The Limits of Middle Babylonian Archives

Archives and archival records are one of the most important sources for the understanding of the Babylonian culture. The definition of “archive” used for this article is the one proposed by Pedersén: “The term “archive” here, as in some other studies, refers to a collection of texts, each text documenting a message or a statement, for example, letters, legal, economic, and administrative documents. In an archive there is usually just one copy of each text, although occasionally a few copies may exist.” The aim of this article is to provide an overview of the archives of the Middle Babylonian Period (ca. 1500-1000 BC), which are often

1 All kudurrus are quoted according to Paulus 2012a. For a quick reference on the texts see the list of kudurrus in table 1.
2 For an introduction into Babylonian archives see Veenhof 1986b; for an overview of different archives of different periods see Veenhof 1986a and Brosius 2003a.
3 Pedersén 1998; problems connected to this definition are shown by Brosius 2003b, 4-13.
4 This includes the time of the Kassite dynasty (ca. 1499-1150) and the following Isin-II-period (ca. 1157-1026). All following dates are BC, the chronology follows – willingly ignoring all linked problems – Gasche et al. 1998.
left out in general studies, highlighting changes in respect to the preceding Old Babylonian period and problems linked with the material. Finally, it will be shown that it is possible to reconstruct lost archival records with the help of material from outside the archives.

There is a complete break between the Old Babylonian and the Middle Babylonian archives caused by the downfall of the First Dynasty of Babylon. The end of the Old Babylonian Period came gradually. Starting in the 11th year of Samsu-ilūna (1653-1613), Hammu-rāpi’s successor, parts of the Southern kingdom broke away, including major cities such as Ur, Uruk and Larsa. This also marks the end of the archives in these places during his 12th year, while documentation in the cities of Isin, Nippur and Lagaba did not fall silent until the 30th year of Samsu-ilūna. While the North stayed under Babylonian control, the South fell under the influence of the so called “First Sealand Dynasty”, with only a few, recently published texts documenting this period. At the same time the Kassites, a people possibly originating from the Zagros region, started to move into Northern Babylonia, settling down in the region around Sippar. Some of them were quickly integrated into Babylonian society, others fought against the Babylonian army. These encounters are mentioned in the late Old Babylonian year names. Finally, during the reign of Samsu-ditāna, the Hittite king Muršili I. raided Babylon, putting an end to Hammu-rāpi’s dynasty. From recently published material it has been confirmed that the Kassites were directly involved in these final fights as well. It was also the Kassites who profited most from the situation, taking over the throne to rule Babylonia for the next 400 years.

Information concerning the first Kassite kings ruling over Babylonia is sparse. Only a few royal inscriptions survived, often in the form of copies dating to later periods. With one exception – the archive of Tell Muḥammad which dates to the transitional period – the archival records do not resume until the reign of Kurigalzu I. about 1370, who founded a new capital in the North of Bab-

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5 The Middle Babylonian archives are e.g. missing in Veenhof 1986a and Brosius 2003a.
6 Charpin 2004, 335-6.
8 On the Kassites, their history and culture see Sommerfeld 2000 and Zadok 2005.
9 Paulus 2011 with further references; add van Koppen 2010.
10 Charpin 2004, 382-3.
11 See Paulus 2011, 4 note 31.
12 Bartelmus 2010, 143-6.
13 Alubaid 1983; for recent proposals for the chronological classification of the material see Boese 2008 and van Koppen 2010, 457-62.
Only about 100 tablets of the official, palatial archives survived, most of them being administrative records that deal with the distribution of precious metals for building purposes and the redistribution of clothes. Only a fragment of a royal letter hints that an archive of international correspondence may have existed in Dūr-Kurigalzu, similar to the contemporary archives of Hattuša in Anatolia or Tell el-Amarna in Egypt. Most of the texts from Dūr-Kurigalzu are still unpublished.

The situation is even worse for the old capital Babylon: due to the high level of groundwater in the area it has only been possible to excavate the Middle Babylonian levels once, and only for a very limited amount of time. In the private houses of the Merkes quarter about 570 tablets were found: nearly all of them remain unpublished to-date. Pedersén was able to identify five private archives containing lists and legal documents, often sale and loan contracts. Sometimes the original storage places of the tablets – large clay pots – were discovered as well.

