

Theodore KWASMAN and Simo PARPOLA, *Legal Transactions of the Royal Court of Nineveh, Part I: Tiglath-Pileser III through Esarhaddon*. State Archives of Assyria VI. Helsinki: Helsinki University Press, 1991. 370, xlv pp., 32 b/w photos. \$85.00 (cloth). ISBN 951-570-093-0. \$63.00 (paper). ISBN 951-570-092-2.

Raija MATTILA, *Legal Transactions of the Royal Court of Nineveh, Part II: Assurbanipal Through Sin-sarru-iškun*. State Archives of Assyria XIV. Helsinki: Helsinki University Press, 2002. 382, xxx pp., 17 b/w photos. \$101.00/€84.00 (cloth). ISBN 951-570-483-9. \$78.00/€65.00 (paper). ISBN 951-570-481-2.

Due to the complete lack of evidence, it is highly likely that no collection of laws was ever compiled in the Neo-Assyrian period. Whatever the reason for the want of this text genre, it was not the result of unfamiliarity with the subject matter: Both the Codex Hammurapi and the Middle-Assyrian Laws were available in Neo-Assyrian libraries.

The question whether such law collections were ever meant to actually mirror or regulate contemporary legal practice has nourished the scholarly debate for many years, and the comparison between the law collections and the extant legal documents constitutes a focal point of the research, especially for the Old Babylonian period. There can be no doubt that the uncertainty about the “Sitz im Leben” of the available law collections hampers their appearance to the understanding of the actual practice of law. Therefore, the absence of such a compilation for the Neo-Assyrian period may as well be seen as an advantage for those interested in this period’s conventions of law; their primary task is to extrapolate the law practice from the available sources: letters, administrative texts and, most importantly, legal documents. While royal decrees and treaties are available,¹ private legal records form our richest source, both in quantity and in the sort of information they offer. Over 2,000 legal documents are known in the shape of cuneiform tablets, all of which were sealed, dated and witnessed in order to be legally valid. The earliest texts date to the late ninth century, but the majority stems from the seventh century BC.

The largest corpus of private legal documents by far originates from Nineveh, and with the publication of the texts from the reigns of Tiglath-Pileser III through Esarhaddon in 1991 (SAA VI) and now, eleven years later, the remaining documents covering the period until the fall of the empire (SAA XIV),² this material is finally in its entirety available in a modern edition. The two volumes will certainly replace Theodore (Tuviah) Kwasman’s earlier work (*Neo-Assyrian Legal Documents in the Kouyunjik Collection of the British Museum*, 1988) as the standard publication used by all but the specialists who will also in the future consult his valuable comments on the texts—as customary in the *State Archives of Assyria* series, the notes accompanying the edition have been kept to a bare minimum. Kwasman’s compilation of the various dossiers found within the Nineveh archives forms the basis for the arrangement of the texts in the two books. The numerous “single text archives” found in his original study, however, have been combined to larger units, using household affiliation or chronological considerations as the organizing principle. An important, if unexpected addition to the material from the royal archives is found in SAA XIV: the texts from the private archives found during the Iraqi excavations near the Šamaš Gate (nos. 424-461).³ Although strictly speaking misplaced in a book linking its material to the “royal court of Nineveh” in its title, their inclusion is most welcome, as the original edition did not find its way in many libraries due to the difficult circumstances of its publication in post-Kuwait War Baghdad. In total, the two books offer 829 complete and fragmentarily preserved legal documents in transliteration and translation.

Short introductions by Simo Parpola and Raija Mattila, respectively, lead into both volumes. While the discovery and setup of the Nineveh legal archives is detailed in SAA VI, both introductory chapters offer an overview of the covered material and give special attention to the information to be gained on the crown prince, an otherwise little studied persona of substantial importance at the Assyrian royal court.

Differently from other text publications, the *State Archives of Assyria* series is lavishly illustrated, frequently using otherwise unavailable picture material. For the earlier book, the illustrations were supplied by Julian Reade who primarily chose details from the reliefs decorating the royal palaces and other monumental stone sculpture to accompany the text editions while using aerial photographs of the mound of Kouyunjik and depictions of weights in the shape of lions and ducks and the famous ingot from Zincirli in the introduction. SAA XIV is the first volume in the series to be illustrated by Dominique Collon who concentrated on the most important group of artifacts in respect to legal documents: seals. She selected a series of wonderful photographs showing either details of seal impressions or sealed tablets and bullae.

