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Justice, Gender, and Morality in Ancient Mesopotamia: A Comparative Study of Sexual Assault and Adultery Laws in the Code of Ur-Nammu and the Code of Hammurabi

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Abstract

This paper examines the treatment of sexual assault and adultery in two key Mesopotamian legal codes: the Code of Ur-Nammu (c. 2100–2050 BCE) and the Code of Hammurabi (c. 1750 BCE). Through a comparative analysis of translated inscriptions, the study highlights a patriarchal framework that shaped these early legal systems, revealing unequal accountability between men and women, the central role of male honour in defining justice, and further class-based differences in punishments. While both codes impose severe penalties for certain offences, their approach often prioritises familial and societal stability over individual rights and well-being. Despite these limitations, remarkably so, these inscriptional laws show early attempts to address sexual misconduct and provide conditional protections for women. The research contributes to understanding how the legacy of these ancient codes is a reminder of both the progress made and the work that remains to achieve true gender equality in legal systems around the world.

Keywords: Ancient Mesopotamia, Code of Ur-Nammu, Code of Hammurabi, Sexual assault laws, Adultery laws, Gender and law, Patriarchy, Comparative legal analysis

1. Introduction

Law and justice were key concepts in ancient Sumer, in both theory and practice, and Sumerian social and economic life was attempted to be regulated by them. Archaeologists in the 20th century uncovered ‘thousands of clay tablets inscribed with all sorts of Sumerian legal documents containing contracts, deeds, wills, promissory notes, receipts, and court decisions, multiple copies of the same law code.’ One can say that in ancient Sumer, a student in higher

education would have devoted much of their schooltime to the field of law, and constantly practised the writing of highly specialised legal terminology as well as of the law codes.

The most renowned ancient law code discovered by 1947 was the one issued by Hammurabi, the celebrated Semitic king who began his reign around 1750 B.C. Inscribed in cuneiform script and written in the Babylonian Semitic language, the code comprises nearly 300 laws framed by a boastful prologue and a curse-filled epilogue. The basalt stele bearing this code now stands solemnly and impressively in the Louvre Museum. While it is the most remarkable ancient legal document in terms of the breadth of its legal detail and its excellent state of preservation, it does not hold the distinction of being the oldest.

In 1947, a law code issued by King Lipit-Ishtar, who ruled over 150 years before Hammurabi, was brought to light- but that fame to Lipit-Ishtar was short-lived. In 1952, a law code issued by the Sumerian king Ur-Nammu was discovered. This monarch, the founder of the prominent Third Dynasty of Ur, began his reign around 2050 BCE, even according to the most conservative estimates, placing his code nearly **300 years before** the Babylonian King Hammurabi. The Ur-Nammu tablet is among the many Sumerian literary artefacts housed in the Museum of the Ancient Orient in Istanbul.

By studying these codes, we can understand what issues were prevalent in ancient societies and how they were addressed. Crimes such as sexual assault, adultery, murder, and robbery are highlighted, showing that these problems have existed for millennia. The laws serve as a direct response to these issues, giving us clues about the social and legal priorities of the period.

Further, comparing these ancient responses to modern laws helps us see how far societies have evolved, or in some cases, how similar challenges persist. Today, many legal systems focus more on personal rights, justice, and rehabilitation, but issues of power dynamics, gender inequality, and the balance between justice and societal order remain. This comparison allows for a better understanding of both historical and contemporary approaches to law and justice.

Hence, this paper focuses on sexual assault and adultery laws in these two codes, exploring how they reflect societal attitudes toward gender, morality, and power. By comparing the two, we can assess the continuity and evolution of legal approaches to women's rights and societal order.

2. Methodology

This study employs a comparative textual analysis (examining two or more texts side by side in order to identify their similarities, differences, and underlying patterns of meaning) of translated inscriptions from the Code of Ur-Nammu and the Code of Hammurabi. In historical studies, comparative analysis is particularly valuable for tracing the development of norms and patterns across different contexts. By focusing on specific themes such as sexual conduct, adultery, and punishment in the *Code of Ur-Nammu* and the *Code of Hammurabi*—this method allows for a critical understanding of how laws were formulated and applied in distinct but related Mesopotamian traditions.

