

## **Hammurabi's Code of Laws**

**Translated by L. W. King**

*Hammurabi, the Babylonian king who reigned from 1792 to 1750 BCE, published his code of laws on a stone column.*

### **Preamble**

When Anu the Sublime, King of the Anunaki, and Bel, the lord of Heaven and earth, who decreed the fate of the land, assigned to Marduk, the over-ruling son of Ea, God of righteousness, dominion over earthly man, and made him great among the Igigi, they called 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 and Bel 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, and enlighten the land, to further the well-being of mankind....When Marduk sent me to rule over men, to give the protection of right to the land, I did right and righteousness in ..., and brought about the well-being of the oppressed.

### **On Theft**

6. If any one 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.
8. If any one steal cattle or sheep, or an ass, or a pig or a goat, if it belong to a god or to the court, the thief shall pay thirtyfold therefor; if they belonged to a freed man of the king he shall pay tenfold; if the thief has nothing with which to pay he shall be put to death.
14. If any one steal the minor son of another, he shall be put to death.
15. If any one take a male or female slave of the court, or a male or female slave of a freed man, outside the city gates, he shall be put to death.
21. If any one break a hole into a house (break in to steal), he shall be put to death before that hole and be buried.
22. If any one is committing a robbery and is caught, then he shall be put to death.
23. 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.

### **On Marriage**

128. If a man take a woman to wife, but have no intercourse with her, this woman is no wife to him.
129. If a man's wife be surprised (in flagrante delicto) with another man, both shall be tied and thrown into the water, but the husband may pardon his wife and the king his slaves.
130. If a man violate the wife (betrothed or child-wife) of another man, who has never known a man, and still lives in her father's house, and sleep with her and be surprised, this man shall be put to death, but the wife is blameless.
131. If a man bring a charge against one's wife, but she is not surprised with another man, she must take an oath and then may return to her house.
132. If the "finger is pointed" at a man's wife about another man, but she is not caught sleeping with the other man, she shall jump into the river for her husband.

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.
139. If there was no purchase price he shall give her one mina of gold as a gift of release.
140. If he be a freed man he shall give her one-third of a mina of gold.
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.
142. If a woman quarrel with her husband, and say: "You are not congenial to me," the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, but he leaves and neglects her, then no guilt attaches to this woman, she shall take her dowry and go back to her father's house.
143. If she is not innocent, but leaves her husband, and ruins her house, neglecting her husband, this woman shall be cast into the water.
144. If a man take a wife and this woman give her husband a maid-servant, and she bear him children, but this man wishes to take another wife, this shall not be permitted to him; he shall not take a second wife.
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.
146. If a man take a wife and she give this man a maid-servant as wife and she bear him children, and then this maid assume equality with the wife: because she has borne him children her master shall not sell her for money, but he may keep her as a slave, reckoning her among the maid-servants.
147. If she have not borne him children, then her mistress may sell her for money.
148. If a man take a wife, and she be seized by disease, if he then desire to take a second wife he shall not put away his wife, who has been attacked by disease, but he shall keep her in the house which he has built and support her so long as she lives.
149. If this woman does not wish to remain in her husband's house, then he shall compensate her for the dowry that she brought with her from her father's house, and she may go.
153. If the wife of one man on account of another man has their mates (her husband and the other man's wife) murdered, both of them shall be impaled.
154. If a man be guilty of incest with his daughter, he shall be driven from the place (exiled).
155. If a man betroth a girl to his son, and his son have intercourse with her, but he (the father) afterward defile her, and be surprised, then he shall be bound and cast into the water (drowned).
156. If a man betroth a girl to his son, but his son has not known her, and if then he defile her, he shall pay her half a gold mina, and compensate her for all that she brought out of her father's house. She may marry the man of her heart.
157. If any one be guilty of incest with his mother after his father, both shall be burned.
186. If a man adopt a son, and if after he has taken him he injure his foster father and mother, then this adopted son shall return to his father's house.
188. If an artizan has undertaken to rear a child and teaches him his craft, he can not be demanded back.

189. If he has not taught him his craft, this adopted son may return to his father's house.

### **On Assault**

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.

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.

200. If a man knock out the teeth of his equal, his teeth shall be knocked out.

201. If he knock out the teeth of a freed man, he shall pay one-third of a gold mina.

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

203. If a free-born man strike the body of another free-born man or equal rank, he shall pay one gold mina.

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.

206. If during a quarrel one man strike another and wound him, then he shall swear, "I did not injure him wittingly," and pay the physicians.

207. If the man die of his wound, he shall swear similarly, and if he (the deceased) was a free-born man, he shall pay half a mina in money.

208. If he was a freed man, he shall pay one-third of a mina.

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. If the woman die, his daughter shall be put to death.

### **On Liability**

228. If a builder build a house for some one and complete it, he shall give him a fee of two shekels in money for each sar of surface.

229. If a builder build a house for some one, 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. If it kill the son of the owner the son of that builder shall be put to death.

231. If it kill a slave of the owner, then he shall pay slave for slave to the owner of the house.

232. If it ruin goods, he shall make compensation for all that has been ruined, and inasmuch as he did not construct properly this house which he built and it fell, he shall re-erect the house from his own means.

237. If a man hire a sailor and his boat, and provide it with corn, clothing, oil and dates, and other things of the kind needed for fitting it: if the sailor is careless, the boat is wrecked, and its contents ruined, then the sailor shall compensate for the boat which was wrecked and all in it that he ruined.

*(The translation offered here is edited from the full version found at Fordham University's Ancient History Sourcebook. Those interested in reading the entire text can find it at <http://www.fordham.edu/halsall/ancient/hamcode.html>.)*