Primary Sources: The Code of Hammurabi

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Editor’s Note: The Code of Hammurabi is one of the first legal codes in history, created around 1750 B.C. in ancient Babylon. Today, the city of Babylon is part of modern Iraq. Hammurabi’s Code was enacted by the Babylonian king, Hammurabi. Only one nearly complete example of the Code survives today. The Code is inscribed on a 7-foot-4-inch stone tablet in the Akkadian language in the cuneiform script, which uses dashes as writing. It is in the Louvre Museum in Paris, France.

Hammurabi was the sixth king of Babylon. His code contained 282 laws. Hammurabi claimed it was given to him by the Sun God, Shamash, and that his right to rule came from Marduk, the main god of Babylon.
The Code deals with laws that people might see today, like contracts establishing the wages to be paid to a driver or the fee to be paid to a surgeon. Other laws say what a builder would owe for a house that collapses, for example. Part of the code addresses issues of family relationships such as inheritance, marriage, divorce and children. The Code has different
rules for the three classes of Babylonian society: property owners, freed men and slaves. For example, if a doctor killed a rich patient, he would have his hands cut off, but if he killed a slave, he would pay only a fine. Below are some excerpts from Hammurabi’s Code.

The Prologue

Anu the Sublime, king of the Anunaki, and Bel, the lord of Heaven and Earth, gave to Marduk dominion over earthly man. They made Babylon great on Earth, and started an eternal kingdom in it. Then Anu and Bel called me, Hammurabi, the exalted prince who feared God. They told me to bring about the rule of righteousness in the land. They told me to destroy the wicked and the evil-doers so that the strong should not harm the weak and to further the well-being of mankind.

When Marduk sent me to rule over men and protect them with justice, I did what was right and brought about the well-being of the oppressed.
Code Of Laws

1. If a man accuses another man and charges him with a capital crime, but cannot prove it, he, the accuser, shall be put to death.
2. If a man charges a man with sorcery and cannot prove it, he who is accused shall go to the river and shall throw himself in. If the river drowns him, his accuser shall take his house and property. If the river shows that man to be innocent and he is unharmed, the accuser shall be charged with sorcery and shall be put to death. The person who was accused shall take the house and property of his accuser.

3. If a man lies in court in a case involving a death sentence, that man shall be put to death.

4. If a man lies in court in exchange for a bribe of grain or money, he shall himself bear the penalty imposed in that case.

15. If a man aids a slave of the palace or a slave of a free man to escape from the city gate, he shall be put to death.

21. If a man breaks a hole in a house, they shall put him to death in front of that hole and they shall thrust him into the hole.

22. If a man is a brigand (member of a gang of robbers) and attacks people who are traveling, he shall be put to death.

25. If a fire breaks out in a man’s house and another man goes to extinguish the fire and steals, that man shall be thrown into that fire.

26. If an officer is ordered to go on an errand of the king but hires a substitute and sends him instead, that officer shall be put to death.

42. If a man rents a field and does not produce any grain, he shall give grain to the owner of the field.

53. If a man does not strengthen his dyke, and it breaks and the water ruins his neighbor’s farmland, the man shall give the neighbor grain in compensation for the damage.

104. If a merchant gives someone corn, wool, oil or any other goods to sell, that person shall give a receipt for the amount.

138. If a man divorces a wife who has not borne him children, he shall give her back the money in her marriage settlement.

142. If a woman quarrels with her husband and says, “You are not congenial to me,” she must give reasons. If she is not at fault, but he leaves and neglects her, then no guilt attaches to this woman. She shall take her dowry and go back to her father’s house.

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

196. If a man destroys the eye of another man, his eye shall be destroyed.

197. If one man breaks another man’s bone, they shall break his bone.

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

202. If a man strikes a man who is his superior, he shall receive 60 strokes with an oxtail in public.
229. If a builder builds a house for another man and the house collapses and kills the owner, that builder shall be put to death.

265. A man hires a herdsman, and the herdsman lies about the number of sheep or cattle that have been born or sells them. The herdsman shall pay the owner 10 times the loss.

282. If a male slave says to his master: “You are not my master,” his master shall cut off his ear.

The Epilogue

These are the laws of justice which Hammurabi, the wise king, established. In my deep wisdom, I have made sure that the strong might not injure the weak, and I protected the widows and orphans. I have settled all disputes, and healed all injuries. These are my precious words, written upon my memorial stone, before the image of me, as king of righteousness.

I am the king who rules among the kings of the cities. Let the oppressed, who has a case at law, come and stand before my image as king of righteousness; let him read the inscription, and understand my precious words: he will find out what is just, and his heart will be glad.