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INDIVIDUAL AND FAMILY IN OLD ASSYRIAN SOCIETY

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*For Bob Adams
in gratitude and admiration*

During more than two centuries in the early second millennium B.C., Assyrian traders, with their base in the city Assur on the Tigris, conducted an intensive commercial operation that took them to central Anatolia more than a thousand kilometers away. Here, on the plateau of Asia Minor, they built up a system of colonies and trading stations in or adjacent to urban centers belonging to the numerous small political entities in the region. The largest and most important of these settlements was at Kanesh, modern Kültepe, some twenty kilometers from Kayseri, and the administration of the entire colonial system was located here. Excavations at this site have uncovered a considerable number of houses in the lower city, where Assyrian merchants and their local families lived, and where their archives have been found. At present we know of about 23,000 texts from here, approximately 4,000 from the antiquities market and the rest from the Turkish excavations that have been pursued under the direction of professor Tahsin Özgüç since 1948.¹

No more than about 25 percent of the texts have been published so far, and many of those that have been available in cuneiform copies for

a long time have never been edited properly or placed in meaningful contexts such as reconstructed archives or dossiers.

The excavations at Kanesh have revealed four different occupation levels in the lower city. The two earliest ones, levels 4 and 3, are almost entirely unknown, and the bulk of the textual material comes from level 2; the houses here were destroyed at some point during the second half of the nineteenth century B.C., and the residents could only remove their most valuable possessions, including the most recent documents, before disaster struck. The dated texts refer to a period lasting about ninety years, but most of the years (the early ones) are either unattested or only rarely found in dated documents, so the archives cover in reality a phase of some fifty to sixty years, that is, two generations that lived in the houses before the destruction.² The phase referred to as level 1b has yielded only a few hundred tablets, most of these unpublished.

The Assyrian commercial system has been analyzed and described in some detail.³ It was based on a system of long-distance trade with an import into Anatolia from Assur of large quantities of tin

1. I wish to thank Klaas Veenhof, Bob Adams, and Thomas Hertel for their constructive comments to this paper. At a crucial point in the writing of this article a conversation with professor John F. Padgett in Chicago gave new ideas and information concerning the conditions in Renaissance Florence.

2. See Veenhof (2003a: 57), destruction of level 2 in 1836 B.C.; and Kryszat (2004).

3. See Larsen (1967); Veenhof (1972); and a collection of letters in Michel (2001).

and textiles; the traders more-or-less permanently based in Kanesh took care of the sale of these commodities, either directly on the market or by way of commission arrangements with traveling merchants, and sums of silver (plus some gold) were shipped back to Assur in order to be re-invested in new caravans carrying tin and textiles. A very lively trade in copper and wool took place within Anatolia itself, and that too was in the hands of the Assyrian merchants.⁴ The Old Assyrian trade in Anatolia was embedded in a much larger, interregional network that is either poorly or not at all attested in either archaeological or textual sources: Assur itself produced only some of the textiles sent to Anatolia and imported others from the cities of the alluvial Babylonian plain in the south; the tin also came from here, though ultimately it must have been brought from mines much further away, presumably in central Asia.

Despite very real advances in the study of the Old Assyrian trade and society during the last decades, starting with the publication of Paul Garelli's *Les assyriens en Cappadoce* in 1963, we are still a long way from an adequate understanding of many central issues. Some of the limitations are of course due to the fact that only a very small group of scholars are working on this material, and, in comparison with the situation in other fields of study, one is struck by the contrast: a handful of scholars are faced with a mountain of evidence and only a very limited foundation in the form of indepth analyses of vital aspects exists.

A further complication hampering our understanding of the historical, political, and social structures stems from the fact that all of our evidence comes from a colonial context, whereas the archives from the main offices and governmental bureaus in the capital are unavailable to us.⁵ The excavations conducted at Assur by a German team under Walter Andrae during the first decade of the twentieth century did not result in the discovery

of the houses where the main offices of the Old Assyrian merchant firms were located, where the main financiers lived, and where their archives were kept.

Consequently, practically all of the textual material available for study in the field of Old Assyrian stems from archives discovered in private houses in the trading colony at Kanesh, and this fact naturally colors our view of both the social and commercial structures of this society. The excavated houses were inhabited by families who tapped into the overland trade between Assur and Anatolia, and their activities took place within a wider framework of representation and agency, linking the people in the colonial system in Anatolia with each other and with the community in Assur. Here, in the home city that was almost invariably referred to simply as "The City," we find not only the political institutions governing the entire Old Assyrian society, but also the persons who directed the activities of the men in Anatolia. Only very few of the men who lived in Assur had presumably ever been in Anatolia, but through their investments in joint stock companies and partnership contracts with traveling traders, and as heads of the families or clans or companies of which the men in Anatolia were junior members, they exercised control over the larger issues and decisions that shaped the trade.

Finally, an equally critical obstacle is the fact that most of the published texts have no archaeological context, having been dug up by local villagers in the years between about 1890 and 1948. This means that the archival association of each of the unexcavated texts has to be reconstructed on the basis of an analysis of internal criteria, and a comparison with the excavated texts shows us that this task is virtually impossible to carry out in a satisfactory way. An analysis of the texts found in a house excavated in 1994⁶ shows that as much as 45 percent of them would be implacable without the evidence of the excavator, either because no names are preserved in them (apart from wit-

4. See Dercksen (1996). The wool trade has not yet been studied.

5. For a discussion of the system of commercial colonies see Larsen (2000: 77-87); for a general discussion of Old Assyrian colonies see Stein (2004: 143-71).

6. Entrusted to me for publication. See further discussion of this archive below.

nesses), or because they do not mention any individual who can be related clearly to the family in whose house the texts were discovered.

