

UCA1: Why Government? Hammarubi's Code

ENDURING UNDERSTANDING:

1. *The establishment of governments is an attempt to create order in society*
2. *Governments both restrict and expand individual freedoms*

GUIDING QUESTIONS:

1. *Why were governments originally established?*
2. *Why do some nations and/or governments restrict freedoms while others expand them?*

What does the term **anarchy** mean? The heavy metal, "big hair" band of the 80's *Motley Crue*, had a song called Anarchy. Do you think the word anarchy is a "bad" thing or a "good" thing?? Look up **anarchy** in the on-line dictionary listed below.....

Merriam-Webster

Some say that anarchy would bring out the best in people, because it ***theoretically-speaking***, provides people with the **most** freedom. Others say just the **opposite!!** The oldest complete group of laws that we know of comes from ancient Babylonia (***That's where IRAQ is today!***) Please read the following short article about the man responsible for creating these ancient laws and why they are considered so important.

[Hammurabi] was the ruler who chiefly established the greatness of Babylon, the world's first metropolis. Many relics of Hammurabi's reign ([1795-1750 BC]) have been preserved, and today we can study this remarkable King....as a wise law-giver in his celebrated code. . .

By far the most remarkable of the Hammurabi records is his code of laws, the earliest-known example of a ruler proclaiming publicly to his people an entire body of laws, arranged in orderly groups, so that all men might read and know what was required of them. The code was carved upon a black stone monument, eight feet high, and clearly intended to be reared in public view. This noted stone was found in the year 1901, not in Babylon, but in a city of the Persian mountains, to which some later conqueror must have carried it in triumph. It begins and ends with addresses to the gods. Even a law code was in those days regarded as a subject for prayer, though the prayers here are chiefly cursings of whoever shall neglect or destroy the law. The code then regulates in clear and definite strokes the organization of society. The judge who blunders in a law case is to be expelled from his judgeship forever, and heavily fined. The witness who testifies falsely is to be slain. Indeed, all the heavier crimes are made punishable with death. Even if a man builds a house badly, and it falls and kills the owner, the builder is to be slain. If the owner's son was killed, then the builder's son is slain. We can see where the Hebrews learned their law of "an eye for an eye." These grim retaliatory punishments take no note of excuses or explanations, but only of the fact--with one striking exception. An accused person was allowed to cast himself into "the river," the Euphrates. Apparently the art of swimming was unknown; for if the current bore him to the shore alive he was declared innocent, if he drowned he was guilty. So we learn that faith in the justice of the ruling gods was already firmly, though somewhat childishly, established in the minds of men.

Yet even with this earliest set of laws, as with most things Babylonian, we find ourselves dealing with the end of things rather than the beginnings. Hammurabi's code was not really the earliest. The preceding sets of laws have disappeared, but we have found several traces of them, and Hammurabi's own code clearly implies their existence. He is but reorganizing a legal system long established.

Have you ever heard of the phrase, "**AN EYE FOR AN EYE, A TOOTH FOR A TOOTH**"?? If someone "pokes" out your eye, their eye will be "poked" out also! In our time, in our culture, with our current government, why would this be considered an inappropriate punishment? Most of you know that there is a concept found in the United States Constitution called "no one shall suffer cruel and unusual punishments". BUT.....what about 4000 years ago?

Most scholars consider the Code of Hammarubi to be the earliest attempt to create a just and fair society. To prove my point, here is a more-or-less "typical" law from Hammarubi's Babylonia. Strange as this law may seem to you, I am sure you will be able to see how we have a similar laws today!! **"If any one open his ditches to water his crop, but is careless, and the water flood the field of his neighbor, then he shall pay his neighbor corn for his loss."** Very logical law, in my humble, and usually correct opinion. If you damage someone's property, due to your carelessness, you have to a pay for the damage!

Here are the web sites to use for the successful completion of this assignment:

[Merriam-Webster's ON-LINE Dictionary](#)
[A Selection from the Code of Hammarubi](#)



[Code of Hammarubi](#)

Here are the specific instructions for composing and submitting this assignment:
Note.....these directions have some very specific guidelines that are different from those in Units A & B. Make sure to adhere to them!

1. Please read the three questions carefully so as to more effectively research the web sites listed above.
2. Keep your internet browser open to this page in the course.
3. Open up a new Word document and type your name, Unit and Assignment number and your Global Perspectives online student number in the upper **left** hand corner of your Word document using a separate line for one. Please use **Times New Roman** or **Arial** font and size number **12/12**

EXAMPLE:

Stephen Wingett **or** Stephen Wingett
UAA1 **or** UAA1
CHS **or** CHS-1

4. Copy and paste AND **italicize & bold** the THREE laws that you will choose to analyze from the Code of Hammurabi web site(s) listed above and then copy and paste questions 1 -3 that you will find below that your are to answer about each of the laws that you chose. Here is an **example** of what your first three questions should look like.....

CODE OF HAMMARUBI: "If any one open his ditches to water his crop, but is careless, and the water flood the field of his neighbor, then he shall pay his neighbor corn for his loss."

1. *Who is involved?* ANSWER: *Two or more landowners and/or farmers*
 2. *What are they told to do or not to do?* ANSWER: *The farmer who floods the other farmers field because he left his ditches open must pay for the loss that his carelessness cost his neighbor.*
 3. *What are the stated consequences of complying or not complying with the law?* ANSWER: *The violating farmer/landowner must pay for the damages he is liable for.*
5. Repeat the same process detailed in #4 above for questions 4 and 5 below
 5. Save the Word document on your hard drive AND a removable disk for back up purposes.
 6. Send your completed assignment, which you have now "saved", as an attachment with the assignment name (**UCA1**) and your Global Perspectives online student number (**ex. CHS - 1**) typed into the subject line.

Here is your assignment!

Choose THREE of Hammurabi's Laws from the [A Selection from the Code of Hammurabi](#). Carefully read each law you chose and answer the following THREE questions for each law:

1. Who is involved?
2. What are they told to do or not to do?
3. What are the stated consequences of complying or not complying with the law?

Also, choose any THREE laws, from the complete list of 282 laws found in the [Code of Hammarubi](#), and answer the following TWO questions for each law:

4. How is this law similar to a law today?
5. How is this law different from laws today?