

jurisprudence. Its achievements were chiefly confined to the drawing up of business forms, and only in the neo-Babylonian period did they become more flexible. A proof of this is the Sumero-Akkadian series anaitišu, consisting largely of such forms, which developed in the early Old Babylonian period.

Because of the political configuration of Babylonia in the Sumerian period, when individual cities contested for supremacy, law differed according to the locality. It was city law, although its basic concepts were everywhere the same by reason of the common civilization. Fragments of such Sumerian city laws are still extant. The first and only great code of legislation known to us is the Old Babylonian code of the greatest ruler of the first Babylonian dynasty, Hammurabi. Written in the Akkadian language, it was planned as a legal code for the entire kingdom. It consists of a compilation of older Akkadian and Sumerian laws and tends to strike a balance between the two legal systems. Then there are reforms made by the king-- partly in the form of changes or interpolations in the draft code-- who here displayed his social viewpoint, for he sympathized with the weak, which sometimes led him to excessive protection of the debtor. He considered himself the šar mišarim, the king of equity law, as contrasted with kettum, the fixed, rigid law. These concepts, which were evolved as early as the Sumerian period, might be compared with equity and common law. They are, however, theoretical concepts rather than living forces like the latter. It is doubtful whether the code was wholly applied in practise, for it had a certain learned stamp which led to the retention of obsolete legal provisions, as in the primitive rules governing offenses against property which threaten the defeated party with the death penalty. Nevertheless, the influence of this code upon the period must have been tremendous and it was regarded with high esteem as a literary monument in later centuries in Babylonia. A Middle Assyrian collection of court decisions and laws, the latter no doubt largely derived from an urban code of Assur, was probably the work of private individuals who modernized or glossed older laws by later additions. The first tablet,