

Lecture One – Introduction

*How to Read a Document*¹

by Mark Kishlansky

Learning to read a historical document is much like learning to read a map. It is important to ask the right questions and make the right assumptions. But unlike the real journey the map makes possible, the journey that is made with a historical document is one of the imagination. It is not so easy to put your finger on the past. You will have to learn to test your assumptions and to sharpen your ability to ask questions before you can have any confidence that you are on the right road. As with anything else, mastery of these skills takes concentration and practice. You will have to discipline yourself to ask and answer questions about the document on three levels.

LEVEL ONE

The first set of questions that need to be addressed are those for which you should be able to find concrete answers. The answers to these questions will give you the basic information you need to begin the process of interpretation. Although “level-one” questions are seemingly straightforward, they contain important implications for deeper interpretation. If you do not consciously ask these questions, you will deprive yourself of some of the most important evidence there is for understanding documents. Train yourself to underline or highlight the information that will allow you to answer the following questions:

1. Who wrote this document?

In the first place, you need to know how this document came to be created. Written historical records were created by individuals in a specific historical setting for a particular purpose. Until you know who created the document you have read, you cannot know why it was created or what meanings its author intended to impart by creating it. Nor is it enough to simply learn the name of the author; it is equally important to learn about authors as people, what social background they came from, what position they held, to what group they belonged. Although you will learn the identity of the author from the introductory notes, you will learn much about that person or group from the document.

2. Who is the intended audience?

Identifying the intended audience of a document will tell you much about its language, about the amount of knowledge that the writer is assuming, even sometimes about the best form for the document to take. The relationship between author and audience is one of the most basic elements of communication and one that will tell you much about the purpose of the document. Think of the difference between the audience for a novel and that for a diary, or for a law and a

¹ Source: Kishlansky, Mark A. *Sources of World History*, Volume 1, Third Edition. New York: Longman Publishers, 2003.

secret treaty. In each case, knowing the intended audience determines your view of what to expect from the document. Knowing the audience allows you to begin to ask important questions, such as, “Should I believe what I am being told?”

3. What is the story line?

The final “level one” question has to do with the content of the document. You now know enough about it in a general way to pay attention to what it actually says. To learn the story line, you must take some notes while you are reading and underline or highlight important places in your text. The more often you ask yourself, “What is going on here?” the easier it will be to find out. No matter how obscure a document appears at first, deliberate attention to the story line will allow you to focus your reading.

LEVEL TWO

If “level one” questions allow you to identify the nature of the document and its author, “level two” questions allow you to probe behind the essential facts. Now that you know who wrote the document, to whom it is addressed, and what it is about, you can begin to try to understand it. Since your goal is to learn what this document means, first in its historical context and then in your current context, you now want to study it from a more detached point of view, to be less accepting of “facts” and more critical in the questions you pose. At the first level, the document controlled you; at the second level, you will begin to control the document.

1. Why was this document written?

Everything is written for a reason. You make notes to yourself to remember, you send cards to celebrate and sympathize, you correspond to convey or request information. The documents that historians traditionally study are more likely to have been written for public rather than private purposes, but not always. Understanding the purpose of a historical document is critical to analyzing the strategies that the author employs within it. A document intended to convince will employ logic; a document intended to entertain will employ fancy; a document attempting to motivate will employ emotional appeals. In order to find these strategies, you must know what purpose the document was intended to serve.

2. What type of document is this?

The form of the document is vital to its purpose. You would expect a telephone book to be alphabetized, a poem to be in meter, and a work of philosophy to be in prose. The form or genre in which a document appears is always carefully chosen. Genre contains its own conventions, which fulfill the expectations of author and audience. A prose map of how one travels from Chicago to Boston might be as effective as a conventional map, but it would not allow for much of the incidental information that a conventional map contains and would be much harder to consult. A map in poetry would be mind-boggling!

3. What are the basic assumptions made in this document?

All documents make assumptions that are bound up with their intended audience, with the form in which they are written, and with their purpose. Some of these assumptions are so integral to the document that they are left unsaid, others are so important to establish that they form a part

of the central argument.

LEVEL THREE

So far, you have been asking questions of your document that you can learn directly from it. Sometimes it is more difficult to know who composed a document *than* who the intended audience was. Sometimes you have to guess at the purpose of the document. But essentially questions on level one and level two are questions with direct answers. Once you have learned to ask them, you will have a great deal of information about the historical document at your disposal. You will then be able to think historically – that is, to pose your own questions about the past and to use the material the document presents to seek for answers. In level three, you will exercise your critical imagination, probing the materials and developing your own assessment of its value. “Level three” questions will not always have definite answers; in fact, they are the kind of questions that arouse disagreement and debate and that make for lively classroom discussion.

1. Can I believe this document?

To be successful, a document designed to persuade, to recount events, or to motivate people to action must be believable to its audience. For the critical historical reader, it is that very believability that must be examined. Every author has a point of view, and exposing the assumptions of the document is an essential task for the reader. You must treat all claims skeptically. One question you certainly want to ask is, “Is this a likely story?”

2. What can I learn about the society that produced this document?

All documents unintentionally reveal things that are embedded in the very language, structure, and assumptions of the document that can tell you the most about the historical period or event that you are studying.

3. What does this document mean to me?

So What? Other than for the practical purpose of passing your exams and the course, why should you be concerned with historical documents? What can you learn from them? Only you can answer those questions. But you will not be able to answer them until you have asked them. You should demand the meaning of each document you read: what it meant to the historical actors – authors, audience, and society – and what it means to your own society.

Inscription of Enmetena²

This inscription, written on two clay cylinders, dates from around 2500 BCE in Mesopotamia. It recounts several stages of a long conflict between the rival Sumerian cities Lagash and Umma, situated only eighteen miles apart. Use Kishlansky's approach to analyze this text. Pay special attention to Question #2 of Level Three.

Enlil, king of all the lands, father of the gods, by his firm command, fixed the border between Ningirsu (chief god of Lagash) and Shara (chief god of Umma). Mesalim, King of Kish, at the command of (the goddess) Ishtar, measured the field and set up a boundary stone there.³

Ush, ruler of Umma, acted haughtily. He ripped out that boundary stone and marched toward the plain of Lagash. Ningirsu, warrior of Enlil, at Enlil's just command made war upon Umma. At Enlil's command he threw his great battle net over it (Umma) and heaped up burial mounds for it in the plain.

Eanatum, ruler of Lagash, brother of the father of Enmetena (who put up this inscription), fixed the border with Enakale, ruler of Umma. He made the boundary-channel extend from the Nun canal to (the district of) Gu'edena. He left a length of 210 spans (1290 m) of Ningirsu's field, toward the side of Umma, and established it (as) an ownerless field. At that boundary-channel he inscribed (new) boundary-stones, and restored the stone of Mesalim. He did not cross into the plain of Umma. On the boundary-levée of Ningirsu-- the Namrmdakigara-- he built a shrine of Enlil, a shrine of Ninhursag (the mother goddess), a shrine of Ningirsu (god of irrigation and fertility), and a shrine of (the god) Utu.

The leader of Umma consumed (518,400 liters) of barley of (the goddess) Nanshe and of Ningirsu as an interest-bearing loan. It bore interest. (A total debt of) 44.78976 x 10¹ liters accrued. Because he could not repay the barley, Umluma, ruler of Umma, made irrigation water flow in the boundary-channel of Ningirsu and the boundary-channel of Nanshe. He torched and tore out their boundary-stones; destroyed the...shrines of gods that had been built on the Namrmdakigara; recruited (soldiers from) the foreign lands and crossed the boundary-channel of Ningirsu.

