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Community and Individuals at Emar*

Abstract

The present article aims to investigate the connections between the Emar's socio-political structures and the system of land-ownership that had different traits compared to other Syrian cities of the Late Bronze Age. The city of Emar and its region show a strong tradition of collective powers which goes back to the third millennium and influenced the society during the Late Bronze Age as well, but as this paper puts forward the land-ownership was individual.

Keywords: Community, Emar, Late Bronze Age

1. Introduction¹

The Emarite community, in the scholars view, arises from a tribal society distinguished by extended families², clan solidarity, common ownership within the families and inalienabil-

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¹ Texts abbreviations: ASJ 10 = A. Tsukimoto, Sieben spätbronzezeitliche Urkunden aus Syrien, ASJ 10 (1988), 153–189; ASJ 14 = A. Tsukimoto, An Akkadian Field Sale Document Privately Held in Tokyo, ASJ 14 (1992), 311–315; ASJ 16 = A. Tsukimoto, A Testamentary Document from Emar – Akkadian Tablets in the Hirayama Collection (IV), ASJ 16 (1994), 231–238; AuOr 5 = D. Arnaud, La Syrie du Moyen-Euphrate sous le protectorat hittite: contrats de droit privé, AuOr 5 (1987), 211–41; BLMJ = J. G. Westenholz, Cuneiform Inscription in the Collection of the Bible Lands Museum Jerusalem: The Emar Tablets, Groningen 2000; E = D. Arnaud, Recherches au Pays d'Aštata, Emar VI, Textes sumériens et accadiens, Paris 1986; Ekalte = W. Mayer (2001); Fs Kutscher = M. Sigrist, Seven Emar Tablets, in: Rainey, A.F. et al. (eds.), *Kinnatūtu ša dārāti*. Raphael Kutscher Memorial Volume, Tel Aviv 1993, 165–184; Hallo = W. Hallo, Love and Marriage in Ashtata, in: Parpola, S. – Whiting, R. M. (eds.), *Sex and Gender in the Ancient Near East (=CRRAI 47)* Helsinki 2002, 203–216; Hirayama = A. Tsukimoto, Akkadian Tablets in the Hirayama Collection (I), ASJ 12 (1990), 177–259; Id. „Akkadian Tablets in the Hirayama Collection (II), ASJ 13 (1991), 275–333; Id. Akkadian Tablets in the Hirayama Collection (III), ASJ 14 (1992), 289–310; Iraq 54 = S. Dalley – B. Tossier, Tablets from the Vicinity of Emar and Elsewhere, Iraq 54 (1992), 83–111; MFA 1977 = D. I. Owen, Pašūri-Dagan and Ini-Teššup's Mother, in: Zavit, Z. – Gitin, S. – Sokoloff, M. (eds.), *Solving Riddles and Untying Knots. Biblical, Epigraphic and Semitic Studies in Honor of Jonas C. Greenfield*, Winona Lake 1995, 573–584; RE = G. Beckman, Texts

ity of goods. This picture is based on the presence of local authorities like the Elders and the Brothers (^{LÚ.MEŠ}*aḥ-ḥi-a*)³, some procedures in the economic texts and other features of the society.

The Emarite polity was ruled by a local monarchy, some collective institutions (the Elders, ^{LÚ.MEŠ}*šībūtū*, and the Town, URU^{KI}), and religious authority (Ninurta, ^dNIN.URTA). This social organization, in Arnaud's opinion⁴, emerged from the semi-nomadic status in which the Emar population lived in early times.

2. The Ownership

2.1 At Emar there was, at least in former time, a clan-based ownership⁵. The evidence comes up from some real estate belonging to "Sons of PN" (PN is personal name), an indication underlining the lack of a single owner as well as common running of the property by the clan. Instead, from a whole study of the economic texts, it results that in the age of archives the "Sons of PN" properties were very few and that the ownership was individual. Indeed, in the field sales contracts the "Sons of PN" appear only 30 times⁶ (about 8.5 % of the total properties), and they figure as buyers in only two cases (AuOr5 2, RE 77 b) but never as sellers (TBR 62). Moreover, in the house sale contracts, only ten texts – 14 times about 5 % – quote⁷ the "Sons of PN" in the lists of adjoining properties. They appear merely three times as sellers (AuOr5 7, BLMJ 6, SMEA 2) and never as buyers⁸. Therefore, the "Sons of PN" properties do not prove the existence, in the age of archives yet, of common ownership within the family as a custom of inalienability of goods. That indication, likely, referred to a single real estate (an house or a field) which a parent bequeathed to several sons who had to share it because it was the only property possessed by that family. Moreover, in those cases when the "Sons of PN" act as buyers, one may simply assume that a group of brothers bought a real estate as it could happen in present days as well. Indeed, when a person was able to bequeath many properties to his/her sons, he or she

from the Vicinity of Emar in the Collection of Jonathan Rosen, Padova 1996; Semitica 46 = D. Arnaud, Mariage et remariage des femmes chez les syriens du moyen Euphrate, à l'âge du Bronze Récent d'après deux nouveaux documents, Semitica 46 (1996), 7–16; SMEA = D. Arnaud, Tablettes de genres divers du Moyen-Euphrate, SMEA 30 (1992), 195–248; ZA 90 = M. P. Streck, Keilschrifttexte aus Münchener Sammlungen, ZA 90 (2000), 263–280 (Texts 6–7); TBR = D. Arnaud (1991).

² First C. Zaccagnini (1992), 36; on the others N. Bellotto (2000), 187.

³ On the transliteration s. N. Bellotto (1995).

⁴ D. Arnaud (1980); Id. (1981), 14.

⁵ D. Arnaud (1981), 7; Id. (1987), 10; Id. (1991), 16; W. F. Leemans (1992), 19–20.

⁶ ASJ10 D, AuOr5 2, E 2, E 3, E 12, E 138, E 142, Hirayama 7, Hirayama 14/AuOr5 6, IRAQ54 4, RE 52, RE 77 b, SMEA 3, TBR 7, TBR 16, TBR 18, TBR 38, TBR 55, TBR 62, RE 86.

⁷ BLMJ 7, E 125, E 126, E 139, E 157, E 161, Hirayama 11, RE 59, TBR 4, TBR 61.

⁸ L. Mori (2003), 41, regards the "Sons of PN" formula as the custom of preservation of the name of an early owner – the PN – on whom property his sons – the Sons – had control. Conversely, D. Arnaud (1980), 255, Id. (1991), 16, thinks that this formula did not reflect the contemporaneous situation, but that it was an oversight of the scribe who was not interested in noting the exact adjoining properties.

specified in the will the parts of the inheritance as the terms *É-tu GAL* and *É-tu TUR*⁹ seem to reveal. The exigency of sharing out exactly the parts of inheritance counters the alleged use of preserving undivided the family ownership, but it was a sign of a distribution of family goods for individual needs.

2.2 Another feature linked to the common ownership, ascribed to the Emar's society by the scholars, is a limited right of alienability which excluded the possibility to sell properties outside the own family¹⁰. This trait has been recognized in the role of the so-called *LÚ.MEŠ ah-ḫi-a* in the sale contracts because it seems that the sales were only allowed with their permission. With the writing *LÚ.MEŠ ah-ḫi-a*¹¹, 'Brothers', the scribes meant the members of the same extended household, while they employed the Sumerogram *ŠEŠ.MEŠ* for the real brothers¹². The *LÚ.MEŠ ah-ḫi-a*, who, concerning sale contracts, only appear in the Sirian school tablets¹³, were involved in a ceremony¹⁴, performed at the end of the trade, in which they received a shekel of silver in order to waive their claim to the property. This was a method to elude the inalienability and to enable the sale such as the fictitious adoption found in the deeds from Nuzi. The *LÚ.MEŠ ah-ḫi-a* are also attested in certain real estate contracts in the penalty clause, where they received the penalty together with institutions like Ninurta, the City, and the Palace.

Table 1. The *LÚ.MEŠ ah-ḫi-a* in the sale contracts

Text ¹⁵	Date	Prosopographic link	Sale object	Role
Hirayama 12/AuOr5 4	Igmil-Dagan	Igmil-Dagan	House	Ceremony/Penalty
Hirayama 14/AuOr5 5	Igmil-Dagan	Abī-li'mu son of Abī-Baḫlu	Field	Penalty
E 156	Ba'al-kabar I	Ba'al-kabar I	House	Short ceremony's formula

⁹ S. e.g. E 181, RE 56, and RE 69.

¹⁰ D. Arnaud (1981), 7 n. 4.

¹¹ J. M. Durand (1989a), 170 n. 23; W. F. Leemans (1992), 19–20; C. Zaccagnini (1992), 37. Conversely s. N. Bellotto (1995), who regards the *LÚ.MEŠ ah-ḫi-a* as an extra-familiar institution, typical of Emar and its neighbors (the *LÚ.MEŠ ah-ḫi-a* are also found both in Tell-Munbaqa and in Tell-Ḥadidi, s. W. Mayer (2001) and R. H. Dornerman (1980)); this view is based on their role in the testaments as witnesses, their receiving penalty together with the City and the Palace, and a seal-imprint possibly found in a text (Hirayama 22: 42).

¹² N. Bellotto (1995), 214.

¹³ On the difference between the scribal school and on their chronologic gap, s. A. Skaist (1998); M. Viano (2007); Y. Cohen – L. D'Alfonso (2008).

¹⁴ C. Zaccagnini (1992), 36–41.

¹⁵ The 'Brothers' are also found in RE 86, a text recording two transactions, a sale of a *kiršitu* and a gift of field, but they seem to be unrelated to each other; the *LÚ.MEŠ ah-ḫi-a*, who appears only in the second part of the text, shall not make a claim concerning the field. In another text, RE 77, the *LÚ.MEŠ ah-ḫi-a* are possibly involved but the signs are not entirely preserved: *ḪA.LA ḪI.A.ša LÚ.MEŠ[ah]¹⁷-[ḫi]* (l. 27); furthermore the 'Brothers' are found here in a unexpected context concerning their inheritance but not in the penalty.

Continue Table 1

Text	Date	Prosopographic link	Sale object	Role
E 109	II Generation (II dynasty)	Nunia's archive	<i>kiršitu</i>	Ceremony/Penalty
E 110	II Generation (II dynasty)	Nunia's archive	<i>kiršitu</i>	Ceremony/Penalty
E 111	II Generation (II dynasty)	Nunia's archive	House	Ceremony/Penalty
E 20	Pilsu-Dagan	Pilsu-Dagan	House	Ceremony/Penalty
E 171	Pilsu-Dagan	Abda son of Ħima (Hirayama 7)	<i>kiršitu</i>	Ceremony
TBR 67	Pilsu-Dagan	Baba son of Addia (Hirayama 7)	<i>tugguru</i>	Ceremony
RE 33	Pilsu-Dagan	Ilī-abī son of Iari-[...] (E 20) ¹⁶	<i>kiršitu</i>	Ceremony/Penalty
TBR 51	III Generation (II dynasty)	Archive of Ibni-Dagan son of Abī-ḥa[miš] ¹⁷	Vineyard	Penalty
RE 70	III Generation (II dynasty)	Abī-ḥamiš (scribe)	House	Ceremony
RE 20	III/IV Generation (II dynasty)	Dagalli (scribe)	House	Ceremony/Penalty
TBR 57	III/IV Generation (II dynasty)	Dagalli (scribe)	House	Penalty
TBR 58	III/IV Generation (II dynasty)	Dagalli (scribe)	Field	Penalty
Hirayama 1	Elli	Elli	<i>kiršitu</i>	Penalty
E 172	Elli?	Elli?	?	Penalty
BLMJ 4	No Date		House	Ceremony
E 130	No Date		<i>kiršitu</i>	Ceremony/Penalty
RE 31	No Date		<i>kiršitu</i>	Penalty
RE 35	No Date		Field	Penalty
RE 64	No Date		Field	Penalty

¹⁶ It is only a hypothesis that Ilī-abī son of Iari-[...] in RE 33 is the same person of E 20.

¹⁷ This group of texts has two documents TBR 50 and TBR 51; Mašru-ḥamiš, the scribe of TBR 50, had written TBR 47 drawn up under Pilsu-Dagan.

Notwithstanding the presence of the ^{LÚ.MEŠ}*aḥ-ḫi-a* is not a valid proof either of common ownership or limited alienability because they are normally attested in sales performed by relatives¹⁸, otherwise they should especially appear in those cases in which a person sold proprieties outside their own family.

Table 2. Sirian school's private sale contracts without ^{LÚ.MEŠ}*aḥ-ḫi-a*¹⁹

Text	First witness	Buyer	Seller	Property
ASJ10 D	Pilsu Dagan	Še?[...]	Sons of Dagan-[...]	Field
ASJ13 B	?	[...]-ia	Hunnanu son of Hi[...]	House
BLMJ 5 a	Pilsu Dagan	Puašata son of Šadī-Dagan	Pilsu-Dagan	House
BLMJ 5 b	Pilsu Dagan	Puašata son of Šadī-Dagan	Pilsu-Dagan	Vineyard
BLMJ 5 c	Pilsu Dagan	Puašata son of Šadī-Dagan (?)	Itūr-Dagan son of Aššilla (?)	tugguru
BLMJ 5 d	Pilsu Dagan	Puašata son of Šadī-Dagan (?)	Itūr-Dagan son of Aššilla (?)	Fields
BLMJ 7	Elli	Ba'al-malik son of Iššur-Dagan son of Ba'al-kabar	Kāpi son of Lieda	House
BLMJ 9	Aḫī-malik son of Naḫmi-šalāmu	Rašap-abu son of Abī-kāpī	Iphur-Dagan son of Ba'al-bēlu	Vineyard
E 94	Elli	Ḥumanu son of Lalū	Dagan-na'i son of Imlik-Dagan	kiršitu
E 95	Elli	?	Elli	kiršitu
E 96	?	?	?	kiršitu
E 97	Elli	PN	PN	House
E 125	Pilsu Dagan	Ilia son of Tūra-Dagan	Itti-Da[gan] son of Abī-kāpī	House
E 137 c	Pilsu Dagan	Iššur-Dagan	Rašeia son of Kidanu	Field
E 137 d	Pilsu Dagan	Iššur-Dagan	Abī-līmu son of Iš[...]	kiršitu
E 137 e	Pilsu Dagan	Iššur-Dagan	Makku son of Kitta	kiršitu
E 138 a	Pilsu Dagan	Iššur-Dagan	Tagia son of Amur-ša-Dagan	Field
E 138 b	Pilsu Dagan	Iššur-Dagan	Abda son of Šilla-Dagan	Vineyard

¹⁸ BLMJ 5 and E 137 seem to be exceptions: in BLMJ 5, Puašata is the nephew of Pilsu-Dagan, but the text records another transaction between the same Puašata and a certain Itūr-Dagan, and, as Westenholz pointed out (BLMJ, 17), is evident the inexperience of the scribe that makes the text hard to understand; E 137 records other two sales: in the former Iššur-Dagan bought an orchard from the brother Pilsu-Dagan but, like BLMJ 5, this contract registers a lot of transactions. It is also noteworthy that in both of these texts the Royal family is involved and the presence of the 'Brothers' shall probably not be expected, but s. E 17 where the ^{LÚ.MEŠ}*aḥ-ḫi-a* ša LUGAL-ri are quoted.

¹⁹ In Table 2 the Ninurta texts are obviously not listed. The texts in bold-type are those in which a member of the Royal family is involved as buyer or seller. Hirayama 15, a field sale, is not listed here although it does not quote the 'Borthers' because the tablet is broken coincidentally with the penalty formula and the restoration of the ^{LÚ.MEŠ}*aḥ-ḫi-a* is probable.

Continue Table 2

Text	First witness	Buyer	Seller	Property
E 138 c	Pilsu Dagan	Iššur-Dagan	Zū-Ba'la son of Ḫudadu	tugguru
E 140	Elli	Iššur-Dagan	Taḫḫu son of Ḫabru	Vineyard
E 141	Elli	Ba'al-malik son of Iššur-Dagan son of Ba'al-kabar	Aḫi-mi son of Huzamu	House
E 142	Elli	Itti-Šaggar	Elli	Field
E 157	Pilsu Dagan	?	?	House
E 158	Pilsu Dagan	Šurši son of Itti-Da[gan?]	Aḫi-raḫaq son of Aḫi-šarri	House
E 161	?	?	Rašap-abu	House
E 163 a	?	Iša-Daganson of Iaši-ilu	Ilī-Da[gan], Iaši-Dagan sons of Ba'al-malik	Field
Hirayama 8	Zū-Aštarti	Amzaḫḫi Abia sons of Ibrimusa	Tuqaku Būbu sons of Šaddia	House
Hirayama 10	Elli	Zū-Ba'la son of Pilsia	Nabū-damiq	House
Hirayama 16	Pilsu Dagan	Abī-Ra son of Birkali	Aḫiḫason of Benti	Vineyard
RE 3	Pilsu Dagan	Na'e-Dagan son of Pilsu-Dagan	Aḫu son of Kakkanu son of Meya	kiršitu
RE 9	Zū-Aštarti	Iaḫšiya son of Mattiya	Zū-Aštarti	House
RE 14	Ba'al-kabar	Iatūr-Dagan son of Rībi	Ba'al-kabar	kiršitu
RE 43	?	?	?	kiršitu
RE 59	Elli	Addu son of Adiru	Ba'al-bēlu son of Hudadu	House
RE 86 a	Elli	ZU-Ba,la son of Kuwazi	/	kiršitu
SMEA 2	Iaši-Dagan son of Pilsu-Dagan	Hulu son of Alal-abu	Sons of Šatī-Dagan	House
TBR 12	Elli	Karbu son of Zū-Eia	Elli	Field
TBR 54	Pilsu Dagan	PN	Ir,ib-Dagan son of Ba'al-kabar	House
TBR 55	Zū-Aštarti	Zu-Asdi son of Bēlu-malik	Aba son of Rašeia	Field
TBR 59	Elli	Hara son of Itūr-Dagan son of Dadi	Ibnia son of Pazu	House
TBR 60	Elli	[...]-Dagan son of Kunātu	Son of Šēia son of Ba'al-bēlu son of Aḫ-ummišu	House
TBR 61	[Pilsu]-Dagan	Pazūwu	Ilī-abu	House
TBR 62	Elli	Igmil-[ā]	Sons of Atūdu, sons of Mimi	Field

Indeed, kinship between sellers and buyers is found in some texts in Table 1: E 20, E 156, RE 20, RE 35, and TBR 51. In E 20, the buyer, Baba son of Rašap-Ilu seems to be a son of a former husband of the seller, Abini wife of Iddiḥ-Ra, because Baba is called brother of Abini's sons (l. 31). In E 156²⁰, the sons of Aḥī-malik, son of Abda, sell a house to their brother Dagan-bēlu. In RE 20, the seller and the buyer are cousins as pointed out by Beckman²¹. RE 35 shows a sale between brothers, Riši-Dagan and Ba'al-abu sons of Šadī-Dagan. In TBR 51, the seller Zū-Ba,la son of Abī-ḥa is the brother of one of the two buyers, Ibni-Da.

The LÚ.MEŠ *aḥ-ḥi-a* are also involved in the beginning formula of the Syrian school testaments as the witnesses called by testator in order to express his wills. Only two documents, E 185 and Semitica 46 2, do not have this formula. The former is a tablet broken at the top and it is possible that it had had the same formula, the latter, instead, shows LÚ.MEŠ *šibutū* in place of LÚ.MEŠ *aḥ-ḥi-a* and it could be assumed to be an error of the scribe since it would be the only occurrence of the Elders in such a context. Furthermore, the transliteration of Iraq 54, 6 quotes ʾIR.MEŠ GĒME.ḪI.A-šu ú-še-ši-ib-ma, but on the examination of the cuneiform copy, it is clear that also this text shows the standard formula LÚ.MEŠ *aḥ-ḥi-a-šu ú-še-ši-ib-ma*. E 181 is an exception because though a Syro-Hittite tablet, mentions both the Brothers, in the incipit, and the Elders as sealers.

Table 3. The LÚ.MEŠ *aḥ-ḥi-a* in the testaments

Text	Date	Prosopographic link
AuOr5 17/Hirayama 28	Igmil-Dagan	Igmil-Dagan
TBR 69	Išbi-Dagan	Year of Gadidu (E 148)
E 15	Ba'al-kabar I	Ba'al-kabar I
E 181	Puḥi-šenni UGULA.KALAMMA (II/III generation II dynasty)	Puḥi-šenni UGULA.KALAMMA
Hirayama 30	Puḥi-šenni UGULA.KALAMMA (II/III generation II dynasty)	Ipqi-Dagan (scribe, E 127) ²²
E 180	Pilsu-Dagan	Pilsu-Dagan
E 183	Pilsu-Dagan	Pilsu-Dagan
Iraq54 6	Pilsu-Dagan	Baba son of Rašap-ilī (E 20)
TBR 50	Pilsu-Dagan	Mašru-ḥamis (scribe, TBR 47)

²⁰ It is noteworthy that this text shows a short formula in which the ritual part is deleted, while it only reports the perception of the shekel by the LÚ.MEŠ *aḥ-ḥi-a* (l. 10–11).

²¹ RE, 35.

²² Ipqi-Dagan appears in E 127 a text possibly dated to the Puḥi-šenni's activity age; this date depends on identifying the Tuwata-ziti in the first line of E 127, who appears as the judge in the legal case, with the Tuwata-ziti who bears the DUMU.LUGAL title in E 181, a text in which Puḥi-šenni is second in the witness list; on Puḥi-šenni s. L. D'Alfonso (2000), 275.

Continue Table 3

Text	Date	Prosopographic link
TBR 35 ²³	Pilsu-Dagan	Pilsu-Dagan
RE 8	Zū-Aštarti	Zū-Aštarti
RE 28	III/IV generation (II dynasty)	Iaši-Dagan son of Pilsu-Dagan
RE 69	III/IV generation (II dynasty)	Šillu-Dagan son of Abdi-Išḫara (Hirayama 32) ²⁴
RE 57	III/IV generation (II dynasty)	Dagan-tariḫ (scribe) ²⁵
ASJ 16	III/IV generation (II dynasty)	Kāpī-Dagan, son of Zimri-Dagan (TBR 84) ²⁶
Hirayama 23	Elli	Aštar-abu son of Igmul-Dagan (Fs Kutscher 4)
RA77 1/Hirayama 25	Elli	Elli
RE 15	Elli	Elli
RE 23	Elli	Elli
AuOr5 15	Ba'al-kabar II	Ba'al-kabar II
E 34	No Date	
E 176	No Date	
E 188	No Date	
E 195	No Date	
E 197	No Date	
RE 37	No Date	

Furthermore, the ^{LÚ.MEŠ}*aḫ-ḫi-a* are found in other four texts which refer to family affairs: BLMJ 3, E 14, Hirayama 32 and RE 94. BLMJ 3 is a legal decision before the King of Emar in which the sons of a woman and her second husband are involved. E 14 is a lawsuit between brothers Rašap-ilu and Bēlu-taliḫ, sons of Iddiḫ-Ra, concerning a *kiršitu* and the 'Brothers' seem to be the judges²⁷. In Hirayama 32, the sons of Abdi-Išḫara reach an agreement about the bequest of the father, and the ^{LÚ.MEŠ}*aḫ-ḫi-a* appear in the penalty

²³ This text is not properly a testament but a gift.