These difficulties notwithstanding, the existing studies and analyses have shown that the Old Assyrian archives constitute the earliest known documentation for an elaborate long-distance trading system, reaching presumably from the tin mines in central Asia via the cities on the Mesopotamian plain, where many of the textiles were produced, to Syria and Anatolia—in fact as far as the Black Sea coast and the Aegean region. Moreover, the commercial organization was in many respects comparable to what we find in the Geniza texts from Old Cairo (eleventh to fourteenth century), and even the Italian cities of the Renaissance. The classic description by de Roover of the desk-bound commercial manager who conducted his business by way of agents, *factors*, who were stationed in branch offices far away, the so-called “Commercial Revolution of the Thirteenth Century” in Europe, has a close parallel in the Old Assyrian period (see de Roover 1942: 34–39). And there is no comparable evidence available to us from the many centuries, even millennia, that separate these two historical situations, a fact that underscores the comparative potential of the Old Assyrian archives.

This article is intended to point to a few preliminary observations concerning the relationship between individual and family in Old Assyrian society, and it will be based on my study of two family archives: a reconstructed “archive” reflecting the activities of the family of Aššur-nādā and an unpublished archive found in 1994 that was excavated in the house belonging to the family of a certain Šalim-Aššur.

The mere existence of these archives must of necessity structure our view of the social and commercial patterns: family archives reflect the activities of what we have usually called a family firm. But despite the obviously crucial role of the family, whose importance is evident to anyone, we have to admit that very basic questions about the nature of the family remain without adequate answers. The term *bēt abini*, “our father’s house,” is used by members of the same kinship group to

refer to the institution that defines their common origin and interests, but we have no study to tell us who shared this institution, whether the strict nuclear family or a wider kinship-based group—perhaps even the individuals who seem to function as a kind of client. The fact that the Old Assyrians did not use a system of surnames, and used patronymics sparingly, means that it is sometimes extremely difficult to reconstruct family patterns. The religious significance of the ancestral spirits, *ešammu*, and the rituals that must have been associated with them is unclear.⁷ Extremely common references in the letters to crisis situations, where people are admonished to protect and shield the paternal house from evildoers,⁸ show the central position of the family as a force binding a group together. However, the interface between the kinship structure and the commercial one determining the concrete function of the family as a socio-economic unit needs to be clarified.

Property

The study of the archive of Aššur-nādā (Larsen 2002) dug up in a house in the lower city at Kanesh by the local villagers before excavations started, made me realize that although it seems reasonable to describe the relations existing between the members of the nuclear family, whose activities are reflected in the texts, as a “family firm,” there was a strong emphasis on individual responsibility and rights. It seems an inescapable conclusion that these men did not share ownership of either goods or money, and it is my contention that the evidence shows that ownership to funds of any kind was individual, not familial.

The texts in the reconstructed archive are concerned with the activities of a small group of

7. See for instance kt n/k 1192: 20–21: “Save my father’s house, my own, and the ancestral spirits of my father’s house” (É a-bi-a i-a-[a]m’ ù e-ṭā-me É a-bi-a / e-ṭē-er). See Hirsch (1961).

8. kt 94/k 1146: “Clear the affairs of your father’s house! No evildoer should harm you!” (É a-bi-ku-nu za-ki-a ma-ma-an ša-li-um i-na še-ri-ku-nu lá i-ša-lá). The verbs used in such contexts are typically *eṭārum*, “save,” *zakāʾum*, “clear,” *ebābum* D, “cleanse,” *ešārum* Š, “bring in order.”

persons: the father Aššur-idī, who lived in Assur and sent instructions to his sons in Anatolia; Aššur-nādā, who lived in Kanesh, and who, as the oldest son, was in charge of the activities of the family in Anatolia; and his two brothers Ili-ālum and Aššur-taklāku, both of whom functioned as caravan leaders, transporters, and traveling agents. This was clearly a family-run business where orders and instructions came from the father, who was also responsible for securing a steady flow of commodities from Assur to Kanesh.

The importance of the family ties for these men is easy to demonstrate, and it is clear that the nuclear family served to create and maintain a kind of solidarity among its members. The authority of the *pater familias* was never in doubt and his instructions were central to all decisions and activities in Anatolia, although he often expressed deep anxiety or frustration because of what he perceived as the unacceptable behavior of his oldest son. The solidarity existing in the group manifested itself in a variety of ways, and sons and father acted in each other's behalf in all kinds of commercial transactions.

This meant, for instance, that Aššur-nādā could send a shipment of silver to his father in Assur, where he would take care of the purchase of tin, textiles and donkeys and see to it that these commodities were sent back to Kanesh;⁹ and Aššur-idī could ask or order his sons in Anatolia to sell goods that belonged to himself,¹⁰ or he could make use of their services as caravan leaders, transporting his own shipments.¹¹ The affairs of the family did not always go smoothly, and the father's letters contain regular complaints caused by Aššur-nādā's unwillingness (or inability) to send silver promptly to Assur. In one particularly excited letter, he claims that this is now the third time it has happened, and he has been placed in a difficult situation in Assur where, he says, "for every mina or even half a mina they (i.e., his creditors) prowl around me." He is in fact so angry with the son that he swears by divine Aššur

that with respect to a certain loan of no less than 40 minas of silver "I shall not make any concessions to you regarding interest," but that he intends to charge the full amount.¹² Incidentally, this illustrates the apparently quite regular occurrence of interest-bearing loans between the members of the nuclear family.

In difficult situations the sons would appeal to their father for help, but his assistance never seems to have taken the form of direct gifts of money or goods without some *quid pro quo*. There was clearly no common family fund on which they could draw, but each member of the family had his own funds. I was therefore led to the conclusion that this Old Assyrian family firm should be characterized as "a vehicle for collaboration" rather than as a true company.¹³

The father's position, representing the prestige and status of the family's business, was of great importance for his sons. Aššur-nādā in Kanesh at one point wrote a letter to his father in which he implored him to help in a difficult situation. He seems to have been ready to embark on a business trip around Anatolia with a quantity of goods entrusted to him by a third party, but he was afraid that his own status would not be quite reassuring for this investor. He was undoubtedly involved here in a commission sale of tin and textiles that had arrived from Assur, and we know from many texts that in such situations the reliability of the agent was deemed of the utmost importance.¹⁴ Apparently Aššur-nādā was afraid that he might be seen as not quite sound, so he wrote to his father for help. In the letter he was not asking for a loan or a gift, but instead he suggested that the father should send off a shipment of merchandise that would reach Kanesh, and whose arrival there

12. Larsen (2002: ¶41). It seems that otherwise friends or colleagues could reckon with a certain degree of flexibility when it came to the payment of interest on loans, "like one brother pays another"; see Larsen (2002: ¶63: 31–33).

