

The Code of Hammurabi

The year was 1901. French archaeologist working in Susa, Iran, made an amazing discovery – a copy of one of the earliest-known sets of written laws called the **Code of Hammurabi**. Hammurabi (1792-1750 BCE) was the king of Babylon, a city located in present-day Iraq. During his reign, Hammurabi **codified**, or recorded, the rules and penalties for every aspect of Babylonian life, from the ownership of property to the rights of adopted children. The *Code* had almost 300 laws governing the daily lives of Babylonians. The king encouraged compliance by attributing his laws to the gods, whom the people feared, and respected. Consider these excerpts from the code of Hammurabi:

- If anyone is committing a robbery and is caught, then he shall be put to death.
- If anyone opens his ditches to water his crops, but he's careless, and the water floods the fields of his neighbour that he should pay for the loss.
- If a man takes a wife, and she is seized by disease, and if he then desires to take a second wife, he shall not put away his first wife. But he should keep her in the house and support her as long as she lives.

The laws reflected a patriarchal male dominated society in which the wealthy were given more protection in law than the poor. Slavery was legal, and women and children were considered the property of men. They're also exist at a clear hierarchy of power: gods of the top, followed by the king, then male nobles, and then their wives and children, with the poor and slaves at the bottom.

Many of Hammurabi's laws were based on retribution, "an eye for an eye" type of justice, and distinction was not made between an accident and a deliberate action. For example, "if a physician operates and kills the patient, the physician's hands shall be cut off." A law like this might to tear a physician from operating at all! Also, because of the hierarchy of power, those who committed crimes often went on punished. Instead, their female relatives are slaves were expected to accept **retribution**: "If a man strikes, a woman, and she dies, the man's daughter shall be put to death."

Some penalties may seem excessive and cruel; for instance, "if a slave says to his master, "You are not my master, his master can cut off his ear." However, many of Hammurabi's laws are reasonable, and just, consider these examples: the concept of **restitution**, making payment to the victim of the crime, was commandeered in the event of damage to property or theft. It was recognized that people should not lie, especially at a trial. It was also expected that the strong to protect the weak.