Such an archive-in-a-pot has also been found in the small settlement of Tell Imlihiyeh, located in the north-east at the river Diyala, from where 45 tablets have been published. Most of them contain rural administrative lists, but among them a slave sale and a letter have been identified. There are also some archival rests from the nearby villages.

An important archive belonging to the brewers of the main deity Sīn has been unveiled in Ur. Most of the 75 texts, all of them published, are legal documents: mostly sale contracts, but also disputes and court records.

Nevertheless, 90% of all Kassite tablets, totaling at over 12000 pieces, came from the city of Nippur, provincial capital and seat of the highest Babylonian God of the Kassite period, Enlil. About 20% of the material has been published so far.

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15 Modern ‘Aqr Quf. For the recent excavations and new data from Dūr-Kurigalzu see Clayden 2012.
16 These figures are based on Clayden 2012, where a full list of all known tablets is given. Brinkman 1976, 43 speaks of ca. 250 inscribed objects from Dūr-Kurigalzu, but this includes building, votive inscriptions, etc.
17 For the distinction between “official” and “private” archives see Veenhof 1968b, 10-11.
18 See Baqir 1944; Baqir 1945, 1946; Gurney 1949 and 1953.
19 For the letter fragment see Brinkman 1976 no. 1.2.18. For the international correspondence found in Tell el-Amarna Moran 1992; for Hatti see Beckman 1999.
20 See the list by Clayden 2012.
21 See Pedersen 2005, 72 fig. 28 and 101 fig. 49.
22 The total of texts from Tell Imlihiyeh is listed 84, see Sassmannshausen 2001, 4. For the texts see Kessler 1982, 51-116.
24 See Brinkman 1976, 44. For the texts see Gurney 1983.
Most of the administrative documents belong to the archive of the governor of Nippur, the šandabakkū:
26 but his archive also contained letters and legal documents that show the activity of the governor in slave sales. 27 Part of this find was the archive of the granary, covering specifically the income and redistribution of natural produce. 28 While most material from Nippur is from official archives, in later excavations two small private archives with about 35 tablets were discovered. 29 With these archives being an exception, only a few texts are known from famous cities like Uruk, Larsa, Isin, Kīš and Adab 10 together with the so called “Peiser archive” of unknown origin. 31

Not only the geographical, but also the chronological distribution is highly unbalanced. 32 Over 90% of the records originate from the time between Burnaburias II., i.e. middle of the 14th century, and Kaštiliaš IV., at the end of the 13th century. 33 With only a few texts from the Nippur archives being dated earlier, most of them document the period between the 14th and 13th century, just as the archives of Tell Imlihiyeh and Dūr-Kurigalzu. 34 The reason for the break of the archives in the 13th century was the conquest of Babylonia by the Assyrian king Tukultī-Ninurta I. in 1220. Some scholars even stated that Nippur was deurbanized after this period, but texts from outside the archives prove the contrary. 35 Only the archives of Ur and the unpublished material from Babylon cover the whole later Kassite period, with just the Babylonian tablets dating to the very end. 36

Due to the state of publication it is impossible to draw a complete picture of the legal matters covered by the Middle Babylonian archives. This article will

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26 For an overview of the published Nippur material see Sassmannshausen 2001, 3 note 6. For the role of the šandabakkū in Nippur see Sassmannshausen 2001, 16-21; cf. also the comments by Brinkman 2004.
27 For the letters see Radau 1908; for slave sales see Petschow 1983. For legal texts from Nippur cf. Petschow 1974.
29 For these archives see Pedersén 1998, 116 with further references.
34 Nevertheless some tablets from Dūr-Kurigalzu date to Marduk-apla-iddina I., see Clayden 2012.
35 For example Gasche et al. 1998, 31: «Towards the end of the thirteenth century, most of Nippur was abandoned, and no early twelfth-century contexts have been identified at the site», while the kudurru MŠ 4 proves the contrary.
36 Especially the archive M8 has material dating to Zababa-šuma-iddina and Enlil-nādin-aḫi, the last Kassite kings; cf. Pedersén 2005, 94.
therefore focus on one topic: real estate sale contracts. So far only one of these contracts has been published, concerning a house plot in Nippur.\textsuperscript{37} A few nearly identical documents are known, especially from the unpublished Babylon texts,\textsuperscript{38} but surprisingly, as far as I know, none of them deal with larger estates or fields.\textsuperscript{39} This is completely different from the situation in the preceding Old Babylonian period, where land sales were common, especially in Middle and Northern Babylonia, for example in Nippur.\textsuperscript{40} Perhaps, one may assume, this is due to a coincidence, but at the same time sales of movable property, especially of slaves, are known from all Middle Babylonian archives.\textsuperscript{41} Another explanation might be that there were restrictions to prevent and/or control real estate sales, as it was proposed for the end of the 3rd millennium in Babylonia.\textsuperscript{42} Or, finally, could it be possible that private property on real estate did not exist at all because the king owned all the land?\textsuperscript{43}

