

PROJECT 2

Interpreting Historical Sources

Read the Code of Hammurabi on pages 102–3 of the appendix. Answer each of the following questions, then identify the verse that gave you the information. Your answer need not identify every reference, but the verses you cite must be correct.

(Example: “Mesopotamian society had both kings and slaves.”)

Answer: “Yes, Mesopotamian society had both kings and slaves. Passage 16 of the Code of Hammurabi mentions slaves while Passage 129 refers to both kings and slaves.”)

1. Women and men were treated equally under the law of Hammurabi.
2. In ancient Mesopotamia a woman could own a business.
3. A husband could legally divorce his wife under the Code of Hammurabi.
4. People of different classes were treated equally under the law of Hammurabi.
5. Hammurabi appears to have been a religious man.

6. CODE OF HAMMURABI (SELECTED LAWS), c. 1780 B.C.

Translated by L. W. King, Annotation by Charles F. Horne; gopher://gopher.vt.edu:10010/11 (5 July 2002).

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

. . . 15. If any one take a male or female slave of the court, or a male or female slave of a freed man, outside the city gates, he shall be put to death.

16. If any one receive into his house a runaway male or female slave of the court, or of a freedman, and does not bring it out at the public proclamation of the major domus, the master of the house shall be put to death.

. . . 53. If any one be too lazy to keep his dam in proper condition, and does not so keep it; if then the dam break and all the fields be flooded, then shall he in whose dam the break occurred be sold for money, and the money shall replace the corn which he has caused to be ruined.

. . . 108. If a tavern-keeper (feminine) does not accept corn according to gross weight in payment of drink, but takes money, and the price of the drink is less than that of the corn, she shall be convicted and thrown into the water.

109. If conspirators meet in the house of a tavern-keeper, and these conspirators are not captured and delivered to the court, the tavern-keeper shall be put to death.

110. If a "sister of a god" open a tavern, or enter a tavern to drink, then shall this woman be burned to death.

. . . 129. If a man's wife be surprised with another man, both shall be tied and thrown into the water, but the husband may pardon his wife and the king his slaves.

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

131. If a man bring a charge against one's wife, but she is not surprised with another man, she must take an oath and then may return to her house.

132. If the "finger is pointed" at a man's wife about another man, but she is not caught sleeping with the other man, she shall jump into the river for her husband.

The choice incense is that which he supplies.
Lord in both regions,
He filleth the granaries,
He filleth the granaries, enricheth the storehouses,
He careth for the state of the poor.

. . . VII. The inundation comes, (then) cometh rejoicing;
Every heart exulteth:
The tooth of the crocodiles, the children of Neith
(Even) the circle of the gods who are counted with thee.
Doth not its outburst water the fields,
Overcoming mortals (with joy):
Watering one produceth another.
There is none who worketh with him;
He produces food without the aid of Neth.
Mortals lie causes to rejoice.

. . . X. Establisher of justice! Men rejoice
With flattering words to worship thee,
Worshipped together with the mighty water!
Men present offerings of corn,
Adoring all the gods;
No fowls fall on the land.
Thy hand is adorned with gold,
As moulded of an ingot of gold, . . .

. . . XIII. O inundation of Nile, offerings are made to thee;
Oxen are slain to thee;
Great festivals are kept for thee;
Beasts of the field are caught for thee
Pure flames are offered to thee;
Offerings are made to every god
As they are made unto Nile.
Incense ascends unto heaven,
Oxen, bulls, fowls are burnt!
Nile makes for himself chasms in the Thebaid; . . .

. . . XIV. Mortals extol (him), and the cycle of the gods!
Awe is felt by the terrible ones;
His son is made Lord of all,
To enlighten all Egypt.
Shine forth, shine forth, O Nile! Shine forth!
Giving life to men by his oxen;
Giving life to his oxen by his pastures!
Shine forth in glory, O Nile.

. . . 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.

. . . 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 take another wife, she shall remain as servant in her husband's house.

142. If a woman quarrel with her husband, and say: "You are 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.

. . . 195. If a son strike his father, his hands shall be hewn off.

196. If a man put out the eye of another man, his eye shall be put out.

197. If he break another man's bone, his bone shall be broken.

198. If he put out the eye of a freed man, or break the bone of a freed man, he shall pay one gold mina.

199. If he put out the eye of a man's slave, or break the bone of a man's slave, he shall pay one-half of its value.

200. If a man knock out the teeth of his equal, his teeth shall be knocked out.

201. If he knock out the teeth of a freed man, he shall pay one-third of a gold mina.

[Conclusion:] The king who rules among the kings of the cities am I. My words are well considered; there is no wisdom like unto mine. By the command of Shamash, the great judge of heaven and earth, let righteousness go forth in the land: by the order of Marduk, my lord, let no destruction befall my monument. In E-Sagil, which I love, let my name be ever repeated; let the oppressed, who has a case at law, come and stand before this my image as king of righteousness; let him read the inscription, and understand my precious words: the inscription will explain his case to him; he will find out what is just, and his heart will be glad, so that he will say: "Hammurabi is a ruler, who is as a father to his subjects, who holds the words of Marduk in reverence, who has achieved conquest for Marduk over the north and south, who rejoices the heart of Marduk, his lord, who has bestowed benefits for ever and ever on his subjects, and has established order in the land."

