

Activity: The Code

Overview: In this activity, students will examine examples of laws from Hammurabi's Code from the ancient Babylonian civilization. In small groups, they will determine what those laws tell them about the ancient civilization.

Objective: Students will use a guiding question to examine a law in order to determine what it tells them about a society.

Common Core State Standards

CCSS.ELA-Literacy.RH.6-8.1: Cite specific textual evidence to support analysis of primary sources.

CCSS.ELA-Literacy.RH.6-8.2: Determine the central ideas or information of a primary source.

CCSS.ELA-Literacy.RH.6-8.7: Integrate visual information with other information in print and digital texts.

CCSS.ELA-Literacy.SL.6.1: Engage effectively in a range of collaborative discussions....

CCSS.ELA-Literacy.SL.6.2: Interpret information presented in diverse media and formats (e.g., visually, quantitatively, orally) and explain how

Materials

- Chart paper (prepared in advance), colored markers, glue for each small group.

Procedure

A. Write the following *guiding question* on the board or in a PowerPoint slide for all to see: ***What do laws tell us about society?***

B. Explain that historians and archaeologists often must make inferences about a society from artifacts from the society. Read aloud this law to students:

If a slave has said to his master, "You are not my master," his master shall cut off his ear.

Ask students: What does this law tell you about the society it comes from?

Students should infer that the society had slaves; the masters could harshly punish rebellious slaves; one punishment was to cut off an ear.

C. Divide students into groups of four or five. Tell students that they are each a group of archaeologists who have discovered a tablet with a law written on it. One member will be a *spokesperson* for the group, and another will be a *scribe*.

[Leave space at the top.] Religion
Government/Law
Economy
Family Relations
Environment/Geography

Explain that each group will be assigned one law to examine and students should try to see if the law tells them anything about the six aspects of society on the chart (government/law, economy, environment/geography, family relations, religion). Tell them the scribe should write down what they infer from the law under each aspect. *Note:* It is okay if not all five aspects are covered by each group.

D. Give each group a chart paper, prepared by you, as seen in Figure 1. Give each group a “strip” of paper, also prepared by you, with **one** of the laws listed in Part E below. Depending on your class size, more than one group may be assigned each of the laws.

Figure 1

Each group should glue their “law strip” to the top of their chart paper.

E. After a few minutes, each group’s spokesperson will take turns telling the class what their law was and what it told them about the different aspects.

Allow other students to comment or add additional inferences. Repeat this process for each law. Below are the seven laws and a few inferences that can be made from each law:

1. If one man has accused another of laying a *nertu* (death spell) upon him, but the charge has not been proved, the man making the accusation shall be put to death.
 - Babylonians believed in witchcraft and/or the power to cause death by casting spells.
 - They required proof of magical acts.
 - They practiced the death penalty.
 - They punished people who falsely accused others (valued individual’s reputation).
2. If a son has struck his father, the son’s hands shall be cut off.
 - Babylonians believed fathers were more important than sons; fathers were heads of households; fathers’ authority shouldn’t be questioned.
 - They valued obedience to fathers and punished disobedience severely.

3. If a man has hired a boat and boatman and loaded the boat with corn, wool, oil, dates, or anything else, and the boatman has been careless and sunk the boat, the boatman shall restore the boat and whatever was lost that was in it.

- Babylonians knew how to build/use boats.
- People could rent boats and hire the service of others to run the boats.
- They traded in corn, wool, oil, and dates.
- They believed that the person who operated the boat was responsible for safeguarding the property of the person who rented the boat.
- People could individually own property, like the boat or the merchandise.
- They thought carelessness (negligence) was an important factor to take into consideration when deciding the cause of an accident.

4. If a man borrows silver, he must pay 20 percent interest in return. If a man borrows grain, he must pay 33 percent in interest.

- Babylonians could borrow silver and grain from each other.
- Grain was more valuable than silver (since the interest was higher).
- The rate of interest wasn't set by each individual borrower or lender but by the government.
- They could calculate interest rates.

5. If a salesman fails to make a profit on goods given him by a merchant, he must repay twice the amount.

- Babylonian merchants used traveling salesmen.
- Salesmen were responsible to the merchants who used them for making a profit on the goods they sold. To prevent them from cheating their employers, they were charged double if they failed to return the agreed-upon profit.

6. If a life has been lost, the city or district governor shall pay one *mina* (a measurement) of silver to the dead person's relatives.

- Government officials were responsible for the lives of citizens in their districts.
- Silver was measured in *minas*.
- Fines could be paid in silver.
- Areas of the empire were divided into cities or districts.
- The Babylonian empire had a systematic government, run by officials.
- People acknowledged family relationships of some kind.
- The individual was considered important to the family, since his/her loss had to be compensated.
- An individual's life was worth one mina of silver.

7. If a man owes a debt and has given his wife, his son, his daughter, or someone else as hostage for the debt, the hostage shall do work in the creditor's house. But

in the fourth year, the creditor shall set the hostage free. (A creditor is someone who is owed money.)

- The father (or head of the family) had control of all the family members.
- Labor was an appropriate payment for debts.
- People were exchanged as hostages to secure debts.
- Lending and borrowing existed.
- No debt was worth more than four years of a hostage's services.
- Households (at least some of them) required a lot of upkeep, otherwise the hostage's services wouldn't be valuable.

F. After all seven laws have been discussed, you ask the class "Can you guess what ancient civilization these laws come from?" Or, if your students have no prior knowledge, you may simply reveal it to them: These laws come from the Code of Hammurabi, a great lawgiver in ancient Babylon.

Direct their attention back to the guiding question and discuss possible answers with them. Accept reasonable answers, including what people believe, what people's families are like, what the land is like where people live, what crops they grow, if they have kings or not, etc.

Point out how much students have discovered about Babylonian society from just seven laws.

Ask: Why would just seven short laws reveal so much about the society that produced them?

Make sure students touch on these two answers:

- Laws often reflect what a society thinks is most important. They reflect the beliefs and values that a society wishes to impart.
- Laws are often used to resolve common conflicts that arise in that society.

The above activity has been adapted from *Of Codes and Crowns: The Development of Law From the Ancient World to the Renaissance* (Los Angeles: Constitutional Rights Foundation, 2006), available at <http://crf-usa.org/materials-catalog/of-codes-and-crowns-textbook.html>.