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READER'S GUIDE

Overview

Milestone Documents in World History represents a unique and innovative approach to history reference. Combining full-text primary sources with in-depth expert analysis, the 125 entries in the set cover important and influential primary source documents from the third millennium BCE to the twenty-first century and include documents that range from laws and legal codes to letters, from treaties to constitutions, from royal edicts to political speeches.

Organization

The set is organized chronologically in four volumes:

- Volume 1: 2350 BCE–1058 CE
- Volume 2: 1082–1833
- Volume 3: 1839–1941
- Volume 4: 1942–2000

Within each volume, entries likewise are arranged chronologically by year.

Entry Format

Each entry in *Milestone Documents in World History* follows the same structure using the same standardized headings. The entries are divided into two main sections: analysis and document text. Following is the full list of entry headings:

- **Overview** gives a brief summary of the primary source document and its importance in history.
- **Context** places the document in its historical framework.
- **Time Line** chronicles key events surrounding the writing of the document.
- **About the Author** presents a brief biographical profile of the person or persons who wrote the document.
- **Explanation and Analysis of the Document** consists of a detailed examination of the document text, generally in section-by-section or paragraph-by-paragraph format.
- **Audience** discusses the intended audience of the document's author.
- **Impact** examines the historical influence of the document.

- **Questions for Further Study** proposes study questions for students.
- **Essential Quotes** offers a selection of key quotes from the document and, in some cases, about the document.
- **Further Reading** lists articles, books, and Web sites for further research.
- **Document Text** gives the actual text of the primary document.
- **Glossary** defines important, difficult, or unusual terms in the document text.

Each entry features the byline of the scholar who wrote the analysis. Readers should note that in most entries the Document Text section includes the full text of the primary source document. However, in the case of lengthy documents, key portions have been excerpted for analysis.

Features

In addition to the text of the 125 entries, the set includes nearly 250 photographs and illustrations. The front matter of Volume 1 has a sections of interest to educators: "Teachers' Activity Guides." The latter comprises ten distinct guides, all of which are tied to the National History Standards and which make use of the documents covered in this set. These ten sections were written by Consulting Editor Cathleen Boivin. Rounding out the front matter are an "Introduction" to the set, written by Editor in Chief Brian Bonhomme; a section of "Advisers and Contributors"; a "Publisher's Note"; "Editorial and Production Staff"; and "Acknowledgments." At the end of Volume 4, readers will find an "Index of Documents by Category," an "Index of Documents by Region," and a cumulative "Subject Index."

Questions

We welcome questions and comments about the set. Readers may address all such comments to the following address:

The Editor

MILESTONE DOCUMENTS IN WORLD HISTORY
Schlager Group Inc.
2501 Oak Lawn Avenue, Suite 440
Dallas, Texas 75219

INTRODUCTION

Many years ago, as an undergraduate student, I struck up a conversation with a classmate about our plans for the summer, which was then fast approaching. He told me about a science project he intended to work on with his chemistry professor. I, in turn, shared my plans for a week-long trip to an out-of-state history conference, at which I expected to hear various individuals and panels discuss their current research. What my classmate said next has stuck in my mind ever since. He asked me if this would not be a rather boring affair—after all, history is not like science, where there are always new things to be discovered and shared. History, he said, is already well known; and so the work of uncovering it and writing about it is essentially “finished.” This being so, what could the researchers I had mentioned be working on? Surely they could only restate what others had already said?

This turns out to be a very common misperception. Although we do indeed know quite a bit about the past, there is much that remains unclear, controversial, or even unknown. This is especially so when we move beyond the well-worn narratives and facts (the treaties, battles, great leaders, and so on) and toward engagement with the more interesting questions of intention, interpretation, experience, and memory. In many ways, the field of history is more dynamic and eventful now than at any time in the past—characterized by lively debates and disagreements, reinterpretations of old ideas, many new questions, the constant production of new knowledge, and, yes, even discoveries. There are several reasons this is so, not all of which can be discussed here. The most important ones, however, concern the role played by primary source materials in the writing of history—and by extension, the very nature of history itself.

Despite what many people think, history is not simply a record of the past, accepted and agreed upon by all and never to be altered. Our knowledge of previous times is instead an ongoing work of *construction*—something put together (and occasionally taken apart) painstakingly and bit by bit over a long period of time by a large and multi-generational pool of scholars and researchers. Most of these people work on small and specific questions, although they are always mindful of larger contexts. Usually, they present their findings first to colleagues at symposia and conferences and then to wider audiences through refereed journals, books, Web sites, and so on. Eventually their research, if successful, may become part of the general historical pictures presented in textbooks and curricula and in the popular media.

If history is constructed, then an important question arises: What is it constructed from? The main answer is *primary source materials*—including exactly the kinds of origi-

nal historical texts presented in this collection. These are the raw materials, if you like, from which historians craft their narratives and analyses, which we call *secondary sources*. This being so, the purpose of an education in history should not be simply to memorize facts about the past (though this is certainly important) but also to engage frequently and meaningfully with primary sources. This engagement includes learning what they are (both their advantages and limitations), how to select ones suitable to a given study, and, above all, how to use them skillfully and appropriately in order to create viable new knowledge about the past. Let us look a little more closely at these questions.

What is a primary source? The simple answer is that a primary source is a piece of evidence that is from the place and time under study. It could be a written document (as in this collection), an artifact such as a picture or piece of clothing, or something else entirely. Types of written documents include items ranging from laws and legal codes to letters, from royal proclamations to treaties. The single subject of trade with Asia can be elucidated using such a variety of primary sources, including Lin Zexu's letter “Moral Advice to Queen Victoria,” asking the monarch for a peaceful resolution to the problem of the opium trade; the Treaty of Nanjing, ending the Opium War; and Queen Victoria's Proclamation concerning India, assuming control of Britain's Indian colonies and removing them from the administration of the British East India Company. The legal structure of medieval times across the globe is revealed through such sources as *II Aethelstan*, or the Grately Code; Al-Māwardī's treatise “On Qāḍīs”; and the *Russkaia Pravda*, or Justice of the Rus.

Another basic definition is that a primary source is not a secondary source. Secondary sources are works that result from the use of primary sources. A secondary source would be, for example, a book about the rise and spread of Communism written by a historian living and writing today. That historian might base his book on such diverse primary sources as political treatises (Karl Marx and Friedrich Engel's *Communist Manifesto* or Vladimir Lenin's *What Is to Be Done?*), the speeches of politicians (Winston Churchill's “The Sinews of Peace”), and even newspaper articles and editorials (“Mao Tse-tung's Thought Is the Telescope and Microscope of Our Revolutionary Cause”). Secondary sources do not come directly from the events described but from consideration and interpretation of them afterward. This leads us to an alternative, and slightly more sophisticated, definition of a primary source—namely, that it is a piece of evidence that has not yet been interpreted by a historian. It is still in its raw state, waiting for someone to make it speak. Precisely for this reason, primary sources allow a unique and particularly authentic glimpse into the past. They provide an unequalled opportu-

nity to really “get inside” historical events and to directly encounter other times, places, and persons. The work and the challenge of the historian are then to question, interpret, and communicate those experiences.

How does one find and select primary sources? One of the first issues to consider is the relationship between the sources to be used and the question to be asked. For example, can the chosen sources actually answer the intended question? What other questions might they answer? The constitutions of Sparta and Athens tell us about the ways in which these city-states of ancient Greece were organized. At the same time, they allow us a glimpse into the everyday lives of the people of the time. Often a skilled historian or an imaginative student can use sources in more creative ways. The same constitutions, for example, provide the basics for a discussion of the evolution of democracy from ancient Greece to the modern world.

When beginning a research project, the question of where to start usually arises. Does one start with the research question or with the sources? Each has its advantages and disadvantages. Historians often like to begin with a particular question—perhaps because this is what fascinates them or perhaps because the question is fundamentally important and needs answering. However, beginning with the question can often make the search for sources more arduous and fraught. What kind of sources might be needed? Do they exist? If so, where are they? In what language are they? How accessible are they? Might expensive travel, transcription, or copying services be necessary? Students may sometimes prefer to work the other way around, starting with quality source materials and then choosing a question that the materials can be made to answer. Either route can produce excellent results. A typical study may well involve both methods.

There are numerous places to find primary sources. Many are published in readers or sourcebooks that can be found with relative ease in libraries or online. Often, however, these references present very short excerpts rather than the fuller selections offered here. Further materials may be found in newspapers, magazines, and periodicals from the time and place in question; these, too, are usually accessible in libraries or online. As the historian delves ever more deeply into a topic, however, he or she will likely need to make use of *unpublished* sources, typically stored in archives. Archives range from the small and informal, such as a box of unsorted items in a family home, to the very large and well-funded, such as a country’s national archives. Depending on the historian’s interests, the search for primary sources may lead well beyond these places. I recently encountered a colleague who, in his search for information about public health in early-modern Europe

had been excavating and testing samples from five-hundred-year-old latrines!

How are primary sources used? This is the most important part of the process. Once sources have been chosen, the historian must interrogate them and probe them for meaning and answers. In a few cases, depending on the question to be asked, this may be relatively straightforward. Someone reading a medieval law code, for example, may simply wish to know what it said on a given subject. The more interesting questions, however, usually require greater effort and skill. What might the same law code tell us about medieval views on childrearing or family life? What does it suggest about attitudes toward foreigners or toward the poor? What does it say about religion? Here, one will have to read between the lines, teasing out clues and making reasonable inferences. It will be necessary also to consult other primary sources and to compare them, to consult secondary sources on the same or a related topic, and then to make judgments about the applicability or validity of others’ findings. In this manner, the historian’s endeavor becomes a sort of detective work, involving and requiring skills of analysis, interpretation, and critical thinking. This is what makes historical writing a creative act rather than just one involving memorization and communication. It is also what makes history an endlessly fascinating and busy field of study, one in which there are many opportunities to ask and to say something new.

All this, of course, places upon the historian a substantial burden of responsibility—one that must be properly shouldered. Like any type of raw material, primary historical sources can be made into different things to serve different purposes, depending on the will and skill of the historian wielding them. In order to be history, rather than fantasy or mere polemics, historical accounts must remain grounded in the evidence contained in the primary sources. They must not ignore or suppress evidence or select or twist it to fit preconceived notions or agendas. In many cases, this may mean abandoning a cherished theory or assumption that the primary sources do not support. Or it may mean reworking the original question, if the sources do not provide real answers. Sometimes the study of history will challenge previously held notions and foster new thoughts and questions. Indeed, this is one of the most important functions of the study of history, at any level.

