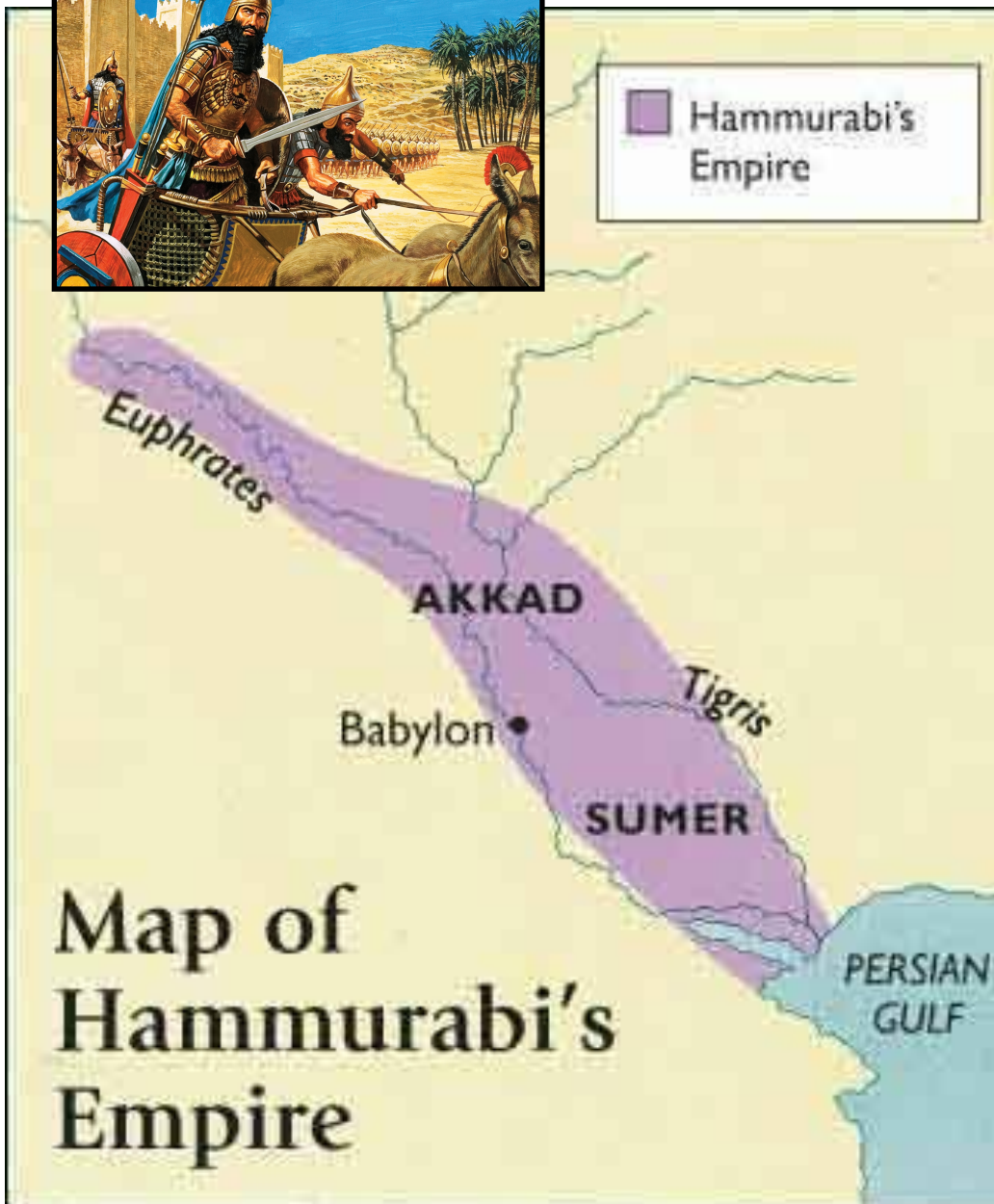


The Code of Hammurabi



When they gave supreme power over all people to Ea's son Marduk for the sake of the people's well-being, the gods Anu and Enlil named me "Hammurabi".

