

Primary Source Document Analysis
Hammurabi's Code: Part I

Directions: You will read the following laws in groups. As you read through the excerpts below, note whether or not the law deals with social aspects (social hierarchies, gender roles, etc), cultural aspects (religion, technology, etc), politics, or economics. Write "S" "P" "C" or "E" next to each law. Then, answer the questions on the following page.

2. If anyone 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.

6. If anyone steal the property of a temple or of the court, he shall be put to death, and also the one who receives the stolen thing from him shall be put to death.

53. If anyone 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.

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. (*gur and gan are units of measurement*)

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 anyone 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. (*with above*) 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.

137. If a man wish to separate from a woman who has borne him children, or from his wife who has borne him children: then he shall give that wife her dowry, and a part of the usufruct of field, garden, and property, so that she can rear her children. When she has brought up her children, a portion of all that is given to the children, equal as that of one son, shall be given to her. She may then marry the man of her heart.

138. If a man wishes to separate from his wife who has borne him no children, he shall give her the amount of her purchase money and the dowry which she brought from her father's house, and let her go.

141. If a man's wife, who lives in his house, wishes to leave it, plunges into debt, tries to ruin her house, neglects her husband, and is judicially convicted: if her husband offer her release, she may go on her way, and he gives her nothing as a gift of release. If her husband does not wish to release her, and if he take another wife, she shall remain as servant in her husband's house.

154. If a man be guilty of incest with his daughter, he shall be driven from the place (exiled).

200. If a man knock out the teeth of his equal, his teeth shall be knocked out. [A tooth for a tooth]

204. If a freed man strike the body of another freed man, he shall pay ten shekels in money.

205. If the slave of a freed man strike the body of a freed man, his ear shall be cut off.

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. (*with above*) If the woman die, his daughter shall be put to death.

211. (*with above*) If a woman of the free class lose her child by a blow, he shall pay five shekels in money.

229. If a builder build a house for someone, 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. (*with above*) If it kill the son of the owner the son of that builder shall be put to death.

231. (*with above*) If it kill a slave of the owner, then he shall pay slave for slave to the owner of the house.

282. If a slave say to his master: "You are not my master," if they convict him his master shall cut off his ear

Answer the following questions in complete sentences.

1. Pick two law codes that stuck out to you. What were the two, and why did they stick out to you?

2. What does this law code show about the values of Babylonian society? What was important to the Babylonians? In parentheses, cite the law from which you got your evidence.

3. What can you tell about the role of women?

4. What can you tell about slaves and free people?

5. What can you tell about their religion?

Primary Source Document Analysis
Hammurabi's Code: Part II

Directions: You will read the following laws in groups. As you read through the excerpts below, note whether or not the law deals with social aspects (social hierarchies, gender roles, etc), cultural aspects (religion, technology, etc), politics, or economics. Write "S" "P" "C" or "E" next to each law. Then, answer the questions on the following page.

2. If anyone 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.

22. If anyone is committing a robbery and is caught, then he shall be put to death.

23. (*with above*) 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.

53. If anyone 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.

145. If a man take a wife, and she bear him no children, and he intend to take another wife: if he take this second wife, and bring her into the house, this second wife shall not be allowed equality with his wife.

157. If anyone be guilty of incest with his mother after his father, both shall be burned.

162. If a man marry a woman, and she bear sons to him; if then this woman die, then shall her father have no claim on her dowry; this belongs to her sons.

195. 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.

204. If a freed man strike the body of another freed man, he shall pay ten shekels in money.

205. If the slave of a freed man strike the body of a freed man, his ear shall be cut off.

218. If a physician make a large incision with the operating knife, and kill him, or open a tumor with the operating knife, and cut out the eye, his hands shall be cut off.

246. If a man hire an ox, and he break its leg or cut the ligament of its neck, he shall compensate the owner with ox for ox.

247. If anyone hire an ox, and put out its eye, he shall pay the owner one-half of its value.

257. If anyone hire a field laborer, he shall pay him eight gur of corn per year.

258. If anyone hire an ox-driver, he shall pay him six gur of corn per year.

259. If anyone steal a water-wheel from the field, he shall pay five shekels in money to its owner.

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.

267. If the herdsman overlook something and an accident happen in the stable, then the herdsman is at fault for the accident which he has caused in the stable, and he must compensate the owner for the cattle or sheep.

Answer the following questions in complete sentences.

1. Pick two law codes that stuck out to you. What were the two, and why did they stick out to you?
2. What does this law code show about the values of Babylonian society? What was important to the Babylonians? In parentheses, cite the law from which you got your evidence.
3. What can you tell about familial relationships (parent/child and husband/wife)?
4. What can you tell about slaves and free people?
5. What can you tell about their economy?