


# *What is Law: An Introduction*



Street Law, Chapter 1

# ***Chapter 1: What is Law?***



- **Laws are rules made by the government that tell people in a society how they should act.**
- **law can take many different forms depending on the given society**
- **Stable societies depend on government officials to enforce the laws and the citizens to obey them.**

# *Laws and Values*

- **Laws generally reflect people's ideas about right and wrong.**
- **However, not everything that is immoral is illegal.**
- **Laws often change over time as a society's values change.**
- **One goal of the law in democratic societies is to respect the majority's wants while protecting the rights of those who have less of a voice in the system.**

# *Human Rights*



- **Human rights are the rights that belong to people simply because they are human beings.**
- **Most countries have agreed to recognize and respect human rights by signing the Universal Declaration of Rights.**

# *the Universal Declaration of Rights*

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- **The United Nations has developed a system of international treaties that protects specific human rights.**
- **Many countries also create laws aimed at protecting human rights.**
- **Our Constitution, Bill of Rights, and other state and federal laws are all influenced by a desire to protect human rights.**

# *Balancing Rights with Responsibilities*

- **Americans enjoy many individual rights, but some people argue that these rights must be balanced with social responsibilities to foster a sense of community.**

## *Kinds of Laws*



- **Law can be divided into two major categories: civil and criminal.**

# *Criminal laws*



- regulate public conduct.
- In a criminal case, the government brings legal action against a person and imposes a penalty.



## *Civil laws*

- **regulate relations between private individuals and may be enforced in a civil action by a private citizen (or group) who feels wronged.**

## *Criminal or civil?*

- Sometimes the same act or wrong can be tried as both a civil and criminal case.
- However, criminal cases require a higher standard of evidence for conviction than civil cases, because the penalties are more severe.

# *Standard or “Burden of Proof”*



- Criminal: beyond a reasonable doubt
- Civil: by a preponderance of the evidence

# *Why is there a different standard?*

- Criminal cases involve potential loss of life or freedoms
- Civil cases involve monetary damages alone
- As a society, we place a higher value on life and freedom, therefore a higher burden is imposed on those who would limit or take them away

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# *Our Constitutional Framework*



- **The United States Constitution is the highest law in the United States**
  - **the longest lasting written constitution in the world.**

# *The US Constitution sets forth guidelines for:*



- **the organization of the government,**
- **lists the government's powers and limits,**
- **and outlines the freedoms of United States citizens.**

## *The Constitution also*

- **designates that the federal government's power must be divided among three branches,**
- **each with distinct roles and checks on the other branches' power.**

## *Power is also divided*



- **between the federal and state governments.**
- **Each state has its own constitution,**
- **organizes its government and sets out the rights of its people.**



## *These state constitutions*



- like the federal Constitution, are difficult to change,
- but amendment processes exist and are used when necessary.