Enanatum, ruler of Lagash, battled with him in Ugiga, Ningirsu's beloved (irrigated) field. Enmetena, the beloved son of Enanatum, completely overthrew (Umluma). Umluma fled. In the midst of Umma (Enmetena) killed him. (Umluma's) asses-- forming 60 teams (for four-wheeled battle carts)-- were abandoned on the bank of the Lumagimunta canal. The bones of their attendants (crews) were strewn about the plain. Enmetena heaped up their burial mounds in five places.

² Translation adapted from Mark Chavalas (ed.), *The Ancient Near East: Historical Sources in Translation* (Blackwell, 2006), pp. 14-15 [La 5. I].

³ Enlil was a storm god and the leading deity of the Sumerian pantheon. He was closely associated with kingship. Ishtar, alternatively known as the Sumerian Inanna, was associated with fertility and extreme emotion such as desire and rage

At that time Ili-- being temple administrator of (the city of) Zabalam-- fell back from (the town of) Girsu to Umma. Ili assumed the rulership of Umma. He made irrigation water flow in the boundary-channel of Ningirsu and the boundary-channel of Nanshe, in the boundary-levee of Ningirsu-- toward the bank of the Tigris River in the area of Girsu-- and in the Nammundakigara. Of Lagash's barley he paid back (only) 18.6624 x 108 liters.

On account of those boundary-channels, Enmetena, the ruler of Lagash, sent representatives to Ili. Ili, ruler of Umma, the field thief, speaking wickedly said: "The boundary- channel of Ningirsu and the boundary-channel of Nanshe are mine! I will divert the levee from Antasura to Edingalabzu." But Enlil and Ninhursag did not give it to him.

Enmetena, ruler of Lagash, whose name was chosen by Ningirsu, at the just command of Enlil, at the just command of Ningirsu, and at the just command of Nanshe, built that boundary- channel from the Tigris River to the Nun canal. The foundations of the Nammundakigara he constructed in stone for Ningirsu, and restored it to Ningirsu, the lord who loves him, and Nanshe, the lady who loves him.

The leader of Umma who crosses the channel of Ningirsu and the channel of Nanshe to take fields by force-- be he from Umma or a foreigner-- may Enlil smite him! After Ningirsu throws his great battle net on him may (Ningirsu) crush him from on high with his mighty hands and feet! May the people of his (own) city, after raising arms against him, kill him in his (own) city!

Part I: The Early River Civilizations

Lecture Two – Ancient Mesopotamia

The Curse of Agade (Akkad)

This text, while dating from the 2nd millennium BCE, almost certainly borrowed from an earlier tradition dating immediately after the fall of the Akkadian Empire. The story centers around the success, and ultimate demise, of the city Agade, the capital of the Akkadians under their founder Sargon and his grandson, Naram-Suen. Naram-Suen was a successful Akkadian ruler who expanded the empire's borders. This tale, on the other hand, makes him directly responsible for the downfall of the city, which probably occurred a half-century after his death. While the historicity of many of its claims are doubtful, it nonetheless paints a useful picture of life in a Mesopotamian capital.

Comprehension Questions

1. What is the political and economic relationship of Agade with the other peoples mentioned here?
2. What is Naram-Suen's response to the prophecy of E-kur? What is the result of his actions?

Discussion Questions

1. Naram-Suen was not responsible for the fall of Agade, as noted in the introduction. Can you think of any reason(s) that this later author made him responsible for its fall? Considering this historical error, what other information do you think is trustworthy (or not)?
2. What role do the gods play in the success or failure of the city? Would you define them as gods of the natural world or "civilizing" deities?
3. On what basis does the author compare other peoples with the Akkadians? What characteristics are viewed most negatively?
4. What does this text tell us about a successful Mesopotamian civilization? What are its values, its political and economic infrastructure, its relationship with other peoples and the natural environment, etc.?

Old Babylonian version

1-9. After Enlil's frown had slain Kiš as if it were the Bull of Heaven, had slaughtered the house of the land of Unug in the dust as if it were a mighty bull, and then Enlil had given the rulership and kingship from the south as far as the highlands to Sargon, king of Agade -- at that time, holy

Inanna established the sanctuary of Agade as her celebrated woman's domain; she set up her throne in Ulmaš.⁴

10-24. Like a young man building a house for the first time, like a girl establishing a woman's domain, holy Inanna did not sleep as she ensured that the warehouses would be provisioned; that dwellings would be founded in the city; that its people would eat splendid food; that its people would drink splendid beverages; that those bathed for holidays would rejoice in the courtyards; that the people would throng the places of celebration; that acquaintances would dine together; that foreigners would cruise about like unusual birds in the sky; that even Marhaši would be re-entered on the tribute rolls; that monkeys, mighty elephants, water buffalo, exotic animals, as well as thoroughbred dogs, lions, mountain ibexes, mountain beasts, and alum sheep with long wool would jostle each other in the public squares.

25-39. She then filled Agade's stores for emmer wheat with gold, she filled its stores for white emmer wheat with silver; she delivered copper, tin, and blocks of lapis lazuli to its granaries and sealed its silos from outside. She endowed its old women with the gift of giving counsel, she endowed its old men with the gift of eloquence. She endowed its young women with the gift of entertaining, she endowed its young men with martial might, she endowed its little ones with joy. The nursemaids {who cared for} the general's children played the drumsticks. Inside the city tigi drums sounded; outside it, flutes and zamzam instruments. Its harbour where ships moored was full of joy. All foreign lands rested contentedly, and their people experienced happiness.

40-56. Its king, the shepherd Naram-Suen, rose as the daylight on the holy throne of Agade. Its city wall, like a mountain, reached the heavens. It was like the Tigris {going to} the sea as holy Inanna opened the portals of its city-gates and made Sumer bring its own possessions upstream by boats. The highland Martu, people ignorant of agriculture, brought spirited cattle and kids for her. The Meluhans, the people of the black land, brought {exotic wares} up to her.⁵ Elam and Subir loaded themselves with goods for her as if they were packasses. All the governors, the {temple administrators}, and the accountants of the Gu-edina regularly supplied the monthly and New Year offerings. What a weariness all these caused at Agade's city gates! Holy Inanna could hardly receive all these offerings. As if she were a citizen there, she could not restrain the desire to prepare the ground for a temple.

57-65. But the statement coming from the E-kur was disquieting.⁶ Because of Enlil all Agade was reduced to trembling, and terror befell Inanna in Ulmaš. She left the city, returning to her home. Holy Inanna abandoned the sanctuary of Agade like someone abandoning the young women of her woman's domain. Like a warrior hurrying to arms, she {removed} the gift of battle and fight from the city and handed them over to the enemy.

66-76. Not even five or 10 days had passed and Ninurta brought the jewels of rulership, the royal crown, the emblem and the royal throne bestowed on Agade, back into his E-šu-me-ša. Utu took away the eloquence of the city. Enki (god of intelligence and crafts) took away its wisdom. An

⁴ For more information on Enlil and Inanna, see footnote #3 above.

⁵ Meluha was probably the Indus River Valley civilization, alternatively known as the Harappan civilization.

⁶ This was a prophecy, but it is not clear the message. The E-kur was a famous temple complex associated with the god Enlil.

(sky god) took {up} into the midst of heaven its fearsomeness that reaches heaven. Enki tore out its well-anchored holy mooring pole from the abzu. Inanna took away its weapons.

