

Law Module- Week 2: Legal Systems and Classifications

Objective:

- ✚ Recognize different legal systems around the world.
- ✚ Classify laws into various categories.
- ✚ Understand the hierarchy of laws.

Introduction to Legal Systems

- A legal system is a framework that a country uses to create, interpret, and enforce laws. Legal systems vary because of history, culture, and social values. Understanding them helps us know how laws are applied in different societies.

Main Legal Systems

Legal System	Definition	Example Key Feature
Civil Law	Based on written codes and statutes	France, Japan Courts apply written laws strictly, precedent less important
Common Law	Based on past judicial decisions (precedent)	United Kingdom, USA Judges' decisions create binding precedents
Religious Law	Based on religious principles	Sharia Law in Saudi Arabia Law guided by religion; governs both private and public life
Customary Law	Based on traditions and social norms	Indigenous Filipino communities Local customs recognized as binding by law

Example: In the Philippines, civil law tradition dominates because of Spanish influence. In the UK, common law tradition is used; judges rely on precedents when deciding cases.

Discussion Question:

Why do you think different countries have different legal systems?

Classification of Laws

- Laws can be classified according to their function, scope, and content.

Substantive Law vs Procedural Law

Type	Definition	Example
Substantive Law	Defines rights and duties of individuals	Labor Code (defines worker rights)
Procedural Law	Provides the method to enforce rights	Rules of Court (how to file a lawsuit)

Example:

Substantive law: Juan has the right to compensation if injured at work.

Procedural law: Juan must file a claim in the Labor Court following procedural steps.

Public Law vs Private Law

Type	Definition	Example
Public Law	Regulates relationships between the state and individuals	Criminal law, tax law
Private Law	Regulates relationships between individuals	Contract law, property law

Scenario Example:

Public Law: A company fails to pay taxes → government prosecutes.

Private Law: Two neighbors dispute property boundaries → civil case in court.

Hierarchy of Laws

- The hierarchy of laws shows which law takes precedence over another. Higher laws must be followed first; lower laws must conform.

Case Law Explanation & Examples:

1. Constitution: Supreme law; all laws must comply.
Example: The Philippine Constitution protects freedom of speech.
2. Statutes / Legislation: Passed by Congress.
Example: Civil Code, Labor Code.
3. Administrative Rules: Issued by government agencies.
Example: LTO traffic regulations.
4. Judicial Decisions / Case Law: Courts interpret laws.
Example: Supreme Court decisions on privacy rights.

Activity:

Identify one law or rule in your community for each level of the hierarchy.

Historical Context of Legal Systems Civil Law

- Originated in Roman law; codified in the Napoleonic Code.

1. Common Law

- Developed in England after the Norman Conquest; emphasizes judicial precedent.

2. Religious Law

- Exists in societies where religion guides both moral and legal norms. Customary Law: Ancient communities often resolved disputes according to customs; some modern states recognize these formally.

Example: Indigenous dispute resolution in the Philippines allows elders to mediate land disputes using traditional norms.

Case Studies and Examples

Case 1: Civil Law System Maria signs a contract to buy a house in Manila. If there is a dispute, the court will apply Civil Code provisions to determine liability.

Case 2: Common Law System John is sued for defamation in the USA. The court will refer to precedents from previous defamation cases.

Case 3: Customary Law A tribe resolves water usage disputes according to ancestral practices. Local government may recognize the resolution if consistent with national law.

Discussion Questions / Exercises:

1. Compare the advantages of civil law vs common law systems.
2. Why is procedural law important even if substantive law defines rights?

3. Find an example of customary law in your community. How does it affect daily life?
4. Create a diagram showing sources of law and classify them into public vs private law.

Summary

- Legal systems shape how laws are made, interpreted, and enforced.
- Laws can be classified as substantive or procedural, and public or private.
- Understanding the hierarchy of laws helps determine which law applies first. Different countries have different systems due to history, culture, and societal needs.

Homework

- Research and write a one-page report on a legal system in another country and compare it with the Philippines.