

# Zeitschrift für Altorientalische und Biblische Rechtsgeschichte

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Journal for Ancient Near Eastern and Biblical Law

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21 · 2015

Harrassowitz Verlag · Wiesbaden

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# High visibility punishment and deterrent: Impalement in Assyrian warfare and legal practice

Karen Radner (London)

In modern times, two forms of capital punishment practised in the Assyrian Empire have profoundly influenced the assessment of this state as using excessive, undifferentiated brutality in conquering and controlling the Middle East and the Eastern Mediterranean from the 9<sup>th</sup> to the 7<sup>th</sup> century BC: flaying and impalement. Although this paper will touch on flaying at times, I have chosen to focus on impalement, as its use was not restricted to warfare but also applied as a tool of Assyrian legal practice. This made the topic a good fit for a conference aiming to discuss punishment and the threat of punishment in the context of deterrent, retaliation and compensation.<sup>1</sup>

## Introduction

Perhaps in contrast to Assyria's modern reputation for the use of disproportionate cruelty, attestations for impalement in the Assyrian Empire are relatively rarely documented in the sources. We shall see that there was no mass impalement, as we must correct the one supposed reference to such a practice – a favourite passage to illustrate mindless Assyrian violence since the relevant text was first translated at the end of the 19<sup>th</sup> century. Unlike previous studies,<sup>2</sup> the following paper is based to the best of my knowledge on the assessment of the complete primary source basis, bringing together both textual and figural evidence. When assembling the text sources, I have employed a lexicographical approach that focused on the two words used in Assyrian texts for “stake”. The terms *zaqāpu* (from the verb *zaqāpu* “to erect”) and *gašāšu* (from the verb *gašāšu* “to cut off”) are used in seven relevant expressions:<sup>3</sup>

*ana zaqāpi zaqāpu* (§I.1) – inscriptions of the 9<sup>th</sup> century BC

*ana zaqāpi šalbû* (§I.1.c) – inscriptions of the 9<sup>th</sup> century BC

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1 “Zwischen Abschreckung, Vergeltung und Wiedergutmachung: Strafen und Strafandrohungen in antiken Kulturen”. My thanks to the organiser Birgit Christiansen for the kind invitation.

2 David Ussishkin's (2003) discussion of the impaled men in the depiction of the siege of Lachish is accompanied by a very brief but also incomplete survey of some other depictions of impalement in Assyrian art. Carly Crouch's monograph *War and Ethics in the Ancient Near East: Military Violence in Light of Cosmology and History* (2009), a comparative study of Assyria, Israel and Judah, considers some of the relevant inscriptions and reliefs, but due to the chronological scope of her study only from the reign of Tiglath-pileser III onwards. The archival materials – letters and a legal document – have never been subjected to a detailed study.

3 As ever, I am grateful to Simo Parpola for use of the Helsinki Corpus of Neo-Assyrian Texts.

*ana zaqīpi šēlû* (§I.4) – inscriptions of the 8<sup>th</sup> century BC

*ana zaqīpi šakānu* (§II.2) – archival texts in Assyrian and Babylonian

*zaqāpu* (§II.3) – archival text in Assyrian

*ina gašīši rattû* (§I.2) – inscriptions of the 9<sup>th</sup> century BC

*ana gašīši alālu* (§I.6 and §II.1) – inscriptions of the 7<sup>th</sup> century BC

At least to the modern mind, there is a clear difference between killing by impalement on a stake and the conceptually closely related but nonetheless distinct practice of displaying corpses on a stake. The phrases *ina gašīši rattû* and *ana gašīši alālu* only ever refer to the displaying of corpses on stakes, as the victims are said to be dead already. On the other hand, there are instances when the phrases *ana zaqīpi zaqāpu* and *ana zaqīpi šēlû* are demonstrably used for actual impalement, as the punishment is inflicted on victims that are unequivocally defined as alive at the beginning of the procedure. However, this is not always the case and it seems that the distinction between impalement and displaying of corpses was not as clear-cut in the Assyrian terminology as the modern commentator may wish.

However, it is likely that *gašīšu* and *zaqīpu* are not exact synonyms, as also the lexicographical tradition never links the two terms.<sup>4</sup> The type of pole called *gašīšu* may well denote a wooden device used exclusively to hold up and put on view a dead body,<sup>5</sup> as depicted in scenes on the reliefs of Tiglath-pileser III (r. 745-727 BC), Sargon II (r. 721-705 BC) and Sennacherib (r. 705-601 BC). According to these depictions, this type of gibbet was T-shaped (§I.5). The device called *zaqīpu*, on the other hand, would seem to denote a simple wooden stake used for killing by impalement, as depicted on the Balawat Gates of Shalmaneser III (§I.3), which could also be employed for exhibiting dead bodies. In any case, it would be too rash to assume that all expressions formed with this term always indicate an execution by impalement, although in practice this may often have been the case.

Be that as it may, actual impalement is attested throughout the imperial period from the 9<sup>th</sup> to the 7<sup>th</sup> century BC. It was a very public and highly visible form of executing a person. According to the pictorial evidence discussed in §I.2, the naked person was positioned on top of a long, probably sharpened wooden stake that entered the lower body between the legs, presumably at the rectum. This can be described as longitudinal impalement. Death would have been the unavoidable result of this procedure, once set in motion, but dying would have been a protracted, extremely agonizing affair that could potentially last hours, if not days. The fact that the dying were set up high above ground and usually in exposed places was meant to guarantee high visibility to the intended audience. We can define impalement as a deliberately extreme form of capital punishment that places premium importance on the spectacle of a highly public killing.

In most of the available sources, impalement is directed against non-Assyrian enemies in the context of siege warfare (§I). However, impalement, be it threatened or implemented, served also to discipline subjects of the Assyrian king within the Assyrian Empire (§II).

<sup>4</sup> CAD G 56 s.v. *gašīšu*.

<sup>5</sup> Although the (limited) Old Babylonian evidence is beyond the scope of our paper this may also apply to the clause in the Codex Hammurabi that uses the expression *ina gašīšim šakānum* in the context of punishing an adulteress: CH §153.

## I. Impalement of live and dead enemies in Assyrian siege warfare

This section will present evidence found in the royal inscriptions and imperial art of the Assyrian Empire for impalement in Assyrian warfare. The attestations are presented in sections following a roughly chronological order that deal with specific expressions (§I.1, §I.2, §I.4 and §I.6) and forms of pictorial representation (§I.3 and §I.5).

### I.1 *ana zaqīpi zaqāpu* “to impale on a stake” in Assurnasirpal II’s inscriptions

The term *ana zaqīpi zaqāpu* “to impale on a stake” appears in four distinct narratives in the royal inscriptions of Assurnasirpal II (r. 882–859 BC). When the victims of this procedure are identified as “alive”, as is the case at Amedi and Uda in 866 (§I.1.a), there is no doubt that they were being executed. However, in the report on the events at Suru in 882 BC (§I.1.c), the same phrase is used when corpses were being raised on stakes. Whether the impaled were alive or dead at Pitura in 879 BC remains unclear (§I.1.b).

#### I.1.a. *The sieges of Amedi and Uda in 866 BC*

In 866 BC, Assurnasirpal twice used the impalement of captive enemy troops as a means to force cities into subjugation. Both instances took place in the strategically and economically important Upper Tigris region, which Assurnasirpal meant to bring decisively under Assyrian control. He first used impalement during the siege of Amedi (modern Diyarbakir), the royal city of Ilanu of Bit-Zamani and the most important settlement on the Upper Tigris, and later during the same campaign at the siege of Uda, the fortified city of Labṭuru of Nirdun, a tiny kingdom in the northern reaches of the Tur Abdin range.

The annalistic inscription inscribed on the walls of the Ninurta temple at Kalhu states that “I impaled on stakes live troops around his city,” referring to the rulers Ilanu and Labṭuru, respectively.<sup>6</sup> At Amedi, the impalement was combined with piling up head trophies in front of the city gate, harvested from enemy troops slain during the previous capture of nearby Damdammusa, and the cutting down of fruit trees in the orchards surrounding the city. As Steven Cole (1997) has shown, the gradual and public cutting down of a city’s fruit trees during a siege was designed to persuade the inhabitants to surrender – just like the equally gradual and public killing of their countrymen by impalement. Both Amedi and Uda submitted to the Assyrian attack.

#### I.1.b. *The siege of Pitura in 879 BC*

An earlier passage in the same inscription, also relating events in the Upper Tigris region, uses the phrase *ana zaqīpi zaqāpu* in the context of the capture of Pitura in 879 BC, a fortified city of the land of Dirru: “I impaled on stakes 700 troops opposite of their city gate.”<sup>7</sup> As in the case of the siege of Amedi in 866 BC, the impalement is combined with the heaping up of head trophies, said to have been taken from 800 enemy troops.