Epigraphs (inscriptions on durable materials such as stone, metal, or clay) are indispensable sources of history because they preserve original records produced by contemporary authorities. Unlike later literary accounts, they provide direct evidence of the language, legal frameworks, and social structures of their time. In the present study, primary reliance is placed on authoritative translations of the codes, supplemented by established scholarly commentaries to contextualize interpretation. All sources consulted are cited in the bibliography.

3. Overview of the Codes

3.1 Code of Ur-Nammu

Originating during the Third Dynasty of Ur (c. 2100–2050 BCE) and written in Sumerian, the Code of Ur-Nammu is one of the earliest known law codes. ‘The prologue, typical of Mesopotamian law codes, invokes the deities for Ur-Nammu's kingship, Nanna and Utu, and decrees "equity in the land".

The laws are structured in a conditional format, following an "IF (crime), THEN (punishment)" pattern—a template adopted by nearly all subsequent legal codes. Unlike the later Babylonian "eye for an eye" principle, this code prescribes monetary fines as compensation for bodily harm.

However, it enforces capital punishment for serious offences such as murder, robbery, adultery, and rape. The code provides insights into the societal structure during the Third Dynasty of Ur- the society was divided into two primary classes beneath the king: the *lu*, or free individuals, and slaves.



Fig.1 The first known version of the code in its current location. Created c. 2100 BC–2050 BCE. Presently located at Istanbul Archaeology Museums (Ni.3191) (originally Nippur, Mesopotamia (modern-day Iraq)

Source: Wikimedia Commons.

Relevant Laws on Sexual Conduct from Ur-Nammu's Code:

1. Sexual Assault:

■ Sumerian Text:

*"Tukum-bi dam gurus-a a nu-gi-a ni g-á-gar-še lú in-ak-ma a bi-in-gi,
nita-bi i-gaz-e"*

Translation: "6. If a man violates the rights of another and deflowers the virgin wife of a young man, they shall kill that male."

■ **Sumerian Text:**

"Tukum-bi géme lú-ù a nu gi 4 ^ (- a) nig-á- gar-šè lú in-ak-ma a bi-in gi_ gin ku-babbar i-la-e"

Translation: "8. If a man acts in violation of the rights of another and deflowers the virgin slave woman of a man, he shall weigh and deliver 5 shekels of silver."

2. **Adultery:**

■ **Sumerian Text:**

"Tukum-bi dam gurus-a ni-te-a-ni-ta lú ba-an-ús-ma úr-ra-né ba-an-ná munus-bi i-gaz-e nita-bi ama-ar gi - ni i-gá-gá"

Translation: "7. If the wife of a young man, on her own initiative, approaches him and initiates sexual relations with him, they shall kill that woman; that male shall be released."

3. **False Accusations:**

■ **Sumerian Text:**

"Tukum-bi dam guruš-a-da úr-ra ná-a lú i-da-lá Íd-dè ù-um- dadag lú i-da-lá-[a] 1/3 ŠA [kù] i-[lá- e]"

Translation: "14. If a man accuses the wife of a young man of promiscuity but the River Ordeal clears her, the man who accused her shall weigh and deliver 20 shekels of silver."

3.2 Code of Hammurabi

Written in the Old Babylonian dialect of Akkadian, the Code of Hammurabi i.e. the sixth king of the First Dynasty of Babylon (c. 1750 BCE) consists of nearly 300 laws inscribed on a basalt stele. It includes various areas of law, including criminal, family, property, and commercial laws. This approach reflects an attempt to regulate and address varied aspects of Babylonian society, 'ensuring order and justice across a wide range of human activities and relationships'.



Fig. 2 The Louvre stele (originally found from Susa)- the Code of Hammurabi.

Source: Wikimedia Commons

Structure and Purpose

The top of the basalt stele features a relief image of Hammurabi standing before Shamash, the Babylonian sun god and god of justice. Below this depiction, approximately 4,130 lines of cuneiform text are inscribed. The content is divided into a poetic prologue and epilogue, which together constitute about one-fifth of the text, and the remaining four-fifths comprise the laws themselves. In the prologue, Hammurabi asserts that his rule was divinely granted by the gods

with the purpose of "preventing the strong from oppressing the weak," highlighting his role as a protector and just ruler.