7. THE MAHABHARATA

From *The Sister Nivedita* (Margaret E. Noble) of Ramakrishna-Vivekananda and Ananda K. Coomaraswamy, *Myths of the Hindus and Buddhists* (London: G. G. Harrap & Co., 1913), 118–121.

How the Princes Learned to Shoot

Now Bhishma, the royal grandsire, became eager to find for the princes of the two imperial houses a teacher who might train them thoroughly in the use of arms. And it happened one day about this time that the boys, all in a company were playing at ball in the forests outside Hastinapura, when their ball rolled away from them and fell into an old well. Try as they would, there was not one of them who could get it back. All kinds of efforts were made by each in turn, but without avail. It seemed as if the ball would never be recovered. Just when their boyish anxiety and vexation were at their height, their glances fell, with one accord, on a Brahman sitting near whom they had not at first noticed. He was thin and dark of hue, and appeared to be resting after the performance of his daily worship. “Oh Brahman!” cried the lads, surrounding him in a body, “can you show us how to recover our ball?” The Brahman smiled a little and said: “What? What? Scions of the royal house, and you don’t shoot well enough for that! If only you’ll promise me my dinner, I will bring up not only your ball but also this ring, which I now throw down, by means of a few blades of grass.” And suiting the action to the word, he took a ring off his own finger and threw it into the well. “Why, Brahman-ji, we’ll make you rich for life,” cried one of the lads, “if you can really do as you say.”

“Is it so,” said the Brahman. “Then look at this grass,” and he plucked a handful of long grass growing near. “I am able by a spell to give to this grass a virtue that weapons might not have. Behold, here I throw”; and as he spoke he took aim and threw a single blade of grass with such deftness and precision that it pierced the ball that lay in the well as if it had been a needle. Then throwing another blade, he pierced the first, and so on and so on, till he had a chain of grass, by which it was easy to draw up the ball.

By this time the interest of the boys was centered more on the skill of the Brahman than on the recovery of their plaything, and they exclaimed with one accord: “The ring, too, O Brahman! Show us how you can recover the ring!”

The Recovery of the Ring

Then Drona—for that was the name of the Brahman—took up his bow, which had been lying beside him, and selecting a arrow from the quiver that he wore, he shot it into the well, and the arrow, returning to his hand, brought up the ring. Taking the jewel, he handed it to the princes, whose astonishment and delight knew no bounds. “What can we do for you? What can we do?” they cried. The Brahman’s face had grown grave

In project 2, you provided evidence to support historical arguments. The arguments are interpretations of the Code of Hammurabi.

An **argument** is an opinion one is prepared to defend, using evidence. Without evidence, an argument becomes bare opinion, or **assertion**. Historians use many types of evidence in forming and defending arguments, and no evidence should be dismissed without some consideration. Any time evidence is deliberately ignored, hidden, or refused without due consideration, historical accuracy suffers. Historians need to be accountable to their sources. This means that historians must honestly consider all the available evidence in the same way a court of law needs to consider all evidence relevant to a particular case. The misuse of evidence makes bad historical research as in a court of law it brings a mistrial.

An example of overtly bad history is the work of so-called **Holocaust deniers**. While revisionist historians (**revisionism**) are those who write revised interpretations of history on the basis of new evidence or new interpretations, Holocaust deniers claim to refuse to accept evidence for the mass extermination of Jews in Europe under Nazi rule. Since the whole body of evidence overwhelmingly opposes their position, deniers dismiss large bodies of source material they claim must be biased. Jewish sources, or sources that come from Jewish victims, deniers claim, are unreliable and cannot be considered. But as we have already shown, even in a case where sources show bias or inaccuracies, responsible historians do not exclude evidence by group. This would be similar to dismissing all Native American sources from the history of the United States on the premise that Native sources must be biased automatically in favor of Native perspectives. There is no evidence to show that either Native Americans or Jews are any less capable of, or are less likely to provide, objective testimony than are people from other groups. In any case, even when historians encounter bias in a particular text, they do not dismiss the source; they use it for what it offers. Most sources have something to contribute to a reconstruction of the past, though not perhaps always in keeping with the intentions of the witness. Responsible historians interpret texts; they do not dispose of them.