6 RIMA 2 no. 101.1: iii 108: LÚ.ERÍN.MEŠ TIL.A.MEŠ *ina ba-at-tu-ba-at-te šá URU-šú a-na GIŠ.zi-qi-pi lu ú-za-qi-pi*; RIMA 2 no. 101.1: iii 112: LÚ.ERÍN.MEŠ TIL.A.MEŠ *ina ba-tu-bat-te [UR]U-šú a-na GIŠ.zi-qi-pi ú-za-qi-pi*.

7 RIMA 2 no. 101.1 ii 109: 7-me ERÍN.MEŠ *ina pu-ut KÁ.GAL-šú-nu a-na GIŠ.zi-qi-pi ú-za-qip*.

Unlike at Amedi and Uda in 866 (§I.1.a) and at Suru in 882 (§I.1.c), Assurnasirpal's goal at Pitura was not the submission of the city but its total destruction: "I razed, destroyed and turned into ruin hills the city."<sup>8</sup> The account of the city's capture concludes with the burning of Pitura's young boys and girls, driving home the point that the Assyrian army was not even interested in sparing the civilian population, neither to serve as local allies nor to be deported back to Assyria. Impalement was here not a means of forcing a besieged city into capitulation; instead, it took place after the capture had been achieved, designed to send a message to the entire land of Dirru, whose "fifty cities" were subsequently subjugated by the Assyrian army.

The account of the taking of Pitura is also included in the inscription on Assurnasirpal's royal stele from the Nimrud temple. But here, instead of the 700 mentioned in the temple's wall inscription, only five men are said to have been impaled on stakes.<sup>9</sup> This is usually considered an engraving mistake for 700, given that the inscription is riddled with "a surprising number of errors", especially in its last parts, which suggested to A.K. Grayson (1991: 238) that the engraver "was working hastily to meet a deadline". However, we should also be prepared to consider that the number of five men is the intended one whereas the number in the Nimrud temple wall inscription is a mistake. In the following line of that inscription, there is a mention of 700 troops<sup>10</sup> of the enemy forces being killed in the subsequent battle at Kukunu. I would therefore argue that the engraver of the wall inscription simply miscopied the number from that line, and not the engraver of the stele inscription, whose confusing of 700 with 5 would be very difficult to explain. Therefore, only five men were impaled at Pitura in 879 BC.

This is important as recognizing the number in the Nimrud temple wall inscription as an engraving mistake removes the only instance of mass impalement from the Assyrian evidence. This puts this attestation in line with the rest of the sources, from which impalement generally emerges as a highly selective and exemplary form of execution. Even when stakes are used not to kill, but only to display the already dead body, the level of technical preparation necessary for readying the wooden stakes would make the mass impalement of hundreds of people a formidable logistical challenge. Impalement can be seen as a useful method of terrorizing an audience in a targeted, measured way. But mass impalement would appear to be a cumbersome and unnecessarily resource intensive exercise, even if we can assume that suitable timber was easier to come by in the Tur Abdin mountains, where Pitura is situated, than, say, in Suru in the Habur valley. Moreover, while the ability to kill many was showcased frequently in the Assyrian theatre of terror, this was achieved by other means: at Pitura, it was the heaping up of head trophies and the burning of the young that served this purpose.

Lastly, we must stress that it remains unclear whether the five men impaled at Pitura were dead or alive when they were raised on stakes opposite of the city gate.

<sup>8</sup> RIMA 2 no. 101.1 ii 109.

<sup>9</sup> RIMA 2 no. 101.17 iv 81: 5 ERÍN.MEŠ *ina pu-ut KÁ.GAL-šú-nu a-na GIŠ.zi-qi-pi ú-za-qi-pi*.

<sup>10</sup> RIMA 2 no. 101.1 ii 110: 7-me ERÍN.MEŠ.

*I.1.c. The siege of Suru in 882 BC*

Assurnasirpal first used impalement in the year of his accession, in 882 BC, when uprooting the new ruler of the Aramean principality of Bit-Halupe on the Habur river, an Assyrian client state. His own people had killed their pro-Assyrian king and then proclaimed as their master an outsider from the neighbor in the west, the kingdom of Bit-Adini, an enemy state of Assyria. As a consequence, Assurnasirpal put Suru, the capital city of Bit-Halupe, under siege. The account of the rebellion in Bit-Halupe only features in the Ninurta temple wall inscription from Kalhu, but is there presented in much detail.<sup>11</sup> According to that report, the nobles and elders quickly defected and submitted to their Assyrian overlord who spared them. The pretender from Bit-Adini, Ahi-iababa, and his supporters were captured, and the city was taken and placed under the authority of a local man chosen by Assurnasirpal whose forces eventually departed with rich spoils, leaving behind the king's statue in the palace of Suru.

Before turning to this last point, the account describes in great detail the punishment meted out against the usurper and his supporters who were denounced as criminals<sup>12</sup> and rebels against Assurnasirpal personally.<sup>13</sup> Their fate was death but a key distinction was made regarding the locality of their execution. Only the pretender Ahi-iababa was sent to the Assyrian heartland, to be flayed in Nineveh where his skin was subsequently displayed on the city wall. His supporters, on the other hand, were killed at Suru. The purpose of their execution was not to weaken the defenders' resolve during the siege, which had ended by that time. The killings were staged in a public and deliberate manner in front of the city of their crime. To this end, Assurnasirpal had a tower erected opposite of the city gate of Suru, which served as the stage for their flaying. Both their skins and their corpses were then put on display. As the passage in question is complex in its narrative intent, we will have a look at it in its entirety.<sup>14</sup>

<sup>89</sup> *a-si-tu ina pu-ut KÁ.GAL-šú ar-šip*  
 LÚ.GAL.MEŠ *am-mar*<sup>90</sup> *ib-bal-ki-tu-ni a-ku-šu*  
 KUŠ.MEŠ-šú-nu *a-si-tu ú-hal-lip*  
*a-nu-te ina ŠÁ-bi a-si-te ú-ma-gígi*  
*a-nu-te ina UGU*<sup>91</sup> *i-si-te ina zi-qi-be ú-za-qip*  
*an-nu-te ina bat-tu-bat-ti šá a-si-te ina zi-qi-be ú-šal-bi*  
*ma-a'-du-te ina pi-rík KUR-ia*<sup>92</sup> *a-ku-šu*  
 KUŠ.MEŠ-šú-nu BÀD.MEŠ-ni *ú-hal-lip*  
 šá LÚ.šá-SAG.MEŠ šá LÚ.šá-SAG-MAN.MEŠ-ni EN *hi-i-tí* UZU.MEŠ-šú-nu  
*ú-ba-tiq*

"I built a tower opposite his gate.  
 I flayed the nobles, as many as had rebelled against me.  
 I clothed the tower with their skins.  
 Some I spread out within the tower.

11 RIMA 2 no. 101.1 i 75–99.

12 RIMA 2 no. 101.1 i 82; EN *hi-tí*.

13 RIMA 2 no. 101.1 i 89–90: *am-mar ib-bal-ki-tu-ni*.

14 RIMA 2 no. 101.1 i 89–92.

Some I impaled on stakes above the tower.  
 Some I arranged on stakes in a circle (*ana zaqīpī ušalbi*) around the tower.  
 I flayed many across my land.  
 I clothed the city walls with their skins.  
 I cut up the flesh (even) of criminal eunuchs and royal eunuchs.”

The narrative then turns to the fate of the pretender Ahi-iababa. The first part of the present section deals with the execution of the rebels at Suru. They were killed by flaying on a structure specifically erected for the purpose of providing a highly visible stage for the rebels’ punishment and for the subsequent presentation of their skins and corpses at that site, opposite of the city gate of Suru. This location was clearly important. As the population of Suru was split between those who had rebelled and those who had remained loyal to Assyria, the construction purpose-built opposite of the city served as the focal point for the punishment of the insurgents, and not the city of Suru itself. Displaying the dead on and around that structure made sure that the inhabitants remained very aware of the events and their consequences, but did not pollute the city in the same practical and psychological ways that exhibiting the corpses in Suru itself would have done. A structure matching to the one described here seems to be depicted in Band II of the Balawat Gates (§I.3.b).

The narrative then goes on to make a connection with events elsewhere in Assurnasirpal’s realm, stressing that the gruesome punishment of flaying was not only employed towards rebellious client populations but equally used against Assyrian subjects, even the royal eunuchs, if they were guilty of crimes. While modern audiences may recoil from the brutality detailed here, this passage was meant to stress that Assurnasirpal was a strict but fair ruler. Moreover, he emphasized the fact that he expected the same loyalty from all his subjects, be they under his direct authority or under that of a client ruler, and that he in turn would judge them according to the same standards. Historically, Assurnasirpal’s reign marked Assyria’s transition from kingdom to empire. The way we see him here taking responsibility for and expecting obedience from those under the rule of his clients highlights that at this time, the king conceptualized his dominion as consisting not only of the provinces but also of the nominally independent client states.

