

When Anu the Sublime(Babylonian creator God), King of the Anunaki (The seven judges of the Underworld), and Bel (A title meaning Lord – refers to Marduk), the lord of Heaven and earth, who decreed the fate of the land, assigned to Marduk (The chief diety of Babylon), the over-ruling son of Ea (God of water and of Wisdom), God of righteousness, dominion over earthly man, and made him great among the Igigi (A group of Skygods), . . . 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 (Babylonian Sun god), and enlighten the land, to further the well-being of mankind.

Hammurabi, the prince, called of Bel am I, making riches and increase, enriching Nippur and Dur-ilu beyond compare, sublime patron of E-kur (Heaven); who reestablished Eridu (the resedence of the God Enki) and purified the worship of E-apsu (God of underground waters); who conquered the four quarters of the world . . .Beloved of Ninni (Goddess of fertilty and war), am I.

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.

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.

7. If any one buy from the son or the slave of another man, without witnesses or a contract, silver or gold, a male or female slave, an ox or a sheep, an ass or anything, or if he take it in charge, he is considered a thief and 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.

9. If any one lose an article, and find it in the possession of another: if the person in whose possession the thing is found say "A merchant sold it to me, I paid for it before witnesses," and if the owner of the thing say, "I will bring witnesses who know my property," then shall the purchaser bring the merchant who sold it to him, and the witnesses before whom he bought it, and the owner shall bring witnesses who can identify his property. The judge shall examine their testimony--both of the witnesses before whom the price was paid, and of the witnesses who identify the lost article on oath. The merchant is then proved to be a thief and shall be put to death. The owner of

the lost article receives his property, and he who bought it receives the money he paid from the estate of the merchant.

10. If the purchaser does not bring the merchant and the witnesses before whom he bought the article, but its owner bring witnesses who identify it, then the buyer is the thief and shall be put to death, and the owner receives the lost article.

11. If the owner do not bring witnesses to identify the lost article, he is an evil-doer, he has traduced, and 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.

16. If any one receive into his house a runaway male or female slave of the court, or of a freedman, and does not bring it out at the public proclamation of the major domus, the master of the house shall be put to death.

17. If any one find runaway male or female slaves in the open country and bring them to their masters, the master of the slaves shall pay him two shekels of silver.

18. If the slave will not give the name of the master, the finder shall bring him to the palace; a further investigation must follow, and the slave shall be returned to his master.

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.

26. If a chieftain or a man (common soldier), who has been ordered to go upon the king's highway for war does not go, but hires a mercenary, if he withholds the compensation, then shall this officer or man be put to death, and he who represented him shall take possession of his house.

27. If a chieftain or man be caught in the misfortune of the king (captured in battle), and if his fields and garden be given to another and he take possession, if he return and reaches his place, his field and garden shall be returned to him, he shall take it over again.

28. If a chieftain or a man be caught in the misfortune of a king, if his son is able to enter into possession, then the field and garden shall be given to him, he shall take over the fee of his father.

32. If a chieftain or a man is captured on the "Way of the King" (in war), and a merchant buy him free, and bring him back to his place; if he have the means in his house to buy his freedom, he shall buy himself free: if he have nothing in his house with which to buy himself free, he shall be bought free by the temple of his community; if there be nothing in the temple with which to buy him free, the court shall buy his freedom. His field, garden, and house shall not be given for the purchase of his freedom.

48. If any one owe a debt for a loan, and a storm prostrates the grain, or the harvest fail, or the grain does not grow for lack of water; in that year he need not give his creditor any grain, he washes his debt-tablet in water and pays no rent for this year.

55. If any one open his ditches to water his crop, but is careless, and the water flood the field of his neighbor, then he shall pay his neighbor corn for his loss.

56. If a man let in the water, and the water overflow the plantation of his neighbor, he shall pay ten gur of corn for every ten gan of land.

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.

58. If after the flocks have left the pasture and been shut up in the common fold at the city gate, any shepherd let them into a field and they graze there, this shepherd shall take possession of the field which he has allowed to be grazed on, and at the harvest he must pay sixty gur of corn for every ten gan.

108. If a tavern-keeper (feminine) does not accept corn according to gross weight in payment of drink, but takes money, and the price of the drink is less than that of the corn, she shall be convicted and thrown into the water.

109. If conspirators meet in the house of a tavern-keeper, and these conspirators are not captured and delivered to the court, the tavern-keeper shall be put to death.

110. If a "sister of a god" open a tavern, or enter a tavern to drink, then shall this woman be burned to death.

111. If an inn-keeper furnish sixty ka of usakani-drink to . . . she shall receive fifty ka of corn at the harvest.

127. If any one "point the finger" (slander) at a sister of a god or the wife of any one, and can not prove it, this man shall be taken before the judges and his brow shall be marked. (by cutting the skin, or perhaps hair.)

