

# Mesopotamia: Myth and Reality

By ALFRED HALDAR

A little more than half a century ago, the Finnish Assyriologist Knut Tallqvist published his essays on various aspects of Kingship under the title *Konungen med Guds nåde* (1920). As to the idea of writing those essays Tallqvist says, "Oriental studies and the Russian March revolution in 1917, that is why I wrote this book" (p. 7). Comparing the downfall of the Russian realm of the Czar to the fall of the Babylonian empire, he continues, "seized with dizziness, one already imagined to see the new Jerusalem come down from heaven in the future to rest upon the broad ground of fraternity and democracy". These considerations led him to investigate the subject of the King and royal symbols in the light of the Near East. Since then, as is well known, many studies have been published on those subjects. Another idea has been taken up by T. Jacobsen, when he tried to visualize the dream of freedom in the type of state as it was organized in ancient Mesopotamia, in introducing the notion of "primitive democracy".<sup>1</sup> In a paper, published in 1952, I. M. D'jakonov supports Jacobsen's suggestion and maintains that the king was elected by the free men in Sumer.<sup>2</sup> S. N. Kramer varies the idea in comparing the elders and the assembly of arms-bearing male citizens with the bicameral congress of the USA.<sup>3</sup> I do not intend to discuss such comparisons, as they will not be relevant here.

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<sup>1</sup> See T. Jacobsen, "Primitive Democracy in Ancient Mesopotamia", *Journal of Near Eastern Studies*, 2, 1943, p. 159 ff.; reprinted in T. Jacobsen, *Toward the Image of Tammuz and Other Essays on Mesopotamian History and Culture*, Cambridge, Mass. 1970, p. 157 ff.

<sup>2</sup> I. M. D'jakonov, *Organisation de la société et de l'état dans l'ancienne Mésopotamie*, Moskva 1959 (in Russian with a summary in English); cf. M. Lambert's review, *Revue d'assyriologie et d'archéologie orientale*, 57, 1963, p. 100 ff.: Lambert's remarks on the notion of "military democracy" in the Jemdet Nasr period are relevant in the present place.

<sup>3</sup> S. N. Kramer, *From the Tablets of Sumer*, Indian Hills, Colorado 1956, p. 26 ff.

Was there a myth relating to the state in ancient Mesopotamia? There were several complexes of such myths. T. Jacobsen deals with a number of them in his three chapters on Mesopotamia in *The Intellectual Adventure of Ancient Man* (1946), pp. 125–219. One group is discussed under the headline “The Cosmos as a State” (pp. 125 ff.), which might perhaps be turned in such a way as to say “the State as the Cosmos”. An odd theory of the state is met with in the Sumerian King list, a large composition comprising 390 lines (8 cols.), which was transliterated, translated and commented upon by T. Jacobsen (*Assyriological Studies*, No. 11, 1939). The dating of the text is by no means easy. Starting from certain linguistic features, basic ideas, and traces of early redactions, Jacobsen concludes that the text can not have been written later than the IIIrd dynasty of Ur. Owing to linguistic and ideological conformities, however, between the King list and an inscription of Utuḥegal’s, he considers the reign of Utuḥegal a probable date of the King list.<sup>1</sup> The most striking feature of the King list is the theory that Babylonia was and had always been one single kingdom; the capital might alternate, but there was only one king at the same time. The ruler of a city or a province might become king by conquering the previous capital and carrying the kingdom to his own residence. This theory is also met with in Utuḥegal’s inscription, and the agreement of this point is one of Jacobsen’s arguments (*ibid.*, 140 f.). On the other hand, H. Güterbock denies the authenticity of that inscription—it is only known through later copies.

Evidently, questions related to our theme may be considered from quite different aspects. Ur III and Babylon I may for various reasons be regarded as two central points. Ur III was the last Sumerian, or rather Sumerian speaking, dynasty, and Ur was the capital of a united realm. Babylon I was the first Semitic, i.e. West Semitic, dynasty to create a real political and cultural unity. If you want to understand the political systems of these two periods, it is however necessary briefly to consider the earlier periods.