The historian must also apply the same critical thinking standards to the primary sources themselves and to their authors. Just because someone was an eyewitness to or a participant in a historical event does not mean that his or her account is objectively true or that it is the only possible interpretation. To one degree or another, all primary sources reflect the biases, assumptions, perspectives, and

circumstances of their authors and of their time and place of origin. The modern historian, working with this in mind, will always want to begin by asking preliminary questions of every primary source, including these: Who wrote this? For what purpose? From what perspective? With the answers to these questions established, the process of engagement with the primary source—of constructing and writing history—can begin in earnest.

Far from being essentially complete and finished, then, history remains more than ever an active field of important research—one where the thrill of discovery awaits. And it is not always a question of finding obscure new primary sources. Many historians have done their most interesting

and important work instead by returning to key, well-known sources and rereading them in novel ways, asking fresh questions, and bringing new methods and perspectives to bear. In this spirit, the present collection offers two things: a guided selection of some of the most important documents in world history and an opportunity for engagement and discovery relating to some of the most critical events and turning points in the human story so far. Happy reading!

Brian Bonhomme
Associate Professor of History
Youngstown State University

TEACHERS' ACTIVITY GUIDES

The following activity guides correspond to the National History Standards for World History as published by the National Center for History in the Schools. The documents in *Milestone Documents in World History* relate to most, though not all, of the world history eras and standards found in the National History Standards. The documents listed in **bold** type are covered in this set.

Era 1: The Beginnings of Human Society

Standard 1: The biological and cultural processes that gave rise to the earliest human communities

Standard 1B: The student understands how human communities populated the major regions of the world and adapted to a variety of environments.

Focus Question: How did various cultures explain the peopling of the earth?

- Review with students the different theories about the populating of the earth and evidence of migration patterns.
- Have students examine the creation myths according to the Epic of Gilgamesh and **Popol Vuh** (ca. 1544) from the Americas. How are these myths similar or different?
- Have students research, online or in their libraries, other creation myths, such as those of Oceania or Africa. Do these myths have elements in common with the Epic of Gilgamesh and the Popol Vuh? How are they characteristic of the societies that produced them? Discuss with students why the various cultures endeavored to explain their beliefs and customs in this way. How were these myths preserved or recorded?

Era 2: Early Civilizations and the Emergence of Pastoral Peoples, 4000–1000 BCE

Standard 1: The major characteristics of civilization and how civilizations emerged in Mesopotamia, Egypt, and the Indus valley

Standard 1A: The student understands how Mesopotamia, Egypt, and the Indus valley became centers of dense population, urbanization, and cultural innovation in the fourth and third millennia BCE.

Standard 3: The political, social, and cultural consequences of population movements and militarization in Eurasia in the second millennium BCE

Standard 3B: The student understands the social and cultural effects that militarization and the emergence of new kingdoms had on peoples of Southwest Asia and Egypt in the second millennium BCE.

Focus Question: Why did early civilizations develop a written code of legal ethics?

- Initiate a class discussion on what makes a civilization. What are the characteristics common to civilizations?
- Divide students into four groups and have each group read and summarize one of the following documents: the **Reform Edict of Urukagina** (ca. 2350 BCE), the **Code of Hammurabi** (ca. 1752 BCE), the **Hittite Laws** (ca. 1650–1400 BCE), or the **Middle Assyrian Laws** (ca. 1115–1077 BCE). Students should focus on how each set of codes shaped society and culture in Sumeria, Babylonia, Central Anatolia, and Mesopotamia. Why did these early societies feel the need to articulate and define a code of laws? Did these laws apply equally to all members of the society? Who was a citizen? What were women's roles and rights? How were slaves and servants represented? Discuss with students the ways in which laws and legal requirements shape our society in the twenty-first century.

Focus Question: How did competing empires develop in Anatolia and in Egypt in this period?

- Have students research the locations and political boundaries of both the Hittite and the Egyptian kingdoms prior to 1280 BCE. Discuss how these kingdoms came into direct conflict with each other during periods of expansion.
- Ask the students to conduct research on the Battle of Kadesh. Why is this battle historically significant? How did chariot technology affect the outcome? Note: Both the Hittites under and the Egyptians claimed victory. Egyptian versions of the conflict can be found at <http://www.reshafim.org.il/ad/egypt/kadeshaccounts.htm>.
- Ask students to read both the Egyptian and the Hittite version of the **Egyptian-Hittite Peace Treaty** of 1259 BCE, one of the earliest recorded peace treaties, and view the following replica of the treaty between the Egyptian pharaoh Ramesses II and Emperor Hattusilis III of the Hittites: <http://www.unmultimedia.org/photo/detail/111/0111527.html>. As a class, discuss the elements of a good peace treaty. Have the students name other famous peace treaties. Were they successful at maintaining the peace? What modern organization is often involved in the resolution of hostilities and peace treaties?

Standard 3: The political, social, and cultural consequences of population movements and militarization in Eurasia in the second millennium BCE

Standard 3B: The student understands the social and cultural effects that militarization and the emergence of new kingdoms had on peoples of Southwest Asia and Egypt in the second millennium BCE.

Focus Question: How can we interpret artifacts and often scarce written evidence to determine how early urban societies functioned?

- Ask students to take on the role of archeologists. What do archeologists do? What types of evidence (artifacts) are available to shed light on cultures such as that of the Hittites? How can this evidence be used to inform us about the development of Hittite culture and religious practices? Have students read the **Hittite Laws** and the **Code of Hammurabi** and, using these documents and the artifact evidence they can find through online research, generate a chart comparing these early societies in terms of their cultural development. Which civilization has the most evidence? Which one has the least?

Focus Question: How did the Hittites and Egyptians defend their legitimacy as governments?

- In the classroom, discuss the processes by which leaders come into power today. How do these systems work for the citizens of a nation? What happens when a leader dies, ends his or her term of office, or fails to adequately lead the people? What systems generally ensure a peaceful transition of power?
- Why did the Hittite civilization come to an end? Who replaced them? How did both the Hittites and Egyptians claim legal power? Ask students to read the **Hittite Laws** and the **Divine Birth and Coronation Inscriptions of Hatshepsut** (ca. 1473 BCE) for insights into these questions.

Standard 4: Major trends in Eurasia and Africa from 4000 to 1000 BCE

Standard 4A: The student understands major trends in Eurasia and Africa from 4000 to 1000 BCE.

Focus Question: How did the status of women evolve in patriarchal societies?

- Discuss with students what is meant by a “patriarchal society.” Have students research the various gender roles practiced in very early agricultural societies. How did the status of women change when larger urban areas developed? Was this status different for aristocratic compared with peasant women? Ask students to research the reign of Queen Hatshepsut of Egypt and to read the **Divine Birth and Coronation Inscriptions of Hatshepsut** and then read “The Queen Who Would Be King” by Elizabeth B. Wilson (*Smithsonian Magazine*, September 2006; <http://www.smithsonianmag.com/history-archaeology/The-Queen-Who-Would-Be-King.html>). How has recent scholarship changed our understanding of Hatshepsut’s reign? Ask students how Wilson used historical excavations and new evidence to outline the differing views that have been taken about Hatshepsut and her reign. Have them review documents such as the **Middle Assyrian Laws**, the **Code of Hammurabi**, and other early law codes to discuss the ways in which laws differentiated between rights for men and women.

Era 9: The Twentieth Century since 1945: Promises and Paradoxes

Standard 1: How post–World War II reconstruction occurred, new international power relations took shape, and colonial empires broke up

Standard 1A: The student understands major political and economic changes that accompanied postwar recovery.

Focus Question: How was the United States instrumental in providing the mechanism for the political and economic stabilization of Western Europe and Japan?

- Have students research the Marshall Plan. Why was this plan so significant? Which countries received U.S. aid? Why did the Soviet Union decline it?
- Ask students to explain the U.S. occupation of Japan after World War II. How was Japan's government changed? What was the role of the emperor? Have students read the **Japanese Constitution** (1947) and compare the occupation of Japan with the postwar occupation of Germany. How were they similar and how different?

Standard 1B: The student understands why global power shifts took place and the cold war broke out in the aftermath of World War II.

Focus Question: How did the USSR gain control of Eastern Europe and what were the consequences for the West?

- Ask students to read **Winston Churchill's "The Sinews of Peace"** (1946) and explain the impact of Soviet domination of Eastern Europe for East-West relations.

Focus Question: What factors caused the demise of the Guomindang (the National People's Party) and the rise of the Chinese Communist Party from 1936 to 1949?

- Ask students to read "China's Christian Warrior" (<http://www.time.com/time/asia/asia/magazine/1999/990823/cks.html>) and "Flawed Icon of China's Resurgence" (<http://www.cnn.com/SPECIALS/1999/china.50/inside.china/profiles/mao.tse.tung/>). Ask students to prepare contrasting biographies of Chiang Kai-shek and Mao Zedong and explain why the two men had differing visions for China.
- Who assumed control of the Chinese Communist Party in the 1940s? What was the Long March? What group was most significant in Mao's rise to power? Discuss the concepts forwarded by Chairman Mao in the Great Leap Forward and the Cultural Revolution. Ask the students to read "**Mao Tse-tung's Thought Is the Telescope and Microscope of Our Revolutionary Cause**" (1966) and explain what Mao's "revolutionary cause" was and how he proposed to implement that cause.
- Where did the Guomindang and their supporters go after being forced out of mainland China? What is the relationship between the two groups today? Ask students to read **Gamal Abdel Nasser on the Nationalization of the Suez Canal** (1956) and explain how the dispute between the "two Chinas" has had an impact on geopolitical events in other parts of the world.

Standard 1C: The student understands how African, Asian, and Caribbean peoples achieved independence from European colonial rule.

Focus Question: How did India achieve independence from Great Britain after centuries of British control?

- Ask students to work in groups to create a commemorative newspaper examining the interaction between the British and the Indians from the time of the Seven Years' War to independence in 1948. How did the British attempt to subjugate the people of the Indian Subcontinent? In what ways did the Indians try to resist? Students should present several points of view, "interviews" with famous people involved in the process, editorials, and so on. Ask students to use the **British Regulating Act** (1773), the **Government of India Act** (1919), **Mahatma Gandhi's Speech to the All Indian Congress Committee** (1942), and **Jawaharlal Nehru's Speeches on the Granting of Indian Independence** (1947) to guide their research. How did all of these historical developments culminate in Indian independence, the formation of Pakistan, and the **Indian Constitution** (1949)? Classroom discussion should follow on the ideas of imperialism, cultural diffusion, and nationalism. What ideas presented in the "newspaper" represent each?