The prologue is as follows:

“Anum, the Babylonian sky god and king of the gods, granted rulership over humanity to Marduk. Marduk chose the centre of his earthly power to be Babylon, which in the real world worshipped him as its tutelary god. Marduk established the office of kingship within Babylon. Finally, Anum, along with the Babylonian wind god Enlil, chose Hammurabi to be Babylon's king. Hammurabi was to rule to prevent the strong from oppressing the weak. He was to rise like Shamash over the Mesopotamians and illuminate the land...”

Hammurabi then details his achievements and virtues, highlighting his dedication to restoring and maintaining temples and his unmatched prowess on the battlefield. This list of accomplishments that he gives serves as evidence that the text was written toward the end of Hammurabi's reign. Following this, Hammurabi states that he fulfilled the will of Marduk, the Babylonian god, by establishing "truth and justice" for the people. The prologue concludes with the phrase "at that time," marking the transition into the body of the laws.

Laws on Sexual Conduct and Family Dynamics in Hammurabi's Code

1. Sexual Assault:

○ Law 130:

Akkadian Text:

šumma aššat awīlim ša zikaram la idūma ina bīt abiša wašbat ukabbilšima ina sūniša ittatīlma iṣṣabtušu awīlum šūū iddak sinništum šī ūtaššar

Translation:

"If a man pins down another man's virgin wife who is still residing in her father's house, and they seize him lying with her, that man shall be killed; that woman shall be released."

2. Adultery:

○ Law 29:

Akkadian Text:

*šumma aššat awīlim itti zikarim šanîm ina itūlim ittašbat ikassūšunūtima ana mē
inaddūšunūti šumma bēl aššatim aššassu uballat u šarrum warassu uballat*

Translation:

*"If a man's wife should be seized lying with another male, they shall bind them
and throw them into the water; if the wife's master allows his wife to live, then the
king shall allow his subject (i.e., the other male) to live."*

○ **Law 131:**

Akkadian Text:

*šumma awīlum aššat awīlim ša zikaram la idūma ina bīt abiša wašbat
ukabbilšima ina sūniša ittatīlma iššabtušu awīlum šūū iddak sinništum šī ūtaššar*

Translation:

*"If her husband accuses his own wife of adultery, although she has not been
seized lying with another male, she shall swear to her innocence by an oath by the
god and return to her house."*

○ **Law 132:**

Akkadian Text:

*šumma aššat awīlim aššum zikarim šanîm ubānum eliša ittarišma itti zikarim
šanîm ina utūlim la ittašbat ana mutiša Id išalli*

Translation:

*"If a man's wife should have a finger pointed against her in accusation involving
another male, although she has not been seized lying with another male, she shall
submit to the divine River Ordeal for her husband."*

3. Class-Based Punishments:

○ **Law 209:**

Akkadian Text:

*šumma awīlum marat awīlim imbašma ša libbiša uštaddīši 10 šiqil kaspam ana ša
libbiša išaqqal*

Translation:

*"If an awīlu strikes a woman of the awīlu-class and thereby causes her to
miscarry her fetus, he shall weigh and deliver 10 shekels of silver for her fetus."*

- **Law 211:**

- Akkadian Text:**

- šumma mārāt muškēnim ina mahāšim ša libbiša uštaddīši 5 šiqil kaspam išaqqa*

- Translation:**

- "If he should cause a woman of the commoner-class to miscarry her fetus by the beating, he shall weigh and deliver 5 shekels of silver."*

- **Law 210:**

- Akkadian Text:**

- šumma sinništum šī imtūt mārassu idukku*

- Translation:**

- "If that woman should die, they shall kill his daughter."*

4. **Divorce and Marital Disputes:**

- **Law 133a:**

- Akkadian Text:**

- šumma awīlum iššalilma ina bītišu ša akālim ibašši aššassu ana bīt šanīm irrub
sinništum šī arnam ul išu*

