

HAMMURABI'S CODE OF LAWS (circa 1780 B.C.)

Babylonian Code of Laws

2. If any one bring an accusation against a man, & the accused go to the river and leap into the river, if he sink in the river his accuser shall take possession of his house. But if the river prove that the accused is not guilty, and he escape unhurt, then he who had brought the accusation shall be put to death, while he who leaped into the river shall take possession of the house that had belonged to his accuser.
3. 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.
6. If any one steal the property of a temple or of the court, he shall be put to death, and also the one who receives the stolen thing from him shall be put to death.
7. If any one buy from the son or the slave of another man, without witnesses or a contract, **silver or gold, a male or female slave, an ox or a sheep, an ass** or anything, or if he take it in charge, he is considered a thief and shall be put to death.
8. If any one steal **cattle or sheep, or an ass, or a pig or a goat**, if it belong to a god or to the court, the thief shall pay thirtyfold therefor; if they belonged to a freed man of the king he shall pay tenfold; if the thief has nothing with which to pay he shall be put to death.
9. If any one lose an article, and find it in the possession of another: if the person in whose possession the thing is found say "A merchant sold it to me, I paid for it before witnesses," and if the owner of the thing say, "I will bring witnesses who know my property," then shall the purchaser bring the merchant who sold it to him, and the witnesses before whom he bought it, and the owner shall bring witnesses who can identify his property. The judge shall examine their testimony--both of the witnesses before whom the price was paid, and of the witnesses who identify the lost article on oath. The merchant is then proved to be a thief and shall be put to death. The owner of the lost article receives his property, and he who bought it receives the money he paid from the estate of the merchant.
10. If the purchaser does not bring the merchant and the witnesses before whom he bought the article, but its owner bring witnesses who identify it, then the buyer is the thief and shall be put to death, and the owner receives the lost article.
11. If the owner do not bring witnesses to identify the lost article, he is an evil-doer, he has traduced, and shall be put to death.
- [editor's note: there is no 13th law in the code, 13 being considered and unlucky and evil number.]**
14. If any one steal the minor son of another, he shall be put to death.
15. If any one take a male or female slave of the court, or a male or female slave of a freed man, **outside the city gates**, he shall be put to death.
16. If any one receive into his house a runaway male or female slave of the court, or of a freedman, and does not bring it out at the public proclamation of the **major domus**, the master of the house shall be put to death.
17. If any one find 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.
18. If the slave will not give the name of the master, the finder shall bring him to the palace; a further investigation must follow, and the slave shall be returned to his master.
19. If he hold the slaves in his house, and they are caught there, he shall be put to death.
20. If the slave that he caught run away from him, then shall he swear to the owners of the slave, and he is free of all blame.
22. If any one is committing a robbery and is caught, then he shall be put to death.
23. If the robber is not caught, then shall he who was robbed claim under oath the amount of his loss; then shall the community, and on whose ground and territory and in whose domain it was compensate him for the goods stolen.
24. If persons are stolen, then shall the community and pay one mina of silver to their relatives.
27. If a chieftain or man be caught in the misfortune of the king (captured in battle), and if his fields and garden be given to another and he take possession, if he return and reaches his place, his field and garden shall be returned to him, he shall take it over again.
28. If a chieftain or a man be caught in the misfortune of a king, if his son is able to enter into possession, then the field and garden shall be given to him, he shall take over the fee of his father.
29. If his son is still young, and can not take possession, a third of the field and garden shall be given to his mother, and she shall bring him up.
48. If any one owe a debt for a loan, and a storm prostrates 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.

Categories of Laws:

1. Protection of Property (what is property)
2. Protection of Individuals
3. Protection of Family

53. If any one be too lazy to keep his **dam** in proper condition, and does not so keep it; if then the dam break and all the fields be flooded, then shall he in whose dam the break occurred be sold for money, and the money shall replace the **corn** which he has caused to be ruined.

119. If any one fail to meet a claim for debt, and he sell the maid servant who has borne him children, for money, the money which the merchant has paid shall be repaid to him by the owner of the slave and she shall be freed.

120. If any one store **corn** for safe keeping in another person's house, and any harm happen to the corn in storage, or if the owner of the house open the granary and take some of the corn, or if especially he deny that the corn was stored in his house: then the owner of the corn shall claim his corn before God (on oath), and the owner of the house shall pay its owner for all of the corn that he took.

