LAW IN THE LAND BETWEEN TWO RIVERS

"A Civilization is the sum total of attitudes, ideas/concepts, realities and institutions shared by a group. Through civilization, its members express their identity in the social, economic, political, and cultural arenas. It requires cities (for enough differentiation of labor) and writing for continuity. It is the broadest level with which a person intensely identifies. It is formed by history, geography, communication, etc., and is a blend of diverse elements. Religion is often a very important creator of values in civilization."

Chris Mooney, Ph.D.

Introduction

Our previous discussion focused on humankind's move from hunting and gathering to agriculture. This transition is referred to as the Neolithic Revolution. We also explored a second revolution that gave rise to urbanism (civilization). Today, we will begin a series of discussions on how the characteristics of urbanism identified by Childe were manifested in civilizations throughout the world. Before we begin, I should take a moment to emphasize that river systems greatly impacted the rise of early civilizations in Mesopotamia, Egypt, the Indo-Pakistan sub-continent, and China. These earliest examples of urbanism are often referred to as River-Valley Civilizations. Our starting point will be Mesopotamia. After completing this section and the readings assigned you should be able to do the following:

- Identify the sources historians use to reconstruct Mesopotamia's past.
- Describe how the urban revolution was represented in Mesopotamia.
- Explain how Hammurabi's law code aids historians in reconstructing Babylon's socioeconomic and political worlds.

I. City-States in Mesopotamia

A. One of the earliest examples of city-state organization can be found in Mesopotamia (Greek term = land between two rivers). Two rivers dominated Mesopotamia’s landscape in ancient times: the Tigres and the Euphrates. This region is largely synonymous with present day Iraq.

Map 0322m01: Mesopotamia

1. According to specialists, the Sumerians began making the transition to civilization in Mesopotamia at about c. 3000 BCE. It is argued by historians that the Sumerians in fact introduced civilization to Mesopotamia during a period labeled as the Uruk Culture phase (c. 4000-2900 BCE). This transition culminated with the rise of the Early Dynastic or Sumerian Period.

2. The term Sumerian is derived from the Babylonian designation for lower Mesopotamia (Sumer).

Image 322j01: Sumerian Praying figures

3. The Sumerians referred to themselves as Sag-giga (black headed ones), their language as Emegir, and their land as Kengir (civilized land).
Table 1: Words of Non-Sumerian Origin

<table>
<thead>
<tr>
<th>Term</th>
<th>Sumerian Form</th>
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<tbody>
<tr>
<td>Tigres</td>
<td>Idiglat</td>
</tr>
<tr>
<td>Euphrates</td>
<td>Buranum</td>
</tr>
<tr>
<td>Farmer</td>
<td>Engar</td>
</tr>
<tr>
<td>Basketmaker</td>
<td>Addub</td>
</tr>
<tr>
<td>Potter</td>
<td>Pahar</td>
</tr>
</tbody>
</table>

Defining Terms

_The Levant_ = Mesopotamia's immediate neighbor to the west, is comprised by present day Syria, Lebanon, Israel, Palestine, and Jordan.

_The Near or Middle East_ = used to describe Mesopotamia and the Levant along with the addition of Turkey, Egypt, Arabia and Iran.

B. Some of the earliest Sumerian city-states to be formed included Lagash, Umma, and Ur.

1. Evidence suggests strong resistance to any form central political control amongst these city-states. In fact, inter-city conflict was endemic in Mesopotamia's early history.

   Image 322i02: Standard of Ur

C. Along with the Sumerians, Semitic-speaking people migrating from the Levant would also inhabit Mesopotamia.

1. The Akkadians (c. 2334-2154), on such Semitic-speaking people, were the first to attempt to politically centralize Mesopotamia by founding the first empire in this region.

2. An Amorite dynasty with its political center located at Babylon dominated the region from c. 1894-1595 BCE.

   a) Its most famous ruler was Hammurabi.

