Welcome To The Law:

Now that we understand that “the law” comprises a vast array of specific rules, a huge legal system, and important concepts, we need to consider why it exists. What purpose does the law serve in our society? As you will see, the law serves several purposes which are worth exploring.

Imagine driving in your car towards a busy intersection, and seeing complete chaos. Drivers making their own rules of the road, ignoring signals, ignoring stop signs, speeding, failing to properly signal, driving on the wrong side of the road, and basically taking care of their own needs with total disregard for others using the intersection. Fortunately, we do not see this kind of activity on our roads on a daily basis. Instead, for the most part, millions of people and vehicles travel on our public roads in an orderly fashion.

Driving a vehicle in our society is an activity which is highly regulated by law. You need to earn a licence through training and taking tests. Once you have your license, you need to obey the rules of the road or risk losing your licence. If you fail to obey the rules of the road you may suffer various penalties: loss of demerit points, suspension of your licence, fines, or even time in jail. The reason we have so many laws and procedures to regulate daily activities like driving is to prevent chaos on our roads. This is one purpose of the law in our society -- to provide order.

Another purpose of the law is for protection, including protection of people, property, and rights. Staying with our driving example, let’s look at seatbelt laws. Most jurisdictions force their citizens to wear seatbelts by making it mandatory. Why have seatbelt laws? The answer is to protect you. If a driver is careless, reckless, or impaired, and collides with your vehicle, your seatbelt provides you with some degree of protection and in many cases lessens the severity of your injuries or even saves your life. Imagine the situation where a second driver and vehicle are not involved. You simply have a single vehicle accident. Due to tiredness, distraction, or inattentiveness you lose control of your vehicle. You roll your vehicle or collide with an object; again your seatbelt serves to lessen the severity of your injuries or to prevent your death. In this instance, the purpose of the law is the same as in the first situation involving a second driver and vehicle, to protect you. The difference is that in the second case, mandatory seatbelt laws protected you from yourself and your own carelessness rather than the carelessness of others.

Lastly, the law serves the purpose of providing a mechanism for resolving disputes. Use the situation described earlier in which a driver’s vehicle collided with your vehicle. Imagine that the collision caused significant damages to your vehicle and left you with serious injuries. Say your injuries included a back injury which prevented you from working. Now, you are without a vehicle and unable to earn a living. You may need extensive surgery, medications and physiotherapy. Your whole lifestyle changes as a result of the car accident. Naturally you would expect the driver at fault to take financial responsibility for the harm caused. However, without laws, a court system, and the right to sue, it is impossible to exercise your right to justice. The law provides a mechanism to try to get compensation for your injuries.

Diagnostic Questions:

1. In your opinion, which legal concept (e.g. justice, equality, morality, or another of your choice) is the most important to shaping the ultimate concept of law? Explain your answer using at least one specific reference to defend your choice.
2. Think of one example in your life where law protects something. Identify what is being protected, why you would want it protected, and how the law protects it. Remember, this can be a person, property, or a right.
3. Identify and explain a situation in your life in which law serves to create order.
4. Briefly describe the activities in a regular day in your life. Identify and explain at least five specific examples of how the law regulates or influences your daily routine.
5. Identify and explain a law in our society which you believe sets a moral standard, or is based on the values of our society. Why do you think law and morality are so closely related?
6. Think about key concepts or values that Canadian society promotes. If you can not think of any, ask people for their opinions on the values our society upholds. Pick one, identify it, explain it, and suggest ways in which our laws or legal system work to promote or protect that value.