**The Code of Hammurabi**

*Introduction: Hammurabi became the king of the Mesopotamian city-state of Babylon in 1792 BCE. Hammurabi was one of the world’s earliest great conquerors, when he rallied other nearby rulers into an alliance to defeat the aggressive king of the Elamites. Turning on his allies, he led a campaign that eventually put nearly all of Mesopotamia under his control. To better rule his empire, he issued a set of laws, which he had posted on stone stelae, or pillars, throughout his realm. Not the first legal code in human history, Hammurabi’s code is the best preserved and is thus studied to understand the origins of law in ancient Mesopotomia, one of the cradles of civilization.*

**PREFACE**

When [Anu the Sublime](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "anu" \t "index), King of the [Anunaki](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "anunnaki" \t "index), and [Bel](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "bel" \t "index), the lord of Heaven and earth, who decreed the fate of the land, assigned to [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index), the over-ruling son of [Ea](http://avalon.law.yale.edu/ancient/codeind1.asp#ea), God of righteousness, dominion over earthly man, and made him great among the [Igigi](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "igigi" \t "index), they called [Babylon](http://avalon.law.yale.edu/ancient/codeind1.asp#babylon) by his illustrious name, made it great on earth, and founded an everlasting kingdom in it, whose foundations are laid so solidly as those of heaven and earth; then [Anu](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "anu" \t "index) and [Bel](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "bel" \t "index) called by name me, Hammurabi, the exalted prince, who feared God, to bring about the rule of righteousness in the land, to destroy the wicked and the evil-doers; so that the strong should not harm the weak; so that I should rule over the black-headed people like [Shamash](http://avalon.law.yale.edu/ancient/codeind1.asp#shamash), and enlighten the land, to further the well-being of mankind.

Hammurabi, the prince, called of [Bel](http://avalon.law.yale.edu/ancient/codeind1.asp#bel) am I, making riches and increase, enriching [Nippur](http://avalon.law.yale.edu/ancient/codeind1.asp#nippur) and [Dur-ilu](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "durilu" \t "index) beyond compare, sublime patron of [E-kur](http://avalon.law.yale.edu/ancient/codeind1.asp#ekur); who reestablished [Eridu](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "eridu" \t "index) and purified the worship of [E-apsu](http://avalon.law.yale.edu/ancient/codeind1.asp#apsu); who conquered the four quarters of the world, made great the name of  [Babylon](http://avalon.law.yale.edu/ancient/codeind1.asp#babylon), rejoiced the heart of [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index)…the royal scion of Eternity; the mighty monarch, the sun of [Babylon](http://avalon.law.yale.edu/ancient/codeind1.asp#babylon), whose rays shed light over the land of [Sumer](http://avalon.law.yale.edu/ancient/codeind1.asp#sumer) and [Akkad](http://avalon.law.yale.edu/ancient/codeind1.asp#akkad); the king, obeyed by the four quarters of the world; Beloved of [Ninni](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "ninni" \t "index), am I.

When [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index) sent me to rule over men, to give the protection of right to the land, I did right and righteousness…and brought about the well-being of the oppressed.

**CODE OF LAWS**

Justice

 1. If a man brings an accusation against another man, charging him with murder, but cannot prove it, the accuser shall be put to death.   
 2. If a man has accused another of laying a spell upon him, but has not proved it, the accused shall go to the sacred river, he shall plunge into the sacred river, and if the sacred river shall conquer him, he that accused him shall take possession of his house.  If the sacred river shall show his innocence and he is saved, his accuser shall be put to death.   
 3. If a man bears false witness in a case, or does not establish the testimony that he has given, if that case is case involving life, that man shall be put to death.   
 4. If a man bears false witness concerning grain or money, he shall himself bear the penalty imposed in the case.   
 5. If a judge pronounces judgment, renders a decision, delivers a verdict duly signed and sealed, and afterward alters his judgment , they shall call that judge to account for the alteration of the judgment which he has pronounced, and he shall pay twelve-fold the penalty in that judgment; and, in the assembly, they shall expel him from his judgment seat.

