



SOURCES AND TYPES OF LAW

1. While all states have their own constitutions, the U.S. Constitution is the Supreme Law of the land. However, it is a little more complex than that. There are different types of laws in the United States. To be the best citizens we can be, it is important that we learn about the U.S. Constitution.
2. Knowing the laws you are expected to follow, and how those laws are made, are responsibilities of citizenship. In this video, you will learn about the different sources of laws in the United States and the different types of law we have.
3. After watching, you will be able to:
 - ◆ Learn about some historical law codes and how those codes influenced the United States.
 - ◆ Recognize natural, constitutional, statutory, case, and common law as sources of law. Be sure to watch video two to compare civil, criminal, constitutional, and/or military types of law. So let's dive into the law!
4. A long, long time ago, in 1772 BC, the Code of Hammurabi was written in an ancient society of Babylon. It included 282 laws for the people of Babylon to follow. It was the first time laws had been written down.
5. Every law was given a code for a specific punishment if the law was broken or a crime committed. The punishment depended on the person's social position. These laws created order and guided people in their everyday lives. Other societies, including the United States, have developed laws to do this same thing: ensure order and justice and guide citizens.
6. One of the most influential law codes in the United States was English Common Law. Common Law developed over centuries and is made up of many different judicial decisions and actions that help govern and guide society and explain how written legal laws should be interpreted and followed.
7. The Bible and the Judeo-Christian tradition also had an influence on the development of law codes in the United States, though it would vary depending on location and time.
8. Another influence on American laws was the Magna Carta. Over in England, way back in 1215, the English nobility came together to draft this document that would protect the rights of the nobility (the highest class of people in England.) The Magna Carta was a government document that limited the power of the king of England.
9. Later on, the American colonists thought that they should have the same rights as Englishmen and that resulted in that big war, the Revolutionary War, where the colonists declared their independence from England to become the United States. The English Bill of

Rights is a law code that had an influence on the Revolution and the ideas of the colonists and the Founding Fathers.

10. When the Founding Fathers were creating the U.S. Constitution, some of the rights that were written in the Magna Carta and the English Bill of Rights were included and were also written into the Bill of Rights when it was later added. One example of this is the First Amendment's right to petition the government and the Second Amendment's right to bear arms, both similar to the English Bill of Rights, and the Fifth Amendment's due process clause, similar to what is in the Magna Carta.

11. Let's check in- Question One: What is English Common Law?

12. Question Two: How did the Magna Carta and the English Bill of Rights influence the development of laws and government in the United States?

→ ANSWERS TO QUESTIONS

13. Now we know what influenced our laws. We are going to learn about different types of laws, but first we need to look at where laws came from, or sources of law.

14. Natural law is one of many sources of law for the United States. Natural laws are common to all of us, unchanging, or as our Founding Fathers called them, inalienable, and come from nature and not any particular document. They cannot be taken away. They are an important component of other sorts of law as well, and include the right to life, liberty, and property.

15. One source of law is the U.S. Constitution, called constitutional law. Constitutional law means that the national or state constitution is the source of the law.

16. The U.S. Constitution is the highest or "supreme" law of the land and that principle is found in Article Six of the U.S. Constitution? The term for this principle is the Supremacy Clause.

17. The U.S. Supreme Court is the highest authority on interpreting the Constitution. An example of this can be found in Supreme Court decisions, such as *Brown v Board Education* (1954).

Another source of laws is called statutory law. Statutory laws are passed by Congress or a state legislature. An example of this is the Civil Rights Act of 1964 passed by the U.S. Congress.

Two other sources of law are case law and common law. Case law means that judges use previous court cases and reference the decisions that judges have made before. This is called legal precedent. Using precedents, court decisions often, but not always, reflect past decisions made in similar cases. There is a similar system for civil cases where the law is based on customs and prior legal decisions; this is called common law. Remember that we mentioned common law when we talked about influences from England on the United States!

21. That is a lot of information. It's important that we be able to explain and summarize each of these concepts, so let's have a check-in to make sure you understand what we have discussed so far.

22. What are five sources of law that you have learned about in this video?

→ ANSWER TO QUESTION

23. We learned about historical law codes that influenced the U.S., as well as sources of law. Be sure to watch video 2 to learn about types of law!

24. It's time to evaluate your understanding. What are some types of law that you've learned about?

→ ANSWER TO QUESTION

25. The code of Hammurabi (1772 BC) included laws focusing on contracts. What type of U.S. law is similar to the parts of the Code of Hammurabi focusing on contracts?

- a. civil
- b. constitutional
- c. criminal
- d. military

→ ANSWER TO QUESTION

26. Let's try another one. Which type of law is used to help solve disputes between people or organizations?

- a. civil
- b. constitutional
- c. criminal
- d. military

→ ANSWER TO QUESTION

27. That was a pretty intense study of law we had today. We learned about many different sources and types of law, but remember that ultimately it is our U.S. Constitution that is the Supreme Law of the Land!