- Translation:**

- "If a man is captured and there are sufficient provisions in his house, his wife shall not enter another man's house."*

- **Law 141:**

- Akkadian Text:**

- šumma aššat awīlim ša ina bit awīlim wašbat ana wašēm panīša ištakanma
sikiltam isakkil bissa usappah mussa ušamṭa*

- Translation:**

- "If the wife of a man who is residing in the man's house should decide to leave and she appropriates goods, squanders her household possessions, or disparages her husband, they shall charge and convict her; and if her husband declares his intention to divorce her, then he shall divorce her."*

5. **Incest and Misconduct:**

- **Law 153:**

- Akkadian Text:**

*šumma aššat awīlim aššum zikarim šanīm mussa ušdīk sinništam šuāti ina gašīšim
išakkanuši*

Translation:

*"If a man's wife has her husband killed on account of another male, they shall
impale that woman."*

○ **Law 154:**

Akkadian Text:

šumma awilum mārassu iltamad awīlam šuāti ālam ušeṣṣūšu

Translation:

*"If a man should carnally know his daughter, they shall banish that man from the
city."*

○ **Law 155:**

Akkadian Text:

*šumma awilum ana mārīšu kallatam ibīrma mārušu ilmassi šū warkānumma ina
sūniša ittatiłma iṣṣabtušu awīlam šuāti ikassūšuma ana mē inaddūšu*

Translation:

*"If a man selects a bride for his son and his son carnally knows her, after which
he himself then lies with her and they seize him in the act, they shall bind that man
and cast him into the water."*

4. Comparative Analysis

The **Code of Ur-Nammu** and the **Code of Hammurabi** address sexual conduct, gender roles, class dynamics, and societal order. While both codes share similarities in their aim to maintain stability and hierarchy, they also differ in scope, emphasis, and implementation.

4.1 Understanding of Sexual Assault and Adultery as reflected in the Codes:

The **Code of Ur-Nammu** and the **Code of Hammurabi** both address improper sexual behaviour, but their definitions and distinctions between consensual and non-consensual acts reveal certain societal priorities. While both codes show concern for maintaining social order and

protecting certain classes of women, they primarily view sexual conduct through the lens of property, honour, and familial integrity, rather than individual autonomy.

- **Code of Ur-Nammu:** Sexual assault is framed as a violation of another man's rights, particularly concerning the virgin wife or slave woman under his authority. For example, if a man 'deflowers the **virgin wife of another man**', the offender is punished with death, highlighting the severity of the offence when it threatens marital and familial stability. In contrast, the deflowering of a **virgin slave woman** results in monetary compensation (5 shekels of silver), emphasising her status as property rather than an autonomous individual.

Adultery is defined as **consensual sexual relations initiated by a married woman**. Here, the law focuses on punishing the woman (with death) while sparing the man, suggesting a double standard in accountability (in other words, a married woman who initiates adultery is executed, while the man involved faces no consequences).

- **Code of Hammurabi:** Sexual assault is defined as **a man forcibly engaging in sexual relations with a virgin wife** still residing in her father's house. The offender is punished by death, reflecting the high value placed on a woman's virginity as tied to her marital prospects (if a man is caught lying with another man's virgin wife residing in her father's house, he is punished by death, but the woman is released, as the act is presumed non-consensual). Assault on enslaved women is not explicitly mentioned in Hammurabi's laws, but other references to slaves suggest such crimes would be treated with monetary compensation.

Adultery is defined as **a married woman engaging in sexual relations with a man other than her husband**. If caught, both the man and woman are punished by drowning, unless the husband pardons his wife. False accusations of adultery for a married woman are addressed with divine tests like the **River Ordeal**, where she must prove innocence through trial.

4.2 Variations Based on Social Status:

In both codes, the **status of the victim** significantly influences the punishment. In the case of free women, the laws impose the harshest penalties (death) for offences against free women of high social standing, particularly married or betrothed women. Crimes against enslaved women result in certain financial restitution to their owners, reflecting their status as property rather than autonomous individuals. Neither of the codes explicitly differentiates punishments based on the offender's status, suggesting that the crime itself took precedence over the social rank of the perpetrator while determining his punishment.