Property

 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.   
 22. If a man practices robbery and is captured, that man shall be put to death.   
 23. If the robber is not captured, the man who has been robbed shall, in the presence of god, make and itemized statement of his loss, and the city and the governor in whose jurisdiction the robbery was committed shall compensate him for whatever was lost.   
 24. If it is a life that is lost, the city and governor shall pay (one pound) of silver to his heirs.   
 26. If a levy-master, or warrant officer, who has been detailed on the king's service, has not gone, or has hired a substitute in his place, that levy-master or warrant officer shall be put to death and the hired substitute shall take his place.

Irrigation

 53.  If  a man neglects to maintain his dike and does not strengthen it, and a break is made in his dike and the water carries away the farmland, the man in whose dike the break has been made shall replace the grain which has been damaged.   
 54. If he is not able to replace the grain, they shall sell him and his goods and the farmers whose grain the water has carried away shall divide the proceeds from the sale.

Trade

 88. If a merchant lends grain at interest, for one gur he shall receive on hundred sila as interest (33 percent); if he lends money at interest, for one shekel of silver he shall receive one-fifth of a shekel as interest.   
 104. If a merchant gives to an agent grain, wool, oil, or goods of any kind with which to trade, the agent shall write down the value and return the money to the merchant.  The agent shall take a sealed  receipt for the money which he gives to the merchant.   
 105.  If the agent is careless and does not take a receipt for the money which he has given to the merchant, the money not receipted for shall not be placed to his account.   
 108. If a wine seller does not take grain for the price of a drink but takes money by the large weight, or if she makes the measure of drink smaller than the measure of grain, they shall call that wine seller to account and throw her into the water.   
 109.  If bad characters gather in the house of a wine seller and she does not arrest them and bring them to the palace, that wine seller shall be put to death.   
 110. If a priestess who is not living in a convent opens a wine shop or enters a wine shop for a drink, they shall burn that woman.   
 117. If a man is in debt and sells his wife, son, or daughter, or binds them over to service, for three years they shall work in the house of their purchaser of master; in the fourth year they shall be given their freedom.

Family

 129. If the wife of a man is caught lying with another man, they shall bind them and throw them into the water.  If the husband of the woman wishes to spare his wife, then the king shall spare his servant.   
 130. If a man has ravished another's betrothed wife, who is a virgin, while still living in her father's house, and has been caught in the act, that man shall be put to death; the woman shall go free.   
 131. If a man has accused his wife but she has not been caught lying with another man, she shall take an oath in the name of god and return to her house.   
 138.  If a man wishes to divorce his wife who has not borne him children, he shall give her money to the amount of her marriage price and he shall make good to her the dowry which she brought from her father's house and then he may divorce her.   
 141. If the wife of a man who is living in her husband's house, has persisted in going out, has acted the fool, has waster her house, has belittled her husband, he shall prosecute her.  If her husband has said, "I divorce her," she shall go her way; he shall give her nothing as her price of divorce.  If her husband has said "I will not divorce her" he may take another woman to wife; the wife shall live as a slave in her husband's house.   
 142.  If a woman has hated her husband and has said, "You shall not possess me,: her past shall be inquired into, as to what she lacks.  If she has been discreet, and has no vice, and her husband has gone out, and has greatly belittled her; that woman has not blame, she shall take her marriage portion and go off to her father's house.   
 143. If she has not been discreet, has gone out, ruined her house, belittled her husband, she shall be drowned.   
 150. If a man has presented a field, garden, house, or goods to his wife, has granted her a deed of gift, her children, after her husband's death, shall not dispute her right; the mother shall leave it after her death to that one of her children whom she loves best.  She shall not leave it to an outsider.   
 153. If a man's wife, for the sake of another, has caused her husband to be killed, that woman shall be impaled   
 154. If a man has committed incest with his daughter, that man shall be banished from the city.   
 155. If a man has betrothed a maiden to his son and his son has known her, and afterward the man has lain in her bosom, and been caught, that man shall be strangled and she shall be cast into the water.   
 156. If a man has betrothed a maiden to his son, and his son has not known her, and that man has lain in her bosom, she shall pay her half a mina of silver, and shall pay over to her whatever she brought from her father's house, and the husband of her choice shall marry her.   
 159 If a man who has brought a gift to the house of his father-in-law and has paid the marriage price, looks with longing upon another woman and says to his father-in-law, "I will not marry your daughter," the father of the daughter shall take to himself whatever was brought to him.   
 168. If a man sets his face to disinherit his son and says to the judges, "I will disinherit my son," the judges shall inquire into his record, and if the son has not committed a crime sufficiently grave to cut him off from sonship, the father may not cut off his son from sonship.   
 170. If a man's wife bears him children and his maidservant bears him children, and the father during his lifetime says to the children which the maidservant bore him, "My children," and reckons them with the children of his wife, after the father dies the children of the wife and the children of the maidservant shall divide the goods of the father's estates equally. The son of the wife shall have the right of choice a the division.

Personal Injury

 195. If a son strikes his father, they shall cut off his hand.   
 196. If a man destroys the eye of another man, they shall destroy his eye.   
 197. If he breaks another man's bone, they shall break his bone.   
 198. If he destroys the eye of a plebeian or breaks the bone of a plebeian, he shall pay one mina of silver.   
 199. If he destroys the eye of a man's slave or beaks a bone of a man's slave, he shall pay one-half his price.   
 200. If a man knocks out a tooth of a man of his own rank, they shall knock out his tooth   
 201. If he knocks out a tooth of a plebeian, he shall pay one-third mina of silver   
 209. If a man has struck a free woman with child, and has caused her to miscarry, he shall pay ten shekels for her miscarriage   
 210. If that woman die, his daughter shall be killed.

 211. If by a blow he has caused a plebian's daughter to have a miscarriage, he shall pay five shekels of silver.

 212. If that woman has died, he shall pay one-half mina of silver.

 213. If  he struck a freeman's female slave and has caused her to have a miscarriage, he shall pay two shekels of silver.

 214. If that female slave has died, he shall pay one-third mina of silver.

Physicians and Malpractice

 215. If a physician operates on a man for a sever wound with a bronze lancet and saves the man's life, or if he opens an abscess in the eye of a man with a bronze lancet and saves that man's eye, he shall receive ten shekels of silver.   
 216. If he is a plebeian, he shall receive five shekels.   
 217. If he is a slave, the owner shall pay two shekels.   
 218. If a physician operates on a man for a sever wound with a bronze lancet and causes the man's death, or destroys the man's eye, they shall cut off his hand.   
 219. If a physician operates on a slave for a severe wound and causes his death, he shall restore a slave of equal value.

Building Code

 229. If a builder builds a house for a man and does not make its construction sound, and the house which he has built collapses and causes the death of the owner of the house, the builder shall be put to death.   
 233. If a builder builds a house for a man and does not make its construction sound, and a wall cracks, that builder shall strengthen that wall at his own expense.

Property and Wage Regulations

 244. If a man has hired an ox, or an ass, and a lion has killed it in the open field, the loss falls on the owner.   
 245. If a man has hired an ox and has caused its death, by carelessness, or blows, he shall restore ox for ox, to the owner of the ox.   
 249. If a man has hired an ox, and god has struck it, and it has died, the man that hired the ox shall make affidavit and go free.   
 250. If a bull has gone wild and gored a man, and caused his death, there can be no suit against the owner.   
 251. If a man's ox be a gorer, and has revealed its evil propensity as a gorer, and he has not blunted its horn, or shut up the ox, and then that ox has gored a free man, and caused his death, the owner shall pay half a mina of silver   
 257. If a man hires a field laborer, he shall pay him eight gur of grain per year.   
 258. If a man hires a herdsman, he shall pay him six gur of grain per year.   
 268. If a man hires on ox to thresh, twenty sila of grain is his daily hire.   
 282. If a slave has said to his master, "You are not my master," he shall be brought to account as his slave, and his master shall cut off his ear. 

**EPILOGUE**

LAWS of justice which Hammurabi, the wise king, established. A righteous law, and pious statute did he teach the land. Hammurabi, the protecting king am I. I have not withdrawn myself from the men, whom Bel gave to me, the rule over whom [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index) gave to me, I was not negligent, but I made them a peaceful abiding-place. I expounded all great difficulties, I made the light shine upon them. With the mighty weapons which [Zamama](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "zamama" \t "index) and [Ishtar](http://avalon.law.yale.edu/ancient/codeind1.asp#ishtar) entrusted to me, with the keen vision with which [Ea](http://avalon.law.yale.edu/ancient/codeind1.asp#ea) endowed me, with the wisdom that [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index) gave me, I have uprooted the enemy above and below (in north and south), subdued the earth, brought prosperity to the land, guaranteed security to the inhabitants in their homes; a disturber was not permitted. The great gods have called me, I am the salvation-bearing shepherd, whose staff is straight, the good shadow that is spread over my city; on my breast I cherish the inhabitants of the land of [Sumer](http://avalon.law.yale.edu/ancient/codeind1.asp#sumer) and [Akkad](http://avalon.law.yale.edu/ancient/codeind1.asp#akkad); in my shelter I have let them repose in peace; in my deep wisdom have I enclosed them. That the strong might not injure the weak, in order to protect the widows and orphans, I have in [Babylon](http://avalon.law.yale.edu/ancient/codeind1.asp#babylon) the city where [Anu](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "anu" \t "index) and [Bel](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "bel" \t "index)raise high their head, in [E-Sagil](http://avalon.law.yale.edu/ancient/codeind1.asp#esagil), the Temple, whose foundations stand firm as heaven and earth, in order to bespeak justice in the land, to settle all disputes, and heal all injuries, set up these my precious words, written upon my memorial stone, before the image of me, as king of righteousness.

The king who ruleth among the kings of the cities am I. My words are well considered; there is no wisdom like unto mine. By the command of [Shamash](http://avalon.law.yale.edu/ancient/codeind1.asp#shamash), the great judge of heaven and earth, let righteousness go forth in the land: by the order of [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index), my lord, let no destruction befall my monument. In [E-Sagil](http://avalon.law.yale.edu/ancient/codeind1.asp#esagil), which I love, let my name be ever repeated; let the oppressed, who has a case at law, come and stand before this my image as king of righteousness; let him read the inscription, and understand my precious words: the inscription will explain his case to him; he will find out what is just, and his heart will be glad, so that he will say:

"Hammurabi is a ruler, who is as a father to his subjects, who holds the words of [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index) in reverence, who has achieved conquest for [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index) over the north and south, who rejoices the heart of [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index), his lord, who has bestowed benefits for ever and ever on his subjects, and has established order in the land."

When he reads the record, let him pray with full heart to [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index), my lord, and [Zarpanit](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "zarpanit" \t "index), my lady; and then shall the protecting deities and the gods, who frequent [E-Sagil](http://avalon.law.yale.edu/ancient/codeind1.asp#esagil), graciously grant the desires daily presented before [Marduk](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "marduk" \t "index), my lord, and [Zarpanit](http://avalon.law.yale.edu/ancient/codeind1.asp" \l "zarpanit" \t "index), my lady.

In future time, through all coming generations, let the king, who may be in the land, observe the words of righteousness which I have written on my monument; let him not alter the law of the land which I have given, the edicts which I have enacted; my monument let him not mar. If such a ruler have wisdom, and be able to keep his land in order, he shall observe the words which I have written in this inscription; the rule, statute, and law of the land which I have given; the decisions which I have made will this inscription show him; let him rule his subjects accordingly, speak justice to them, give right decisions, root out the miscreants and criminals from this land, and grant prosperity to his subjects.

Hammurabi, the king of righteousness, on whom [Shamash](http://avalon.law.yale.edu/ancient/codeind1.asp#shamash) has conferred right (or law) am I. My words are well considered; my deeds are not equaled; to bring low those that were high; to humble the proud, to expel insolence…

Questions:

How does Hammurabi establish his authority to issue such laws?

Where does Hammurabi say that these laws originate?

How do these laws reflect the stratification of Babylonian society?

Do you think these laws describe or prescribe behavior in ancient Babylon? In other words, were the laws written down to codify what was already happening in Babylonian society or trying to change behavior?