Reference, Deixis and Focus in Hittite. The demonstratives ka- "this", apa- "that" and asi "yon"
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8. Limiting apa-

8.1. Introduction

When discussing the 'emphatic' pronoun apa- one should always ask why it is used at all. As we will see, in many cases the referent of apa- is highly topical. This is most clearly seen when the referent of apa- is introduced in a relative clause that prepares the Addressee to accept the referent as the new topic of discourse. Especially in the relative clause context there is often no competing referent. So why is apa- used when not to disambiguate or to enhance the topic status of a referent?

The previous chapter discussed among other things clauses containing the pronoun apa- referring to highly topical, non contrastive referents. The conclusion was that this apa-only appeared in coordinate structures and that it needed to be used in order to signal to the Addressee that the clause would not be finished. The coordinate structure belonged to class II of the Laws, the class dealing with complex punishments with the format "the offender does not only have to pay a fine, but he also has to fulfill some other requirement."

However, as I stated there, apa- does not only appear in class II, but also in class III, as in ex. 7.44, repeated here:

8.1 KBo 6.2 ii 30-32, § 43, with duplicate KBo 6.3 ii 52-53 (OS laws, CTH 291), ed. Hoffner 1997: 52
§ 30 tākku LÚ-aš GU₄=SU ŠD-an źiniškizzi tamaiš=an šu[mez(z)ı] 31 nu GU₄-aš
KUN-an ēpzi ta ŠD-an zāi Ū BEL G[(U₄ ŠD-aš pēdai)] 32 nū=zaa a-pu-u-un-pat
dan[(zi)] §
If a man is crossing a river with his ox, and another man pushes him off, grasps the tail of the ox, and crosses the river, while the river carries off the owner of the ox, (the dead man's heirs) shall take that (man)

In order to understand why apa- with -pat is used here, I will study all occurrences of -pat in the apodoses of the Laws. The laws of class III do not impose a fine as in class I or a fine and something else as in class II, but require another kind of punishment. A first investigation of this group shows that 11 out of the 23 laws in this class356 contain the limiting particle -pat “only, even, the same (etc.)” (CHD P 212ff.). The punishments in this group of 11 are of a heterogeneous kind, whereas the remaining 12 without -pat are rather homogeneous. The following table lists the types of punishments in class III laws without the particle -pat:

<table>
<thead>
<tr>
<th>Type of punishment</th>
<th>Without -pat</th>
</tr>
</thead>
<tbody>
<tr>
<td>No punishment at all</td>
<td>law 48</td>
</tr>
</tbody>
</table>

356 §§ 5, 19a, 21, 23 (b), 43, 45, 48, 49, 75, 95 (last part), 99 (last part), 170, 173a, b, 187, 188, 189, 190, 191, 195, 197, 198, 199.
### Punishment not expressed

- laws 189, 190, 191, 195 (incest, necrophily)
- laws 173 a, b (rejection of a judgment of the king or a magistrate), 187, 188, 199 (sexual offences with animals), 197, 198 (rape or adultery)

### Punishment is death

<table>
<thead>
<tr>
<th>Table 8.1: Class III laws without *-pat</th>
</tr>
</thead>
</table>

This is a rather marked distribution. As we will see in the examples presented below, the crimes in the group containing the particle *-pat* are usually not punishable by death, unless in certain cases the otherwise required punishment cannot be fulfilled. This is in contrast with the laws in the table above, where in some cases death is the expected punishment or where there is no punishment at all.

Taking the function of the particle *-pat* as a point of departure, it is possible to set up a hypothesis to explain the connection between *-pat* and class III Laws with punishments other than death. According to the CHD (P 212ff.) *-pat* is:

1. Anaphoric: 'the same, the aforementioned, likewise' (CHD sub-*pat* 1, 2 and 3).
2. Counter-presuppositional. The meanings of *-pat* cited in the CHD lead to the following sub-division:
   - Replacing Focus: *-self* as in 'himself' etc. (CHD sub-*pat* 4), *own* (*-pat* 5), *rather* (*-pat* 9), *even, nevertheless* (*-pat* 10).
   - Restricting/Selecting Focus: *only, exclusively* (CHD sub-*pat* 6).
   - Expanding Focus: *likewise, also, in addition* (CHD sub-*pat* 7, 8).
3. Emphasizing: *surely, certainly* (CHD sub-*pat* 11).

Summarizing, the core function of *-pat* is to indicate counter-presuppositionality of some kind. Applying this to the Laws, we expect to find some kind of countering an expected punishment when *-pat* is used. Two types of countering come to mind given the typology based on punishments:

1. One expects a class I punishment, payment of a fine or person. But instead, another type of punishment is required. Or,
2. One expects a class II punishment, payment of a fine or person and another obligation. Instead, only one of them applies, the financial compensation is left out and the other obligation remains.

In both situations the resulting type of punishment consists of only one punishment that is non-financial. Since the determining factor of class III laws is the absence of a financial retribution, laws with *-pat* and class III laws therefore coincide. Possibly the class III laws are secondary laws digressing from the regular pattern of a financial punishment with or without an extra requirement. The starting point of the discussion of *apa-* with *-pat* in this chapter will therefore be the comparison of *-pat* laws with the other laws in the same category (see section 8.2).

Some remarks on Focus are required. As presented in Chapter 2 I generally follow Dik 1997a: 332 in his description of the different types of Focus. After the description of the Expanding Focus phrase *apa-* with *-ya* 'also' in the preceding chapter there still remain

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357 The classification presented here is mine. CHD does not use the terms 'focus' or 'emphasis'.
358 Excluding the capital crimes for incest, rape and denying the authority of the royals listed in Table 8.1.
Replacing, Restricting and Selecting Focus. They may be represented schematically as follows (Dik l.c.) 359:

<table>
<thead>
<tr>
<th>Type of Focus</th>
<th>((P_A)_s)</th>
<th>P_s</th>
<th>Expression type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Replacing</td>
<td>X</td>
<td>Y</td>
<td>Not X, but Y!</td>
</tr>
<tr>
<td>Restricting</td>
<td>X and Y</td>
<td>X</td>
<td>Only X!</td>
</tr>
<tr>
<td>Selecting</td>
<td>X or Y</td>
<td>X</td>
<td>X!</td>
</tr>
</tbody>
</table>

Table 8.2: Focus types

The Focal use of *apa*- both with (sections 8.2, 8.3) and without the clitic -*pat* (section 8.5), which is the main interest of this chapter, cannot be classified satisfactorily as one of the three remaining types of Focus. All three seem to occur indiscriminately, and sometimes it is even impossible given the context to decide which type of Focus was intended by the author. I therefore introduce the notion Limiting Focus, although this certainly does not cover Replacing Focus. However, I have not been able to coin a term which contrasts the three types with Expanding Focus.

The correlation between class III laws and the occurrence of the particle -*pat* is the focus of the next section (8.2). The conclusion which can be drawn from section 8.2 and other, non-legal, texts (section 8.3) in section 8.4 will serve as a basis for the discussion of a particular Focal use of *apa*- without -*pat* in section 8.5. The scope of -*pat* and word order patterns emerging from the use of -*pat* and the Focal *apa*- will be described in the sections 8.4 and 8.6 respectively. The overall conclusion will be presented in section 8.7.

8.2. The Focal particle -*pat* in legal texts

8.2.1. One expects to pay compensation, but is punished differently

In this section I will discuss the situation where one expects a replacement and/or a fine, but is instead given another type of punishment. In each case the law containing the alternative punishment is studied against the background of the category to which the law belongs. For example, given the regular punishment for homicide, -burial and replacement of the victim-, the addressee comes to expect this kind of double punishment. Instead only a non-financial punishment is prescribed. In order to show that -*pat* indeed indicates a replacement or a restriction on the punishments in other cases, I will also summarily discuss the expected punishment given the other laws in the categories. The categories follow Hoffner 1997: 13f.

8.2.1.1. The Homicide Laws (§§ 1-6 and §§ 42-44)

The expected punishment in the homicide laws is burial of the victim and his replacement (compensation) by means of one or more persons (§§ 1 to 4, class II), compensation with land (§ 6, class I), or compensation with a person or a son (§ 42, 44, class I). The remaining laws §§ 5 and 43 belong to class III and are also the only ones in the homicide laws with the particle -*pat*.

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359 \((P_A)_s\) means 'the information that the Addressee takes for granted as estimated by the Speaker'. P_s means 'the information that the Speaker wants to communicate'.

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The law on homicide of a merchant falls apart in two parts, of which only the last one contains the particle -pat:

8.2 KBo 6.2 i 3-6, § 5 (OS law, CTH 291), ed. Hoffner 1997: 19

§ 3 takku LÚ-DAM.GAR kuiški kuënzi 1 ME MA.NA KÙ.BABBAR pāi parnaššeša šuqājezzi 4 takku INA Lūuṭia našma INA KUR URUPalah 1 ME MA.NA KÙ.BABBAR pāi 5 āššuššetša šarnikzi našma INA KUR URUHatti 6 nuşzuza unattallan=-pat arnnuzzi §

If anyone kills a merchant, he shall pay 100 minas of silver, and he shall look to his house for it. If (it occurs) in the land of Luwiya or Pala, he shall pay the 100 minas of silver and also, he shall replace his goods; or (if) (it occurs) in the land of Hatti, he only shall bring the merchant (for burial) (and shall not also replace his goods). ³⁶⁰

The payment in silver applies to all settings, that is, Luwiya, Pala and Hatti. The further specifications depend on where the killing took place, either abroad (Luwiya or Pala) or within the state borders (Hatti). If it occurred abroad the offender had to pay one hundred mina and replace the merchant’s ware. At home, in Hatti, the usual punishment for homicide applies: pay a price (100 minas) and bury the merchant (Hoffner o.c. 171). But given the addition of replacing the merchant’s goods in the preceding clause, one might think that besides the fine and the burial also the replacement was required. In order to explicitly express that the burial is the additional punishment besides the fine and that not also the replacement of the goods is required, the restrictor -pat ‘only’ is added.

In Laws § 42, 43 and 44 the burial of the deceased is impossible and therefore not to be expected because the body is lost on a journey (§ 42), has been carried away by the river (§ 43) or is destroyed in a fire (§ 44). However, we might expect the offender to give compensation as in § 42. In that law someone hires a person to go on a journey. If the man dies on his journey while his rent was not paid, then the one who hired him has to give a slave as a substitute. In § 44 the offender throws someone in a fire (accidentily?) and has to compensate the dead person by means of his son. This is different however in § 43:


³⁰ takku LÚ-aš GU₄-ŠU úD-an zinuškizzi tamaššan šu[yez(zì)] ³¹ nu GU₄-aš KUN-an épzi ta úD-an zāi Û BEL G[[(U₄ ÚD-aš pèdai)] ³² nuşzuza a-pu-u-un-pat dan[(zì)]

If a man is crossing a river with his ox, and another man pushes him off, grasps the tail of the ox, and crosses the river, while the river carries off the owner of the ox, (the dead man’s heirs) shall take him instead (apun-pat) ³⁶² (instead of someone from his household).

The offender himself has to pay by means of his freedom, instead of providing the heirs of the deceased with one or more persons from his household. Translations of -pat might be


³⁶¹ Hoffner I.c. translates ‘...shall (also) bring...’. CHD P p. 220: ‘He must bring the merchant himself for burial’.

³⁶² Hoffner I.c. ‘that very man’; Friedrich 1959:31 ‘eben diesen’.
‘instead’ or ‘himself’. The particle -pat now indicates replacement and not restriction as in ex. 8.2.

One could object that this interpretation (he is taken instead of someone from his household) is rather far-fetched. But as I have explained in the Introduction, the interpretation of -pat does not only depend on the meaning we might assign to one clause in isolation, but actually depends more on the inferences one can draw from the context. More support is gained from the following examples.

8.2.1.2. Abduction/harboring runaway slaves (§§ 19-24)

The laws 19 to 21 deal with abducting people, either free persons or slaves. The punishments for abduction are presented in declining order, the severity depending on both the social rank of the offender, the rank of the abducted person and the location of abduction. A summary of these laws is given in the next table:

<table>
<thead>
<tr>
<th>Law</th>
<th>Offence</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>19a</td>
<td>Luwiyan abducts free person from Hatti to Luwiya</td>
<td>His estate is confiscated</td>
</tr>
<tr>
<td>19b</td>
<td>Hittite abducts Luwiyan from Hatti to Luwiya</td>
<td>He pays 6 persons</td>
</tr>
<tr>
<td>20</td>
<td>Hittite abducts slave of Hittite from Luwiya to Hatti</td>
<td>He pays 12 shekel</td>
</tr>
<tr>
<td>21</td>
<td>Someone abducts slave of Luwiyan from Luwiya to Hatti</td>
<td>The owner takes his slave back, there is no compensation</td>
</tr>
</tbody>
</table>

Table 8.3. Laws 19-21

The next laws, §§ 22 to 24 deal with runaway slaves:

<table>
<thead>
<tr>
<th>Law</th>
<th>Offence</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>If a slave runs away to a rather nearby area, and someone brings him back</td>
<td>The finder is rewarded with either shoes, or 2 or 3 sheqels</td>
</tr>
<tr>
<td>23a</td>
<td>If a slave runs away to Luwiya, and someone brings him back</td>
<td>The finder is rewarded with 6 sheqels</td>
</tr>
<tr>
<td>23b</td>
<td>If a slave runs away to enemy country, and someone brings him back</td>
<td>The finder may keep the slave</td>
</tr>
<tr>
<td>24</td>
<td>If a slave runs away and someone harbors him</td>
<td>The offender pays one month’s wages to the owner</td>
</tr>
</tbody>
</table>

Table 8.4. Laws 22-24

In both groups, the punishment or reward is generally financial (§§ 19b, 20, 22, 23a, 24, all class I). I am interested in the paragraphs which express another kind of punishment or reward: the laws 19a, 21, and 23b (class III). In the apodises of only these paragraphs in this category the particle -pat appears:

8.4 KBo 6.2 i 36-38, § 19a, emendations from KBo 6.3 i 45-47 (OS law, CTH 291), ed. Hoffner 1997: 29-30

§ 36 [(takku LÚ.U1p)]] LÜ-an LÚ-n=aku MU[(NUS-n=aku ĥatūakš az kuški] (LÚ URU Luij)š] 37 [(tā)]iezi n=an ANA KUR Luuija (p)ēhutezzi [i(šhaš šiš=an)] 38 ganēszi nu ī-er=šet=pat arnuτzi §

If some Luwian abducts a (free) person, man or woman, from the land of Hatti, and leads him away to the land of Luwiya, and his owner (= head of household, Hoffner
1997: 30 fn. 45) recognizes him, he shall bring (in) his estate instead\(^{363}\) (-pat) (of paying a fine).