Focus Question: Why did the Indian Subcontinent become fragmented along religious lines?

- Ask students to read the **Lahore Resolution** (1940) and the Indian Constitution. Conduct a class discussion on the formation of the Indian National Congress and the Muslim League. Was partition inevitable?

Focus Question: Why was the process toward independence in India markedly different from that in much of Africa?

- Have students examine the map at <http://exploringafrica.matrix.msu.edu/students/curriculum/m9/activity4.php> and the map chart explaining the resources that European powers gained from Africa. Ask them how colonization and exploitation of Africa aided the process of industrialization in Europe. What were the benefits and drawbacks for Africa?
- Examine the map showing the areas and dates of African independence at <http://www.empathosnationenterprises.com/Consulate/EN-Library/Black-Studies/afindep.html>. Which areas used armed conflict or revolts in their struggle for independence? Which countries achieved independence first? Ask students to choose a country and research its path to independence. Then have them report out on what they discovered.
- Have students read excerpts from the following documents and compare the differences between British- and French-controlled countries: **Proclamation of the Algerian National Liberation Front** (1954), **Patrice Lumumba's Speech at the Proclamation of Congolese Independence** (1960), the **Arusha Declaration** (1967) and **Nelson Mandela's Inaugural Address** (1994). Then ask them to write a comparison paper analyzing the question and covering causes and effects.

Focus Question: How did the idea of Zionism lead to the emergence of the state of Israel after World War II, and why is there still armed conflict there today?

- Have students read these documents: **Theodor Herzl's "A Solution to the Jewish Question"** (1896), the **Balfour Declaration** (1917), and the **Nuremberg Laws** (1935). Ask them to prepare a one-paragraph summary of each. Then ask them to read the **Declaration of the Establishment of the State of Israel** (1948), **UN Security Council Resolution 242** (1967), and the **Palestinian National Charter** (1968) and explain how the three later documents were culminations of developments reflected in the three earlier documents.
- Ask students to construct a K-W-L chart (What I Know, What I Want to Know, What I Learned). A template is available at <http://www.eduplace.com/graphicorganizer/pdf/kwl.pdf>. Have the students use their summaries and explanations of the documents, along with classroom brainstorming, to complete each column in the chart. Provide various newspaper and magazine articles on the Arab-Israeli conflict and debate whether a peace settlement can hold in that region.

Standard 2: The search for community, stability, and peace in an interdependent world

Standard 2B: The student understands how increasing economic interdependence has transformed human society.

Focus Question: What is the purpose of the European Union (EU) and how has it changed European economic and political connectivity?

- Ask the students to define these terms: Common Market, European Economic Community, and European Union.
- Have the students read the **Treaty on European Union** (1992). Hold a classroom discussion on the points addressed in the reading. How has this document shaped Europe today? Ask students if they have been to Europe. What currency did they use? How did this facilitate their travel? Discuss the idea of open borders. How does a common currency benefit Europe's economic activities and trade? What impact does political interconnectivity have on nationalism? Why has Britain maintained its own currency? What countries want to join the EU? Why?

Standard 2C: The student understands how liberal democracy, market economies, and human rights movements have reshaped political and social life.

Focus Question: Why did the events of the early twentieth century necessitate the issuing of a Universal Declaration of Human Rights and what was its impact on individual rights in the late twentieth and early twenty-first centuries?

- Give students background information on the formation of the United Nations in 1945. Have students read the **Universal Declaration of Human Rights** (1948). Why was this document issued? How was the United Nations different from the League of Nations?

- Read A. B. Xuma's "Bridging the Gap between White and Black in South Africa" (1930) and Nelson Mandela's Inaugural Address (1992). What progress was made regarding human rights in South Africa in the years between 1930 and 1992?
- Ask students to give other examples of human rights violations since 1948. What actions were taken by the United Nations to guarantee these rights? How has the Universal Declaration of Human Rights prevented abuses?

Standard 2D: The student understands major sources of tension and conflict in the contemporary world and efforts that have been made to address them.

Standard 2F: The student understands worldwide cultural trends of the second half of the twentieth century.

Focus Question: Why have terrorist organizations risen in the contemporary world and how do they affect global relationships?

- Give students a blank world map and ask them to circle areas that have been affected by terrorist actions in the twentieth and twenty-first centuries. Then ask them to use another color to circle the areas believed to harbor terrorist groups. Have them explain their choices. Discuss the issues involved in the terrorist activities. Are they the same everywhere?
- Have students read the **Proclamation of the Provisional Government of the Irish Republic** (1916) and the **Northern Ireland Peace Agreement** (1998). Ask them whether they circled Ireland on their maps. Have them explain the evolution of the issue of Ireland's relationship with Great Britain.
- Have the students read Ayatollah Khomeini's *Islamic Government: Governance of the Jurist* (1970) and Osama bin Laden's **Declaration of Jihad against Americans** (1996). Ask them to explain what these documents have in common with the previous two. Additionally, ask them to explain the role that religious beliefs and practices play in ongoing conflict between the West and some Islamic countries and groups.
- Ask students to read the United Nations Security Council Resolution 1373, available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N01/557/43/PDF/N0155743.pdf?OpenElement>. What methods are being used to combat terrorist groups? What impact have these groups had on the world's trade, economy, politics, and cultural norms?



Era 10: World History across the Eras Overview

Standard 1: Long-term changes and recurring patterns in world history

Focus Question: Have the revolutionary movements and conflicts of the past three centuries been successes or failures?

- Ask students to take a pro or con position on the question posed and then to select documents that would provide evidence to support their thesis.

Focus on a discussion of the **Agreement on Reconciliation between South and North Korea** (1992) and **African Union Constitutive Act** (2000). Have students locate a newspaper article that ties into one of these and trace the content of the article back to the onset of the conflict. Have the issues that confronted these areas been resolved? Ask students what movement towards peace they see. Have them defend their answer.

CODE OF HAMMURABI

ca. 1752 BCE

*"Let any wronged man who has a lawsuit
come before the statue of me, the king of justice."*

Overview



The Code of Hammurabi was written around 1752 BCE in Babylonia—modern-day Iraq—by King Hammurabi of the First Dynasty of Babylon and was carved into a monumental stone stela. At that point in time, Hammurabi had just finished conquering several powerful states to establish

his own kingdom as the preeminent power in the ancient Near East. Hammurabi was in the process of solidifying his kingdom, a course of action that depended on his fulfilling the role of a good Mesopotamian king by worshipping the gods, providing for his people, and creating a peaceful, just society in all of his cities.

Hammurabi wrote his law code in order to achieve these goals. The monumental stela bears an image and three sections of text: prologue, laws, and epilogue. In the image, prologue, and epilogue, the primary focus is on establishing Hammurabi as a good, just, and divinely sanctioned king. In the law section, Hammurabi demonstrates his judicial wisdom, given by the sun god Shamash, through 282 prescriptive legal scenarios. These laws combine traditional Babylonian laws of monetary compensation with Amorite tribal *talion* law—which is based on retribution, as in the maxim “an eye for an eye”—and a strong concern for the rights of the oppressed and marginalized. It is the longest, most organized, and most famous law code of the ancient Near East.

Context

Prior to Hammurabi’s reign, Babylonia—then known as “Sumer and Akkad”—was in prolonged political turmoil. Many city-states were ruled by kings of Amorite descent (their origins being land west of Sumer and Akkad) who had seized power from native Sumerians and Akkadians during the political upheaval. Isin and Larsa were two of the most powerful cities. Each was able to build a small kingdom, yet neither ever controlled all the cities of Sumer and Akkad. Babylon, which before this period had been an unimportant town, was one of the cities that proved able to

maintain its autonomy. The First Dynasty of Babylon began in 1894 BCE (dated according to the Middle Chronology used by most historians studying ancient Babylonia) with the reign of its first king, an Amorite named Sumu-abum. By the time Larsa conquered Isin one hundred years later, the kingdom of Babylon controlled much of northern Babylonia—including the cities of Sippar, Kish, and Borsippa—and rivaled Larsa in size.

Hammurabi succeeded his father, Sinmuballit, to the throne of Babylon in 1792 BCE, becoming the sixth king of the First Dynasty of Babylon. After inheriting this small but powerful kingdom, Hammurabi began the work of fortifying his territory and establishing his kingship. He fulfilled the roles required of a good king in Mesopotamian tradition by providing for the gods and temples in all of the cities he controlled. Additionally, he fulfilled the royal role of good “shepherd” for his people by fortifying city walls to protect the inhabitants and building new irrigation canals, which were needed for productive farming across his kingdom.

Hammurabi also sought to expand his territory by conquest. However, in doing so, he quickly came into disputes with powerful states outside Babylonia: the kingdoms of Upper Mesopotamia (with major cities at Shubat-Enlil and Mari) and Elam (in Iran). Instead of fighting these kingdoms, Hammurabi opted for a diplomatic strategy, contracting an alliance with King Shamshi-Adad of the Upper Mesopotamian kingdom in 1783 BCE. Similar alliances were forged with Elam, but these proved short-lived, as the Elamite king became interested in adding Babylon to his own territory. In 1765 BCE, Elam attacked a town on the border of the kingdom of Babylon. Hammurabi, with the help of Zimri-Lim, the new king of a now-independent kingdom of Mari, fought and defeated Elam the next year, in 1764 BCE. This major victory effectively forced Elam to withdraw from Babylonia. While Hammurabi did not win any territory in these battles, the battles ensured that the kingdom of Babylon was to be taken seriously as a dominant political power in the region.