To return to the practice of impalement and to the phrase *ana zaqīpī zaqāpu*, it seems clear that when the rebels of Suru were raised on stakes, either above the tower or around it, they were already dead, having been flayed before. As stated already in the introduction, the use of *ana zaqīpī zaqāpu* “to impale on a stake” is therefore not a clear indication of whether this was used as a form of execution or as a way of displaying prominent corpses.

## 1.2. *ina gašīši rattû* “to fix to a pole” in Assurnasirpal II’s and Shalmaneser III’s inscriptions

In four of his inscriptions, the royal titles of Assurnasirpal II include an epithet that celebrated the king as the one “who fixed the corpses of his enemies to poles” (*ina gašīši urettû pagar gērīšu*).<sup>15</sup> Here, the phrase *ina gašīši rattû* “to fix to a pole” evidently refers to the displaying of dead bodies on high stakes rather than impalement as a form of execution.

15 These are: the inscription on the wall slabs of the royal palace at Kalhu and of the Ninurta temple in that city as well as on the royal steles from that same temple and from Babil on the Upper Tigris (RIMA 2

The same phrase is also attested in an episode from the annals of Assurnasirpal's son and successor Shalmaneser III (r. 859–824 BC) concerning the rebellion of the client state of Patina (roughly corresponding to the modern Turkish province of Hatay) and the subsequent siege of its capital Kinalua in 829 BC.

### *I.2.a. The siege of Kinalua in 829 BC*

In 829 BC, Shalmaneser III received a report that his client, the ruler of the kingdom of Patina, had been killed by his own people. They then had appointed one Surri as their new master. As was his habit in his later years, Shalmaneser dispatched the commander-in-chief Dayan-Aššur with the Assyrian forces who put Patina's capital city Kinalua (also Kinnalia; modern Tell Tayinat on the Orontes) under siege. Surri took his own life and the inhabitants of Kinalua turned over his sons and supporters, who were denounced as criminals<sup>16</sup> and punished: "He fixed these troops to poles."<sup>17</sup> The city was placed under the authority of a local man chosen by the Assyrian overlord whose forces departed with rich spoils, leaving behind a royal statue in the city's temple.

While the account is much shorter, the events are broadly similar to those recorded at Suru in 882 BC: the Assyrian forces removed a usurper who had wrestled away power from a pro-Assyrian client king and publicly punished those who had assisted him, exhibiting their staked bodies as a reminder of the rebellion and its consequences. The parallel with the events at Suru (§I.1.c) combined with fact that the phrase *ina gaššī rattū* is used may suggest that what is described in the Kinalua account is the displaying of the corpses of the rebels, without specifying the exact form of their execution.

### **I.3. Longitudinal impalement depicted on Shalmaneser III's Balawat Gates**

While the account of the capture of Kinalua in 829 BC probably describes the displaying of enemy corpses on high poles, the bronze decorations on Shalmaneser III's gates for the Mamu temple at Imgur-Ilil (modern Balawat)<sup>18</sup> provide evidence for the use of actual impalement as a form of execution in three distinct visual narratives. These depictions are supplemented by short labels that specify the geographical context and allow dating the events portrayed, because of links to accounts in Shalmaneser's inscriptions. Impalement is attested in the context of the sieges of Sugunia in 859 BC (§I.3.b), Dabigu in 857 BC (§I.3.a) and Kullimeri in 852 (§I.3.c).

In all cases, the impaled are shown atop a pole that enters their straightened body between their spread legs, indicating actual impalement rather than the mere display of corpses being propped up on a high pole (cf. §I.5).

no. 101.40: 17–18; 101.1 i 29; 101.17 i 29; 101.20: 36: *ina ga-ši-ši ú-re-tu-ú // ú-re-tú-ú pa-gar // pag-ri // pa-ag-ri ge-ri-šu // ge-ri-šu*.

16 RIMA 3 no. 102.14: 153 // no. 102.16: 279': EN *hi-i-tí*.

17 RIMA 3 no. 102.14: 154 // no. 102.16: 280'–281': ÉRIN.MEŠ *šú-nu-ti ina ga-ši-ši ú-rat-ti*.

18 A detailed study of the gate decorations is Schachner 2007, with excellent line drawings of all bands.

### *1.3.a. The siege of Dabigu in 857 BC*

Band IV of Shalmaneser's so-called Balawat Gates features a scene where impalement is used as a means to force the enemy city into submission. The band shows various stages<sup>19</sup> of the siege of Dabigu (modern Dabiq on the Quweiq river), identified with a cuneiform label as a city of Ahuni of Bit-Adini,<sup>20</sup> an important Aramaean state in Northern Syria with Til-Barsip (modern Tell Ahmar) as its capital. The visual narrative can be linked to accounts in Shalmaneser's annals that date this siege to the year 857 BC.<sup>21</sup>

In the depiction of Dabigu on the lower register (**Fig. 1**), the Assyrian attack is illustrated in full swing, with troops attacking the city gate with a battering ram and digging underneath the outer city wall while the defenders shoot hails of arrows from the two fortification walls. From the right hand side, the Assyrian archery is arriving. Outside of Dabigu, on a hillside (or is the elevation meant to show a siege ramp?) immediately to its right, six naked men are shown impaled on high stakes. They form pairs that face each other. Executed on a highly visible site just outside the city, both the killing of these men by impalement and the subsequent exhibition of their corpses was part of the Assyrian attack strategy and designed to weaken the psychological and emotional defences of the inhabitants of Dabigu, just like the sapping of its walls and the battering of its gate was meant to damage the city's physical protection.

### *1.3.b. The siege of Sugunia in 859 BC*

Band II of the Balawat Gates, labelled with a brief cuneiform inscription as "Battle against Urartu,"<sup>22</sup> includes a depiction of the siege of a city in Urartu. From the very beginning of Shalmaneser's reign, Urartu emerged as the Empire's new nemesis at its northern frontier. Unlike the wars against Bit-Adini (§1.3.a) and Šubria (§1.3.c), the Assyrian attacks against Urartu were not designed to result in territorial expansion or the establishing of a permanent client relationship. The goal was destabilisation at a time when the consolidation of the Urartian state had not yet been completed.

To the left of the scene, Assyrian troops can be seen carrying away spoils while a pitched battle between the Assyrian army and the Urartian forces wages on the right side. In between, as depicted in **Fig. 2**, we see a sizable city on a mountain going up in flames. To its left are orchards whose fruit trees are being chopped down with axes by two Assyrian soldiers, and then a single building. Head trophies are stacked against its outer wall, one above the other, resembling two totem poles. Raised high above it, three naked men are shown impaled on tall stakes emerging from its towers. The building outside of the city, with the impaled men and the head trophies, seems to be a depiction of the type of structure described in the account of the capture of Suru in 882 BC (§1.1.c). Beyond that, the scene mirrors the key elements of the account of Assurnasirpal's siege of Amedi in 866 BC, which features impalement, heaps of head trophies and the chopping down of the city's fruit tree plantations (§1.1.a).

19 Cf. Yamada 2000, 116.

20 RIMA 3 no. 102.68.

21 RIMA 3 no. 102.1: 90'-95'; no. 102.2 i 16-18; no. 102.6 i 49-56; no. 102.10 i 30-36; no. 102.14: 32-35; no. 102.16: 11-14.

22 RIMA 3 no. 102.65.

The earliest version of Shalmaneser's annals contains a description of the attack of Sugunia, the fortified city of Aramu of Urartu, in the Assyrian king's accession year of 859 BC. The brief report states that "I besieged the city, captured it, massacred many of its people and carried off booty from them. I erected two towers of heads (*i-si-ta-te šá SAG.DU.MEŠ*) opposite of his city."<sup>23</sup> One of these structures may be shown in the scene on Band II, and I therefore tentatively propose that the report of Sugunia's capture should be combined with this depiction.

### *1.3.c. The siege of Kullimeri in 852 BC*

Band X of the Balawat Gates shows the siege of a city, which I propose to identify as Kullimeri.<sup>24</sup> The city's position on the way to the source of the Tigris, whose grotto is shown further on in the same narrative sequence, fits Kullimeri very well.<sup>25</sup> It is one of the two royal cities of the kingdom of Šubria, then under the rule of Anhitte who is mentioned with his other city Uppummu on Band VIII of the Balawat Gates.<sup>26</sup> In the label to the scene on Band X, Kullimeri is designated the royal city of a ruler whose name is conventionally read <sup>PN</sup>*Gi-zu-a-ta*. But as this name is otherwise unattested (and cannot be explained etymologically) I propose to read <sup>PN</sup>*An-hi-it'-ta* instead,<sup>27</sup> linking Kullimeri to the expected king of Šubria. My emended reading of the label on Band X thus eliminates two hapax proper nouns and instead provides links with a place and a ruler known elsewhere in Shalmaneser's inscriptions.