8.5 \textbf{KBo} 6.2 i 45-47, § 21 (OS law, CTH 291), ed. Hoffner 1997: 31

\$ \(45\) \textit{[takku] ARAD LU\textsuperscript{URU} Lu\textsuperscript{i}yumananāš ī\textsuperscript{ISTU} KUR Lu\textsuperscript{i}yâzial kuiši\textsuperscript{tā}iezzi} \(46\) \(n=\text{an}\) ANA KUR\textsuperscript{URU} Hatti wa\textsuperscript{t}ezzi i\textsuperscript{ṣ̌a}k\(̣̄\)z\(̣̄\)=\text{šiš} \(=\text{an}\) gane\textsuperscript{ši}zi \(47\) \(nu\text{=za} \ ARAD-S\text{U}=\text{pat}\ dāī\) \(\text{šar}nik\text{zi} t\text{U} \text{NU.GAL}\) §

If anyone abducts the male slave of a Luwian man from the land of Luwia, and brings him to the land of Hatti, and his owner recognizes him, he only (-pat) shall take his slave: there shall be no compensation.

Given the declining severity of the punishments, law 19a is the most severe one: the offender looses his estate. The expected fine is generally financial (money or slave), but given the strict formulation in the laws this implicit presupposition is made explicit by adding the particle -pat to \(n\) \textit{E-er=ezet\text{arnu}uzzi}. The Addressee is instructed to infer 'he shall bring his house instead of paying compensation'. Law 21 is more explicit. The particle -pat again instructs the Addressee not to expect a clause like 'he pays ... sheqel'. And indeed, this clause is immediately followed by 'there shall be no compensation'. This explicit denial is probably needed in order to strengthen the restriction already given by -pat because one should at least expect some compensation for the temporary loss of a slave.

The following law deals with returning a runaway slave to his owner. Usually the finder gains a financial reward by returning a slave, but in the last part of the law the reward is the slave itself. (For an explanation, see Hoffner 1997: 181.)

8.6 \textbf{KBo} 6.2 i 51-53, § 23 (OS law, CTH 291), ed. Hoffner 1997: 32

\$ \(51\) [r\textit{aku} ARAD-aš hu\textit{u}ái \(n=\text{aš}\) ANA KUR Lu\textit{u}ija \textit{p}a\textit{izzi} kuiš\text{=an} ā\textit{ppa} u\text{yar}[ezzi] \(52\) nu\(=\text{šše}\) 6 \textit{G}IN KUB\text{BABBAR} p\(ā\)i takku ARAD-aš hu\textit{u}ái \(n=\text{aš}\) ANA KUR k\(ū\)uri an\(\text{a}d\)a] \(53\) \(p\text{a}\textit{izzi} kuiš\text{=an} ā\textit{ppa}=\text{ma} u\text{wat\textsubscript{ezzi} n=\text{an}}za a-pa-a-aš-p\(ā\)t dāī\) §

If a male slave runs away and goes to the land of Luwia, (his owner) shall pay 6 sheqels of silver to whomever brings him back. If a male slave runs away and goes into an enemy country, whoever brings him back, \(he\) (and not the owner) shall take him instead\(^{364}\).

Given the two other laws (22, 23a) dealing with finding runaway slaves, one could come to expect some financial reward after the delivery of the slave. But instead of the expected return of the slave to his owner, the finder may keep him.

Contrary to the preceding examples, ex. 8.6 contains the nominative \textit{apas}. Translating -\textit{pat} as 'only' with scope over the subject does not make any sense here because it would imply a countering of the presupposition that both finder and owner keep the slave ("The owner and the finder keep the slave" — "No, only the finder does"). Therefore -\textit{pat} must be replacing if it only has scope over the noun. But there is another possibility. In several of the other examples -\textit{pat} has scope over the predicate, as I will show in section 8.4. If we assume that -\textit{pat} has this function also here, that is, it indicates that the assertion of the apodosis is replacing a presupposition 'the finder receives a reward' by means of 'the finder does X instead', then it needs to be explained why the clause is formed as \(n=\text{an}za\ ap\text{ā}š=\text{pat}\ dāī\) instead of \(n\text{=za} ap\text{ūn}=\text{pat}\ dāī\). The solution is that there might rise some confusion

\(^{363}\) Hoffner: ‘own estate’.

\(^{364}\) Hoffner: \textit{apas}-\textit{pat} not translated; Friedrich 1971: 23 ‘eben der’.

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about the referent of the subject: does the owner just take back the slave, without paying a reward or does the finder take the slave instead of receiving a reward. The first possibility obviously is senseless, but given the explicitness in legal texts I believe that replacing apa- has been used to eliminate any possible ambiguity. Proof for interpreting preverbal apa- without enclitics as indicating Replacing Focus will be given in section 8.5.

Belonging to the same category of harboring some escapee is a draconian stipulation in the treaty with Sunassura of Kizzuwatna:


If someone conceals a fugitive, (and) they find him in his house, (then) he shall give 12 persons. If he does not find 12 persons, they shall kill him instead (apun-pat).\textsuperscript{365}

Within the framework of the laws this stipulation may be considered a class III law. Because the laws show that this type of crime usually does not require the death of the offender, the addressee might still expect something else. The particle -pat indicates explicitly that the existing presupposition in the mind of the Addressee has to be replaced.

8.2.1.3. Arson Laws (§§ 98-100)

The punishment for arson is to rebuild the house destroyed by the fire and compensate for what was lost (§ 98, class II), or, in case of burning a shed, rebuild the shed and feed the cattle if there was straw in the shed (§ 100, class II). Law 99 is very interesting for our discussion because it shows us again a clause containing the particle -pat. The first part of the law is comparable to the other laws in this category. If a slave sets fire to a house, the punishment is twofold. First, the owner has to compensate instead of the slave and the slave returns to him mutilated. The situation in the last part of the law however is different:

8.8 KBo 6.2 iv 56-58, § 99 (OS law, CTH 291, emendations from KBo 6.3), ed. Hoffner 1997: 96

If a slave sets fire to a house, his owner shall make compensation in his place, and, also, they shall cut off the nose (and) ears of the slave, and return him to his owner. But if he (the owner) does not make compensation, he shall forfeit him (apun-pat) instead.\textsuperscript{366}

The owner is obviously allowed to refuse compensation, but in that case he also loses the right to keep his slave. As in law 21, it is explicitly stated that there will be no compensation. So instead of an expected twofold punishment, there is only one which replaces both. The clause containing the punishment therefore shows the particle -pat.

\textsuperscript{365} CHD S: 156b ‘that same person’.

\textsuperscript{366} Hoffner: ‘that very slave’; Friedrich 1959: 49 ‘eben den betreffenden’.
8.2.1.4. Burglary Laws (§§ 93-97)

In the burglary laws the punishment generally consists of returning or replacing the stolen goods and paying a fine (class II). The only exception is law § 93 where the burglar has not yet entered the house (class I).

<table>
<thead>
<tr>
<th>Law</th>
<th>Offence</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>93</td>
<td>If a man/slave is caught at the outset,</td>
<td>He pays 12/6 sheqels.</td>
</tr>
<tr>
<td>94</td>
<td>If a man burglarizes a house,</td>
<td>He returns the stolen items and pays 12 sheqels.</td>
</tr>
<tr>
<td>95a</td>
<td>If a slave burglarizes a house,</td>
<td>He returns the stolen items and pays 6 sheqels, and is mutilated</td>
</tr>
<tr>
<td>95b</td>
<td>If a slave burglarizes a house, but the owner refuses to pay compensation</td>
<td>He returns the stolen items, and the owner loses the slave.</td>
</tr>
<tr>
<td>96</td>
<td>If a man burglarizes a grain storage pit,</td>
<td>He fills the pit with grain, and pays 12 sheqels.</td>
</tr>
<tr>
<td>97</td>
<td>If a slave burglarizes a grain storage pit,</td>
<td>He fills the pit with grain, and pays 6 sheqels.</td>
</tr>
</tbody>
</table>

Table 8.5: Laws 93-97

A situation comparable to ex. 8.8, forfeiting a slave if the owner refuses to make compensation is described in § 95b. This is different from §§ 94 and 95a where the thief has to return the stolen items in full value and also pay a fine. (An extra punishment in § 95a is the mutilation of the slave.)

8.9 KBo 6.2 iv 47-48, § 95 (OS law, CTH 291), ed. Hoffner 1997: 93-4
§ 44 takku ARAD-aš Ė-er taiezzi šaku[t[aššar]e]pat pāi tajazilaš 6 GĪN KŪ.BABBAR pāi 45 ARAD-ša KIR₁₄=ŠU iš[t][āmanuš=suš kukkur]iškizzi n=an āppa išši šši 46 pianzi ... [takku BEL=Š]U tezzi šer šit=ya 48 šarnikmi nu šarnik[z][takku mimmai=ma nu] ARAD-an=pat šuuzzzi §
If a slave burglarizes a house, he shall give back (the stolen items) precisely in full value. He (the owner?) shall pay six shekels of silver for the theft, and, also, he shall cut off the nose (and) ears of the slave, and they will give him back to his owner. .... If his owner says: “I will make compensation for him,” then he shall compensate. But if he refuses, he shall forfeit the slave instead (of making compensation).367

Again, the -pat clause368 is explicitly connected with a statement about non-payment of a fine.

8.2.1.5. Theft or injury to animals (§§ 57-92)

The punishment for stealing or purposely injuring or killing an animal is compensation by means of a number of animals or an amount of silver (§§ 57-65, 67-69, 72, 73, 77, 78, 82-85, 87-89, 91, 92, all class I), or return of the body and payment of rent (§ 76, class II). If we

368 The -pat’s on šaku[aššar] in § 94 and § 95a are not clear to me. CHD Š, sub šaku[aššar](ra) 63 does not translate -pat in § 95.
leave out the legal killing (§ 79) or legal use of an animal (§§ 86, 90), there remain a few laws without punishment or with a punishment different from what is expected. 369

Starting with the former, we have laws §§ 66 and 71, inserted in a collection of laws discussing theft. The key phrase in both laws is:

8.10 KBo 6.2+ iii 49-50, § 66, emendations from KBo 6.3 (OS law, CTH 291), ed. Hoffner 1997: 76-7

ishā(s)šiš + an yemiezi n = an = za šakuāšara[(n = par 370) d]āi 50 Lū Ni.ZU = an nattā ēpzi §

(If a plow ox … strays into another corral…) and its owners finds it, he shall take it in full value instead (of receiving compensation). He shall not have him arrested as a thief.

The usual punishment for theft is a large fine. But here the owner of the corral may not be considered a thief. The particle -pat again explicitly counters the existing presupposition of paying a fine. One could also translate: "he just takes it in full value". A similar example is:

8.11 KBo 6.2+ iv 1-3, § 75, emendations from KBo 6.3 (OS law, CTH 291), ed. Hoffner 1997: 81

§ 1 [(takk)ku GUx-un AN]ŠE.KUR.RA ANŠE.GİR.NUN.NA ANŠE-in kuiški türiezi n = aš aki ² [(našma = an U)]R.BAR-ra-aš karāpi našma = aš ḥarakzi n = a n šakuāšāran = pat pāi

If anyone hitches up an ox, a horse, a mule or an ass, and it dies, or a wolf devours it or it gets lost, he shall just replace it at full value (instead of paying compensation).

8.2.1.6. Certain offences requiring sacred sanctions (§§ 164-170)

Almost every law in this section discusses an offence which requires a reconsecration (§§ 164-168, class I) or payment of a fine (§ 170, first part, class I). The second part of the last mentioned law deals with a slave who tries to perform some black magic on a person by mentioning the name of that person while killing a snake:

8.12 KBo 6.26 ii 1-2, § 170 (OH/NS law, CTH 292), ed. Hoffner 1997: 136

¹ [(takk)]u LŪ ELLAM MUŠ-an kuenzi damēl = a SU[(M-an)] ² tezzi ¹ MA.NA KÚ.BABBAR pāi takku ARAD-š = a a-pa-a-aš-pāt aki ²

If a free man kills a snake and speaks another's name, he shall pay one mina of silver. But if it is a slave, he shall be put to death instead 371.

While the free man is allowed to pay an amount of silver, the slave is sentenced to death. As in exx. 8.8 and 8.9, the owner of the slave might have been expected to pay a fine and keep

369 Law § 74 will be discussed in section 8.2.2.1.

370 In law § 71 we do not find -par here. One has to keep in mind that the use of pragmatic function words depends on the attitude of the Speaker. Only if he thinks it necessary to make explicit that some statement counters an already existing one, he shall use a pragmatic word (or construction).

371 Hoffner l.c.: "He himself".

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the slave albeit mutilated. The particle -pat indicates that contra expectations the punishment is not a fine.