77-82. The life of Agade's sanctuary was brought to an end as if it had been only the life of a tiny carp in the deep waters, and all the cities were watching it. Like a mighty elephant, it bent its neck to the ground while they all raised their horns like mighty bulls. Like a dying dragon, it dragged its head on the earth and they jointly deprived it of honor as in a battle.

83-93. Naram-Suen saw in a nocturnal vision that Enlil would not let the kingdom of Agade occupy a pleasant, lasting residence, that he would make its future altogether unfavourable, that he would make its temples shake and would {scatter its treasures}. He realised what the dream was about, but did not put into words, and did not discuss it with anyone. Because of the E-kur, he put on mourning clothes, {covered his chariot with a reed mat}, tore the reed canopy off {his ceremonial barge}, and gave away his royal paraphernalia. Naram-Suen persisted for seven years! Who has ever seen a king burying his head in his hands for seven years?

94-99. Then he went to perform extispicy⁷ on a kid regarding the temple, but the omen had nothing to say about the building of the temple. For a second time he went to perform extispicy on a kid regarding the temple, but the omen again had nothing to say about the building of the temple. In order to change what had been inflicted (?) upon him, he tried to to alter Enlil's pronouncement.

100-119. Because his subjects were dispersed, he now began a mobilization of his troops. Like a wrestler who is about to enter the great courtyard, he his hands towards (?) the E-kur. Like an athlete bent to start a contest, he treated the giguna as if it were worth only thirty shekels. Like a robber plundering the city, he set tall ladders against the temple. To demolish E-kur as if it were a huge ship, to break up its soil like the soil of mountains where precious metals are mined, to splinter it like the lapis lazuli mountain, to prostrate it like a city inundated by Iškur -- although the temple was not the Mountains of Cedar-felling, he had large axes cast, he had double-edged agasilig axes sharpened to be used against it. He set spades against its roots and it sank as low as the foundation of the Land. He put axes against its top, and the temple, like a dead soldier, bowed its neck before him, and all the foreign lands bowed their necks before him.

120-148. He ripped out its drain pipes, and all the rain went back to the heavens. He tore off its upper lintel and {the Land was deprived of its ornament} {(1 ms. has instead:) the ornament of the Land disappeared}. From its Gate from which Grain is never Diverted, he diverted grain, and the Land was deprived of grain. He struck the Gate of Well-Being with the pickaxe, and well-being was subverted in all the foreign lands. As if they were for great tracts of land with wide carp-filled waters, he cast large {spades} {(1 ms. has instead:) axes} to be used against the E-kur. The people could see the bedchamber, its room which knows no daylight. The Akkadians could look into the holy treasure chest of the gods. Though they had committed no sacrilege, its laḥama deities of the great pilasters standing at the temple were thrown into the fire by Naram-Suen. The cedar, cypress, juniper and boxwood, the woods of its giguna, were by him. He put its gold in containers and put its silver in leather bags. He filled the docks with its copper, as if it were a huge transport of grain. The silversmiths were re-shaping its silver, jewellers were re-

⁷ A form of divination using the entrails of animals.

shaping its precious stones, smiths were beating its copper. Large ships were moored at the temple, large ships were moored at Enlil's temple and its possessions were taken away from the city, though they were not the goods of a plundered city. With the possessions being taken away from the city, good sense left Agade. As the ships {moved away from} {(some mss. have instead:) juddered} the docks, Agade's {intelligence} {(1 ms. has instead:) sanctuary} was removed.

149-175. Enlil, the roaring storm that subjugates the entire land, the rising deluge that cannot be confronted, was considering what should be destroyed in return for the wrecking of his beloved E-kur. He lifted his gaze towards the Gubin mountains, and made all the inhabitants of the broad mountain ranges descend (?). Enlil brought out of the mountains those who do not resemble other people, who are not reckoned as part of the Land, the Gutians, an unbridled people, with human intelligence but canine {instincts} and monkeys' features. Like small birds they swooped on the ground in great flocks. Because of Enlil, they stretched their arms out across the plain like a net for animals. Nothing escaped their clutches, no one left their grasp. Messengers no longer travelled the highways, the courier's boat no longer passed along the rivers. The Gutians drove the trusty (?) goats of Enlil out of their folds and compelled their herdsmen to follow them, they drove the cows out of their pens and compelled their cowherds to follow them. Prisoners manned the watch. Brigands {occupied} the highways. The doors of the city gates of the Land {lay dislodged in} mud, and all the foreign lands uttered bitter cries from the walls of their cities. They {established gardens for themselves} within the cities, and not as usual on the wide plain outside. As if it had been before the time when cities were built and founded, the large arable tracts yielded no grain, the inundated tracts yielded no fish, the irrigated orchards yielded no syrup or wine, the thick clouds (?) did not rain, the mašgurum plant did not grow.

176-192. In those days, oil for one shekel was only half a litre, grain for one shekel was only half a litre, wool for one shekel was only one mina, fish for one shekel filled only one ban measure -- these sold at such prices in the markets of the cities! Those who lay down on the roof, died on the roof; those who lay down in the house were not buried. People were flailing at themselves from hunger. By the Ki-ur, Enlil's great place, dogs were packed together in the silent streets; if two men walked there they would be devoured by them, and if three men walked there they would be devoured by them. Noses were punched (?), heads were smashed (?), noses (?) were piled up, heads were sown like seeds. Honest people were confounded with traitors, heroes lay dead on top of heroes, the blood of traitors ran upon the blood of honest men.

193-209. At that time, Enlil rebuilt his great sanctuaries into small reed (?) sanctuaries and from east to west he reduced their storehouses. The old women who survived those days, the old men who survived those days and the chief lamentation singer who survived those years set up seven balaĝ drums, as if they stood at the horizon, and together with ub {, meze, and lilis} {(some mss. have instead:) , šem, and lilis} {(1 ms. has instead:) and bronze šem} drums made them resound to Enlil like Iškur for seven days and seven nights. The old women did not restrain the cry "Alas for my city!". The old men did not restrain the cry "Alas for its people!". The lamentation singer did not restrain the cry "Alas for the E-kur!". Its young women did not restrain from tearing their hair. Its young men did not restrain from sharpening their knives. Their laments were as if Enlil's ancestors were performing a lament in the awe-inspiring Holy Mound by the holy knees of Enlil. Because of this, Enlil entered his holy bedchamber and lay down fasting.

210-221. At that time, Suen, Enki, Inanna, Ninurta, Iškur, Utu, Nuska, and Nisaba, {the great gods} {(1 ms. has instead:) all the gods whosoever}, {cooled} {(1 ms. has instead:) sprinkled} Enlil's heart with cool water and prayed to him: "Enlil, may the city that destroyed your city be treated as your city has been treated! May the one that defiled your giguna be treated as Nibru! In this city, may heads fill the wells! May no one find his acquaintances there, may brother not recognise brother! May its young woman be cruelly killed in her woman's domain, may its old man cry in distress for his slain wife! May its pigeons moan on their window ledges, may its small birds be smitten in their nooks, may it live in constant anxiety like a timid pigeon!"

222-244. Again, Suen, Enki, Inanna, Ninurta, Iškur, Utu, Nuska and Nisaba, all the gods whosoever, turned their attention to the city, and cursed Agade severely: "City, you pounced on E-kur: it is as if you had pounced on Enlil! Agade, you pounced on E-kur: it is as if you had pounced on Enlil! May your holy walls, to their highest point, resound with mourning! May your giguna be reduced to a pile of dust! May your pilasters with the standing lahama deities fall to the ground like tall young men drunk on wine! May your clay be returned to its abzu, may it be clay cursed by Enki! May your grain be returned to its furrow, may it be grain cursed by Ezina! May your timber be returned to its forest, may it be timber cursed by Ninilduma! May {the} {(1 ms. has instead:) your} cattle slaughterer slaughter his wife, may {your} {(some mss. have instead:) the} sheep butcher butcher his child! May water wash away your pauper as he is looking for! May your prostitute hang herself at the entrance to her brothel! May your pregnant (?) priestesses and cult prostitutes abort (?) their children! May your gold be bought for the price of silver, may your silver be bought for the price of pyrite (?), and may your copper be bought for the price of lead!"

245-255. "Agade, may your strong man be deprived of his strength, so that he will be unable to lift his sack of provisions and, and will not have the joy of controlling your superior asses; may he lie idle all day! May this make the city die of hunger! May your citizens, who used to eat fine food, lie hungry, may your man eat the coating on his roof, may he chew (?) the leather hinges on the main door of his father's house! May depression descend upon your {palace, built for joy} {(1 ms. has instead:) joyous palace}! May the evils of the desert, the silent place, howl continuously!"

256-271. "May foxes that frequent ruin mounds brush with their tails your uzga precinct, established for purification ceremonies! May the ukuku, the bird of depression, make its nest in your gateways, established for the Land! In your city that could not sleep because of the tigi drums, that could not rest from its joy, may the bulls of Nanna that fill the pens bellow like those who wander in the desert, the silent place! May the grass grow long on your canal-bank tow-paths, may the grass of mourning grow on your highways laid for wagons! Moreover, may wild rams (?) and alert snakes of the mountains allow no one to pass on your tow-paths built up with canal sediment! In your plains where fine grass grows, may the reed of lamentation grow! {Agade, may brackish water flow} {(1 ms. has instead:) May brackish water flow in the river,} where fresh water flowed for you! If someone decides, "I will dwell in this city!", may he not enjoy the pleasures of a dwelling place! If someone decides, "I will rest in Agade!", may he not enjoy the pleasures of a resting place!"

272-280. And before Utu on that very day, so it was! On its canal bank tow-paths, the grass grew long. On its highways laid for wagons, the grass of mourning grew. Moreover, on its tow-paths built up with canal sediment, wild rams (?) and alert snakes of the mountains allowed no one to pass. On its plains, where fine grass grew, now the reeds of lamentation grew. Agade's flowing fresh water flowed as brackish water. When someone decided, "I will dwell in that city!", he could not enjoy the pleasures of a dwelling place. When someone decided, "I will rest in Agade!", he could not enjoy the pleasures of a resting place!

281. Inana be praised for the destruction of Agade!

*Law Code of Hammurabi*⁸

Mesopotamian kings began issuing codes of law in the 3rd millennium BCE. The Babylonian king Hammurabi (ruled ca. 1792-1750 BCE) borrowed from this earlier tradition when he came to power. Thus, some of the laws listed here were actually borrowed from the Sumerians and Akkadians. Although they are quite harsh from the modern viewpoint, they nonetheless demonstrate a form of justice based upon revenge.

Comprehension Questions

1. What kinds of punishments do you see here?
2. What does the code tell us about the position of women in Babylonian society? Specifically, what do we learn about marriage practices, women's occupations outside the home, and social and economic protections for them?
3. How is social hierarchy, and the maintenance of it, reflected in this law code?
4. What does the law code tell us about Babylonian economic infrastructure?

Discussion Questions

1. Ancient law codes generally support the interests of the people who write them. Based upon his statements at the beginning and end of the text, how does this code support Hammurabi's perception of good kingship? How do the actual laws support his goals as a ruler?
2. Mesopotamian lawgiving was fairly established by this point, so we might consider this a "second generation" law code. Do you think that this is evident in the laws themselves?
3. What laws do you think are the most interesting? Is there anything you find particularly surprising?

When Anu the Sublime, King of the Anunaki, and Bel, the lord of Heaven and earth, who decreed the fate of the land, assigned to Marduk,⁹ the over-ruling son of Ea, God of righteousness, dominion over earthly man, and made him great among the Igigi, they called Babylon by his illustrious name, made it great on earth, and founded an everlasting kingdom in it, whose foundations are laid so solidly as those of heaven and earth; then Anu and Bel called by name me, Hammurabi, the exalted prince, who feared God, to bring about the rule of righteousness in the land, to destroy the wicked and the evil-doers; so that the strong should not harm the weak; so that I should rule over the black-headed people like Shamash, and enlighten the land, to further the well-being of mankind.

Hammurabi, the prince, called of Bel am I, making riches and increase, enriching Nippur and Dur-ilu beyond compare, sublime patron of E-kur; who reestablished Eridu and purified the worship of E-apsu; who conquered the four quarters of the world, made great the name of Babylon, rejoiced the heart of Marduk, his lord who daily pays his devotions in Saggil; the royal scion whom Sin made; who enriched Ur; the humble, the reverent, who brings wealth to Gish-shir-gal; the white king, heard of Shamash, the mighty, who again laid the foundations of Sippara; who clothed the gravestones of Malkat with green; who made E-babbar great, which

⁸ Translated by L.W. King

⁹ Marduk is the leading god of the Babylonians, here inserted among several gods of the Sumerians.

is like the heavens, the warrior who guarded Larsa and renewed E-babbar, with Shamash as his helper; the lord who granted new life to Uruk, who brought plenteous water to its inhabitants, raised the head of E-anna, and perfected the beauty of Anu and Nana; shield of the land, who reunited the scattered inhabitants of Isin; who richly endowed E-gal-mach; the protecting king of the city, brother of the god Zamama; who firmly founded the farms of Kish, crowned E-mete-ursag with glory, redoubled the great holy treasures of Nana, managed the temple of Harsag-kalama; the grave of the enemy, whose help brought about the victory; who increased the power of Cuthah; made all glorious in E-shidlam, the black steer, who gored the enemy; beloved of the god Nebo, who rejoiced the inhabitants of Borsippa, the Sublime; who is indefatigable for E-zida; the divine king of the city; the White, Wise; who broadened the fields of Dilbat, who heaped up the harvests for Urash; the Mighty, the lord to whom come scepter and crown, with which he clothes himself; the Elect of Ma-ma; who fixed the temple bounds of Kesh, who made rich the holy feasts of Nin-tu; the provident, solicitous, who provided food and drink for Lagash and Girsu, who provided large sacrificial offerings for the temple of Ningirsu; who captured the enemy, the Elect of the oracle who fulfilled the prediction of Hallab, who rejoiced the heart of Anunit; the pure prince, whose prayer is accepted by Adad; who satisfied the heart of Adad, the warrior, in Karkar, who restored the vessels for worship in E-ud-gal-gal; the king who granted life to the city of Adab; the guide of E-mach; the princely king of the city, the irresistible warrior, who granted life to the inhabitants of Mashkanshabri, and brought abundance to the temple of Shidlam; the White, Potent, who penetrated the secret cave of the bandits, saved the inhabitants of Malka from misfortune, and fixed their home fast in wealth; who established pure sacrificial gifts for Ea and Dam-gal-nun-na, who made his kingdom everlastingly great; the princely king of the city, who subjected the districts on the Ud-kib-nun-na Canal to the sway of Dagon, his Creator; who spared the inhabitants of Mera and Tutul; the sublime prince, who makes the face of Ninni shine; who presents holy meals to the divinity of Nin-a-zu, who cared for its inhabitants in their need, provided a portion for them in Babylon in peace; the shepherd of the oppressed and of the slaves; whose deeds find favor before Anunit, who provided for Anunit in the temple of Dumash in the suburb of Agade; who recognizes the right, who rules by law; who gave back to the city of Ashur its protecting god; who let the name of Ishtar of Nineveh remain in E-mish-mish; the Sublime, who humbles himself before the great gods; successor of Sumula-il; the mighty son of Sin-muballit; the royal scion of Eternity; the mighty monarch, the sun of Babylon, whose rays shed light over the land of Sumer and Akkad; the king, obeyed by the four quarters of the world; Beloved of Ninni, am I.