Band X connects the siege of Kullimeri with a visit of Shalmaneser and his troops of the source of the Tigris (modern Birkleyn<sup>28</sup>) where an image of the king and an inscription were mounted. The consensus is to connect the depiction on Band X with the brief accounts in Shalmaneser's annals that mention a visit of the Tigris source in 852 BC. There is no specific mention of Kullimeri in any of the passages documenting the events of this year but unlike in the later editions of the annals, two early versions make reference to resistance encountered by the Assyrians: "I marched to the source of the Tigris, the place where the water comes out, and made sacrifices. I put to the sword the cities that were not submissive to Aššur. I received tribute from the Nairi lands."<sup>29</sup> According to the depiction on Band X, the focal point of this resistance would have been the city of Kullimeri, which makes very good sense, as the residence of the king of Šubria is the dominant settlement in the region.

The city is portrayed as an obstacle in the path leading the Assyrian forces to the Tigris source; one of these soldiers is visible on the right hand side of **Fig. 3**. Kullimeri is shown in flames. To the city's left hand side, Assyrian soldiers are depicted as they cut off the head of one enemy and the hands and feet of another. On either side of Kullimeri, a naked

23 RIMA 3 no. 102.1: 31–32.

24 Reading URU.*Ku-li-mar'*, instead of hapax URU.*Ku-li-si'*, as RIMA 3 no. 102.77 and the previous editions would have it.

25 For a discussion of the available evidence: Radner 2012, 260–264.

26 RIMA 3 no. 102.73.

27 Reading GI as AN and HI is unproblematic; the signs ZU and A are not clear on any of the published photographs but interpreting the visible wedges as one sign rather than two and reading it as IT is entirely possible.

28 For a study of the topography and the Assyrian monuments there: Schachner 2009.

29 RIMA 3 no. 102.6 ii 37–40; no. 102.8: 21'–23'.

man – the left one with chopped-off hands and feet, the right one only without feet – is shown impaled on a high stake, facing towards the burning city. The mutilated state of the impaled individuals has no parallels in any of the other depictions but may perhaps be connected to the report on Tiglath-pileser III's campaign to Iran in 744 BC (§I.4.c).

The city is depicted with heads protruding from the outer walls and on the top of the towers. From their arrangement, it is not clear whether this is meant to portray the city's inhabitants while defending Kullimeri or head trophies, in that case positioned there by the Assyrian conquerors after the capture of the city. Their position is different from the usual depictions of heaps of head trophies, as these show the heads sitting on top of each other in a manner recalling the design of a totem pole (cf. **Fig. 2**). Therefore the first option seems more likely to me but because of the remaining uncertainty, one has to stress that my interpretation of the scene as depicting an on-going siege is tentative.

#### **I.4. *ana zaqīpi šēlū* “to raise up on a stake” in Tiglath-pileser III's inscriptions**

For over a century, there is no evidence for impalement in the available documentation, before the practice is again recorded in the inscriptions and reliefs of Tiglath-pileser III (r. 745–727 BC). The absence of evidence is of course not proof of the absence of the phenomenon, and we must stress that the texts available for that period are overwhelmingly royal steles and related monuments whose inscriptions rarely go into much detail when celebrating their subject, the king of Assyria. In particular, descriptions of sieges are lacking, and after the previous discussions, it is therefore not surprising that there are also no references to impalement.

Once Tiglath-pileser III's inscriptions describe such events again, however, we find that Assurnasirpal II's expression *ana zaqīpi zaqāpu* “to impale on a stake” has been replaced with *ana zaqīpi šēlū* “to raise up on a stake”. The phrase is attested in the context of three sieges, somewhere in Western Iran in 744 (§I.4.c), at Damascus in 733 BC (§I.4.a) and at Sarraḫan in 731 BC (§I.4.b).<sup>30</sup> In describing the events at Damascus, the expression is clearly used for killing by impalement, as the victims are explicitly described as “alive”.

##### *I.4.a. The siege of Damascus in 733 BC*

The long siege of Damascus and its capture in 733 BC was a decisive moment in the Assyrian conquest of the west. After losing a pitched battle with Tiglath-pileser's forces, Raḥianu (Biblical Rezin) of Damascus fled from the battlefield to his capital city, which the Assyrians put promptly under siege. The annals inscribed on the walls of Tiglath-pileser's palace at Kalḫu contain an account of the siege:<sup>31</sup> “I raised up on stakes his foremost men alive while making (the people of) his land watch.”<sup>32</sup> For 45 days I set up my camp around his city and confined him (i.e., Raḥianu) like a bird in a cage. I cut down his plantations, [...] and orchards, which were without number; I spared not a single one.”

In the combination of killing by impalement of select individuals in full view of the city's inhabitants and chopping down the city's fruit trees, Tiglath-pileser's strategy at

<sup>30</sup> Cf. Crouch 2009, 39–41.

<sup>31</sup> RINAP 1 no. 20: 9'–13'.

<sup>32</sup> RINAP 1 no. 20: 9'–10': LÚ.SAG.KAL.MEŠ-šú *baḷ-tu-us-su-nu* [*a-na* GIŠ].*za-qi-pa-a-ni ú-še-li-ma ú-šad-gi-la* KUR-su.

Damascus follows that of Assurnasirpal at the siege of Amedi in 866 BC (§I.1.a) and that of Shalmaneser at Sugunia in 859 BC, as depicted on the Balawat Gates (§I.3.b).

#### *I.4.b. The siege of Sarrabanu in 731 BC*

The siege of the city Sarrabanu in 731 BC follows a similar narrative according to the detailed account in a library copy of a summary inscription of Tiglath-pileser's deeds,<sup>33</sup> although there is no mention of damaging fruit orchards – in the Babylonian environment, these would have been date groves rather than fruit trees. During Tiglath-pileser's campaign through Babylonia, Nabû-ušabši, the leader of the Chaldean Bit-Šilani tribe, met the Assyrian forces in battle in the outskirts of his city Sarrabanu but suffered a defeat (*dīktašu adūk*).

Sarrabanu was then put under siege. The account mentions two strategies that were employed to force the defenders to yield. Their leader Nabû-ušabši, who had evidently been captured in the course of the battle, was impaled in full view of the city: "I raised him up on a stake before the gate of his city, while making watch (the people of) his land."<sup>34</sup> The phrasing is identical to that employed in the account of the siege of Damascus. But unlike the Damascene dignitaries, Nabû-ušabši is not said to be alive when he was put on the stake. We have demonstrated above that the use of Assurnasirpal's phrase *ana zaqīpi zaqāpu* "to impale on a stake" does not necessarily imply killing by impalement, and we should be prepared to consider this also for the expression *ana zaqīpi šēlū* "to raise up on a stake". Given that Nabû-ušabši's impalement is followed by the construction of a siege ramp and the use of battering rams, it seems clear that the inhabitants of Sarrabanu did not surrender to terror alone. The use of battering rams calls to mind the depiction of the siege of Dabigu in 857 BC on Shalmaneser III's Balawat Gates, which show such a battle machine in action (§I.3.a). According to the report in Tiglath-pileser's inscriptions, these methods yielded results at Sarrabanu and the city was captured.

The wall decorations of Tiglath-pileser's palace at Kalhu include two consecutive slabs with a scene of the siege of an unidentified Babylonian city with three fortification rings whose Assyrian attackers make use of ramps and battering rams and chop down of palm trees.<sup>35</sup> This city may very well be Sarrabanu although the impalement of Nabû-ušabši is not depicted.

#### *I.4.c. During a campaign in Western Iran in 744 BC*

The only available account for the campaign into the Median territories in Tiglath-pileser's first regnal year is a very concentrated version of the annals from a wall slab of his palace at Kalhu that is moreover only fragmentarily preserved. The brief passage reads: "Like a net, I overwhelmed the lands Bit-Kapsi, Bit-Sangi and Bit-Urzakki. [I inflicted] a heavy defeat on them. I raised [*their leaders*<sup>?</sup> on stakes]. I cut off the hands of the rest of their

33 RINAP 1 no. 47: 15–17.

34 RINAP 1 no. 47: 15–16: *šá-a-šú meh-re-et KÁ.GAL URU-šú a-na GIŠ.za-qi-pi ú-še-li-šu-ma ú-šad-gi-la KUR-su*. Similar in the much shorter account on a pavement slab from Tiglath-pileser's palace in Kalhu, RINAP 1 no. 39: 9–10: <sup>PND</sup>PA—*ú-šab-ši LUGAL-šú-nu mé-eḫ-ret KÁ.GAL URU-šú a-na GIŠ.za-qi-pi ú-še-li-ma <ú-šad-gi-la> KUR-su* "I raised Nabû-ušabši, their king, up on a stake before the gate of his city <while making watch> (the people of) his land."