8.2.1.7. Preliminary conclusion

The immediate context of the examples above allows the following conclusion. The particle -pat often indicates that its host noun is replacing some possible other punishment, contrary to the expectations of the addressee. In such cases one could add to the translation that there is no compensation, as I have sometimes indicated in parentheses. There are even some laws where this is stated explicitly (exx. 8.5, 8.7, 8.8, 8.9).

There were also two examples (exx. 8.2 and 8.5) where the punishment could be interpreted as a restriction on what was expected. In such a case there might be an explicit negation of the expected punishment.

The use of -pat described here falls under the heading of ‘expressing the limits of liability’ (CHD P, p. 221f.)372. The two types of limiting as exemplified above may be schematized as follows:

<table>
<thead>
<tr>
<th>expected punishment</th>
<th>actual punishment</th>
<th>Focus type</th>
</tr>
</thead>
<tbody>
<tr>
<td>X &amp; Y</td>
<td>only Y</td>
<td>restricting</td>
</tr>
<tr>
<td></td>
<td>instead, Y</td>
<td>replacing</td>
</tr>
</tbody>
</table>

In order to show that this type of use for -pat is not restricted to legal texts, a few examples have been collected from the CHD sub -pat which might be more plausibly interpreted within the framework described here. The examples are taken from meaning 1 ‘the same, the aforementioned’. I believe that this anaphoric interpretation of -pat is often besides the mark and that in most cases the counter-expectational interpretation is more likely:

8.13  KBo 3.4 ii 50-54 (NH annals, Mursili II, CTH 61), ed. Grélois 1988: 62
§ 50 mahhan = ma hamešanza kisat nu mUḫḫa-LU-iš kuit GIG-ai 51 n= aš= kan aruni anda ešta DUMU.MEŠ-ŠUNU= ja= šši kaitan eššir 52 nu= kan mUḫḫa-LU-iš aruni anda BA.USH DUMU.MEŠ-ŠUNU= ma= za arḥa 53 šarrandat nu= kan l-aš SÅ A.AB.BA= pat ēšta l-aš= ma= kan 54 mTapalazunauliš arunaz arḥa uit
When it became spring, given that Uhhaziti had fallen ill, he remained at sea while his sons were with him. Uhhaziti died at sea. His sons however split up: one just remained at sea, while the other, Tapalazunauli, came out of the sea.

The illness of Uhhaziti forced the sons to remain at sea, on some island. After his death one could plausibly assume that both sons would return to their land to fight the Hittites. Instead, one son decided not to go back, whereas the other acted as expected. The unexpectedness of the act of the first son is expressed by using -pat.

Two contrastive actions of which one is not expected given the context is also encountered in the Bodyguard text:


372 But as one can see in the footnotes to the examples above, the CHD regularly interprets the particle differently.
In iii 1-11 it is described how the chief-of-guards and two officials following him walk toward the king to bring him a legal case of a defendant. After the case is concluded, one might infer that the chief-of-guards and his two companions all return. Instead, the chief-of-guards remains with the king and only the other two return to take their original position. Again, the particle -pat indicates the counter-expectedness of 'keeping his place'.

In the next and final example the expected act is not expressed, but has to be inferred from the context:

8.15  KBo 3.34 ii 15-20 (OH/NS narration, CTH 8), ed. Dardano 1997: 48-49

§ 15 mIspu-Iinaraš LÜIupraraluš ešta š=an mĂškalijaš LÜ URUHurma 16 dāš š=an INa URURUUdahzumi LŰmaniaḫbatallan išet 17 man=an=kan mĂškalijaš kuiensi š=an ANA Š.EN.NU.UN dašš 18 mĂškališ=ma uddar arāš š=Ispuš-inaš=ma peišr 19 š=an=asša ĶšTU Š.EN.NU.UN tarnir š=asš mĂškiliš-pat išet 20 maršanza=ya zik § Ispudas-Inara was a potter. Askaliya, the man of Hurma, took him and made him (his) deputy in Udaḫzuma. Askaliya wanted to kill him and put him in prison. Then rumours rose against Askaliya, and they sent for Ispudas-Inara. They released him from prison, and he just stepped to Askaliya (saying): 'It is you who are dishonest!'

Again, the evil plotting of Askaliya might encourage one to think that Ispudas-Inara was entitled to some kind of counter act. But instead, he just calls him dishonest, without asking for punishment.

Summarizing, in these three examples the particle -pat indicates replacing Focus on the proposition contained in the predicate.

8.2.2. Other -pat's in the laws

In section 8.2.1 I have discussed the class III laws, where the particle -pat indicated that, given the other laws in the same category, some unexpected punishment occurred. In this section I will discuss the remaining -pat's in the apodoses of some laws (8.2.2.1), and the few -pat's in the protases (8.2.2.2).

8.2.2.1. The particle -pat in the remaining apodoses

In section 8.2.1 the type of Focus indicated by -pat was mainly replacing, and the scope of the particle was often the predicate (the clause minus the Subject). That both scope and type of Focus may be different is shown in the next examples:

373 Predicate is defined here as the part of the clause without the subject.
374 Excluded are the broken Laws 26a, 49 and 146.
If anyone injures a person’s head, they used to pay 6 sheqels of silver: the injured party takes 3 sheqels of silver, and for the palace they used to take 3 sheqels of silver. But now the king has waived the palace (share), and only the injured party takes 3 sheqels of silver.

In former times both the injured party and the palace took 3 sheqels of silver. In modern times the king decides to waive the palace share, leaving only the injured party to receive money. The payment of money in the final clause is presupposed given the preceding context. The Focus of the clause is only on the Subject (Argument Focus in Lambrecht’s terms), and moreover, the Focus is clearly restricting. Instead of two parties only one remains. Therefore we have Restricting Focus on the Subject instead of Replacing or Restricting Focus on the Predicate.

It seems very unlikely to interpret -pat as indicating Restricting Focus on the Subject, for this would mean that formerly both the offender and some other party should pay 3 sheqels each. The preceding context however seemingly shows that instead of paying 6 sheqels to two parties the offender now only pays 3 sheqels to one party. Seemingly, because the Law is not very clear on who pays the part of the palace. If the law states that the impure person paid three sheqel in the past, and pays three sheqel in the present, what then is the difference? Version A (KBo 6.2) was probably corrupted and should have been read as something similar to “the one who is impure pays 3 sheqels of silver, and they used to take 3 sheqels of silver for the [king]s’ house.”. The solution of version L (KBo 12.49) was to adjust the law to the wording in § 9 (ex. 8.16):

[If a person becomes impure in a vessel or a vat, formerly they used to pay 6 sheqels of silver: the one who is found innocent takes 3 sheqels of silver, [and they] used to take 3 sheqels of silver for the palace. [But now the king has waived the palace’s share], (so) one who is found innocent,[ only he takes 3 sheqels of silver ...]
The fact that the law had to be adjusted means that the Old Hittite manuscript might have been corrupted. I will therefore not use this example in the discussion in section 8.4.

8.18 **KBo 6.2 i 16-19, § 10** (OS law, CTH 291), ed. Hoffner 1997: 24

> § 16 [(takk)]u LÜ.Ü.LU-an kuški ḫunikzi t=an ištarnikzi nu apün 17 šaktāizzi pēdi zēši=ma LÜ.Ü.LU-an pāi nu Ė-ri zēši 18 anniškizzi kuilmān=as lazziatā mān=as lazziatā=ma 19 nu=šše 6 GIN KÜ.BABBAR pāi LÜ.A.ZU=ja kuššan a-pa-a-as-pat pat §

If anyone injures a (free) person and incapacitates him, he shall provide medical care for him, while in his place he shall give another man. He (the person who has been given) shall work on his estate, until he recovers. When he recovers, he (the offender) shall pay him 6 sheqels and the doctor’s fee, he shall pay (it) instead (of the patient)\(^{375}\).

Usually the person needing medical support pays the doctor, but here it is part of the retribution that the injurer pays the doctor’s fee instead. This is indicated by the particle -pat in its replacive function.

The word order in this clause is quite remarkable: O - S - V. I believe that the phrase LÜ.A.ZU kuššan is topicalized to indicate that it is an unexpected Topic. The implied question “and what about the doctor’s fee” is unexpected since there is nothing in the preceding clauses which announces the fee as a Topic. The rest of the clause, the assertion, is a comment on the Unexpected Topic and necessarily contains the focus. The assertion itself also consists of two parts: part of the presupposition is the fact that doctor’s fees have to be paid, so the only part that is actually asserted is the subject. This means that the subject, being unexpected, is in Focus. Of course, the unexpectedness is that not the patient pays, but the injurer. This is indicated by the use of apa- + -pat. The particle -pat has scope over the subject, but not over the remainder of the clause. Concluding, we have Replacing Focus on the Subject.

In the next example the predicate arāuwa “(be) exempt” is explicitly mentioned before, paving the way for Focus with scope over a noun:

8.19 **KBo 6.2 iii 1-4, § 51**, with emendations from KBo 6.6, KBo 6.9 (OS law, CTH 291), ed. Hoffner 1997: 62

> § 1 [(k)]arā ku[(iš URU Arinna)] LÜ.UŠ.BAR ki[šat (Û É-SU arāuwa)] 2 [(LO.ME)]§ BA.LA=SU Ú LO.ME=NIŠO=SU 4 ar[(išēš kinuna É-SU=pat ELLUM)] 3 [(LO.ME)]§ BA.LA=SU Ú LO.ME=NIŠO=SU šahha[(n luzz)i (karpījezzi)] 4 [(URU)]Ziplantija QATAM[(MA=pat)] §

Formerly, if anyone became a weaver in Arinna and his house(hold) was exempt, (then) his associates and relatives were exempt. But now, only his house(hold) is exempt, his heirs and relatives shall render the šahhan and luzzi services. In Zippalanta (it is) just the same (and nothing else).

The particle -pat indicates Restricting Focus on a noun according to the scheme ‘S assumes that A thinks “X and Y”, and uses “only X!” to correct this existing piece of knowledge’.

Also contra expectations is ex. 8.20 (= ex. 7.46):

8.20 **KBo 19.1a iii 66-68, § 74** (OS law, additions from KBo 6.3, CTH 291), ed. Hoffner 1997: 81

\(^{375}\) Hoffner l.c.: “and shall pay the physician’s fee as well”.

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If anyone breaks a horn or leg of an ox, (then) he shall take that one himself and he also shall give an ox in good condition to the owner of the (injured) ox. If the owner of the ox says: “I will take my own ox instead”, he shall take his ox and he (the offender) also shall pay 2 shekels of silver.

The owner says: ‘Do not give me another ox, give me my own ox’. The type of Focus is Replacing, and the scope is on a restrictor, the possessive pronoun ammel “my”. The rest of the clause, the taking of an ox by the owner is presupposed.

The last category of -pat in the apodosis is the combination with apeniššan / QATAMMA “likewise”, generally translated with “in the very same way” by Hoffner (o.c., 293). One example will do:

8.2.1  **KBo 6.3 iii 48, § 64** (OH/NS law, CTH 291), ed. Hoffner 1997: 75

§ 64 [\(\text{takku SI GU}_4 \text{ naš}] \text{ma G}IR \text{ GU}_4 \text{ kuiški tušar}\[(\text{nizi apūn} = \text{za apāš}] \)

§ 67 [\(\text{(dāi U GU}_4 \text{ SIG}_5}] \text{ BEL GU}_4 \text{ pāi takku BE}\[(\text{I. GU}_4 \text{ tezzi ammel} = \text{pat} = \text{za} = \text{za}] \)

§ 68 [\(\text{(GU}_4\text{ un dāhi}] \text{GU}_4 = \text{SU dāi U 2 GI[\text{N KÜ.BABBAR pāi}] \)

If anyone steals a draft horse, its disposition is just likewise.

The Addressee is directed to the preceding law for the punishment. There is no replacement or restriction. Instead, the fact that it is similar to the preceding law is stressed, hence the translation in CHD sub -pat 2f, p. 218f. “the same as before”. I believe that the meaning “the same” is derived from the limiting “just like that and nothing else”. This specific use of -pat remains counter presuppositional, although it is not replacing or restricting. The type of Focus that comes closest to what is implied here, is Selecting Focus. The Addressee expects a certain type of punishment but does not know which one. The particle -pat tells the Addressee: “exactly like that, in case you might think differently”.

A similar use is found in a Middle Hittite treaty:

8.2.2  **KBo 8.35 ii 30'-31’** (MH/MS treaty, CTH 139)

§ 30  \(\text{mPliša} = \text{Sunupassi}\) 5 \text{LÚ.MEŠ katti} = \text{šmi URUTalmaližas} 31' nu = za linkija takšulaš uttar kattan OA-TAM-MA-pát \(\text{daier} \)

Piya, Sunupassi, 5 men with them from Talmaliya: they placed ‘the words of alliance’ under oath in exactly that way.

After the description of the stipulations of the treaty, the text continues in ii 25’ with the taking of the Oath: “Hatipta, Sunapassi, Qanu, [etc.], these too swore as mentioned, and placed themselves under the Oath as mentioned,” followed by our lines.

8.2.2.2. *The particle -pat in the protasis*

- **376** Occurring eight times in the laws.
- **377** Not one example has survived in the OS copy KBo 6.2.
- **378** Hoffner I.c.: “is the same”.
- **379** Similar KBo 8.35 ii 33’.
The last example concludes the discussion of -pat in legal texts. There is only one example of -pat with apa- in a protasis in the laws:

8.23  **KBo 6.26 iii 26-27, § 189** (OH/NS law, CTH 292), ed. Hoffner 1997: 149

§ 26  [takku LU-]š a-pé-e-el-pát anna šaš katta yaštal 27 ḫū[rk]il

If a man sins (sexually) with his own mother, (it is) an unpermitted sexual pairing.

The scope of -pat is only over the possessive pronoun apel “his”, as noted by CHD P sub -pat 5, p. 220. The type of Focus is Replacing: ‘if one sins with his own mother (instead of someone else’s, which is allowed if it is not your mother-in-law)’.

8.3. The Focal particle -pat with apa- in non-legal texts

8.3.1. Introduction

In the preceding section on legal texts I discussed that -pat could have scope over restrictors, noun(phrase)s and predicates with Replacing Focus, less often with Restricting Focus, and rarely with Selecting Focus. In section 8.3.2 the discussion will be restricted to the occurrences of apa- with -pat in non-legal texts and concentrate on the occurrences of -pat with scope over only apa-.

8.3.2. The particle -pat has scope over a NP, indicating Argument Focus

When -pat has scope over a noun phrase, it is not necessarily meant that the Focus of the clause is restricted to that noun phrase only. Theoretically there could exist a clause that has another type of Focus besides the one indicated by -pat. On the other hand, in my corpus of apa- with -pat it seems that -pat indicates the only locus of Focus. This is most clearly seen in those contexts where the remainder of the clause, including the verb, is more or less literally repeated. The first two examples (8.24 and 8.25) are relative sentences in which the predicate of the matrix clause is similar to the predicate in the relative clause. The only ‘new’ element is therefore the apa- with -pat term. But since the referent of this term is already introduced in the preceding relative clause, it can not be considered ‘new’ or asserted itself, thus excluding New Focus. The Focus on apa- has to be counter-presuppositional.

8.24  **KBo 17.11+ iv 26’-27’** (OS ritual, CTH *631, StBoT 25.25), ed. Neu 1980a: 68

26’ [(... LUGA)]L-uš eša šuqāru kue GALU[a akkuškizi 27’ [(a a-pé-e-pát)] ekuzi

The king sits down. What true cups he usually drinks, only those (ape-pat) he drinks.

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380 The other occurrences of -pat in protases are not discussed, because it is outside the scope of this dissertation to explain all -pat’s. The preceding discussion was needed, first of all, to pave the way for apa- with -pat in other texts, and secondly, to present a framework in which Limiting apa- without -pat could be fit in.

381 See also the parallel phrase KBo 17.11+ rev. iv 34’-34’ [LUGAL (Ū MUNUS.LUGAL ešanda)] šuqāru kue GALU[a akku[(skanzi)] 35’ [(a apūš-e-pat)] akuanzi

382 CHD P: 226.
The true cups are not the only cups available to the king, but in this ritual the king seems to be obliged to limit himself to these cups. The context, either textual or cultural, does not present any clues whether we are dealing with Restricting, Replacing or Selecting Focus.

8.25 KBo 11.1 obv. 5-7 (NH prayer, Muwattalli, CTH 382), ed. Houwink ten Cate & Josephson 1967: 105

AN apiša k[uit ................ šer artar] 6 kinuna a-pa-a-at-pat AN šer artar KI-aš=ma kuiš apiša kattan [kittat kinuna apāš-pat KI-aš kattan kittari] 7 AN-aš dUTU-uš apiša kuiš ANA AN-E šer artar kinuna=ja a-pa-aš-pat AN-aš dUTU-uš ANA AN-E šer artari

What heaven at that time [........ stood above], let that same (apat-pat) heaven stand above now. Now, what earth laid flat at that time, [let that same earth lay flat now].

What Sungod of Heaven stood above in the sky at that time, [let] that same (apasp[at] Sungod of Heaven stand above in the sky also now.]

The Counter-presuppositional Focus of these clauses rests on apa- + -pat with noun. Our knowledge of the beliefs of the Hittites is too limited to grasp the exact meaning of these phrases. The fact that Counter-presuppositional Focus is used, indicates that there must be other Heavens, Earths and Sungods to choose from. It seems to me that these lines are referring to the concept that everything changes with time and that they express the wish to return to earlier and better times. In the context just sketched a translation of -pat with scope over the adjectively used apa- as ‘same (and nothing else)’ (without the connotation of ‘the aforementioned’ in CHD P 213) or ‘only’ seems possible. I prefer to translate ‘same’ because the question is now left open whether we deal with Restricting, Replacing or Selecting Focus, whereas ‘only’ only allows Restricting Focus.

In the next examples the indexical clause is preceded by a conditional clause, a temporal clause or a clause of comparison with the same pattern of repetition as the relative sentences above.

A conditional clause:

8.26 KUB 48.119 obv. 3'-8' (NH vow, Hattusili III, CTH 584), ed. De Roos 1984: 297


[If] you, o god, will cure this unknown illness this year, then I shall install another festival for the god, whichever (it may be), and also, the purulli festival I shall perform for you in Hakmis, and also, in Nerik I shall celebrate you separately. And if it is ascertained (by oracle inquiry) to celebrate them in Nerik, in a single location, I shall perform it only there (apitya-pat)384.

This time -pat is really restricting, allowing the translation ‘only’: the preceding clauses present both Hakmis and Nerik as locations for the celebration of the festivals, but in obv. 8' only one of them, Nerik, might be preferred by the deity.

A clause of comparison:

383 Reading of MU follows CHD §: 27a.

384 Cf. De Roos 1984: 436: ‘zeker daar (definitely there)’.

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Mursili describes how the rule of Hatti remained the same under successive kings, including himself. Stating this is very important, for this text tries to convince the divine world that change in policy could not have been the reason for the evil behaviour of the Tawananna toward him and his family. In a comparison construction Mursili could have used the phrase QATAMMA-ya 'in that way too' (see Chapter 7), but in order to emphasize the fact that he governed in exactly the same way and no other, he used the limiting particle -pat instead. So again, we have a kind of Selecting Focus, this time on the advers of manner apenissan/QATAMMA (see also QATAMMA in the legal texts above).

The preceding examples contained complex clauses where both the dependent and the matrix clause contained the same material. In the examples that will be discussed next the repeated material is often a few clauses removed from the indexical segment.

8.27 KUB 14.4 i 7'-12' (NH plea, Mursili II, CTH 70), ed. De Martino 1998: 23


Just as the [palace] and the land of Hatti [were governed] at the time of my father, in exactly that way (QATAMMA-pat) [it] was governed [at the time of my brother]. After also my brother [had become a god], also I did not [harm Tawan]nanna at all. I did not [demote] her at all. Just as the palace and the land of Hatti were governed [at the time of my father and o]f my brother, also then (= in my time) it [was governed in exactly that way].

In his speech preceding this example the father of the king already stated that he has given the mountainland Zippasla to Madduwatta and his people in order to live there (obv. 15-16). But now he wants Madduwatta to live in another area. This however is refused by Madduwatta, so the king mentions Zippasla again as a replacement. The noun apun-pat carries Replacing Focus.

385 See for mahhan ... apenissan-pat also KUB 23.103 rev. 6°-7° (lateNH letter, Tudhaliya IV, CTH 178) 6° nu EN=KUNU BA.ÛS ammuqq=ma=za ANA EN=KUNU mahhan SIG-anza x[...]. 7° nu=za apēdan=ja QA-TAM-MA-pat SIG-anza n=an pahḫaššīnu “Your (pl.) lord has died. Now, as I [was?] good for your lord, I am good exactly in that same way for him too. You must protect him.”

386 The particle is not translated by Götz e I.e.
The next three examples show a similar use of *apa-* with *-pat* in new Hittite:


§ 12 mān dUTU-SI ṣ tapaššaš a-pí-ja-pát ŠÀ KUR UΡU Neriška 14 ūemijazı ka-a-ma Ūī... If the fever will befall My Majesty only there (*apiya-pat*) within the country of Neriška, but not here (*ka*), ... The clause containing *apiya-pat* is a repetition of what was concluded before, that a fever would befall the king in Neriška (i.6-8). Here we have a rare occurrence of the explicit negation of one of the members of a possible presupposition. The Speakers need to know whether the assumption ‘X and Y’ is valid or not. They therefore ask whether it is the case that ‘Only X, not Y’, which is a typical case of Restricting Focus. A similar situation, this time with an expression of time, is found in:

8.30 **KBo 2.2 i 52-55** (lateNH oracle, Tudhaliya IV, CTH 577), ed. Van den Hout 1998: 128

§ 52 mān DINIGIR-LUM ṣ tapaššan ANA dUTU-SI ṣ KA UD.KAM ḫuppiallaš = kan 54 uškiši dUTU-SI ṣ tapaššaš a-pé-e-da-aš-pat UD.KAM-aš anda KAR-jazi If you, o god, see fever for My Majesty on the day of ḫuppialla, will fever befall My Majesty only on those (*apedas-pat*) days, ... In iii 21 the oracle inquirer asks *nu=mza* [DINIGIR]-LUM apaddan šer 22 kard[i]mmiauyanza “(are you, o [godd]ess, for that reason angry? (Then let the exta be unfavorable. (...); unfavorable)’). In our lines the inquirer wants to be certain that there is no other reason so repeats the clause with the addition of the restrictor -*pat*: ‘only that and nothing else’.

8.31 **KBo 2.2 i 24-25** (lateNH oracle, Tudhaliya IV, CTH 577), ed. Van den Hout 1998: 132

§ 24 mān=mza DINIGIR-LUM a-pád-da-an-pát šer kardimmiauyanza 388 If the deity is angry because of only that (*apaddan-pat*), ...

In iii 21 the oracle inquirer asks *nu=mza* [DINIGIR]-LUM apaddan šer 22 kard[i]mmiauyanza “(are you, o [godd]ess, for that reason angry? (Then let the exta be unfavorable. (...); unfavorable)’). In our lines the inquirer wants to be certain that there is no other reason so repeats the clause with the addition of the restrictor -*pat*: ‘only that and nothing else’.


§ 27 LÔ MESEDE=a kuiš EGIR-anda paizzi n=aż ŽAG-aš ISTU LÔMEŠ MESEDI 28 EGIR-anda paizzi EGIR-pa=ja-aš ŽAG-aš a-pu-u-un-pát KASKAL-an paizzi And the guard who passes behind, passes behind to the right of the guards, and also, on (his) return he passes on the right, just that (*apun-pat*) route. The route the guard takes is described explicitly. It seems that the author of the text wants to state explicitly that it has to be ‘that same route’ (Güterbock & Van den Hout l.c.) and nothing else. Again, -*pat* is limiting the choices to only one option. In all the preceding examples in this section a major part of the clause was already mentioned before, leaving only the noun phrase with -*pat* as the sole carrier of Focus. In the

387 Van den Hout l.c.: “right there”.

388 See also § 11 mān=mza DINIGIR-LIM a-pád-da-pát šer TUKU.TUKU-uanza in KUB 22.70 obv. 11, 28 (CTH 566).
next examples the part of the clause minus the noun phrase with -pat has not been mentioned before. But that does not mean that the clause is not expected given the context. In the three remaining texts it may safely be assumed that the contents of the clause containing -pat are somehow presupposed.


10 nu mān DINGIR.MEŠ-naš kardinmiḫaḫ kuiš [AN]A DINGIR.MEŠ ŬL naḫḫi[(anza)]
11 n=apa le aššā[uš a[iš][luwaš anda]] ḥarkanzi n=as mū((n)) 12 1-EN URU-LUM našma=at 1[(-EN Ŭ-E-TUM našma)] 1-EN LU  nu DINGIR.MEŠ 13 a-pu-u-un-pāt L-EN ha[(r)ninkandu]

If the gods feel anger, -given that someone is not reverent to the gods,- let not the good perish among the bad. If it concerns one city, or one estate, or one man, [let] the gods des[troy] only that one (apun-pat) (and not everything else)!

The idea behind the phrase containing apa- is that the gods are destroying the whole country, good and bad, but that they should only destroy the culprits, so the particle -pat indicates Restricting Focus.


nu=kan uqatten DINGIR.MEŠ EN.MEŠ=YA 33 apun 390 AWAT mDudḫaliya DUMU-RI ANA ABI=YA kinun appezz[i]az 34 anda šanḫatten nu=kan ABU=YA ISTU ŠA mDudḫaliya išbanaz[………..]ANA ABI=YA 35 kučḫ DUMU.MEŠ LU.GAL.BELU.MEŠ UGULA LÚ.MEŠ LIM LÚ.MEŠ DUGUD anda kišantat nu a[pūšš=]a (?) 36 memijanaz akir ANA KUR URU[Hatti]=ja=kan a-pa-a-aš-pāt memiaš ār(a)š nu KUR [URU[Hatti]=ja apēz] 37 memijanaz akkiškuin ū[i]a[t

Then the moment came that you, O Gods, after [the fact], sought revenge for that matter of Tuthaliya the Younger from my father: my father [died] because of the bloodshed of Tuthaliya, and the princes, commanders, chiefs-of-thousand (and) officials who had joined [my father,] th[e y too] died because of the affair, and exactly that same (apas-pat) affair arose against the land of Hatti. [Also] the land [of Hatti] started to die because of [that] affair.

Mursili emphasizes that he has found the reason for the plagues in Hatti: it was the killing of Tuthaliya Junior and nothing else that caused them.

8.35  **KUB 21.1+ 1 65'-69'** (NH treaty, Muwattalli, CTH 76), ed. Friedrich 1930: 54-57 65' [DUMU]=KA=mā kuin LUGAL-izmanni zik taparrījaši n=as š mān] 66' [Š]=A DAM=KA mān=aš za ŠA MUNUS=NAP=TAR>TI=GA n=as š mān nūya ja [DUMU-aš]

---

389 See also KUB 14.7 ii 21-22 (CTH 383) ŠA 'Danuḫepa=tma uttar [kuiš] 22 parâ ijaḫ karū a-pa-a-aš-pāt šarništ[a] §

390 Lebrun o.c. mistakenly reads A-BU-YA.
Now, as for [your son] that you ordain in kingship, be [he] by your wife, or by your concubine, even if he is still [a child], (if) the country refuses him and says as follows: “Offspring of a prince (??) he [must be!]”, then I My Majesty will not agree (with them) ! Later my son and grandson and offspring shall protect only him (apun-pat).

