**Hammurabi's Code-Babylon 1750, BC approx.**

1. If a person accuses another person of a crime, the accused shall go to the river and jump in. If he drowns, the person who accused him may have the accused person's house. If the accused doesn't drown, then the River-God has decided that he is innocent. The person who made the accusation is to be put to death, and the accused shall take his house.

2. If anyone opens his ditches to water his crop, but is careless, and the water floods the field of his neighbor, then he shall pay his neighbor corn for his loss.

 3. If he be not able to replace the corn, then he and his possessions shall be divided among the farmers whose corn he has flooded.

4. If a physician kills a patient or cuts out a patient's eye when trying to remove a tumor, the physicians' hands will be cut off.

5. If a builder builds a house and the house collapses and kills the owner of the house, the builder shall be put to death. If the house collapses and kills the owner's son, then the son of the builder shall be put to death.

6. If a son hits his father, his hands shall be cut off.

7. If a fire breaks out in a house and a person who helps to put out the fire steals something from the house, that person shall be thrown into the fire.

8. If a man destroys the eye of another man, his eye shall be destroyed. If he breaks the bone of another, his bone shall be broken.

9. 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 found guilty: 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 a servant in her husband's house.

10. If a man wishes to divorce his wife, he must return her dowry and give her the use of part of his field for farming and part of his property so that she can provide for her children.

11. If a man's wife becomes sick, the husband may take a second wife, but must continue to care for the sick wife as long as she lives.

12. If a person steals from a temple or takes goods stolen from the temple, he shall be put to death.

**Ten Commandments-Middle East, 1500-1000 BC approx.**

You shall have no other gods before Me.

You shall not make idols.

You shall not take the name of the LORD your God in vain.

Remember the Sabbath day, to keep it holy.

Honor your father and your mother.

You shall not murder.

You shall not commit adultery.

You shall not steal.

You shall not bear false witness against your neighbor.

You shall not covet.

**Islamic Law-Hadd-Middle East 609 approx.**

A punishment fixed in the *Quran* and hadith for crimes considered to be against the rights of God. The six crimes for which punishments are fixed are theft (amputation of the hand), illicit sexual relations (death by stoning or one hundred lashes), making unproven accusations of illicit sex (eighty lashes), drinking intoxicants (eighty lashes), apostasy (death or banishment), and highway robbery (death). Strict requirements for evidence (including eyewitnesses) have severely limited the application of hudud penalties. Punishment for all other crimes is left to the discretion of the court; these punishments are called tazir. With the exception of Saudi Arabia, hudud punishments are rarely applied, although recently fundamentalist ideologies have demanded the reintroduction of hudud, especially in Sudan, Iran, and Afghanistan.

**United States Bill of Rights-America 1791**

Here is a list of the first 10 amendments to the Constitution, the Bill of Rights:

**The First Amendment**- states that Congress shall make no law preventing the establishment of religion or prohibiting its free exercise. Also protected are freedom of speech, freedom of the press, freedom of assembly, and the right to petition the Government for a redress of grievances.

**The Second Amendment** - protects citizen's right to bear arms.

**The Third Amendment**- prevents the government from placing troops in private homes. This was a real problem during the American Revolutionary War.

**The Fourth Amendment** - this amendment prevents the government from unreasonable search and seizure of the property of US citizens. It requires the government to have a warrant that was issued by a judge and based on probable cause.

**The Fifth Amendment** - The Fifth Amendment is famous for people saying "I'll take the Fifth". This gives people the right to choose not to testify in court if they feel their own testimony will incriminate themselves.

In addition this amendment protects citizens from being subject to criminal prosecution and punishment without due process. It also prevents people from being tried for the same crime twice. The amendment also establishes the power of eminent domain, which means that private property can not be seized for public use without just compensation.

**The Sixth Amendment** - guarantees a speedy trial by a jury of one's peers. Also, people accused are to be informed of the crimes with which they are charged and have the right to confront the witnesses brought by the government. The amendment also provides the accused the right to compel testimony from witnesses, and to legal representation (meaning the government has to provide a lawyer).

**The Seventh Amendment**- provides that civil cases also be tried by jury.

**The Eighth Amendment**- prohibits excessive bail, excessive fines, and cruel and unusual punishments.

**The Ninth Amendment**- states that the list of rights described in the Constitution is not exhaustive, and that the people still have all the rights that are not listed.

**The Tenth Amendment** - gives all powers not specifically given to the United States government in the Constitution, to either the states or to the people.

**Napoleonic Code-France early 1800s**

The Napoleonic Code was a unified legal code produced in post-revolutionary France and enacted by Napoleon in 1804. Napoleon gave the laws his name, and they both largely remain in place in France today, and heavily influenced world laws in the nineteenth century.

