

# Ancient law and codes

[Sociology](#), [Ethics](#)



Law Since the beginning of civilization there have been laws or codes of conduct set in place to establish a means of coexistence between groups of people within a geographical area. These codes or laws were mostly set by an individual or group who held the most authoritative power within a society or civilization to do so. But where did these codes of conduct or laws derive from? What was the basis of these laws or codes? Were they specifically based on religious beliefs or were they an idea of ethical standards for which the majority within the society thought to be true? Three separate laws or codes of conduct from ancient history were reviewed to support the following conclusion. These laws or codes were The Code of Hammurabi, The Covenant and the Law: The Book of Exodus, and The Twelve Tables. Based on the structure and content from these three sets of laws and codes it can be said that they were formed from the guidance of their societies religious beliefs and also influenced on an idea of ethical behavior. The Code of Hammurabi The Codes of Hammurabi were created by Hammurabi, a ruler in the ancient Mesopotamia region, which set a standard of how people in this region would live amongst each other. Hammurabi viewed himself as a peaceful ruler who aimed to guide or lead his people as one. His actions were based on the Mesopotamian beliefs that they were living in a divine region that belonged to more powerful gods and that they should live in coexistence with the land because the powerful gods could take it all away at any given moment. With that said, the codes set by Hammurabi focused on harsh justice for individuals who violated a code. An example would be that if a builder built a house and it collapsed and killed a man then the builder himself would be put to death (p. 10). These codes

were also driven by ethical conduct for there was a code and punishment enforced for any married woman who had a sexual relationship with any man other than her husband. This code and many others that focused on family and marriage set an ethical standard of how families and marriages were to be. The Covenant and the Law: The Book of Exodus Of the three laws within this research The Covenant and the Law of the Israelites is the best example of religious beliefs and ethics forming a set law for a society. The specific laws that were given by Moses are said to be spoken to him directly from God as he helped Moses lead the exodus from Egypt. The Israelites were a religious socoeity who believed in equality among all. Thus their laws reflected their religious beliefs and where also highly ethical. The covenant and the laws did not separate punishment based on social class. In fact “ these laws made no class distinctions and emphasized the protection of the poor, widows, orphans and slaves” (p. 30). These laws applied to every aspect of life within the community. The Twelve Tables The twelve tables of Roman law had the greatest influence on western law. Even in today’s society there are traces of the ancient Roman law that still prove to be useful. In table III it states that a debtor has 30 days to repay a debt before a creditor can bring them to court to collect the debt (p. 99). This is the basis of credit accounts which is still in effect today. This is also an example of ethical behavior because the debtor would be given a set time frame to repay a debt and that the creditor would have a set process to reclaim his payment if the debtor defaulted. The Roman religion focused on precise rituals and structure which influenced the structure of their law. One would argue the ethics of the codes of Hammurabi because of both the severity of

the punishments and how the punishments varied amongst the social classes. The punishment of the woman caught in bed with her lover resulted in the both of them being bound and thrown into the river. Also, the punishment of a murderer depended on who the victim was. If the victim was a noble then the murderer would face the same fate whereas if the victim was a slave then the punishment would be a monetary fine to be paid to the slave's owner. Also, the covenant and the law could be seen as a strategy to influence fear as a means to control the Israelite society and evoke the belief of separateness from other non Jewish nations. Finally, it was the precise structure and ritual behavior of the Romans that made the Roman law slow to adapt to their evolving society and at one point during the life cycle of the Roman Empire that their own set of laws were outdated and not useful. Despite the severity and variance of the punishments in the codes of Hammurabi the codes were set to influence the people to live a righteous and ethical life. The same could be said about the covenant and the law set forth by the Israelites. The Roman Law may have been outdated in regards to the evolution of the Roman empire but the basis for which they were structured proved to be useful in other societies. All of these laws and codes set an ethical standard for their respective societies. In summary, it was both religious beliefs and ideas of ethical behavior that formed the laws and codes of ancient society. While the laws and codes were set by different societies at different times in history they all proved to be a just and ethical.

Resources Spielvogel, Jackson. *Western Civilization: A Brief History*. (7th ed.) Belmont, CA: Thomson Learning, 2011.