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.

136. If any one leave his house, run away, and then his wife go to another house, if then he return, and wishes to take his wife back: because he fled from his home and ran away, the wife of this runaway shall not return to 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.

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.

163. If a man marry a woman and she bear him no sons; if then this woman die, if the "purchase price" which he had paid into the house of his father-in-law is repaid to him, her husband shall have no claim upon the dowry of this woman; it belongs to her father's house.

164. If his father-in-law do not pay back to him the amount of the "purchase price" he may subtract the amount of the "Purchase price" from the dowry, and then pay the remainder to her father's house.

165. If a man give to one of his sons whom he prefers a field, garden, and house, and a deed therefor: if later the father die, and the brothers divide the estate, then they shall first give him the present of his father, and he shall accept it; and the rest of the paternal property shall they divide.

166. If a man take wives for his son, but take no wife for his minor son, and if then he die: if the sons divide the estate, they shall set aside besides his portion the money for the

"purchase price" for the minor brother who had taken no wife as yet, and secure a wife for him.

167. If a man marry a wife and she bear him children: if this wife die and he then take another wife and she bear him children: if then the father die, the sons must not partition the estate according to the mothers, they shall divide the dowries of their mothers only in this way; the paternal estate they shall divide equally with one another.

170. If his wife bear sons to a man, or his maid-servant have borne sons, and the father while still living says to the children whom his maid-servant has borne: "My sons," and he count them with the sons of his wife; if then the father die, then the sons of the wife and of the maid-servant shall divide the paternal property in common. The son of the wife is to partition and choose.

171. If, however, the father while still living did not say to the sons of the maid-servant: "My sons," and then the father dies, then the sons of the maid-servant shall not share with the sons of the wife, but the freedom of the maid and her sons shall be granted. The sons of the wife shall have no right to enslave the sons of the maid; the wife shall take her dowry (from her father), and the gift that her husband gave her and deeded to her (separate from dowry, or the purchase-money paid her father), and live in the home of her husband: so long as she lives she shall use it, it shall not be sold for money. Whatever she leaves shall belong to her children.

194. If a man give his child to a nurse and the child die in her hands, but the nurse unbeknown to the father and mother nurse another child, then they shall convict her of having nursed another child without the knowledge of the father and mother and her breasts shall be cut off.

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.

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

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.

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

212. If this woman die, he shall pay half a mina.

213. If he strike the maid-servant of a man, and she lose her child, he shall pay two shekels in money.

214. If this maid-servant die, he shall pay one-third of a mina.

215. If a physician make a large incision with an operating knife and cure it, or if he open a tumor (over the eye) with an operating knife, and saves the eye, he shall receive ten shekels in money.

216. If the patient be a freed man, he receives five shekels.

217. If he be the slave of some one, his owner shall give the physician two shekels.

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.

219. If a physician make a large incision in the slave of a freed man, and kill him, he shall replace the slave with another slave.

220. If he had opened a tumor with the operating knife, and put out his eye, he shall pay half his value.

221. If a physician heal the broken bone or diseased soft part of a man, the patient shall pay the physician five shekels in money.

222. If he were a freed man he shall pay three shekels.

223. If he were a slave his owner shall pay the physician two shekels.

224. If a veterinary surgeon perform a serious operation on an ass or an ox, and cure it, the owner shall pay the surgeon one-sixth of a shekel as a fee.

226. If a barber, without the knowledge of his master, cut the sign of a slave on a slave not to be sold, the hands of this barber shall be cut off.

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. 233. If a builder build a house for some one, even though he has not yet completed it; if then the walls seem toppling, the builder must make the walls solid from his own means.

264. If a herdsman, to whom cattle or sheep have been entrusted for watching over, and who has received his wages as agreed upon, and is satisfied, diminish the number of the cattle or sheep, or make the increase by birth less, he shall make good the increase or profit which was lost in the terms of settlement.

278. If any one buy a male or female slave, and before a month has elapsed the benu-disease be developed, he shall return the slave to the seller, and receive the money which he had paid.

279. If any one buy a male or female slave, and a third party claim it, the seller is liable for the claim.

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

THE 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 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.

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, the great judge of heaven and earth, let righteousness go forth in the land: by the order of Marduk, my lord, let no destruction befall my monument. In E-Sagil, 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 in reverence, who has achieved conquest for Marduk over the north and south, who rejoices the heart of Marduk, his lord, who has bestowed benefits for ever and ever on his subjects, and has established order in the land."