13. Larsen (2002: xxvi), in a discussion of the letter ¶45 (CCT 3, 8b).

14. The agent has to be trustworthy (*kēnum*), "as reliable as you yourself" (*ša ki-ma qá-qí-dí-ku-nu*, AKT 3, 88: 45–46), or "a reliable agent who gives no reason to worry" (*a-na DUMU um-mi-a-nim ke-nim lá ša ša-ha-tim*, CCT 3, 49a: 18–19).

9. An example is Larsen (2002: ¶7).

10. An example is Larsen (2002: ¶2).

11. See for instance Larsen (2002: ¶33 or 34).

would reassure the son's investors of the financial soundness of the family. Otherwise, he feared that he would be forced to turn to a stranger with a request for a guarantee, and that he would be met with the response: "Go to your father! Who knows whether the father is good for his name?" (Larsen 2002, ¶45: 22–25).

In other words, the reputation of the family had a direct impact on the son's activities in Anatolia. He was dependent on other people's perception of the status and viability of the family, especially of his father in Assur. This is at the very least an indication of the importance of the close links tying family members to each other, but the frantic tone of the letter also shows that although expected, the father's solidarity could not simply be assumed. And at any rate, the son in Anatolia was not in a position to rely on the family's common funds, merely at its status as a financially sound firm.

In another situation the father explained in a letter to Aššur-nādā how his help to the son was to be understood:

Why have you written to me, saying: "I shall pay my accounts with your silver. You gave me your word." I did not give you my word! However, you begged me, so with Aššur-kāšid as witness I gave you a gift of 20 *kutānu*-textiles. Since our affairs are concluded you must send me at least 10 minas of silver, both from the proceeds of the textiles and that of the donkeys, the very first silver you obtain, and then I shall buy 2 talents of tin and send that to you so you can enjoy the profit. Do not take any of my silver! (Larsen 2002, ¶22: 3–20)

Aššur-nādā must have been in a situation where he had to settle accounts without having the necessary money; he had therefore turned to his father who had placed 20 textiles at his disposal. Even though he referred to the textiles as a "gift," and the son apparently regarded them as such, it is clear that this was not the father's intention. Aššur-idi wanted the silver they could fetch when sold in Anatolia to be sent to himself in Assur.¹⁵

15. Ten minas of silver for the twenty textiles would in fact be a high price, and Aššur-idi seems to make a somewhat unreasonable demand.

He would then buy tin for the silver and let the son enjoy whatever profit he was able to realize on that. The "gift" was, in other words, a kind of interest-free loan. This type of procedure is known from many other contexts in Old Assyrian trade. For instance, it was the way in which caravan personnel were paid: they would receive a *be²ulātum*, a "working capital," usually consisting of ½ mina of silver. This was a loan that had to be repaid at the end of the journey between Assur and Kanesh. During the journey the employee could use this amount as he saw fit; he was expected to make a profit which, in effect, constituted his salary.

The point can be further illuminated by another text from this archive, where Aššur-nādā at a later stage bailed out his own son Iddin-Ištar from various debts, perhaps simply by paying off the son's creditors. His payment for this was a special loan of 10 minas of silver that the son received against a debt-note recording an obligation of 29 minas. Within one year Iddin-Ištar had to travel twice to Assur with the silver to make purchases, and he was to guarantee his father a profit of 190 percent on this transaction. If he could make more, he could keep the surplus. In other words, Aššur-nādā's help to his son had to be repaid with his gratis work throughout a whole year, including twice going to Assur and back, a journey of some five thousand kilometers (Larsen 2002: ¶142).

Examples such as these lead to the conclusion that each individual had control over, and was responsible for, his own funds and his own activities, and there was no family-owned capital on which he could draw, even in clearly defined circumstances such as a threat of bankruptcy.

These attitudes and practices were not unique to this little family but can be documented in many other contexts. A special situation is described in a dossier of texts from the archive of the Šalim-Aššur family, an unpublished group of texts that number about 1100 documents found during the excavations in 1994. There are marked differences between the two archives dealt with here; where Aššur-nādā's reconstructed dossier counted no more than 176 texts, Šalim-Aššur and his sons had more than six times as many texts in their

archive, and the texts reflect the activities of a much larger group of persons. Obviously, we are dealing with a much richer and more influential family, and the letters show that a fairly large group of persons whose relationship to the central figures is not clear, whether family, in-laws or clients, were engaged in the affairs of the family. The *pater familias* here was a certain Issu-arik; he had moved to Assur late in life and left his two sons Šalim-Aššur and Iddin-abum in Anatolia, while a third son, Aššur-bēl-awātim, appears to have lived in Assur where he held a high post as *laputtāum* in the city government (see Dercksen 2004: 65–72).

At a time when the father was still alive he had ordered Šalim-Aššur to lend his brother a large sum of money to help him pay his debts. This request is contained in a quote found in a letter:

Yes, Issu-arik spoke as follows to him in our presence: “Pay the debt of your brother, both here and abroad, and then go and take it again out of your brother’s silver. If there is no silver belonging to your brother, then pay out of your joint-stock capital.”¹⁶

Years later, after the brother Iddin-abum’s death, this led to a complex lawsuit where Šalim-Aššur attempted to retrieve his money from his brother’s heirs. The fact that he did not collect the debt, but left the large sum of money advanced to his brother in his hands, and the fact that it was apparently ignored in daily transactions between the members of the family over a period of several years, again indicates the close relations that could exist between brothers. It is even more striking given that the archive does not indicate any commercial collaboration between the two brothers. It is doubtful whether Šalim-Aššur could have refused his father’s order, for even though the brothers functioned as independent traders in Anatolia, administering their private funds, the authority of the *pater familias* was presumably overriding.

