

CHAPTER
2

Section 1

PRIMARY SOURCE *from The Code of Hammurabi*

More than 3,500 years ago, Hammurabi, king of the Babylonian Empire, ordered scribes to chisel a code of 282 laws onto a tall column of black stone. The column also featured an introduction explaining the intent of the code and a summary of Hammurabi's kingly deeds. As you read these laws from the code, think about how Mesopotamians defined crimes and how criminals were punished.

Before this portrait let every man who has a legal dispute come forward, read this text, and heed its precious words. The stone tablet will enlighten him in his trouble, and thus may he find justice and breathe easier in his heart, speaking these words: "Hammurabi is a king who cares for his people like a loving father."

1

If a man bring an accusation against a man, and charge him with a capital crime, but cannot prove it, he, the accuser, shall be put to death.

48

If a man owe a debt and Adad inundate his field and carry away the produce, or, through lack of water, grain have not grown in the field, in that year he shall not make any return of grain to the creditor, he shall alter his contract-tablet and he shall not pay the interest for that entire year.

53

If a man neglect to strengthen his dike and do not strengthen it, and a break be made in his dike and the water carry away the farm-land, the man in whose dike the break has been made shall restore the grain which he has damaged.

54

If he be not able to restore the grain, they shall sell him and his goods, and the farmers whose grain the water has carried away shall share the results of the sale.

113

If a man hold a debt of grain or money against a man, and if he take grain without the consent of the owner from the heap or the granary, they shall call that man to account for taking grain without the consent of the owner from the heap or the granary, and he shall return as much grain as he took, and he shall forfeit all that he has lent, whatever it be.

148

If a man take a wife and she become afflicted with disease, and if he set his face to take another, he may. His wife, who is afflicted with disease, he shall not put away. She shall remain in the house which he has built and he shall maintain her as long as she lives.

149

If that woman do not elect to remain in her husband's house, he shall make good to her the dowry which she brought from her father's house and she may go.

153

If a woman bring about the death of her husband for the sake of another man, they shall impale her.

195

If a son strike his father, they shall cut off his fingers.

196

If a man destroy the eye of another man, they shall destroy his eye.

197

If one break a man's bone, they shall break his bone.

200

If a man knock out a tooth of a man of his own rank, they shall knock out his tooth.

216

If he be a freeman, he (the physician) shall receive five shekels.

218

If a physician operate on a man for a severe wound with a bronze lancet [surgical knife] and cause the man's death; or open an abscess (in the eye) of a man with a bronze lancet and destroy the man's eye, they shall cut off his fingers.

225

If he operate on an ox or a donkey for a severe wound and cause its death, he shall give the owner of the ox or donkey one fourth its value.

229

If a builder build a house for a man and do not make its construction firm, and the house which he has built collapse and cause the death of the owner of the house, that builder shall be put to death.

250

If a bull, when passing through the street, gore a man and bring about his death, this case has no penalty.

I, Hammurabi, who was a perfect king to the downtrodden people entrusted to me by the god Enlil, I who was, by Marduk's order, their shepherd, have never tarried, never rested. I gave the people beautiful places, kept all pressing needs far away, and made their lives easier. With the mighty weapons given me by the gods Zababa and Ishtar, with the wisdom granted me by Ea, with the powers I hold from Marduk, I wiped out enemies on every side, put an end to wars, brought prosperity to our land, allowed men to live in peace and let no one fall upon them or harass them. I was called by the great gods, wherefore I became the good shepherd whose staff is straight. My righteous shadow

has stretched across my city, I have gathered Sumer and Akkada in my arms, that they might thrive under my protection. I shield them in my peace and protect them in my wisdom. That the strong might not oppress the weak, that the widow and orphan might receive their due, here in Babylon . . . have I inscribed my precious words on a memorial stone and erected my statue as King of Justice.

from Robert Francis Harper, The Code of Hammurabi, King of Babylon (Chicago: The University of Chicago Press, 1904). Reprinted in Pierre Schwob, ed., Great Documents of the World: Milestones of Human Thought (Maidenhead, England: McGraw Hill, 1977).

Activity Options

1. **Developing Historical Perspective** With a small group, role-play Mesopotamians who live in the Babylonian Empire. Take turns acting as criminals who break specific laws in Hammurabi's Code, scribes who record the legal proceedings, and judges who sentence the criminals according to the code.
2. **Comparing and Contrasting** Invite a local attorney to speak to the class about today's judicial system. Discuss ways in which laws and penalties for breaking the law in the United States are similar and different to laws and penalties in the Babylonian Empire.