Hammurabi's provisions for **miscarriage caused by violence** reveal a similar pattern of prioritising social and economic concerns over the personal. Compensation depends on the woman's social class, where an awīlu-class woman would be paid 10 shekels for the fetus; if the woman dies, the offender's daughter is killed. For a commoner-class woman, 5 shekels for the fetus and no mention of vicarious punishment.

4.3 Intersections Between Adultery and Societal Notions of Honour and Property:

Adultery seems to be treated as a crime against the husband or father rather than a moral failing of both participants. This gives an indication towards women being the bearers of familial honour, and hence, the woman would be executed for initiating adultery. In both codes, a woman's fidelity is understood to be crucial for maintaining inheritance rights and ensuring legitimate offspring. Adultery threatens this system, explaining the severity of the punishments. Male authority becomes evident when Hammurabi makes a provision allowing the husband to pardon his wife- this highlights the patriarchal authority men held over women's lives, reinforcing their role as the arbiters of familial honour.

4.4 Gender and Power Dynamics:

In both the codes, sexual assault (non-consensual) and adultery (consensual) laws reflect societal attitudes toward gender and power. Individual trauma or agency is not of apparent concern, but the damage inflicted upon the honour of the woman's family and the reduction in value of the victim slave woman is of concern. The Code of Ur-Nammu and the Code of Hammurabi- nearly three hundred years apart- reveal a society continuously rooted in patriarchal values, where gender and power dynamics heavily influenced justice.

In the earlier code of Ur-Nammu, women's autonomy is virtually absent, with strict punishments for moral or sexual transgressions. Hammurabi's allowance for a wife to leave her husband if he is proven at fault (*Law 142*) reflects a degree of autonomy. At the same time, his provision for a husband to pardon his wife reinforces the man's role as the arbiter of justice within the family. Hence, while Hammurabi's code offers slightly more flexibility for women in specific contexts, both legal systems fundamentally prioritise male authority and societal stability over women's rights or agency.

Unequal accountability between men and women is noticeable, particularly in cases of adultery and sexual assault. Ur-Nammu mandates that women bear the brunt of moral responsibility, as seen in the law mandating the death penalty for a wife caught in an adulterous act, while the male partner is absolved of punishment. Similarly, in cases of sexual assault, the severity of punishment is contingent on the victim's social status. Assault on a free, high-status woman results in the death of the offender, while assault on a slave woman is resolved with monetary compensation.

Hammurabi introduces mutual accountability for adultery, punishing both the woman and her partner with drowning if caught in the act. The code also shows equal punishment for a murder of a man by his wife, done in accordance with her extra-marital partner (*Law 153*). However, in the former, the decision to pardon the wife rests solely with the husband- *if the wife's master allows his wife to live, then the king shall allow his subject (i.e. the other male to live)*- while there is no accountability as such for a man committing the same act.

Control over women's sexuality is central to both codes, as their fidelity is seen as vital for preserving male honour, familial stability, and legitimate inheritance. Crimes against women are often framed as violations of the rights of the man who "owned" them—whether as a father, husband, or master—rather than as violations of the woman herself. Class-based disparities further complicate these dynamics. Free women receive stricter protections, while enslaved women are afforded limited justice, with offences against them treated as property disputes.

The Code of Hammurabi also reflects patriarchal authority through its reliance on the River Ordeal for women accused of adultery, placing them in a passive role where their innocence must be determined by a divine judgment rather than their testimony. Additionally, the use of

vicarious punishment, such as the execution of an offender's daughter if a free woman dies due to violence, also indicates the collective responsibility imposed on women within family hierarchies.

4.5 Broader Implications:

One could see the laws as harshly punishing offenders of sexual assault, and on the surface, this might appear just and even empowering for women. However, the patriarchal nature of these laws becomes apparent when we consider the broader context, motivations, and the way women are framed within these legal systems.

The death penalty for a man who rapes a (virgin) woman may appear like instant & expeditious justice- something that even modern-day courts in democratic countries do in a very deliberative manner. However, the law is not necessarily focused on the well-being or dignity of the victim, since the codes lack addressing the harm to the individual's physical and mental well-being. The concern for male honour and property rights is, however, reflected.