Material from outside the archives – The kudurrus

To answer these questions we have the unique opportunity to use juridical material dealing with real estates from outside the archives: the \textit{kudurrus}.\textsuperscript{44} Kudurrus, in older literature often labelled “boundary stones” by mistake, are typical for the Kassite period. These 40 to 90 cm tall objects, made of dark limestone, were usually decorated with gods’ symbols and bore long inscriptions. They were set up in temples before the Gods with the purpose of securing real estate property from encroachment by the highest authorities of the state, such as the king and

\begin{thebibliography}{99}
\bibitem{37} Sassmannshausen 2001, no. 10; for comments on this text see Paulus 2008.
\bibitem{38} See Paulus 2008, 318 note 2 and Pedersén 2005, especially the archives M 1 and M 8. Parts of another real estate sale from Babylon have been published by Paulus 2009, 19-22.
\bibitem{39} Normally only \textit{qaqqaru kišubû} (in the city) “empty lot for building a house”, see Paulus 2008, 318-9 note 4, or \textit{bītu} (\textit{epšētu}) “(build) houses”: see the examples in Pedersén 2005, archives M1 and M8.
\bibitem{40} See for example Renger 1987 or Stol 2004, 844-7.
\bibitem{41} Sassmannshausen 2001, 202-8.
\bibitem{42} See Neumann 1987, 33-7.
\bibitem{43} Cf. Schloen 2001, 297: «... that the king had rights over all of the land, so that in theory, at least, all landholdings were royal grants.»
\bibitem{44} \textit{kudurru} is a Mesopotamian word used for these objects. Nevertheless, they were more often labeled as \textit{narû} “stèle” by the Babylonians. For the problematic terminology see Brinkman 2006, 6-8 and Paulus 2012a. The term kudurru is used as a science historical term in this article. Following the definition proposed in Paulus 2012a a “kudurru” is a stela made of stone or clay or a stone tablet, on which a juridical act concerning sale, donation, confirmation of rights and/or exemptions of real estate property and/or prepends for a kings’ subject is both recorded and protected against violation with the help of the gods (curses and symbols).
\end{thebibliography}
the provincial government. In other words, by means of the kudurru, the estate owner asked the gods for assistance to protect his property.45

Interestingly, the geographical and chronological distribution of the kudurru is not congruent with the archival material, but shows a lot of differences. Focussing only on the objects datable to the Kassite period – more than 60 objects date to the later Isin-II-dynasty and the Early Neo-Babylonian period46 – the chronological distribution for the Middle Kassite period is relatively even, showing no peak in the main period of the archives, while most kudurru date to the reigns of the late Kassite kings Meli-Šipak and Marduk-apla-iddina I. during the 12th century.47 This is due to a coincidence: When the Elamites conquered Babylonia they looted the temples, taking away precious objects including many of the newer kudurru that still were in place. This is also the reason why a lot of kudurru were not discovered in Babylonia but rather in the Elamite capital, Susa.48 Apart from the more than 54, often badly damaged, kudurru found in Susa, there are also Kassite kudurru from Babylon, Ur, Dūr-Kurigalzu and Nippur, as well as from cities without Middle Babylonian archives like Sarol-e-Zohab in the upper Diyala-region, the important cities of Sippar and Kiš or the southern cities like Larsa.49 The information from the kudurru can thus be used complementary to the archival records to reconstruct parts of the legal system of the Kassite period. The aim of this article is to use the material from these objects and the archival records to answer the following questions:

– Can restrictions on the sale of real estate property be reconstructed with the help of the kudurru?

