**Nature of Law**

* Laws act as a mirror reflecting the values and ideals of society
* Examples:
  + Laws of ancient societies
  + Slavery in the United States
  + Apartheid
    - Nelson Mandela
  + Canadian Charter of Rights and Freedoms
    - Made everyone in Canada an equal citizen
* Legal thinking is not static – archaic laws are reformed and new ones are enacted
* Ex: Shoes with heels more than 2 inches (5 centimetres) high or with less than one square-inch base are not legal in Carmel, California!

**Legal Philosophy**

* Natural Law
  + Law has divine origin entitling it to supremacy over positive law
  + Ideal, unchanging, universal
  + It influences statute law and court decisions (ex. Canadian Charter of Rights and Freedoms)
    - See: revolution in the middle-east.
  + Plato
    - Laws should reflect universal, absolute, and eternal truths or virtues.
    - Law and justice have to work together (law being “by nature”)
  + Aristotle
    - Rationalism – Humans are born with the power to think and reason, therefore should be able to create laws that are best for all
* Positive Law
  + Law rests in the hands of humans (ex. Statute Law, court decisions)
  + Justice means conformity to the law
  + Law = Justice
  + Bentham
    - Utilitarianism – Humans live to achieve pleasure and avoid pain. Therefore, the purpose of law must be the greatest happiness for the greatest number of people.
  + Austin
    - To achieve happiness, humans must obey the law; this maintains social order.