

Socratic Circle Preliminary Questions:

Code of Hammurabi

Law 1 -

- Hammurabi said, “For anyone who borrowed grain or silver, if the borrower *can’t* repay their lender in grain or silver, but they *can* repay their lender with other goods, then the borrower shall repay their lender with the other goods (in amounts equal to the exchange value). The lender may not refuse it—the lender must accept it.”

Imagine that you lend someone \$100 for a month. After a month goes by, they have no money to repay you, but they have \$100 worth of clothing. According to Hammurabi, you must let them repay you with the \$100 worth of clothing.

What do you think? Do you agree with Hammurabi? *Why* or why *not*? Explain. Does it matter if, rather than \$100 worth of clothing, they can repay you with \$100 worth of *milk*? Instead of milk, what about *apples*? Instead of *apples*, what about *gasoline*? (Explain your answers.)

Law 2 -

- Hammurabi said, “If a man intends to give something to someone else for safekeeping, then he shall show witnesses whatever he intends to give. For any man who gave something to someone else for safekeeping, if there were *no* witnesses, then the man has no basis for reclaiming what he gave. For any man who gave something to someone else for safekeeping, if there *were* witnesses, then the person to whom the man gave something shall pay twice the value of what they were given if they deny that they were given what they were given.”

Imagine that you have given your school ID to your classmate for safekeeping. According to Hammurabi, if *only* you and your classmate know about the special arrangement, then your classmate *doesn't* have to return your ID to you, because there were no witnesses to the arrangement. Do you agree with Hammurabi? *Why or why not?* Explain.

Once again, imagine that you have given your school ID to your classmate for safekeeping, and image that two high schoolers were present to witness the arrangement that you have made with your classmate. According to Hammurabi, if your classmate denies that you ever gave them your ID for safekeeping, then your classmate must pay twice as much as your ID is worth. Do you agree with Hammurabi? *Why or why not?* Explain.

Law 3 -

- Hammurabi said, “For any physician who heals someone’s eye, if the patient is an aristocrat then they must pay the physician 10 shekels of silver, but if the patient is a commoner then they must pay the physician 5 shekels of silver. For any physician who heals a broken bone, if the patient is an aristocrat then they must pay the physician 5 shekels of silver, but if the patient is a commoner then they must pay the physician 3 shekels of silver.”

Imagine that a rich person and a poor person both get the very same medical treatment from a medical doctor. According to Hammurabi, the rich person should pay more than the poor person for the same medical treatment. Do you agree with him? *Why* or why *not*? Explain.

Does the kind of medical treatment matter? For example, does it make a difference if the medical treatment is a *kidney transplant* rather than a *broken leg*? Why or why not? Explain.