– Can the legal information of the kudurru be used to reconstruct documents that must have existed in the archives?

Restrictions on real estate sales

Although all Kassite kudurru deal with real estate property, the role of the sale50

45 For the art historical aspects see Seidl 1987; for the inscriptions see Paulus 2012a with a full edition of all known kudurru. An English synopsis is in Paulus 2012b.
46 Cf. Paulus 2012b, fig. 1.
47 Cf. Paulus 2012a. There are only three kudurru from the Early Kassite Period (ca. 1500-1328), while five kudurru can be dated to the main period of the archives.
48 For the historical background see Potts 1999, 232-9.
49 Examples for Kudurru datable in the Kassite Period: Babylon: MŠ 4; Ur: U19; Dūr-Kurigalzu: NM 3; Nippur: U4; Sarpol-e-Zohab: MAI I 4, Sippar: KaE I 1; MŠ 2; Kiš: Kassite fragments (see Clayden 1992, 149-51), Larsa: NM 1, KuE 1.
50 The definition for sale used is: Sale is the exchange for an amount of money or its equivalent. It is important to understand, that this does not always correspond with the Babylonian terminology; see above.
itself is minor. The king buys some land from the provincial governor and his subordinates.\textsuperscript{51} This proves that he was not the owner of all land in his state, nevertheless no sales of larger estates between private parties exist until long after the end of the Kassite period. The usual way property was transferred was the royal donation.\textsuperscript{52}

To fully understand the donation system, we must first take a closer look at the system of landownership during this period. The rural landscape of Babylonia was dominated by small settlements alongside rivers and canals surrounded by fields. These fields could be private property often owned and cultivated by a family. Towns owed duties and taxes to the provincial government and, as head of all provinces, to the king. The king was able to give the complete income from one town to one of his loyal subjects, like a high official or a priest, in the form of a royal donation. This meant that the affected town was exempted from taxes and other duties owed to the province, with this income going directly into the coffers of the new owner, making the whole town effectively his private property.\textsuperscript{53}

It is hard to find traces of this system in provincial archives, as for example in the governor’s archive in Nippur, because these towns are neither listed in the income list of taxes nor were the inhabitants subscribed for public labor. Nevertheless, some information can be found: some private structures were included on a sketchy map of the surroundings of Nippur;\textsuperscript{54} donations and problems concerning irrigation are mentioned in the letters, and disputes over the exemption from taxes can be found in court records.\textsuperscript{55} But the fact that the donated towns were no longer part of the provincial administration meant that the provincial archives did no longer record matters concerning them, especially since the separation from the provinces included an exemption that no official was allowed to enter a private town.\textsuperscript{56}

Due to the fact that whole towns, including their hinterland, could become private property, the king necessarily had to control who exactly possessed land, since he would lose control of large parts of his empire otherwise.\textsuperscript{57} As a solution,

\begin{flushleft}
\textsuperscript{51} See MŠ 3: The king buys a garden and other estates and gifts them to his daughter; and MAI I 1: The governor is labelled as nadinan eqli “seller of the field” and MAI I 5: the governor receives a payment for an estate.
\textsuperscript{52} For the legal institute of donation see Neumann, Paulus 2009, esp. 143.
\textsuperscript{53} For the reconstruction of this system see Paulus 2012a and 2012b; for land owned by the gods see also Paulus 2010.
\textsuperscript{54} CBS 13865, see Finkelstein 1962, 80 and pl. X, edition Paulus 2012a.
\textsuperscript{55} For example the letters CBS 19793 (Radau 1908, no. 24), CBS 4753 (Lutz 1919, no. 52), CBS 4663 (Lutz 1919, no. 23) and the court record CBS 12914 (Clay 1906, no. 39), all from the governor’s archive in Nippur.
\textsuperscript{56} The interdiction to enter the private towns was usually expressed in the exemption clauses or as part of possible violation listed in the curses at the end of the inscriptions.
\textsuperscript{57} So Charpin 2008, 77 : «On a donc affaire à une amputation du domaine royale.»
\end{flushleft}
transfer of property was only allowed by inheritance in the male family line. Only in case of a subject’s severe misconduct the king was allowed to expropriate him. If there was no legitimate heir, it was the king’s duty to give the land to somebody else, usually someone sharing the deceased one’s profession. At the same time the sale or donation of the land to a third party was definitely restricted and it is not by coincidence that no larger real estate sales, neither on kudurrus nor in the archival records, are known from the Kassite period. Like provincial governors, the king was allowed to sell land, but even in this case the terminology of sale is avoided, as shown by the following example:

