**The Sources of Our Laws**

“If any one is committing a robbery and is caught, then he shall be put to death.”

“If fire break out in a house, and some one who comes to put it out cast his eye upon the property of the owner of the house, and take the property of the master of the house, he shall be thrown into that self –same fire.” Code of Hammurabi

**Functions of Laws**

>rules that allow people to live peacefully in society

>keep the peace and prevent violent acts

>set punishments hope to deter people from violent acts

>laws need to be fair and treat people equally

>GOOD LAWS ARE REASONABLE, FAIR, UNDERSTANDABLE, &

ENFORCEABLE

**Early Laws**

>some form of law has always been around

>mainly passed on by word of mouth until writing was developed

>Code of Hammurabi: Babylonia – 282 laws regulating everyday behavior

very harsh rules [you steal something, you must pay owner 10X its worth or be put to death]

>The Ten Commandments: Hebrews living in Palestine followed these laws

moral rules of how people should behave toward one another

>Roman Law: created jurisprudence: the study of law (really a science off

law) also very harsh – you get clubbed to death if you slander someone

Code of Justinian – created an orderly fashion for confusing Roman law

Napoleonic Code – updated CoJ, dispersed throughout Europe, Africa &

Asia much of the world lives under some form of this law –

Louisiana, once a French held territory, has basis in the Napoleonic

Code.

>English Law: common law- law based on court decisions rather than on a

legal code. Precedents developed (legal opinions that became a part of the common law); judges would compare new cases to cases already decided and judge them similarly. English judges blended R.L. with precedents and created ideas like trial by jury and innocent until proven guilty

Parliament/the English legislature: created written statutes to dominate the

legal system – common law was still very powerful though**Cite Examples of Different Types of Laws (p. 430 - 434)**

common law: a system of law based on precedent and customs

criminal law: laws that seek to prevent people from deliberately or

recklessly harming each other or each other’s property

civil law: disputes between people or groups of people where no crime has

been committed

constitutional law: laws put forth by the US Constitution or w/in the 50

State Constitutions

administrative law: laws created by the ‘administration’ or the Exec. Depts.,

regulatory commissions, executive agencies, and their various offices.

statutory law: laws passed by legislatures

**The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of Our \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

“If any one is committing a robbery and is caught, then he shall be put to death.”

“If fire break out in a house, and some one who comes to put it out cast his eye upon the property of the owner of the house, and take the property of the master of the house, he shall be thrown into that self –same fire.” Code of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

>\_\_\_\_\_\_\_\_ that \_\_\_\_\_\_\_ people to live \_\_\_\_\_\_\_\_\_\_\_ in society

>keep the \_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_ violent acts

>set \_\_\_\_\_\_\_\_\_\_\_\_ hope to \_\_\_\_\_\_\_\_\_ people from \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_

>laws need to be \_\_\_\_\_\_\_\_\_ and treat people \_\_\_\_\_\_\_\_\_

>

**Early Laws**

>

>mainly passed on by \_\_\_\_\_\_\_\_ until writing was developed [oral tradition]

>\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_: Babylonia – 282 laws regulating everyday behavior

very \_\_\_\_\_\_\_\_ rules [

]

>\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_: Hebrews living in Palestine followed these laws

moral rules of how people should behave toward one another

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/the English \_\_\_\_\_\_\_\_\_\_: created \_\_\_\_\_\_\_\_\_\_\_\_ to dominate the \_\_\_\_\_\_\_\_\_\_\_\_ – common law was still very powerful though

**Define then cite Examples of Different Types of Laws (p. 430 - 434)**

common law:

criminal law:

civil law:

constitutional law:

administrative law:

statutory law: