

Structure of Ancient Mesopotamian Society

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Since October 1, 1974, I have been working on a two-year project entitled "Earliest Systems of Land Tenure in the Near East," which is supported by a research grant of \$80,000 from the National Endowment for the Humanities. The grant provides for two persons to assist me in the work. These positions are filled by Mr. Robert Whiting, research associate, and Mr. Piotr Steinkeller, research assistant.

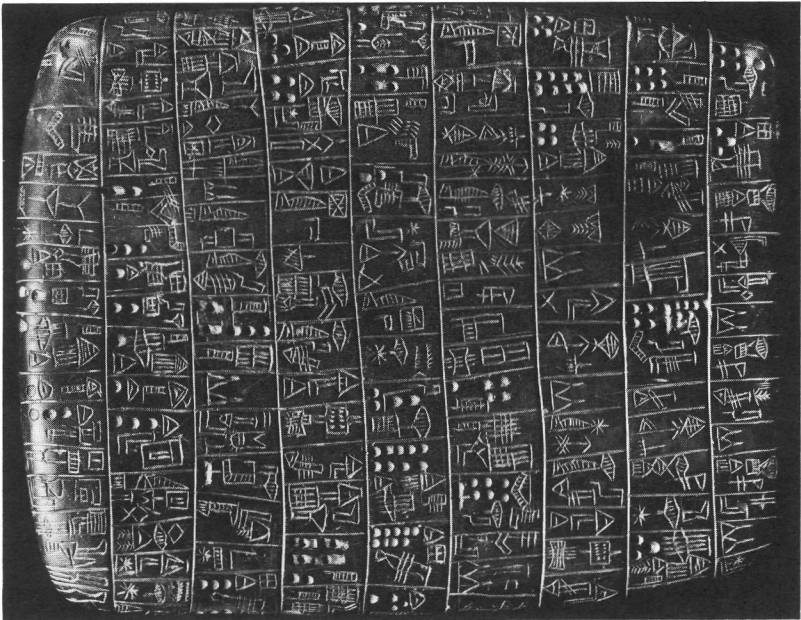
The past year has been devoted to the first stages of the project, which have included the final preparation of the primary sources for the study which will make up the first part of the published version. The primary sources consist of about 55 ancient kudurrus, which are almost exclusively written on stone, and sale transactions on clay, which number about 290.

The ancient kudurrus will be fully published with transliterations, hand copies, photographs, and charts with appropriate commentary. The transactions on clay will be treated primarily by means of charts showing the structure of the text and the significant terminology. The repetitive nature of these texts makes them particularly suited to this type of treatment. The preparation of the ancient kudurrus is being done in cooperation with Mr. Whiting, while the work on the clay documents is being carried out by Mr. Steinkeller.

While the sale documents on clay have been relatively well discussed, especially by those interested in their legal aspects, the ancient kudurrus have hardly been touched. The ancient kudurrus are stone documents that record the acquisition of land by an individual from other individuals and their families. Almost all kudurrus record multiple transactions, whereas the clay contracts always deal with a single sale or purchase. The kudurrus begin with the earliest writing in the Protoliterate Period (*ca.* 3100 B.C.) and continue down to the Sargonic

Period (*ca.* 2250 B.C.), but the individual sale contracts are not found until the Fara Period, late in Early Dynastic times (*ca.* 2450 B.C.), although they continue through the end of the third millennium and, in modified forms, throughout history.

Even this brief description of the ancient kudurrus makes their importance evident. Their great age (they date back to the beginning of written tradition in the fourth millennium B.C.) makes them easily the earliest documents relating to land tenure known anywhere. They indicate the passage of land from extended family groups and clans into the hands of private individuals and, together with the sale documents on clay, speak against the theory that all land property in early Mesopotamia was owned by the temple and/or state. This theory of state and temple ownership of all land property has been prevalent since the publication of the archives of the Bau Temple in Lagash over half a century ago and, until quite recently, was accepted as the starting point for discussions of Mesopotamian economy in the third millennium B.C. The ancient kudurrus show that this theory is in need of revision.



One of the ancient kudurrus, purchased in 1943 (Orinst A 25412). Internal evidence suggests that it came from Akkad, though the dealer claimed it was found at Lagash.

The importance of the ancient kudurrus, even in their own day, is further indicated by the fact that they were written on stone. Stone has always been scarce in Mesopotamia and was used only for the most important inscriptions such as royal monuments and dedicatory inscriptions and, of course, cylinder seals. Since the ancient kudurrus were written on stone, it is obvious that they were meant to be a lasting and monumental record of the purchase of land which served a different purpose from the clay documents on which the individual transactions were originally recorded. Whether this enduring record of purchase was intended for deposit in some central location or whether it was meant to be kept by the purchaser as proof of ownership for posterity cannot be determined at present.

The accompanying illustration shows a large and exceptionally handsome and well-preserved ancient kudurru presently on display in the Oriental Institute Museum. The stone inscription dates to the latter part of the Early Dynastic Period and is written in the Sumerian language and cuneiform writing system. At this stage of the development of writing, many of the signs still appear pictographic.

The stone, measuring $25 \times 32 \times 5.5$ cm., is inscribed in nine columns on both obverse and reverse and records the acquisition of sixteen parcels of land by an unnamed individual. A quite similar but less well preserved stone, now in the Walters Art Gallery in Baltimore, records the acquisition of seventeen parcels of land, also by an unnamed individual. Because of the similarity of the two stones, it is possible that they formed part of a set and that the final stone of the set, not yet discovered, gives the name of the purchaser of all the parcels of land listed on the set of tablets.

Generally, each transaction lists the size and location of the parcel of land, the price paid for it, the name of the seller, a list of gifts or additional payments given to the seller and his family, phrases which serve to legalize or solemnize the sale, and the witnesses to the transaction. The size of the plots of land varies from 6 acres to 132 acres and the sixteen parcels of land total 557 acres.

This kudurru is but one of the more than fifty which will be included in the primary sources to be published as a result of this research project. As this phase of the project nears completion, the coming year will be spent on secondary interpretation and socioeconomic commentary on the sources, which will comprise the second part of the study. When completed, the project will make available for the first time all the primary sources dealing with land tenure in the earliest periods of Mesopotamian history and will provide a new starting point for investigations into the ancient Mesopotamian society and economy.