NKU I 4: (I1) “[X horses] ([iddinma] [Adad-zēra]-šubši, [son of Ad]ad-riša, [the merchant,] [t]o the king, [Marduk-apla-iddina (I.) and] 81 ha land [in (the province) Bīt-Sin-šeme,] 81 ha land [in (the province) Bīt-Sin-ašarē (…)] [they surveyed (imšuḫū) and] established it permanently (ukinnā) for Adad-zēra-šubši, [the merchant].”

While this is clearly a sale – horses are given in exchange for land – the Babylonian sale terminology is avoided and instead terms like “give” (nadānu), “survey” (mašāḫu) and “establish permanently” (kunnū), all known from the royal donations, are used. Although this is clearly no royal donation, the act is verbally disguised to better fit into the system of landownership, where a strong restriction on real property sale existed and only small estates like private fields around the towns, gardens or houses and building plots could be freely sold.

This restriction continued in following times: clay tablets from the archives, kudurrus and also stone tablets – hybrids between a kudurru and a clay tablet – prove this fact. The situation only slowly changed under Marduk-nādin-ahḫē (1099-1082) during the Isin-II-period (1157-1026). An interesting example highlights that there were still restrictions: the text describes a transfer of property

58 The right of inheritance was secure, because the land was always donated “forever” (ana ām šātī).
60 See note 51.
61 NKU I 4, I1-20: (I1) [X ANŠE.KUR].RA.MEŠ (2) [m-][IŠKUR. NUMUN]-šubši (3) [DUMU m-][IŠ]KUR-rišā (4) [DAM.GAR (5) [a]-][n]a LUGAL (6) [DAMAR.UTU.IBILA.ŠUM-na (7) ŠUM-ma (8) [10];0.0 GUR NUMUN (9) [10];0.0 GUR NUMUN (10) i-na É- (11) 3XX-še-me (12) 10;0.0 GUR NUMUN (13) i-na É- (14) 3XX.SAG.KAL (…) (16) im-šu-šu-šu-šu (17) a-ša la (18) [m-][IŠKUR. NUMUN]-šubši (19) [DAM.GAR (20) u-kin-šu]. The restoration of the word “horses” ([X ANŠE.KUR]. RA.MEŠ] in the first line is very likely.
62 See SASSMANNSHAUSEN 2001, 203-10 for an overview of the terminology. Typical are terms like ŠAM “price” and šāmu “to buy.”
63 See note 39.
64 For example IMB 1, a very early Isin-II-period stone tablet, with a small estate sale, or ENAp 3, also a stone tablet.
65 See MNA 4.
from Bältānu, who sells part of his paternal estate (about 56 ha), to one Urkāt-Burēa, thus concluding a “normal” private sale. But when the king learns of this, he decides to return (turru) the land to Bältānu, while any refund of the silver to Urkāt-Burēa is not mentioned in the text. Bältānu appeals to the king, who finally agrees to hand over administration of the land to Urkāt-Burēa in form of a donation. But it is clearly understandable that this transaction was not a real royal donation but rather a private sale, now approved by the king. In other similar situations the land sold or privately donated was always given the approving label of a royal donation.

Even in the following Early Neo-Babylonian period (1026-625), when due to internal problems and the weakening of royal power it was no longer possible for the king to control the transfer of real estate, a phrase is written at the beginning of every real estate sale contract: “Together with the seller the buyer proclaimed to buy for the price X”. With this standardized formula still a proclamation was made to the king asking for his permission for the transaction. In reality, most properties were transferred without the control or even knowledge of the king proving that the restrictions on sale here reconstructed for the Middle Babylonian period did no longer exist.