Further, in the case of Hammurabi's code, sexual assault on a married woman living in her father's house is addressed by prescribing death for the offender and release of the woman (*Law 130*). This might appear absolutely fair, yet the framing is still about protecting the husband's or father's interests:

- If the woman is not protected by her father or husband, as in the case of enslaved women, the law remains silent.
- The woman's autonomy or consent is not directly addressed—it is plausible that her release depends on societal presumptions about her lack of agency rather than her testimony.

Adultery laws are strictly enforced but heavily biased against women. In the Code of Ur-Nammu, a wife who initiates adultery is executed, while the male partner is spared. This reflects a double standard, as it absolves men of responsibility and places the moral burden entirely on women. For Hammurabi, while both the man and woman are punished with drowning, the husband's authority to pardon his wife (*Law 29*) reveals patriarchal control. This pardon does not empower the woman; it reinforces the husband's dominance over her fate.

4.6 Why is this patriarchal?

Patriarchy, derived from the Greek word πατριάρχης (*patriarkhēs*), literally translates to "the rule of the father" and refers to "father" or "chief of a race." It is "an analytical concept referring to a system of political, social, and economic relations and institutions structured around the gender inequality of socially defined men and women"¹. Key characteristics that show a functioning patriarchy are:-

- Primary Power: Men hold primary power and authority in roles of political leadership, moral authority, social privilege, and control of property, and in the domestic space as well.
- Patrilineal Descent: Property inheritance and family lineage are traced through the male line.
- Gendered Division of Labour: Societal roles are assigned based on gender, leading to stereotypes. Within patriarchal relations, women are collectively excluded from full participation in political and economic life.
- Control Over Female Sexuality: Women's sexual and reproductive rights are regulated.
- Institutional Reinforcement: Social institutions, including legal, religious, and educational systems, perpetuate the authority of men.

It may be observed that these ancient law codes from Mesopotamia focus on preserving male honour and inheritance rights, and not on ensuring fairness or equality. A fundamental issue is that these laws often treat women not as autonomous individuals but as extensions of their fathers, husbands, or masters. Virginity of a lady is being treated like a property, and marriage seems to be a transaction (the dowry laws become interesting here).

It may be noted that while certain laws appear remarkably progressive, women's lack of agency is a recurring theme:

→ No Role in Decision-Making:

In both codes, women are passive participants in their own cases. In the River

¹ Nash, C.J. 2009. "Patriarchy." In *International Encyclopedia of Human Geography*, 102-107. Elsevier.
<https://www.sciencedirect.com/science/article/abs/pii/B9780080449104009822>

Ordeal, a woman's innocence is determined by divine forces rather than her ability to testify or prove her case.

→ **Double Standards:**

Men's infidelity is often overlooked unless it directly disrupts another man's household (e.g., lying with another man's wife).

→ **Conditional Protections:**

Hammurabi's code occasionally allows women limited autonomy (e.g., leaving an abusive husband), but these exceptions are rare and contingent on male wrongdoing. Women are not granted rights as independent entities (except in dealing with their dowries).

The harsh punishments for sexual assault seem to reflect a desire to maintain social order, not necessarily an empowering stance on women's rights. Yet, these widely-adopted law codes from Mesopotamia do have considerable positives about them; progressive laws when seen in the **context of their times**.

4.7 Positives:

Women, particularly free women, are recognised as subjects of the law, which is notable in the context of early legal systems. Their rights, though limited, are acknowledged particularly in cases of sexual assault and inheritance. Additionally, the use of the River Ordeal in Hammurabi's Code for women accused of adultery, while problematic by modern standards, offers a mechanism to clear a woman's name. This can be seen as an attempt to balance the scales in accusations without evidence (example mentioned earlier).