16. kt 94/k 840: 2–23: *ke-na I-sú-ri-ik i-na ma-aḥ-ri-ni 'e'-ta-wu-šu-um um-ma šu-ut-ma ḥa-bu-ul : a-ḥi-kà : lu a-na-kam : lu i-na GÁNA-lim šu-qú-ul-ma ù a-lik-ma : i-na KÙ.BABBAR-áp a-ḥi-kà : le-qé : šu-ma [KÙ.BABBAR]-áp a-ḥi-kà lá-šu i-na na-ru-qṭ-kà : šu-qúl.*

As a logical consequence of the fact that all property was individually owned, no firm or family (*bēt* PN) ever appears in a debt note as either creditor or debtor,¹⁷ and writers never refer to money owned by the family, only to funds that may be stored and available in the paternal household.¹⁸ The exact meaning of phrases such as “on behalf of” or “in the name of the paternal house,” referring to situations where an individual collects debts, entrusts money to others or discusses with customers, has to be established on the basis of an analysis of the context.¹⁹ These references point to the importance of the family in the Old Assyrian commercial system without challenging the fundamental observation that all capital was individually owned.

Investments

The *naruqqum*, or joint-stock partnership, formed the basis for the individual Assyrian

17. With the exception of ownership of investments in joint-stock funds; see further below.

18. See for instance AKT 2, 57: 5–14, a letter to a lady in Assur from her brother in Anatolia, where he writes: “My dear sister, my dear lady, if there is any silver there of our father’s house, then satisfy Idaya’s son. If you do not wish to (do that), then let Pilah-Aššur sell my house there to pay off my creditor.” (*a-ḥa-tí a-tí be-el-tí a-tí a-ma-kam i-na KÙ.BABBAR ša É a-bi₄-ni šu-ma i-ba-ší DUMU I-da-a-a ṭa-i-bi₄ šu-ma lá li-bi₄-ki a-[ma]-kam É-ti-a Pi-lá-aḥ-A-šur li-dé-ma tám-kà-ri lu-ša-bi₄*). The situation seems to indicate that the father was dead, and the request to spend money available in his house may have been somewhat irregular, since no one could know, presumably, to whom the money belonged. The very rare references to debts of the paternal house (see for instance BIN 4, 83: 33–37) are probably in all instances to be placed in the context of inheritance problems.

19. See Larsen (2002, ¶68: 3–7), where Aššur-nādā writes to the lady Abaya: “In accordance with the missive I sent to you Innaya has here discussed with the customers in your name and in the name of your father’s house” (*a-ma-lá na-áš-pè-er-tim ša áš-pu-ra-ki-ni a-na-kam I-na-a a-šu-mi-ki ù a-na šu-mi É a-bi-ki tám-kà-ri e-ta-wu*; kt 94/k 1742: 26–29: “I also entrusted 40 minas of refined silver that was in the name of my father’s house to Pilah-Ištar” (*ú a-ḥa-ma 40 ma-na KÙ.BABBAR ša-ru-pá-am ša a-na šu-mi É a-bi₄-a a-na Pi-lá-aḥ-Iš[ar] áp-qṭ-id*); or kt a/k 1030: 1–5: “Out of Iddin-Suen’s copper Ṭab-Aššur received 13 talents 20 minas of poor copper on behalf of his father’s house and Alili” (*i-na URUDU ša I-dí-Sú-in 13 GÚ 20 ma-na URUDU la-mu-nam DU₁₀-A-šur ki-ma É a-bi-šu ù [A]-li-li il₅-qé*).

trader's possibility to function independently in the commercial system. It was the contractual foundation for an arrangement where a group of financiers came together to invest in a capital fund that was entrusted to an individual to function as the basis for "carrying out trade" (*makārum*) during a specified number of years, probably always a period of at least ten years.²⁰

The creation of such a partnership is illustrated by a small group of texts in the Šalim-Aššur archive. They are special loan contracts recording funds advanced to the brother Iddin-abum, clearly at a very early date in his career when he was a young man with ambitions to become an independent businessman. It appears that he had approached a number of persons in Anatolia with the suggestion that they should invest in his joint-stock fund, since he was planning to go to Assur to try to convince his bosses there that he should be given such a fund. One of the contracts states this clearly: "Iddin-abum owes 8 minas of refined silver to Kula. Reckoned from the week of Hapi-ahšu and Sukallia he must go to the City within 25 weeks and together with his investors he must write Kula's name for 2 minas of gold."²¹ Other texts in the group say simply: "If they write his tablet (i.e., the joint-stock contract), then he must book x in the name of PN," indicating that it was not at all a foregone conclusion that the men in Assur would feel comfortable giving him this new status. These texts show how a young trader would collect funds among family and friends in Anatolia, money that would allow him to approach the financiers in Assur. All such contracts had to be set up in the capital, and it seems that all major accounting operations relating to this partnership fund were regulated there. His brother Aššur-bēl-awātim contributed funds (24 minas of silver), and among his Anatolian investors we find also Ikūn-pī-Aššur (2 minas of gold), and of course the

Kula mentioned in the contract cited. We do not know who his investors in Assur were.

Once the contract had been set up to run for a number of years, the manager would have to keep the joint-stock capital separate from the funds he owned outright. We do not have any account texts that give us information about how this was handled, at least no such texts have been identified, and it may be that they would have to be found in Assur, for it was here that the manager or his representatives each year would have to settle accounts with his investors in accordance with a set of rules that are only poorly understood. It must have been highly unusual, perhaps even illegal, to spend *naruqu*-funds on personal debts, for instance, as we can see Šalim-Aššur being forced to do by his father when he had to bail out Iddin-abum from his debt obligations as referred to earlier.

It seems obvious that this partnership transaction had a profound impact on the way interpersonal relations were structured. It created a network of commercial contacts, where the manager of a joint-stock fund would become the Anatolian agent for investors located in Assur, a man to whom they could turn with a variety of tasks. At the same time it meant that he had senior partners close to the center of power in the Old Assyrian system, men who could help him in all kinds of situations. And although some of the central investors would certainly be members of his own family, many would belong to other firms and could ensure the setting up of a much more complex set of relationships.