The Napoleonic Code

The Civil Code of the French People was enacted in 1804 across all the regions France then controlled: France, Belgium, Luxembourg, chunks of Germany and Italy, and was later spread further across Europe. In 1807 it became known as the Code Napoleon. It was supposed to be written fresh, and based on the idea that a law based on common sense and equality should replace one based on custom, societal division and the rule of kings. The moral justification for its existence was not that it came from God or a monarch (or in this case an emperor), but because it was rational and just. To this end, all male citizens were supposed to be equal, with nobility, class, position of birth all wiped away, but in practical terms much of the revolution’s liberalism was lost and France turned back to Roman law. The code did not extend to emancipating women, who were subjugated to fathers and husbands. Freedom and the right of private property were key, but branding, easy imprisonment and limitless hard labor returned. Non-whites suffered, and slavery was allowed in French colonies. In many ways, the Code was a compromise of the old and new, favoring conservatism and traditional morality.

The Napoleonic Code was written as several ‘Books’, and although it was written by teams of lawyers, Napoleon was present at nearly half of the Senate discussions. The first book dealt with laws and people, including civil rights, marriage, relationships including those of parent and child etc. The second book concerned laws and things, including property and ownership. The third books tackled how you went about getting and modifying your rights, such as inheritance and through marriage. More codes followed for other aspects of the legal system: 1806’s Code of Civil Procedure; 1807’s Commercial Code; 1808’s Criminal Code and Code of Criminal Procedure; 1810’s Penal Code.

**Justinian Code-Byzatnine/Rome 530s**

Examples of laws from the code:

If you are called to appear in court you have to go. If you don't you can be arrested and forced to go.

If you need a witness in court and they refuse to go you can stand in front of their house and shout out how they are refusing to do their duty as a citizen. You can do this once every three days.

Should a tree on a neighbor's farm be bent by the wind and lean over onto your farm, you can go to court and get the tree cut down.

If fruit falls from your trees it is yours no matter where it falls.

If you lied in court you would be thrown off of the Tarpeian Rock.

You could not hold a political or business meeting at night. Dinner parties and religious festivals at night were ok.

Everyone who died had to buried or burned outside the city.

Rich people could not marry poor people and vice versa

**Brehon laws-ancient laws of Ireland, 7th and 8th centuries**

Analysis of the extant remains of the Brehon law manuscripts has revealed the character of ancient Irish life, society, and social institutions. The basis of that society was the clan. Kinship with the clan was an essential qualification for holding any office or property. The rules of kinship largely determined status with its correlative rights and obligations. The solidarity of the clan was its most important characteristic. The entire territory occupied by a clan was the common and absolute property of that clan, although in the course of time a large and increasing proportion of the good land became limited private property. Thus, the area of arable land available for the common use of the clansmen gradually diminished.

Land was seldom sold and not often rented in ancient Ireland. Nobles and other persons holding large areas would rent to clansmen not the land itself but the right to graze cattle, and they sometimes even rented out the cattle themselves. There were two distinct methods of letting and hiring: saer (“free”) and daer (“unfree”). The conditions of saer tenure were largely settled by the law; the clansman was left free within the limits of justice to end the relationship, and no liability was imposed on the clansman’s joint family. On the other hand, daer tenure, whether of cattle or of the right to graze cattle, was subject to a security. The members of the tenant’s joint family were liable to make good out of their own property any default in payments.

No contract affecting land was valid unless made with the consent of the joint family. Other contracts had to be made in the presence of the noble or magistrate. The parties to a contract had to be free citizens, of full age, free to contract, and under no legal disability. A witness was in all cases important—and, in some, essential—to the validity of a contract.

The criminal laws uniformly discouraged revenge, retaliation, the punishment of one crime by another, and capital punishment. Reparations (money or goods) were paid to the family of the victim.

**Feudalism-Western Europe, 10-13th centuries**

A series of contractual relationships between the upper classes, designed to maintain control over land.

At its core, it was an agreement between a lord and a vassal. A person became a vassal by pledging political allegiance and providing military, political, and financial service to a lord. A lord possessed complete sovereignty over land, or acted in the service of another sovereign, usually a king. If a lord acted in the service of a king, the lord was considered a vassal of the king.

As part of the feudal agreement, the lord promised to protect the vassal and provided the vassal with a plot of land. This land could be passed on to the vassal's heirs, giving the vassal tenure over the land. The vassal was also vested with the power to lease the land to others for profit, a practice known as subinfeudation. The entire agreement was called a fief, and a lord's collection of fiefs was called a fiefdom.

The feudal bond was thus a combination of two key elements: fealty, or an oath of allegiance and pledge of service to the lord, and homage, or an Acknowledgment by the lord of the vassal's tenure. The arrangement was not forced on the vassal; it was profitable for the vassal and made on mutual consent, and it fostered the allegiance necessary for royal control of distant lands.

The bond between a lord and a vassal was made in a ceremony that served to solemnize the fief. The vassal knelt before the lord and placed his hands between those of the lord as a sign of subordination. Immediately afterward, the lord raised the vassal to his feet and kissed him on the mouth to symbolize their social equality. The vassal then recited a predetermined oath of fealty, and the lord conveyed a plot of land to the vassal.