The first dynasty of Lagash ascended the throne about 2500 B.C. with Ur-Nanshe—or may be his name is to be read Ur-Nina, as was earlier presumed. Ur-Nina bore the title of *lugal*, the usual Sumerian word for king. Of his successors, Akurgal is sporadically called *lugal*, but his usual

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<sup>1</sup> T. Jacobsen, *The Sumerian King List* (Diss.), Chicago 1939, p. 128 ff.

title is *ensi*, and this was the title of all the following rulers of the dynasty. Before the death of the last *ensi*, Urukagina ascended the throne of Lagash and assumed the title of *lugal*. The first known ruler of Ur is Mesanepada, who was called *lugal*. An inscription of his has come to light in Mari providing a synchronism with Gan-sud, the first king of the early Mari dynasty, about 2500 B.C.<sup>1</sup> Considering the archaic texts from Ur (27th century B.C.), we meet with the word *lugal*: one single instance showing the title followed by a place name (*lugal lagaša*); otherwise only in proper names.<sup>2</sup> In the texts from Fara, a little later than the archaic text from Ur, *lugal* occurs in proper names. In the texts from Jemdet Nasr,<sup>3</sup> earlier than archaic Ur, sometimes in proper names, while the earliest occurrence of *lugal* in Uruk is met with in the texts belonging to level I b.<sup>4</sup> In his study *The Administration of Rural Production in an Early Mesopotamian Town* (1969) H. T. Wright comments upon the early occurrences and concludes that there is no "convincing direct reference to this personage" (p. 41). As to the archaic text from Uruk, A. Falkenstein regrets that nothing can be said about the state, but he assumed a type of hierocracy (*op. cit.* p. 58). In the archaic texts, *lugal* is most probably a designation of the deity (cf. the expression *sanga lugal*). For our understanding of the state, it is of importance to observe the difference between the terms *lugal* and *ensi*.<sup>5</sup> The literal meaning of *lugal* is "tall man", while *ensi* is a designation of a priestking. A. Deimel, starting from the logogram *pa-te-si*, considered the *ensi* to have been a *pa* functionary, "Aufseher", who threw up the terrace, i.e. the temple terrace.<sup>6</sup> This view is in accordance with the occurrence of

<sup>1</sup> G. Dossin, "L'inscription de Mesanepada", A. Parrot, *Mission archéologique de Mari*, 4, 1968, p. 53 ff.

<sup>2</sup> *Ur Excavations. Texts*, 2, Archaic Texts, by E. Burrows, 1935, p. 16 f., Nos. 24 and 66.

<sup>3</sup> In the tablets of Jemdet Nasr, the sign *men* is used for *šarrum*; see S. Langdon, *The Herbert Weld Collection in the Ashmolean Museum (Oxford Editions of Cuneiform Texts*, 7), London 1928, p. 51. The expression *men-túm*, "he who is worthy of a crown", occurs as n.pr., and *šeš-me-na-túm*, *ibid.*

<sup>4</sup> A. Falkenstein, *Archaische Texte aus Uruk*, Leipzig 1936, p. 57.

<sup>5</sup> On this question, see I. M. D'jakonov, "Gosudarstvennyj stroj drevnejšego Šumera" (The Structure of the State in Ancient Sumer), *Vestnik drevnej istorii*, 1952, No. 2, p. 13 ff., and D'jakonov, *Organisation de la société et de l'état*, chapter 3.

<sup>6</sup> *Šumerisches Lexikon*, ed. by A. Deimel, 2: 2, Rom 1930, No. 295: 145, with reference to the following passages *lu<sup>a</sup> babbar pa-te-si ummar<sup>ki</sup>-ge ... temen-bi mu-si(g)*

*en*, which is the designation of a high priestly official, as the first part of the word (A. Deimel adduces the Latin *pontifex*, literally "bridge builder"). When *lugal* became the royal title, the implication was undoubtedly the idea of the king's divine character. In the dream of Gudea (shortly before 2000 B.C.), the appearance of the city god of Lagash, Ningirsu, is described in the following way. "In the dream, a man (came), whose half was like heaven, whose half was like the earth; according to [the tiara of] his head, he was a god" (Cylinder A., Col. IV, lines 14–16).<sup>1</sup> Ningirsu is accordingly described as a man of cosmic size, and the idea of the king also having cosmic dimensions was undoubtedly conveyed to the king with the title of *lugal*.