²⁴ Hirayama 32 cites Itu-libbi, son of Mašḫata, who also appears in ASJ 16.

²⁵ The date of this text is doubtful but there are some links to other documents: the scribe Dagan-tariḫ also appears in RE 18, a text where the seal imprint of Baba, son of Iakun-Ra, who is possibly attested only in E 366 is found; E 366 lists Uri-Tešub who appears, with the title of EN E₂ *abussi* (master of treasure), in MFA 1977, a text dated, without doubt, at the beginning of the reign of Ini-Tešub at Karkemiš.

²⁶ TBR 84 cites Mutri-Tešub.

²⁷ Cfr. L. D'Alfonso (2005), 97–98.

clause²⁸. Finally RE 94 like the previous text is an agreement between brothers, Itūr-Da and Iphur-Dagan, on the inheritance of the father, Abī-ka, in which the LÚ.MEŠ *ah-hi-a* figure in the penalty clause.

It is remarkable that there are sale contracts, as Hirayama 38 and SMEA 229, in which relatives are involved in one of the two parts but these deeds do not cite the LÚ.MEŠ *ah-hi-a* because probably no kinship existed among sellers and buyers.

Thus, the presence of the LÚ.MEŠ *ah-hi-a* seems to be restricted to the documents concerning the family affairs, like sales among relatives, wills, and agreements about the bequests. Indeed, if they had no role in the sales performed outside the family circle, their occurrence cannot be assumed as evidence of common ownership. Therefore, considering the sale contracts as representative of the Emar's property right, the sales outside the own family were free and they did not need LÚ.MEŠ *ah-hi-a* authorization.

Who exactly were the LÚ.MEŠ *ah-hi-a* is difficult to know and I can only suppose that they were members of the family circle but not necessarily relatives, who were involved as witnesses in certain family affairs. In fact, it is worth of note that only five texts in Table 1 have the king as first witness (E 20, Pilsu-Dagan; E 156, Ba'al-kabar I; E 172 and Hirayama 1, Elli; Hirayama 12, Igmil-Dagan), while almost all other private sale contracts of the Sirian scribal school³⁰ (Table 2) have a member of the royal family as first witness. This could be due to the fact that the presence of a high-level witness was not necessary in a transaction performed within the same family. Anyway, although the 'Brothers' were probably not an institution like the Elders, and were not a council or a group, they seem to have had a certain institutional role at least as witnesses. It is reasonable to assume that the term LÚ.MEŠ *ah-hi-a* was employed for unfixed groups of people, linked to the families circle, who were called as witnesses of sales or wills. As Table 1 shows most of sale contracts date to the first part of Late Bronze age Emar's history, probably because the LÚ.MEŠ *ah-hi-a* began to lose their role also in connection with the decline of the Sirian scribal school as Seminara pointed out³¹. The dating of E 14, the sole text where the Brothers seem to act as judges, to the reign of Ba'al-kabar I, namely the first generation of the second dynasty, probably indicates a loosing of weight by the Brothers in later time since no such a text dating to the last dynasties was found. Indeed in the texts of Tell-Hadidi, dating to an earlier phase than those of Emar³², the Brothers have possibly a more institutional role as compared to Emar's because they appear as sellers of one House together with the city's god Dagan³³, showing a function similar to the Elders of Emar.

In any case, the presence of the LÚ.MEŠ *ah-hi-a*, cannot be assumed as a proof of a general custom of selling properties within the own family. As the Table 1 shows, the 'Brothers' are

²⁸ It is also noteworthy that this text quotes the "God of Brothers", DINGIR-*li ša* LÚ.MEŠ *ah-hi* (l. 31).

²⁹ S. Table 2. Other texts (ASJ 10 D; E 163; Hirayama 15; TBR 62) exist in which relatives are involved, but they concern fields in whose sales, the 'Brothers' are poorly involved; anyway in these texts no evidence exist for a kinship among sellers and buyers.

³⁰ BLMJ 9 seems to be an exception but it quotes ŠEŠ.HI.A.

³¹ S. Seminara (1996), 20. Y. Cohen – L. D'Alfonso (2008) assumed that the Syro-hittite school replaced the Syrian school which disappeared.

³² G. Beckman (2008), 214.

³³ Hadidi 4=H76-T08, s. Internet Catalog.

mostly involved in the immovable properties sale contracts (houses, *kiršitu* and *tugguru*) and in addition, the ceremony in which they are mentioned, was exclusively mentioned in this type of documents. Instead, the texts concerning arable land like fields or vineyards cite the ^{LÚ.MEŠ}*aḥ-ḥi-a* only in the penalty clause. This could arise from a stronger connection of the household with the buildings compared to the fields. Taking into account the whole houses and *kiršitu* sale contracts of the Sirian scribal school³⁴, excluding the Ninurta texts, the ^{LÚ.MEŠ}*aḥ-ḥi-a* are found in about the 36,58³⁵ per cent of the documents. On the basis of both this percentage and the existence of sale contracts drafted by Siro-Hittite scribes³⁶, among which only three texts display an ascertained kinship between sellers and buyers³⁷, it could not be assumed that the Emar people had the penchant for maintaining their properties within their own family. It is also noteworthy that the ‘Brothers’ had no influence on the sale prices, existing no evidence for remarkable differences when the ^{LÚ.MEŠ}*aḥ-ḥi-a* are involved or not. For example, RE 70 records the highest price for square cubit among the houses, 2,08 shekels, as well as E 111, that registers a high price, 0,75 shekels for square cubit, compared to an average of 0,38; in RE 33 is also found one of the highest prices among the *kiršitu* in comparison to an average of 0,23. Conversely low prices are recorded in RE 20, where a house is sold, for 0,17 shekels for square cubit and in Hirayama 1, where a *kiršitu* is sold, for 0,11 shekels for square cubit³⁸. Thus, the contracts in which the ^{LÚ.MEŠ}*aḥ-ḥi-a* were involved recorded normal sales although they were performed among relatives.

Therefore, the ^{LÚ.MEŠ}*aḥ-ḥi-a* should not be considered as the evidence of a common ownership. Certainly the existence of groups called “Brothers” is one of the most distinctive trait of the Middle Euphrates region and denotes a society with strong kinship binding but it does not mean that clans or tribes such as we know them from the Mari documentation existed at Emar. Indeed as Beckman³⁹ pointed out, no reference to clans is found in the Emar texts. Moreover nomadic tribes⁴⁰ are seldom mentioned in the Middle Euphrates archives⁴¹: one deed from Tell-Munbaqa (Ekalte 34) quotes the “Great of Sutean” and BLMJ 20 cites “People of tents”. The Emar family as the texts display, was nuclear type⁴²

³⁴ The contracts concerning *tugguru* are too few in order to obtain appreciable results.

³⁵ This percentage takes also into account the sale contracts in which a member of the royal family figures as buyer or seller like a private citizen: BLMJ 5, BLMJ 7, E 141, RE 9 (houses); E 95, E 137, RE 14 (*kiršitu*).

