kingdom to Persia may have caused him to move. A formal "transfer" by the new government seems unlikely, however, given that the positions of royal judges in Babylon were not affected by this change.⁴⁴

A possible explanation for Ile²²i-Marduk's move emerges from comparison between his career and the career of Nabû-ahhē-iddin, a well-known descendant of the Egibi family.⁴⁵ Although Nabû-ahhē-iddin was a member of a Babylonian family and functioned as a royal judge in Babylon itself, before he assumed this position he performed a "tour of duty" as a scribe outside Babylon, in Opis, during year 40 of Nebuchadnezzar (565 BCE), when he wrote several court-related documents.⁴⁶ Ile²²i-Marduk's stint as the court scribe of the judge Šuma-ukin might have been an analogous period of service away from his native city, which could well have been Uruk, rather than the vicinity of Babylon. When this period of service was over, Ile²²i-Marduk returned to Uruk, where he continued to serve as a court scribe until his position advanced.

41. The career of Nabû-ahhē-iddin descendant of Egibi, a royal judge who also started out as a scribe, lasted over twenty years, from year 40 of Nebuchadnezzar through at least year 12 of Nabonidus. See G. van Driel, "The Rise of the House of Egibi: Nabû-ahhē-iddina," *JEOL* 29 (1985-1986) 54-57.

42. For general discussion of the question of the mobility of specialized workers in Mesopotamia, see C. Zaccagnini, "Patterns of Mobility among Ancient Near Eastern Craftsmen," *JNES* 42 (1983) 245-64.

43. His position is thus analogous to the royal judge in *OIP* 122 38. For other examples of royal judges involved in affairs of the Eanna, see V. Scheil, "La libération judiciaire d'un fils donné en gage sous Neriglissor en 558 av. J.-C.," *RA* 12 (1915) 1-13; J. M. Durand, *Textes babyloniens*, no. 60; and *YOS* 7 161.

44. See Wunsch, "Die Richter des Nabonid," 572-73.

45. See Jursa, *Neo-Babylonian Documents*, 65-66 and the literature cited there.

46. Van Driel, "The Rise of the House of Egibi," 55. Although none of these earlier documents is actually a trial record, Nabû-ahhē-iddin was certainly familiar with the formal requirements of these texts. He was one of two court scribes who wrote a trial record dated to Nabonidus's first year (Nbn 1128). Note that this text is later than his earliest attestation as a judge (Nbn 16).