When white Europeans began to explore the African interior in the eighteenth century, they discovered ruins and remains they did not expect to find. Europeans of the time were educated to believe not only that European societies were superior to all other societies but also that there was no civilization in most of the world until Europeans arrived. European scholars and explorers refused to believe that any culture that did not look like European culture could possibly be defined as “civilized.” Therefore, when Europeans went in search of new worlds they looked for features familiar to them as evidence for “civilization.” For Europeans these features included permanent buildings,

institutions, and scientific mentalities. When they found people living in huts, yurts, migrant circumstances, and without technologies as fast and as powerful as those of European industry, Europeans claimed the cultures they encountered did not “yet” have civilization. They also presumed that since all people “naturally” prefer civilization, native people must be incapable of producing such things or they would have already produced them. Eventually this thinking became part of a racial interpretation of the world. In other words, the cultural arrogance of European societies merged with contemporary racial theories to produce a general perception that the determining feature of civilization was “race” (defined by skin color).

So when European explorers arrived to a place in Africa called **Zimbabwe**, they were baffled. There they found the ruins of a great city, built of stone, with permanence and a technology capable of heavy construction. Ideally scholars would have examined the ruins with objectivity, treating artifacts and remains carefully, examining them critically. But because of their racial preconceptions, Europeans almost universally declared it impossible that the cities of Zimbabwe could have been built by native people of the region. Zimbabwe, Europeans argued, must therefore have been built by non-African people, perhaps Europeans, perhaps some biblical people. General agreement settled on the theory that the Queen of Sheba had built Great Zimbabwe. There was no solid evidence for this theory, but intellectual prejudice obscured the evidence. For more than a century this theory held fast, during which time most of the local archeological sites were devastated by adventurers and gold-seekers. People destroyed or looted evidence to such an extent that by the end of the nineteenth century, very little remained visible of ancient Zimbabwe but architectural remains. Eventually two twentieth-century archeologists were able, through investigations of neighboring, less disturbed sites, to determine that Zimbabwe was built by **Shona** people, native to the region, whose descendants still live in the area today. But for many years historians, archeologists, and anthropologists taught and believed completely false histories of the central regions of Africa. If researchers and scholars had paid closer and more honest attention to the evidence and had remained true to their sources, there would have been no need for this error.

In general it is possible to classify evidence by quality into two groupings, **historical** and **unhistorical**. For the most part, historical refers to objective evidence while unhistorical refers to subjective evidence. *Historical* in this sense describes something verifiable, something observable or testable, using reason. *Unhistorical*, on the other hand, does not mean necessarily untrue; rather, it signifies something mythical, something accepted on faith (trust), but that cannot be tested or verified. Unhistorical things are accepted on belief, not on evidence. So, while historians might not commonly speak about the “facts of history,” they might refer to an argument or a source as historical or unhistorical. Consider an account of a personal vision by the medieval mys-

tic Christian **Hildegard of Bingen**, a nun from southern Germany. Hildegard recorded numerous visions she believed to have come from God or from a “messenger of God.” She wrote in the twelfth century in a letter to her friend Abbot Phillip,

A wind blew from a high mountain and, as it passed over ornamented castles and towers, it put into motion a small feather which had no ability of its own to fly but received its movement entirely from the wind. Surely the almighty God arranged this to show what the Divine could achieve through a creature that had no hope of achieving anything by itself.¹

The source includes historical information, including the fact that Hildegard wrote the letter to her friend, she described visions, she connected those visions to God, and she was aware of castles and towers. Her descriptions of visions might be interpreted psychologically, medically, or spiritually. Historians interpret in all these ways; responsible historians interpret in context and by using all objective evidence available. It would be unhistorical, however, to argue that Hildegard actually received her visions from God, or that she in fact flew around the countryside in the form of a feather. Her visions may or may not have come from God, but in either case it would be unhistorical to say so. It is not within the scope of historical analysis to maintain that Hildegard’s vision came from God one way or the other. This is a subjective judgment, a statement of belief. Historians should not make subjective judgments. Neither should scholars of any discipline mock or deny the historical figure or culture the beliefs they held. An argument is not a moral judgment. Hildegard’s descriptions are important and valuable as historical sources; it is not within the scope of the historian’s work to argue if they were real or false.

It sometimes might appear that a person who “was there” to experience firsthand a historical event has more authority than “circumstantial” evidence. For historians, however, this is rarely the case; objective evidence is typically more reliable than isolated firsthand accounts. Firsthand testimonies are notoriously unreliable and must match the objective evidence before being accepted. Think of a person’s own account of a car accident. Should the courts accept all eyewitness testimony simply because a person “was there”? Since people commonly provide false testimony for many reasons, including bad memories, courts, like historians, will override personal testimonies that contradict disinterested evidence. Just because a friend insists he was abducted by aliens does not make it true. Most of us would require physical evidence to support a personal account. So it is with history. First-person evidence is not always historically reliable.

1. Hildegard of Bingen and Matthew Fox, *Book of Divine Works* (Santa Fe: Bear and Co., 1987), 320.