³⁶ 18 Siro Hittite texts concerning houses are preserved (AuOr 5 9; E 80 a + b; E 81; E 85 a + b; E 113; E 122; E 225 a + b; Hirayama 11; Hirayama 9; RE 12; RE 39; RE 80; TBR 33; TBR 37; TBR 53; TBR 56; TBR 65; TBR 66 and 11 concernig *kiršitu* (E 76; E 114; E 207 a + b; Fs Kutscher 3; Hirayama 3; RE 11; RE 68; SMEA 5; TBR 24; TBR 64; TBR 81)

³⁷ E 225 is a sale/exchange of a house and other goods between the sons of the diviner Ba‘al-malik; TBR 56 is a house sale between brothers; TBR 81 is a *kiršitu* sale between brothers.

³⁸ On the prices s. M. Viano forthcoming.

³⁹ G. Beckman (1996), 59.

⁴⁰ Whereas the nomadic population are almost in tribes arranged, tribal structures are not only to nomads linked and they can exist among sedentary people; s. M. P. Streck (2001), 593.

⁴¹ A. Otto (2006), 54.

⁴² G. Beckman (1996), 58.

with mostly, on the basis of researches⁴³, an average of five people. One may assume that the Emar society was composed by nuclear families probably related to each other by strong kinship ties.

2.3 No clear evidence of a common ownership in the Late Bronze Age Emar ensues from what has hitherto been said. The ownership seems instead to be individual⁴⁴ and the sales were free. Indeed, the real estate sale contracts⁴⁵ display so many sellers and buyers that they evidence not a clan based ownership but both an individual property ownership and unrestricted trades.

The Emar system of ownership, as noted by Beckman⁴⁶, was distinguished by the lack of large landed estates. In fact, only a few people appear in the texts more than once as buyers, sellers, or as owners of properties adjoining the for sale field. The prince Iššur-Dagan⁴⁷, Ir'am-Dagan⁴⁸ and Marianni⁴⁹ were among those people, but it is noteworthy that their properties recorded by the deeds were not big enough to be regarded as large landed estates⁵⁰.

Additionally the absence of large properties seems clear from testaments⁵¹, which mainly list movable goods such as household objects, slaves or livestock. When, the testaments refer to real estate, almost all are single small properties and only in very few cases (BLMJ 15, E 23, E 180, Hirayama 23, RE 15, RE 30, RE 69, TBR 50) there are numerous properties. Further, among these given texts, only BLMJ 15, Hirayama 23 and RE 69 list the properties specifically, while the others texts quote uncounted houses and fields. Ac-

⁴³ Hohman (2002, unpublished diss.) cited in A. Otto (2006), 52.

⁴⁴ Cfr. R. Westbrook (2003), 675.

⁴⁵ Fields: ASJ10 D; ASJ10 G; ASJ14; AuOr5 1; AuOr5 2; E 2 a, b; E 3; E 4; E 12; E 82; E 137 c; E 138 a; E 142; E 146; E 147 a, b, c; E 149 a, b; E 163 a, b; E 168 g; Fs Kutscher 4; Hirayama 7; Hirayama 13; Hirayama 14/AuOr5 5; Hirayama 15/AuOr5 6; Iraq54 4; MFA 1977; RE 2; RE 5; RE 24; RE 35; RE 49; RE 52; RE 64; RE 77 a, b; RE 86; SMEA 3; TBR 2; TBR 3; TBR 6; TBR 7; TBR 11 a, b; TBR 9 a, b; TBR 12; TBR 16 a, b, c; TBR 17 a, b; TBR 18; TBR 19; TBR 38; TBR 55; TBR 58; TBR 62; TBR 68; ZA90 6 a, b.

Houses: ASJ13 B; AuOr5 7; AuOr5 9; BLMJ 4; BLMJ 5; BLMJ 6; BLMJ 7; E 9 a, b, c; E 10; E 20; E 80 a, b; E 81; E 85 a, b; E 97; E 111; E 113; E 122; E 125; E 126; E 139 a, b, c, d; E 141; E 156; E 157; E 158; E 161; E 225 a, b; Hirayama 7 a, b; Hirayama 8; Hirayama 9; Hirayama 10; Hirayama 11; Hirayama 12/AuOr5 4; RE 9; RE 12; RE 20; RE 29; RE 34; RE 39; RE 4 a, b; RE 59; RE 70; RE 79; RE 80; SMEA 2; SMEA 4; TBR 4; TBR 8; TBR 10; TBR 33; TBR 37; TBR 53; TBR 54; TBR 56; TBR 57; TBR 59; TBR 60; TBR 61; TBR 65; TBR 66; TBR 82.

⁴⁶ G. Beckman (1997), 103–104.

⁴⁷ E 137–140; cf. L. Mori (2003), 141–142, 157–158, 160–161.

⁴⁸ E 2, 3, 4; cf. L. Mori (2003), 148.

⁴⁹ Hirayama 13, TBR 38; cf. L. Mori (2003), 155, 158.

⁵⁰ On the fields dimensions, s. L. Mori (2003), 98–109.

⁵¹ ASJ 16; AuOr5 13; AuOr5 15; AuOr5 17/Hirayama 28; BLMJ 14; BLMJ 15; E 5; E 15; E 30; E 31; E 32; E 69; E 70; E 91; E 93; E 112; E 128; E 176; E 177; E 180; E 181; E 182; E 183; E 185; E 197; E 213; E 213; Hallo 1; Hirayama 21; Hirayama 22; Hirayama 23; Hirayama 29; Hirayama 30; Hirayama 31; Iraq54 6; PdA 66; RA77 1/Hirayama 25; RA77 2/Hirayama 26; RA77 3/Hirayama 24; RA77 4/Hirayama 27; RE 1; RE 8; RE 15; RE 18; RE 23; RE 30; RE 37; RE 39; RE 56; RE 57; RE 69; RE 85; Semitica46 2; SMEA 7; SMEA 8; SMEA 9; SMEA 10; TBR 28; TBR 41; TBR 42; TBR 45; TBR 50; TBR 69; TBR 70; TBR 71; TBR 73; TBR 74; TBR 75.

cording to Beckman⁵², the testaments were produced only in problematic or not habitual cases, such as when a woman was the heir. In fact, women were very often involved in testaments, and movable goods, as inheritances, can be connected to the presence of the women themselves, to whom such objects were more related. Indeed the *kubuddâ³u*⁵³, which is often quoted in testaments, was a gift performed by the husband to his wife for her subsistence, mainly set up of movable goods. It should not be surprising that testaments were not produced for most of the real estates, it is therefore difficult to know their extent and number. However, the testaments and the sale contracts, so far uncovered, have given no evidence for large landed estates⁵⁴. Out of the 35 field sale contracts which give the surface area⁵⁵, 24 texts⁵⁶ record fields under 4 square *ikû* and the bigger fields attested in the deeds had 30 square *ikû*⁵⁷. The few multi-field properties were concentrated in the same area⁵⁸ since the owners of many plots of land are found in the same text or texts referring to neighbouring fields⁵⁹. Moreover no transaction of villages as one may find in the Alalahk and Ugarit documentation⁶⁰ is attested at Emar.

2.4 The traditional institutions ruling the state in association with the monarchy possessed properties similar to the ordinary citizens. The City (URU^{KI})⁶¹ is listed 45 times⁶² in the adjoining properties section of 24 texts⁶³. Only one document (AuOr 5, 3) quotes the City as seller together with the Elders where Ninurta would normally be found. Also due to the lack of the cuneiform copy, we cannot assume whether it was a scribe's error or the City had an active role in the sale trades. In any case, the term URU^{KI} must be regarded as City's properties⁶⁴. The City's features and its role in the Emar's administration is still unknown

⁵² G. Beckman (1996), 58.

⁵³ J. M. Durand – F. Joannes (1990); G. Beckman (1996), 72.

⁵⁴ S. Conclusion for the acquires by the Prince Işşur-Dagan.

⁵⁵ ASJ10 D a; ASJ14; AuOr5 1; E 2 a + b; E 3 a; E 137 c; E 138 a; E 142; E 146; E 147 a(?) + b(?) + c; E 149 a + b; E 163 a + b; Fs Kutscher 4; Hirayama 13; Hirayama 14/AuOr5 5; RE 2; RE 24; RE 49; RE 64; RE 77 a; SMEA 3; TBR 11 a + b; TBR 12; TBR 18; TBR 19; TBR 2; TBR 3; TBR 38; TBR 55; TBR 58; TBR 6; TBR 62; TBR 68; TBR 7; ZA90 6 a + b.

⁵⁶ ASJ14; E 2 a + b; E 3 a; E 142; E 146; E 149 a + b; E 163 a + b; Fs Kutscher 4; Hirayama 13; Hirayama 14/AuOr5 5; RE 2; RE 49; RE 64; RE 77 a; SMEA 3; TBR 11 a + b; TBR 12; TBR 18; TBR 2; TBR 58; TBR 6; TBR 68; TBR 7; ZA90 6 a + b.

⁵⁷ ASJ10 D a; RE 24. E 137 c records 3 field of 10 square *ikû* each one. C. Zaccagnini (1999), 338, evaluated in 6 square *ikû* the minimal subsistence requirement for an Emar family.

⁵⁸ L. Mori (2003), 124.

⁵⁹ These are the cases of both Zadamma son of Kukku (E147 a) and Karbu son of Zū-Eia (TBR 11, 12).

⁶⁰ M. Liverani (1975), 160; Id. (1983), 153–154.

⁶¹ W. F. Leemans (1988), 215–216.

⁶² In E 11 is found the City of Rabi.

⁶³ AuOr5 1; E 2 b; E 11 (City of Rabi); E 111; E 137 c; E 138 a; E 142; E 146; E 147 a, b, c; Hirayama 7; Hirayama 14/AuOr5 5; Hirayama 15/AuOr5 6; Hirayama 16; RE 24; RE 49; RE 52; SMEA 3; TBR 3; TBR 6; TBR 7; TBR 11 a, b; TBR 12; TBR 18; TBR 2; TBR 62; ZA90 6 a, b.

⁶⁴ W. F. Leemans' view (1988), 217, (cfr. L. Mori (2003), 124–126) that URU^{KI} pointed out the city wall adjoining the for-sale field, must be rejected because some fields would have adjoined the City on all four sides (TBR 11 a, TBR 12).

but the URU^{KI} properties must likely be regarded as state-owned land that was possibly managed by the Elders⁶⁵.

The most important land owners were Ninurta and the Elders that, are found, only as sellers, in Syrian school documents⁶⁶. Ninurta was likely a templar institution, though we know neither the location of its temple nor its real name under the ideogram ^dNIN.URTA⁶⁷. The Elders were the representatives of the community⁶⁸ and the managers of the temple properties. One of the ways in which the Elders and Ninurta took possession of real estates which were later resold was by expropriating them from those who committed a *ḥiṭu* (offence). Since in the list of adjoining properties of E 126, Ninurta is attested as the owner of one field, its role was possibly not only limited to confiscation and redistribution of properties, but it, as temple authority, owned real estate which maybe it exploited directly.

3. The Society and the Institutional framework

In Arnaud's view⁶⁹ the Emar population in early times had lived in a semi-nomadic state, of which Ninurta, the Elders⁷⁰, the City, the common ownership, the Brothers, the limited role of the king and the clan solidarity were the vestiges. The present paper has hitherto attempted to establish on the one hand the absence of a common ownership, and on the other hand that Ninurta, the Elders and the City had preserved their function in the Late Bronze Age. The point of view of Arnaud is based primarily on the ritual texts that represent an archaic society, which avoided the urban culture. This opinion further grounds on Klengel's study⁷¹ that pointed out the Elders, who were spread out in the whole Near East, as a typical trait of a society with a nomadic past. Additionally, Liverani⁷² regarded the second millennium B. C. Syrian Elders only as an institution belonging to small villages featured by collective responsibility.

Recently, Durand and Fleming challenged this view pointing out that the Emar's institutions⁷³ and in general, the collective leaderships⁷⁴ represented not a manifestation of a nomadic tradition, likely evolved from the Amorites, but a product of the third millennium urban culture.

⁶⁵ The term common property is here avoid for two reasons: on the one hand, in order to not make confusion with the alleged common property of family, on the other hand, because even though one might assume an exploitation of those properties, maybe for pasture, by the community (considered as the citizens of Emar), their administration was taken by some authorities like the Elders.

⁶⁶ In J. M. Durand's view (1989a), 170 n. 23, the plots of land sold by Ninurta and the Elders represented not state properties but a not well-defined common properties likely used for pasture.

⁶⁷ S. e.g. D. Arnaud (1991), 15.

⁶⁸ D. Arnaud (1991), 15.

⁶⁹ D. Arnaud (1980); Id. (1991), 15–17; s. as well J. Sapin (1983), 189.

⁷⁰ On the Elders s. H. Klengel (1960).

⁷¹ H. Klengel (1960), 359.

⁷² M. Liverani (1975); Id. (1983).

⁷³ J. M. Durand (1990), 85; D. E. Fleming (1992); Id. (1996), 106.

⁷⁴ D. E. Fleming (2004), 170 ff.

The Elders and the City are forms of urban collective power – the name itself ^{LÚ.MEŠ}*šībūt* URU(*Emar*)^{KI}, “Elders of Town”⁷⁵ proves it – originated in north Syria in the middle of third millennium B. C. Indeed Emar shows a long tradition of this kind of leadership arising in the middle of third millennium. In the archives of Ebla, Imar (the ancient name of Emar) was regarded as a commercial town ruled by a sovereign who, like in Ebla, bore the title of EN⁷⁶ and whose power was limited by the Elders. In both cities, the Elders did not compete with the sovereign, but seemed to cooperate with him in the Palace administration⁷⁷, thus the Imar’s Elders⁷⁸ received the same gifts as the EN and worked as representatives of the ruler. Collective structures of power are found in Emar also in the Mari age, when the Elders and the Assembly (*tahtamu*)⁷⁹ are attested. Owing to the antiquity of these institutions, they do not reveal a manifestation of the Amorite nomadic tradition⁸⁰. Also the *tahtamu*, for which there is no documentary evidence before the Mari age, has been proved by Durand⁸¹ to have arisen in the pre-Amorite age.

Thus, the Amorite did not establish the collective powers⁸², but they overlapped the early urban structures characterized by this type of leadership, without removing them⁸³. In fact, although the Mari’s kings Yahdum-Lim and Zimri-Lim claimed to belong to the tribal confederation of the Sim’alite, neither Elders nor Assembly⁸⁴ are found in the city of Mari. They instead appear in the marginal towns where they had been preserved more easily since III millennium. Even if semi-nomadism existed before the urbanization, the social and institutional structures of the city of Emar, as we know from the Late Bronze Age documentation, had a long urban tradition. This society from its dawn, have had a strong connection, both social and economic, between semi-nomadic people and sedentary world⁸⁵.

