

THE CODE OF HUMAN SOCIETY

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The development of ancient Mesopotamia occurred circa 5000 B.C.E. to eighteenth-century B.C.E., and these ancient Mesopotamian societies were the earliest analogs of modern-day culture. This was due to new and increasing developments in agriculture, irrigation, religion, cities (and states), and leadership. These changes brought on social hierarchies, divisions of labour, and information recording, which comprise some of our most basic modern social structures. Of the many empires that arose in Mesopotamia, Babylon (and more specifically its ruler, Hammurabi) was likely the most influential in terms of the foundations it set for the empires and societies that would succeed it. Hammurabi's most important and memorable accomplishment is his Law Code, which is often cited as the first significant recorded law code. Its importance lies in understanding Mesopotamian society and the subsequent development of human culture.

Hammurabi's Law Code designates the importance of property, family, and inheritance. It also amplifies the importance of fairness and strives to achieve fairness within the forming of classes and statuses. Through its policies it codified and recorded cultural norms; it also formed social structures that would have an enormous influence on human history. Hammurabi's Law Code became the basis for societal organization, and the code is the earliest known formal recording of the relationship between a ruler and those under rule. This became a formative and influential part of modern governance and law.

The Law Code's influence can be better appreciated from the perspective that its policies and ideas are prevalent in many modern societies. It has been noted that "the laws were grouped under two main headings: Property (6-126) and Persons (127-282)".¹ The Code states that "[i]f

¹ R. H. Pfeiffer, "An Analysis of the Hammurabi Code." *The American Journal of Semitic Languages and Literatures* 36, no. 4 (1920), 310

any one 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”.² While temples and courts no longer hold the same relevance in some modern societies, aspects of Hammurabi’s code remain functional in many societies.

The importance of fairness in relation to the formation of classes and statuses is a significant factor in Hammurabi’s Code. Hammurabi strives to “enlighten the land, to further the well-being of mankind”.³ More specifically, the code introduces the concept of “[a]n eye for an eye”.⁴ The concept of a ruler developing a structure with the intention of helping the people, and not purely for personal gain, was a significant turning point in history. Both the code itself and Hammurabi’s intentions around fairness signify “[t]hat these remarkable laws conserved the welfare of Hammurabi's subjects”.⁵ This concept of fairness to all subjects is exemplified in the epilogue of the code, when Hammurabi proclaims that “[a future king] 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”.⁶ This concept remains a foundational part of many modern democratic societies.

Through its policies, the code restructured and recorded cultural norms that allowed for the development of newly formed social structures, which would have an enormous influence on human history. Hammurabi and Babylon arose as the development of agriculture was forming social patriarchal hierarchies through division of labour and crop surpluses. As such, “[h]is code

² Charles F. Horne, and C. H. W. Jones. “Ancient History Sourcebook: Code of Hammurabi, c. 1780 BCE.” Translated by L. W. King.

³ Charles F. Horne, and C. H. W. Jones. Translated by L. W. King.

⁴ Charles F. Horne, and C. H. W. Jones. Translated by L. W. King.

⁵ Charles Foster Kent. "The Recently Discovered Civil Code of Hammurabi." *The Biblical World* 21, no. 3 (1903), 189

⁶ Charles F. Horne, and C. H. W. Jones. Translated by L. W. King.

may with assurance be regarded as the first extensive attempt to develop a systematic written legal system”.⁷ It is responsible for helping create a legal and ethical template for developing societies, and “[t]he arrangement is the result of deep thought, and every law has its well-considered place”.⁸ Its compassionate approach, relative to the societal context in which it developed, formed cultural, religious, and governmental precedents, and therefore, it deserves its rightful place in conversations surrounding human evolution.

Hammurabi’s Law Code became the basis for societal organization. The code is the earliest known formal recording of the relationship between ruler and ruled, and it helped both form and consistently influence the terms of modern governance and law. Much of the importance of Hammurabi’s Code lies in an understanding Mesopotamian society; it amplifies the importance of fairness in relation to property, family, and inheritance. In addition, the code informs and promotes the types of cultural norms that would allow for new social structures, and these structures have had an enormous influence on human history.

⁷ Kent, 177

⁸ Lyon, David G. "The Structure of the Hammurabi Code." *Journal of the American Oriental Society* 25 (1904), 252

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