

Excerpts of the Code of Hammurabi

... 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...

2. If any one bring an accusation against a man, and 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.

5. If a judge try a case, reach a decision, and present his judgment in writing; if later error shall appear in his decision, and it be through his own fault, then he shall pay twelve times the fine set by him in the case, and he shall be publicly removed from the judge's bench, and never again shall he sit there to render judgement.

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.

12. If the witnesses [for a lost article or contract] be not at hand, then shall the judge set a limit, at the expiration of six months. If his witnesses have not appeared within the six months, he is an evil-doer, and shall bear the fine of the pending case.

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.

Continued... (2)

21. If any one break a hole into a house (break in to steal), he shall be put to death before that hole and be buried.

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.

25. If fire break out in a house, and some one who comes to put it out cast his eye upon the property of the owner of the house, and take the property of the master of the house, he shall be thrown into that self-same fire.

38. A chieftain, man, or one subject to quit-rent [tax] can not assign his tenure of field, house, and garden to his wife or daughter, nor can he assign it for a debt.

39. He may, however, assign a field, garden, or house which he has bought, and holds as property, to his wife or daughter or give it for debt.

45. If a man rent his field for tillage for a fixed rental, and receive the rent of his field, but bad weather come and destroy the harvest, the injury falls upon the tiller of the soil.

46. If he do not receive a fixed rental for his field, but lets it on half or third shares of the harvest, the grain on the field shall be divided proportionately between the tiller and the owner.

47. If the tiller, because he did not succeed in the first year, has had the soil tilled by others, the owner may raise no objection; the field has been cultivated and he receives the harvest according to agreement.

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.

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.

54. If he be not able to replace the corn, then he and his possessions shall be divided among the farmers whose corn he has flooded.

57. If a shepherd, without the permission of the owner of the field, and without the knowledge of the owner of the sheep, lets the sheep into a field to graze, then the owner of the field shall harvest his crop, and the shepherd, who had pastured his flock there without permission of the owner of the field, shall pay to the owner twenty gur of corn for every ten gan.

Continued... (3)

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 form the merchant for the money that he gives the merchant.

105. If the agent is careless, and does not take a receipt for the money which he gave the merchant, he can not consider the unreceipted money as his own.

107. If the merchant cheat the agent, in that as the latter has returned to him all that had been given him, but the merchant denies the receipt of what had been returned to him, then shall this agent convict the merchant before God and the judges, and if he still deny receiving what the agent had given him shall pay six times the sum to the agent.

108. If a tavern-keeper (feminine) does not accept corn according to gross weight in payment of drink, but takes money, and the price of the drink is less than that of the corn, she shall be convicted and thrown into the water.

109. If conspirators meet in the house of a tavern-keeper, and these conspirators are not captured and delivered to the court, the tavern-keeper shall be put to death.

110. If a "sister of a god" open a tavern, or enter a tavern to drink, then shall this woman be burned to death.

117. If any one fail to meet a claim for debt, and sell himself, his wife, his son, and daughter for money or give them away to forced labor: they shall work for three years in the house of the man who bought them, or the proprietor, and in the fourth year they shall be set free.

118. If he give a male or female slave away for forced labor, and the merchant sublease them, or sell them for money, no objection can be raised.

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.)

Continued... (4)

132. If the "finger is pointed" at a man's wife about another man, but she is not caught sleeping with the other man, she shall jump into the river for her husband.

133. If a man is taken prisoner in war, and there is a sustenance in his house, but his wife leave house and court, and go to another house: because this wife did not keep her court, and went to another house, she shall be judicially condemned and thrown into the water.

188. If an artisan has undertaken to rear a child and teaches him his craft, he can not be demanded back.

189. If he has not taught him his craft, this adopted son may return to his father's house.

190. If a man does not maintain a child that he has adopted as a son and reared with his other children, then his adopted son may return to his father's house.

95. 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.

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1205. If the slave of a freed man strike the body of a freed man, his ear shall be cut off.
206. If during a quarrel one man strike another and wound him, then he shall swear, "I did not injure him wittingly," and pay the physicians.
207. If the man die of his wound, he shall swear similarly, and if he (the deceased) was a free-born man, he shall pay half a mina in money.
208. If he was a freed man, he shall pay one-third of a mina.
209. If a man strike a free-born woman so that she lose her unborn child, he shall pay ten shekels for her loss.
210. If the woman die, his daughter shall be put to death.
224. If a veterinary surgeon perform a serious operation on an ass or an ox, and cure it, the owner shall pay the surgeon one-sixth of a shekel as a fee.
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.
275. If any one hire a ferryboat, he shall pay three gerahs in money per day.
276. If he hire a freight-boat, he shall pay two and one-half gerahs per day.
277. If any one hire a ship of sixty gur, he shall pay one-sixth of a shekel in money as its hire per day.
278. If any one buy a male or female slave, and before a month has elapsed the benu-disease be developed, he shall return the slave to the seller, and receive the money which he had paid.
279. If any one buy a male or female slave, and a third party claim it, the seller is liable for the claim.
282. If a slave say to his master: "You are not my master," if they convict him his master shall cut off his ear.

Excerpts of the Code of Hammurabi Graphic Organizer

Laws Relating to Property and the Economy

Laws Relating to Gender

Questions to reflect on:
1. Are the laws fair and/or necessary?

Laws Relating to interacting with others

2. Who do the laws benefit or condemn?

Laws Relating to Officials or Administrators

3. What do the laws reveal about Babylonian society?