The king promises Alaksandu to protect only the son he himself designates as his successor, and not the one that might be preferred by the population.

8.4. Formal discussion of the particle -pat

In the preceding sections -pat was described as an indicator of Restricting, Replacing, or Selecting Focus. The anaphoric interpretation of the particle was rejected although the translation ‘the same’ might still be used, but then only in the sense of ‘exactly that same and nothing else’. In this section I concentrate on the formal aspects of clauses and noun phrases with -pat. Two connected aspects will be highlighted: 1) the scope of -pat, and 2) the position of -pat in the clause.

8.4.1. The scope of the particle -pat

In the law apodoses the punishment containing the particle -pat is always contra expectations. In one case (ex. 8.2) the type of Focus is Restricting: the reader assumes that both X and Y happen given the other laws in the category. Both propositional contents are presupposed, but only one of them actually occurs. Thus, the particle has scope over the propositional content of the clause instead of over only a part of the clause. In several other instances the propositional content of the clause is not presupposed but asserted (exx. 8.4, 8.7-10, 8.12-15). The punishment could not have expected and is replacing some other type of punishment, usually a financial one. So the Focus domain does not only include the noun to which the particle -pat is attached, but also the verb and possibly some other arguments. In most cases the subject is the Established Topic, which is therefore excluded from the Focus domain. In short, these clauses have Replacing Predicate Focus.

This should be distinguished from those cases where the Focus rests on a noun phrase or restrictor while the remainder of the clause is presupposed (ex. 8.3, 8.16, 8.18-20, 8.23). Outside the laws this is the type we usually encounter (exx. 8.24-35).

Summarizing, the particle may have the following scopes, indicated by the brackets. The non-bracketed parts are presupposed:

<table>
<thead>
<tr>
<th>-pat has scope over</th>
<th>scheme</th>
<th>example</th>
</tr>
</thead>
<tbody>
<tr>
<td>a VP</td>
<td>S [Pred]</td>
<td>nu È-eršēšpat arnuźni (8.4) apāš=pat aki (8.12)</td>
</tr>
<tr>
<td>a restrictor (a genitive, adjective)</td>
<td>[Restr] Pred</td>
<td>[ammeš=pat]=ya=za GŬ-uni dahhi (8.20)</td>
</tr>
</tbody>
</table>

Table 8.6: The scope of -pat

In ex. 8.12 the particle -pat is attached to the subject apāš: apāš=pat aki. The appearance of this clause is similar to the clauses with only the noun in Focus, but as I explained in the
commentary on 8.12, the predicate “be put to death” is not yet known to the Addressee. This means that the Focus cannot be limited to the Subject. If we assume that without particle the clause could have been *n=aš aki, the only host available to *pat would have been the verb. Although the verb with *pat is not studied here, it seems that in such a situation *pat only focusses on the verb, just as it might focus on a noun with the exclusion of the rest of the clause. According to the CHD P 213, *pat on the verb means 'likewise' (which is in my view 'just like that and nothing else'), 'to continue to ...', and 'in addition'. But since the verb ‘to die’ is not repeated, presupposed or an additional action in any way, *pat could not be cliticized to the verb. The only option remaining is therefore n=aš as host for *pat. However, *pat needs an accented host, therefore excluding *n=aš=pat aki (see for a list of possible hosts CHD P sub *pat 12, p. 227f.). Thus, I believe, the nom.sg. enclitic pronoun -aš was changed into the independent form apāš which could host the particle *pat.

8.4.2. The position of *pat in the clause

The next table presents the clauses with Predicate Focus. The particle *pat is used here to express the fact that the VP is replacing another, expected punishment. Only in ex. 8.2 the particle indicates Restriction (S = Subject, O = Object, L = locative).

<table>
<thead>
<tr>
<th>Ex.</th>
<th>wordorder</th>
</tr>
</thead>
</table>
| 8.2 | nu-za     | O-pat | V  
| 8.4 | nu        | O-pat | V  
| 8.7 | nu-kan    | O-pat | V  
| 8.8 | nu        | O-pat | V  
| 8.9 | nu        | O-pat | V  
| 8.10| n-O-za    | O-pat | V  
| 8.12|          | S-pat | V  
| 8.13| nu-kan    | S     | L-pat | V  
| 8.14| nu-za     | S     | O-pat | V  
| 8.15| s-S       | L-pat | V  

Table 8.7: Wordorder patterns with VP scope of *pat

The pattern emerging from the list shows that the particle *pat is either attached to the preverbal noun or to the first full noun of the VP, excluding the Topic-Subject.391

The next table lists the examples where *pat indicated Focus on the noun while the rest of the clause is topical or presupposed (IO = Indirect Object, A = Adverb, T = temporal expression).

<table>
<thead>
<tr>
<th>Ex.</th>
<th>wordorder</th>
</tr>
</thead>
</table>
| 8.3 | nu-za     | O-pat | V  
| 8.16| nu-za     | S-pat | O  | V  
| 8.18| O-ya      | O     | S-pat | V  
| 8.19| kinuna    | S-pat | V  
| 8.24| ta        | O-pat | V  
| 8.26| n-O       | L-pat | V  
| 8.27| n-S       | T     | A-pat | V  
| 8.28| nu-wa-za  | O-pat | V  
| 8.29| man       | IO S  | L-pat | V  

391 Ex. 8.12 was already discussed in section 8.4.1.

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This time there is an example that might indicate that the Focus noun has to be preverbal. In ex. 8.18 the Focus-Subject follows the other arguments of the clause, which makes a strong case for preverbal position. More evidence for the hypothesis that Replacing or Restricting Focus is connected with preverbal position will come from section 8.5. The only exception to this ordering rule is example 8.16. The explanation might be that indefinites always take precedence over definites when preverbal position is involved. For example, kuški even pushes the negation out of the preverbal position.

When -pat is attached to a restrictor (i.e., a genitive or adjective) the word order does not change:

<table>
<thead>
<tr>
<th>Ex.</th>
<th>wordorder</th>
<th>VP</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.20</td>
<td>[G-pat-wa-za O]</td>
<td>V</td>
</tr>
<tr>
<td>8.23</td>
<td>takku S</td>
<td>[G-pat G]</td>
</tr>
<tr>
<td>8.30</td>
<td>S</td>
<td>[L-pat L]</td>
</tr>
<tr>
<td>8.33</td>
<td>nu S</td>
<td>[O-pat O]</td>
</tr>
<tr>
<td>8.34</td>
<td>IO-ya</td>
<td>[S-pat S]</td>
</tr>
</tbody>
</table>

The word orders in the first two tables show that when the Focus does not rest on the Subject, it was not possible to distinguish between Limiting Focus on the VP or Limiting Focus on a noun in the VP, that is, between Predicate Focus and Argument Focus. This observation seems to correspond with the distinction between marked and unmarked Focus structure (Lambrecht 1994: 296ff.). The unmarked structure is Predicate Focus, which means that a clause with this type of Focus might also be understood as having Argument Focus within the predicate. However, the examples in Table 8.7 only have one or two arguments. We do not know what the word order would have been if extra arguments or satellites would have been present. Only in that situation it will be possible to decide whether -pat with VP scope is attached to the first full noun (phrase) of the VP or to the noun (phrase) in preverbal position.

8.5. Limiting apa- without -pat

8.5.1. Introduction

Besides Limiting apa- with -pat there also exists a Limiting apa- without particle which may be compared with the examples in section 8.3.2, with Focus on a noun phrase. Again, the method for finding Focus is based on an analysis of the context. If a clause contains a noun phrase in Focus, the rest of the clause should to a large extent be presupposed. In written texts this means that the presupposed parts are somehow to be found in the preceding discourse. In section 8.5.2 I have collected all examples in my corpus which contain both elements of the pattern for Replacing Focus, ‘not X, but Y!’ (see section 8.1). In section 8.5.3 the material with only the second member present is presented (‘(not X), but Y!’).

Section 8.5.4. presents Focal substantival or adjectival apa- occurring in the main clause of a relative sentence. Whereas in the sections 8.5.2. and 8.5.3. contextual clues are used to establish the type of Focus, these clues are not present in case of apa- in relative
sentences. The same situation applies to adjectively used *apa-* in simple main clauses (section 8.5.5.).

8.5.2. Replacing *apa-*: explicit 'not X, but Y!'

When an assumed presupposition is explicitly denied, some elements in the assertion (Y) should be repeated in the negated part (X). The clause elements in Y that are not repeated should then constitute the Focus. In the following examples the negated clauses are completely underlined, while in the clause containing the corrected information only the Focal part is underlined.

The list below contains all the clauses in my corpus that exhibit this pattern. Two more representative examples were taken from outside my corpus (exx. 8.37, 8.42).

8.36  **KBo 6.2 iii 23-24**, § 57 (OS law, CTH 291), ed. Hoffner 1997: 68-9, (translating differently\(^{392}\)).

\[\text{§ 23 takku GU}_4\text{MAH-an kuiški dāieitzi takku GU}_4\text{saudīša natta GU}_4[\text{GU}_4\text{MAH-}aš\text{ }}\]

\[\text{\textit{[takk]} GU}_4\text{jugaš natta GU}_4\text{MAH-}aš\text{ takku GU}_4\text{tāuugaš a-pa-aš GU}_4\text{MAH-}aš\text{ }}\]

\[\text{\textit{[(karū 30 GU}_4\text{][]}}\text{)}.][\text{H.LA pišker kinuna 15 GU}_4\text{H.LA pāi} \ldots\]

If anyone steals a bull —if a bovine (is) a weanling, (it is) not a bull, if a bovine (is) a yearling, (it is) not a bull, if a bovine (is) a two-year-old, *that (apas) (is) a bull*—, formerly they gave 30 cattle. But now he shall give 15 cattle: \(^{393}\)

8.37  **KBo 3.1 ii 36'-39'** (OH/NS, Telipinu, CTH 19), ed. Hoffmann 1984: 32-33

\[\text{\textit{[Lugal]}-uššan ḫantezižaš-pat DUMU.LUGAL DUMU-RU kikk[(iš)]išaru takku DUMU.LUGAL]}\]

\[\text{\textit{37 hanteziži NÜ.GAL nu kuiš tān pēdaš [DUMU-RU nu LUGAL-uššan a-pa-a-aš \textit{38} kīšaru \textit{män DUMU.LUGAL-ma DUMU.NITA NÜ.GAL nu kuiš DUMU.MUNUS hanteziži \textit{39} nu-ešši zššan \textit{10} antijant} \textit{appāndu nu LUGAL-uššan a-pa-a-aš kīš}}(\textit{aru}) \textit{]}\text{§}}\]

Only the first ranking prince (and) son shall become king. If there is no first ranking prince, then one who is a son of second rank, *he (apas)* shall become king. If there is no prince (or) heir, then they must take the husband of a daughter of first rank, so that *he (apas)* shall become king.


\(^{392}\) Hoffner translates *takku GU}_4\text{saudīša natta GU}_4[\text{GU}_4\text{MAH-}aš\text{ }}\]

\[\text{\textit{[takk]} GU}_4\text{jugaš natta GU}_4\text{MAH-}aš\text{ takku GU}_4\text{tāuugaš a-pa-aš GU}_4\text{MAH-}aš\text{ as 'if (it is) a weanling calf, (it is) not a bull, if (it is) a yearling calf, (it is) not a bull, if (it is) a two-year-old bovine, that (is) a bull'. The *takku*-clauses in § 57 and 58 are different from the other ones in the Laws because they do not function as the condition for the penalty in a protasis. The Law is only about the stealing of a bull and there are no alternatives offered with a different penalty as in the other Laws. Instead, the conditional sentence is inserted to define what exactly may be considered a bull. Hoffner indicates this by using hyphens. This interjection has to be disconnected from the rest of the Law and is completely independent. It has therefore to be translated as 'if a bovine (is) a weanling, (it is) not a bull, if a bovine (is) a yearling, (it is) not a bull, if a bovine (is) a two-year-old, *that (is) a bull*. Without the interjected definitions the Law reads as *takku GU}_4\text{MAH-an kuiški dāieitzi karū 30 GU}_4\text{H.LA pišker kinuna 15 GU}_4\text{H.LA pāi 'If anyone steals a bull, formerly they gave 30 cattle. But now he shall give 15 cattle: \ldots', with the same patterning as for example Law § 7 and 9.\textit{}}\]

\(^{393}\) See also the parallel law § 58.
If a palace attendant of the lowest rank comes out, the gold-spear-man does not give it (the key) to him. When a high palace attendant comes out — either a commander-of-10 or an army-bailiff (or) a [guard comes— they give the key to him (apedani).

8.39  
IBoT 1.36 i 60-63 (MH/MS instruction, CTH 262), ed. Güterbock & Van den Hout 1991: 10-11

§ 60 LÜ.MES.MESEDUTI=ma=kan DUMU.MES.É.GAL-JAZ KÁ.GAL-az katta OL paiškanda 61 n=at=kan lušdanijaz katta paiš[kanda] nu 1 LÜ.MESEDI kuiš šarkantin 62 uidäizzi UGULA.DUMU.MES.KIN-za kuin pariššiškizzi nu=kan GAL-JAZ katta 63 a-pa-aš paiškitta

The guards and the palace attendants shall not go down the main gate; they shall go down through the postern. The one guard that brings a defendant, the one whom the chief-of-messengers dispatches, he (apaš) shall go down through the (main) gate.