For our purpose, there is no need to undertake a detailed comparison between the functions of the *lugal* with those of the *ensi*. Both of them were regarded as the representative of the city god although in somewhat different ways. Both of them appeared as military leaders. The *lugal* was the highest judge, which is not to be ascertained with regard to the *ensi*. There is one essential difference, which may be observed in Urukagina's so-called reform texts, i.e. Cone B and Cone C (the same text), Cone A and the Ovale Plate.<sup>2</sup> These texts have been translated and commented upon several times,<sup>3</sup> but still a consensus has not been entirely reached as to the real significance of Urukagina's reforms. Some commentators believe that there was no real

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(*Vorderasiatische Bibliothek*, 1: 1, p. 150, 3, 10); Gudea, Cylinder A, Col. 30,5; 11, 18, and *Orientalia*, 1, 63; 5, 21.

<sup>1</sup> For the text, see F. Thureau-Dangin, *Les cylindres de Goudéa*, Paris 1925, plate IV; for recent translations, see M. Lambert and R. Tournay, *Revue biblique*, 55, 1948, p. 410; A. Falkenstein in A. Falkenstein and W. von Soden, *Sumerische und akkadische Hymnen und Gebete*, Zürich 1953, p. 141. The bracketed words are uncertain; cf. A. Falkenstein: "nach seinem Haupte war es ein Gott ..." The word *ri-ba*, rendered as "half", on the basis of the equation *ri-ba-(an-)na*, or *dal-ba-(an-)na* (*Šum. Lex.*, 3: 2, p. 58, s.v. *birītu*), and *birītu*, "middle", probably derives from *rib*, "Riessengrösse".

<sup>2</sup> For the text, see E. Sollberger, *Corpus des inscriptions «royales» présargoniques de Lagaš*, Genève 1956, p. 48 ff.

<sup>3</sup> For recent studies, see M. Lambert, "Les 'Réformes' d'Urukagina", *Revue d'assyriologie et d'archéologie orientale*, 50, 1956, p. 169 ff., with references; I. M. D'jakonov, "Some remarks on the 'reforms' of Urukagina", *Revue d'assyriologie et d'archéologie orientale*, 52, 1958, p. 1 ff.; Yvonne Rosengarten, "La notion sumérienne de souveraineté divine: Uru-ka-gi-na et son dieu Nin-ġir-su", *Revue de l'histoire des religions*, 156, 1959, p. 129 ff.

change, while I. M. D'jakonov has set forth the interpretation that the central point was a strife between the priests and the aristocracy on one hand, and the king on the other. Undoubtedly, this strife, *inter alia*, concerned the possession of ground, or the administration of the temple estates. In the type of state, which prevailed from the period of the archaic texts, the city god was considered the possessor of the temple estates, and the position of the *ensi* may perhaps partly correspond to that of the vassal of the feudal system. It is significant that the *ensi* often refers to himself as the *ensi* of the city god. As early as in the period of Ur-Nina there were a number of temples in Lagash, and the city was divided into several districts of which Girsu was that of Ningirsu, i.e. the Lord of Girsu. Then the ruler was called *ensi*, and the development gradually seems to have taken a direction towards bureaucracy, which seems to be the implication of the maladministration described in Urukagina's "reform texts". Through a new translation of these texts by M. Lambert and, also, through I. M. D'jakonov's remarks to Lambert's translation, these difficult texts have been brought considerably nearer their definite interpretation. On the basis of their results, a brief summary may be roughly presented as follows.

The "abuses" may be illustrated by the following examples. The head of the boatmen used the boats [to their own advantage]. The supervisor of the shepherds superintended the donkeys; the supervisor superintended the sheep (in both cases with the implication "to their own advantage"), the head of the fishermen supervised fishing. Accordingly, the supervisors of certain groups of workmen obtained their income direct from the result of the efforts of the workmen; not from the administration of the temples or that of the state. Other "abuses": the incantation priests measured out the "lease" of the *uru-lal* fields (the "lease" for such fields were delivered in kind, and not by work). The shepherds of the wool sheep paid money, if they had no white ram. All supervisors of groups, such as singers, farmers, brewers, if they brought sheep to be shorn and they shored the sheep at the palace, and if the ram was white, its wool was given to the palace, and the *ensi* paid 5 shekels of silver. The oxen of the gods ploughed the *ensi*'s vegetable garden; in the best fields of the gods were the *ensi*'s vegetable garden and cucumber fields; the donkeys and the oxen were taken from the priests. A *sanga* priest could fell a tree or take the fruit from a *muškēnum*'s garden.

Finally, high charges were claimed, when a person died and at the funerals.

