

Name: _____

Hammurabi's Law Code

When Marduk commanded me to give justice to the people of the land and to let [them] have [good] governance, I set forth truth and justice throughout the land [and] prospered the people.

At that time:

If a man has accused a man and has charged him with manslaughter and then has not proved [it against] him, his accuser shall be put to death.

If a man has charged a man with sorcery and then has not proved [it against] him, he who is charged with the sorcery shall go to the holy river; he shall leap into the holy river and, if the holy river overwhelms him, his accuser shall take and keep his house; if the holy river proves that man clear [of the offense] and he comes back safe, he who has charged him with sorcery shall be put to death; he who leapt into the holy river shall take and keep the house of his accuser.

If a man has come forward in a case to bear witness to a felony and then has not proved the statement that he has made, if that case [is] a capital one, that man shall be put to death.

If he has come forward to bear witness to [a claim for] corn or money, he shall remain liable for the penalty for that suit.

If a judge has tried a suit, given a decision, caused a sealed tablet to be executed, [and] thereafter varies his judgment, they shall convict that judge of varying [his] judgment and he shall pay twelvefold the claim in that suit; then they shall remove him from his place on the bench of judges in the assembly, and he shall not [again] sit in judgment with the judges.

If a free person helps a slave to escape, the free person will be put to death.

If a man has committed robbery and is caught, that man shall be put to death.

If the robber is not caught, the man who has been robbed shall formally declare whatever he has lost before a god, and the city and the mayor in whose territory

or district the robbery has been committed shall replace whatever he has lost for him.

If [it is] the life [of the owner that is lost], the city or the mayor shall pay one maneh of silver to his kinsfolk.

If a person owes money and Adad [the river god] has flooded the person's field, the person will not give any grain [tax] or pay any interest in that year.

If a person is too lazy to make the dike of his field strong and there is a break in the dike and water destroys his own farmland, that person will make good the grain [tax] that is destroyed.

If a merchant increases interest beyond that set by the king and collects it, that merchant will lose what was lent.

If a trader borrows money from a merchant and then denies the fact, that merchant in the presence of god and witnesses will prove the trader borrowed the money and the trader will pay the merchant three times the amount borrowed.

If the husband of a married lady has accused her but she is not caught lying with another man, she shall take an oath by the life of a god and return to her house.

If a man takes himself off and there is not the [necessary] maintenance in his house, his wife [so long as] her [husband is delayed], shall keep [herself chaste; she shall not] enter [another man's house].

If that woman has not kept herself chaste but enters another man's house, they shall convict that woman and cast her into the water.

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

If a man has put out the eye of a free man, they shall put out his eye.

If he breaks the bone of a [free] man, they shall break his bone.

If he puts out the eye of a villain or breaks the bone of a villain, he shall pay one maneh of silver.

If he puts out the eye of a [free] man's slave or breaks the bone of a [free] man's slave, he shall pay half his price.

If a man knocks out the tooth of a [free] man equal [in rank] to him[self], they shall knock out his tooth.

If he knocks out the tooth of a villain, he shall pay one-third maneh of silver.

If a man strikes the cheek of a [free] man who is superior [in rank] to him[self], he shall be beaten with 60 stripes with a whip of ox-hide in the assembly.

If the man strikes the cheek of a free man equal to him[self in rank], he shall pay one maneh of silver.

If a villain strikes the cheek of a villain, he shall pay ten shekels of silver.

If the slave of a [free] man strikes the cheek of a free man, they shall cut off his ear.

Questions:

What can you tell from Hammurabi's code about the social and family structure of Mesopotamia?

What picture of Mesopotamian life do you get from these laws?

Why did agricultural civilizations such as Babylon insist on harsh punishments for crimes?

What religious and magical beliefs does the document suggest?

What are the most common punishments for crimes?

What seems to be the rationale for these punishments?

For what crimes is the death penalty given?

Did this legal system sustain or challenge class, gender and racial ideologies? Provide a specific example to support your point.