   Image 322i03: Hammurabi

3. After the collapse of Babylon new empires and new people struggled for control of Mesopotamia.

Timeline

<table>
<thead>
<tr>
<th>Period</th>
<th>Neo-Assyrian Empire (c. 934-610 BCE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sumerian Period (c. 2900-2334)</td>
<td>Neo-Assyrian Empire (c. 934-610 BCE)</td>
</tr>
<tr>
<td>Akkadian Empire (c. 2334-2154)</td>
<td>Neo-Babylonian Empire (c. 626-539 BCE)</td>
</tr>
<tr>
<td>Babylonian Empire (c. 1894-1595)</td>
<td>Achaemenid Empire (c. 550-330 BCE)</td>
</tr>
</tbody>
</table>
II. Writing and Sources

A. One historian has noted that writing “has to be seen as a result as well as a condition of civilization.” The invention of writing has been viewed as a relatively new technology with mass application. Cuneiform (Cuneus: Latin for wedge) script (c. 2900-2400 BCE) was the form of writing used in Mesopotamia. Scholars believe it originated with the Sumerians.

Table 2: Some Functions of Writing

Mnemonic function – extending human memory
Expanding the communicative range – over distance and space not requiring speech
Regulating social conduct – laws to writing
Aesthetic function - literature

Image 322i04/05: Cuneiform Tablets

1. Cuneiform script was used by more than one language in Mesopotamia. For example Akkadian, Babylonian, and Asyrian all used this script.

2. Cuneiform script started as a system of signs/pictograms. Initially, these pictograms represented objects by their shape or by part of their shape. With time, they were simplified and conventionalized. Eventually, a phonetic designation was added.

Image 322i06: Transition of Cuneiform

a) The Uruk Tablets represent the earliest writing in this region. Over 1200 signs have been identified.

3. Cuneiform was studied in the edubba (tablet house) where scribes trained through endless memorization and copying.

a) Most scribes were members of the upper stratum of society.

B. The Sumerians system of numeration was sexagesimal (based on the power of 60) and used place-value notation. The surviving mathematical school texts are of two types: tables (tabulations of reciprocals, multiplication, square roots, ect.) and problems (mostly Akkadian and dealt with equations and practical matters).

Image 322i07: Sumerian Number Symbols and Values

1. Early mathematics reached its apex with the Babylonians.

Image 322i08: Babylonian Numbers
Image 32109: Equation $1 \times 60^3 + 57 \times 60^2 + 46 \times 60 + 40$

2. Calendar making, according to one scholar, is "the desire to organize units of time to satisfy the needs and preoccupations of society. In addition to serving practical purposes, the process of organization provides a sense, however illusory, of understanding and controlling time itself. Thus calendars serve as a link between mankind and the cosmos . . . and have served as a source of social order and cultural identity."

   a) Initially, the lunar calendar was used to track time consisting of 12/13 months and 29/30 days.

   **Table 3: The Function of Calendars**

   | Basis for planning agricultural, hunting and migration cycles |
   | Basis for divination and prognostication |
   | Basis for maintaining cycles of religious and civil events |

C. There is a vast array of cuneiform texts used by historians to reconstruct Mesopotamia's past.

   1. Administrative documents.
   2. Private and legal documents.
   3. Correspondence at different levels.
   4. Historiographic texts which include royal inscriptions (commemorative) and king lists (chronographic).

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**Reading the Past**

**Contract for the Sale of Property in Sumer (c. 2000 BCE)**

Sini-Ishtar, the son of Ilu-eribu, and Apil-Ili, his brother, have bought one third Shar of land with a house constructed, next the house of Sini-Ishtar, and next the house of Minani; one third Shar of arable land next the house of Sini-Ishtar, which fronts on the street; the property of Minani, the son of Migrat-Sin, from Minani, the son of Migrat-Sin. They have paid four and a half shekels of silver, the price agreed. Never shall further claim be made, on account of the house of Minani. By their king they swore. (The names of fourteen witnesses and a scribe then follow.) Month Tebet, year of the great wall of Karra-Shamash.

