CLU 4U1 Unit Essay:
History and Basic Concepts of Law

Topic

**Pick an introductory paragraph:**

1. Modern western 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, four 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 western law is enacted through a mixture of new innovation and centuries-old protocols. Although many changes have been made in law over the centuries, four elements in particular were absolutely the most foundational and game-changing, with the clearest influence on how law is practiced in the west today. Modern western 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 modern western 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, four individuals in particular were absolutely the most foundational and game-changing, with the clearest influence on how law is practiced in the western world today. Modern law certainly still feels the influence of \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_.

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

Essay Structure

This is going to be a simple high school essay, but with ten small paragraphs. I have written your first paragraph for you. The concluding paragraph will come last and will repeat the exact same thing 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 several other paragraphs. You will have two paragraphs for each person, document or element. Start with a paragraph saying that the person, element or document brought about changes still seen in western law today. Then it will tell the story of what things were like before the change, and how the change came about. You will follow this paragraph up with a second paragraph which will then provide some specific concrete evidence that modern western law is influenced by the change.

Talking About Change

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 combat, there was trial by ordeal. People used to undergo painful or dangerous ordeals under church supervision to determine their guilt. On 14 October 1066, William the Conqueror took over England at the Battle of Hastings and brought with him the concept of trial by combat. The Church was no longer the main party involved in trials. This was new. So trial by combat was a **change**. And western trials no longer involve trial by ordeal, so this was an important change. (they no longer involve trial by combat either, but never mind that for the purposes of this example)

# 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 you submit an essay with any body paragraph which does not make use of specifics, I will ask you to redo this assignment, using a different essay topic. 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. If you use three words from a source, but do not use quotation marks around them, or if you simply change up the precise wording a bit, you are stealing. Stealing? In a law class? You should know better. Essays with stolen wording or sentence structure will result in a special new assignment being given in addition to the plagiarized one.

For each paragraph in this essay apart from the introductory and concluding paragraphs, you must quote an expert on the subject (men or women with names which you will refer to in the essay, rather than quoting a website), with **proper citation** for each.

# 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)*

# Citing

Use an online resource to correctly format your citation using APA format.

Branch, L. S. (2022, March 31). *Consolidated federal laws of canada, criminal code*. ARCHIVED. Retrieved April 4, 2022, from https://laws-lois.justice.gc.ca/eng/acts/c-46/section-71-20030101.html

(^correct)

<https://laws-lois.justice.gc.ca/eng/acts/c-46/section-71-20030101.html>

(wrong)

<https://www.google.com/search?q=where+is+the+criminal+code+of+canada&client=firefox-b-d&sxsrf=APq-WBuXHQsIuM6WYnf-k3XOssbdL0YuHA%3A1649076905526&ei=qepKYr7mH5K4tQbA15m4Bw&ved=0ahUKEwj-3qSZuvr2AhUSXM0KHcBrBncQ4dUDCA0&uact=5&oq=where+is+the+criminal+code+of+canada&gs_lcp=Cgdnd3Mtd2l6EAM6BAgAEA06BggAEAcQHjoICAAQCBANEB46BAghEApKBAhBGABKBAhGGABQAFjxH2CCK2gBcAF4AIABmwGIAeEOkgEEMC4xNJgBAKABAcABAQ&sclient=gws-wiz>

(mindnumbingly wrong)