In the wake of this success, Hammurabi began to expand his kingdom on an unprecedented scale. A year later, in 1763 BCE, Hammurabi, with the aid of the kingdoms of Eshnunna and Mari, invaded and conquered the southern Babylonian city-state of Larsa and all of its large

Time Line	
1894 BCE	<ul style="list-style-type: none"> Sumu-abum, the first king of the First Dynasty of Babylon, begins his reign.
1792 BCE	<ul style="list-style-type: none"> Hammurabi succeeds his father, Sinmuballit, to the throne as the sixth king of the First Dynasty of Babylon, marking the beginning of what scholars consider the Old Babylonian period.
1764 BCE	<ul style="list-style-type: none"> Hammurabi, with the aid of the kingdom of Mari, defeats Elam and expels Elamite control and influence from the region.
1763 BCE	<ul style="list-style-type: none"> With the aid of Mari and Eshnunna, Hammurabi conquers the southern Babylonian city-state of Larsa.
1762 BCE	<ul style="list-style-type: none"> Hammurabi conquers Eshnunna.
1761 BCE	<ul style="list-style-type: none"> Hammurabi conquers Mari, and the kingdom of Babylon becomes the greatest political entity in the ancient Near East.

territory. After this conquest, Babylon controlled a unified southern Babylonia. Hammurabi then turned his attention to the north of Babylonia, where his former allies in the two large kingdoms of Eshnunna and Mari were beginning to grow wary of his increasing power. Hammurabi first battled against Eshnunna, the nearer of these two kingdoms, inflicting defeat in 1762 BCE. He continued this campaign up into northern Mesopotamia and captured the minor kingdoms of Subartu, whose kings were then forced to submit to his rule. This action left the kingdom of Mari as Hammurabi's only major rival for control and power over Mesopotamia. Hammurabi turned immediately to a campaign against Mari, and he defeated King Zimri-Lim in 1761 BCE. With this conquest complete, Hammurabi now controlled all of Babylonia, as well as much of the territory around it and upriver on the Euphrates. He had built the kingdom of Babylon into the largest and most powerful political entity of its time.

With this enormous series of military campaigns behind him, Hammurabi turned his attention back to the duties of being a good Mesopotamian king, which had occupied him throughout the beginning years of his reign. However, now that he was in control of a vast and, as yet, divided kingdom, Hammurabi needed to be a good king in the eyes of disparate groups of people who were not necessarily inclined to be peaceful and obedient toward him. Hammurabi thus devoted himself carefully to fulfilling his kingly roles—maintaining the temples, furnishing the gods with offerings, and shepherding his people by providing for their sustenance and security—in the cities across his large kingdom. Hammurabi was an able administrator who usually attended to small details himself, and his meticulous attention to his kingdom's cities, temples, and people helped improve his popularity and more firmly established his right to rule. As a major part of this project to create a stable, peaceable kingdom out of the many distinct regions he had conquered, Hammurabi commissioned the carving of a monumental stela bearing his law code. It is likely that many such stelae were carved in similar or identical form and set up in the cities around Babylonia between 1752 and 1750 BCE, at the end of Hammurabi's reign. The Code of Hammurabi known to modern historians comes from a stela presumed to have been erected in the city of Sippar—the only one of these stelae that has survived intact.

About the Author

Very few details about Hammurabi's early life are known to historians, owing to the lack of interest in this kind of record keeping on the part of ancient scribes. Since Hammurabi enjoyed a reign of forty-three years, it is likely that he came to the throne as a young man, but not so young as to require a regent to rule in his place. If we suggest that he came to the throne at the approximate age of twenty, Hammurabi would have been born in about 1812 BCE. He was almost certainly born in Babylon, the city his father ruled, although this information is also not recorded. No

details about Hammurabi's life are known for certain until his accession to kingship over Babylon in 1792 BCE. Hammurabi composed his law code and commissioned the carving of the stela that bore the inscription around 1752–1750 BCE, late in his reign. Just a few years later, Hammurabi became so seriously ill that his son, Samsu-iluna, was forced to take over his father's royal duties. The people of Babylonia reacted by dedicating prayers and offerings in the temples for Hammurabi's recovery, but these measures failed. Hammurabi died in 1750 BCE.

In both ancient and modern times, King Hammurabi of Babylon is credited with the writing of his own law code. He certainly commissioned the monument, and it was erected on his authority. In the text, Hammurabi “speaks” directly to his audience through the use of first-person statements. However, the Mesopotamian idea of authorship was different from modern notions: The important person who spoke the words of a document—or even just gave the order for it to be written—was considered the text's author, not the scribe who wrote the text. Thus, historians have no way of knowing whether Hammurabi actually composed the words of his text, though the final words used would have been subject to his royal approval.

Explanation and Analysis of the Document

The Code of Hammurabi is inscribed on a diorite stela seven and a half feet tall. Diorite is a very hard, lustrous black stone that was a highly desirable material for the production of permanent, unalterable, and impressive royal monuments in ancient Mesopotamia. This diorite stela was left in an irregular, natural shape, with a flat front, uneven top profile, and rounded back. Both sides were carved, with image and text, almost in their entirety.

The text on the monument was written in Akkadian, a Babylonian-based Semitic language that was commonly spoken throughout Mesopotamia in the Old Babylonian period. Cuneiform (“wedge-shaped”) script was used to write Akkadian. On this stela, the cuneiform text was carved in a vertical orientation, as had been used to write Sumerian and early Akkadian documents. The vertical script orientation seems to have been going out of use in the Old Babylonian period, in favor of the horizontal orientation that became ubiquitous in the later Kassite period. But during the Old Babylonian period, the vertical script was retained for writing monumental texts, probably in order to create a visual connection with earlier Babylonian stelae and statues still on public display. By combining this archaic script orientation and the classic literary-prose style of the prologue and epilogue text with the contemporary style used to write the laws themselves, Hammurabi conveyed the historical legitimacy of his document while preserving the accessibility of its meaning.

Image

At the top of the monument on the front side, an engraved relief covers almost one-third of the stela's face.

Time Line	
CA. 1752–1750 BCE	■ Hammurabi commissions the Code of Hammurabi, which is engraved on a stela erected in the city of Sippar.
1750 BCE	■ Hammurabi dies, and his son, Samsu-iluna, succeeds to the throne of Babylon.
1595 BCE	■ The Old Babylonian period ends with the death of Samsu-ditana, the last king of Hammurabi's royal line.
CA. 1165 BCE	■ The Elamite king Shutruk-Nahhunte captures and plunders several Babylonian cities, taking the stela of Sippar bearing the Code of Hammurabi back to his capital at Susa.

This engraved image shows Hammurabi standing before the god Shamash, who is seated on his throne, wearing the divine horned headdress, with the rays of the sun rising from his shoulders. Shamash was the god of justice and of the sun. In his hand, Shamash holds the “rod and ring”—traditional symbols of Mesopotamian kingship—which he offers to Hammurabi. The king holds his right hand in front of his mouth, which was a gesture of respect traditionally offered before a god. Hammurabi wears the thickly banded headdress typical of Mesopotamian rulers during the period of 2100–1700 BCE. Neither of the two figures is labeled, so it is based upon their visual attributes and the context of the text inscription that their identities are understood.

In this image Shamash is acting as a representative of all the gods, on whose behalf he bestows kingship upon





Code of laws of the Babylonian king, Hammurabi

(© Bettmann/CORBIS)

Hammurabi. While Hammurabi was already well established as king of Babylon by the time this monument was carved, the image of divinely given kingship was important in justifying his rule over all his vast and diverse territory. The choice of Shamash as the gods' representative also would have provided religious legitimacy and a sense of justice to the royal authority Hammurabi used to proclaim and enforce his laws. These themes of divine legitimacy, for both Hammurabi's kingship and his lawmaking abilities, are continued and reinforced in the text of the prologue.

◆ Prologue

The prologue of the Code of Hammurabi does not function, in the modern sense, as an introduction to or explanation of the laws. Rather, the text of the prologue is designed to glorify Hammurabi, giving importance and authority to his laws. This praise takes three forms, all of which were common on Mesopotamian royal monuments: explaining how the gods chose Hammurabi to rule, describing his admirable personal qualities, and demonstrating how he completely fulfilled his role as an ideal Mesopotamian king. This latter point is illustrated through the use of detailed examples, in which Hammurabi is described as piously restoring specific temples, venerating all the gods of the Mesopotamian pantheon individually, and providing

for various named cities. All the cities and temples mentioned in this long list were under Hammurabi's territorial control. Included with each mention of a city or temple is a corresponding description of the king's relationship with the individual city god—relationships described in such terms as the god's hearing Hammurabi's prayers, the god's considering him "beloved" or "favored," or the god's finding his offerings to be "bountiful" or "pleasing." As with the stela's image, the overall effect of this list is to give the impression that harmonious and beneficial relationships existed between the king and all of the gods. Such relationships gave Hammurabi divine legitimacy for his kingship, for his power over vast territories, and for his law code.

Hammurabi makes this divine sanction for his law code more explicit when he emphasizes his special connection with the god Shamash. In the prologue, he compares himself and his role to that of Shamash: He is "to rise like the sun-god Shamash over all humankind, to illuminate the land." In the epilogue, in turn, Hammurabi claims that Shamash has given him judicial wisdom: "I am Hammurabi, king of justice, to whom the god Shamash has granted (insight into) the truth." All of these concepts were interrelated in the Babylonian idea of justice, whereby it was believed that if all facts could be brought into the light of the sun and fully seen, then the truth of a case would become obvious, and justice could be done. By saying that Shamash has given him the vision and light required to see that justice is served, Hammurabi provides the ultimate divine authority for his law code.

◆ Laws

The Code of Hammurabi consists of 282 known laws. Because of gaps in the text caused by later damage to the stela done by the Elamite king Shutruk-Nahhunte, it is unclear how many laws the stela originally included; there may have been as many as three hundred. On the stela, the laws are organized roughly into thematic groups, but the themes are not marked or formally divided, nor are the laws numbered. The laws are also not comprehensive: Many possible crimes (and even categories of crimes or disputes) are left undiscussed, even though very specific and elaborate descriptions of other crime scenarios are included.

This apparent disorganization exists because Hammurabi's laws do not operate as generalizable rules of behavior, in which statements such as "you will not do this" or "this is illegal" are used. Rather, Hammurabi's laws are prescriptive, with statements formulated as: "If a person does X, then Y will result." In prescriptive law statements, the results of specific cases do not determine or extrapolate to more general rules. Thus, Hammurabi's laws were never meant to cover every eventuality. Historians cannot, therefore, assume that just because certain actions are not discussed, they were legal; indeed, records of actual law cases from the era show evidence that other laws or legal precedents were used. It is possible that the particular laws listed in the Code of Hammurabi were only the laws that the king wanted to make a particular point of decreeing with his royal authority equally across the whole kingdom. It is also possi-



ble that this law code was simply an impressive collection or sample of difficult cases that Hammurabi had personally judged, which he then selected to validate his claim, before both the gods and his subjects, that he was a king of justice.

Crimes in the Code of Hammurabi were generally punished according to a form of law known as *talion* law. *Talion* law, also known as the judicial system of retaliation (“an eye for an eye”), operates on the principle that a punishment or penalty should be in similar kind and equal severity to the original crime. This type of law was generally applied in the seminomadic and pastoral societies that lived west of Babylonia and was probably included in the Code of Hammurabi because of the king’s Amorite heritage. In the code, offenses among individuals of the same social class—*awilum* (free people, including most craftsmen and laborers), *mushkenum* (commoners or dependents), and *wardum* (slaves)—were generally governed by talion laws. However, throughout his laws, Hammurabi emphasizes the state’s right—and not the right of the victim or the victim’s family—to judge the case and inflict the required punishment. Thus the government, under the rule of the king, claimed control and authority over all forms of justice, even those that had previously been the domain of the family.