The Mari documentation, in spite of the Ebla’s archives, offers no reference on any kind of individual power concerning Emar, so that some scholars regarded the monarchy of Late Bronze Age as a new feature imposed by the Hittites⁸⁶ who could rule the town better in cooperation with an individual power. The chronological dating proposed for the first Emar dynasty as subjected to the Mitanni’s rule⁸⁷, established that the monarchy⁸⁸ is much

⁷⁵ The use of seal is attested for Ninurta as well; this could prove an urban trait for Ninurta (M. Yamada, (1994)).

⁷⁶ M. R. Adamthwaite (2001), 180–185, regards the EN not as a sovereign but as a president of a council; this view does not exclude the EN as form of individual power.

⁷⁷ A. Archi (1982), 207.

⁷⁸ A. Archi (1990), 29.

⁷⁹ J. M. Durand (1990), 55–57.

⁸⁰ D. E. Fleming (2004), 212–213. It is remarkable the difference between the Elders of the town and the Elders of the tribe who despite of the identical name were different, s. D. E. Fleming (2004), 199–200.

⁸¹ J. M. Durand (1989b).

⁸² D. E. Fleming (2004), 218, 234.

⁸³ D. E. Fleming (2004), 218, 234.

⁸⁴ J. R. Kupper (1985), 463–464.

⁸⁵ M. B. Rowton (1974). For a similar situation from Tell-Bazi s. A. Otto (2006), 290–291.

⁸⁶ J. M. Durand (1989a), 170 n. 23; D. E. Fleming (1992), 70–71; Id. (1996), 111.; M. R. Adamthwaite (2001), 195.

⁸⁷ A. Skaist (1998), 62–67; Y. Cohen – L. D’Alfonso (2008), 19.

⁸⁸ R. Pruzsinszky (2008), 75–77 thinks that the members of the so-called first dynasty were not kings

older than the conquest of the city by the Hittites. Notwithstanding it is hard to say when the kingship took place in the Emar history but the Mari's documentation cannot be assumed as certain prove of the absence of monarchy at Emar during the Middle Bronze age. Since the documents mentioning Emar refer to the relations between Mari and Emar, the absence of Emar Kings could reflect the prominence of the Elders in foreign relations⁸⁹, especially in a state with a strong tradition of collective powers. Indeed also in the Late Bronze age Emar the kings seem to have no relations with the Hittite authorities unlike the Elders who appear in some texts as witnesses of lawsuits brought before an Hittite official⁹⁰. Since the Mitanni's King in the Tell Bazi documents addresses directly the Baširu citizen (called "Son of Baširu")⁹¹, it is also improbable that Hurrians, imposed a kingship over Emar. Moreover we must take into account that the King, although with a limited role which has been assumed as evidence for a recent establishment of the monarchy, is attested in the ritual texts which surely go back to a very early age⁹², so the scribes would have hardly mentioned the king if no sovereign had really existed. In the writer's opinion some sort of individual power (even if not a kingship such as under the Hittites rule) already existed before the Late Bronze Age documentation, ruling the town of Emar cooperating with the Elders⁹³ and the other collective powers. The Emar Kings, indeed, appear together with the traditional institutions in several texts: in Fs Kutscher 6, Limi-šarra, King of the first dynasty and the City gave the *sanga* title and some real estates to a certain Irib-Ba'al; in Hirayama 7 a "diviner of king and town" is mentioned (31–32: *ù mmaš-ru-ḥé* ^{lu}MÁŠ.ŠU.GÍD.GÍD / *ša LUGAL-ri ù URU^{ki}*). In addition, the documents concerning the sales by Ninurta and the Elders always list the king or a member of the royal family as the first witness.

The city of Emar should be recognized as a town with a long urban tradition where both an individual power – the *en* in III millennium and the *lugal* in Late Bronze Age – and the community represented by collective powers⁹⁴ were active. Such an institutional framework originated in the third millennium urban culture⁹⁵ lasted up to the second millennium⁹⁶. This social organization was typical of the Syrian world and mainly of the Middle

and the names of the kings of Emar under the Mitanni's rule are not preserved in texts hitherto uncovered.

⁸⁹ A. Finet (1982), 13.

⁹⁰ L. D'Alfonso (2005), 73, 84; in addition some Syro-hittite legal deeds were sealed by Ninurta, s. M. Yamada (1994).

⁹¹ W. Sallaberger et al. (2006), 90–94.

⁹² D. E. Fleming (1996), 117.

⁹³ On the cooperation between Elders and King, especially during the first dynasty, s. M. E. Balza (2008), 160–161.

⁹⁴ An evolutionary view that the Late Bronze Age town was the result of the shift from an archaic to a more complex society as regarded by W. F. Leemans (1992), 20, should be rejected.

⁹⁵ Tutul and Ugiš had collective powers as well, s. D. E. Fleming (2004), 214–218.

⁹⁶ S. Seminara (1996), pointed out that some archaic praxis have been preserved through the third and the second millennium. Other indications of continuity could be the role of women who both in the III millennium and in the Late Bronze age seem to have a certain prestige, e. g. the queen Tiša-Lim and Tatašše/Raindu (E 23–25), s. G. Pettinato (1994), 142–143; N. Bellotto (2000), 188–189.

Euphrates region where several towns (Tuttul⁹⁷, Ekalte⁹⁸, Azu⁹⁹, Baš-ru¹⁰⁰) show collective powers displaying a governance model alternative to only-kingship based states.¹⁰¹

Nevertheless, the present paper does not want to assert that the city of Emar had remained unchanged for over one thousand years but that the origin of the institutional framework and the social organization goes back earlier than either the Hittite¹⁰² rule or the Amorite presence.

Conclusions

We have hitherto seen that on the one hand, Emar had developed an individual ownership not tied up to the family clans; on the other hand, the status of the community was preserved through the collective powers like Elders and the City. So how could two very different developments coexist?

In my opinion, the answer lies in the role of the community and the collective powers themselves¹⁰³. Liverani's view¹⁰⁴ which shows that, in the Late Bronze Age, a large landed estate-based ownership had developed through the royal granting of lands to people within the Palace administration, on whom the King based his power¹⁰⁵, do not fit the City of Emar. At Emar, although the ownership was individual, no large landed estates seem to take place as in other cities of Syria at the same time¹⁰⁶. Indeed, other than scribes the only evidence for royal officials refers to soldiers¹⁰⁷, but both groups do not seem to represent an elite class like *maryannu* and *mūdū* at Ugarit¹⁰⁸. At Emar a group of people who were granted with land property in return of duty performed for the local king did not exist; in fact Adamthwaite¹⁰⁹ pointed out that no *ilku*-obligation was carried out for the local administration. The only attestation for a duty performed for the king is found in E 17 where is mentioned the ZAG ZABAR-duty – a military obligation¹¹⁰ – but there is no

⁹⁷ M. Krebernik (2001), 10.

⁹⁸ W. Mayer (2001), 23f.

⁹⁹ R. H. Dornierman (1980), 218–220. S. the catalog of texts on internet.

¹⁰⁰ A. Otto (2006), 291–293; W. Sallaberger et al. (2006), 92–94.

¹⁰¹ It is noteworthy that only at Emar and Ekalte kings are mentioned but considering the few texts found at Tell-Hadidi (15) and Tell-Bazi (2) some individual powers must not be excluded, s. A. Otto (2006), 291–293.

¹⁰² The Hittites arrival and their infiltration produced some changings as the sealing practices seem to evidence, s. M. E. Balza (2008), 161 n. 23. Also the dynastic change probably happened under the Hittites influence, s. A. Skaist (1998), 64; Y. Cohen – L. D'Alfonso (2008), 21. For some evolution in the Emar's monarchy in XIII sec. b.C., s. S. Démare-Lafont (2008).

¹⁰³ The community has to be regarded as the ensemble of all citizens, while the clan is a group linked by family bindings as part of the community; therefore, a strong community could being without clans.

