What Is Justice? A View from the Code of Hammurabi:

King Hammurabi of Babylonia created a code of laws to keep order in his empire. He wanted to make sure he brought justice to all of his people. He brought together existing laws from each Mesopotamian city-state he conquered. He displayed the code publicly in a temple and appointed royal judges to decide cases. A person was innocent until proven guilty. Once found guilty, a person was punished according to the code. The punishments ranged from fines to death.

Below are selections from the Code of Hammurabi. As you read the excerpts, think about these questions: What other crimes are identified? What are some of the punishments used? Are the punishments the same for everybody?

Number 3. If anyone brings an accusation of any crime before the elders, and does not prove what he has charged, he shall, if it is a capital offense [punishable by death], be put to death.

Number 5. If a judge tries a case, reaches a decision, and presents his judgment in writing; and later it is discovered that his decision was in error, and it was his own fault, he shall pay twelve times the fine set by him in the case and be removed from the judge’s bench.

Number 14. If anyone steals the minor son of another, he shall be put to death.

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

Number 55. If anyone opens his ditches to water his crop, but is careless, and the water floods his neighbor’s field, he shall pay his neighbor corn for his loss.

Number 195. If a son strikes his father, his hands shall be cut off.

Number 196. If a man puts out the eye of another man, his own eye shall be put out.

Number 200. If a man knocks out the teeth of his equal, his own teeth shall be knocked out.

Number 202. If anyone strikes the body of a man higher in rank than he, he shall receive sixty blows with an ox-whip in public.

Number 203. If a freeborn man strikes the body of another freeborn man of equal rank, he shall pay one gold mina [an amount of money].

Number 205. If the slave of a freed man strikes the body of a freed man, his ear shall be cut off.
Investigating Primary Sources

Compare Hammurabi's view of justice to today's view by answering these questions:
Please write in complete sentences on the back of this page.

1. What crimes did the Code of Hammurabi identify?
2. Which of those are considered crimes today? Which are not?
3. What punishments did the Code of Hammurabi use?
4. Which of those punishments are used today? Which are not?
5. Based on his code, how do you think Hammurabi defined justice?
6. In what ways does Hammurabi's view of justice continue in our code of laws today?
7. In what ways is today's view of justice changed from Hammurabi's? What events and ideas do you think caused these changes?