

The Code of Hammurabi

By ReadWorks

Some people may take for granted the existence of written laws. Many people grow up just knowing that certain laws exist. For example, you may know that if you drive through a red light in your car, you will probably get a fine. Also, you can go to prison for not paying your taxes. In some places, you can even be killed for killing another person. All of these punishments are based on laws that are written down.

The Constitution is the supreme law of the United States. It was written down to make sure everyone knows the laws of living in this country. Instead of one ruler forcing his or her will on everyone, everyone has to follow a set of written laws. Anyone who breaks these laws is punished. Based on the written code of laws, a judge figures out the punishment for a particular crime. Murdering someone is a more serious crime than driving through a red light. So the punishment for murder is more serious than the punishment for driving through a red light.

Written laws existed long before the Constitution. Historians say laws were first written down around 1772 BC in the place that is now known as Iraq. At that time, it was known as Mesopotamia. And the ruler of Mesopotamia was King Hammurabi. He was a talented military leader and a smart ruler. Historians say Hammurabi created the first written laws.

To create the first set of written laws, Hammurabi collected laws from different areas of Mesopotamia. All the laws were inscribed, or written, on a big stone. They became known as Hammurabi's Code. There were 282 laws in all. The laws dealt with parts of everyday life, such as trade, marriage, and taxes. They also dealt with crimes like theft and murder. Each crime in Hammurabi's Code had a specific punishment. Hammurabi's Code wanted to make the punishment fit the crime. This meant that a criminal was often punished in the same way that the criminal had hurt the victim. In fact, the saying in the Bible, "An eye for an eye, and a tooth for a tooth," comes from Hammurabi's Code. For many crimes in Hammurabi's Code, the punishment was for the criminal to be killed. These laws may seem harsh today, but they were meant to keep Hammurabi's society from falling into chaos and disorder. The laws helped create order in Mesopotamia.

To make sure everyone knew all the laws in Hammurabi's Code, the laws were probably read aloud in public on a regular basis. That way, people could not be excused for committing a crime because they did not know the law. Today, written laws in the United States work a lot like Hammurabi's Code. The US government allows people full access to its laws. That means you can see the laws and read them at any time. So even if you don't know that driving through a red light is against the law, you still have to pay the fine for breaking the law.

One difference between the US Constitution and Hammurabi's Code is that the laws in Hammurabi's Code were often different for different people in society. For example, soldiers and noblemen had different rights than normal citizens and poor people. Still, Hammurabi's Code made sure a ruler could not force his or her will on the people of Mesopotamia. When a person was accused of a crime, that person would see a judge. The judge would determine if the accused person was innocent or guilty of the crime. Then the judge would check Hammurabi's Code to figure out the person's punishment.

Here's an example of how Hammurabi's Code might have been used in Mesopotamia. Imagine a nobleman accuses a shepherd of stealing one of the nobleman's sheep. The shepherd and the nobleman both meet with a judge. The nobleman brings a witness with him. A witness is someone who saw something happen. The witness says she saw a man in the nobleman's field one night. She says, "The man picked up a sheep and ran toward the shepherd's home." The witness is certain the man she saw in the field was the shepherd because she saw his face very clearly. Also, the man in the field was wearing the same hat that the shepherd now wears in front of the judge. Finally, the nobleman says that he marks all his sheep with his own brand, or stamp, and a sheep found on the shepherd's land was marked with the nobleman's brand.

Then the shepherd is allowed to defend himself against the nobleman's accusation. The shepherd says he bought the sheep from a man in the market. The shepherd names the man and the man is brought before the judge. However, the man says that he has never seen the shepherd. The man also says he was not in the market on the day the shepherd says he bought the sheep. The man says he was visiting his daughters that day. Then the man's daughters are introduced as witnesses. The daughters also say that their father was not in the market selling sheep that day. Now the shepherd's story about buying a sheep seems less true. Because of this, the judge determines that the shepherd is guilty of stealing the nobleman's sheep. Then the judge checks Hammurabi's Code to find out the punishment for the crime.

Law number eight of Hammurabi's Code explains that if anyone steals an animal that belongs to a person of the ruling class, then the criminal must pay 30 times the amount of the animal's worth. The law also explains that if the animal belongs to a person of the lower class, then the criminal only must pay 10 times the amount of the animal's worth. However, if the criminal does not have enough money to pay, then the criminal will be killed. Since the shepherd is found guilty of stealing a nobleman's sheep, and a nobleman is part of the ruling class, the shepherd is required to pay 30 times the cost of the sheep. Luckily for the shepherd, he has enough sheep to sell. The shepherd sells 30 of his sheep. He uses the money from selling his sheep to pay the nobleman.