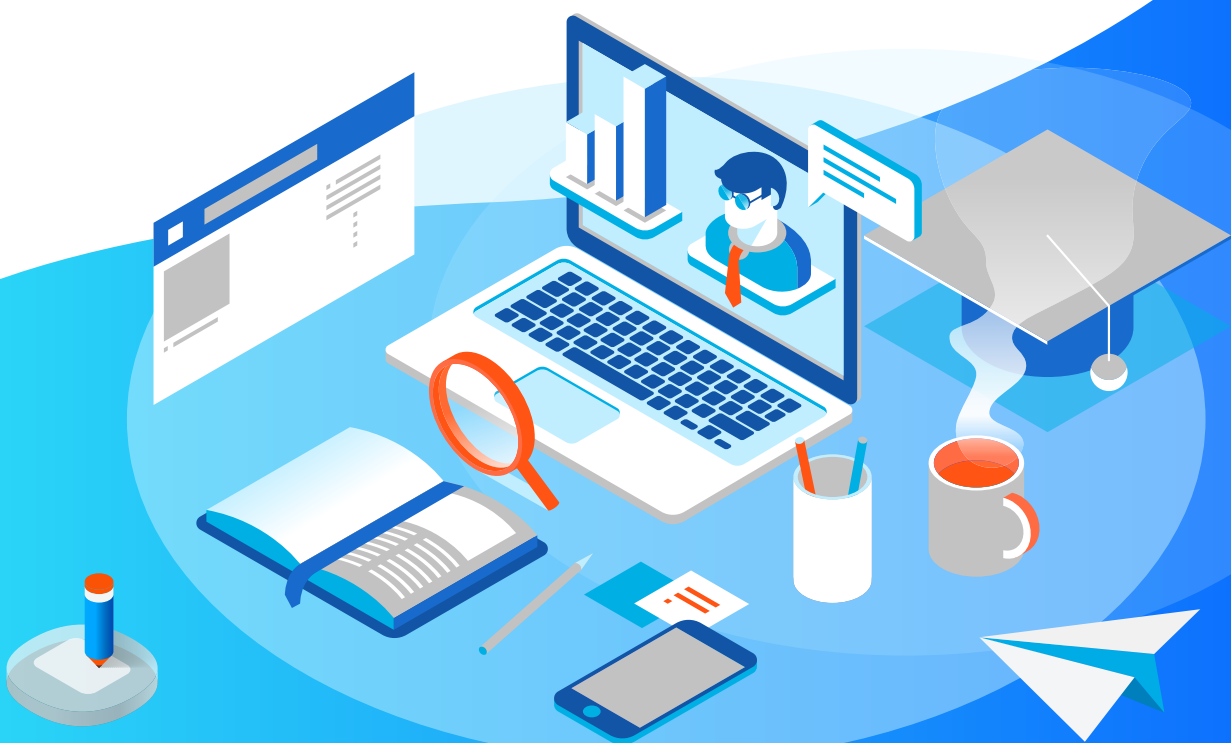


The Code of Hammurabi (Laws)

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Hammurabi laws were initially formulated by King Hammurabi (Richardson, 2004). These are some of the oldest laws legislated in the world. They were used as early as days that came before Christ. King Hammurabi was the leader of ancient Mesopotamia. He came up with laws that guided his empire. In total, the Hammurabi laws were 282 in number, and were written on a stone tablet for every member of the kingdom to see. The most common spheres covered by the Hammurabi laws were property, marriage, and crime among others. This highlights how instrumental the Hammurabi laws were in the ancient Mesopotamia. It is factual that some of these laws were extremely brutal while others were indeed progressive. The bottom line of the matter is that these laws caused sanity in the populous which was under the leadership of King Hammurabi. The king was known for his robust stand on the established laws. For instance, he literally executed as the laws provided. It is on this premise that the famous principles of 'an eye for an eye' and 'a tooth for a tooth' came into existence. Having noted a few important points regarding the Hammurabi laws, it is important to discern these laws. The discourse takes a comparative and contrastive approach to determine discrepancies and similarities between the Hammurabi laws of murder and other Hammurabi laws.

Howard & Whiteside (2005) agree that people started murdering each other a long time ago. For instance, it is written in the Old Testament of the Bible that Cain murdered his brother Abel. Thus, this highlights the antiquity nature of the crime of murder. To curb this crime, various entities came up with rules to stop this vice. The gravity that comes with murder meant that laws regarding murder should be not only water tight, but also brutal. This explains why King Hammurabi developed laws that were extremely harsh to the crime

of murder. In fact, laws that related to murder were so harsh to the extent of allowing those who murdered or attempted murdering be murdered too. During the era of Hammurabi, people who committed murder were also killed with no room to defend themselves.

It is important to note that there was a similarity between murder and incest. Incest is a crime where people related by blood engage in sexual intercourse. For instance, if a mother and son were found in a sexual act, they were all burnt to death. This means that there was no much discrepancy as far as punishing a murderer and that who has committed incest was concerned. In any case, their general fate was death.

There were numerous cases when lovers conspired to eliminate a person who would attempt encroach or interfere with their love affairs. In such situations, the lovers would either plan for the death of the encroacher or literally kill the encroacher. Whether or not the lovers were directly involved in the death of such an encroacher, they were also apprehended and impaled. In the process, they would lose life. Therefore, this highlights the similarity of murder laws and the law related to conspiracy. The bottom line is that the two crimes were all punishable by death.

The Hammurabi laws were invented to promote respect among members of society (Matthews, 1997). The most common one was respect of children to their parents. King Hammurabi abhorred indiscriminate harassment of parents by children. It is on this premise that he came up with a harsh penalty to such acts. If a son head-butted his father, for instance, his head would be hewn off. Definitely, such a son would equally lose life just like any offender who committed murder under the Hammurabi legislations.

Despite the similarity, there were also differences between laws related to murder and other laws. Besides, most laws were pretty liberal (Charpin, 2012). For instance, if a member belonging to a high class committed a crime to a low class member, the penalty to such offender was just a fine. This is different from the punishment that a low class member would receive for offending a high class member. Therefore, it can be deduced that Hammurabi laws took a double standard approach.

Another twist crops up in matters where a man killed a pregnant maid and a free born pregnant woman. In the former case, the offender would only be fined while in the latter case, the offender would have his daughter killed too. From the above facts, one deduces that the law of murder applied differently. For instance, the punishment to the murderer could not be imposed on the criminal. Instead, a close affiliate of the criminal would be condemned to death on behalf of the offender. This is different since the precept of an eye for an eye didn't apply.

In conclusion, it is categorical that Hammurabi laws related to murder applied in various circumstances. However, the punishments stipulated by such laws were unquestionably unstable since they did not apply equally (Hart, 2002). Also, there were some cases where those who committed minor offenses were brutally punished while those who committed felonies were left unscathed. It all depended on the class of individuals as well as the manner in which they executed the criminal act. In essence, Hammurabi laws are generally retrospective and cannot find relevance in the contemporary society. There are better means of seeking justice for the offended persons in the society. Such means involve succinct criminal and civil procedures that delineated fair and just means of delivering justice to all.

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