8.40  

42 LÜ.MES.MESEDUTI=ma=kan kušeš āššanzi nu män GISŠUKUR kuiš 43 OL harzi nu=za GISPA.HI.A kuit tanzi n=at=kan ŠA GISškalmušaš 44 DUMU.É.GAL OL handál[n]ari parâ damâš 2 DUMU.É.GAL 45 tienzi nu=šši=kan a-pé-e hu[n]dzi(LÜ.MESEDI=ma kušeš 46 GISPA.HI.A harkanzi n=at=šmaš [EGIR-an (?)] ija(?)a)nta

§ 47 män LÜ.HAZANNU=ma našma UGULA NIMGIR.ÉRIN.MEŠ handaitari nu=šmaš= kan 48 a-pé-e handânti a-pé-e-da-aš ā[r[a]

As for the guards that remain behind, if someone (among them) has no spear, since they take staffs, they will not be lined up with the palace attendant of the lituus. Two other palace attendants will step forward. They (ape) will line up with him. As for the guards that hold staffs, they will [walk behind (?)] them.

But if a hazanu or an overseer-of-army-bailiffs [is present], they (ape) will line up with them. For them (apedas) it is right).

The last clause of ex. 8.39 contains a pronoun in replacing Focus, without the explicit negation that it was not right for the others to be lined up with the palace attendant holding the lituus. Other examples where the negation remains implicit are discussed in section 8.5.3.

In the next example the predicate is not literally repeated, but the intention is the same:

8.41  


Afterwards he (= Madduwatta) moreover took the countries belonging to My Majesty: Zumanti, Wallarimma, Yalanti, Zumarri, Mutamutassa, Attarimma, Suruta, Hursanassa. No longer he lets the mes[sengers] of these countries go to My Majesty,
and no longer he lets the troops of these countries go to My Majesty, and to whom whatever was (??), no longer he lets (them) bring tribute to My Majesty. (Instead,) \textit{he (apas)} takes them.

The negations clearly imply that the king should take all the goods and tributes. But instead, Madduwatta takes it all. So the ‘taking of the messengers, troops and tributes’ has to be considered as presupposed, and only the Subject is changed from the expected ‘My Majesty’ to the unexpected ‘Madduwatta’.

The next examples speak for themselves:

§ 16 \textit{mān dUtU-Šīsma lahhī ukīla Ūl. pāīmi nu tuzzīja kuīn DUM.U.LUGAL našma BE[L GAL] 17 ūṭārnamī į nu tuzzī lahhī a-pa-a-aš pēhutezzi}

If I, My Majesty, myself do not go on campaign, then the prince or [great lorr] that I appoint as commander in the army, \textit{he} shall lead the army on campaign.

8.43 \textbf{KBo 11.1 obv. 37-39} (NH Prayer, Muwattalli II, CTH 382), ed. Houwink ten Cate & Josephson 1967: 106

\textit{mān 1-EN Uru-lum=ma kuiški našma 1-EN Ê-Tum kuiški [............]} 38 ḪUL-aḫzi n=at=kan DINGIR-LUM a-pē-e-da-ni ANA 1-EN Uru-lum 1-EN Ê-Ti anda šanḫi nu apaš[............] 39 ANA KUR-Ti=ma=at=kan lê anda šanaḥti

Or, if some single city or some single estate [............] harms [............], then, O god, avenge it on that (apedani) one city, (or) on (that) one house. \textit{That} (neuter) [..............................], but do not avenge it on the country.

The following example contains the pronoun \textit{apa-} in the negating clause instead of in the correcting one:

8.44 \textbf{KUB 14.4 iv 17-21} (NH plea, Mursili II, CTH 70), ed. De Martino 1998: 30, 38

\[\text{[MUNUS.LUGAL = ma ANA ÊSh]a=ra Uruštatā kiššan memiškit DINGIR-LUM apaš=ya} 18 \text{Kū.BABBAR URU=Aštata }]\{\text{OL ammuḫ }\text{ḫarmi} \text{t elementoša ŠA DINGIR-LUM Kū.BABBAR kuiš }\text{ḫarzi} 19 \text{nu=ya apēl }Ê=S]U kuiš }\text{šunniškit }\text{nu=ya DINGIR-LUM a-pu-u-un ŶL épiti} 20 \text{[OL=ma=ya=šši] DĀM-ZU DUM.UMŠ-ŠU épiti }\text{nu=ya am-} \\
\text{mu-uk niyallin épiti} 21 \text{[naššu=ya apūn ép našma=ya DĀM-ZU DUM.UMŠ-ŠU ép} \text{[The queen] spoke as follows [to Ish]ara of Astata: "O god, it is not I who keep that [silver of Astata]. The one who holds your, the deity's silver, the one who fills his own house (with it), that one (apūn) you, o god, do not take. You do [not] take his [wife], his sons [from him]. You take me, the innocent! Please take [either hi]m, or take his wife (and) his sons (instead).}

The negating clause could never be expressed in the next example, because if there is no offspring one cannot say that he cannot be placed in kingship:

8.45 \textbf{Bo 86/299 iii 17-20} (lateNH treaty, Tudhaliya IV, CTH 106A), ed. Otten 1988: 20-21

394 Similarly KBo 11.1 rev. 7-8: 7 n=at=kan dU EN-YA a-pē-e-da-ni ANA Ê-Ti anda šanaḥ [............] 1 KUR-e=ma=at=kan anda lê [šanaḥti]

395 The emendations are mine, see De Martino l.c. with different emendations and literature.

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Sometimes there is no negation but a paraphrase instead:


If he has no offspring of son(s), they must look for offspring of the daughter(s) of Kurunta. Even if he (lit. it) is (located) in a foreign country, they must bring him (lit. it) even from there, and they must place him (apun) in Kingship in Tarhuntassa.

In a similar context:

8.47  **KUB 14.1 obv. 73-74** (MH/MS indictment, CTH 147), ed. Götze 1968: 18-19

Now the cities [Ura] (and) Mudamutasi were mine in the past. But [when] Huhazalma became hostile, they [defected] from me. They became his (apel) (instead).

8.5.3. Replacing *apa-*: implicit ‘(not X,), but Y!’

The examples in this section only contain the second member of the Replacing Focus construction, the negating member is not explicitly mentioned in the preceding text. Despite that omission, it is often very clear that the entity referred to by *apa-* replaces an earlier mentioned entity.

The first two examples show the use of *apa-* in a coordinate structure:

8.48  **KBo 6.3 iii 70-71, § 74** (OH/NS law, CTH 291), ed. Hoffner 1997: 81

If anyone breaks the horn or leg of an ox, *he* (apas) shall take him, and also he shall give an ox in good condition to the owner of the (injured) ox.

In a case like this one would expect that the owner takes the ox while the offender pays some compensatory money. This type of fine is actually mentioned in the second part of the law: “If the owner of the ox says: ‘I will take my own ox,’ he shall take his ox, and also, he (the offender) shall pay two sheqels of silver”. Therefore, the taking of the ox is a presupposed action while the one who takes it, the offender, is unexpected. The pragmatic role of the subject *apas* is therefore Replacing Focus. The next law is similar:

396 See Chapter 7 for the translation of the coordinator *-ya as ‘and also’.
8.49 KUB 29.24 i 3-6, § 113 (OH/NS law, CTH 291), ed. Hoffner 1997: 108-109
§ 3 [takku mijanda]n? GiśGeSTIN-an kuški karašzi karaš[(andan)]4 GiśGeSTIN-an a-pa-a-aš dāi SIG,=anna=a GiSTIN 5 [(ANA) BE]L GiśGeSTIN pāi
If anyone cuts down a [fruit-beari]ng vine, he (apas) shall take the cut-down [vine] and he also shall give a good vine to the owner of the vine.

In the preceding two laws the referent of apas is highly salient and in fact expected as the Topic of the clause. But since the relationship between the predicate and this salient entity is not to be expected, the subject appears in Focus. In the next example the legislator again uses the independent pronoun apa- where it could easily be left out if only salience were taken into account.

8.50 KBo 25.5: 5'+ iii 1'-4', § 166 (OS law, CTH 291), ed. Hoffner 1997: 133
5' [(takku) o o o o o o o o o (NUMUN-ni)] NUMUN-an šēr kuški 1' [(šūniezzi) o o o o (GŪ-SŪ GiśAPIN)-? (šēr) tiaz[i]]2' [2 (ȘIMDI GU₄ HLA turianzi kēl mēni= ššīr)] tuān kēll[(z-a)] 3' [(mēni=ššītu duān nējanzi LŪ-es₄ aki GU₄)ME]-š=ā akkanzi 4' [(U A.ŞA-LAM karū=pat kušš šūniet t=az a-)]pa-a-aš yaraššē
If anyone sows (his own) seed on top (of another man’s seed) [...] they shall place his neck on a plow. They shall hitch up [two] teams of oxen. They shall turn the face of one (team) in one direction and of the other in the other direction. The man dies and the oxen die. But the one who sowed the field first, he (apas) shall reap (it).397

In this case it is not necessary to express that the offender does not reap the field given his rather gruesome death. Still, the legislator found it necessary to stress the fact that the first sower and the not the second one reaps the field.

§ 18 māḥan=ma=kan LUGAL-uš Giś huluganaz katta tiēzzi nu mān 19 GAL MEŠEĐI arta nu GAL MEŠEĐI E GIR-anta UŠGEN nu LUGAL-un EGIR-pa 20 ANA GAL DUMU. MEŠ.E.GAL ḥikzi mān ta[m]aiš=ma kuški BELUM 21 handāitta kuš hantezzi[a]nī arta nu a-pa-a-aš UŠGEN 22 mān BELU GAL=ma OL kuški handāittari nu kušš 23 LŪ- MEŠEĐI=ma arta nu a-pa-a-aš UŠGEN
When the king steps down from the cart, if there stands the chief-of-guards, the chief-of-guards prostrates himself behind (the king). He entrusts the king back to the chief-of-palace-attendants. But if some other official is available who stands in the front line, (then) he (apas) prostrates himself. But if there is not any high official available, (then) whichever guard stands (there), he (apas) prostrates himself.

In this example it is not necessary to negate that someone prostrates himself behind the king. The context itself makes it very clear that the subject of ‘to prostrate’ is each time replaced.

8.52 KBo 15.10+ ii 20-21 (MH/MS ritual, Tudhaliya & Nikkalmati, CTH 443), ed. Szabó 1971: 22-23
nu=ššan kuit (Zi ANA BELI 21 [tak]kiškit n=at=šan EGIR-pa a-pé-da-ni takšan ēštu

397 See also the parallel law § 167.
What Zi(plantawiyaa) kept [as] signing to the lord, let that be assigned in return to her (apedani).

Zipantawiyaa has been trying to curse the royal family. In this ritual the ritual practitioner tries to undo the evil magic of Zipantawiyaa. The basic idea is that, first, the evil directed towards the royal family has to be undone, and secondly, to reverse the evil toward Zipantawiyaa. The undoing of the evil deeds is not explicitly mentioned here, but paraphrased in ii 13-16.

The scope of Focus is only apedani. The rest of the information in the clause is already presupposed since it is almost completely expressed in the preceding relative clause.

Limiting apa- is often found in stipulations concerning the succession of a vassal king. Usually the future king has to be a son of the vassal king, in order to secure a dynasty that is loyal to the Hittites. In each of the following examples (8.53-55) apa- could have been left out without disrupting the syntax or the semantics of the clause. The fact that apa- is used in each case in this context means that the Addressee should infer that the successor is exactly that person instead of anyone else he might think of. Another option might be that the Speaker assumes that the Addressee considers more than one successor to the throne. In that case we are dealing with Selecting Focus.

8.53 KBo 5.3 i 8-11 (MH/NS treaty, Suppiluliuma I, CTH 42), ed. Friedrich 1930: 106-7, CHD S p. 29
8 nu₃₃a zik ḫuqqa₃₃š ḏUTU-$š$-pat AS$Š$UM BELUTIM šāk Ñ DUMU-YA₃₃-a kuin ḏUTU-$š$-temi kī₃₃n=-ya₃₃=za ḫūˈmana₃₃ šāk₃₃dū 10 n=.an=kan išṭarna tekkuššāmi nu₃₃za ziqq₃₃=a ḫuqqa₃₃š 11 a-$pu$-$u$-$un$ šāk
You, Huqqana, must recognize only My Majesty as to soverainty and also, my son of whom I, My Majesty, say: “This one (here) everyone must recognize”, and I introduce him, you too, Huqqana, must recognize him (apun).

8.54 KBo 5.9 i 24-26 (NH treaty, Mursili II, CTH 62), ed. Friedrich 1926: 12
mah$h.an=za DAM₃=KA tatti 25 nu₃₃za mān DUMU.IBILA ijaššu nu katta INA KUR URU Amurri a-pa-a-aš 26 LUGAL-aš ḫēdu
And when you take your wife, if you beget a son, (then) later he (apas) shall be king in Amurrū.

8.55 Bo 86/299 ii 90-93 (lateNH treaty, Tudhaliya IV, CTH 106A), ed. Otten 1988: 20-1
90 kū$n$=za imma DUMU-an m$š$LAMMA-aš malaizi$š$ mān-aš a$p$ 91 ŠA MUNUST]$I$
DUMU-aš mān-aš tamēl kuēlqš MUNUS-aš DUMU-aš 92 nu kū$i$š DUMU-aš ANA m$š$LAMMA ZI$-$ança kū$n$=za DUMU-an m$š$LAMMA-aš malaizi$š$ 93 nu INA KUR URU $usahaan LUGAL$-iznani a-$pu-u-un$ tītanuddu
Whatever son Kurunta might approve of —be he the son of that woman, be he the son of any other woman, any son that is favorable to Kurunta— whatever son Kurunta might approve of, he shall install him (apun) in Kingship in Tarhuntassa.