The reconstruction of archival documents

While the kudurrus explain the lack of real estate sale documents in the archives, at the same time they also point out that more types of documents must have existed than we actually know of from the archives.

Part of the kuduru inscription was copied from a legal document: the property, usually large real estates, the parties involved and the transaction. Later in the Kassite period, a list of witnesses was added. Other important parts of the kudurru inscriptions are the narrative introduction, where reasons for the land transfer are given, and, even more fundamental, the protective part, where a list of possible aggressors and actions against the real estate is combined with curses from the gods against the malefactor. Both, introduction and protective part, are not part of normal legal documents, making the kudurru itself more than a mere

66 MNA 4: I1-19, sale terminology (ŠAM) is used.
67 MNA 4: I20-23.
68 MNA 4: II2-5. Donation terminology is used: “to hand over administration” (pāni ... šudgulu) and “to gift” (rāmu).
69 niditti šari “donation of the king”, see for example MNA 2: II7 in a private sale.
70 For an overview of kings, history and texts from this period see Frame 1995, 70-270.
71 itti seller buyer kî price maḫīra îmbēma, see Petschow 1939, 9.
72 On this interpretation of the Neo-Babylonian sale form see Paulus 2012a.
copy of a legal tablet. Nevertheless, we can use the information extracted from the legal part to reconstruct the documents behind it.73

Sometimes it is even mentioned in the inscription that this part of the kudurru was copied from a special clay tablet. There are three important types of tablets mentioned. First of all the donation or, in Akkadian, the kunuk šarrī ša šiprēti, the “the king’s sealed document of instructions”. With this act the land was given to the official, but real assignment occurred locally in the province and was documented in another sealed tablet, the ammatu or the “tablet of the land survey”. Finally, when the new land owner’s property rights were contested, the king judged the matter and his verdicts were recorded in form of kanīk dīni, the “sealed documents of the judgment”. In one example all three documents were listed:

MAI I 1: “(III11) The tablet of the land survey and the tablet of the field, the sealed document of the judgment 12) he (= the king) sealed (…)”.74

In this case the tablet of the donation and the tablet of confirmation during the lawsuit is one, because no original document of donation was issued by the former king leading to the contestation of ownership.75 Normally only one or two different types of documents are recorded on one kudurru. Focusing on the examples from the Kassite period, an attempt will be made to restore content and context in the archives:

Starting with the donation, these tablets contain a description of the land and the act of the donation itself which was witnessed by the highest officials of the empire, since the entitlement took place in the king’s palace and was sealed with the king’s own royal seal leading to its specially name: kunuk šarrī ša šiprēti, the “the king’s sealed document of instructions”.76 This term is only rarely used in Kassite times,77 but it is often noted that the king sealed the donation tablet himself.78 Sometimes this was not possible and led to further litigation.79 While no real donation tablet has been found, we do know of similar tablets found in the contemporary royal archives of Ugarit on the Levantine coast and Hattuša, capital of the Hittite State in Anatolia.80 From these examples we also can learn, where

73 PAULUS 2012a and 2012b.
74 MAI I 1: (III11) 1.KUŠ ū tūp-pi A.ŠA ka-nik di-ni (III12) ik-nu-uk-ma.
76 For a complete discussion of the term kunuk šarrī ša šiprēti see PAULUS 2012c, for older interpretations see KIENAST 1987.
77 U7 II1. It becomes common in the later Isin-II-period. See PAULUS 2012d.
78 See KuE 1: III22ff. and III42, MŠ 3: (text 4) 21ff. and (text 8) II9; MŠ 4: IV5 and U3: II1ff.
79 See MAI I 1: II12 (cf. note 75) and MAI I 6: I22. The fact that the king did not seal the donation is often quoted verbatim as possible violation in the curses, cf. MAI I 7: IV2.
80 For the Hittites see RIEMSCHNEIDER 1958 and WILHELM 2005; for Ugarit see MÁRQUEZ ROWE 2006.
we can expect to find donation documents within the archival structures of Babylonia. Being the most important proof of land ownership, these documents were kept in the private archives of the beneficiary for generations. In case of doubts they could be presented in court. From the kudurrus we know that the beneficiaries of the land donation were high officials, like viziers, high priests etc., while the archives we have come from “average townsmen”, like temple brewers, merchants and others. So the chances to find information on land donations in these archives are minor. Copies of the documents should also have existed in the royal archives, similar to Ugarit or Hattuša, but as presented in the overview at the beginning of this article, no corresponding archives have been discovered so far.