The Code of Hammurabi prescribes *talion* punishments only to a certain extent. Punishments stronger than those usually used in talion law were also given out, particularly for liars and thieves, as well as for any low-status person who committed a crime against a person of higher rank. Liars were probably singled out for harsh punishment (usually death) owing to their active role in obscuring facts, which hindered the divinely mandated practice of seeking justice through the illumination of truth and subverted Hammurabi’s royal power to oversee his kingdom. The Code of Hammurabi was also influenced by the earlier laws of Babylonian society, in which payments to the victim or victim’s family were standard punishments. These types of monetary punishments were preserved in Hammurabi’s law code, particularly for offenses perpetrated by high-status individuals against persons of lesser rank.

In addition to setting forth laws concerning violent criminal cases, theft, and lying, Hammurabi’s code also deals in great detail with issues of land use, inheritance, adoption, slave ownership, merchant and contractor liabilities, establishing prices, loans and debts, divorce, and property disputes. These civil laws are not divided out from the criminal laws in the Code of Hammurabi, and many such civil cases have punishments equal to those stipulated for crimes where loss of person, property, or health resulted. The severe punishments meted out in some of these cases—particularly for fraud or misuse of property—supported Hammurabi’s stated goals of protecting the weak from the powerful. While adult male property holders of the *awilu* class clearly had greater rights than others, their rights were not unlimited, and persons of lesser status could have recourse against their actions. This is particularly well illustrated in some of the laws concerning women and children: Divorced or sick wives could not be abandoned without monetary compensation, adulterous hus-



Terra-cotta plaque (of the Old Babylonian period) of a bull-man, an attendant of the sun god Shamash © The Trustees of the British Museum)

bands were held to account, and children could not be disinherited without good cause.

Hammurabi’s lengthy focus on the issues of land, economy, and contracts also demonstrates that he was fulfilling the traditional Mesopotamian royal role of being a good shepherd to his people. As a shepherd of humankind, Hammurabi’s duty before the gods was to establish peace throughout the land. Peaceful communities depend not only on the absence of violent crime but also on a stable, reliable economic structure; trust in contractual relationships; and defined methods of conflict resolution—all of which Hammurabi provided through his law code. In his role as good shepherd, he was also expected to provide the necessities of life for his people. This explains the importance of land, farm animals, and mercantile activity in the laws. By legislating the fair and continuous use of resources, Hammurabi was taking an active hand in ensuring that produce yields would be high and prosperity would ensue.

◆ Epilogue

In the epilogue, Hammurabi describes the purpose and function of his monument: It was set up “in order to render the judgments of the land, to give the verdicts of the land,

and to provide just ways for the wronged.” This is the first indication in the entire text of how the monument should be used, which is further elucidated a few lines later, when Hammurabi encourages “any wronged man who has a law-suit [to] come before the statue of me, the king of justice, and let him have my inscribed stela read aloud to him, thus may he hear my precious pronouncements and let my stela reveal the lawsuit for him.” This passage is remarkable not only because it is one of the very rare instances in which a Mesopotamian monument describes its own social function, but also because of its focus on helping the weak, oppressed, or wronged man. It was a traditional duty of Mesopotamian kings to provide justice, but this focus on justice specifically for the oppressed is undocumented in earlier Babylonian history. By virtue of Hammurabi’s precedent, providing justice for the oppressed became a feature in later ancient Near Eastern law codes as well.

The majority of the epilogue is concerned with future rulers who would see the monument. Hammurabi sets himself up as an example for these future kings, who he believes should recognize and praise his wisdom. However, Hammurabi realized that future rulers were likely to destroy or remove his monument (as the Elamite king Shutruk-Nahhunte eventually did), and so he spends the rest of the epilogue exhorting elaborate curses from the gods on anyone who would alter, displace, or destroy his stela. The use of such curses was common practice on Mesopotamian monuments as a way for kings to ensure the permanence of their stelae, the perpetual fame of their names, and the immortality of their accomplishments.

Audience

The primary audience for the Code of Hammurabi would have been the gods and the local elite people of the city in which the stela bearing the code was erected. Although historians do not know for certain the original location of the law code stela, it was intended for display and would have been erected in a prominent place; the most likely such place was in front of the Ebabbar Temple of Shamash in Sippar. Thus, the primary audience would have been the priests and elites of the city of Sippar (all of whom had full access to the temple and could read the text written on the stela) as well as the Babylonian gods (who were thought of as omnipresent in their temples). For this audience, the stela would have functioned to display Hammurabi’s judicial wisdom, confirm his close personal relationship with the local patron god, and demonstrate that he was a pious and faithful king.

Nonelite people would have also been a major audience for the Code of Hammurabi. The text itself declares that its purpose was to be read aloud to the people, particularly the unfortunate people who were downtrodden and in need of justice. In making his text accessible to the common people, most of whom were illiterate, Hammurabi attempted to legitimize himself in their eyes and gain their support. In so doing, he also took some political power away from the

temples and local rulers who had previously provided law and order in their cities. By destabilizing the popular support for these local power structures, Hammurabi could more effectively establish and govern his central royal administration.

Hammurabi explicitly mentions a third major audience—future kings—in the epilogue, where he expresses his desire that later rulers will read his laws and emulate his judicial wisdom in creating their own law codes. Hammurabi probably intended that this future royal audience would foremost comprise his dynastic successors to the throne of Babylon, who continued to rule his kingdom for centuries and who probably did read his law code. The future royal audience for the Code of Hammurabi also included the many additional Babylonian kings who reigned after the end of Hammurabi’s dynasty, as well as the Elamite king Shutruk-Nahhunte, who captured the Code of Hammurabi in 1165 BCE.

Impact

The Code of Hammurabi had its intended impact: The kingdom was consolidated and secured, Hammurabi’s rule was seen as legitimate, and his royal line was able to rule successfully over most of his kingdom for a further 155 years. The lawmaking impact of the code, however, was not so straightforward. Most actual recorded legal cases from the Old Babylonian period do not follow Hammurabi’s system of justice and punishments, and the prices set for goods in his laws were never instituted. Scholars still debate why such discrepancies existed between the Code of Hammurabi and actual Old Babylonian legal practice.

Hammurabi’s laws did, however, influence Babylonian legal scholarship. The laws were distributed throughout the kingdom on clay tablets, dozens of which have been recovered from excavations around Babylonia. Extracts and commentaries on the laws have also been found, some of which are roughly contemporary with the erection of the stela, and some of which date to much later periods. The existence of these secondary, analytical documents indicates that the Code of Hammurabi, for all its propagandistic functions, made a considerable and long-lasting impact on legal and scholarly thinking across Babylonia. This influence can be seen in Mesopotamian history, as later kings utilized the Code of Hammurabi as the foundational document of their own law codes.

The effect of the Code of Hammurabi on greater civilization has been substantial. Ever since the monument was unearthed during the French excavations of Susa in 1901–1902 and deciphered by Assyriologists, the code has held a prominent place in both the scholarly conception and popular imagination of ancient Babylon. It is now known that Hammurabi’s was not the first law code to be established; the oldest surviving law code is that of King Shulgi of the Third Dynasty of Ur (ca. 2074 BCE), and even that law code was preceded by judicial proclamations and records of



Essential Quotes

“The gods Anu and Enlil ... named me by my name: Hammurabi, the pious prince, who venerates the gods, to make justice prevail in the land, to abolish the wicked and the evil, to prevent the strong from oppressing the weak, to rise like the sun-god Shamash over all humankind, to illuminate the land.”

(Prologue)

“If a man accuses another man and charges him with homicide but cannot bring proof against him, his accuser shall be killed.”

(Law 1)

“If the owner of the lost property could not produce witnesses who can identify his lost property, he is a liar, he has indeed spread malicious charges, he shall be killed.”

(Law 11)

“If an awīlu should blind the eye of another awīlu, they shall blind his eye. If he should break the bone of another awīlu they shall break his bone. If he should blind the eye ... or break the bone of a commoner, he shall weigh and deliver 60 shekels of silver. If he should blind the eye ... or break the bone of an awīlu’s slave, he shall weigh and deliver one-half of his value.”

(Laws 196–199)

“Let any wronged man who has a lawsuit come before the statue of me, the king of justice, and let him have my inscribed stela read aloud to him, thus may he hear my precious pronouncements and let my stela reveal the lawsuit for him.”

(Epilogue)

court proceedings from earlier periods of Mesopotamian history. Scholars also no longer think that Hammurabi’s laws were strictly meant to be followed but rather were intended to demonstrate his power, divine sanction, and role as king of justice. However, none of these subsequent finds have lessened the Code of Hammurabi’s impact over the centuries. Hammurabi is still the author of the longest and most

organized of the law codes from the ancient Near East, in which he created order for a vast society and, perhaps most significantly, provided help and justice for the oppressed, the lower classes, women, and children. Because of his groundbreaking law code, Hammurabi’s fame continued throughout Mesopotamian history. Now, as a result of its rediscovery, he is famous in modern culture as well.

Further Reading

■ Articles

Leemans, W. F. "Hammurabi's Babylon, Centre of Trade, Administration and Justice." *Sumer* 41, nos. 1–2 (1985): 91–96.

Roth, Martha T. "Mesopotamian Legal Traditions and the Laws of Hammurabi." *Chicago-Kent Law Review* 71, no. 1 (1995): 13–39.

Veenhof, K. R. "The Relation between Royal Decrees and 'Law Codes' of the Old Babylonian Period." *Jaarbericht Ex Oriente Lux* 35/36 (1997–2000): 49–83.

■ Books

Roth, Martha T. *Law Collections from Mesopotamia and Asia Minor*. Atlanta, Ga.: Scholars Press, 1997.

Schmandt-Besserat, Denise. *When Writing Met Art: From Symbol to Story*. Austin: University of Texas Press, 2007.

Van de Mieroop, Marc. *King Hammurabi of Babylon: A Biography*. Malden, Mass.: Blackwell Publishing, 2005.

■ Web Sites

"Babylonia: Country, Language, Religion, Culture." Livius "Articles on Ancient History" Web site.
<http://www.livius.org/ba-bd/babylon/babylonia.html>.