Urukagina seems to have enjoyed the support of the citizens of Lagash in his accession to the throne, while his predecessor, Lugabanda, was still alive: "When Ningirsu, the Hero of Enlil, had given the kingdom of Lagash to Urukagina, and among 36 000 people had seized his hand ... the order, which his king, Ningirsu, had given him, he performed" (Cones A/B, Col. VIII, lines 1 ff.). Urukagina's intention was to strengthen his position, in the first place his economy, through direct control of the temple estates, and as D'jakonov has pointed out, his opponents were the priests and the aristocracy. In any case, the conditions connected with possession would seem to have changed from one period to another. In the periods of the archaic texts from Ur, as E. Burrows maintains, the *sanga* functionary was the receiver of the gifts to the temples (Burrows, *op. cit.*, p. 57). The *sanga*, subordinate to the *en* priest, resided in a central section of a larger establishment. The provisions, which were sent to the *sanga*, were grain, bread, beer, and these provisions came from the fields, which were under the administration of the *en* priest, i.e. the real temple estates. The same type of administration would apparently have prevailed in Lagash before Urukagina's reign. Were the conditions different during the reign of Ur-Nina, who called himself *lugal*? His inscriptions contain descriptions of his building activity, temples and canals, and there are practically no information as to our question. In Col. III, lines 7-10, of the Triangular Plate, we are told that after his having built the temple of Ningirsu, he brought (?) an amount of grain to its *é-ku*,<sup>1</sup> but the passage seems inconclusive.

However, it would seem likely that Ur-Nina, in his position of *lugal*, differed from the *ensi*. If so, Urukagina reintroduced the conditions prevailing at the beginning of the dynasty before bureaucratization began in the period of the *ensis*. In spite of the fact that several *ensis*, such as Eannatum, the conqueror of Kish<sup>2</sup> and Umma, and Entemena, who was also victorious against Umma, were great warriors—or perhaps owing to the wars—the *ensi* régime led to a recession, above all an untenable pressure of taxation, as described in Urukagina's "reform texts". Urukagina eased

<sup>1</sup> Sollberger, *op. cit.*, Urn. 34, Col. III, lines 7-10.

<sup>2</sup> After having defeated Kish, he assumed the title "*lugal* of Kish".

this pressure, and he also introduced safer conditions with regard to private possession, for it is said that if a high royal official wanted to buy a good donkey from a subordinate, the latter should be entitled to claim relevant payment. In brief, Urukagina says that he installed Ningirsu as Lord in the fields of the *ensi* and that he introduced freedom for the people. In any case, this will mean that Urukagina tried to provide a guarantee for private possession, and he also mentions the widow and the orphan expressly, the first time a document mentions these groups in what was an early stage of law in the making. The "reforms" came too late. Urukagina's position was weak and after a few years he was conquered by Lugalzagesi, the *ensi* of Umma, the mortal enemy of Lagash. After that Lugalzagesi also assumed the title *lugal* of Lagash, and he was the first ruler to be called *lugal kalam-ma*, "king of the land", claiming sovereignty over the whole of Sumer. However, the next conqueror was already rising, Sargon of Akkad.

Sargon—*šarrum kēnum*—of Akkad undertook his famous campaign via Mari southwestwards towards the Mediterranean and then he turned towards the north. An omen text contains the posthumous fame of this deed in attributing the title *šar kibrātim arba'im*, "king of the four points of the compass" to Sargon—certainly rightly after his victory over Amurru, the entire area between the Euphrates and the Mediterranean. Whether that title attributed to Sargon should be considered an anachronism, as A. Falkenstein believed, or not, is irrelevant for our purpose, since his grandson Naram-Sin repeated the deed, and in his inscriptions, he has this title. He was also the first king whose name was written preceded by the determinative of god and who was called *dingir a-ga-dè*, or *il a-ga-dè*, "the god of Akkad". His Stela of Victory, furthermore, illustrates the *lugal's* dimensions in relation to those of ordinary mortals.

About 2100, Utuhegal ascended the throne of Uruk. At about the same time, Ur-Nammu became king of Ur, introducing the IIIrd dynasty. For our knowledge of the theory of state, this period is most important, as there are texts, for the first time, illustrating the organization of a political unity superior to the city states. Ur-Nammu's accession to the throne was about three centuries later than Urukagina's reign, and many events had occurred in the meantime. Ur-Nammu is the first king of whose written law at least fragments are known. Like Urukagina, he prided himself

upon having put an end to oppression; the widow, the orphan, and the poor being particularly mentioned. The Prologue of Ur-Nammu's law is also of importance from another angle. It is said that after the creation of the world and the determination of the fates of Ur, An and Enlil appointed Nanna, the moon god, king of Ur, and one day, Nanna elected Ur-Nammu as his representative on the earth. Ur-Nammu's first task was to conquer Lagash, which was expanding into the territory of Ur, and the earlier boundaries were restored. We thus have a system similar to that of Lagash under Urukagina: the city god was king and the king his representative. The difference was that the realm of Ur III gradually became a political unity, incorporating Sumer and Akkad, which was expressed through one of Ur-Nammu's titles, "king of Sumer and Akkad".