There is also conditional autonomy for women in Hammurabi's Code- a wife can leave her husband if he is found guilty of significant wrongdoing (Law 142), such as neglect or abuse, and accountability is set for a man who wrongly accuses another married lady of adultery. While not true autonomy, it does provide a legal avenue for women in extreme cases. Then, the most severe punishment, i.e. the death penalty, for offenders of sexual assault against free women demonstrates at least **a strong societal acknowledgement of the severity of this crime**, even if the motivation is rooted in preserving the social order. Hammurabi's code is also remarkable for making the provision of banishment for a man to carnally know his daughter (class not

mentioned, possibly indicating the same punishment whether it were a free child or enslaved), making it an anti-child abuse law. Further, while not equitable, the distinctions in punishments based on social class suggest an awareness of the varying vulnerabilities of women within different social strata. Compensation for harm to enslaved women ensures some level of restitution.

4.7 Legacy of the ancient Mesopotamian law codes:

Modern legal systems prioritise **women's autonomy and agency**, emphasising equality before the law. Laws today focus on **victim-centred justice**, where the well-being of the victim takes precedence over societal or familial honour. In this context, while the Code of Ur-Nammu and the Code of Hammurabi fall short of recognising women's full autonomy, they must be acknowledged for being among the earliest attempts to codify protections, however limited, for women. Compared to modern-day patriarchal practices in parts of the world, these ancient codes offer a mixed legacy:

- **Positive Lessons:** They established principles of justice that recognised the need to address sexual misconduct and provided mechanisms for resolving disputes.
- **Insights:** They reveal a history of patriarchal values and the relevance of continuing to question these norms in the present.

Ultimately, the study of these ancient laws reminds us how far societies have come—and how much work remains to achieve true equality for women worldwide.

5. Challenges and Limitations

One of the primary challenges in analyzing the Code of Ur-Nammu and the Code of Hammurabi lies in the incomplete nature of the surviving inscriptions, i.e. **textual gaps**. Many laws have been lost over time, resulting in fragmented texts that leave critical gaps in understanding the full scope of legal provisions. For example, while Ur-Nammu's code addresses sexual assault and adultery, it lacks extensive regulations on other societal issues that are detailed in Hammurabi's

code, such as family disputes and inheritance laws. This incompleteness makes it difficult to assess whether certain societal concerns were unaddressed or if they simply have not survived in the archaeological record. Similarly, portions of Hammurabi's code are damaged, and key contextual details might be missing, leaving interpretations open to speculation.

Another one is **translation bias**. The reliance on translations introduces another layer of complexity. Both codes were written in ancient languages- Sumerian for the Code of Ur-Nammu and Akkadian for the Code of Hammurabi- requiring expert interpretation. Variations in translation can lead to differences in how laws are understood, particularly regarding nuanced terms for sexual behaviour, consent, or social relationships. Furthermore, the cultural context of the translators can influence their interpretations, potentially skewing the original intent of the text, making exact comparisons challenging.

6. Conclusion

In conclusion, the law codes of Ur-Nammu and Hammurabi, though evidently rooted in patriarchal values, made notable provisions in addressing issues related to women- especially sexual assault and adultery. While the approach was not equitable, sexual assault was dealt with, often with severe punishments for offenders, particularly in cases involving free women. However, these codes reflect a broader societal focus on protecting family honour and maintaining social order, rather than prioritising the individual rights or well-being of the woman or victim. Adultery laws, in particular, placed the moral responsibility on women, holding them accountable for actions that were often shared with male partners.

Hammurabi's code, while still largely focused on family honour, offered some level of mutual accountability and flexibility. For instance, it allowed a wife to leave her husband if he was found guilty of neglect or abuse, and provided mechanisms such as the River Ordeal for women accused of adultery to clear their name. While these provisions did not grant full autonomy to women, they represented an early form of legal acknowledgement of women's rights and agency. Furthermore, the distinction in punishments based on social class reveals an awareness of the varying perceptions of women in different social strata.

Modern legal systems have evolved to prioritise women's autonomy and victim-centred justice, where the focus is on the well-being of the victim, and not on familial or societal honour. Certainly, the ancient laws of Ur-Nammu and Hammurabi provide important insights into the early codification of protections for women. While these laws may fall short of modern standards of equality, the legacy of these ancient codes is a reminder of both the progress made and the work that remains to achieve true gender equality in legal systems around the world. It also opens the scope for future research in related topics in this context, and how our epigraphs provide such valuable insights into our civilizational histories.

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