

# Hammurabi's Code

Hammurabi's Code is a collection of 282 laws inscribed on an upright stone pillar known as a stela. The code was found by French archaeologists in 1901 while excavating the ancient city of Susa, which is in modern-day Iran. Today, the basalt monument stands in the Louvre Museum in Paris. At just over seven feet tall, it clearly was meant for public display when it was first erected. Fragments of other copies have been found in archeological sites of other Babylonian cities. At the top of this stela is an engraved depiction of Hammurabi with the god of justice, Shamash. Below that picture are columns of inscription in the Akkadian language. The tablet has 16 columns of text on the front and 28 on the back. Between a prologue and epilogue (in which Hammurabi invokes the gods and discusses the greatness of his justice) lies the meat of the artifact. It enumerates almost 300 laws, all in a conditional if/then format.



Hammurabi is the best known and most celebrated of all Mesopotamian kings. He ruled the Babylonian Empire from 1792-50 B.C.E. Although he was concerned with keeping order in his kingdom, this was not his only reason for compiling the list of laws. When he began ruling the city-state of Babylon, he had control of no more than 50 square miles of territory. As he conquered other city-states and his empire grew, he saw the need to unify the various groups he controlled. Hammurabi keenly understood that, to achieve this goal, he needed one universal set of laws for all of the diverse peoples he conquered. Therefore, he sent legal experts throughout his kingdom to gather existing laws. These laws were reviewed and some were changed or eliminated before compiling his final list of 282 laws.

The prologue or introduction to the list of laws is very enlightening. Here, Hammurabi states that he wants "to make justice visible in the land, to destroy the wicked person and the evil-doer, that the strong might not injure the weak." The laws themselves support this compassionate claim, as they do protect widows, orphans and others from being harmed or exploited.

The famous phrase "'An eye for an eye, and a tooth for a tooth'" represents what many people view as a harsh sense of justice based on revenge. But, the entire code is much more complex than that one phrase. The code distinguishes among punishments for wealthy or noble persons, lower-class persons or commoners, and slaves.

"Anu and Bel called by name me, Hammurabi, the exalted prince, who feared God, to bring about the rule of righteousness in the land, to destroy the wicked and the evil-doers; so that the strong should not harm the weak; so that I should rule over the black-headed people like Shamash, and enlighten the land, to further the well-being of mankind ..." So begins the Law Code of Hammurabi. A list of the 282 laws follow. Some were quite brutal, others rather progressive.

Here are some of the laws:

- If any one finds runaway male or female slaves in the open country and bring them to their masters, the master of the slaves shall pay him two shekels of silver.
- If any one is committing a robbery and is caught, then he shall be put to death.
- If a son says to his adoptive father or mother: "You are not my father, or my mother," his tongue shall be cut off.
- If a son strike his father, his hands shall be hewn off.
- If a man knock out the teeth of his equal, his teeth shall be knocked out.
- If a man strike a free-born woman so that she lose her unborn child, he shall pay ten shekels for her loss.
- If a barber, without the knowledge of his master, cut the sign of a slave on a slave not to be sold, the hands of this barber shall be cut off.
- If a slave says to his master: "You are not my master," if they convict him his master shall cut off his ear.
- If any one steal the minor son of another, he shall be put to death.
- If any one break a hole into a house (break in to steal), he shall be put to death before that hole and be buried.
- If fire break out in a house, and some one who comes to put it out cast his eye upon the property of the owner of the house, and take the property of the master of the house, he shall be thrown into that self-same fire
- If a man wish to separate from a woman who has borne him children, or from his wife who has borne him children: then he shall give that wife her dowry, and a part of the profits of field, garden, and property, so that she can rear her children. When she has brought up her children, a portion of all that is given to the children, equal as that of one son, shall be given to her. She may then marry the man of her heart.
- If a physician make a large incision with the operating knife, and kill him, or open a tumor with the operating knife, and cut out the eye, his hands shall be cut off.
- If a physician make a large incision in the slave of a freed man, and kill him, he shall replace the slave with another slave.
- If a judge has judged a judgment, decided a decision, granted a sealed sentence, and afterwards has altered his judgment, that judge, for the alteration of the judgment that he judged, shall be put him to account, and he shall pay twelvefold the penalty which was in the said judgment, and in the assembly one shall expel him from his judgment seat, and he shall not return, and with the judges at a judgment he shall not take his seat.

From the code, it is evident that the Babylonians did not believe all people were equal. The code treated slaves, commoners, and nobles differently. Hammurabi's own words illustrate this point: "If a man has destroyed the eye of a man of the gentleman class, they shall destroy his eye .... If he has destroyed the eye of a commoner ... he shall pay one mina of silver. If he has destroyed the eye of a gentleman's slave ... he shall pay half the slave's price." In some cases, these rules are quite reasonable and fair: "If any one owe a debt for a loan, and a storm prostrates (kills) the grain, or the harvest fail, or the grain does not grow for lack of water, in that year he need not give his creditor any grain; he washes his debt-tablet in water and pays no rent for this year."

The code also gives rules for family matters, such as marriage, divorce, incest, and adoption. Women had a number of rights, including the ability to buy and sell property and to obtain a divorce.

Payment amounts for the work of doctors and other professionals are outlined as well. The Code also covers all types of issues related to farming and herding animals, and it also lays out rules on the ownership and sale of slaves.

### **Go Jump in a River!**

The Babylonians understood the need for honesty by all parties in a trial and for court officers to be free of corruption so that the justice system could function effectively. It outlines rules for witnesses and those making accusations of crimes. For example, "If any one bring an accusation of any crime before the elders, and does not prove what he has charged, he shall, if it be a capital offense charged, be put to death." It details how theft or destruction of property should be handled and gives guidelines for dealing with trade and business problems.

A number of the laws refer to jumping in the Euphrates River as a method of demonstrating one's guilt or innocence. If the accused returned to shore safely, they were deemed innocent; if they drowned, they were guilty. This practice follows the Babylonians's belief that their fates were controlled by their gods.