They tasked me to make justice prevail in the land,
to abolish the wicked and the evil,
to prevent the strong from oppressing the weak, and
to rise like the sun god Shamash over all of humankind to illuminate the land.

I am Hammurabi, the shepherd who was chosen by the god Enlil!
I perfected every possible thing for the city Nippur. I restored the city of Eridu!

To make my lord Marduk happy, I magnified the reputation of Babylon!

I was created by the moon god Sin, whose city of Ur I enriched!
I am obedient to the sun god Shamash, and I built up the city of Sippar!
I showed mercy to the city of Larsa, and I revitalized the city of Uruk!

I irrigated the fields of Lagash!

By the command of the fish god Dagan,
I subdued Mari, but I showed its people mercy!
I restored the temple to Ishtar in the city of Akkad!
I protected the city of Ashur, and
I promoted the worship of Ishtar in the city of Nineveh!

I am the pious one, who endlessly prays for the great gods.
I am the descendent of Sumu-La-El! I am the heir of my father Sin-Muballit!
I am the eternal seed of royalty, the mighty king, and the solar disk of Babylon.
I spread light over the lands of Sumer & Akkad.

I am the king who makes the four corners of the world obedient to him.

I am the favorite of the goddess Ishtar.

When the god Marduk ordered me to provide morality for the people of the land,
I established truth & justice in the land, and
I improved the well-being of the people.

These are my laws...

- If an aristocrat blinds the eye of another aristocrat, the offender's eye shall be blinded.
- If an aristocrat breaks the bone of another aristocrat, the offender's bone shall be broken.
- If an aristocrat knocks out the tooth of another aristocrat, the offender's tooth shall be knocked out.
- If an aristocrat blinds the eye or breaks the bone of a commoner, the aristocrat shall pay 60 shekels of silver.
- If an aristocrat knocks out the tooth of a commoner, the aristocrat shall pay 20 shekels of silver.
- If a commoner punches another commoner, the offender shall pay 10 shekels of silver.
- If an aristocrat punches another aristocrat of *equal* rank, the offender shall pay 60 shekels of silver.
- If an aristocrat punches another aristocrat of *higher* rank, the offender shall be whipped 60 times in public.
- If an aristocrat's slave punches an aristocrat in the face, the slave's ear shall be cut off.
- If an aristocrat blinds the eye of another aristocrat's slave or breaks the bone of another aristocrat's slave, the offender shall pay the slave's owner half of the slave's value.

- During a brawl, if an aristocrat punches another aristocrat in the face, the offender shall swear that the injury was unintentional, and they shall pay the medical bills of their victim.
- During a brawl, if an aristocrat *kills* another aristocrat, the offender shall swear that the death was unintentional, and they shall pay 30 shekels of silver.
- For any physician who heals someone's eye, if the patient is an aristocrat then they must pay the physician 10 shekels of silver, and 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, if the patient is a commoner then they must pay the physician 3 shekels of silver, and if the patient is an aristocrat's slave then the slave's owner must pay 2 shekels of silver.
- For any physician who blinds their patient, if the patient is an aristocrat then the physician's hand shall be cut off, but if the patient is a commoner then the physician must pay half of the commoner's value.
- If a veterinarian heals someone's ox or donkey, the animal's owner must pay the veterinarian 1/6 of a shekel of silver.
- If a veterinarian kills someone's ox or donkey, the veterinarian must pay the animal's owner 1/4 of the animal's value.
- For anyone who borrowed grain or silver, if the borrower cannot 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 according to the exchange value).
The lender may not refuse it—the lender must accept it.

- If a man stores grain in someone else's granary,
then he shall pay a rent of 5 grains a year for every 300 grains stored.
- If a lender adds the interest payments to the capital sum, then
the borrower shall pay the lender twice as much as he received.
- In a joint business venture,
the business partners must equally share the profits or losses of their
business.

- 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.

- If a man is accused of homicide, but the man's accuser has no proof of the
crime, then the accuser shall be put to death.
- For stealing an ox, a sheep, a donkey, a pig, or a boat,
if what was stolen belongs either to the temple or to the palace,
then the thief shall pay 30 times the value of what was stolen; but
if what was stolen belongs to a commoner,
then the thief shall pay 10 times the value of what was stolen; and
if the thief does not have anything to give, then he shall be killed.
- If a man kidnaps someone else's young child, then he shall be killed.
- If a man helps someone else's slave escape, then he shall be killed.

- If a man helps to capture a fugitive slave,
then he shall be paid 2 shekels of silver by the slave's owner.
- If a storm, flood, or drought devastates the field of a man who is in debt,
then he is exempt from paying interest for that year.
- If a builder constructs a house for a man to the man's satisfaction,
the man shall give the builder 2 shekels of silver
for each *sar* of house that was built.
- If a builder constructs a house that collapses and causes the death of the
householder, the builder shall be killed.
- If a builder constructs a house that collapses & causes the death of the
householder's son, the builder's son shall be killed.
- If a builder constructs a house that collapses and causes damage to the
homeowner's belongings (or slave), the builder shall fully-compensate the
homeowner, and the builder *also* shall build the homeowner a *new* house at
no additional charge.

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Questions about the ***Code of Hammurabi***

1. The legal term “*Lex Talionis*” is Latin for “The Law of Retaliation”. Yet rather than any retaliation whatsoever, it specifically means that the punishment for a crime must be as severe as the crime itself. In the *Code of Hammurabi*, which three laws are the most obvious/uncontroversial examples of *Lex Talionis*? Find the appropriate bullet points, and state each one of the three “*if-then*” statements in full.
2. According to Hammurabi, does *Lex Talionis* apply equally to everyone? *Why* or *why not*? Explain (by providing textual evidence for your yes-or-no answer).
3. According to Hammurabi, medical doctors are forbidden from charging aristocrats and commoners the same price for the very same medical treatment, but who did he believe should be charged *less*? (Aristocrats or commoners?)
4. In light of your answer to the previous question, do you agree with Hammurabi? *Why* or *why not*? Explain.

5. Question #5 is a four-part question.

- (a) Imagine that a man stores 300 grains of barley in someone else's granary. According to Hammurabi, if the man stores the 300 grains for three years, how many grains of barley does the man owe to the granary's owner (at the end of three years)?

- (b) Imagine that a man stores 300 grains of barley in someone else's granary. According to Hammurabi, if the man stores the 300 grains for four years, how many grains of barley does the man owe to the granary's owner (at the end of four years)?

- (c) Imagine that a man stores 600 grains of barley in someone else's granary. According to Hammurabi, if the man stores the 600 grains for two years, how many grains of barley does the man owe to the granary's owner (at the end of two years)?

- (d) Imagine that a man stores 600 grains of barley in someone else's granary. According to Hammurabi, if the man stores the 600 grains for three years, how many grains of barley does the man owe to the granary's owner (at the end of three years)?

6. Imagine that a man accuses someone of homicide, and imagine that the accuser provides no evidence to support their accusation. According to Hammurabi, what punishment shall the accuser suffer? Do you agree with Hammurabi? *Why* or why *not*? Explain.
7. According to Hammurabi, if a thief steals an ox, a sheep, a donkey, a pig, or a boat, but they cannot pay the fine for the crime, what punishment shall the thief suffer? Do you agree with Hammurabi? *Why* or why *not*? Explain.
8. Imagine that a physician (or medical doctor) blinds their patient. According to Hammurabi, what punishment shall the physician (or medical doctor) suffer? Do you agree with Hammurabi? *Why* or why *not*? Explain.

9. Imagine that a builder builds a house that collapses and causes someone's death.

(a) According to Hammurabi, if the collapse causes the homeowner's death, then what punishment shall the builder suffer?

(b) According to Hammurabi, if the collapse causes the death of the homeowner's son, then what punishment shall the builder suffer?

10. Keeping in mind your answers to the previous two-part question, do you agree with Hammurabi? *Why* or why *not*? Explain.