Regarding land surveys, the situation is almost the same. This act took place in the local provinces, where the land was finally given to the beneficiary. The act of the land survey was at the same time an act of publication, making the new ownership known. Involved were a field surveyor, a royal envoy and provincial officers. All of them witnessed the act and could be questioned on it in a later law suit. The tablets, named ammatu, were given to the new owner, so we should be able to find them in private archives. An analogue procedure in the contemporary Middle Assyrian texts makes it very likely that copies were also stored in the royal and provincial archives. As for the private and royal records, we lack any traces, for the same reason as mentioned for the donation tablets. Concerning provincial archives, which only have been discovered in Nippur, we lack the

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81 For the practice of storage of real estate tablets in old Babylonian Period see Charpin 1986. A good Kassite example for the storage of real estate tablets is M1, see Pedersen 2005, 72-3.
82 The king asked for the tablet stored in the house of the proprietary (MŠ 4: III9ff.); the tablets are shown to the king (KaE II 1: II’4ff. and Ka IV 2: II22ff.), the tablet is contested (ŚŚ 1: II1ff.), the land is given according to the tablet (KaE II 1: II’7”).
83 A list of all beneficiaries is to be found in Paulus 2012a.
84 See above.
85 Sometimes it is noted that the king sealed this tablets by his royal seal (for example MŠ 3: text 8 I17), but the king is never listed as witness for the land survey.
86 For the procedure of the land survey see Robson 2008, 166-76; Baker 2011, 293-307, and Paulus 2012a (study of the sons of Arad-Ea).
87 MAI I 1: II21ff.
88 Written 1.KUŠ; my interpretation follows Sommerfeld 1984, 304-5. Charpin 2002, 178-9 puts it in context with the old Babylonian ṭūppī ummatīm “mother tablet” issued for the first owner (see Charpin 1986, 135-49), but in Middle Babylonian it was always issued in connection with the land survey to the actual owner. In addition the etymology of ummatum = AMA “mother” and ammatum = 1.KUŠ “one cubit” is completely different. For a complete discussion see Paulus 2012a.
land register tablets and concerning matters. Nevertheless, we find traces of the involved officials in ration lists.91

Finally, for the *court records* it is more complicated to reconstruct a uniform document typology. The king’s role was that of the highest judge and he therefore treated all matters concerning real estates of high officials,92 including border conflicts with neighbors or matters about hereditary succession. The tablets issued not only contain the final verdicts but also documents written during the trial, for example the *ṭuppi ana ḫuršān*, the “tablets for the water ordeal”93 that were required to send the parties to the evidence procedure, which took place in front of the gods. These sorts of tablet are also known from the private archives of the brewers in Ur as well as the archive in Nippur, where the king is mentioned, but that deals with animal theft, not questions of landownership.94 Nevertheless, we thus have a direct correlation between the kudurrus and archival records. As for the final verdicts, none have yet been found for the same reasons mentioned before, because they usually are stored within the private archives of the beneficiaries with copies being kept in the royal archives.95

To conclude, the rich but badly published material from the Middle Babylonian archives does not always correlate with the material from outside of the archives, thus showing important gaps in written records. But the situation is not as hopeless as it may appear. Especially one unpublished archive from Babylon is very promising.96 It belonged to one Itti-Ezida-lummir, an āšipu “exorcist or evocator”, a title that is also known from the beneficiaries in the kudurrus.97 About 100 tablets were discovered, a lot of them real estate sales concerning houses and house plots. Along with them a kudurru was unearthed. Sadly, it was highly damaged, with no inscription being left.98 This situation makes it possible, that the