Here apa- might indicate Replacing Focus because in the preceding example it was stated that Kurunta was obliged to designate the son of his appointed fiancee as his heir:

8.56 Bo 86/299 ii 85-86 (NH treaty, Tudhaliya IV, CTH 106A), ed. Otten 1988: 20-1
MUNUS.LUGAL-$ya$-$tta$ kū$n$š MUNUS$T$UM DAM$-anni$ pā$i$ nu$k$=ya INA KUR URU $usahaan 86 LUGAL$-$iznani a-$pē-el$ DUMU$=SU$ dā$i$ 310
"As for the woman which the queen shall give you in marriage, you must place a son of her's (apel) in kingship in Tarhuntassa!"

This prospective heir is now replaced by anyone Kurunta might consider fit. The use of Limiting apel in ii 85 implies Kurunta should only choose one specific son from one wife as his heir, with the rest of the candidates implicitly present at the background. This is made explicit later, in ex. 8.55 where the restriction is lifted. In section 8.5.4 I present some examples of the use of apa- following a relative clause. The interpretation given there is that in that case apa- seems to carry Selecting Focus, and our example here supports that analysis.

\[\text{§ 25} \text{ nu dammaiš kuiški DINGIR-LUM kardimmijauanza} \text{ 26 nu aši INIM GIG a-pa-a-aš tijaži} \]
Is some other deity angry, does sihe (apas) cause that matter of the illness?

This is one of the very few examples which has aši and apa- in the same clause. Here we can see how they have completely different functions. The pronoun apa- referring to a topical entity is used to indicate (implicit) Replacing Focus, whereas the adjectively used demonstrative aši refers further backward, across a paragraph boundary, having nothing to do with counter presuppositional Focus.

8.58  KUB 26.12+ ii 29-35 (lateNH oath, Tudhaliya IV, CTH 255.1), ed. Von Schuler 1957: 25 (see also 5.9, 5.27)
\[\text{29 namma apāt kuit eššateni nu KUR.KUR.ḪI.A 30 BA[L d]apianda l-ētta naiškitin} \text{ 31 nu K[U.R.KUR].ḪI.A KUR daššanuškitin} \text{ 32 KUR.KUR URU[HATTI=ma mališkunuttin} \text{ 33 nu apāt memiškatteni mān=ya=nnas} \text{ 34 nakkešzi nu=ya=kan a-pē-e-da-ni EGIS-q[nd]a} \text{ 35 tijašeni} \text{ ... §} \]
Furthermore, as for that what you do: You turned all defective countries into one, you made the countries of the enemy powerful, while the countries of Hatti you made weak, and you say that: "If it becomes difficult for us, we shall step behind that one (apedani)".

Leaving Tudhaliya, we turn to a prayer in which a princess in bad health tries to convince a deity that her substitute would be much better object for divine anger:

8.59  KBo 4.6 obv. 11'-16' (NH prayer, Gassulawiya, CTH 380), ed. Tischler 1984: 12-13
\[\text{nu s[tta kāšma am[mel ta]rpašša[n]} \text{ 12' unušyandan uppaḫḫun n=as=kan ammu kattan SIG₂-anza} \text{ 13' parkuiš=as apāš mišriyanza apāš ḫarkiš=as apāš 14' n=as=kan ḫumandaz ašanušanza nu=kan DINGIR-LIM EN-YA a-pu-w-un} \text{ 15' menaḫḫanda uški nu PANI DINGIR-LIM EN-YA ka-a-aš MUNUS-aš uḫḫattaru} \]
I have just sent you m[y] adorned [substitute. She is better than me. Pure she (is), that one (apas), shining she is, that one (apas), fair she is, that one (apas). She is endowed with everything. O God, My Lord, look at her (apun, instead of me)! Let this woman (instead of me) be the most important to the god My Lord.

The accusative apun in obv. 14' is obviously used in replacing Focus: 'look at her, not me!' and the same applies to the preverbal Subject kāš MUNUS-aš in obv. 15'. The function of the three nominatives apas in obv. 13' might be different, although it could be argued that the

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Speaker simply wants to say: ‘She is pure (not me), she is shining (not me), etc.’ (See also section 8.5.5. and the treatment of this example as ex. 6.79)

The same might count for the next example where the ones who killed Duthaliya already paid the price for that murder. Mursili’s implicit question is ‘why do we have to pay with our lives if they have already done so?’:


As for the fact that you, o gods, my lords, are seeking the blood of Dudhaliya, the ones who killed Dudhaliya, *they (apus)* paid [d] for the blood.

In all cited examples *apa-* referred to a first order entity. Reference to higher order entities occurs in KUB 22.70:

8.61 **KUB 22.70** obv. 31-32 (NH oracle, Hattusili III, CTH 566), ed. Ünal 1978: 62-63 § 31 eni = ja kuit ’Ammomtallāš IQBI punuššuweni = ma nāyi mān memiaš ašanza mān maḫban = 32 ANA IR = ma = kan anda UL apṭiškīr nu mān zīlaš a-pé-e-ez kīšat nu KUŠ. MEŠ Nu.SIG- = du SAG.ME Nu.S[IG₁] §

And about that (fact), that Ammattalla has made a statement (lit. has spoken) on the one hand (-ma) we have not yet inquired whether (her) statement is true, or how (it is), on the other hand (-ma), they have not submitted (it) to an oracle inquiry. If the oracle outcome has happened because of *that* (*apez*), (then) let the exta be unfavorable. SAG.ME. Unfavorable[oracle].

8.62 **KUB 22.70** obv. 61-63 (NH oracle, Hattusili III, CTH 566), ed. Ünal 1978: 74-75 § 61 eni = ma kuit MUNUS.LUGAL UN.MEŠ - šuš katta GUL-anteš ANA dUTU-SI ISPUR dUTU-ŠI = ma = kan memian menahhanda kaniša = 62 nu kīššan IQBI lē = ya = mu kuitki memattini n = aš = kan šer karuššijat nu mān ANA DINIR-LIM 63 a-PA-a-at kuitki TUKU.TUKU-az DŪ-a ... 

As for that (fact), that the queen wrote about the ‘downbeaten’ people to the king, but (that) the king recognized the matter facing (him) and spoke like this: “you (pl.) must not tell me anything!”’ and (that) he became silent about (it), if *that* (*apat*) became somehow (a reason for) anger for the deity, ...

Summarizing, the classification of *apa-* as a pronoun with Replacing Focus reading was based on contextual considerations. In section 8.5.2. the expression type was “Not X, but Y!” whereas it was “(Not X), but Y!” in section 8.5.3.

The extensive list of examples serves to illustrate a pattern: the pronoun *apa-* with Replacing Focus reading is connected with preverbal position. This will further elaborated upon in section 8.6.

8.5.4. Limiting *apa-* in relative sentences

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398 See also KUB 22.70 obv. 43 (NH oracle, CTH 566).

399 Ünal differently: ‘Auch das, was Ammattalla erzählt hat, ...’. I do not agree with an interpretation of *eni* as the object of *IQBI*, ‘has spoken’. In the majority of cases, *eni kuit* serves to introduce a whole clause or proposition into the discourse, instead of introducing some entity (with which it then may agree in case.)
In the preceding sections several examples with Replacing *apa-* contained a relative clause immediately preceding the *apa-* clause (for example, exx. 8.37, 8.39). In those cases the context provided clear clues for the type of Argument Focus that was indicated by *apa-* . In this section I will present some other examples of *apa-* following a relative clause which contains the referent of *apa-* introduced by *kui-* . The difference however with the preceding sections is that it is not possible to more narrowly define the type of Focus. It seems to me that there is a general sense of 'exactly this ... and nothing else', implying Selecting Focus although in most examples there are no clear indications in the context which support this interpretation.

There are two patterns: "*kui-* N ... *apa-* N" and "*kui-* ... *apa-*". In the next examples the pattern is "*kui-* N ... *apa-* N".

4' KUR-japk *kuiieš anda URUDIDLLILA 5' arnumanzi taranteš § 6' nu a-pu-u-uš URUDIDLLILA karu 7' arnumir
What cities in the country are promised to be displaced, those (apus) cities they have already displaced.

8.64 KUB 19.26 i 7’–10’ (pre-NH/NS treaty, Suppiluluma, CTH 44)
7’ [k]uiiš=a antuwhaša ITTI MUNUS.IUGAL našma katta 8’ [itti] DUMU.LUGAL yastai nu=kan a[-pu]-u-un antušan 9’ LŪSANGA našma katta DUMU LŪSANG[A a]šuši anda lē 10’ šuittanjani
(If) any man sins against the queen or later the prince, then that (apun) man the Priest or later the son of the Priest may not haul in favorably.

8.65 KUB 1.1+ iv 62-64 (NH egodocument, Hattusili III, CTH 81), ed. Otten 1981: 28-29
nu=za ŠEŠ-YA mNIR.GÁL-i{ đi } 63 [(kuit A$)]URUUt-uššan parnašaškit n=an a-pl-ia pi[(di)] 64 [(LUGAL-i)znanni tittanunun
What place, Tarhuntassa, my brother Muwatalli made into property of the royal house, in that (apiya) place I installed him (= Kurunta) in kingship.

8.66 Bo 86/299 ii 59-60 (lateNH treaty, Tudhaliya IV, CTH 106.1), ed. Otten 1988: 18-19
ANA TUPPI RIKILTI SA ABi-YA=kan kuiieš URUDIDLLILA OL 60 kijantari nu a-pu-u-uš URUDIDLLILA ISTU AšA.GAR NAM.RA ţiuntaza ANA md.LAMMA LUGAL KUR dU-tašša ARAD-anni ADDIN
The cities which are not laid down on the sealed tablet of my father, those (apus) cities, including all the fields (and) deportees, I have given to Kurunta, King of Tarhuntassa in subjection.

In the pattern "*kui-* N ... *apa-* N" the noun is repeated, and the only new element is *apa-* , which therefore carries the main accent of the noun phrase. In English one would say "which cities ... those cities" and not **"which cities ... those cities"**, with the accent on cities. The accent on “those” probably implies some contrast with or selection from a non-specified group of candidates, which led me above to the paraphrase ‘exactly this ... and none other’.

The relative sentence occurs also without noun: “*kui-* ... *apa-*”. Two examples from earliest and latest Hittite are:

400 The examples cited here are only a small selection of the *kui-* ... *apa-* clauses in my corpus.


8.67  **KBo 17.3+ ii 12'-13'** (OS ritual, CTH 416.1), ed. Neu 1980a: 14  

\textit{nu kuit [LU]GAL-uš tezzi nu a-pa-a-at ižami}  
Whatever the king says, \textit{that} \textit{(apat)} I will do.

8.68  **KBo 2.2 ii 32-34** (lateNH oracle, Tudhaliya IV, CTH 577), ed. Van den Hout 1998: 130  

\textit{nu kuit} SI\times SÁ[-ta]\ri \textit{nu ANA dUTU URU-pū-na a-pa[-a-at]} \textit{SUM-anzi}  
What will be established, \textit{tha[t]} \textit{(apat)} they shall give to the Sungoddess of Arinna.

Contrary to the examples in the preceding sections, preverbal position does not seem to come into play. In exx. 8.67 and 8.68 the pronoun is preverbal, but in the other examples presented here \textit{apa-} occurs in first position.

8.5.5. Postposed adjectival \textit{apa-}

Although most adjectival \textit{apa-s} precede the head noun, Kammenhuber HW\textsuperscript{2} 133b observed that sometimes adjectival \textit{apa-} is postposed to its head noun. According to her postposed adjectival \textit{apa-} occurs in “emphatischer Sprache” (l.c.).\textsuperscript{401} The problem with this formulation is that \textit{apa-} is almost\textsuperscript{402} always ‘emphatic’, that is, in Focus in the framework presented here. Focal \textit{apa-} with -\textit{pat} preceding its head noun is found in ex. 8.25, 8.30, 8.32-34, and without -\textit{pat} in exx. 8.62-65. The question therefore is, assumed that position in the clause is correlated with (pragmatic) function, does postposed \textit{apa-} indicate something else besides the Focus already discussed in the preceding sections? The following overview of the examples of postposed \textit{apa-} in my corpus and one example from Kammenhuber (o.c.) does not seem to indicate Replacing or Restricting Focus, although the notion of Selecting Focus is vaguely present. A similar problem one encounters with \textit{apa-} resuming the referent of a relative (pro)noun. The examples from my corpus are:

\textsuperscript{401} Some of the examples cited by Kammenhuber can now be explained on the basis of the general rules formulated in the Chapters on \textit{apa-}. Two examples contain the Expanding Focus particle -\textit{ya} “also”: Mursili Sprachläsunghg rev. 27 and KUB 41.23 ii 6. The former Kammenhuber (o.c. 135) translated as “und den bespannten Wagen, auch\textit{den} nahmen sie”, see my different parsing of the clause in Ch. 7 ex. 7.39. The other attestation of \textit{apa-} -\textit{ya} occurs in First position following its head noun: § 6 $\tilde{s}i$-\textit{e-ššar a-pa-a-at-at qaTAMMA iel}zzi “[He] br[ews?] that beer too in the same way.” Only rarely the Focal particle -\textit{ya} occurs in initial position, and even then in very specific contexts. I certainly do not expect Focal -\textit{ya} in Initial position after a paragraph line. Therefore \textit{apatt-a} takes its regular position in the clause, without indicating more than if the head noun ‘beer’ would follow \textit{apatt-a}. Most of the other examples cited in Kammenhuber o.c. are too broken to allow any conclusions concerning emphasis or Focus: KBo 16.25+ i 78 KIN-\textit{az a-pé-iz} \textit{anne[sk-} KUB 46.42 iii 7 DINGIR-LIM-za-ma-smas-kan a-pí-iz-za[. With -\textit{pat}: KBo 22.254 obv. 3: \textit{ud[į]-dį[r]} $^3$ [\textit{š-u?-}li a-pé-é-pdt \textit{m[e]niškizzi šumninati[ [...]]}]; KUB 45.22 v 12: \textit{uddär} re\textit{ma} a-pé-é-pdt \textit{memai}; VBoT 32 i 7f. § 7’ $^{[....]..]}$ \textit{x-xi DINGIR.MEŠ-uš a-pu-u-šš-pdt} 8’ $^{[....]}$ \textit{ekzi}; KUB 26.69 vi 15: $^{x}$ \textit{halkiuš a-pu-u-šš-pdt} §. The pronoun \textit{apa-} is probably not used adjectively in KUB 5.1+52.65 i 11 (with \textit{šunl} 1974): DINGIR.MEŠ-za\textit{škan zilan a-pa-a-at mālan} “(If) that is approved of subsequently (zilan) by the gods, ...”. \textit{apat} is used here in Replacing Focus in preverbal position. Compare with the preceding oracle question with negative outcome in i 8: DINGIR.MEŠ-za\textit{šaškan zilan mālan}. The idea is: “since not this action is approved of, will that then be approved of?”.