—Stephanie M. Langin-Hooper

Questions for Further Study

1. If you are familiar with the Old Testament of the Bible, particularly what Jews refer to as the Torah, or the first five books of the Old Testament (sometimes called the Pentateuch), compare and contrast it with the Code of Hammurabi.
2. How does the Code of Hammurabi suggest an evolution from a pastoral, nomadic, and tribal community to a more settled, organized, agrarian community?
3. Compare and contrast Hammurabi's laws with some of the laws in effect in modern societies today. Are there any similarities, in, for example, laws governing inheritances or crime?
4. Why is the Code of Hammurabi considered a "milestone" document in the history of law and, indeed, of civilization itself? What, if anything, is unique about it?
5. Historians note that documents such as this often have the purpose of legitimizing a reign. In this regard, compare the Code of Hammurabi with another document, such as "Mandate of Heaven: The Numerous Officers" from China or Deeds of the Divine Augustus from ancient Rome. How do the two documents set about establishing the authority and legitimacy of the rulers?



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CODE OF HAMMURABI

Prologue

... The gods Anu and Enlil ... named me by my name: Hammurabi, the pious prince, who venerates the gods, to make justice prevail in the land, to abolish the wicked and the evil, to prevent the strong from oppressing the weak, to rise like the sun-god Shamash over all humankind, to illuminate the land.

I am Hammurabi, the shepherd...

discerning king, obedient to the god Shamash, the mighty one, who establishes the foundations of the city of Sippar, who ... made famous the temple of Eabbar which is akin to the abode of heaven;

the warrior, who shows mercy to the city of Larsa, who renews the Eabbar temple for the god Shamash his ally;

the lord who revitalizes the city of Uruk, who provides abundant waters for its people, who raises high the summit of the Eanna temple, who heaps up bountiful produce for the gods Anu and Ishtar;

the protecting canopy of the land, who gathers together the scattered peoples of the city of Isin ...

the judicious one, the noble one, who allots pasturage and watering place for the cities of Lagash and Girsu, who provides plentiful food offerings for the Eninnu temple;

who seizes the enemies, beloved of (the goddess Ishtar) the able one ... who gladdens the heart of the goddess Ishtar;

the pure prince, whose prayers the god Adad acknowledges ...

wise one, the organizer, he who has mastered all wisdom, who shelters the people of the city of Malgium in the face of annihilation, who founds their settlements in abundance ...

leader of kings, who subdues the settlements along the Euphrates River by the oracular command of the god Dagan, his creator, who showed mercy to the people of the cities of Mari and Tuttul;

the pious prince ... who sustains his people in crisis, who secures their foundations in peace in the midst of the city of Babylon;

shepherd of the people, whose deeds are pleasing to the goddess Ishtar ...

who proclaims truth, who guides the population properly ...

who quells the rebellious ...

the pious one, who prays ceaselessly for the great gods ... mighty heir of Sin-muballit, eternal seed of royalty mighty king, solar disk of the city of Babylon, who spreads light over the lands of Sumer and Akkad, king who makes the four regions [north, south, east, west] obedient, favored of the goddess Ishtar, am I.

When the god Marduk commanded me to provide just ways for the people of the land (in order to attain) appropriate behavior, I established truth and justice as the declaration of the land, I enhanced the well-being of the people.

At that time:

Laws

1. If a man accuses another man and charges him with homicide but cannot bring proof against him, his accuser shall be killed....

3. If a man comes forward to give false testimony in a case but cannot bring evidence for his accusation, if that case involves a capital offense, that man shall be killed.

4. If he comes forward to give (false) testimony for (a case whose penalty is) grain or silver, he shall be assessed the penalty for that case.

5. If a judge renders a judgment, gives a verdict, or deposits a sealed opinion, after which he reverses his judgment ... they shall unseat him from his judgeship in the assembly, and he shall never again sit in judgment with the judges.

6. If a man steals valuables belonging to the god or to the palace, that man shall be killed, and also he who received the stolen goods from him shall be killed.

7. If a man should purchase silver, gold, a slave, a slave woman, an ox, a sheep, a donkey, or anything else whatsoever, from a son of a man or from a slave of a man without witnesses or a contract—or if he accepts the goods for safekeeping—that man is a thief, he shall be killed.

8. If a man steals an ox, a sheep, a donkey, a pig, or a boat—if it belongs either to the god or to the palace, he shall give thirtyfold: if it belongs to a commoner, he shall replace it tenfold; if the thief does not have anything to give, he shall be killed.

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9. If a man who claims to have lost property then discovers his lost property in another man's possession ... the judges shall examine their cases, and the witnesses in whose presence the purchase was made and the witnesses who can identify the lost property shall state the facts known to them before the god, then, it is the seller who is the thief, he shall be killed....

11. If the owner of the lost property could not produce witnesses who can identify his lost property, he is a liar, he has indeed spread malicious charges, he shall be killed....

14. If a man should kidnap the young child of another man, he shall be killed.

15. If a man should enable a palace slave, a palace slave woman, a commoner's slave, or a commoner's slave woman to leave through the main city-gate, he shall be killed.

16. If a man should harbor a fugitive slave or slave woman of either the palace or of a commoner in his house and not bring him out at the herald's public proclamation, that householder shall be killed.

17. If a man seizes a fugitive slave or slave woman in the open country and leads him back to his owner, the slave owner shall give him 2 shekels of silver....

19. If he should detain that slave in his own house and afterward the slave is discovered in his possession, that man shall be killed....

21. If a man breaks into a house, they shall kill him and hang him in front of that very breach.

22. If a man commits a robbery and is then seized, that man shall be killed....

24. If a life (is lost during the robbery), the city and the governor shall weigh and deliver to his kinsmen 60 shekels of silver.

25. If a fire breaks out in a man's house, and a man who came to help put it out covets the household furnishings belonging to the householder, and takes household furnishings belonging to the householder, that man shall be cast into that very fire.

26. If either a soldier or a fisherman who is ordered to go on a royal campaign does not go, or hires and sends a hireling as his substitute, that soldier or fisherman shall be killed: the one who informs against him shall take full legal possession of his estate....

28. If there is either a soldier or a fisherman who is taken captive while serving in a royal fortress, and his son is able to perform the service obligation, the field and orchard shall be given to him and he shall perform his father's service obligation....

30. If either a soldier or a fisherman abandons his field, orchard, or house because of the service obli-

gation and then absents himself ... if he then returns and claims his field, orchard, or house, it will not be given to him: he who has taken possession of it and has performed his service obligation shall be the one to continue to perform the obligation....

34. If either a captain or a sergeant should take a soldier's household furnishings, oppress a soldier, hire out a soldier, deliver a soldier into the power of an influential person in a law case, or take a gift that the king gave to a soldier, that captain or sergeant shall be killed....

37. If a man should purchase a field, orchard, or house of a soldier, fisherman, or a state tenant, his deed shall be invalidated and he shall forfeit his silver; the field, orchard, or house shall revert to its owner.

38. (Furthermore), a soldier, fisherman, or a state tenant will not assign in writing to his wife or daughter any part of a field, orchard, or house attached to his service obligation, nor will he give it to meet any outstanding obligation....

42. If a man rents a field in tenancy but does not plant any grain, they shall charge and convict him of not performing the required work in the field, and he shall give to the owner of the field grain in accordance with his neighbor's yield....

44. If a man rents a previously uncultivated field for a three-year term with the intention of opening it for cultivation but he is negligent and does not open the field, in the fourth year he shall plow, hoe, and harrow the field and return it to the owner of the field; and in addition he shall measure and deliver 3,000 silas of grain per 18 ikus (of field)

48. If a man has a debt lodged against him, and the storm-god Adad devastates his field or a flood sweeps away the crops, or there is no grain grown in the field due to insufficient water—in that year he will not repay grain to his creditor; he shall suspend performance of his contract and he will not give interest payments for that year....

53. If a man neglects to reinforce the embankment of (the irrigation canal of) his field and does not reinforce its embankment, and then a breach opens in its embankment and allows the water to carry away the common irrigated area, the man in whose embankment the breach opened shall replace the grain whose loss he caused.

54. If he cannot replace the grain, they shall sell him and his property, and the residents of the common irrigated area whose grain crops the water carried away shall divide (the proceeds).

55. If a man opens his branch of the canal for irrigation and negligently allows the water to carry away



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his neighbor's field, he shall measure and deliver grain in accordance with his neighbor's yield....

57. If a shepherd does not make an agreement with the owner of the field to graze sheep and goats ... the owner of the field shall harvest his field and the shepherd who grazed sheep and goats on the field without the permission of the owner of the field shall give in addition 6,000 silas of grain per 18 ikus (of field) to the owner of the field....

60. If a man gives a field to a gardener to plant as a date orchard and the gardener plants the orchard, he shall cultivate the orchard for four years; in the fifth year, the owner of the orchard and the gardener shall divide the yield in equal shares; the owner of the orchard shall select and take his share first....

62. If he does not plant as a date orchard the field which was given to him—if it is arable land, the gardener shall measure and deliver to the owner of the field the estimated yield of the field for the years it is left fallow in accordance with his neighbor's yield; furthermore he shall perform the required work on the field and return it to the owner of the field....

64. If a man gives his orchard to a gardener to pollinate (the date palms), as long as the gardener is in possession of the orchard, he shall give to the owner of the orchard two thirds of the yield of the orchard, and he himself shall take one third.

65. If the gardener does not pollinate the (date palms in the) orchard and thus diminishes the yield, the gardener [shall measure and deliver] a yield for the orchard to (the owner of the orchard in accordance with) his neighbor's yields....

[gap]t If a merchant gives grain or silver as an interest-bearing loan, he shall take 100 silas of grain per kur as interest (= 33%); if he gives silver as an interest-bearing loan, he shall take 36 barleycorns per shekel of silver as interest (= 20%).

[gap]u If a man who has an interest-bearing loan does not have silver with which to repay it, he (the merchant) shall take grain and silver in accordance with the royal edict and the interest on it at the annual rate of 60 silas per 1 kur (= 20%)....

[gap]x If a merchant gives grain or silver as an interest-bearing loan and when he gives it as an interest-bearing loan he gives the silver according to the small weight or the grain according to the small seah-measure but when he receives payment he receives the silver according to the large weight or the grain according to the large seah-measure, [that merchant] shall forfeit [anything that he gave]

102. If a merchant should give silver to a trading agent for an investment venture, and he incurs a loss

on his journeys, he shall return silver to the merchant in the amount of the capital sum.

