

Mesopotamia:

THE FIRST PRISONS

I.

DATE

3200 - 1600 BCE

LOCATION

SUMER, AKKAD, BABYLON
(modern Iraq)

SYSTEM

DEVINE RULE, UNEQUAL LAW

SPACIAL LOGIC

UNKNOWN ARCHITECTURE



Stele of Hammurabi
Basalt relief sculpture, dated around 1754 BCE, discovered in Susa and originally placed in Babylon
This carved monument shows King Hammurabi receiving a set of laws from the god Shamash, which established public justice as a divine and permanent order; it includes clauses on imprisonment, physical punishment, and property law, making it one of the oldest surviving legal codes tied directly to carceral practice.

WHY IT MATTERS

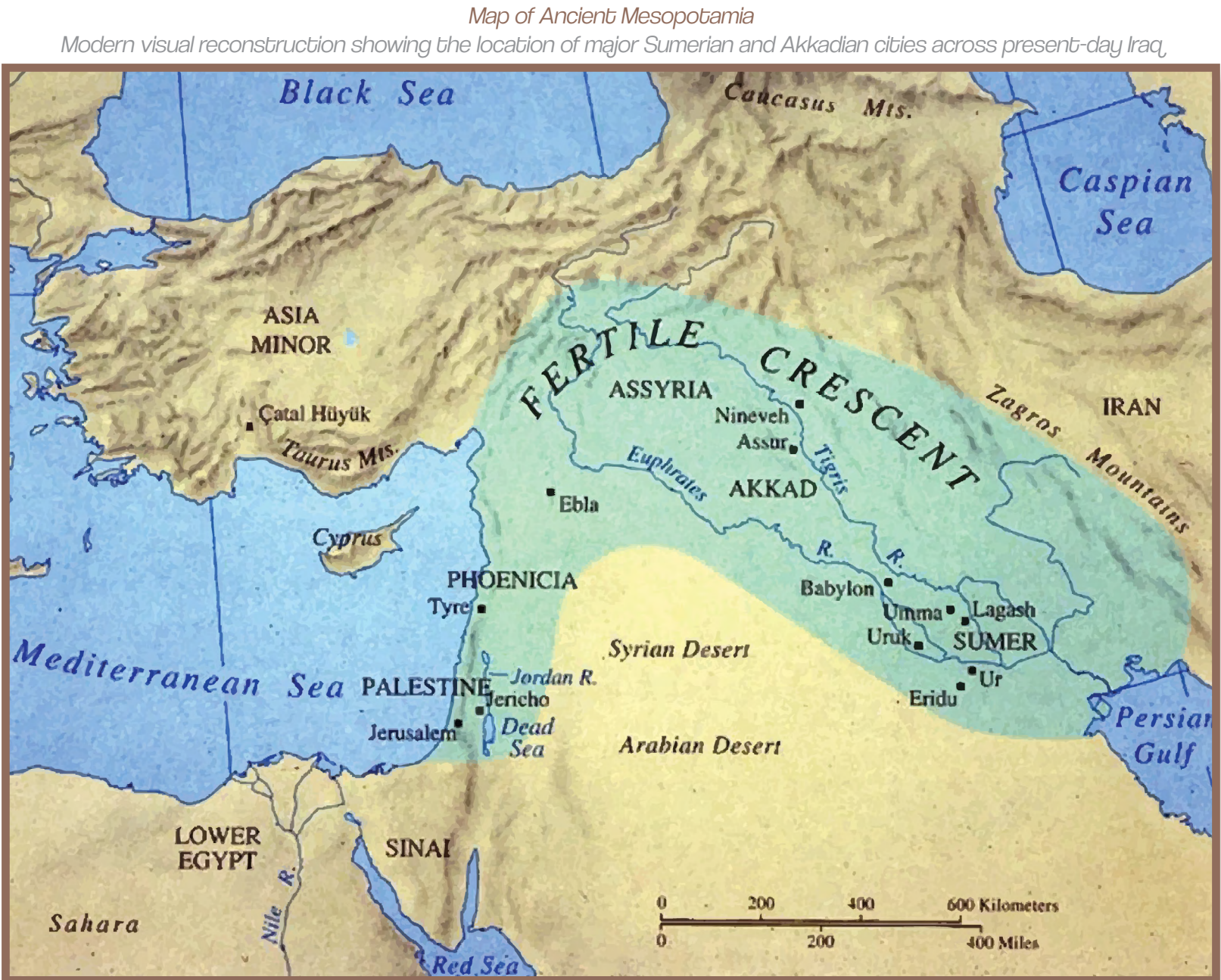
These were not prisons in the modern sense, but they introduced the foundational idea that space could be used to hold, sort, and morally judge the human body.

Legal codes from this time, including those by Ur Nammu, Lipit Ishtar, and Hammurabi, structured crime and punishment into a formal system of rules. Most penalties favored fines, corporal punishment, or execution; however, imprisonment emerged as a transitional phase within that process, especially in cases of debt, ritual wrongdoing, or kidnapping. Law and religion were deeply connected; gods like Shamash and goddesses like Nungal were not only worshipped, but embedded within legal structures. Prisons, in this early form, were both physical and spiritual; they operated as sacred spaces of judgment.

Cuneiform Hymn to Nungal
Clay tablet with Sumerian script, created around 2000 BCE, most likely from the temple archives of Nippur
This hymn addresses Nungal, the goddess of prisons, portraying incarceration as a spiritual trial rather than a punishment; it describes prison as a place of divine testing, where the soul is refined through suffering before being judged



What makes this era critical is its legacy. It represents the first documented use of confinement as a deliberate strategy of control. It transformed law from something oral and local into something written, codified, and enforced across urban centers. Even though the physical architecture of permanent prison buildings had not yet developed, the concept of carceral power had already formed. The Mesopotamian model set a precedent that would echo for centuries; imprisonment could serve the needs of law, economy, and religion by restraining the body through space.



Code of Lipit-Ishtar Tablet
Legal document inscribed on clay, composed around 1860 BCE, found in the city of Nippur
Written by the Sumerian king Lipit-Ishtar, this code provides early references to debt, labor, and personal status in law; it helps trace the development of justice systems where detention was used as a legal tool tied to social and economic regulation.

This period marks the origin of confinement as a tool of governance, spirituality, and economic control. In ancient Mesopotamia, detention was not designed to punish or rehabilitate in the way it is today; instead, it was used to manage debt, delay judgment, or enforce labor. The state, often operating through temple institutions, created Houses of Confinement, which were spaces where the accused waited for trial, where debtors were held until payment was made, or where individuals labored in service of restitution.