The most illustrious king of the dynasty was Shulgi, who was the ruler of Ur for 46 years. He calls himself "king of Sumer and Akkad" or "king of the four points of the compass". Following the example of Naram-Sin he also began to have his name written preceded by the determinative of god. The most striking expression of the idea of the king's divine character, however, is *dingir kalam-ma*, "the god of the land", and in this Shulgi was followed by Shu-Sin and Ibi-Sin in one or two inscriptions. To Shulgi's renown a number of royal hymns contributed. We may also briefly mention that in numerous scenes, in which a worshipper is introduced before the deity, the king's image may occur instead of that of one of the main deities. In such cases, however, there are differences with regard to the garments, the ornaments for the head and the thrones. Finally, the tombs of the kings of the Ur III dynasty have been said to be the only examples of monumental architecture in the Near East.

For our knowledge of the organization of the state in the Ur III period, two texts are of singular importance. These texts, which are preserved in the Museum of Istanbul, were published, transliterated, translated, and commented upon by F. R. Kraus.<sup>1</sup> They have been found at Nippur. They are written in Sumerian, in Old Babylonian script. On their character and historical value, Kraus says, "Ist uns bei dem jammervollen Stande unser Kenntnis der Geographie des alten Babylonien schon jeder kleinste Wissens-

<sup>1</sup> F. R. Kraus, "Provinzen des neusumerischen Reiches von Ur", *Zeitschrift für Assyriologie*, N. F. 17, 1955, p. 45 ff.



zuwachs willkommen, so wird man die beiden neuen Texte als ergiebige Informationsquelle ersten Ranges besonders freudig begrüßen. Der hohe Wert dieser meines Wissens einzigartigen Texte besteht darin, dass sie den Verlauf bestehender politischen Grenzen detailliert und in sachlicher Art darstellen ..." (*op. cit.*, p. 55). The texts are composed in such a way as to form 4 main sections together, and each section has a summary at its end. I am quoting the four summaries according to Kraus. 1. this is the field of the god Numushda from *šid-tab*; 2. the area of the god Meslamtaea from Abiak; 3. the area of the god Lugal-Marda; 4. the area of the god Sin. Each summary contains the final phrase "to (the name of the deity) king Ur-Nammu has confirmed". As each field, or area, is described with regard to its position, Kraus has been able to determine the situation of such places as *šid-tab* and *abiak*, previously unknown, while the description of Marad is partly broken, and the name of the capital of the area of the moon god is broken. Besides, two districts are referred to, but too briefly. One may be in the vicinity of Sippar; the other is quite unknown (*ibid.*, pp. 55 ff.). Furthermore, Kraus tries to determine the geographical position of the provinces, on the basis of the place names.

The two texts published by F. R. Kraus contain the idea that the city god was the possessor of the whole territory of his cult centre, an idea which occurred in many of the texts referred to above. In those cases, we have to do with city states, as in the inscriptions of Utuḫegal, the immediate predecessor of Ur-Nammu in his attempt to expand his territory. In the city states, where the ruler bore the title of *ensi*, he had roughly the same position as the vassals in the feudal system, and when Urukagina took power in Lagash, that system resulted in a real bureaucracy, against which the people of Lagash revolted in making Urukagina their ruler.

