Searching for Social Order—Moral Codes

Read the following selections from the ancient legal codes and fill in the handout as directed.

The Code of Hammurabi

One of the earliest, and most complete, of the written law codes was that of Hammurabi, king of Babylonia from approximately 1726–1686 B.C. French archaeologists at the turn of the century uncovered a stone caveman with the best text of Hammurabi's Code. On this stone are written the 282 clauses of the law. Carved at the top is a picture of the Babylonian God of justice, Shamash, instructing Hammurabi to issue the code. Hammurabi's laws borrowed from previous codes and influenced those yet to come.

1. If a man has accused another of laying a nētu (death spell) upon him, but has not proved it, he shall be put to death . . .

3. If a man has borne false witness in a trial, or has not established the statement that he has made, if that case be a capital trial, that man shall be put to death . . .

6. If a man has stolen goods from a temple, or house, he shall be put to death; and he that has received the stolen property from him shall be put to death . . .

14. If a man has stolen a child, he shall be put to death . . .

21. If a man has broken into a house he shall be killed before the breach and buried there.

22. If a man has committed highway robbery and has been caught, that man shall be put to death . . .

23. If the highwayman has not been caught, the man that has been robbed shall make an oath stating what he has lost and the city or district governor in whose territory or district the robbery took place shall restore to him what he has lost.

24. If a life has been lost, the city or district governor shall pay one mina of silver to the deceased's relatives . . .

53. If a man has neglected to strengthen his dike and has not kept his dike strong, and a breach has broken out into his dike, and the waters have flooded the meadow, the man in whose dike the breach has broken out shall restore the grain he has caused to be lost . . .

117. If a man owes a debt, and he has given his wife, his son, or his daughter as hostage for the money, or has handed someone over to work it off, the hostage shall do the work of the creditor's house; but in the fourth year he shall set them free . . .

138. If a man has divorced his wife, who has not borne him children, he shall pay over to her as much money as was given for her bride price and the marriage-portion which she brought from her father's house, and so shall divorce her . . .