The Code of Hammurabi is a well-preserved Babylonian law code of ancient Mesopotamia, dating back to about 1754 BC (Middle Chronology). It is one of the oldest deciphered writings of significant length in the world. The sixth Babylonian king, Hammurabi, enacted the code, and partial copies exist on a seven and a half foot stone stele and various clay tablets. The code consists of 282 laws, with scaled punishments, adjusting "an eye for an eye, a tooth for a tooth" (lex talionis)\[1\] as graded depending on social status, of slave versus free man.\[2\] Nearly one-half of the code deals with matters of contract, establishing, for example, the wages to be paid to an ox driver or a surgeon. Other provisions set the terms of a transaction, establishing the liability of a builder for a house that collapses, for example, or property that is damaged while left in the care of another. A third of the code addresses issues concerning household and family relationships such as inheritance, divorce, paternity, and sexual behavior. Only one provision appears to impose obligations on an official; this provision establishes that a judge who reaches an incorrect decision is to be fined and removed from the bench permanently.\[3\] A few provisions address issues related to military service.

The code was discovered by modern archaeologists in 1901, and its editio princeps translation published in 1902 by Jean-Vincent Scheil. This nearly complete example of the code is carved into a basalt stele in the shape of a huge index finger,\[4\] 2.25 m (7.4 ft) tall. The code is inscribed in the Akkadian language, using cuneiform script carved into the stele. It is currently on display in the Louvre, with exact replicas in the Oriental Institute at the University of Chicago, the Clendening History of Medicine Library & Museum at the University of Kansas Medical Center, the library of the Theological University of the Reformed Churches (Dutch: Theologische Universiteit Kampen voor de Gereformeerde Kerken) in the Netherlands, the Pergamon Museum of Berlin, and the National Museum of Iran in Tehran.
Hammurabi ruled for nearly 42 years, from about 1792 to 1749 BC according to the Middle chronology. In the preface to the law, he states, "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."[5] On the stone slab are 44 columns and 28 paragraphs that contained 282 laws. Some of these laws follow along the rules of 'an eye for an eye'.[6]

It had been taken as plunder by the Elamite king Shutruk-Nahhunte in the 12th century BC and was taken to Susa in Elam (located in the present-day Khuzestan Province of Iran) where it was no longer available to the Babylonian people. However, when Cyrus the Great brought both Babylon and Susa under the rule of his Persian Empire, and placed copies of the document in the Library of Sippar, the text became available for all the peoples of the vast Persian Empire to view.[7]

In 1901, Egyptologist Gustave Jéquier, a member of an expedition headed by Jacques de Morgan, found the stele containing the Code of Hammurabi during archaeological excavations at the ancient site of Susa in Khuzestan.[8]

**Law**

The Code of Hammurabi was one of several sets of laws in the ancient Near East and also one of the first forms of law.[9] The code of laws was arranged in orderly groups, so that all who read the laws would know what was required of them.[10] Earlier collections of laws include the Code of Ur-Nammu, king of Ur (circa 2050 BC), the Laws of Eshnunna (circa 1930 BC) and the codex of Lipit-Ishtar of Isin (circa 1870 BC), while later ones include the Hittite laws, the Assyrian laws, and Mosaic Law.[11] These codes come from similar cultures in a relatively small geographical area, and they have passages which resemble each other.[12]

The Code of Hammurabi is the longest surviving text from the Old Babylonian period.[13] The code has been seen as an early example of a fundamental law, regulating a government — i.e., a primitive constitution.[14][15] The code is also one of the earliest examples of the idea of presumption of innocence, and it also suggests that both the accused and accuser have the opportunity to provide evidence.[16] The occasional nature of many provisions suggests that the code may be better understood as a codification of Hammurabi's supplementary judicial decisions, and that, by memorializing his wisdom and justice, its purpose may have been the self-glorification of Hammurabi rather than a modern legal code or constitution. However, its copying in subsequent generations indicates that it was used as a model of legal and judicial reasoning.[17]

The Code issues justice following 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, only financial restitution was required.[18]
Other copies

Various copies of portions of the Code of Hammurabi have been found on baked clay tablets, some possibly older than the celebrated basalt stele now in the Louvre. The Prologue of the Code of Hammurabi (the first 305 inscribed squares on the stele) is on such a tablet, also at the Louvre (Inv #AO 10237). Some gaps in the list of benefits bestowed on cities recently annexed by Hammurabi may imply that it is older than the famous stele (it is currently dated to the early 18th century BC).[19] Likewise, the Museum of the Ancient Orient, part of the Istanbul Archaeology Museums, also has a "Code of Hammurabi" clay tablet, dated to 1750 BC, in (Room 5, Inv # Ni 2358).[20][21]

In July, 2010, archaeologists reported that a fragmentary Akkadian cuneiform tablet was discovered at Tel Hazor, Israel, containing a circa-1700 BC text that was said to be partly parallel to portions of the Hammurabi code. The Hazor law code fragments are currently being prepared for publication by a team from the Hebrew University of Jerusalem.[22]

Laws covered

The laws covered such subjects as:

Slander

Ex. Law #127: "If any one "point the finger" 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.)"[23]

Trade

Ex. Law #265: "If a herdsman, to whose care cattle or sheep have been entrusted, be guilty of fraud and make false returns of the natural increase, or sell them for money, then shall he be convicted and pay the owner ten times the loss."[23]

Slavery

Ex. Law #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."[23]

The duties of workers

Ex. Law #42: "If any one take over a field to till it, and obtain no harvest therefrom, it must be proved that he did no work on the field, and he must deliver grain, just as his neighbor raised, to the owner of the field."[23]

Theft

Ex. Law #22: "If any one is committing a robbery and is caught, then he shall be put to death,"[23]

Trade

Ex. Law #104: "If a merchant give an agent corn, wool, oil, or any other goods to transport, the agent shall give a receipt for the amount, and
compensate the merchant therefor. Then he shall obtain a receipt from the merchant for the money that he gives the merchant."[23]

**Liability**

Ex. Law #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."[23]

**Divorce**

Ex. Law #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."[23]

One of the best known laws from Hammurabi's code was:

Ex. Law #196: "If a man destroy the eye of another man, they shall destroy his eye. If one break a man's bone, they shall break his bone. If one destroy the eye of a freeman or break the bone of a freeman he shall pay one gold mina. If one destroy the eye of a man's slave or break a bone of a man's slave he shall pay one-half his price."[23]

Hammurabi had many other punishments, as well. If a son strikes his father, his hands shall be hewn off. Translations vary.[24][25]

## See also

- Babylonian law
- Code of the Assura
- Code of Ur-Nammu – the oldest known tablet containing a law code surviving today, it predates the Code of Hammurabi by some 300 years
- Cuneiform Law
- Hippocratic Oath
- List of ancient legal codes
- *Quid pro quo*
- Urukagina – Sumerian king and creator of what is sometimes cited as the first example of a legal code in recorded history

## References

2. Gabriele Bartz, Eberhard König, (Arts and Architecture), Könemann, Köln, (2005), ISBN 3-8331-1943-8. The laws were based with scaled punishments, adjusting "an eye for an eye" depending on social status.


**External links**


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| Bronze Age literature | 18th-century BC works | Ancient Near East steles | 2nd-millennium BC steles
| Akkadian inscriptions | Slavery law

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