35 Barnett – Falkner 1962, 12–14, pl. XXXI–XXXIV.

warriors and released (them) in their land.”<sup>36</sup> This is followed by a list of the livestock taken by the Assyrian forces.

It is instructive to compare this account with the concentrated report of the previously discussed capture of Sarrabanu in 731 BC (§I.4.b) from another slab of wall decoration in Tiglath-pileser’s palace.<sup>37</sup> Here, the events are also condensed to include only the summary celebration of the conquest, the impalement of the ruler and the taking of booty. In parallel to the more detailed account of the 731 episode, we may therefore assume that a longer version of the 744 events would have detailed a siege, during which the impalement of some prominent individual or individuals was staged in order to enforce submission. It is possible that the depiction of the siege of Upa (§I.5.a) may be connected with these events.

The mutilation of the enemy troops in 744 BC brings to mind the depiction of Assyrian soldiers cutting off the enemies’ hands and feet during the siege of Kullimeri in 852 BC on Band X of the Shalmaneser III’s Balawat Gates (§I.3.c). The victims in Tiglath-pileser’s report evidently were meant to survive the loss of their hands, as they were set free in their own country, presumably to serve as a living reminder to everyone who came across them of their encounter with the Assyrian Empire. But despite the superficial similarity, the mutilations executed at Kullimeri seem of a rather different intent, as the impaled, too, are shown here without hands and feet.

### **I.5. Corpses displayed on poles depicted in reliefs of Tiglath-pileser III, Sargon II and Sennacherib**

This section discusses the depictions of three sieges as illustrated on the wall decorations of the palaces of Tiglath-pileser III in Kalhu (siege of Uda, §I.5.1), of Sargon II in Dur-Šarruken (siege of Harhar in 716 BC, §I.5.2) and of Sennacherib in Nineveh (siege of Lachish in 701 BC, §I.5.3), respectively. All three scenes include representations of groups of naked men mounted on high poles outside the cities under siege.

As we shall see, the way these men are shown atop of these poles differs from the way that longitudinal impalement is depicted on the Balawat Gates of Shalmaneser III (§I.3). The poles do not enter the bodies between the legs. Instead the men are shown slumped over them, with their heads and arms dangling in front of their upper bodies. In order to achieve such a position, the pole would have had a crossbeam fixed to its top, which would result in a T-shaped gibbet. While the representations in the present section undoubtedly show the display made of corpses of prominent enemies they do not portray killing by impalement.

#### *I.5.a. The siege of Upa during the reign of Tiglath-pileser III*

A series of decorated stone slabs from Tiglath-pileser III’s palace at Kalhu (**Fig. 4**)<sup>38</sup> depicts a city in mountainous terrain under siege. The Assyrian forces are shown to use ladders and a battering ram – like the one described in the account of the siege of Sarrabanu in 731 BC (§I.4.b) – in order to force their way in. One Assyrian soldier has already made it into the

36 RIMA 1 no. 7: 6–7: [... *a-na GIŠ.za-qi-pa-a-ni*] *ú-še-li si-ta-at LÚ.mun-dah-še-e-šú-nu rit-ti-šú-nu ú-nak-kis-ma ina qé-reb KUR-šú-nu ú-maš-šir.*

37 RINAP 1 no. 39: 8–11. Cf. fn. 34.

38 Barnett – Falkner 1962, 14–16, pl. XXXVII–XL.

city and is cutting the throat of one of the defenders while the others raise their arms in gestures of submission and despair.

On either side of the city, three high poles stand in elevated positions, so that the heads of the naked men that hang from them, facing away from the city, are on the same level as the defenders on the battlements. The men are depicted in a slouched posture, hanging over the poles with heads and arms dangling in front of the torsos and their hair falling down over their foreheads. Their arms appear to be bound at the wrists.

The depiction has a brief cuneiform label that identifies the city as Upa.<sup>39</sup> This toponym is not attested elsewhere in Tiglath-pileser's inscriptions, or indeed in any other Assyrian text, but the reading seems beyond doubt. Perhaps this city is the place whose siege we can begin to reconstruct from the brief remark regarding impalement in the account of the campaign against Western Iran in 744 BC (§I.4.c). The landscape there is mountainous, even rocky, and this matches the image very well.

#### *I.5.b. The siege of Harhar in 716 BC*

The siege of Harhar, one of the most important Median fortresses in Western Iran (most likely Tepe Giyan<sup>40</sup>), in 716 BC is depicted on the wall decorations of the palace of Sargon II (r. 722–705 BC) in Dur-Šarruken (**Fig. 5**).<sup>41</sup> Identified by name,<sup>42</sup> the strongly fortified city is shown under attack by the Assyrian forces that use ladders to scale the city walls; some have already succeeded in entering the city and the defenders are raising their arms in despair and surrender.

Positioned in regular intervals all along the outer wall surrounding the city, 14 naked men are depicted hanging on high poles. They are shown in the same slouched posture as on the depiction of Tiglath-pileser's siege of Upa (§I.5.a) although their arms are clearly not bound together at the wrists.

In most of the depictions discussed so far, the impaled were arranged in groups of three. This is not the case here, and the number of fourteen is probably not meant to be significant. The arrangement presumably represents circular impalement around the entire city, as described for the sieges of Amedi and Uda in 866 BC where soldiers captured in the preceding battles were impaled in this way (§I.1.a).

#### *I.5.c. The siege of Lachish in 701 BC*

The most famous depiction of a siege in Assyrian art is that of Lachish in Judah in 701 BC, as portrayed in the decoration of the palace of Sennacherib (r. 705–681 BC) in Nineveh (**Fig. 6**).<sup>43</sup> The scene has found great attention, not only because of its connection to the Bible but also because Lachish has been excavated, yielding material remains of the siege in the form of earthen ramps and weaponry.<sup>44</sup>

39 RIMA 1 no. 55: URU.Ú-pa.

40 Radner 2013, 446.

41 Albenda 1986, pl. 112.

42 Fuchs 1994, 277: Saal II:7: URU.Har-ha-ar.

43 Ussishkin 1982.

44 Ussishkin 2004 (ramp); Gottlieb 2004 (arrows); Sass – Ussishkin 2004 (sling stones, spears, armour scales).

Against the heavily fortified city walls, the Assyrian forces mount an attack that includes sapping as well as the use of siege ramps and battering rams, while the defenders hail arrows, stones and torches onto them. Near the city gate, two Assyrian auxiliaries raise three naked men on high stakes (**Fig. 7**). Their slumped position corresponds to that of the depictions in Tiglath-pileser's and Sargon's scenes. Like the men at the siege of Upa (§I.5.a), their arms appear to be bound together at the wrists and they face away from the city. As Ussishkin has pointed out, the man in the right-hand position of the group, whose pole the Assyrians are evidently shown in the process of raising up, appears to wear a helmet.<sup>45</sup> This certainly was meant to mark the impaled man's status and identity as a high-ranking Judean military commander, corresponding to accounts in the inscriptions, especially the post-mortem impalement of Nabû-ušabši at the siege of his city Sarribanu in 731 BC (§I.4.b).

Drawing on the analysis of the local topography, Ussishkin is able to suggest the specific site where the poles were erected as being "at the bottom of the roadway below the siege ramp, in the topographical saddle between the southwest corner of the city wall and the hill to its southwest. This particular site of execution was probably chosen so that all captives and deportees leaving the city would be forced to witness the terrible punishment inflicted on the three prisoners as they passed along the road nearby."<sup>46</sup>

It is unclear whether this impalement is part of the strategies deployed to enforce the city's surrender or whether it happens after the city's capture. Both options are feasible, as the depiction merges scenes of the siege with images of its aftermath, showing the Assyrian troops hauling away spoils while Judean families carry their possessions into their new life in exile.

David Ussishkin has studied the depiction in depth and comes to the conclusion that "this scene should be associated with the events that transpired after the battle, when the captives and deportees were evicted from the city, rather than with the attack on the walls."<sup>47</sup> I agree with this assessment. If happening after the conquest of the city, the displaying of the corpses of the three enemy leaders would have been associated with the flaying of two other men, which is depicted to the right hand side of the city in between the rows of Assyrian troops carrying away booty and of Judean deportees that approach king Sennacherib, as he appraises the proceedings seated on his throne atop of a nearby hill. We are already familiar with the combination of impalement and flaying of the defeated enemies from the meticulously staged spectacle of punishment after the capture of Suru in 882 BC (§I.1.c).

#### **I.6. *ana gašiši alālu* "to hang on a pole" in inscriptions of Sennacherib and Assurbanipal**

The phrase *ana gašiši alālu* "to hang on a pole" is attested in accounts in the inscriptions of Sennacherib and his grandson Assurbanipal (r. 669–c. 630 BC). In both instances, events after the conquest of a rebel city are related and it is explicitly stated that the bodies are those of dead enemies.

