CLU 3M1 Unit Essay:
History and Basic Concepts of Law

Topic

**Pick an introductory paragraph from the three below:**

1. Modern day Canadian law is enacted through a combination of following centuries-old traditions and protocols, and introducing new ideas as necessary. Although many innovations have been made in law over the centuries, three documents in particular were absolutely the most foundational and game-changing, with the clearest influence on how law is practiced in Canada today. Modern law owes a great debt to \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_.

***Choose from:*** *the Code of Ur-Nammu, the Ten Commandments, the Code of Hammurabi, Magna Carta, the death warrant of Charles I, The Declaration of the Rights of Man and of the Citizen, The United States Bill of Rights, the Canadian Charter of Rights and Freedoms*

1. Modern day Canadian law is enacted through a mixture of new innovation and centuries-old protocols. Although many changes have been made in law over the centuries, three elements in particular were absolutely the most foundational and game-changing, with the clearest influence on how law is practiced in Canada today. Modern Canadian law still involves \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_.

***Choose from:*** *Trial by jury, (shire) courts, lawyers, judges/justices, defense attorneys, legal precedent, habeus corpus, mens rea, actus reus*

1. The history of law is one of long-standing tradition, periodically reinvigorated by innovative people making changes that still affect legal procedure today. Although many people have made changes to legal practice over the centuries, three individuals in particular were absolutely the most foundational and game-changing, with the clearest influence on how law is practiced in Canada today. Modern Canadian law certainly still feels the influence of \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_.

***Choose from:*** *Hammurabi, Oliver Cromwell, Henry II, William Garrow, Thomas Erskine, John Lilburne, James Madison, Pierre Trudeau.*

(Further instructions on next page)

Essay Structure

This is going to be a simple high school essay with five paragraphs. I have written your first paragraph for you. The concluding paragraph will come last and will repeat the exact same thing as the introductory paragraph, only in slightly different words. To avoid sounding too repetitive, put the sentences in reverse order and reword them, with your list of elements, people or documents in reverse order too.

In between those two paragraphs will come three other paragraphs. You will have a paragraph for each person, document or element. Each of these three paragraphs will start by saying that the person, element or document brought about changes still seen in Canadian law today. Then it will tell the story of what things were like before the change, how the change came about, and then provide some specific concrete evidence that modern Canadian law is influenced by the change.

Talking About Change

In your middle three paragraphs, you are saying that these elements, people or documents brought about lasting change. In order to support this idea, it is absolutely crucial to mention what things were like before that change. Otherwise, it’s hard to argue that any change happened at all. For example, before trial by jury, there was trial by ordeal. People used to undergo painful or dangerous ordeals under church supervision to determine their guilt. In 1215 the Church stopped supervising trials by ordeal, and Magna Carta made trial by “peers” a right of every British citizen. So trial by jury was a change. And Canadian trials no longer involve trial by ordeal or trial by combat, but still involve trial by jury.

# Specifics

The point of this essay will be to show you understand the effect of these documents, elements and people. To do that, you need specifics. Names of people, places and documents. Dates. Facts about situations that existed**. If any of your three body paragraphs has really no specifics you have used to make your points, I will ask you to have a second try, using one of the other essay topics.** You should use a number of sources to get these facts. Wikipedia is okay to start with, but then you need more. And you need to read the words on the pages, and not copy and paste them. If you want to use three or more words in a row, from a good source, you need to put it in quotation marks and make sure the quoted bit joins/finishes a sentence you started, with the first few words in the sentence being your words, and a quotation mark showing where the quoting starts, and another showing where the quoting ends.

# Quoting

Each of the middle three paragraphs needs at least one quotation. Don’t quote, for example, Wikipedia, but rather quote a person or document directly, or a ruling in a specific case which mentions, for example, habeus corpus. So, rather than speaking in general terms, address specifics. Whenever you quote, you must start with the name of the person being quoted, followed by a verb like “said” and only then may you quote, so:

Judge Milton McNabb said “My ruling is that this evidence is not admissible” *(correct)*

“My ruling is that this evidence is not admissible” *(wrong)*

“My ruling is that this evidence is not admissible” – Judge Milton McNabb. *(wrong)*