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**Reading the Past**

**Sumerian King List (c. 2025 BCE)**

After the flood had swept over, and the kingship had descended from heaven, the kingship was in Kic. In Kic, Jucur became king; he ruled for 1200 years. Kullassina-bel ruled for 960 years. Nanjicicma ruled for 670 (?) years. En-tarah-ana ruled for 420 years . . . , 3 months, and 3 1/2 days. Babum . . . ruled for 300 years. Puannum ruled for 840 years. Kalibum ruled for 960 years. Kalumum ruled for 840 years. Zuqaqip ruled for 900 years. Atab ruled for 600 years. Macda, the
son of Atab, ruled for 840 years. Arwium, the son of Macda, ruled for 720 years. Etana, the shepherd, who ascended to heaven and consolidated all the foreign countries, became king; he ruled for 1500 years. Balih, the son of Etana, ruled for 400 years. En-me-nuna ruled for 660 years. Melem-Kic, the son of En-me-nuna, ruled for 900 years. 1560 are the years of the dynasty of En-me-nuna. Barsal-nuna, the son of En-me-nuna, ruled for 1200 years. Zamug, the son of Barsal-nuna, ruled for 140 years. Tizqar, the son of Zamug, ruled for 305 years. Ilku ruled for 900 years. Ittasadum ruled for 1200 years. En-men-barage-si, who made the land of Elam submit, became king; he ruled for 900 years. Aga, the son of En-men-barage-si, ruled for 625 years. 1525 are the years of the dynasty of En-men-barage-si. 23 kings; they ruled for 24510 years, 3 months, and 3 1/2 days. Then Kic was defeated and the kingship was taken to E-ana.

**Question for analysis:** What details can historians learn about Mesopotamia's political history from king lists such as the one above?

### III. Sumerian Socioeconomic and Political Organization (c. 2900-2334 BCE)

A. The surviving written record indicates that Mesopotamian society was divided into nobles, commoners, clients and slaves. Clearly, function defined status.

1. Precious metals and grain were used as currency in Sumerian. Coins, however, were not minted during this period of time.

2. Long distance trade was prevalent in Mesopotamia connecting it with Egypt and the Indo-Pakistan subcontinent.

3. Slavery was a recognized institution as this a contract for the sale of a slave dated c. 2300 BCE shows:

   **Reading the Past**

   **Slave Contract (c. 2300 BCE)**

   Sini-Ishhtar has bought a slave, Ea-tappi by name, from Ilu-elatti, and Akhia, his son, and has paid ten shekels of Silver, the price agreed. Ilu-elatti, and Akhia, his son, will not set up a future claim on the slave. In the presence of Ilu-iqisha, son of Likua; in the presence of Ilu-iqisha, son of Immeru; in the presence of Likulishtum, son of Appa, the scribe, who sealed it with the seal of the witnesses. The tenth of Kisilimu, the year when Rim-Sin, the king, overcame the hostile enemies.

B. The "supernatural" was represented in Mesopotamia through vast number of personalities (polytheists) imagined on the pattern of humans (anthropomorphists).

1. Mesopotamia had supreme gods with a pantheon of subordinate gods. These supreme gods were An, Enlil, and Enki. Scholars suggest that this theological system paralleled the political one.

2. Sumerians "tied the supernatural personalities to the function of nature and culture." For example: An was the god of heaven, Enlil was the lord of atmosphere, Enki behind the water upon which the earth disk floated, Siris behind the transformation of barley into beer.
### Table 4: Sumerian Gods

<table>
<thead>
<tr>
<th>God</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>An</td>
<td>god of heaven</td>
</tr>
<tr>
<td>Enlil</td>
<td>lord of atmosphere</td>
</tr>
<tr>
<td>Enki</td>
<td>god behind the water upon which the earth disk floated</td>
</tr>
<tr>
<td>Siris</td>
<td>god behind the transformation of barley into beer</td>
</tr>
</tbody>
</table>

3. As the Semetic-speaking people migrated into Mesopotamia, they borrowed many of the religious notions of the Sumerians.

C. As previously noted, the political unit that dominated the early history of Mesopotamia was the city-state.

1. Specialists theorize that a bicameral assembly of free citizens and elders most likely comprised the earliest form of government in these city-states.

2. However, over time city-states would come under the control of *lugals* (great man/king). The ruler served as protector and held a privileged relationship with deities. Eventually, dynastic succession would be adopted.

**Image 322i10: Standard of Ur**

**Reading the Past**

**Clay cylinder (c. 2500 BCE)**

Eannatum, ruler of Lagash, brother of the father of Entemena [who put up this inscription] . . . .
He carried a canal from the great river to Guedin . He opened the field of Ningirsu on its border for 210 spans to the power of Umma. He ordered the royal field not to be seized. At the canal he inscribed a stele. He returned the stele of Mesilim to its place. He did not encroach on the plain of Mesilim. At the boundary-line of Ningirsu, as a protecting structure, he built the sanctuary of Enlil, the sanctuary of Ninkhursag . . . By harvesting, the men of Umma had eaten one storehouse-full of the grain of Nina [goddess of Oracles], the grain of Ningirsu; he caused them to bear a penalty. They brought 144,000 gur, a great storehouse full, [as repayment].

**Question for analysis:** What can historians learn about the reign of Eanatum from this source?

3. Perhaps the most visible architectural structure in these city-states was the ziggurat (temple). It served as the city-god's earthly residence and accommodated its household (priests, scribes, servants).

**Image 322i11/12: Ziggurat of Ur**

IV. **The Rise of Akkade (c. 2334-2154 BCE): A First Attempt at Empire**
1. A consequence of Akkadian rise to power was the decline of the Sumerian language. The Akkadians, however, did spread Sumerian culture wherever they went. They also standardized script, weights and measures, and archive keeping. In other words, the machinery of centralization was at work.

a) The Dynasty of Akkad was established by Sargon (Sargin) who came to power after leading a palace revolt in 2334 BCE against Ur-Zabba of Kish (c. 2334 BCE).

b) Little is know about Sargon’s family history. However, his birth legend (c. 2300 BCE) has survived to the present in the following form:

**Image 322i13:** Sargon (r. 2334-2279 BCE)

**Reading the Past: Sargon’s Birth Legend (c. 2300)**

Sargon, mighty king, king of Agade, am I; My mother was an entum cultic functionary of very high status), my father I knew not; My father's brother(s) dwell(?) in the mountains; My city is Azupiranu, situated on the banks of the Euphrates; My mother, the entum, conceived me, in secret she bore me; She placed me in a basket of rushes, she sealed 'my door' (i.e. the lid) with bitumen; She cast me into the river which did not rise over me; The river bore me up and carried me to Aqqi, the water-drawer. Aqqi, the water-drawer, lifted me out as he dipped his ewer; Aqqi, the water-drawer, adopted me, brought me up; Aqqi, the water-drawer, set me up as his gardener. As a gardener, Ishtar (Akkadian goddess of sex and war) loved me; For [56] years I exercised kingship.

c) The inscription below, copied during the Old Babylonian period, details Sargon's effectiveness in creating an empire in Mesopotamia.

**Image 322i14:** Sargon (r. 2334-2279 BCE)

**Reading the Past: Sargon’s Conquests**

[Sargon, the king of Agade, the . . . of Inanna, king of Kish, anointed of Anu (sky-god), king] of lands, governor of Enlil, conquered the city of Uruk and destroyed its walls. He challenged (the man of) Uruk in battle and took Lugalzagesi, the king of Uruk, prisoner in the course of the battle; he led him in a wooden collar to the gate of Enlil. Sargon, king of Agade, challenged (the man of) Ur in a battle and defeated the city and destroyed its walls. He defeated E-Nin-kimara (town probably between Ur and Lagash) and destroyed its walls and conquered its land from Lagash to the sea. He washed his weapons in the sea. He challenged Umma in a battle [and he defeated the city and destroyed its walls]. To Sargon, king of lands, Enlil gave no rival; Enlil gave him the Upper Sea and the Lower Sea. From the Lower Sea, citizens of Agade held the government. Mari and Elam were subject to Sargon, king of lands. Sargon, king of lands, restored Kish and made (its fugitive inhabitants re)occupy the city.

d) The Akkadian Empire reached its height under the leadership of Naram-Sin (r. 2260-2223 BCE ), who according to a royal titular, attained divinity:”Naram-sin, the strong male, god of Agade, king of the four quarters (universe
V. Practicing History: The Code of Hammurabi

A. The void left by the collapse of the Akkadian Empire would eventually be filled by Babylonians. Hammurabi (c. 1792-1750), Babylonia’s most celebrated ruler, has come down to us in history as the Law Giver because of the survival of his law code.

Image 322i15: Law Code of Hammurabi

B. Hammurabi’s "code" (uncovered in Susa/south-west Iran in 1902) addressed a wide spectrum of legal themes. For example, it deals with false testimony, theft, tenure of royal fiefs, agricultural work, places of dwelling, commerce, deposits and debt, assault and battery, free professions, subordinate professions, and slaves. Individually and collectively these themes provide historians with a wealth of information about Babylonian society. As you analyze this source, be sure to address the following questions:

1. What can we learn about Hammurabi from the code's prologue and epilogue?
2. What insights does Hammurabi’s "code" give us about the Babylonian social, economic, and political organization?
3. What insight does it give us about women in ancient Mesopotamia?

Hammurabi’s Law Code

When the lofty Anu, king of the Anunnaki, and Bel, lord of heaven and earth, he who determines the destiny of the land, committed the rule of all mankind to Marduk, the chief son of Ea; when they pronounced the lofty name of Babylon: when they made it famous among the quarters of the world and in its midst established an everlasting kingdom whose foundations were firm as heaven and earth--at that time, Ann and Bel called me, Hammurabi, the exalted prince, the worshiper of the gods, to cause justice to prevail in the land, to destroy the wicked and the evil, to prevent the strong from oppressing the weak . . ., to enlighten the land and to further the welfare of the people. Hammurabi, the governor named by Bel, am I, who brought about plenty and abundance; . . .

. . . the ancient seed of royalty, the powerful king, the Sun of Babylon, who caused light to go forth over the lands of Sumer and Akkad; the king, who caused the four quarters of the world to render obedience; the favorite of Nana, am I. When Marduk sent me to rule the people and to bring help to the country, I established law and justice in the land and promoted the welfare of the people.

1. If a man bring an accusation against a man, and charge him with a (capital) crime, but cannot prove it, he, the accuser, shall be put to death.

2. If a man charge a man with sorcery, and cannot prove it, he who is charged with sorcery shall go to the river, into the river he shall throw himself and if the river overcome him, his accuser shall take to himself his house (estate). If the river show that man to be innocent and he come forth unharmed, he who charged him with sorcery shall be put to death. He who threw himself into the river shall take to himself the house of his accuser. If a man has come forward to bear witness to a felony and then has not proved the statement he has made, if that case (is) a capital one, that man shall be put to death. If a man aid a male or female slave of the palace, or a male or female slave of a freeman to escape from the city gate, he shall be put to death. If a man seize a
male or female slave, a fugitive, in the field and bring that (slave) back to his owner, the owner of
the slave shall pay him two shekels of silver.

23. If the brigand be not captured, the man who has been robbed, shall, in the presence of god,
make an itemized statement of his loss, and the city and the governor, in whose province and
jurisdiction the robbery was committed, shall compensate him for whatever was lost.

24. If it be a life (that is lost), the city and governor shall pay one mana of silver to his heirs.
26. If either an officer or a constable, who is ordered to go on an errand of the king, do not go but
hire a substitute and dispatch him in his stead, that officer or constable shall be put to death; his
hired substitute shall take to himself his (the officer's) house.

53. If a man neglect to strengthen his dyke and do not strengthen it, and a break be made in his
dyke and the water carry away the farm-land, the man in whose dyke the break has been made
shall restore the grain which he has damaged.

127. If a man point the finger at a priestess or the wife of another and cannot justify it, they shall
drag that man before the judges and they shall brand his forehead.

128. If a man take a wife and do not arrange with her the (proper) contracts, that woman is not a
(legal) wife.

129. If the wife of a man be taken in lying with another man, they shall bind them and throw them
into the water. If the husband of the woman would save his wife, or if the king would save his
male servant (he may).

130. If a man force the (betrothed) wife of another who has not known a male and is living in her
father's house, and he lie in her bosom and they take him, that man shall be put to death and that
woman shall go free.

131. If a man accuse his wife and she has not been taken in lying with another man, she shall take
an oath in the name of god and she shall return to her house.

132. If the finger have been pointed at the wife of a man because of another man, and she have
not been taken in lying with another man, for her husband's sake she shall throw herself into the
river.

142. If a woman hate her husband, and say: "Thou shalt not have me," they shall inquire into her
antecedents for her defects; and if she have been a careful mistress and be without reproach and
her husband have been going about and greatly belittling her, that woman has no blame. She shall
receive her dowry and shall go to her father's house.

143. If she have not been a careful mistress, have gadded about, have neglected her house and
have belittled her husband, they shall throw that woman into the water.

144. If a man take a wife and that wife give a maid servant to her husband and she bear children;
if that man set his face to take a concubine, they shall not countenance him. He may not take a
concubine.
145. If a man take a wife and she do not present him with children and he set his face to take a concubine, that man may take a concubine and bring her into his house. That concubine shall not rank with his wife.

146. If a man take a wife and she give a maid servant to her husband, and that maid servant bear children and afterwards would take rank with her mistress; because she has borne children, her mistress may not sell her for money, but she may reduce her to bondage and count her among the maid servants.

196. If a man destroy the eye of another freeman [i.e., a man in the upper class], they shall destroy his eye.

197. If one break a man's bone, they shall break his bone.

198. If one destroy the eye of a villein [a dependent laborer] or break the bone of a freeman, he shall pay one mana of silver

199. If one destroy the eye of a man's slave or break a bone of a man's slave he shall pay one-half his price.

200. If a man knock out a tooth of a man of his own rank, they shall knock out his tooth.

201. If one knock out a tooth of a villein, he shall pay one-third mana of silver.

203. If a man strike another man of his own rank, he shall pay one mana of silver.

204. If a villein strike a villein, he shall pay ten shekels of silver.

205. If a man's slave strike a man's son, they shall cut off his ear.

253. If a man hire a man to oversee his farm and furnish him the seed-grain and intrust him with oxen and contract with him to cultivate the field, and that man steal either the seed or the crop and it be found in his possession, they shall cut off his fingers.

254. If he take the seed-grain and overwork the oxen, he shall restore the quantity of grain which he has hoed.

257. If a man hire a field-laborer, he shall pay him 8 GUR of grain per year

258. If a man hire a herdsman, he shall pay him 6 GUR of grain per year.

The righteous laws, which Hammurabi, the wise king, established and (by which) he gave the land stable support and pure government. Hammurabi, the perfect king am I . . . The great gods proclaimed me and I am the guardian governor, whose scepter is righteous and whose beneficent protection is spread over my city . . .

The king, who is pre-eminent among city kings, am I. My words are precious, my wisdom is unrivaled. By the command of Shamash, the great judge of heaven and earth, may I make righteousness to shine forth on the land. By the order of [the god] Marduk, my lord, may no one efface my statues . . . .

. . . Let any oppressed man, who has a cause, come before my image as king of righteousness!
Let him read the code and pray with a full heart before Marduk, my lord, and Zarpanit, my lady, and may the protecting deities look with favor on his wishes (plans) in the presence of Marduk, my lord, and Zarpanit, my lady!

If that man pay attention to my words which I have written upon my monument, do not efface my judgments, do not overrule my words, and do not alter my statues, then will Shamash prolong that man's reign, as he has mine, who am king of righteousness, that he may rule his people in righteousness.

If that man do not pay attention to my words which I have written upon my monument: if he forget my curse and do not fear the curse of god: if he abolish the judgments which I have formulated, overrule my words, alter my statues, efface my name written thereon and write his own name: on account of these curses, commission another to do so--as for that man, be he king or lord, or priest-king or commoner, whoever he may be, may the great god, the father of the gods, who has ordained my reign, take from him the glory of his sovereignty, may be break his scepter, and curse his fate!

May Ea, the great prince, whose decrees take precedence, the leader of the gods, who knows everything, who prolongs the days of my life, deprive him of knowledge and wisdom! May he bring him to oblivion, and dam up his rivers at their sources! May he not permit corn, which is the life of the people, to grow in his land!