When Marduk sent me to rule over men, to give the protection of right to the land, I did right and righteousness in . . . , and brought about the well-being of the oppressed.

CODE OF LAWS

2. If anyone bring an accusation against a man, and the accused go to the river and leap into the river, if he sink in the river his accuser shall take possession of his house. But if the river prove that the accused is not guilty, and he escape unhurt, then he who had brought the accusation shall be put to death, while he who leaped into the river shall take possession of the house that had belonged to his accuser.
3. If anyone bring an accusation of any crime before the elders, and does not prove what he has charged, he shall, if it be a capital offense charged, be put to death.
4. If he satisfy the elders to impose a fine of grain or money, he shall receive the fine that the action produces.
5. If a judge try a case, reach a decision, and present his judgment in writing; if later error shall appear in his decision, and it be through his own fault, then he shall pay twelve times the fine

set by him in the case, and he shall be publicly removed from the judge's bench, and never again shall he sit there to render judgement.

6. If anyone steal the property of a temple or of the court, he shall be put to death, and also the one who receives the stolen thing from him shall be put to death.

7. If anyone buy from the son or the slave of another man, without witnesses or a contract, silver or gold, a male or female slave, an ox or a sheep, an ass or anything, or if he takes it in charge, he is considered a thief and shall be put to death.

8. If anyone steal cattle or sheep, or an ass, or a pig or a goat, if it belongs to a god or to the court, the thief shall pay thirtyfold; if they belonged to a freed man of the king he shall pay tenfold; if the thief has nothing with which to pay he shall be put to death.

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

11. If the owner does not bring witnesses to identify the lost article, he is an evil-doer, he has traduced, and shall be put to death.

14. If anyone steal the minor son of another, he shall be put to death.

15. If anyone take a male or female slave of the court, or a male or female slave of a freed man, outside the city gates, he shall be put to death.

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

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

21. If anyone break a hole into a house (break in to steal), he shall be put to death before that hole and be buried.

23. If the robber is not caught, then shall he who was robbed claim under oath the amount of his loss; then shall the community, and . . . on whose ground and territory and in whose domain it was compensate him for the goods stolen.

25. If fire break out in a house, and someone who comes to put it out cast his eye upon the property of the owner of the house, and take the property of the master of the house, he shall be thrown into that self-same fire.

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

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

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

29. If his son is still young, and cannot take possession, a third of the field and garden shall be given to his mother, and she shall bring him up.

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

43. If he does not till the field, but let it lie fallow, he shall give grain like his neighbor's to the owner of the field, and the field which he let lie fallow he must plow and sow and return to its owner.

44. If anyone take over a waste-lying field to make it arable, but is lazy, and does not make it arable, he shall plow the fallow field in the fourth year, harrow it and till it, and give it back to its owner, and for each ten gan (a measure of area) ten gur of grain shall be paid.

45. If a man rent his field for tillage for a fixed rental, and receive the rent of his field, but bad weather come and destroy the harvest, the injury falls upon the tiller of the soil.

46. If he does not receive a fixed rental for his field, but lets it on half or third shares of the harvest, the grain on the field shall be divided proportionately between the tiller and the owner.

47. If the tiller, because he did not succeed in the first year, has had the soil tilled by others, the owner may raise no objection; the field has been cultivated and he receives the harvest according to agreement.

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

53. If anyone be too lazy to keep his dam in proper condition, and does not so keep it; if then the dam break and all the fields be flooded, then shall he in whose dam the break occurred be sold for money, and the money shall replace the corn which he has caused to be ruined.

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

57. If a shepherd, without the permission of the owner of the field, and without the knowledge of the owner of the sheep, lets the sheep into a field to graze, then the owner of the field shall harvest his crop, and the shepherd, who had pastured his flock there without permission of the owner of the field, shall pay to the owner twenty gur of corn for every ten gan.

58. If after the flocks have left the pasture and been shut up in the common fold at the city gate, any shepherd let them into a field and they graze there, this shepherd shall take possession of

the field which he has allowed to be grazed on, and at the harvest he must pay sixty gur of corn for every ten gan.

59. If any man, without the knowledge of the owner of a garden, fell a tree in a garden he shall pay half a mina in money.

62. If he does not plant the field that was given over to him as a garden, if it be arable land (for corn or sesame) the gardener shall pay the owner the produce of the field for the years that he let it lie fallow, according to the product of neighboring fields, put the field in arable condition and return it to its owner.

63. If he transforms waste land into arable fields and return it to its owner, the latter shall pay him for one year ten gur for ten gan.

64. If anyone hand over his garden to a gardener to work, the gardener shall pay to its owner two-thirds of the produce of the garden, for so long as he has it in possession, and the other third shall he keep.

104. If a merchant give an agent corn, wool, oil, or any other goods to transport, the agent shall give a receipt for the amount, and compensate the merchant. Then he shall obtain a receipt from the merchant for the money that he gives the merchant.

105. If the agent is careless, and does not take a receipt for the money which he gave the merchant, he cannot consider the unreceipted money as his own.

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

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

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

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

112. If anyone be on a journey and entrust silver, gold, precious stones, or any movable property to another, and wish to recover it from him; if the latter do not bring all of the property to the appointed place, but appropriate it to his own use, then shall this man, who did not bring the property to hand it over, be convicted, and he shall pay fivefold for all that had been entrusted to him.

113. If anyone have consignment of corn or money, and he take from the granary or box without the knowledge of the owner, then shall he who took corn without the knowledge of the owner out of the granary or money out of the box be legally convicted, and repay the corn he has taken. And he shall lose whatever commission was paid to him, or due him.

114. If a man has no claim on another for corn and money, and try to demand it by force, he shall pay one-third of a mina of silver in every case.

115. If anyone have a claim for corn or money upon another and imprison him; if the prisoner die in prison a natural death, the case shall go no further.

116. If the prisoner die in prison from blows or maltreatment, the master of the prisoner shall convict the merchant before the judge. If he was a free-born man, the son of the merchant shall be put to death; if it was a slave, he shall pay one-third of a mina of gold, and all that the master of the prisoner gave he shall forfeit.

117. If anyone fail to meet a claim for debt, and sell himself, his wife, his son, and daughter for money or give them away to forced labor: they shall work for three years in the house of the man who bought them, or the proprietor, and in the fourth year they shall be set free.

118. If he gives a male or female slave away for forced labor, and the merchant sublease them, or sell them for money, no objection can be raised.

119. If anyone fail to meet a claim for debt, and he sell the maid servant who has borne him children, for money, the money which the merchant has paid shall be repaid to him by the owner of the slave and she shall be freed.