<sup>45</sup> Ussishkin 2003, 213–214.

<sup>46</sup> Ussishkin 2003, 210, 212 (map).

<sup>47</sup> Ussishkin 2003, 209.

We have already seen that also the other expression to use the term *gašišu* (*ina gašiši rattû* “to fix to a pole”, as attested in the inscriptions of Assurnasirpal II and Shalmaneser III: §I.2) refers to the displaying of corpses, rather than to execution by impalement, on the type of T-shaped gibbet depicted in the siege scenes in the reliefs of Tiglath-pileser III, Sargon II and Sennacherib (§I.5).

We will discuss a further attestation of the phrase *ana gašiši alālu* on a stele of Sennacherib below (§II.1).

#### *I.6.a. The capture of Hirimmu during 704–702 BC*

Various editions of Sennacherib’s annals from 700 BC onwards contain a passage concerning the capture of the city Hirimmu, which was conquered during his campaign against Babylonia sometimes between 704–702 BC: “I put to the sword the population of the city Hirimmu, a dangerous enemy, and I did not spare a single one. I hung their corpses on poles and placed (them) around the city.”<sup>48</sup>

The phrasing makes it explicit that dead bodies were being displayed on stakes after the city had been taken. The arrangement around the entire city mirrors the depiction of the siege of Harhar in 716 BC (§I.5.b) and recalls the events during the sieges of Amedi and Uda in 866 BC, where live enemy soldiers were impaled in this way (§I.1.a).

#### *I.6.b. The capture of Akko in the 650s BC*

As part of a military campaign against the Arab tribes in the 650s BC, the Assyrian forces attack the city of Akko in modern Israel. “I killed the insubordinate people of Akko. I hung their corpses on poles and placed (them) around the city.”<sup>49</sup> Again, the passage explicitly mentions that the victims are already dead.

## II. Impalement as a punishment in legal practice

This section presents attestations for the phrases *ana gašiši alālu* “to hang on a pole” (§II.1), *ana zaqīpi šakānu* “to put on a stake” (§II.2) and *zaqāpu* “to stake” (§II.3). The last two expressions are attested in various archival texts, written in Assyrian or Babylonian language. The phrase *ana zaqīpi šakānu* is used in letters from the state correspondence of kings Sargon II, Esarhaddon and Assurbanipal while one legal document from the year 700 BC employs the typically terse language of this text genre and simply uses the verb *zaqāpu* to refer to impalement.

48 RINAP 3/1 no. 4: 16 (700 BC) // no. 16 i 81–ii 1 (696 BC) // no. 17 i 70–73 (694 BC) // no. 18 i 5’–9” (691 BC) // no. 22 i 57–60 (689 BC) // no. 23 i 52–55 (691 BC) // RINAP 3/2 no. 138 i 15’–18’ (699 or 698 BC): *ba-hu-la-ti* // *ba-hu-la-te* URU.*Hi-rim-me* LÚ.KÚR *ak-ši i-na* GIŠ.TUKUL // GIŠ.TUKUL.MEŠ *ú-šam-qit-ma e-du ul e-zib pag-ri-šú-un* // *pag-ri-šu-un i-na ga-ši-ši a-lul-ma si-hir-ti* URU *ú-šal-me*.

49 Borger 1996, 69: Prism A ix 122–124: UN.MEŠ URU.*Ak-ku-u la kan-šu-ti a-nir* LÚ.BAD.MEŠ-šú-nu *ina* GIŠ.*ga-ši-ši* // *ga-ši-ši a-lul si-hir-ti* URU *ú-šal-mi* // *ú-šal-me* // Borger 1996, 81: Gottesbrief rev. ii 1: *ina* GIŠ.*ga-ši-ši* LÚ.BAD.MEŠ-šú-nu *a-lul* (preceding passage on obverse broken off).

What all these attestations have in common is that they describe impalement as a punishment for the direct subjects of the Assyrian king (which included Babylonians during the entire reign of Esarhaddon and some of the reign of Assurbanipal).

## II.1. *ana gašiši alālu* “to hang on a pole” in an inscription of Sennacherib

Sennacherib had the Royal Road traversing Nineveh broadened as part of its transformation into his new capital city and erected a number of steles along the roadside in order to commemorate this deed as well as protect the road itself. The final passage of the inscription incised on these steles<sup>50</sup> details the punishment awaiting anyone who would disturb its new course. The penalty decreed for such a breach of building regulations is rigorous, as the crime constitutes the very serious offense of contempt against state and crown:

“At any time, when (anyone of) the people living in this city tears down his old house and builds a new one – if the foundation of his house encroaches upon the Royal Road, they will hang him on a pole over his house.”<sup>51</sup>

As we have already discussed, the expression *ana gašiši alālu* is attested also elsewhere in the inscriptions of Sennacherib and those of Assurbanipal (§I.6), but then in the context of the retribution meted out against rebellious cities after their capture. Infringement of the area reserved for the Royal Road, and therefore crown and state property, merits the very same severe punishment, and its location is just as closely identified with the site of the crime: the offender’s corpse is to be displayed at the house whose erection has caused impairment to the Royal Road.

## II.2. *ana zaqīpi šakānu* “to put on a stake” in the Assyrian state correspondence

None of the expressions discussed so far in this paper are attested in the archival texts. This is not surprising as the lexicon used for royal inscriptions differs considerably from that of the contemporary Assyrian and Babylonian dialects. In letters from the correspondences of the Assyrian kings Sargon II, Esarhaddon (r. 681–669 BC) and Assurbanipal, we find the phrase *ana zaqīpi šakānu* “to put on a stake” which, as the contexts make abundantly clear, stands for actual impalement. Therefore, while the late 8<sup>th</sup> and 7<sup>th</sup> century evidence from royal inscriptions and imperial art does not provide us with evidence for impalement as a means of execution (§I.5.b; §I.5.c; §I.6), the archival sources demonstrate that the practice continued to be used.

Impalement is attested as a threat in the case of a call to muster for a military campaign (§II.2.a) and as a reality in three separate occasions in Babylonia, where local authorities employ this punishment to avenge crimes of contempt against the crown and state or, in one case, the gods (§II.2.b). Wherever the circumstances are clear, the site of the execution is specified and has a strong connection to the crime.

<sup>50</sup> Radner 2014, 71–72.

<sup>51</sup> RINAP 3/1 no. 38: 24–27: *ma-ti-ma UN.MEŠ a-ši-bu-ut URU šá-a-šú ša É-su la-bi-ru i-naq-qa-ru-ma eš-šu i-ban-nu-ú ša uš-še É-šú a-na ger-ri LUGAL ir-ru-ba še-er É-šu a-na ga-ši-ši il-la-lu-šú*

### II.2.a. Threatened in a royal order issued by Sargon II

In a royal order of Sargon II that calls for an urgent muster of cavalry, the immense importance of his request is emphasized by threatening the life of anyone who would cause a delay: “Whoever is late will be put on a stake in the middle of his house.”<sup>52</sup> If anyone dared to supply too few or the wrong kind of troops, then the punishment would extend beyond his own impalement to the execution of his children: “Whoever changes the [*contingent* of] the city will also be put on a stake in the middle of his house, and his sons and daughters will be slaughtered by his (own) order.”<sup>53</sup>

The excessive severity of the punishment may perhaps be seen as a mere rhetorical flourish of the royal chancellery, expanding on that stock phrase of extreme urgency, “Should even one day pass by, you will die.”<sup>54</sup> But in order to be effective, such threats must have a rooting in reality. Obstructing the intricate logistics connected with the muster of the army, including provisioning and billeting the men and animals,<sup>55</sup> would not only cause economic damage but also harm military discipline and morale. Any behavior on the part of those responsible for the muster that could impair the overall effort to assemble the army would therefore constitute a very serious offense, demonstrating contempt against state and crown, and would need to be punished with corresponding severity.

As the children’s killing is stated explicitly, using the unambiguous verb *ṭabāhu* “to slaughter”, it seems clear that also the phrase *ana zaqīpi šakānu* refers to a form of execution, and not merely the display of the corpses. Just in the case of rebel leaders, impalement is an inherently fitting penalty for someone who abused his leadership in violation of the requirements of the Assyrian state and crown.

As we have also seen frequently, the location of the execution is important and therefore mentioned explicitly in the present case. The connection made with their houses as the site of execution and display, and also the mention of their children as additional victims in the case of the second scenario highlights that those responsible for the local muster were members of the respective communities, rather than officials dispatched from the centre for the specific occasion. Should the muster fail, they have failed in their capacity of community leaders and their punishment is to take place where they ordinarily exercise their authority.