A letter in the correspondence of the great Kanesh trader Pūšu-kēn shows that the *tractator*, or manager of the fund, had a particularly close relationship to the firm that organized the establishment of the *naruqu* and presumably contributed the largest sums to it:

From Šu-Hubur to Pūšu-kēn:

Concerning the matter you wrote about, saying: "Lā-qēp's two sons are grown up; they are now fit to administer a joint-stock fund"—do not let them free (to other investors)! Here Aššur-šamši [one of the sons] promised me to take up a joint-stock fund, and the fund will enter our house.

20. See Michel (2001: 303–57) for a commented selection of texts concerned with this contract; cf. also Larsen (1977: 119–45), and Derksen (2004: 83–89).

21. kt 94/k 1016: 1–12: 8 *ma-na* KÙ *ša-ru-pá-[am]* *i-šé-er* *I-dí-a-bi₄-im* *Ku-la* . *i-šu iš-tù* . *ḥa-mu-uš-tim* *ša Ḥa-pi-ah-šū¹* *ù Sú-kà-lí-a a-na* 25 *ḥa-am-ša-lim a-na A-lim^{ki}* *i-lá-ak-ma iš-tí um-mi-a-ni-šu* 2 *ma-na* KÙ.GI *šū²-mì* . *Ku-lá i-lá-pá-at*.

Concerning his brother Aššur-malik—a letter from me and from Aššur-šamši went to him, (and) Aššur-šamši wrote: “I have promised Šu-Hubur a joint-stock fund. Do not promise anything to anyone else there lest you put me to shame. Do come here and have Šu-Hubur clear your affairs!”

My dear brother, put in a word on my behalf to Aššur-malik, saying: “In this house where your father and grandfather have been clothed, you too should take a joint-stock fund and be clothed yourself!”²²

Lā-qēp was a close associate of Pūšu-kēn and like him he had intense commercial contacts with a group of men in Assur who counted Šalim-ahum and Šu-Hubur, the writer of this letter; he in turn was an uncle of Imdī-ilum, another Kanesh merchant who was very active in this circle of traders. The letter makes it clear that the trader who administered a joint-stock fund had a special relationship with one particular house in Assur, and that such partnership arrangements could tie people together in tight business contacts over several generations.

Like all other funds, the joint-stock capital was tied to the individual trader, not to the family,²³ and it seems clear that in many families every adult member would manage such a fund as their private business, and at least some of them would also have investments in other people's *naruqqum*. A letter from Aššur-idī in Assur to Aššur-nādā contains the passage: “people less important than you administer joint-stock investments, and people less

important than myself have invested 10 minas of gold” (Larsen 2002, ¶19: 15–19). The father advises his son to get hold of all the investments he can lay his hands on in Anatolia and to come to Assur to have his status as manager of such a fund regulated. The passages clearly show how important it was both for the son and for the father to be members of the group of traders who operated with a joint-stock fund.

Such a partnership would be dissolved at the death of its manager, but on the other hand, investments in a *naruqqum* could be inherited after the death of the investor. We have a few texts that tell us that after the death of the important trader Pūšu-kēn, his sons inherited shares of his investments in other persons' joint-stock funds, and the oldest heir, Aššur-muttabbil, bought these from two of his brothers.²⁴

A document in the Šalim-Aššur archive contains a list of investments in the joint-stock fund of one of the members of the family, probably Šalim-Aššur himself.

22 minas: the house of Aššur-imitti and Hunniya; 20 ½ minas: Ilī-ālum; 10 minas less 15 shekels: Šu-Kūbum; 13 minas: the house of Šu-Ilil; 13 minas the son of Amur-Ištar; 13 2/3 minas 5 shekels belonging to Lā-qēp son of Kayatum; 6 ½ minas: Aššur-malik son of Ennam-Adad: in all: 1½ talent 8½ minas of silver from my joint-stock capital, including (money) from their *tadmiqtu*-loans that my investors have entrusted to me.

For half of the silver their terms have expired. For half of the silver he must pay within 4 years.²⁵

We have here a list of at least some of the men who had invested in Šalim-Aššur's joint-stock fund. None of them belong to his immediate family: his

22. Adana 237D, an unpublished text partly communicated by K. Hecker (1978: 150 n. 39): [um-ma Šu]-Hu-bur-ma a-na [Pu-šu-ki]-in qí-bi-ma [a-šu-m]i ša ta-áš-pu-ra-ni [um-m]a a-ta-ma me-er-ú (5) [Lá]-qé-ep : ra-bi-a-an a-na [n]a-ru-qí-im : na-šu-i-im [w]a-as-mu la tū-wa-ša-ar-šu-nu a-na-kam : A-šūr-UTU-ši pī-šu a-na na-ru-qí-im na-ša-i-im (10) i-dí-nam ù na-<ru>qum' a-na bé-tí-ni : e-ra-áb a-šu-mi A-šūr-ma-lik a-hi-šu tūp-pu-um ša i-a-tí ù A-šūr-UTU-ši 'a'-na A-šūr-ma-lik i-tal-kā-šum (15) [um-ma] A-šūr-UTU-ši-ma a-na-kam [a-n]a Šu-Hu-bur a-na na-ru-qí-i[m] [pā]-i 'lu' a-tí-dí-in (rev.) [a-ma-kam] : a-ta : pá-kā a-ma-ma-an [la t]a-da-an-ma la tū-ba-ša-ni (20) [a-ta]-al-kam-ma : Šu-Hu-bur a-na-kam ú-za-kā-kā : a-pu-tum šu-ma a-hi a-ta : a-ma-kam : a-wa-tám iš-té-et a-na 'A'-šūr-ma-lik ki-ma i-a-tí [q]á-ri-ib um-ma a-ta-ma a-šar (25) [a-bu]-kā ù a-bu a-bi-kā i-na [É-t]im a-«mī»nim : TUG.HIA [il₅-t]a-ab-šu-ni : ù a-ta [a-m]a-kam : na-ru-qam na-an-šit-ma [TUG.HIA] li-it-ba-á[š].