\textsuperscript{402} In Chapter 5 I have discussed the use of \textit{apa-} as a Medial demonstrative. In that role \textit{apa-} is often not ‘emphatic’.
Although *apas* is not an adjective, it seems somehow to modify the enclitic pronoun -as.

If some god of the country has angered the Stormgod, (then) let now the netherworld deities reconcile the Stormgod with *that (apedani) god.*

I say to you: § If some deity might have given me this illness too, whether *that (apas) deity* is in heaven or on earth, you, o Sungod, accompany him. Go and tell *that (apedani) deity: “...”*
should be possible to have Focal medial *apa*. Is it possible that postposed *apa* indicates emphasis on Medial *apa*? Then we would have the following pattern (see also 5.5.3.):

<table>
<thead>
<tr>
<th>Focal N</th>
<th>Medial N</th>
<th>Medial Focal N</th>
</tr>
</thead>
<tbody>
<tr>
<td>'that object'</td>
<td>'that object of yours'</td>
<td>'that object of yours'</td>
</tr>
<tr>
<td><em>apa</em> -N</td>
<td><em>apa</em> -N</td>
<td>N <em>apa</em> -</td>
</tr>
</tbody>
</table>

8.6. Formal discussion of Limiting *apa* without -*pat*

The attestations of *apa* with Replacing Focus were selected according to contextual criteria. In the clearest situations both members of the replacing Focus type, the negated statement and the correcting piece of information 'Not X, but Y!' were present. In a number of cases the negated part was missing, but the context provided enough information to allow the conclusion that some piece of information was implicitly contradicted: '(not X,) but Y!'.

If the attestations are listed in abstract form, a pattern emerges. With both members explicitly mentioned or paraphrased:

<table>
<thead>
<tr>
<th>ex.</th>
<th>wordorder</th>
<th>NomPred</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.36</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>8.37</td>
<td><em>nu</em></td>
<td>NomP</td>
</tr>
<tr>
<td>8.38</td>
<td><em>nu</em></td>
<td>O</td>
</tr>
<tr>
<td>8.39</td>
<td><em>nu-kan</em></td>
<td>Source</td>
</tr>
<tr>
<td>8.40a</td>
<td><em>nu-IO-kan</em></td>
<td>S</td>
</tr>
<tr>
<td>8.40b</td>
<td><em>nu-IO-kan</em></td>
<td>S</td>
</tr>
<tr>
<td>8.41</td>
<td><em>nu-O-za</em></td>
<td>S</td>
</tr>
<tr>
<td>8.42</td>
<td><em>nu</em></td>
<td>O</td>
</tr>
<tr>
<td>8.44</td>
<td><em>nu-wa</em></td>
<td>S</td>
</tr>
<tr>
<td>8.45</td>
<td><em>nu</em></td>
<td>Loc</td>
</tr>
<tr>
<td>8.46</td>
<td><em>nu-S-za</em></td>
<td>G</td>
</tr>
<tr>
<td>8.47</td>
<td><em>n-S</em></td>
<td>Abl</td>
</tr>
</tbody>
</table>

Table 8.10: With both members expressed or paraphrased: 'not X, but Y'

With an implicit negation:

<table>
<thead>
<tr>
<th>ex.</th>
<th>wordorder</th>
<th>NomPred</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.48</td>
<td><em>apun-za</em></td>
<td>S</td>
</tr>
<tr>
<td>8.49</td>
<td>O+O</td>
<td>S</td>
</tr>
<tr>
<td>8.50</td>
<td><em>ta-z</em></td>
<td>S</td>
</tr>
<tr>
<td>8.51</td>
<td><em>nu</em></td>
<td>S</td>
</tr>
<tr>
<td>8.52</td>
<td><em>nu-S-san</em></td>
<td>Adv</td>
</tr>
<tr>
<td>8.53</td>
<td><em>nu-za</em></td>
<td>S-ya</td>
</tr>
<tr>
<td>8.54</td>
<td><em>nu</em></td>
<td>Adv</td>
</tr>
<tr>
<td>8.55</td>
<td><em>nu</em></td>
<td>Loc</td>
</tr>
<tr>
<td>8.57</td>
<td><em>nu</em></td>
<td>[O+O]</td>
</tr>
<tr>
<td>8.58</td>
<td><em>nu-wa-kan</em></td>
<td>IO+LA</td>
</tr>
<tr>
<td>8.59a</td>
<td><em>nu-kan</em></td>
<td>S</td>
</tr>
<tr>
<td>8.59b</td>
<td><em>nu</em></td>
<td>Loc</td>
</tr>
<tr>
<td>8.60</td>
<td><em>nu</em></td>
<td>O</td>
</tr>
<tr>
<td>8.61</td>
<td><em>nu man</em></td>
<td>S</td>
</tr>
</tbody>
</table>

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And combining with the adjectively used *apa-:

<table>
<thead>
<tr>
<th>8.43</th>
<th>nu-O-kan</th>
<th>S</th>
<th>[IO+IO]</th>
<th>V</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.56</td>
<td>nu-wa</td>
<td>Loc</td>
<td>[G+O]</td>
<td>V</td>
</tr>
<tr>
<td>8.63</td>
<td>nu</td>
<td></td>
<td>[O+O]</td>
<td>V</td>
</tr>
<tr>
<td>8.64</td>
<td>nu-kan</td>
<td>[O+O]</td>
<td>S</td>
<td>IO</td>
</tr>
<tr>
<td>8.65</td>
<td>nu-O</td>
<td>[Loc+Loc]</td>
<td>O</td>
<td>V</td>
</tr>
<tr>
<td>8.66</td>
<td>nu</td>
<td>[O+O]</td>
<td>IO</td>
<td>Loc</td>
</tr>
<tr>
<td>8.69</td>
<td>[O-ma + O]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.71</td>
<td>Adv</td>
<td>S</td>
<td>O</td>
<td>[IO+IO]</td>
</tr>
<tr>
<td>8.72</td>
<td>nu</td>
<td>IO</td>
<td>[O+O]</td>
<td>V</td>
</tr>
<tr>
<td>8.73a</td>
<td>nu-ssan</td>
<td>[S+S]</td>
<td>NomPred</td>
<td></td>
</tr>
<tr>
<td>8.73b</td>
<td>nu</td>
<td>V</td>
<td>[IO+IO]</td>
<td>V</td>
</tr>
</tbody>
</table>

Table 8.12: Position of restrictors in the implicit ‘(not X,) but Y’

The tables show that the argument with Replacing Focus occurs in preverbal position, irrespective of its grammatical or semantic role in the clause. If we only had clauses with preverbal object, indirect object or other, the pattern would not deviate from the regular SOV word order. However, there are several examples (exx. 8.36, 8.37, 8.39, 8.42, 8.48, 8.54, 8.57, 8.59b, 8.60) where the preverbal Subject is preceded by all other arguments, which is highly remarkable. The conclusion must be that the preverbal position is reserved for Replacing Focus in case of topical discourse entities. As we already have seen in Chapter 7, also Expanding Focus has its own place in the Hittite clause, that is, first position after the sentence clitics.

Some other examples might be understood better now:

8.74  **KBo 3.34 ii 27-29** (OH/NS narration, CTH 8), ed. Dardano 1997: 52

\[ \text{ku}i\text{dz}a~\text{LÜ.MES}^2\text{KUS}^7\ \text{ám}m\text{ì}i\text{à}ntu\text{ş}\text{ş}\text{mu}\text{ş}~\text{n}u\text{ş}~\text{m}i\text{s}pua\text{ş}-\text{in} \text{ar} \text{m}i\text{n}i\text{ì}a\text{h}\text{he}\text{ş}\text{k}i\text{zi}z\text{zi} 29\]

\[ \text{Gl-an}~\text{GIŠUMB}IN~\text{haš}\text{kaš}\text{šv}\text{a}r~\text{GIŠ}TU\text{KUL}~\text{ap}\text{a}\text{š}~\text{n}u\text{ş}~\text{ap}\text{a}\text{š}~\text{a}\text{n}\text{a}\text{n}u\text{š}~\text{a} \]

Now, as for their young Chariot-Fighters, Ispu dasinar is in charge of them. The arrow, the sharpening-wheel (?), the holding of the weapon, *he* (*apas*) taught them (= the young chariot-fighters).

The preverbal subject *apa-* implies that someone else was supposed to teach the young chariot fighters. And indeed, Suppiuman and Marassa, their original trainers, were punished for some mistakes and released of their duty. Therefore we should translate: ‘*he* taught them’, or paraphrasing ‘it is *he* who (now) taught them’.

Maybe belonging here too is

8.75  **KBo 15.10+ i 13-18** (MH/MS ritual, Tudhaliya & Nikkalmati, CTH 443), ed. Szabó 1971: 14-15

\[ \text{nu}~\text{kiššan}~\text{memai}~\text{kē}\text{ş}\text{ya}~\text{idāla}\text{yeš}^{14}~[x-]\text{eši}\text{j}\text{i}\text{a}n\text{eš}~\text{EME.ḤI.A}~\text{išši}\text{sta}\text{=ma}\text{=aš}~\text{fZiplanta}^q[aš]^{15}~[k]\text{nuna}~\text{idāla}\text{yeš}~\text{EME.ḤI.A}~\text{n}u\text{ş}\text{ya}\text{r}\text{a}t\text{a}\text{kan}~\text{iššaz}~\text{kuedani}^{16} \]

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It is possible that this construction means that her tongue and mouth is well and not the tongue and mouth of someone else. Indeed it seems that Ziplantawiy a has (magically) done something to someone’s mouth, which explains that her own mouth and tongue are accompanied by apel but not her other body parts. If my interpretation is correct, then the postponed genitive carries Replacing Focus with the implication: ‘Not his mouth, tongue is well, but her's are’.

The subject apa- in the next example also implies that someone else was expected to take care of (?) the deceased:

§ 24 [UR]1Kiyutanzkan URU-an ANA nGAL.d1U arḥa ME-anzi 25 [n]z-an ANA GIDIM SUM-anzi mKatapa-DINGIR-LIM-iš karā 26 [u]atarnāḫanza nu GIDIM a-pa-a-aš 2 aršul[a]žiši §
They shall take away Kiyuta, the city, from Talmiessub, and give it to the deceased. Katapaili has already been given orders: it is he who will arsulai- the deceased.

8.7. Conclusion

In none of the examples in this chapter apa- is needed to clarify some ambiguous referent. In almost all cases the referent of apa- was already the Discourse topic and the Sentence topic in the preceding clause, which means theoretically that one could have done without apa-. But given that it is there, something else is meant. In all these cases apa- is used to counter some assumed/presupposed opinion possibly held by the Addressee. With very few exceptions this counterpresuppositional apa- and apa- + -pat occur in preverbal position. When apa-(without -pat) is used adjectivally, it may occur both before and after the head noun. It seems that postponed apa- (+-pat) occurs in a more colloquial language in prayers and a letter in an emotional context: since pronominal Limiting apa- is preverbal, in colloquial speech also the adjective became preverbal? It is also possible that postponed apa- is actually the medial demonstrative in Focus.

The particle -pat is contra-expectational, and indicates more often Replacing Focus than Restricting Focus in the texts studied here. When it is Replacing, I suggest a translation ‘instead’, when Restricting ‘only’. When -pat is used with apa-, the question is how it differs from preverbal apa-. Combining the results of this chapter, apa- + -pat restricts both a predicate (clause minus subject) and a noun, whereas apa- without -pat only indicates Focus on a noun. The difference of apa- with apa- + -pat is that the negation is often explicit with the former, and if it is not explicit, the negation is immediately derivable from the context. With apa- + -pat the larger context has to be taken into account including more general (or encyclopaedic knowledge). And finally, apa- + -pat indicates Restricting and Replacing
Focus, while simple \textit{apa-} is only Replacing. Thus, \textit{-pat} attached to \textit{apa-} is a stronger sign of Focus than simply \textit{apa-}, which is more limited, both in scope and in function. Summarized in the following table:

<table>
<thead>
<tr>
<th>\textit{apa- + -pat}</th>
<th>\textit{apa-}</th>
</tr>
</thead>
</table>
| \begin{tabular}{l}
| scope \end{tabular} & \begin{tabular}{l}
| noun and predicate \end{tabular} & \begin{tabular}{l}
| noun \end{tabular} |
| \begin{tabular}{l}
| type of Focus \end{tabular} & \begin{tabular}{l}
| Restricting and Replacing \end{tabular} & \begin{tabular}{l}
| Replacing \end{tabular} |
| \begin{tabular}{l}
| inference from context \end{tabular} & \begin{tabular}{l}
| wider context, general knowledge \end{tabular} & \begin{tabular}{l}
| immediate context \end{tabular} |

Table 8.13: The differences between Focal \textit{apa- + -pat} and Focal \textit{apa-}.

As last remark on the chronological distribution: Limiting \textit{apa-} with and without \textit{-pat} is attested in all language phases.