103. If enemy forces should make him abandon whatever goods he is transporting while on his business trip, the trading agent shall swear an oath by the god and shall be released....

112. If a man is engaged in a trading expedition and gives silver, gold, precious stones, or any other goods to another under consignment for transportation, and the latter man ... appropriates it, the owner of the consigned property shall charge and convict that man of whatever ... he failed to deliver, and that man shall give to the owner ... fivefold the property that had been given to him....

117. If an obligation is outstanding against a man and he sells or gives into debt service his wife, his son, or his daughter, they shall perform service in the house of their buyer or of the one who holds them in debt service for three years; their release shall be secured in the fourth year.

118. If he should give a male or female slave into debt service, the merchant may extend the term (beyond the three years), he may sell him; there are no grounds for a claim....

120. If a man stores his grain in another man's house, and a loss occurs in the storage bin or the householder opens the granary and takes the grain or he completely denies receiving the grain that was stored in his house—the owner of the grain shall establish his grain before the god, and the householder shall give to the owner of the grain twofold the grain that he took (in storage)....

122. If a man intends to give silver, gold, or anything else to another man for safekeeping, he shall exhibit before witnesses anything which he intends to give, he shall draw up a written contract, and (in this manner) he shall give goods for safekeeping.

123. If he gives goods for safekeeping without witnesses or a written contract, and they deny that he gave anything, that case has no basis for a claim....

127. If a man causes a finger to be pointed in accusation against ... a man's wife but cannot bring proof, they shall flog that man before the judges and they shall shave off half of his hair.

128. If a man marries a wife but does not draw up a formal contract for her, that woman is not a wife.

129. If a man's wife should be seized lying with another male, they shall bind them and cast them into the water; if the wife's master allows his wife to live, then the king shall allow his subject (i.e., the other male) to live.

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130. If a man pins down another man's virgin wife who is still residing in her father's house, and they seize him lying with her, that man shall be killed; that woman shall be released.

131. If her husband accuses his own wife (of adultery), although she has not been seized lying with another male, she shall swear (to her innocence by) an oath by the god, and return to her house.

132. If a man's wife should have a finger pointed against her in accusation involving another male, although she has not been seized lying with another male, she shall submit to the divine River Ordeal....

134. If a man should be captured and there are not sufficient provisions in his house, his wife may enter another's house; that woman will not be subject to any penalty....

138. If a man intends to divorce his first-ranking wife who did not bear him children, he shall give her silver as much as was her bridewealth and restore to her the dowry that she brought from her father's house, and he shall divorce her.

139. If there is no bridewealth, he shall give her 60 shekels of silver as a divorce settlement.

140. If he is a commoner, he shall give her 20 shekels of silver.

141. If the wife of a man who is residing in the man's house should decide to leave, and she appropriates goods, squanders her household possessions, or disparages her husband, they shall charge and convict her; and if her husband should declare his intention to divorce her, then he shall divorce her; neither her travel expenses, nor her divorce settlement, nor anything else shall be given to her. If her husband should declare his intention to not divorce her, then her husband may marry another woman and that (first) woman shall reside in her husband's house as a slave woman.

142. If a woman repudiates her husband, and declares, "You will not have marital relations with me"—her circumstances shall be investigated by the authorities of her city quarter, and if she is circumpect and without fault, but her husband is wayward and disparages her greatly that woman will not be subject to any penalty; she shall take her dowry and she shall depart for her father's house.

143. If she is not circumpect but is wayward, squanders her household possessions, and disparages her husband, they shall cast that woman into the water....

148. If a man marries a woman, and later *la'bum*-disease seizes her and he decides to marry another woman, he may marry; he will not divorce his wife whom *la'bum*-disease seized; she shall reside in quar-

ters he constructs and he shall continue to support her as long as she lives....

150. If a man awards to his wife a field, orchard, house, or movable property, and makes out a sealed document for her, after her husband's death her children will not bring claim against her; the mother shall give her estate to whichever of her children she loves, but she will not give it to an outsider....

153. If a man's wife has her husband killed on account of (her relationship with) another male, they shall impale that woman.

154. If a man should carnally know his daughter, they shall banish that man from the city....

156. If a man selects a bride for his son and his son does not yet carnally know her, and he himself then lies with her, he shall weigh and deliver to her 30 shekels of silver; moreover, he shall restore to her whatever she brought from her father's house, and a husband of her choice shall marry her.

157. If a man, after his father's death, should lie with his mother, they shall burn them both.

158. If a man, after his father's death, should be discovered in the lap of his (the father's) principal wife who had borne children, that man shall be disinherited from the paternal estate.

159. If a man who has the ceremonial marriage presentation brought to the house of his father-in-law, and who gives the bridewealth, should have his attention diverted to another woman and declare to his father-in-law, "I will not marry your daughter," the father of the daughter shall take full legal possession of whatever had been brought to him....

162. If a man marries a wife, she bears him children, and that woman then goes to her fate, her father shall have no claim to her dowry; her dowry belongs only to her children....

166. If a man provides wives for his eligible sons but does not provide a wife for his youngest son, when the brothers divide the estate after the father goes to his fate, they shall establish the silver value of the bridewealth for their young unmarried brother from the property of the paternal estate, in addition to his inheritance share, and thereby enable him to obtain a wife....

168. If a man should decide to disinherit his son and declares to the judges, "I will disinherit my son," the judges shall investigate his case and if the son is not guilty of a grave offense deserving the penalty of disinheritance, the father may not disinherit his son.

169. If he should be guilty of a grave offense deserving the penalty of disinheritance by his father, they shall pardon him for his first one; if he should



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commit a grave offense a second time, the father may disinherit his son....

175. If a slave of the palace or a slave of a commoner marries a woman of the *awīlu*-class and she then bears children, the owner of the slave will have no claims of slavery against the children of the woman of the *awīlu*-class....

177. If a widow whose children are still young should decide to enter another's house, she will not enter without (the prior approval of) the judges. When she enters another's house, the judges shall investigate the estate of her former husband, and they shall entrust the estate of her former husband to her later husband and to that woman, and they shall have them record a tablet (inventorying the estate). They shall safeguard the estate and they shall raise the young children; they will not sell the household goods. Any buyer who buys the household goods of the children of a widow shall forfeit his silver; the property shall revert to its owner....

180. If a father does not award a dowry to his daughter who is a cloistered *naditu* or a *sekretu*, after the father goes to his fate, she shall have a share of the property of the paternal estate comparable in value to that of one heir; as long as she lives she shall enjoy its use; her estate belongs only to her brothers....

185. If a man takes in adoption a young child at birth and then rears him, that rearling will not be reclaimed....

188. If a craftsman takes a young child to rear and then teaches him his craft, he will not be reclaimed....

190. If a man should not reckon the young child whom he took and raised in adoption as equal with his children, that rearling shall return to his father's house....

192. If the child of (i.e., reared by) a courtier or the child of (i.e., reared by) a *sekretu* should say to the father who raised him or to the mother who raised him, "You are not my father," or "You are not my mother," they shall cut out his tongue.

193. If the child of (i.e., reared by) a courtier or the child of (i.e., reared by) a *sekretu* identifies with his father's house and repudiates the father who raised him or the mother who raised him and departs for his father's house, they shall pluck out his eye.

194. If a man gives his son to a wet nurse and that child then dies while in the care of the wet nurse, and the wet nurse then contracts for another child without the knowledge of his father and mother, they shall charge and convict her, and, because she con-

tracted for another child without the consent of his father and mother, they shall cut off her breast.

195. If a child should strike his father, they shall cut off his hand.

196. If an *awīlu* should blind the eye of another *awīlu*, they shall blind his eye.

197. If he should break the bone of another *awīlu*, they shall break his bone.

198. If he should blind the eye of a commoner or break the bone of a commoner, he shall weigh and deliver 60 shekels of silver.

199. If he should blind the eye of an *awīlu*'s slave or break the bone of an *awīlu*'s slave, he shall weigh and deliver one-half of his value (in silver).

200. If an *awīlu* should knock out the tooth of another *awīlu* of his own rank, they shall knock out his tooth.

201. If he should knock out the tooth of a commoner, he shall weigh and deliver 20 shekels of silver.

202. If an *awīlu* should strike the cheek of an *awīlu* who is of status higher than his own, he shall be flogged in the public assembly with 60 stripes of an ox whip.

203. If a member of the *awīlu*-class should strike the cheek of another member of the *awīlu*-class who is his equal, he shall weigh and deliver 60 shekels of silver.

204. If a commoner should strike the cheek of another commoner, he shall weigh and deliver 10 shekels of silver.

205. If an *awīlu*'s slave should strike the cheek of a member of the *awīlu*-class, they shall cut off his ear....

209. If an *awīlu* strikes a woman of the *awīlu*-class and thereby causes her to miscarry her fetus, he shall weigh and deliver 10 shekels of silver for her fetus.

210. If that woman should die, they shall kill his daughter.

211. If he should cause a woman of the commoner-class to miscarry her fetus by the beating, he shall weigh and deliver 5 shekels of silver.

212. If that woman should die, he shall weigh and deliver 30 shekels of silver.

213. If he strikes an *awīlu*'s slave woman and thereby causes her to miscarry her fetus, he shall weigh and deliver 2 shekels of silver.

214. If that slave woman should die, he shall weigh and deliver 20 shekels of silver.

215. If a physician performs major surgery with a bronze lancet upon an *awīlu* and thus heals the *awīlu*, or opens an *awīlu*'s temple with a bronze

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lancet and thus heals the *awīlu*'s eye, he shall take 10 shekels of silver (as his fee).

216. If he (the patient) is a member of the commoner-class, he shall take 5 shekels of silver (as his fee).

217. If he (the patient) is an *awīlu*'s slave, the slave's master shall give to the physician 2 shekels of silver.

218. If a physician performs major surgery with a bronze lancet upon an *awīlu* and thus causes the *awīlu*'s death, or opens an *awīlu*'s temple with a bronze lancet and thus blinds the *awīlu*'s eye, they shall cut off his hand.

219. If a physician performs major surgery with a bronze lancet upon a slave of a commoner and thus causes the slave's death, he shall replace the slave with a slave of comparable value.

220. If he opens his (the commoner's slave's) temple with a bronze lancet and thus blinds his eye, he shall weigh and deliver silver equal to half his value....

226. If a barber shaves off the slave-hairlock of a slave not belonging to him without the consent of the slave's owner, they shall cut off that barber's hand.

227. If a man misinforms a barber so that he then shaves off the slave-hairlock of a slave not belonging to him, they shall kill that man and hang him in his own doorway; the barber shall swear, "I did not knowingly shave it off," and he shall be released.

