Name of Student

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Day Month Year

**Code of Hammurabi Analysis**

**Introduction**

When we talk about the Code of Hammurabi, it is the world’s most whole and original legal code that was ever written. It was declared by the Babylonian King Hammurabi. His reign was from 1792 to 1750 B.C. The code is seen as an early projection of fundamental laws and the basics of how to regulate a Government. The code can be easily called an embryonic constitution. It is also one of the first times in history that the idea of innocence was garnered. The expansion of city-state of Babylon sideways the Euphrates River to tie all the southern Mesopotamia. The code that was given by Hammurabi was engraved on a huge finger-shaped pillar which was black in color. It was robbed by invaders later, but was recovered again in 1901. The Hammurabi cypher of laws is a collection of a total of 282 rules. The rules helped lay foundation for the establishment of values for commercial interface and set various penances and fine to meet the required needs of the justice system. In this paper I will be discussing resolve and inauguration of the Code of Hammurabi, along with how does the code shed light on the class and society structure as well as gender in Mesopotamia.

**Discussion**

Hammurabi had the title of being the 6th King of the Babylonian Dynasty, which was in rule in the pivotal Mesopotamia. Some of the clauses in the code worked on eye for an eye or tit for tat rule, depending on what was the social status of the person; was that person a slave or free and lastly, what was the gender of that individual. Hammurabi brought about the rules and regulations to bring about righteousness to the land, and destroy any wickedness or people who committed evil deeds. His idea was that the strong are not given any authority to bring harm to the weaker people. He wanted to bring enlightenment in the world with his acts and help pave the path to progression of mankind. About half the code deals with difficulties of various deals and contracts, for example the wages that are supposed to be paid to an ox driver or what pays will a surgeon be getting. Then other laws were inclusive of transactions and what liability does a builder carry if the house he built collapsed. Then there was also a law on what actions are to be taken if the property that is left in the care of another person is damaged. Then the third of the code dealt with issues regarding family relations and household problems like; divorce, heirloom, fatherhood and reproductive conduct. There were some clauses that talked about military. Only one law that dealt with imposing responsibilities was; “that if a judge tries to change the decision after it has been written down, he is to be removed from his seat permanently and fined.”

The code of Hammurabi was created to seek a sense of equality, however there were many biases present. The law was unfair based on where the culprit lies on the social spectrum. The person who was unfortunately at the bottom of the social band would have to deal with very gruesome punishments. The justice system was ghastly towards lower class people. The scale of punishment varied when it came to gender. For instance if there is a crime committed, the extent of the penalty will be set based on which gender and what class do both the felon and victim belong to. As mentioned above as well, the code issued justice based on three particular classes of the Babylon Society; Slaves, people who owned property and if a person is a free man.

When it came to punishments, the magnitude of the penalties would be much less if the person being assaulted was from a lower class. However, if an individual who was being assaulted was from a higher or equal class, the punishment would be quite harsh. The easy way to explain this is via an example. If for instance; “a doctor somehow ended up killing a person of a high status, the penalty would be that his hands are cut off. Contrary to that, if a doctor is responsible of the death of a poor individual, the penalty would be much lighter. The doctor will only bear financial compensation.” In fact, the prices that a doctor asked from his patients were based on the social status. Now coming to gender based issues, women had to suffer punishment for the same acts that men were not held accountable for. “In fact, men were given permission to have an affair with slaves (Goldman and Cropanzano 313-318). On the opposing end, if a married woman was caught having an affair she would be chastised for committing disloyalty.”

**Conclusion**

After going through all the rules of Code of Hammurabi, it is safe to say that there are some evident pros to it as well as many cons. The fact that there came a proper law to govern a state is commendable, having said that, it was not perfect. The class system was highly impacting the justice system of Mesopotamia. People were judged not on equal grounds but based on the wealth that they owned, other than that the gender discrimination can be prominently seen through every other clause of the code, a small example is “If she is not guiltless, but leaves her spouse, and wrecks her household, abandoning her husband, this woman shall be cast into the water.” Not everything is perfect, but at least a foundation was put down on the basis of which a more substantial code was written in the future.

**Work Cited**

<http://avalon.law.yale.edu/ancient/hamframe.asp>

Goldman, Barry, and Russell Cropanzano. "“Justice” and “fairness” are not the same thing." *Journal of Organizational Behavior* 36.2 (2015): 313-318.