¹⁰⁴ M. Liverani (1975), 159–160; Id. (1983), 150–160.

¹⁰⁵ M. Liverani (1974), 350–352.

¹⁰⁶ M. Liverani (1979), 1344–1345; Id. (1983), 164.

¹⁰⁷ J. P. Vita (2002), 123–127.

¹⁰⁸ M. Liverani (1974), 344.

¹⁰⁹ M. R. Adamthwaite (2001), 87–98; s. also A. Otto (2006), 49.

¹¹⁰ J. M. Durand (1989a), 175, n. 43.

reference to royal grants, and in addition according to Adamthwaite's suggestion¹¹¹, such a duty was possibly carried out for the Hittite overlord. Another possible evidence for the existence of a military class at Emar is given in RE 66¹¹² where a certain Abda-malik is freed from slavery and received the status of *maryannu*, but this text is a Syro-Hittite tablet and does not deal with the Emar king or local authorities. The only royal grant attested at Emar is the aforementioned Hirayama 7 performed together with the Elders for a exact prediction, not in return of duty or for political or economic reasons¹¹³. It would be fair to say that the power of the community, expressed through collective institutions, had limited the royal authority, thereby preventing the development of a group of powerful and wealthy palace officials (as *bnš mlk* at Ugarit). The limitation of the Emar king's power is easily ascertainable in the aforementioned *hiṭu*-clause¹¹⁴ in which are Ninurta and the Elders to deprive citizens of their properties and not the king as at Ugarit, who, conversely, expropriated men who did not performed their obligations¹¹⁵ in order to grant officials whereas at Emar the confiscated properties were not given to city employees but resold. Indeed only a few texts record the Palace taking real estates from citizens, (E 8, E 10) and both cases are not confiscations but simply exchanges of goods because Agalli (E 8) and Aḫī-Dagan (E 10) received some properties as reward for those lost. It is important that the duties charged onto the Emar citizens, *šaḫḫan*, *luzzi*, *ilku* and GIŠ.TUKUL, were performed for the Hittite authority in exchange of land granting¹¹⁶, but the Hittite, taking into consideration the customary law of Emar – they act *kīma āli* according to the custom of the city – as shown by the occurrence of Ini-Tešup, king of Karkemiš, as normal seller of a property in one Emar text (SMEA 5), left the most part of the land tenure to the local authorities and citizens¹¹⁷. As Zaccagnini pointed out¹¹⁸ there were two different mechanisms trough which large estates were built up, royal grants and purchase strategies, but the Emar documentation provides no evidence for any of them.

The Emar's small-properties-based ownership reflects therefore a society with a strong community identity, and a survival tool of the whole community. The survival of the community was based on a social balance that assured to anyone their subsistence. The social inequality, which the large landed estate-based ownership could have brought to, would have caused the collapse of the whole community. The City of Emar had to preserve its own identity as part of a world ruled by powerful neighbouring states, and the small individual ownership was a form of silent-solidarity and self-regulation that retained the welfare and the richness of the whole community¹¹⁹ through limiting the debts¹²⁰ and preventing

¹¹¹ M. R. Adamthwaite (2001), 108–109.

¹¹² M. Heltzer (2001), 227.

¹¹³ Other possibly royal grants are attested in Hirayama 3 and RE 86.

¹¹⁴ S. § 2.4.

¹¹⁵ M. Heltzer (1969), 40; M. R. Adamthwaite (2001), 91–93.

¹¹⁶ M. Yamada (2006), 229–234.

¹¹⁷ M. R. Adamthwaite (2001), 114.

¹¹⁸ C. Zaccagnini (1999), 340.

¹¹⁹ On the basis of the texts that I have studied, the prices of the fields did not fall along the Emar's history, therefore the properties retained their value, s. M. Viano forthcoming.

¹²⁰ The slavery contract for debt are few: E 16, E 77, E 86, E 117, E 121, E 205, E 215, Fs Kutscher 1, Fs Kutscher 2, Hirayama 36, Hirayama 37, TBR 25.

the development of large landed estates. Presumably, some people were rich enough to come into possession of larger lands, but for the aforementioned reasons were prevented. In this view the attitude of Ninurta and Elders to resold the expropriated properties and not to give them as granting is understandable. On the basis of the texts to date uncovered¹²¹, not even the royal family had large landed estates although the prince Iššur-Dagan, brother of the king Pilsu-Dagan acquired fields of big surface area¹²² but their dimensions are not deeper than fields bought by private citizens¹²³. Moreover members of the royal family as the aforementioned Iššur-Dagan or Pilsu-Dagan, act in the deeds as normal citizens, even though no king appears as buyer but only as seller¹²⁴. The presence of members of the royal family in the sale contracts, as normal citizens, supports the above considered view that the kings of Emar did not resort to expropriation, like the Elders, in order to get possession of real estates.

In the perspective of continuity of the Emar structures between III and II millennium which the present paper attempted to underline¹²⁵, the developments of the Emar society and institutions were only partially caused by external factors, as the Hittites arrival, but resulted from local processes.

The city of Emar and the Middle Euphrates region, preserving a tradition originated in III millennium Northern Syria¹²⁶, display features strongly different from other Late Bronze age cities like Ugarit and Nuzi and from palatial system in Ancient Near East. Indeed the system based on two modes of production opposed to each other, the rural and the palatial¹²⁷, does not explain the Emar and Middle Euphrates region socio-economic system where no palatial economy seems to be present. Indeed there is a lack of evidence for any bureaucracy system of palace dependents aside from “free man” dwelling in the country villages. In this system the temple authority, Ninurta at Emar, Ba'al at Ekalte, Dagan at Azu, which seem to have a marginal role in Ugarit¹²⁸, is one of the most important land owner¹²⁹ and had an essential function for the socio-economic life of the city, holding prerogatives which in other regions belonged to the king. Ninurta was one of the centres, together with the collective authorities and the monarchy of this polycentric and balanced community. In fact at Emar, community and monarchy, urban and rural culture¹³⁰, tradition

¹²¹ The Palace and the Royal archives have been so far not founded, but because no such a building has been uncovered in the sites of Middle Euphrates region (s. A. Otto (2006), 291–292) probably, following T. L. McClellan (1997), 44f., they did not exist at all. W. Sallaberger (2003), 275–276 regarded the building in *chantier A* as *Verwaltungsbüro*.

¹²² E 137 c = 30 square *ikû*; E 138 a = 10 square *ikû*; s. M. Viano forthcoming.

¹²³ Cfr. E 147, RE 24, TBR 62.

¹²⁴ ASJ14, E 142, TBR 12.

¹²⁵ Further evidences are the findings of Middle and Early Bronze age archeological levels which in the *Oberstadt* show a continuity in the house building, s. U. Finkbeiner et al. (2001), 74–81; U. Finkbeiner – F. Sakal et al. (2003), 38–43.

¹²⁶ On cultural and religious continuity, s. F. D'Agostino – S. Seminara (1997).

¹²⁷ M. Liverani (1975); Id. (1983); Id. (1984).

¹²⁸ M. Liverani (1975), 146.

¹²⁹ Cfr. W. F. Leemans (1988), 217–218.

¹³⁰ In this perspective is noteworthy the binding between the royal family and the village of Rabban (D. E. Fleming (1992), 64).

and innovation seem to be in a different dimension which links town and country as one may notice in the ritual festivals celebrated outside the city's walls establishing a strong relationship between urban and rural world¹³¹.

In conclusion, the future discoveries in Ebla and in the Middle Euphrates region will hopefully clarify the social and economic developments of the Northern Syria between III and II millennium.

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¹³¹ An example is the *kissu* festival celebrated in the village of Šatappi (D. E. Fleming (1996), 93).

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