**1. Emergence of a civilization – The State and Justice**

1. What characteristics must a State have to be recognized as a State?

(a) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(b) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(c) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(d) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. From what you’ve learned, do Mesopotamian city-states satisfy those conditions?

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1. Below are some examples of legal rules contained in the Code of Hammurabi. Read them, and then and fill in the table that follows.

Several rules in the Code of Hammurabi:

* If a person accuses another person of having committed murder, but cannot prove it, then the accuser shall be put to death.
* If a person strikes a nobleman’s pregnant daughter and she then suffers a miscarriage, that person must pay 10 shekels of silver as compensation for the loss of the unborn child. If the woman dies, the assailant’s daughter shall be put to death.
* If a person strikes a common man’s pregnant daughter and she then suffers a miscarriage, that person must pay 5 shekels of silver. If the woman dies, the person must pay one-half a mina.
* If a man destroys the eye of a nobleman, his eye shall be destroyed. If a man knocks out the tooth of a man of his own rank, his tooth shall be knocked out. \*
* A person found guilty of having put a curse on another person shall be put to death.
* Helping a slave to escape is punishable by death.
* A person who steals property from a temple or the court, as well as the receiver of that property, shall be put to death.
* If a builder builds a house for a man and the construction of that house is shoddy and the house collapses and causes the death of the owner, the builder shall be put to death. If the collapsed house causes the death of the owner’s son, the builder’s son shall be put to death.
* If there is insufficient evidence and testimony to prove that a person put a curse on someone, the accused person shall be thrown into the rushing waters of the divine river and can only prove his innocence by surviving.

\*This is called the law of retaliation, according to which the punishment given to a criminal for the crime he committed should match the crime in kind and degree. That principle is symbolized by the expression "an eye for an eye, a tooth for a tooth".

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|  | Mesopotamia | Modern-day Québec  | Example (Mesopotamia or modern-day Québec) |
| The law of retaliation |  |  |  |
| Equality of all before the law |  |  |  |
| Uniform punishment for the same crime |  |  |  |
| Presumption of innocence  |  |  |  |
| Death penalty  |  |  |  |
| Presence of religious elements in the laws |  |  |  |
| Laws introduced by the State |  |  |  |

1. What are the advantages of having written laws or rules, both in terms of the Mesopotamian code of laws and a school code of conduct?

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1. Discussion time! Are you for or against the following ideas? Explain why you think this way.

a) The right to vote should be taken away from seniors.

 ⃝ For ⃝ Against

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b) Canada should have a King or Queen.

⃝ For ⃝ Against

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c) Canada should bring back the death penalty.

⃝ For ⃝ Against

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