228. If a builder constructs a house for a man to his satisfaction, he shall give him 2 shekels of silver for each sar of house as his compensation.

229. If a builder constructs a house for a man but does not make his work sound, and the house that he constructs collapses and causes the death of the householder, that builder shall be killed.

230. If it should cause the death of a son of the householder, they shall kill a son of that builder.

231. If it should cause the death of a slave of the householder, he shall give to the householder a slave of comparable value for the slave.

232. If it should cause the loss of property, he shall replace anything that is lost; moreover, because he did not make sound the house which he constructed and it collapsed, he shall construct (anew) the house which collapsed at his own expense....

234. If a boatman caulks a boat of 60-kur capacity for a man, he shall give him 2 shekels of silver as his compensation....

236. If a man gives his boat to a boatman for hire, and the boatman is negligent and causes the boat to

sink or to become lost, the boatman shall replace the boat for the owner of the boat....

239. If a man hires a boatman, he shall give him 1,800 silas of grain per year....

241. If a man should distrain an ox, he shall weigh and deliver 20 shekels of silver.

242/243. If a man rents it for one year, he shall give to its owner 1,200 silas of grain as the hire of an ox for the rear (of the team), and 900 silas of grain as the hire of an ox for the middle (of the team).

244. If a man rents an ox or a donkey and a lion kills it in the open country, it is the owner's loss.

245. If a man rents an ox and causes its death either by negligence or by physical abuse, he shall replace the ox with an ox of comparable value for the owner of the ox....

249. If a man rents an ox, and a god strikes it down dead, the man who rented the ox shall swear an oath by the god and he shall be released.

250. If an ox gores to death a man while it is passing through the streets, that case has no basis for a claim.

251. If a man's ox is a known gorer, and the authorities of his city quarter notify him that it is a known gorer, but he does not blunt(?) its horns or control his ox, and that ox gores to death a member of the *awīlu*-class, he (the owner) shall give 30 shekels of silver.

252. If it is a man's slave (who is fatally gored), he shall give 20 shekels of silver.

253. If a man hires another man to care for his field, that is, he entrusts to him the stored grain, hands over to him care of the cattle, and contracts with him for the cultivation of the field—if that man steals the seed or fodder and it is then discovered in his possession, they shall cut off his hand....

257. If a man hires an agricultural laborer, he shall give him 2,400 silas of grain per year.

258. If a man hires an ox driver, he shall give him 1,800 silas of grain per year....

261. If a man hires a herdsman to herd the cattle or the sheep and goats, he shall give him 2,400 silas of grain per year....

264. If a shepherd, to whom cattle or sheep and goats were given for shepherding, is in receipt of his complete hire to his satisfaction, then allows the number of cattle to decrease, or the number of sheep and goats to decrease, or the number of offspring to diminish, he shall give for the (loss of) offspring and by-products in accordance with the terms of his contract....

266. If, in the [protective] enclosure, an epidemic should break out or a lion make a kill, the shep-



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herd shall clear himself before the god, and the owner of the enclosure shall accept responsibility for him for the loss sustained in the enclosure....

268. If a man rents an ox for threshing, 20 silas of grain is its hire.

269. If he rents a donkey for threshing, 10 silas of grain is its hire.

270. If he rents a goat for threshing, 1 sila of grain is its hire.

271. If a man rents cattle, a wagon, and its driver, he shall give 180 silas of grain per day.

272. If a man rents only the wagon, he shall give 40 silas of grain per day.

273. If a man hires a hireling, he shall give 6 barleycorns of silver per day from the beginning of the year until (the end of) the fifth month and 5 barleycorns of silver per day from the sixth month until the end of the year....

276. If a man rents a boat for traveling upstream, he shall give 2½ barleycorns of silver as its hire per day....

282. If a slave should declare to his master. "You are not my master," he (the master) shall bring charge and proof against him that he is indeed his slave, and his master shall cut off his ear.

Epilogue

These are the just decisions which Hammurabi, the able king, has established and thereby has directed the land along the course of truth and the correct way of life.

I am Hammurabi, noble king. I have not been careless or negligent toward humankind, granted to my care by the god Enlil, and with whose shepherding the god Marduk charged me. I have sought for them peaceful places, I removed serious difficulties, I spread light over them. With the mighty weapon which the gods Zababa and Ishtar bestowed upon me, with the wisdom which the god Ea allotted to me, with the ability which the god Marduk gave me, I annihilated enemies everywhere, I put an end to wars, I enhanced the well-being of the land, I made the people of all settlements lie in safe pastures, I did not tolerate anyone intimidating them. The great gods having chosen me, I am indeed the shepherd who brings peace, whose scepter is just. My benevolent shade is spread over my city. I held the people of the lands of Sumer and Akkad safely on my lap. They prospered under my protective spirit, I maintained them in peace, with my skillful wisdom I sheltered them.

In order that the mighty not wrong the weak, to provide just ways for the waif and the widow, I have inscribed my precious pronouncements upon my stela and set it up before the statue of me, the king of justice, in the city of Babylon, the city which the gods Anu and Enlil have elevated, within the Esagil, the temple whose foundations are fixed as are heaven and earth, in order to render the judgments of the land, to give the verdicts of the land, and to provide just ways for the wronged.

I am the king preeminent among kings. My pronouncements are choice, my ability is unrivaled. By the command of the god Shamash, the great judge of heaven and earth, may my justice prevail in the land. By the order of the god Marduk, my lord, may my engraved image not be confronted by someone who would remove it. May my name always be remembered favorably in the Esagil temple which I love.

Let any wronged man who has a lawsuit come before the statue of me, the king of justice, and let him have my inscribed stela read aloud to him, thus may he hear my precious pronouncements and let my stela reveal the lawsuit for him; may he examine his case, may he calm his (troubled) heart, (and may he praise me), saying:

"Hammurabi, the lord, who is like a father and begetter to his people, submitted himself to the command of the god Marduk, his lord, and achieved victory for the god Marduk everywhere. He gladdened the heart of the god Marduk, his lord and he secured the eternal well-being of the people and provided just ways for the land." ...

May any king who will appear in the land in the future, at any time, observe the pronouncements of justice that I inscribed upon my stela. May he not alter the judgments that I rendered and the verdicts that I gave, not remove my engraved image. If that man has discernment, and is capable of providing just ways for his land, may he heed the pronouncements I have inscribed upon my stela, may that stela reveal for him the traditions, the proper conduct, the judgments of the land that I rendered, the verdicts of the land that I gave and may he, too, provide just ways for all humankind in his care....

I am Hammurabi, king of justice, to whom the god Shamash has granted (insight into) the truth. My pronouncements are choice and my achievements are unrivalled.... If that man (a future ruler) heeds my pronouncements ... and does not reject my judgments ... then may the god Shamash lengthen his reign, just as (he has done) for me, the king of justice, and so may he shepherd his people with justice.

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(But) should that man not heed my pronouncements, which I have inscribed upon my stela, and should he slight my curses and not fear the curses of the gods, and thus overturn the judgments that I rendered, change my pronouncements, alter my engraved image, erase my inscribed name and inscribe his own name (in its place)—or should he, because of fear of these curses, have someone else do so—that man, whether he is a king, a lord, or a governor, or any person at all, may the great god Anu, father of the gods, who has proclaimed my reign, deprive him of the sheen of royalty, smash his scepter, and curse his destiny.

May the god Enlil, the lord, who determines destinies, whose utterance cannot be countermanded, who magnifies my kingship, incite against him even in his own residence disorder that cannot be quelled and a rebellion that will result in his obliteration; may he cast as his fate a reign of groaning, of few days, of years of famine, of darkness without illumination, and of sudden death; may he declare with his venerable speech the obliteration of his city, the dispersion of his people, the supplanting of his

dynasty, and the blotting out of his name and his memory from the land.

May the goddess Ninlil, the great mother ... may she induce the divine king Enlil to pronounce the destruction of his land, the obliteration of his people, and the spilling of his life force like water.

May the god Ea ... the sage among the gods, all-knowing ... may he dam up his rivers at the source; may he not allow any life-sustaining grain in his land.

May the god Shamash, the great judge of heaven and earth, who provides just ways for all living creatures ... may he not render his judgments, may he confuse his path ... may he uproot him from among the living above and make his ghost thirst for water below in the nether world.

May the god Sin ... impose upon him an onerous punishment, a great penalty for him, which will not depart from his body; ... may he unveil before him a contender for the kingship; may he decree for him a life that is no better than death.

May the god Adad, lord of abundance, the canal-inspector of heaven and earth ... deprive him of the benefits of rain from heaven and flood from the

Glossary

awīlu	a free person of the upper class
barleycorn	a unit of currency, often silver, the size of a grain of barley
bridewealth	amount paid to the parents of a bride by the groom or his family
iku, kur, sar, seah-measure, sila	ancient measurements of area, weight, or volume for which there are no precise equivalents today
la'bum disease	a malarial-type fever or a skin disease
nadītu	a priestess who was forbidden to have children
River Ordeal	truth verification process where a witness, accuser, or potential criminal was required to submit to a trial of integrity. The person in question was made to dive into the river and swim a certain distance underwater before coming back to the surface. If the person succeeded, he was thought to have told the truth and was free from further obligations or suspicion. If the person either came up too soon or drowned, he was considered to have lied and (if he survived) was subject to penalties or even death.
sekretu	woman isolated in a harem or a temple
shekel	a weight measure used for silver and unrelated to modern Israeli currency
Sin-Muballit	father of Hammurabi
virgin wife	fiancée

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springs, and may he obliterate his land through destitution and famine....

May the god Zababa, the great warrior, ... who travels at my right side, smash his weapon upon the field of battle; may he turn day into night for him, and make his enemy triumph over him.

May the goddess Ishtar, mistress of battle and warfare, who bares my weapon, ... who loves my reign, curse his kingship with her angry heart and great fury ... strike down his warriors, drench the earth with their blood, make a heap of the corpses of his soldiers upon the plain, and may she show his soldiers no mercy; as for him, may she deliver him into the hand of his enemies....

May the goddess Nintu, august mistress of the lands, the mother, my creator, deprive him of an heir and give him no offspring; may she not allow a human child to be born among his people....

May the great gods of heaven and earth, ... the protective spirit of the temple, the very brickwork of the Ebabbar temple, curse that one his seed, his land, his troops, his people, and his army with a terrible curse.

May the god Enlil, whose command cannot be countermanded, curse him with these curses and may they swiftly overtake him.