### II.2.b. In the Nabû temple at Borsippa during the reign of Esarhaddon

In a letter of Mar-Issar, Esarhaddon’s agent responsible for the reorganization of the temples in Babylonia, the impalement of three men is mentioned in the context of a report on temple affairs in the city of Borsippa: “Silu of the Gambulu tribe, Nabû-zera-ibni from Bit-Ibâ and [PN] from Dur-Šarruku: [these men], altogether three, have been sha[ved]<sup>56</sup> and put

52 SAA 1 22: 10–12: *man-nu šá i-mar-ku-ni a-na za-qí-pi qa-ab-si Ē-šu i-šá-ku-nu*.

53 SAA 1 22 rev. 1–10: *ša a-na [... ša] URU ú-na-ka-ár-u-ni a-na šá-šú-ma a-na za-qí-pi qa-[ab]-si Ē-šu i-šá-kun-šú DUMU.MEŠ-šú DUMU.MÍ.MEŠ-šú ina pi-i-šu ú-ta-bu-hu*.

54 SAA 1 26: rev. 10–11: *1-en U<sub>4</sub>-mu [e-te]-ti-iq ta-mu-at*. Also SAA 1 27: 2' (in broken context).

55 Marriott – Radner 2015, 128–129.

56 Restoring the broken verb as *ug-da-[lib-šú-nu]*, as I have done here, is not certain. The verb *gullubu* “to shave” is well attested in temple contexts in Assyria and Babylonia. There are, however, no parallels for its use in the present context. The edition of Parpola 1993 has *ug-da-[x-šú-nu]* and leaves the passage without translation.

on stakes by the priest Ahhešaya.<sup>57</sup> The latter is identified as a priest at Borsippa in the preceding passage that, if it were not only very fragmentarily preserved, would probably elucidate the context for these events. The letter continues with a discussion of monuments erected by Sargon II, again so poorly preserved that it remains unclear whether they are in any way related to the crime and the impalement.

What we can note, however, is that the punishment is executed by a local Babylonian authority, in the form of the priest Ahhešaya. The act of the shaving, which in the context of Assyrian and Babylonian temples denotes an act of ritual purification and consecration,<sup>58</sup> may imply that the impalement took place on the soil of Borsippa's sanctuary, the Nabû temple. Perhaps the crime for which the three men were punished was theft of temple property. In a contemporary case, a temple cook in Nineveh died because he had been involved in the theft of a golden statue of the god Erra.<sup>59</sup> In the present case, the crime that merited capital punishment in this severe manifestation would seem to be contempt against the gods, rather than state and crown, as in the other instances discussed in this section.

### II.2.c. In Babylonia, c. 650 BC

Two documents from Assurbanipal's state correspondence report on impalement, using the phrase *ana zaqīpi šakānu* "to put on a stake." The letters were written by Babylonians in Babylonian language and script and date to the time of the war between Assurbanipal and his brother Šamaš-šumu-ukin, king of Babylon, between 652 and 648 BC, when some Babylonian regions came under the direct control of Assurbanipal. In both instances, the criminals punished with impalement were guilty of what we might describe as grand larceny (expressed with the verbs *habālu* "to rob, to abduct" and *šarāqu* "to steal", respectively).

The first letter deals with the impalement of some Arab raiders at the Northern Babylonian city of Birate, after kidnapping some of the king's loyal subjects. The local official Nabû-šumu-lišir<sup>60</sup> informs Assurbanipal, taking credit for this success:<sup>61</sup> "(There are) Assyrians, servants of the king who come to the city of Birate for trading. The Arabs attacked and abducted fifty Assyrians from the city of Halulê, and with them twenty men from Birate, (likewise) servants of the king. One man from among them escaped and spoke to me, and by the destiny of the king, my lord, having [...], I inflicted a defeat on them. I put [...] of them on stakes in the territory where the attack had taken place."<sup>62</sup>

What connects the punishment of the Arab raiders with impalement during sieges and after the capture of cities is its choice of location, which is explicitly stated as having been executed where the crime had happened.

57 SAA 10 350 rev. 7–11: <sup>PN</sup>*Si-i-li KUR.Gam-[bu-la-a-a]* <sup>PNd</sup>*PA-NUMUN-ib-ni É-I-ba-a-[a* <sup>PNx x x]</sup>  
LÚ.BAD-Šar-ru-ka-a-a PAB 3 [ÉRIN.MEŠ *an-nu-te*] <sup>PN</sup>*Ah-hi-šá-a-a LÚ.SANGA ug-da-[lib-šú-nu]*  
GIŠ.za-qi-pa-ni i-sa-kan-šú-nu.

58 Cf. Löhnert 2007.

59 From the report in the letter SAA 13 157, it seems that the fact that he died from a beating he received in the course of the interrogation was accidental and not the punishment for his crime.

60 As some of Nabû-šumu-lišir's other letters to Assurbanipal definitely date to the Šamaš-šumu-ukin war, it is likely that the events reported here also fall into that time period.

61 SAA 18 148: 7–rev. 5.

62 SAA 18 148 rev. 3–5: *ina qaq-qar šá it-bu-ú [x x] ina ŠÀ-bi-šú-nu a-na GIŠ.za-qi-pa-nu al-ta-kan.*

The second instance of impalement is reported for the territory of the Aramaean Gurumu tribe, in a letter whose sender's name is lost. The events described are likely to have occurred during the time of Assurbanipal's war against Šamaš-šumu-ukin, as the city of Babylon provided business opportunities and a safe haven for a criminal whom the Assyrian authorities were eager to apprehend. The villain is characterized only as coming from Tabal, a region in Central Anatolia southwest of the Great Salt Lake, quite possibly because his Anatolian name was unpronounceable for his Babylonian contemporaries and reference to his exotic place of origins was enough to identify him.

Now that the felon has finally been detained at an unidentified fortress, the correspondent wants to see him punished and reminds the king that he himself had the villains' local henchmen impaled: "Concerning the man from Tabal, who is at the fortress, may my lord settle his case! He stole things and sold them to Babylon. When your servant (i.e., the letter writer) heard of it, he put on stakes the Gurumu tribesmen who were with him. He, however, ran away and entered Babylon."<sup>63</sup> The letter continues with details of the villain's subsequent crimes and the unsuccessful attempts to bring him to law.

### II.3. *zaqāpu* "to impale" in a legal document from the reign of Sennacherib

In a receipt from Nineveh, dated to the year 700 BC, the circumstances of a payment of silver are briefly documented before the complete settlement of the obligation is certified. "The thieves who were impaled on the house of Šumma-ilani – Kidin-ili took 13 minas of silver from the thieves and gave it to Šumma-ilani. It has been paid in full."<sup>64</sup>

While the exact circumstances of the crime remain indeterminate, it is clear that the execution of the culprits took place at the site of their violation, the house of Šumma-ilani whose financial compensation from their estate the receipt documents. Again, the local dimension of impalement is prominently stressed and, as usual, the site of the punishment corresponds to the site of the crime. Although the terse language of the text does not permit certainty, the parallel cases of alienation of property (§II.2) would make it seem very likely that *zaqāpu* stands for actual impalement, and not merely the display of the corpses of the delinquents.

## Conclusion

References both in the written and the pictorial records of the Assyrian Empire make it possible to describe impalement as the purposefully public and highly visible execution of select individuals, always a deliberate, considered act. Impalement emerges from the relevant sources as an extreme and exemplary way to openly and irrevocably kill. Once the victim has been placed on the stake, the force of gravity saw to it that there was no way to

63 SAA 18 170: 3–11: [áš]-šú LÚ.Ta-bal-a-a šá ina BÀD [EN]-a di-ni-šú li-pu-uš [ki]-i iš-ri-qu a-na KÙ.BABBAR [a]-na KÁ.DINGIR it-ta-din ARAD-ka ki-i iš-mu-ú LÚ.Gu-ru-ma-a-a šá it-ti-šú a-na GIŠ.za-qí-pa-nu il-tak-nu ù šu-ú ki-i ih-li-qu a-na KÁ.DINGIR i-te-<sup>PN</sup>{bu}-ru-ub.

64 SAA 6 35: 1–6: [LÚ\*].LUL.MEŠ ša ina UGU É <sup>PN</sup>Šum-ma-DINGIR.MEŠ: iz-qa-pu-u-ni 13 MA.NA KÙ.BABBAR <sup>PN</sup>Ki-din-DINGIR TA\* IGI LÚ\*.LUL.MEŠ: it-ta-ša a-na <sup>PN</sup>Šum-ma-DINGIR.MEŠ it-ti-din šal-lu-mu SUM-ni.

undo the killing. Granting mercy was impossible. But the preparations for arranging the place of execution, purposefully chosen for high visual impact on the intended audience, took time and offered therefore ample opportunities for the target audience to call for a stop. This aspect makes impalement an effective tool in siege warfare, especially if the intended victims were prominent and valuable members of the target audience's community.