Another distinctive feature of the series is that all volumes are provided with computer-generated complete indices. It is these indices that make the volumes truly indispensable working tools for anyone dealing with the Neo-Assyrian period. All Assyrian words and personal, geographical and divine names are collected in a glossary and a proper name index, providing the exact spelling in which they appear in the original texts. Moreover, a subject index based on the translations is a useful key to the contents of each publication. Especially in the case of the two volumes on private legal documents these indices are of great importance, as the wealth of data contained in these texts has hardly ever found their way into the dictionaries of Akkadian and the historical synopses covering the Assyrian empire.

All volumes in the *State Archives of Assyria* series are based on the monumental *Corpus of Neo-Assyrian Texts*, the creation of Simo Parpola who realized this electronic database over the past twenty years with the aid of many collaborators. But also beyond the usage of the database, the two books under review can best be described as the result of a group effort (see the prefaces in SAA VI, pp. ix-x and SAA XIV, pp. ix-x). The first volume was co-edited by Theodore (Tuviah) Kwasman and Simo Parpola and based on their previous individual research on the subject matter. The editorship of the second volume is credited to Raija Mattila who, however, stresses the importance of the groundwork laid by Kwasman and Parpola; crucial is especially the reference to Parpola's computer program used for the translation,⁴ a procedure well suitable for texts of a highly stereotypical nature: Neo-Assyrian legal documents can certainly be described as such, especially as their majority is phrased according to one of two basic formularies which had developed out of the Middle Assyrian and Middle Babylonian conventions and reached their standard form, both in phrasing and physical appearance, in the 8th century—the conveyance type and the contract type (debt note, obligation).

That these basic formularies were used not only by the scribes in central Assyria, but in all parts of the geographically vast empire is one of the most intriguing aspects of this text group. The conveyance type documents all possible kinds of transfers of ownership of real estate and persons such as sales or exchanges, land leases, adoptions, marriages, dedications to temples or divisions of inheritance. The contract type records any kind of obligation between two parties, e.g. loans of money, grain or animals and debts of all kind as well as delivery and working contracts. The historian of law can only marvel at the way how the essence of a wide range of possible legal transactions was successfully conveyed while restricting the phrasing of the documents to these pre-formulated clauses; for the interpretation of the tensely worded texts, the scribes' ingenuity in this matter often hinders the understanding of the events recorded, especially when the context of the transaction is lacking. Only a comparatively small number of texts falls into a third group of texts which is much less regulated in phrasing and appearance: receipts, various mutual agreements and texts recording court proceedings may be drawn up according to *ad hoc* necessities.

The legal implications of the documents presented in the two volumes are consciously not discussed. For these, the reader is referred to J. N. Postgate's *Fifty Neo-Assyrian Legal Documents*, 1976, and my own *Neuassyrische Privatrechtsurkunden als Quelle für Mensch und Umwelt*. *State Archives of Assyria Studies* 6, 1997 (see SAA VI, p. xv and SAA XIV, p. xxvi n. 1).

Due to the nature of the series, this is perfectly acceptable. Problems, however, arise when a translation is more specific than the Assyrian phrasing actually allows for. This is frequently the case in regard to texts documenting a person's obligation to provide another party with a commodity or service. While Postgate and myself were careful not to designate this text type as a "loan document," in both *SAA* volumes this designation is used customarily, especially in the text headings, for legal records that document debts about whose genesis nothing is stated whatsoever; the debt may have originated as a loan, but there are a multitude of other possible reasons for its existence: a failure to pay taxes due, a fine, a payment to be paid after the reception of the merchandise, to name but a few. There is a clear distinction between a text recording any kind of debt and one specifically documenting a loan, a transaction where one party physically gives a commodity to another party with the proviso to get it back (with or without interest). This is to be born in mind when using the translations in *SAA* VI and XIV as source material for Neo-Assyrian economics, legal practice or modes of human interaction.

Editions of legal documents do not easily make entertaining reading matter. All contributors to *SAA* VI and *SAA* XIV therefore deserve our admiration for producing a set of handsome books that present the material in an accessible and reliable way while providing readable translations together with eye-catching and relevant illustrations.

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¹ These texts, coming from all over the Assyrian Empire, were published in two other volumes of the series: S. Parpola and K. Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths*. *SAA* II, 1988 and L. Kataja and R.M. Whiting, *Grants, Decrees and Gifts of the Neo-Assyrian Period*. *SAA* XII, 1995.

² With additions to the material presented in *SAA* VI, see pp. 293-308 (nos. 462-479).

³ Previously published by J.N. Postgate and B.Kh. Ismail, *Texts from Niniveh*. Texts in the Iraq Museum XI, c. 1993 (no publication date given in the book).

⁴ The same program was also employed for V. Donbaz and S. Parpola, *Neo-Assyrian Legal Texts in Istanbul*. Studien zu den Assur-Texten 2, 2001.