

## HAMMURABI'S CODE: ITS IMPORTANCE IN LEGAL HISTORY

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*“The strong might not oppress the weak”* that’s how the 2.25-metre-high stele containing Hammurabi’s Code begins. King Hammurabi was the sixth ruler of the **First Babylonian Dynasty**, reigning from **1792 to 1750 BCE**. He is best known for his remarkable efforts in the creation of **Hammurabi’s Code** around **1754 BCE**, one of the earliest and most comprehensive written legal codes in history. The code consisted of 282 laws that governed everything from trade and property to marriage and criminal justice, emphasizing the king’s role in establishing a system of justice and maintaining order and fairness in society. Hammurabi’s Code is one of the earliest and most comprehensive written laws played a crucial role in shaping the development of later law systems by establishing principles of justice, punishment, and social order. It hasn’t only had a great influence on Ancient Babylon, but also it laid the groundwork for later legal structures in the ancient civilizations, including Mosaic Law and Roman Law, and it set standards for the laws in modern legal systems.

Babylon existed in the plain between Iraq’s Tigris and Euphrates Rivers. Founded some time before 2300 BCE, under King Hammurabi’s rule from 1792-1750 BCE Babylon grew to be the largest city in the world. Hammurabi (1810-1750 BCE) inherited power from his father, becoming Babylon’s sixth and most-famous ruler. In the beginning of his reign the city prioritized fortification over expansion. Hammurabi changed this, while fortifying the city, at the same time he constructed canals, irrigation systems, and places of worship in his first ten years of reign. He expanded Babylon’s boundaries using both diplomacy and war. Having done a lot of things for his country during his reign, historians universally agree that Hammurabi should be best-remembered as a champion of justice. The most important testament to this is Hammurabi’s Code: late in his rule Hammurabi established the laws of Babylonia into one legal code, had it carved into stone, and put it on display for all to see. Hammurabi’s Code is carved into a cylindrical stele, measuring 2.25metres high and 65centimetres wide, and it’s believed that they governed ancient Babylonia. It was found in December, 1901, and January, 1902, on the acropolis of Susa by an Expedition sent out by the French Government under the Director General, M. de Morgan. The Old Babylonian Code is named after the ruler Hammurabi, whose face was carved in stone as the top of the stele has a relief sculpture that depicts Hammurabi’s divine reception of the Code (or possibly the authority to create it) from the sun god Shamash. It is considered that it had 282 rules,

because from the rule 65, one fortieth of the rules have not been preserved. The law was drafted as a constitutive act (“Constitution”), and regulates various legal matters: it regulates complex property relations, family relations, obligations, criminal-legal relations, and contains provisions on the judiciary and the army. Each law was written in two parts: A specific situation or case was outlined, then a corresponding decision was given. These are the samples of the laws of Hammurabi’s Code: *Law 22*. If a man has committed robbery and is caught, that man shall be put to death; *Law 195*. If a son strikes his daughter, his hands shall be hewn off. Hammurabi’s Code was an early and important step towards establishing the Rule of Law in a society. The Rule of Law is the belief that it is better to be ruled by laws than to be ruled by leaders who can act any way they like. For example, dictators often exercise absolute power without following any guidelines. If the law rules us, leaders cannot use their power as they please. Political leaders, police, and judges are subject to the same laws as everyone else. By establishing a code of laws, Hammurabi helped ensure that the actions of authorities were not arbitrary, but rather followed a set of rules. By making these rules public, everyone could know what they were. The Hammurabi’s Code significantly influenced the evolution of formal legal frameworks by introducing key principles of justice. It served as foundation for later laws and established standards that still exist in the modern law structures. Hammurabi’s Code had a notable influence on the development of **Mosaic Law**. The principles established in Hammurabi’s Code, such as proportional punishment and specific regulations related to property rights and family matters, can be seen in the later codification of Hebrew law. The similar application of the “**eye for an eye**” principle serves as a testament to this influence. Mosaic Law not only adopted these ideas but also expanded them within a moral and religious context, demonstrating the adaptability of Hammurabi’s principles in different cultural values. The influence of Hammurabi’s Code is also evident in **Roman law**. The Romans recognized the importance of codifying laws and creating a systematic legal structure like Hammurabi’s innovations. Roman law built upon the principles of written law, public accessibility, and structured legal processes established by Hammurabi, reflecting the impact of Hammurabi’s Code. For instance, the Roman legal system adopted the idea of clear definitions of rights and responsibilities, ensuring that laws were publicly known and applied. This principle was established to create a system of justice that was visible to all citizens, as in the Hammurabi’s Code. While the specific aspects of Hammurabi’s Code, such as severe punishments and class-based distinctions, are not directly reflected in the modern law, its **methodological approach** and **structural innovations** are: *Written Legal Codes*: The principle that laws should be written down,

easily understood, and accessible to the public. Today, constitutions, criminal laws, and civil laws across the world continue this tradition; *Presumption of Responsibility*: Hammurabi's insistence on the state's responsibility for maintaining law and order has influenced to the modern government's structure. Today's governments take responsibility for enacting and enforcing laws to ensure stability and fairness in society; *Justice and Fairness*: While Hammurabi's Code may have harsh punishments, the underlying principle of justice—ensuring that actions have consequences—remains the same in the global legal system.

Hammurabi's Code was a revolutionary legal document for its time and it played a significant role throughout history. The influence of Hammurabi's Code can be seen through various legal traditions from ancient Mesopotamia laws to ancient Rome laws, which used concepts of justice derived from Hammurabi's Code. In conclusion, the great impact of Hammurabi's Code underscores its critical role in the evolution of law and its lasting impact on the development of justice systems across cultures and eras. Its principles remain relevant in contemporary discussions about the importance of fairness, accountability, and the rule of law in society.

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