125. If anyone place his property with another for safe keeping, and there, either through thieves or robbers, his property and the property of the other man be lost, the owner of the house, through whose neglect the loss took place, shall compensate the owner for all that was given to him in charge. But the owner of the house shall try to follow up and recover his property, and take it away from the thief.

126. If anyone who has not lost his goods state that they have been lost, and make false claims: if he claims his goods and amount of injury before God, even though he has not lost them, he shall be fully compensated for all his loss claimed. (I.e., the oath is all that is needed.)

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

128. If a man take a woman to wife, but have no intercourse with her, this woman is no wife to him.

129. If a man's wife be surprised (in flagrante delicto) with another man, both shall be tied and thrown into the water, but the husband may pardon his wife and the king his slaves.

130. If a man violates the wife (betrothed or child-wife) of another man, who has never known a man, and still lives in her father's house, and sleep with her and be surprised, this man shall be put to death, but the wife is blameless.

131. If a man brings a charge against one's wife, but she is not surprised with another man, she must take an oath and then may return to her house.

132. If the "finger is pointed" at a man's wife about another man, but she is not caught sleeping with the other man, she shall jump into the river for her husband.

133. If a man is taken prisoner in war, and there is a sustenance in his house, but his wife leave house and court, and go to another house: because this wife did not keep her court, and went to another house, she shall be judicially condemned and thrown into the water.

134. If anyone be captured in war and there is not sustenance in his house, if then his wife go to another house this woman shall be held blameless.

135. If a man be taken prisoner in war and there be no sustenance in his house and his wife go to another house and bear children; and if later her husband return and come to his home: then this wife shall return to her husband, but the children follow their father.

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

137. If a man wish to separate from a woman who has borne him children, or from his wife who has borne him children: then he shall give that wife her dowry, and a part of the field, garden, and property, so that she can rear her children. When she has brought up her children, a portion of all that is given to the children, equal as that of one son, shall be given to her. She may then marry the man of her heart.

138. If a man wishes to separate from his wife who has borne him no children, he shall give her the amount of her purchase money and the dowry which she brought from her father's house, and let her go.

141. If a man's wife, who lives in his house, wishes to leave it, plunges into debt, tries to ruin her house, neglects her husband, and is judicially convicted: if her husband offer her release, she may go on her way, and he gives her nothing as a gift of release. If her husband does not wish to release her, and if he takes another wife, she shall remain as servant in her husband's house.

142. If a woman quarrel with her husband, and say: "You are not congenial to me," the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, but he leaves and neglects her, then no guilt attaches to this woman, she shall take her dowry and go back to her father's house.

143. If she is not innocent, but leaves her husband, and ruins her house, neglecting her husband, this woman shall be cast into the water.

144. If a man take a wife and this woman give her husband a maid-servant, and she bear him children, but this man wishes to take another wife, this shall not be permitted to him; he shall not take a second wife.

145. If a man take a wife, and she bear him no children, and he intend to take another wife: if he take this second wife, and bring her into the house, this second wife shall not be allowed equality with his wife.

146. If a man take a wife and she give this man a maid-servant as wife and she bear him children, and then this maid assume equality with the wife: because she has borne him children her master shall not sell her for money, but he may keep her as a slave, reckoning her among the maid-servants.

147. If she has not borne him children, then her mistress may sell her for money.

148. If a man take a wife, and she be seized by disease, if he then desires to take a second wife he shall not put away his wife, who has been attacked by disease, but he shall keep her in the house which he has built and support her so long as she lives.

149. If this woman does not wish to remain in her husband's house, then he shall compensate her for the dowry that she brought with her from her father's house, and she may go.

150. If a man give his wife a field, garden, and house and a deed therefor, if then after the death of her husband the sons raise no claim, then the mother may bequeath all to one of her sons whom she prefers, and need leave nothing to his brothers.

151. If a woman who lived in a man's house made an agreement with her husband, that no creditor can arrest her, and has given a document therefor: if that man, before he married that woman, had a debt, the creditor can not hold the woman for it. But if the woman, before she entered the man's house, had contracted a debt, her creditor can not arrest her husband therefor.

152. If after the woman had entered the man's house, both contracted a debt, both must pay the merchant.

153. If the wife of one man on account of another man has their mates (her husband and the other man's wife) murdered, both of them shall be impaled.

154. If a man be guilty of incest with his daughter, he shall be driven from the place (exiled).

155. If a man betroths a girl to his son, and his son have intercourse with her, but he (the father) afterward defile her, and be surprised, then he shall be bound and cast into the water (drowned).

156. If a man betroths a girl to his son, but his son has not known her, and if then he defiles her, he shall pay her half a gold mina, and compensate her for all that she brought out of her father's house. She may marry the man of her heart.

157. If anyone be guilty of incest with his mother after his father, both shall be burned.

158. If anyone be surprised after his father with his chief wife, who has borne children, he shall be driven out of his father's house.

159. If anyone, who has brought chattels into his father-in-law's house, and has paid the purchase-money, looks for another wife, and says to his father-in-law: "I do not want your daughter," the girl's father may keep all that he had brought.

160. If a man brings chattels into the house of his father-in-law, and pay the "purchase price" (for his wife): if then the father of the girl say: "I will not give you my daughter," he shall give him back all that he brought with him.

161. If a man brings chattels into his father-in-law's house and pay the "purchase price," if then his friend slander him, and his father-in-law say to the young husband: "You shall not marry my daughter," he shall give back to him undiminished all that he had brought with him; but his wife shall not be married to the friend.

162. If a man marries a woman, and she bear sons to him; if then this woman die, then shall her father have no claim on her dowry; this belongs to her sons.

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

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

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

166. If a man take wives for his son, but take no wife for his minor son, and if then he dies: if the sons divide the estate, they shall set aside besides his portion the money for the "purchase price" for the minor brother who had taken no wife as yet, and secure a wife for him.

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

168. If a man wish to put his son out of his house, and declare before the judge: "I want to put my son out," then the judge shall examine into his reasons. If the son be guilty of no great fault, for which he can be rightfully put out, the father shall not put him out.

169. If he be guilty of a grave fault, which should rightfully deprive him of the filial relationship, the father shall forgive him the first time; but if he be guilty of a grave fault a second time the father may deprive his son of all filial relation.

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

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

172. If her husband made her no gift, she shall be compensated for her gift, and she shall receive a portion from the estate of her husband, equal to that of one child. If her sons oppress her, to force her out of the house, the judge shall examine into the matter, and if the sons are at fault the woman shall not leave her husband's house. If the woman desire to leave the house, she must leave to her sons the gift which her husband gave her, but she may take the dowry of her father's house. Then she may marry the man of her heart.

173. If this woman bear sons to her second husband, in the place to which she went, and then die, her earlier and later sons shall divide the dowry between them.

174. If she bears no sons to her second husband, the sons of her first husband shall have the dowry.

175. If a State slave or the slave of a freed man marry the daughter of a free man, and children are born, the master of the slave shall have no right to enslave the children of the free.

176. If, however, a State slave or the slave of a freed man marry a man's daughter, and after he marries her she bring a dowry from a father's house, if then they both enjoy it and found a household, and accumulate means, if then the slave die, then she who was free born may take her dowry, and all that her husband and she had earned; she shall divide them into two parts, one-half the master for the slave shall take, and the other half shall the free-born woman take

for her children. If the free-born woman had no gift she shall take all that her husband and she had earned and divide it into two parts; and the master of the slave shall take one-half and she shall take the other for her children.