23. There is one example of a father and son jointly administering a joint-stock fund: *EL* 327 and 328.

24. Cf. *EL* texts 310 and 311 (CCT 5, 22a and Dalley 11) plus *ATHE* 33 and *AKT* 1, 11.

25. kt 94/k 1458: 1–21: 22 ma-na É A-šur-i-mi-tí ù Hu-ni-a 20 1/2 ma-na Í-lí-a-lúm 10 ma-na LÁ 15 GÍN Šu-Ku-bu-um 13 ma-na É Šu-EN.LÍL 13 ma-na DUMU A-mur-Ištar 13 2/3 ma-na 5 GÍN ša Lá-qé-pí-im DUMU Kā-a-tí-im 6 1/2 ma-na A-šūr-ma-lik DUMU En-um-IM ŠU.NIGIN 1 1/2 GÚ 8 1/2 ma-na KÜ.BABBAR ša na-ru-qí-a qā-dum ša ta-ad-mi-liq-tí-šu-nu ša um-me-a-nu-a i-na še-ri-a i-dí-ú-ni mi-ša-al KÜ.BABBAR u₄-mu-šu-nu ma-al-ú mi-ša-al KÜ.BABBAR a-na MU.4.ŠÉ i-ša-qal.

brothers do not appear, nor does his father, but it is unclear whether the text lists all of the persons who had contributed to his *naruqqum*. Of those who do appear, we can point to Aššur-imitti, probably the son of Amur-ili, who is said in other contexts to be Šalim-Aššur's representative;²⁶ Hunniya, his son, does not play a role in the archive. The men Ili-ālum, Šu-Kūbum, and Aššur-malik son of Amur-Ištar appear in the letter 94/k 1257 as Šalim-Aššur's investors in Kanesh. It is therefore probable that the men mentioned in this text were all in Anatolia, and that his investors in Assur are absent. Šalim-Aššur may have been one of the investors in his brother Aššur-bēl-awātim's *naruqqum*.²⁷ A certain Aššuriš-takil is known to have invested 3 1/3 minas of gold in Šalim-Aššur's joint-stock capital,²⁸ and his father Issu-arik had an investment of no less than 10 minas of gold running for only two years.²⁹

The references in the text cited above to investments that belong to a "house" rather than to an individual indicate that investments that would run for many years could be viewed as the property of the paternal estate, presumably in the same way as real estate. When a house or family of an investor is mentioned rather than just his name, the explanation must be that such investments were long-term ones that were expected to remain active even after the death of the investor, and as has been mentioned, such investments could be inherited.

Inheritance

Under normal circumstances, all brothers and sisters were entitled to a share of the paternal

estate, although the oldest brother seems to have received a larger share. We have a limited number of testaments, a fact that might lead to the conclusion that such documents would be drawn up only when a special situation existed in the family. It seems from the few examples that are extant that they were set up to safeguard the interests of one or more of the heirs, and, in one case, we hear of the disinheritance of a son. However, as Veenhof points out, "in nearly all cases where a division of a paternal estate (*bēt abim*) is at issue, the existence of a testament is mentioned or implied" (Veenhof 2003b), which I take to mean that important, wealthy traders would nearly always leave a will. A proper testament would apparently often be set up in Assur, but in other cases the last will may have been merely a statement made by the dying person. We hear in some instances that a man has died without speaking his will: "Sadly, our father has died. He did not speak his will. If it is good for you, then set out and come. Bring our father's house in order."³⁰ It seems clear that in this case the absence of a last will was creating difficulties.

It is in fact obvious that a great many inheritance situations gave rise to prolonged, and highly complex lawsuits. One reason for this was the dispersed nature of the Assyrian community, which meant not only that distances of up to 1500 kilometers separated the individual members of the family, but, even more importantly, that the merchant who died in many instances would be involved in a large number of commercial relationships with people who were scattered across Anatolia as well as in Assur itself. Documents had to be collected, funds evaluated, and outstanding claims collected. We see time and again that customers, both investors, creditors and debtors of the deceased, would attempt at once to lay their hands on the available evidence in the form of tablets that would be stored in the houses of the dead merchant.

26. kt 94/k 1051. See Larsen 1982, with genealogical table on page 219, for the family of Aššur-imitti. See also Dercksen (1996: 140 and table on page 92). Aššur-imitti had four sons and it is not clear why only Hunniya appears here. Aššur-imitti was a prominent man, the uncle of Imdī-ilum; see further below.

27. kt 94/k 1757, a text that refers to a payment of 12 minas of silver to be made as the next disbursement for *na-ru-uq A-šūr-bē-el-a-wa-tim*.

28. kt c/k 1460.

29. kt 94/k 964, a text that records an accounting between Iddin-abum and Šalim-Aššur.

30. CCT 2, 33: 2–6. It is a letter from Šu-Kūbum in Assur to Ikūn-pi-Aššur in Kanesh; he also wrote about the same affair to other contacts in Kanesh in CCT 4, 41b.

Another reason for conflict was disagreement among the heirs. Because of the way in which the financial relations between the members of the family were organized, the structures that were in place and secured the orderly running of the family's business while the *pater familias* was alive tended to dissolve, or at the very least to come under severe stress, when he died. It seems that the normal result would be dissolution of the existing family operation, so that the surviving sons would start over as independent traders, or in partnership with others outside the original family group. This is perhaps the most striking consequence of the lack of a common, family-based fund.

