MESOPOTAMIA

NEO-SUMERIAN PERIOD (UR III)

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1. Sources

The legal sources of this period all derive from cities under the control of the Third Dynasty of Ur (Ur III), being mostly from excavations at Ur, Girsu/Lagash, Nippur, Drehem, and Umma. They are almost exclusively written in Sumerian, and the bulk of them fall within a period of about fifty years, between the latter half of Shulgi’s reign and the first years of Ibbi-Sin’s.

1.1 Law Codes

The single law code from this period has the distinction of being the earliest known of its genre. The Laws of Ur-Namma (LU), named after the founder of the dynasty (2112–2095), were originally inscribed on monuments set up in various temples of his kingdom, which have not survived. It is preserved in copies on five tablets from the Old Babylonian period. The beginning and end are missing, and from the extant fragments it is not possible to reconstruct a continuous text. Preserved are part of the prologue, some of the laws, and some of the curses against effacing the inscription. A block of about thirty laws are preserved more or less intact; a further twenty are in a more or less fragmentary form that allows only partial reconstruction and a provisional order.

1 Sections 2 (Constitutional Law), 4.2 (Class), and 6.1 (Tenure): Lafont.
3 References to paragraphs of the Code follow the reconstruction of Wilcke, “Kodex Urnammu . . .” For an English edition, see Roth, Law Collections . . ., 13–22, 36–39, which assigns one of the witnesses (tablet D) to a separate code (Laws of X). Wilcke assigns another of the witnesses (tablet E) to LU, but other scholars to the post-Ur III Laws of Lipit-Ishtar (Roth: secs. a–g, pp. 26–27). The difficulty of assignment between the two Sumerian codes is indicative of the continuity of the legal tradition between the Ur III and early Old Babylonian periods.
1.2 Trial Reports

1.2.1 Special to this period are official records of trials, which were preserved in state archives. Most published texts are from Girsu/Lagash, where they usually bear the superscript di-til-la (“case completed”). The second largest group is from Umma (and not headed di-til-la) and there are scattered examples from Ur and Nippur. Among the thousands of administrative documents from Puzriš-Dagan (see 1.5 below), a single trial record has been found.

1.2.2 The records contain an extremely terse account of the trial proceedings: the parties, the claim, the witnesses, the key issue on which evidence was given (and an oath taken), the “commissioner” (maškim) responsible for the case, the judges, and the date. Some tablets (Germ. Sammeltafel) contain a number of cases before the same judges—apparently, their case-load for the day. In these the account is even more concise. There are also cases in which no decision appears; indeed, they give the impression of a private arrangement made before the court. They may represent litigation ended by a settlement of the parties before the court. On the other hand, some records from Umma are clearly protocols of interim stages, such as witness statements.

1.2.3 A. Falkenstein edited 215 texts in his authoritative work, Die neusumerischen Gerichtsurkunden, which remains fundamental to the study of neo-Sumerian law. A few dozen tablets have been published since.

1.3 Procedural Records

A number of documents are protocols of legal steps taken by or before officials, for example, a promissory oath, a protocol of incarceration in prison, or a payment of damages. It is sometimes hard to tell whether they are records of litigation or not.

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4 See Falkenstein, Gerichtsurkunden I . . ., 13–14.