177. If a widow, whose children are not grown, wishes to enter another house (remarry), she shall not enter it without the knowledge of the judge. If she enters another house the judge shall examine the state of the house of her first husband. Then the house of her first husband shall be entrusted to the second husband and the woman herself as managers. And a record must be made thereof. She shall keep the house in order, bring up the children, and not sell the household utensils. He who buys the utensils of the children of a widow shall lose his money, and the goods shall return to their owners.

178. If a "devoted woman" or a prostitute to whom her father has given a dowry and a deed therefor, but if in this deed it is not stated that she may bequeath it as she pleases, and has not explicitly stated that she has the right of disposal; if then her father die, then her brothers shall hold her field and garden, and give her corn, oil, and milk according to her portion, and satisfy her. If her brothers do not give her corn, oil, and milk according to her share, then her field and garden shall support her. She shall have the usufruct of field and garden and all that her father gave her so long as she lives, but she can not sell or assign it to others. Her position of inheritance belongs to her brothers.

179. If a "sister of a god," or a prostitute, receive a gift from her father, and a deed in which it has been explicitly stated that she may dispose of it as she pleases, and give her complete disposition thereof: if then her father die, then she may leave her property to whomsoever she pleases. Her brothers can raise no claim thereto.

180. If a father give a present to his daughter--either marriageable or a prostitute (unmarriageable)--and then die, then she is to receive a portion as a child from the paternal estate, and enjoy it so long as she lives. Her estate belongs to her brothers.

181. If a father devotes a temple-maid or temple-virgin to God and give her no present: if then the father die, she shall receive the third of a child's portion from the inheritance of her father's house, and enjoy its usufruct so long as she lives. Her estate belongs to her brothers.

182. If a father devotes his daughter as a wife of Mardi of Babylon (as in 181), and give her no present, nor a deed; if then her father die, then shall she receive one-third of her portion as a child of her father's house from her brothers, but Marduk may leave her estate to whomsoever she wishes.

183. If a man give his daughter by a concubine a dowry, and a husband, and a deed; if then her father die, she shall receive no portion from the paternal estate.

184. If a man does not give a dowry to his daughter by a concubine, and no husband; if then her father die, her brother shall give her a dowry according to her father's wealth and secure a husband for her.

185. If a man adopts a child and to his name as son, and rear him, this grown son cannot be demanded back again.

186. If a man adopts a son, and if after he has taken him he injures his foster father and mother, then this adopted son shall return to his father's house.

187. The son of a paramour in the palace service, or of a prostitute, cannot be demanded back.

188. If an artizan has undertaken to rear a child and teaches him his craft, he cannot be demanded back.

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

190. If a man does not maintain a child that he has adopted as a son and reared with his other children, then his adopted son may return to his father's house.

191. If a man, who had adopted a son and reared him, founded a household, and had children, wish to put this adopted son out, then this son shall not simply go his way. His adoptive father shall give him of his wealth one-third of a child's portion, and then he may go. He shall not give him of the field, garden, and house.

192. If a son of a paramour or a prostitute say to his adoptive father or mother: "You are not my father, or my mother," his tongue shall be cut off.

193. If the son of a paramour or a prostitute desire his father's house, and desert his adoptive father and adoptive mother, and goes to his father's house, then shall his eye be put out.

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

195. If a son strike his father, his hands shall be hewn off.

196. If a man put out the eye of another man, his eye shall be put out. [An eye for an eye]

197. If he breaks another man's bone, his bone shall be broken.

198. If he put out the eye of a freed man, or break the bone of a freed man, he shall pay one gold mina.

199. If he put out the eye of a man's slave, or break the bone of a man's slave, he shall pay one-half of its value.

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

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

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

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

204. If a freed man strike the body of another freed man, he shall pay ten shekels in money.

205. If the slave of a freed man strike the body of a freed man, his ear shall be cut off.

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

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

208. If he was a freed man, he shall pay one-third of a mina.
209. If a man strike a free-born woman so that she loses her unborn child, he shall pay ten shekels for her loss.
210. If the woman die, his daughter shall be put to death.
211. If a woman of the free class loses her child by a blow, he shall pay five shekels in money.
212. If this woman die, he shall pay half a mina.
213. If he strikes the maid-servant of a man, and she lose her child, he shall pay two shekels in money.
214. If this maid-servant die, he shall pay one-third of a mina.
215. If a physician make a large incision with an operating knife and cure it, or if he opens a tumor (over the eye) with an operating knife, and saves the eye, he shall receive ten shekels in money.
216. If the patient be a freed man, he receives five shekels.
217. If he be the slave of some one, his owner shall give the physician two shekels.
218. If a physician make a large incision with the operating knife, and kill him, or open a tumor with the operating knife, and cut out the eye, his hands shall be cut off.
219. If a physician make a large incision in the slave of a freed man, and kill him, he shall replace the slave with another slave.
220. If he had opened a tumor with the operating knife, and put out his eye, he shall pay half his value.
221. If a physician heals the broken bone or diseased soft part of a man, the patient shall pay the physician five shekels in money.
222. If he were a freed man he shall pay three shekels.
223. If he were a slave his owner shall pay the physician two shekels.
224. If a veterinary surgeon performs a serious operation on an ass or an ox, and cure it, the owner shall pay the surgeon one-sixth of a shekel as a fee.
225. If he performs a serious operation on an ass or ox, and kill it, he shall pay the owner one-fourth of its value.
226. If a barber, without the knowledge of his master, cut the sign of a slave on a slave not to be sold, the hands of this barber shall be cut off.
227. If anyone deceive a barber, and have him mark a slave not for sale with the sign of a slave, he shall be put to death, and buried in his house. The barber shall swear: "I did not mark him wittingly," and shall be guiltless.
229. If a builder build a house for someone, and does not construct it properly, and the house which he built fall in and kill its owner, then that builder shall be put to death.

230. If it kills the son of the owner the son of that builder shall be put to death.
231. If it kills a slave of the owner, then he shall pay slave for slave to the owner of the house.
234. If a shipbuilder build a boat of sixty gur for a man, he shall pay him a fee of two shekels in money.
235. If a shipbuilder build a boat for some one, and do not make it tight, if during that same year that boat is sent away and suffers injury, the shipbuilder shall take the boat apart and put it together tight at his own expense. The tight boat he shall give to the boat owner.
236. If a man rent his boat to a sailor, and the sailor is careless, and the boat is wrecked or goes aground, the sailor shall give the owner of the boat another boat as compensation.
237. If a man hire a sailor and his boat, and provide it with corn, clothing, oil and dates, and other things of the kind needed for fitting it: if the sailor is careless, the boat is wrecked, and its contents ruined, then the sailor shall compensate for the boat which was wrecked and all in it that he ruined.
238. If a sailor wreck anyone's ship, but saves it, he shall pay the half of its value in money.
239. If a man hire a sailor, he shall pay him six gur of corn per year.
240. If a merchantman run against a ferryboat, and wreck it, the master of the ship that was wrecked shall seek justice before God; the master of the merchantman, which wrecked the ferryboat, must compensate the owner for the boat and all that he ruined.
251. If an ox be a goring ox, and it shown that he is a gorer, and he do not bind his horns, or fasten the ox up, and the ox gore a free-born man and kill him, the owner shall pay one-half a mina in money.
252. If he kill a man's slave, he shall pay one-third of a mina.
253. If anyone agree with another to tend his field, give him seed, entrust a yoke of oxen to him, and bind him to cultivate the field, if he steal the corn or plants, and take them for himself, his hands shall be hewn off.
254. If he takes the seed-corn for himself, and do not use the yoke of oxen, he shall compensate him for the amount of the seed-corn.
255. If he sublet the man's yoke of oxen or steal the seed-corn, planting nothing in the field, he shall be convicted, and for each one hundred gan he shall pay sixty gur of corn.
257. If anyone hire a field laborer, he shall pay him eight gur of corn per year.
258. If anyone hire an ox-driver, he shall pay him six gur of corn per year.
263. If he kills the cattle or sheep that were given to him, he shall compensate the owner with cattle for cattle and sheep for sheep.
264. If a herdsman, to whom cattle or sheep have been entrusted for watching over, and who has received his wages as agreed upon, and is satisfied, diminish the number of the cattle or sheep, or make the increase by birth less, he shall make good the increase or profit which was lost in the terms of settlement.