When concerned with the kings of the Ur III dynasty, we have to do with rulers of a political unity, in which a number of previously independent cult centres had been incorporated. It is true, Nippur was to some extent a cultic centre of the whole of Sumer, and its city god, Enlil, was the head of the Sumerian pantheon. It would accordingly have been possible to raise Enlil to the supreme deity of the whole kingdom, but this might have caused opposition with the priests of the local centres. It may thus have been such considerations that induced Ur-Nammu to preserve the existing traditions,

or he simply accepted them. To this the fact may also have contributed that the earlier centres of administration might continue their functions. As Kraus stresses, this implies that a tradition, which was more religious than political, was still prevailing, and inner disturbances were avoided. Although it may be considered uncertain, whether or not Ur-Nammu's confirmation of an area to a certain deity implied the transformation of an earlier independent city state into a province of the united realm, it would seem to be the case. New provinces may of course also have been created. At any rate, Kraus is undoubtedly right in his final judgement, "Was immer es mit dem 'Gebiet des Gottes NN der Stadt A' und seiner Bestätigung durch den König auf sich haben mag, es unterliegt keinem Zweifel, dass in unseren Texten der Umfang von Provinzen des Reiches des Königs Ur-Nammu von Ur im Detail festgehalten wird" (p. 66). The change which was connected with the Ur III dynasty's foundation of a centralized rule, was thus to the effect that the earlier city states were united under one king and became provinces in the united realm.

During the reigns of the last kings of the dynasty, decline was gradually a fact, which especially holds true in the reign of Ibi-Sin, with whose fall the dynasty came to an end. The difficulties began only a few years after Ibi-Sin's accession to the throne. Owing to shortage of food, the king sent one of his officials, Ishbi-Irra, to Isin to buy grain. This was the beginning of the series of events, through which Ishbi-Irra, who was keen and deceitful, soon overcame his employer so that, after a few years, he was able to establish himself as independent ruler in Isin, and he began year names of his own. These events undoubtedly illustrate the weakness of Ur-Nammu's system of administration, for since the provinces consisted of the earlier city states, the local priesthood was in charge of the administration under its chief—he was still called *ensi*—and reasons to question the authority of the king were easily found, for instance, if shortage of food arose. When Ishbi-Irra refused to send the grain he had bought, an unexampled inflation was the consequence, and prices rose to sixty times the normal. In the meantime, as appears from his year names, Ishbi-Irra built temples to various Sumerian gods, and in doing so, he showed that he had no intention to change the system prevailing. In this situation, as Puzur-Numushda, the governor of Kazallu, informs Ibi-Sin in a letter, one after the other of the local governors

joined Ishbi-Irra. Ibi-Sin's authority vanished more and more, and while he was contemplating his possible errors, the Elamites contributed to the final catastrophe, and Ibi-Sin was carried imprisoned to Elam. In Larsa, another "Amorite" dynasty had ascended the throne a little earlier. There is no evidence to make probable that the system of administration was changed in the reigns of the dynasties of Isin and Larsa. However, the turn of the tide was not yet a fact. Approximately a century after Ishbi-Irra's assumption of power, the first dynasty of Babylon ascended the throne, and about 1800 (or 1792) Ḫammurabi became king in Babylon. Ḫammurabi became the founder of the new political unity, and his policy also concerned civilization in all its aspects.

Ḫammurabi's fame is not least due to his Code. In the Prologue—still more expressly in the Epilogue—according to common parlance, it is said that Ḫammurabi had been elected king to establish justice in the country, or in order that the strong should not oppress the weak, and the widow and the orphan should get their rights.<sup>1</sup> Previous rulers had proclaimed the same proud principles. Were these principles realized to a larger extent than on earlier occasions? In answering this question, we only need briefly to mention a few characteristic features of Ḫammurabi's reign. He was no great conqueror. Two years before his accession in Babylon Rim-Sin of Larsa had taken Isin, and thus united the two cities under his rule. Rim-Sin was accordingly a powerful rival, at first as his ally. Another powerful competitor was Shamshi-Adad of Asshur, but he died in Ḫammurabi's 11th year. Only in his 31st year, however, Ḫammurabi succeeded in rendering Rim-Sin submissive. After that, in his 33rd year, he vanquished Mari, which nevertheless remained independent to a certain extent, and, in his 38th year, Eshnunna. But with these advances, his resources were exhausted, and decline was already a fact, why in his last years, he was content with the title "King of Sumer and Akkad". What made his reign illustrious, was rather his efforts to make his realm a civilizational unity. His Code was mentioned above. According to a wording in the Prologue, his achievement was the fact that he established justice in the language of the country, i.e.

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<sup>1</sup> On these groups, see F. C. Fensham, "Widow, Orphan, and the Poor in Ancient Near Eastern Legal and Wisdom Literature", *Journal of Near Eastern Studies*, 21, 1962, p. 129 ff.

Babylonian. One earlier code in this language is known, that of Bilalama of Eshnunna, about 200 years before Hammurabi, but the Code of Lipit-Ishtar of Isin was written in Sumerian. A comparison shows that Hammurabi's Code, in several respects, was liberal, for instance, the provision that a person who had become a slave owing to debts, should be released after three years.

With regard to the religious structure of the realm, Hammurabi's most important reform was Marduk's rise to a position as the chief deity of the whole kingdom. Whether or not the Epic of Creation obtained its final literary form in the reign of Hammurabi is a question, which is not easily answered. There is sufficient evidence of the main features of Marduk's character before Hammurabi's reign, but quite another question is that of the literary process. In any case, Marduk's position as the chief deity of the realm coincided with Hammurabi's adopting the feudal system of administration. In the Ur III period, as we have seen, the early system still prevailed, and the earlier city states continued their existence, although as provinces of the unity. This system was continued in the period of the Isin and Larsa dynasties. In the reign of Shamshi-Adad of Asshur, at any rate, we meet with a typical feudal system, as is evident, for instance, from his correspondence with his son Yasmah-Adad, viceroy of Mari. This system implies that the king considered himself the possessor of the ground, particularly such as belonged to the temples, and its products as well. This does of course not mean that farmers possessing ground did not exist.

To quote one example only, we may refer to a passage containing directions to Yasmah-Adad concerning the question, whether or not new surveying performances should be undertaken in the case of certain tenants on the shore of the Euphrates, Shamshi-Adad advises not to undertake new performances lest discontent should arise. Only in the cases of a dead man or of a fugitive, new performances should be undertaken.<sup>1</sup>

What might the reasons be for discontent, in the case new surveying performances were undertaken and the ground was assigned in a different way as compared with the previous allotment? Undoubtedly, one reason

<sup>1</sup> For an example, see *Archives royales de Mari*, I, 1950, No. 6; cf. A. Haldar, *Who Were the Amorites*, 1971, p. 80 f.

might be debts, which the tenants were liable to pay, and interests were often a heavy burden. Now and then conditions became untenable for this reason, and then the king might order a remission of debts to certain groups of the population. A year name of Rim-Sin's runs as follows: "Year: the tablets were broken." The implication is that tablets containing bonds were destroyed, and the tenants in debt were released. Other measures might also be taken to increase prosperity, such as to prohibit usury and rise of prices, the latter measure is said to have been taken by Shamshi-Adad.

Ḫammurabi's system of economy was in the line of Shamshi-Adad's. His correspondence with the two most important vassals, Sin-Iddinam and Shamash-Ḫašir, contains evidence to this effect. The military organization was dependent on the distribution of ground. During his last years, he stood on the defensive, and decline was a fact. Ḫammurabi himself has not computed or balanced the outcome of his reign, but there is a letter, written by his son and successor Samsuiluna, which illuminates the conditions of those years. We read there as follows, "The king, my father, is s[ick] and I sat myself on the throne in order to . . . the country."<sup>1</sup> After that he mentions his first action as ruler, remission of debts. This shows that the proud wordings of the Prologue and the Epilogue of the Code, nor the Code itself, did not cover reality. We are perhaps entitled to say that there we have the Myth of the State, describing social conditions as they should be, or as A. L. Oppenheim puts it, "Its contents are rather to be considered in many essential respects a traditional literary expression of the king's social responsibilities and of his awareness of the discrepancies between existing and desirable conditions." He continues, "Ultimately, such codes represent an interesting formulation of social criticism and should not be taken as normative directions in the manner of post-biblical and Roman law" (*op. cit.*, p. 158). Governmental proclamations of social justice to the effect that all subjects are to have their share of prosperity without suffering from poverty or from other conditions considered social injustice are undoubtedly a myth, *The Myth of the State*, which is never in accord with reality.

<sup>1</sup> *Textes cunéiformes*, 17, No. 76, quoted by A. L. Oppenheim, *Ancient Mesopotamia*, Chicago & London 1964, (2nd impression 1965), p. 157. Oppenheim's note 24 (p. 363) is worth while considering: "No serious use has yet been made of the considerable textual evidence available for the rule of this king, to study the history of the period."

Hammurabi's dynasty continued to rule Babylonia for another 150 years. In this period the political unity was carried on to some extent, in that Babylon was the capital and the earlier local centres were administrative centres of the provinces. Only the south was an exception, "where inaccessible marshes and poor communications create a natural refuge for ethnic groups out of power and separatists" (Oppenheim, *op. cit.*, p. 157).