91 For the occurrence of ūāšēšari-officials, typical royal envoys see SASSMANNSHAUSEN 2001, 45.
92 See PAULUS 2007; Kassite examples are NM 3, MŠ 4, MAI I 1, perhaps also KaE II 1 and ŠŠ I.
93 MŠ 4: IV38ff. and V14ff.
94 See PAULUS 2007, 15-6 with further references. A detailed study is in preparation by the author.
95 At the end of MŠ 4: VI26ff. it is noted that the kudurru inscription is a copy (gabarē) of three verdict issued by the kings Adad-šuma-iddina, Adad-šuma-uṣur and Meli-Šipak. Because some time passed between the different verdicts, it is certain that there were copies in private hands.
96 M 8, see PEDERSÉN 2005, 93-101.
97 An āšipu is the beneficiary in AAI 4, while bārûs are known from the Kassite kudurrus KḪ I 1 and MŠ 4.
98 For a beautiful photograph of this object see MARZAHN, SCHAUERTE 2008, 176. While kudurrus were kept usually in the temple and not in private archives (see SEIDL 1989, 72-3), there are two possible explanations for this exemption: due to the state of preservation it is not possible to say, if the kudurru was already inscribed. So perhaps it was purchased by the family and waiting to be inscribed with the donation. Another more probable reason is found in the date of the archive to the absolute end (see note 36) of the Kassite period. So perhaps in these insecure days the family took the kudurru from the temple to avoid that the Elamite could loot it, like lots of other objects.
family of Itti-Ezida-lummir owned some houses in Babylon, as well as a land donation of a larger estate in this province or another. So it is my hope that this archive may help to understand how the system of landownership worked for the beneficiary himself. In order to overcome the limits of the Middle Babylonian archives, we have to further publish the known material and, at the same time, combine it with all the information from outside the archives.

Table 1 – List of Kudurrus

<table>
<thead>
<tr>
<th>Kudurru</th>
<th>Seidl’s number*</th>
<th>Museum’s number</th>
<th>Publication**</th>
</tr>
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<tr>
<td>AAI 4</td>
<td>–</td>
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<td>Paulus 2012a</td>
</tr>
<tr>
<td>ENAp 3</td>
<td>–</td>
<td>YBC 13522</td>
<td>Paulus 2012a</td>
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<td>IMB 1</td>
<td>T1</td>
<td>BM 91015</td>
<td>King 1912 (BBSt no. 30)</td>
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<td>Ka IV 2</td>
<td>3</td>
<td>Sb 30</td>
<td>Scheil 1900 (MDP 2, 92 ff.)</td>
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<td>King 1912 (BBSt no. 1)</td>
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<td>KaE II 1</td>
<td>p. 229</td>
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<td>Grayson 1981</td>
</tr>
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<td>YBC 2242</td>
<td>Paulus 2012a</td>
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<td>p. 225</td>
<td>L 7076</td>
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<td>61</td>
<td>Sb 26</td>
<td>Scheil 1905 (MDP 6, 31 ff.)</td>
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<td>p. 222</td>
<td>Teheran?</td>
<td>Borger 1970</td>
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<td>59</td>
<td>Sb 33</td>
<td>Scheil 1905 (MDP 6, 39 ff.)</td>
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<td>G3</td>
<td>Sb 169</td>
<td>Scheil 1905 (MDP 6, 42 ff.)</td>
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<td>Al-Adami 1982</td>
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<td>BM 90829</td>
<td>King 1912 (BBSt no. 4)</td>
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<td>23</td>
<td>Sb 23</td>
<td>Scheil 1908 (MDP 10, 87 ff.)</td>
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<td>25</td>
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<td>L 7072</td>
<td>Arnaud 1972</td>
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<td>2</td>
<td>IM 49991</td>
<td>Baqir 1944</td>
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<td>ŠŠ 1</td>
<td>57</td>
<td>AS 1335 (+) Sb 6430</td>
<td>Paulus 2012a</td>
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<td>U3</td>
<td>9</td>
<td>IM 5527</td>
<td>Sommerfeld 1984</td>
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<td>Hilprecht 1896 (BE 1/2 no. 150)</td>
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<td>84</td>
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<td>Gadd, Legrain 1928 (UET no. 165)</td>
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* Seidl 1989. Supplementary kudurrus added in 1989 are listed with the page no. in Seidl 1989.
** Usually the publication of the cuneiform text, sometimes an important edition.
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