265. If a herdsman, to whose care cattle or sheep have been entrusted, be guilty of fraud and make false returns of the natural increase, or sell them for money, then shall he be convicted and pay the owner ten times the loss.

266. If the animal be killed in the stable by God (an accident), or if a lion kill it, the herdsman shall declare his innocence before God, and the owner bears the accident in the stable.

267. If the herdsman overlook something, and an accident happen in the stable, then the herdsman is at fault for the accident which he has caused in the stable, and he must compensate the owner for the cattle or sheep.

273. If anyone hire a day laborer, he shall pay him from the New Year until the fifth month (April to August, when days are long and the work hard) six gerahs in money per day; from the sixth month to the end of the year he shall give him five gerahs per day.

274. If anyone hire a skilled artizan, he shall pay as wages of the . . . five gerahs, as wages of the potter five gerahs, of a tailor five gerahs, of . . . gerahs, . . . of a ropemaker four gerahs, of . . . gerahs, of a mason . . . gerahs per day.

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

280. If while in a foreign country a man buy a male or female slave belonging to another of his own country; if when he returns home the owner of the male or female slave recognize it: if the male or female slave be a native of the country, he shall give them back without any money.

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

THE EPILOGUE

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

The king who rules among the kings of the cities am I. My words are well considered; there is no wisdom like unto mine. By the command of Shamash, the great judge of heaven and earth, let righteousness go forth in the land: by the order of Marduk, my lord, let no destruction befall my monument. In E-Sagil, which I love, let my name be ever repeated; let the oppressed, who has a case at law, come and stand before this my image as king of righteousness; let him

read the inscription, and understand my precious words: the inscription will explain his case to him; he will find out what is just, and his heart will be glad, so that he will say:

"Hammurabi is a ruler, who is as a father to his subjects, who holds the words of Marduk in reverence, who has achieved conquest for Marduk over the north and south, who rejoices the heart of Marduk, his lord, who has bestowed benefits for ever and ever on his subjects, and has established order in the land." When he reads the record, let him pray with full heart to Marduk, my lord, and Zarpanit, my lady; and then shall the protecting deities and the gods, who frequent E-Sagil, graciously grant the desires daily presented before Marduk, my lord, and Zarpanit, my lady.

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

Hammurabi, the king of righteousness, on whom Shamash has conferred right (or law) am I. My words are well considered; my deeds are not equaled; to bring low those that were high; to humble the proud, to expel insolence. If a succeeding ruler considers my words, which I have written in this my inscription, if he does not annul my law, nor corrupt my words, nor change my monument, then may Shamash lengthen that king's reign, as he has that of me, the king of righteousness, that he may reign in righteousness over his subjects. If this ruler do not esteem my words, which I have written in my inscription, if he despise my curses, and fear not the curse of God, if he destroy the law which I have given, corrupt my words, change my monument, efface my name, write his name there, or on account of the curses commission another so to do, that man, whether king or ruler, patesi, or commoner, no matter what he be, may the great God (Anu), the Father of the gods, who has ordered my rule, withdraw from him the glory of royalty, break his scepter, curse his destiny. May Bel, the lord, who fixeth destiny, whose command cannot be altered, who has made my kingdom great, order a rebellion which his hand cannot control; may he let the wind of the overthrow of his habitation blow, may he ordain the years of his rule in groaning, years of scarcity, years of famine, darkness without light, death with seeing eyes be fated to him; may he (Bel) order with his potent mouth the destruction of his city, the dispersion of his subjects, the cutting off of his rule, the removal of his name and memory from the land. May Belit, the great Mother, whose command is potent in E-Kur, the Mistress, who harkens graciously to my petitions, in the seat of judgment and decision (where Bel fixes destiny), turn his affairs evil before Bel, and put the devastation of his land, the destruction of his subjects, the pouring out of his life like water into the mouth of King Bel. May Ea, the great ruler, whose fated decrees come to pass, the thinker of the gods, the omniscient, who makes long the days of my life, withdraw understanding and wisdom from him, lead him to forgetfulness, shut up his rivers at their sources, and not allow corn or sustenance for man to grow in his land. May Shamash, the great Judge of heaven and earth, who supports all means of livelihood, Lord of life-courage, shatter his dominion, annul his law, destroy his way, make vain the march of his troops, send him in his visions forecasts of the uprooting of the foundations of his throne and of the destruction of his land. May the condemnation of Shamash overtake him forthwith; may he be deprived of water above among the living, and his spirit below in the earth. May Sin (the Moon-god), the Lord of Heaven, the divine father, whose crescent gives light among the gods, take away the crown and regal throne from him; may he put upon him heavy guilt, great decay, that nothing may be lower than he. May he destine him as fated, days, months and years of dominion filled with sighing and tears, increase of the burden of dominion, a life that is like unto death. May Adad, the lord of

fruitfulness, ruler of heaven and earth, my helper, withhold from him rain from heaven, and the flood of water from the springs, destroying his land by famine and want; may he rage mightily over his city, and make his land into flood-hills (heaps of ruined cities). May Zamama, the great warrior, the first-born son of E-Kur, who goes at my right hand, shatter his weapons on the field of battle, turn day into night for him, and let his foe triumph over him. May Ishtar, the goddess of fighting and war, who unfetters my weapons, my gracious protecting spirit, who loves my dominion, curse his kingdom in her angry heart; in her great wrath, change his grace into evil, and shatter his weapons on the place of fighting and war. May she create disorder and sedition for him, strike down his warriors, that the earth may drink their blood, and throw down the piles of corpses of his warriors on the field; may she not grant him a life of mercy, deliver him into the hands of his enemies, and imprison him in the land of his enemies. May Nergal, the might among the gods, whose contest is irresistible, who grants me victory, in his great might burn up his subjects like a slender reedstalk, cut off his limbs with his mighty weapons, and shatter him like an earthen image. May Nin-tu, the sublime mistress of the lands, the fruitful mother, deny him a son, vouchsafe him no name, give him no successor among men. May Nin-karak, the daughter of Anu, who adjudges grace to me, cause to come upon his members in E-kur high fever, severe wounds, that cannot be healed, whose nature the physician does not understand, which he cannot treat with dressing, which, like the bite of death, cannot be removed, until they have sapped away his life.

May he lament the loss of his life-power, and may the great gods of heaven and earth, the Anunaki, altogether inflict a curse and evil upon the confines of the temple, the walls of this E-barra (the Sun temple of Sippara), upon his dominion, his land, his warriors, his subjects, and his troops. May Bel curse him with the potent curses of his mouth that cannot be altered, and may they come upon him forthwith.