The Šalim-Aššur archive provides vivid illumination of this point. When Issu-arik died, his three sons continued on separate paths and had only limited, if any, commercial contacts with each other. And, in this family, deaths regularly gave rise to complex lawsuits. I have already referred to the situation that arose after the death of Iddin-abum, when Šalim-Aššur had to engage in protracted lawsuits in order to reach a settlement with his nephews over the money he had spent on Iddin-abum's debt. Šalim-Aššur had been appointed as the executor of Iddin-abum's estate,³¹ an example of the collaboration and solidarity that must have existed between the brothers, but it is characteristic that immediately after Iddin-abum's death, the third brother, Aššur-bēl-awātīm, lodged a claim to no less than 24 minas of silver, his investment in Iddin-abum's joint-stock capital, which moved his son to take Šalim-Aššur's house, his slave-girl and other servants as security, and only after this large sum had been paid could Šalim-Aššur reclaim his own property.³²

When Šalim-Aššur then died, his two sons became involved in a lawsuit over the inheritance that lasted at least two years, and which is directly referred to in more than one hundred texts of all types, i.e., close to 10 percent of all the texts in the archive. Of the five large legal dossiers in this archive, four are concerned with the aftermath of a death, while one originates in a conflict with a

local official. It may be estimated that at least fifty percent of all legal texts in the corpus (published and unpublished as far as known to me) were drawn up in connection with complications arising from contested inheritances. Some of these, such as the complex dossier referring to the death of Puzur-Aššur (cf. Matouš 1969: 156–80) have been studied in some detail, and it can safely be concluded that this particular situation when an important, active trader died was of crucial importance. Often the legal disputes came to involve the city assembly in Assur, and in several cases verdicts were issued commanding customers to return tablets and other valuables that they had removed from the strong rooms and magazines of the deceased, and special "attorneys" were sent to Anatolia in order to clear up the tangled affairs of the dead man's estate.

The breaking up of collaboration among the heirs was not a foregone conclusion, of course. Immediately after the death of Šalim-Aššur the younger son Al-ahum, who had been with the father in the city Durhumit when he died, wrote to his brother Ennam-Aššur:

Sadly, our father has died. It is not Šalim-Aššur who is our father, it is you who are our father. Take care there of our father's instructions and clear the affair.³³

Very quickly the two brothers fell out, however, and their conflict came to involve not only their closest family, but also the many other persons appearing in the archive as employees, partners, agents, and so on. It is interesting that the conflict was caused in large measure by the fact that Šalim-Aššur had left two different wills, namely, a proper one set up in Assur where it was in the care of his bosses, and a document that contained a statement made on his deathbed in the Anatolian city of Durhumit, where only Al-ahum had been present. This seems to have referred only to the obligations of the two surviving sons, and Ennam-Aššur refused to accept this document, claiming that Al-ahum had tricked the dying father into making special concessions.

33. kt 94/k 747: 5–12: *lá li-bi i-li-ma a-bu-ni : me-et lá Šál-ma-A-šur a-bu-ni a-ta a-bu-ni a-ma-kam a-na tí-ir-tí a-bi₄-ni i-hi-lid¹-ma za-ki-i.*

31. kt 94/k 1006.

32. kt 94/k 950 and 1144B.

Ennam-Aššur was murdered before the lawsuit had been brought to an end (we do not know by whom), and it is interesting to see that the fairly extensive correspondence between Al-ahum and his agents and representatives appears to show that the entire group of persons who had been associated with the Šalim-Aššur family split up, and several of the men who appeared prominently in the letters to be dated before Ennam-Aššur's death disappear completely. Apparently they had sided with Ennam-Aššur in his conflict over the inheritance. A family firm should accordingly be seen as a much wider circle of individuals, reaching beyond the nuclear family. In most instances, we have no precise knowledge of the relationship that binds a group of persons to a firm in a pattern that may be referred to as clientage (such as the family of Amur-Ištar and his sons, who were all closely related to the Šalim-Aššur family), but it is surely likely that marriage bonds and perhaps more distant blood relationship could play a vital role.³⁴

Obviously, some brothers continued to get along well with each other after the death of their father, but I do not know of a single clear example in our documentation of continuity across the generation gap, where brothers in Anatolia continued to work together with the eldest as the new boss, the situation envisaged in the letter from Al-ahum quoted above.³⁵ For Assur we have an example in the family of Imdi-ilum; his father Šu-Laban was in charge of the family affairs until his death, but then the second-eldest brother Aššur-imitti moved

from Anatolia to Assur and became the new *pater familias*, and the relationship is attested in numerous letters (see Larsen 1982: 221).

In view of the observation presented earlier that all ownership of property was individual, not familial, such a lack of continuity is logical. The idea of the family firm as an incorporated legal entity was not yet invented, and instead the emphasis was on individual ownership, responsibility, and accountability. Goldthwaite has described a development that can be traced in the documents from Renaissance Florence and that may have relevance for our understanding also of the Old Assyrian situation. In Florence there was a change from the early-fourteenth century, when a family's common ownership of property was the norm (extending also to business organization), to the fifteenth century, where brothers regularly split up and maintained their individual property, a development that is marked by what Goldthwaite calls the "disintegration" of the family.³⁶

The main reason for this change was the need to create funds large enough to secure a profitable participation in the international trade by the introduction of external partners into what was otherwise a family partnership. It is not possible to trace a similar development in the Assyrian evidence, moving from communal ownership to individual property. The practice of common ownership to land is of course known from later periods in the north of Mesopotamia, for instance at Nuzi, and the Middle Assyrian Laws refer to brothers living in undivided households after the death of their father. However, it is unknown whether such was the norm in Assur before the expansion of the trade. Nevertheless, the point to make is that the practices represented in the Old Assyrian texts may well have been driven by

34. It is presumably in this context that we must understand the many references where a man is said to belong to "the house" of another man: AKT 3, 1: 1-7: Aššur-taklāku son of Ikuppia, (grand)son of Aššur-taklāku of the house of Ukubturuš, owes 2 minas of *tiri*-silver to Iddin-Aššur son of Aššur-malik" (2 *ma-na* KÙ.BABBAR *tí-ri i-še-er* A-šūr-ták-lá-ku DUMU I-ku-pí-a DUMU A-šūr-ták-lá-ku ša É Ú-ku-ub-tù-ru-uš E-dí-in-A-šūr DUMU A-šūr-ma-lik i-šu); for other examples see BIN 6, 64: 4-5, 23-24; CCT 4, 48b: 7-8. Members of the family often refer to "our own PN" in order to distinguish them from namesakes.

35. This point can be illustrated much more elaborately by way of the unpublished archives. Veenhof points out (personal communication) that the two brothers Elamma and Al-ahum, whose archives were discovered in 1991 and 1993 respectively, and who lived in neighboring houses, had little or no commercial contact after their father's death.

