

## Student 3 – LAW Answer Sheet

### Question 1

**Explain the differences between criminal law, civil law, and constitutional law. Provide examples of cases or issues relevant to each area.**

**Answer:**

Criminal law addresses actions that are considered offenses against society or the state, such as theft, assault, or murder. In these cases, the government brings charges against the accused. For example, in a theft case, it is the state that prosecutes the person accused of stealing.

Civil law, in contrast, deals with disputes between individuals or organizations, often involving issues like contracts, property, or personal rights. For instance, if two companies have a disagreement over the terms of a contract, this would be resolved as a civil case.

Constitutional law focuses on interpreting and applying the constitution of a country. It is mainly concerned with the rights of individuals and the powers of government. An example would be a case where someone challenges a law or government action as being unconstitutional.

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### Question 2

**Describe the structure and function of a typical court system. Why is the separation of powers important in the legal system?**

**Answer:**

A typical court system is made up of several levels:

- **Trial Courts:** Where cases are first heard and facts are established.
- **Appellate Courts:** These review the decisions made by trial courts to check for any legal errors.
- **Supreme Court:** The highest court, which sets binding precedents for all lower courts.

The separation of powers is vital because it divides government authority among three branches: the legislative (makes laws), the executive (enforces laws), and the judiciary (interprets laws). This structure prevents any one branch from becoming too powerful and ensures a system of checks and balances within the legal framework.

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### Question 3

**Discuss the ethical considerations and societal impacts of legal practice.**

**Answer:**

Lawyers are expected to follow high ethical standards, which include:

- Keeping client information confidential.
- Avoiding conflicts of interest, such as representing clients with opposing interests.
- Acting with integrity and honesty to uphold justice.
- Helping ensure that everyone has access to legal representation.

The legal profession has a significant impact on society by upholding justice, protecting individual rights, and maintaining order. However, unethical conduct in legal practice can undermine public trust in the legal system and harm individuals or communities.

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#### **Question 4**

**Explain the concept of legal precedent and discuss its advantages and limitations in the judicial process.**

**Answer:**

Legal precedent, also known as stare decisis, means that courts follow previous judicial decisions when ruling on similar cases.

**Advantages:**

- Ensures consistency and predictability in the law.
- Promotes fairness by treating similar cases in the same way.
- Provides guidance to judges and lawyers.

**Limitations:**

- Can make it difficult for the law to adapt to new or changing situations.
  - Older precedents may be outdated or unjust.
  - Too much reliance on precedent can slow down necessary legal reform.
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#### **Question 5**

**Describe the principles of justice and how they are reflected in legal systems.**

**Answer:**

The main principles of justice include:

- **Equality before the law:** Everyone is subject to the same legal rules.
- **Fairness:** Legal processes must be impartial and unbiased.
- **Due Process:** People have the right to a fair hearing and legal representation.
- **Proportionality:** Punishments or remedies should fit the seriousness of the offense.

Legal systems uphold these principles through fair trials, the right to appeal, access to legal aid, and the protection of fundamental rights.