121. If any one store corn in another man's house he shall pay him storage at the rate of **one gur** for every **five ka of corn** per year.

122. If any one give another silver, gold, or anything else to keep, he shall show everything to some witness, draw up a contract, and then hand it over for safe keeping.

123. If he turn it over for safe keeping without witness or contract, and if he to whom it was given deny it, then he has no legitimate claim

127. If any one "point the finger" (slander) at a sister of a god or the wife of any one, and can not prove it, this man shall be taken before the judges and his brow shall be marked. (by cutting the skin, or perhaps hair.)

138. If a man wishes to separate from his wife who has borne him no children, he shall give her the amount of her purchase money and the dowry which she brought from her father's house, and let her go. **139.** If there was no purchase price he shall give her **one mina** of gold as a gift of release. **140.** If he be a freed man he shall give her **one-third of a mina** of gold.

141. If a man's wife, who lives in his house, wishes to leave it, plunges into debt, tries to ruin her house, neglects her husband, and is judicially convicted: if her husband offer her release, she may go on her way, and he gives her nothing as a gift of release. If her husband does not wish to release her, and if he take another wife, she shall remain as servant in her husband's house. **142.** If a woman quarrel with her husband, and say: "You are not congenial to me," the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, 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.

143. If she is not innocent, but leaves her husband, and ruins her house, neglecting her husband, this woman shall be cast into the water.

195. If a son strike his father, his hands shall be hewn off.

196. If a man put out the eye of another man, his eye shall be put out[**An eye for an eye**] 197. If he break another man's bone, his bone shall be broken.

198. If he put out the eye of a freed man, or break the bone of a freed man, he shall pay **one gold mina**.

199. If he put out the eye of a man's slave, or break the bone of a man's slave, he shall pay one-half of its value. 200. If a man knock out the teeth of his equal, his teeth shall be knocked out. [**A tooth for a tooth**]

201. If he knock out the teeth of a freed man, he shall pay **one-third of a gold mina**. 202. If any one strike the body of a man higher in rank than he, he shall receive sixty blows with an ox-whip in public.

203. If a free-born man strike the body of another free-born man or equal rank, he shall pay **one gold mina**.

204. If a freed man strike the body of another freed man, he shall pay **ten shekels** in money. 205. If the slave of a freed man strike the body of a freed man, his ear shall be cut off.

218. 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. 219. 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. 225. If he perform a serious operation on an ass or ox, and kill it, he shall pay the owner one-fourth of its value. 226. 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. 227. If any one deceive a barber, and have him mark a slave not for sale with the sign of a slave, he shall be put to death, and buried in his house. The barber shall swear: "I did not mark him wittingly," and shall be guiltless.

228. If a builder build a house for some one and complete it, he shall give him a **fee of two shekels** in money for each sar of surface. 229 If a builder build a house for some one, and does not construct it properly, and the house which he built fall in and kill its owner, then that builder shall be put to death. 230. If it kill the son of the owner the son of that builder shall be put to death. 231. If it kill a slave of the owner, then he shall pay slave for slave to the owner of the house. 232. If it ruin goods, he shall make compensation for all that has been ruined, and inasmuch as he did not construct properly this house which he built and it fell, he shall re-erect the house from his own means. 233. If a builder build a house for some one, even though he has not yet completed it; if then the walls seem toppling, the builder must make the walls solid from his own means.

282. If a slave say to his master: "You are not my master," if they convict him his master shall cut off his ear.

NAME:

Using Hammurabi's Code:

List 5 **specific details** about the Babylonia Civilization.

- 1.
- 2.
- 3.
- 4.
- 5.

What is a common punishment for many of the infraction of laws?

What situations or problems do all of these civilizations that develop in this area have that the laws correct?

What do many of the laws of Babylon protect?

Why do you think these laws emphasize this?

After reading and categorizing (use categories of laws) many of these laws, **List at least four words that would describe this civilization.**

- 1.
- 2.
- 3.
- 4.

Most of the civilizations in this area are like the one that developed in Babylon. List several ways the Fertile Crescent civilizations differ from the Egyptian Civilization?

Egypt	Civilizations (general) of Fertile Crescent

Combine these ideas and write a comparative statement about the two civilizations on the back of this sheet.