36. Goldthwaite (1968: 253-58). Goldthwaite (1980: 63) wrote: "Not until the sixteenth century did the notion that wealth somehow had its own integrity as something inviolable and permanent, to belong forever to a family, gain currency, and only then did inalienability and fideicommissa begin to complicate the inheritance of property." The Babylonian companies, such as Egibi and Murašû, that operated in the Neo-Babylonian and Persian periods seem to have maintained themselves across generations, sometimes for hundreds of years, but the precise organization of these firms is not known.

similar forces, i.e., the need for capital accumulation, in the establishment of businesses based on partnerships between individuals who were not related to each other.

Conclusions

Old Assyrian society was divided into two distinct groups, the capital and the colonies, and the hierarchical relationship governing their interactions may be seen in several features: the creation of a joint-stock fund always took place in Assur and it seems that it could only be created with the acceptance of a group of financiers based there; the city assembly, whose members counted at least some of the correspondents known from our archives in Kanesh, had the final say in a great many cases that directly involved the colonists, and it also laid down the rules and guidelines for the trade by way of verdicts;³⁷ in most instances it seems that also testaments were set up in Assur; and even though some men in the colonies could reach a certain degree of autonomy and amass great wealth, they were fundamentally dependent on the bosses in the capital.³⁸

In the case of many families, we can see that the father, sitting in Assur, ran the affairs of the firm—Aššur-idi is an example, but other arrangements were possible. As pointed out earlier, the important trader Imdi-ilum accepted the leadership of his uncle in Assur after his father had died. After the death of Issu-arik, Šalim-Aššur's directors in the capital consisted of a group of persons who were presumably relatives, although we cannot establish the ties that bound them to him. Another influential trader in Kanesh, Pūšukēn, did a very large part of his business as an agent for a man called Šalim-ahum who seems not

to have been a member of his immediate family. Šalim-ahum's sons Dan-Aššur and Ennam-Aššur, whose archive was found in 1970, did not handle his commercial affairs in Anatolia, although they were in regular contact with their father as evidenced by the many letters in the archive.³⁹ We also have several examples of letters written to men in Anatolia by a group of persons who refer to themselves as "your investors."⁴⁰

Relations between the men at the two ends of the system could accordingly be based on close family ties, but in some cases the association appears rather to have been based on economic bonds such as the joint-stock funds. The lack of documentation from Assur makes it impossible to determine whether the features that can be demonstrated for the Old Assyrian colonial society were as important in the capital. The institution of the *bēt abini*, the paternal house, seems to belong in Assur at any rate, and it is quite possible that even the breakdown of the family on the death of the principal in Anatolia would have had scant relevance for the men in Assur, who may have constituted a continuity on a different level, maintaining the reality of the paternal house. This seems to be the case of the Imdi-ilum family referred to earlier.

In many cases, the cohesion of the family was limited, and to some extent counteracted, by the emphasis on the individual as the only legally constituted owner of funds. This meant that a constant tension was introduced between family and individual, tending to dissociate individuals from each other, breaking up established patterns of authority at regular intervals as generations succeeded each other, and creating extremely stressful relationships between close relatives.

The individual trader in Anatolia was defined first as a member of a family, and in this role he would be constrained in his actions by the authority of the *pater familias*. At the same time he would be the manager of a joint-stock fund, and on the basis of that he would be in a relation-

37. See, for instance, the verdict where Assyrians in Anatolia were forbidden to trade in gold with Hurrians, Amorites, and Babylonians (kt 79/k 101); or the case where a group of Assyrians working in Anatolia was fined for having traded in a local textile type that could compete with the export articles from Assur (VAT 9290; see Veenhof 1972: 126–28).

38. Status relations that are apparent from the introductory formula of letters (see Larsen 2002: xxxviii–xl) almost invariably show the men in Assur to be in a situation of superiority.

39. Partly published in AKT 3.

40. See Adana 237B; BIN 4, 32; BIN 6, 105; Prague 486; TC 2, 41; and kt 91/k 350.

ship to a number of financiers, who were not members of his family but who nevertheless exercised some degree of authority over him. It is highly likely that the creation of a joint-stock fund that gave him a large capital was a prerequisite for a trader's ability to function with success in the basic commercial procedures. It may well be that the Aššur-nādā family's constant financial worries had their roots in their too-limited capital basis, whereas the family of Šalim-Aššur appears to have been so wealthy that inevitable losses never created a critical situation. This *naruqu*-institution must have been invented by the Old Assyrian merchants at some point during the first decades of their commercial penetration of Anatolia,⁴¹ at a time when we must assume that the trade expanded geographically as well as in terms of the size of individual transactions, and it seems clear that apart from making large funds available to younger members of the commercial community, it also introduced new interpersonal relationships that cut across family lines.⁴²

41. The ones we know of may be dated to the period between *KEL* 75 and 80.

42. Veenhof notes (private correspondence), as another reason for the introduction of this new type of transaction, that in this kind of partnership the investors ran limited risks, in contrast to the situation in families, where every member could be made responsible for the failure of the father's business.

Some of the colonists undoubtedly came to establish a degree of independence from Assur⁴³ also in commercial affairs, for instance, by becoming heavily involved in the trade in copper that took place within the frontiers of Anatolia. In fact, Šalim-Aššur spent much of his time in the copper-producing region, and died in the main center there, Durhumit, and his family was clearly a major player in the trade in copper and wool. Nevertheless, it was in Assur that the economic basis for the entire system was rooted; here we would have found a large number of merchant houses who operated both production of textiles and the transit trade in tin and imported textiles, and the men in Kanesh could not maintain their existence without constant contact with Assur or without regular supplies of goods arriving from there. Changes would undoubtedly happen over time, as the colonial society in general developed its own practices, including the new financial partnership contract, and especially as certain individuals in Kanesh and the other colonies in Anatolia became rich, and established families of their own abroad. These developments may well have put a strain on traditional patterns of relationships, leading to a fragmentation of families and even to new concepts of property and individual responsibility.

43. Note that the second generation of colonists in our documentation regularly established an Anatolian family, marrying local women.

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