The great importance of the public space and the intended effects on the audience link impalement not just in the choice of tool, but also conceptually to the display of dead bodies on high stakes. Impalement and the exhibition of corpses were always performed on location, never in a context where the victim had been removed to another setting (such as the royal residence city or another site in the Assyrian heartland). These practices were employed against enemy leaders in siege warfare (§I), used either during the siege in order to accelerate capitulation or else after a city had been captured in order to serve as a lasting deterrent.

On the other hand, impalement constituted a tool in the empire's repertoire of legal practice (§II), used in cases of contempt against the state, such as violation of military discipline or of state property, and breach of the public peace connected to robbery, abduction and grand larceny – in short, rebellious behaviour, disruptive to the state authority. A further parallel with its use against prominent rebels in siege warfare is the importance assigned to the idea that the execution and the subsequent display of the body be closely connected to the location of the crime.

We may postulate that the use of impalement as a punishment against Assyrian subjects within the boundaries of the Assyrian state was its primary use, despite the fact that the attestations for its employment in siege warfare are far more numerous and often older. In contrast to the royal inscriptions, which document impalement in the context of warfare from the 9<sup>th</sup> century BC onwards, relevant archival sources are only available for the late 8<sup>th</sup> and the 7<sup>th</sup> century BC, but this only reflects the basic availability of the primary source material. On the other hand, an early passage in Assurnasirpal II's annals prominently details in the context of the siege of Suru, resulting from violent dynastic change in the Assyrian client kingdom of Bit-Halupe in 882 BC, how the king sought to apply the same kind of justice to both his direct subjects and the inhabitants of his client states (§I.1.c). The impalement of the ringleaders of the usurpation attempt was a prominent part of dealing with what Assurnasirpal conceptualised as an anti-Assyrian insurgency.

Therefore, we must not see impalement (and, used in that passage and elsewhere in tandem, flaying) as an excessively brutal punishment used against a dehumanised enemy. We have to recognize this penalty first and foremost as a tool of Assyrian legal practice and justice. In the early 9<sup>th</sup> century BC, its established use for the king's direct subjects in grave matters of contempt against the state and breach of public peace was extended to apply also to the rebel leaders in the client states in the crucible of Empire, at a time when the Assyrian king's claim to universal sovereignty increasingly muddled formal distinctions between province and client state.

## Figures



Fig. 1: The siege of Dabigu, as depicted on Band IVa of Shalmaneser III's decorated bronze gates of the Mamu temple at Imgur-Illil (Balawat).

Adapted from detail photos in King 1915, pl. XX and XXI.



Fig. 2: After the capture of an Uartian city, possibly Sugunia, as depicted on Band IIa of Shalmaneser III's decorated bronze gates of the Mamu temple at Imgur-Illil (Balawat).

Adapted from detail photos in King 1915, pl. VII and VIII.



Fig. 3: After the capture of Kullimeri, as depicted on Band Xb of Shalmaneser III's decorated bronze gates of the Mamu temple at Imgur-Illil (Balawat).

Adapted from detail photos in King 1915, pl. LVII and Pinches – Birch 1882–1902, pl. D3.

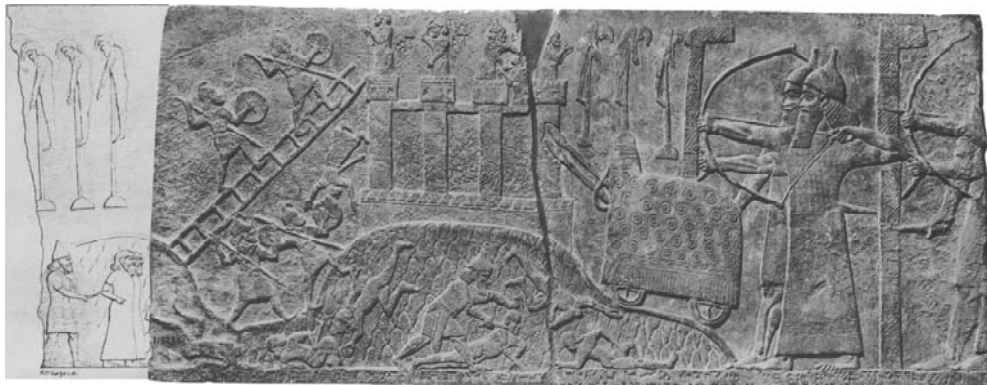


Fig. 4: The siege of Upa, as depicted on the wall decoration of Tiglath-pileser III's palace in Kalhu.

Photos of two original slabs (British Museum, ME 115634+118903) combined with a drawing of a now lost part of the scene by A. H. Layard. Adapted from Barnett – Falkner 1962, pl. XXXVII and XL.

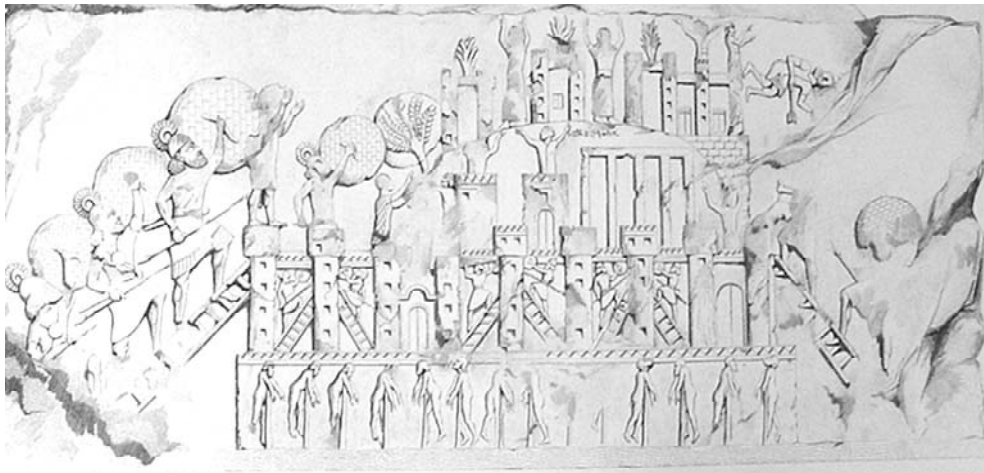


Fig. 5: The siege of Harhar, as depicted on the wall decoration of Sargon II's palace in Dur-Šarruken.

Drawing of the lower register of a stone slab from Room II by Eugene Flandin (original lost). Reproduced from Botta – Flandin 1849, pl. 55.

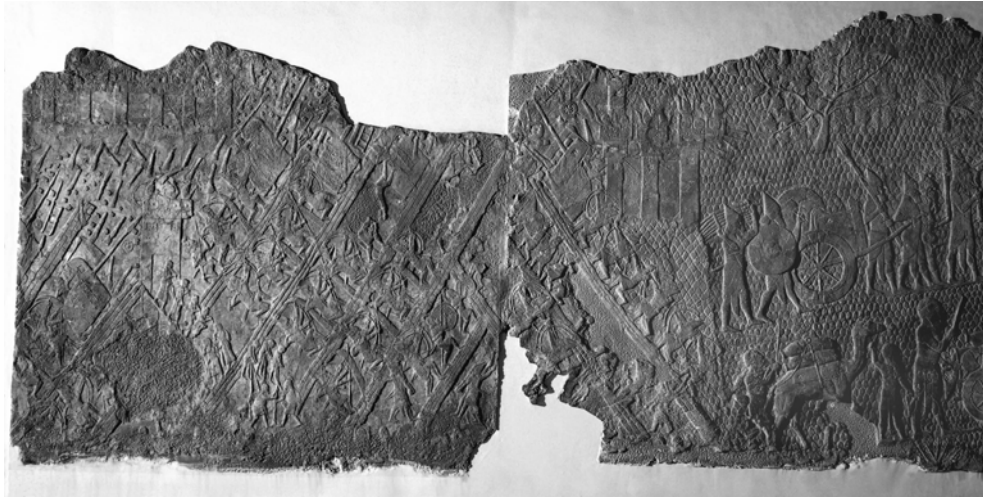


Fig. 6: The siege of Lachish in 701 BC, as depicted on the wall decoration of Sennacherib's palace in Nineveh. Stone slab from the wall decoration of Room XXXVI in King Sennacherib's Southwest Palace in Nineveh. British Museum, ME 124906–124907.  
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Fig. 7: Detail of the siege of Lachish in 701 BC.  
Reproduced from Ussishkin 2003, 211.

## Abbreviations

CAD	The Assyrian Dictionary of the Oriental Institute of the University of Chicago
RIMA 2	Grayson 1991
RIMA 3	Grayson 1996
RINAP 1	Tadmor – Yamada 2011
RINAP 3/1	Grayson – Novontny 2012
RINAP 3/2	Grayson – Novontny 2014
RINAP 4	Leichty 2011
SAA 1	Parpola 1987
SAA 6	Kwasman – Parpola 1991
SAA 10	Parpola 1993
SAA 13	Cole – Machinist 1998
SAA 18	Reynolds 2003

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