

# Sources from the Past

## Hammurabi's Laws on Family Relationships

By the time of Hammurabi, Mesopotamian marriages had come to represent important business and economic relationships between families. Hammurabi's laws reflect a concern to ensure the legitimacy of children and to protect the economic interests of both marital partners and their families. While placing women under the authority of their fathers and husbands, the laws also protected women against unreasonable treatment by their husbands or other men.

[128] If a man take a woman to be his wife, but has no intercourse with her, this woman is no wife to him.

[129] If a man's wife be surprised having sexual relations with another man, both shall be tied and thrown into the water, but the husband may pardon his wife and the king may spare her.

[130] If a man violates the wife (betrothed or child-wife) of another man, who has never known a man, and still lives in her father's house, and sleeps with her and be surprised, this man shall be put to death, but the wife is blameless.

[131] If a man brings a charge against his wife, but she is not surprised with another man, she must take an oath and then may return to her house.

[138] If a man wishes to separate from his wife who has borne him no children, he shall give her the amount of her purchase money and the dowry which she brought from her father's house, and let her go.

[139] If there was no purchase price he shall give her one mina of gold as a gift of release.

[140] If he be a freed man he shall give her one-third of a mina of gold.

[141] If a man's wife, who lives in his house, wishes to leave it, plunges into debt, tries to ruin her house, neglects her husband, and is judicially convicted: if her husband offer her release, she may go on her way, and he gives her nothing as a gift of release. If her husband does not wish to release her, and if he takes another wife, she shall remain as servant in her husband's house.

[142] If a woman quarrels with her husband, and says: "I am not congenial to me," the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, but he leaves and neglects her, then no guilt attaches to this woman, she shall take her dowry and go back to her father's house.

[143] If she is not innocent, but leaves her husband, and ruins her house, neglecting her husband, this woman shall be cast into the water.

### For Further Reflection

- In what ways did Hammurabi's various provisions on family relationships protect the interests of different groups, such as husbands, wives, or the family itself?

Source: James B. Pritchard, ed. *Ancient Near Eastern Texts Relating to the Old Testament*. Princeton: Princeton University Press, 1955, pp. 171-72.

that shaped Mesopotamian values for almost three thousand years.

**Astronomy and Mathematics** Literacy led to a rapid expansion of knowledge. Mesopotamian scholars devoted themselves to the study of astronomy and mathematics—crucial sciences for agricultural societies. Knowledge of astronomy helped them prepare accurate calendars, which in turn enabled them to chart the rhythms of the seasons and determine the appropriate times for planting and harvesting crops. They used their mathematical skills to survey agricultural lands and allocate them to the proper owners or tenants. Some Mesopotamian conventions persist to the present day: Mesopotamian scientists divided the year into twelve months, for example, and they divided the hours of the day into sixty minutes, each composed of sixty seconds.

**The Epic of Gilgamesh** Mesopotamians also used writing to communicate abstract ideas, investigate intellectual and religious problems, and reflect on human beings and their place in the world. Best known of the reflective literature from Mesopotamia is the *Epic of Gilgamesh*. Parts of this work came from the Sumerian city-states, but the whole epic, as known today, was the work of compilers who lived after 2000 B.C.E. during the days of the Babylonian empire. In recounting the experiences of Gilgamesh and Enkidu, the epic explored themes of friendship, relations between humans and the gods, and especially the meaning of life and the inevitability of death. The stories of Gilgamesh and Enkidu resonated so widely that for some two thousand years—from the time of the Sumerian city-states to the fall of the Assyrian empire—they were the principal vehicles for Mesopotamian reflections on moral issues.