Who Shapes the Law?

Trace how ancient societies made, shared, and limited laws.

MWH.C.1.1 "Analyze the influence of religious, political, and philosophical ideas on society. Compare the origins and spread of the world's major religions and philosophies, including Judaism, Hinduism, Buddhism, Christianity, Islam, Confucianism..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB As you read, underline each way people made laws public or helped shape them. Circle each limit on who could participate or how fairly a law was applied.

Rules, Power, and Participation

1. Imagine a dispute over a damaged irrigation canal in ancient Mesopotamia. A judge in Babylon could consult the Code of Hammurabi, carved on a stone monument around 1750 BCE. Its written rules covered property, work, and family life. Posting laws made royal judgments more predictable, but the code did not treat everyone equally: penalties could differ according to a person's social rank. The king claimed authority from the gods, so law also reinforced his power. The code shows an early attempt to make rules public, not a promise that all people had equal rights.

2. Centuries later, Athens offered another answer to who should shape public rules. In the fifth century BCE, eligible male citizens gathered in an assembly to debate and vote directly on decisions, including laws and war. A council chosen by lot prepared business for the assembly. Women, enslaved people, and foreign residents could not take part, so civic participation had strict limits. The philosopher Aristotle later studied different governments and argued that stable laws should guide leaders rather than personal wishes. Athens helped establish the lasting idea that citizens can participate in lawmaking, even though its definition of citizen was narrow.

3. Rome's republic spread authority among elected magistrates, the Senate, and citizen assemblies. These bodies could influence or check one another, an early example of divided political power, though wealthy Romans held disproportionate influence. The Twelve Tables put basic laws in writing, while Cicero argued that rulers should respect justice and the common good. After the western empire fell, the eastern Roman, or Byzantine, emperor Justinian ordered Roman laws collected and organized in the sixth century CE. His code helped preserve Roman legal ideas for later European lawmakers. Across these societies, written rules could restrain officials, but who could shape those rules remained a contested question.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Hammurabi's code make judgments more predictable while also reinforcing the king's power?

2. Compare how citizens took part in making decisions in Athens and the Roman Republic.

3. What limit on a ruler's decisions appears in the ideas of both Aristotle and Cicero? Use one detail about each thinker.

4. How did Justinian's project help an earlier civilization influence later European law?

3 YOUR TURN

Your own words

Your town must make rules for sharing water during a drought. In five or six sentences, propose a lawmaking process that draws on at least two different historical examples in the passage, and explain how you would avoid one exclusion or inequality described there.

ANSWER KEY

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HIGH SCHOOL · MWH.C.1.1

PART 1 · READ AND MARK

As you read, underline each way people made laws public or helped shape them. Circle each limit on who could participate or how fairly a law was applied. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Hammurabi's code make judgments more predictable while also reinforcing the king's power?	**Its public, written rules gave judges known standards, while the king's claim of divine authority strengthened his power.**
2	Compare how citizens took part in making decisions in Athens and the Roman Republic.	**Eligible Athenian citizens debated and voted directly in an assembly. Roman citizens participated through assemblies alongside elected magistrates and the Senate.**
3	What limit on a ruler's decisions appears in the ideas of both Aristotle and Cicero? Use one detail about each thinker.	**Both rejected rule based only on a leader's wishes. Aristotle favored guidance by stable laws, while Cicero said rulers should respect justice and the common good.**
4	How did Justinian's project help an earlier civilization influence later European law?	**Justinian had Roman laws collected and organized, preserving Roman legal ideas for later European lawmakers.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

During a drought, every household would receive a basic water allotment before businesses receive extra water. An elected council would draft the rule, but all adult residents could vote on it directly. The final rule and its penalties would be posted in public so officials could not quietly change them. A separate group of residents would hear appeals against unfair penalties. Unlike Athens, the vote would not exclude women or foreign residents.

Accept historically accurate comparisons supported by the passage. For the open task, look for a workable proposal using at least two distinct examples and a specific way to address an exclusion or inequality.