

HAMMURABI'S CODE

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Hammurabi was the sixth king of the First Babylonian dynasty of the Amorite tribe, reigning from c. 1792 BC to c. 1750 BC.

During his reign, he conquered Elam and the city-states of Larsa, Eshnunna, and Mari. The kingdom of Babylon comprised only the **cities** of Babylon, Kish, Sippar, and Borsippa when Hammurabi came to the throne but, through a successive military campaigns, careful alliances made and broken when necessary, and political maneuvers, he held the entire region under Babylonian control by 1750 BCE.



- Although Hammurabi spent a considerable amount of time on campaign, he made sure to provide for the people whose lands he ruled over. A popular title applied to Hammurabi in his lifetime was *bani matim*, 'builder of the land'.
- Documents from the time attest to the efficiency of Hammurabi and his sincere desire to improve the lives of the people of Mesopotamia. These letters and administrative works (such as directives for the building of canals, food distribution, beautification and building projects, and legal issues) support the view which Hammurabi held.



- Hammurabi is credited with bringing Mesopotamia under a single rule.
- Although there existed certain trends toward such unification—particularly expressed in the contemporary seals and in the apodoses of omens evoking a past when such kings as Sargon of Akkad ruled Mesopotamia from the Persian Gulf to the Mediterranean sea.
- The lasting achievement of Hammurabi's rule was that the focus of Mesopotamian history, which had been in the south from the beginning of the 3rd millennium BCE, was shifted to the north, where it remained for more than 1,000 years.





Hammurabi (standing), depicted as receiving his royal insignia from Shamash (or possibly Marduk). Hammurabi holds his hands over his mouth as a sign of prayer .

The Code of Hammurabi

- The Code of Hammurabi is the longest surviving text from the Old Babylonian period. The code has been seen as an early example of a fundamental law, regulating a government – i.e., a primitive constitution.



- The Code of Hammurabi is the most frequently cited cuneiform document.
- Its first scholarly publication in 1902 led to the development of a special branch of comparative jurisprudence and the study of cuneiform law.
- Following the division made by the first editor, Jean-Vincent Scheil, the Code of Hammurabi contains 280 judgments, or “paragraphs,” on civil and criminal law, dealing in the main with cases from everyday life.
- In broad outline, the themes treated in the Code of Hammurabi are related to theft and burglary; murder and bodily injury; liability for negligent damage to fields and crop; illegal felling of palm trees; legal problems of trade enterprises, in particular, the relationship between the merchant and his employee, the proportion of interest to loan money; matters related to slavery and offenses committed by hired labourers.
- The family law: dowry, the married woman’s property, wife and concubine, divorce, adoption, inheritance; and the legal position of certain priestesses.



- Hammurabi, who called his own work *dīnāt mīyārim*, or “verdicts of the just order,” states in the epilogue that it was intended as legal aid for persons in search of advice.
- The Code of Hammurabi differs in many respects from the Code of Lipit-Ishtar, which was written in Sumerian. Its most striking feature lies in the extraordinary severity of its penalties and in the principle of the *lex talionis*.
- The same attitude is reflected in various Old Babylonian contracts in which defaulters are threatened with bodily punishment. It is often said, and perhaps rightly so, that this severity, which so contrasts with Sumerian judicial tradition, can be traced back to the Amorite influence.



- While the Code of Hammurabi was trying to achieve equality, biases still existed against those categorized in the lower end of the social spectrum and some of the punishments and justice could cause horror.
- The magnitude of criminal penalties often was based on the identity and gender of both the person committing the crime and the victim. The Code issues justice following the three classes of Babylonian society: property owners, freed men, and slaves.



Punishments for someone assaulting someone from a lower class were far lighter than if they had assaulted someone of equal or higher status. For example, if a doctor killed a rich patient, he would have his hands cut off, but if he killed a slave, only financial compensation was required.

Women could also received punishments that their male counterparts would not, as men were permitted to have affairs with their servants and slaves, whereas married women would be harshly punished for committing adultery.



- Approximately 275 laws from Hammurabi's Code are known. Each law is written in two parts: A specific situation or case is outlined, then a corresponding decision is given.
- 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."



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."

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

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.

