

## RELATIONSHIP BETWEEN LAW AND MORALITY

NATURAL LAW	LEGAL POSITIVISM						
<ul style="list-style-type: none"><li>The idea that there is a real, pre-political set of rules that provide the paradigm against which human laws can be measured</li><li>Natural law is a metaphysical concept (not something physical)</li><li>Cannot be touched, seen or measured</li><li>Really has 2 parts<ul style="list-style-type: none"><li>Metaphysical = Eternal, unchanging, universal = ideal/Form/Ideal Customs</li><li>Temporal, changing, local = positive (human) law</li></ul></li><li>All positive law must meet the requirements of natural law</li><li>Aristotle, Distributive justice = those who are equal, should be treated equally<ul style="list-style-type: none"><li>Corrective justice = correcting an imbalance = utilitarian</li></ul></li><li>Quine: "In this sense, natural law is congruent" = laws are just if they correspond to natural law</li><li>English law Blackstone = Natural law is morally. Legal rules = based on moral rules</li></ul>	<ul style="list-style-type: none"><li>Rejection of metaphysics / Rejection of natural law</li><li>Ideas based on given, factual, positive reality</li><li>1. Facts + values must be separated from each other<ul style="list-style-type: none"><li>Law must be based on facts, not morality</li><li>Rights + Duties have different meanings in law and morality</li></ul></li><li>2. Validity of law cannot depend on its moral content<ul style="list-style-type: none"><li>Law is based on social agreement/convention = social product = can be criticised</li></ul></li><li>Liberal system of institutions = form of social control</li><li>3. Command Theory: Command by a sovereign to those who are in a habit of obeying = criticised by later legal positivists</li><li>4. Hart: Law consists of primary rule-imposing rules + secondary power-conferring rules. These must be generally accepted as common public standards</li><li>5. Accepts that laws can be "bad", but it does not make the law invalid</li><li>6. There is a problem with morally evil laws-cannot be opposed on basis of morality, must be opposed on other legal grounds</li></ul>						
WHAT IS THE MEANING OF NATURAL ORDER?	3 BASIC POSITIVIST IDEAS APPLIED TO LEGAL POSITIVISM						
<ul style="list-style-type: none"><li>There is a natural order or natural harmony that applies to social life and the law</li><li>In legal thinking, the hierarchical structure of these societies were never questioned and were justified (Hobbes, Aquinas)</li><li>This meant that laws were often regarded as being beyond criticism</li><li>If your laws are from natural order and your order comes from God, then criticism of laws is indirect criticism of God</li></ul>	<table><tr><th>EMPIRIOLOGICAL THESES</th><th>SOCIAL THESES</th><th>COMMAND THESES</th></tr><tr><td><ul style="list-style-type: none"><li>is based on the positivist idea that knowledge of facts and knowledge of values are learnt in different ways</li><li>Rejects metaphysical assumptions</li><li>That is because rules can be physically observed while values cannot be so observed</li><li>Therefore rules are relevant to science and values are not</li></ul></td><td><ul style="list-style-type: none"><li>is about the idea that law does not depend on a natural order, but on social and scientific facts</li><li>Rejects the idea of a natural order</li><li>Legal rules come from humans, not from Gods</li><li>Therefore legal rules can be criticised</li></ul></td><td><ul style="list-style-type: none"><li>One of the oldest ideas in legal theory is the idea that law is essentially a command by a sovereign to those who have a habit of obeying those commands</li><li>Rejects the idea of the common good</li><li>Rules deal with individual rights</li><li>Therefore law manages the conflict between society and the individual</li></ul></td></tr></table>	EMPIRIOLOGICAL THESES	SOCIAL THESES	COMMAND THESES	<ul style="list-style-type: none"><li>is based on the positivist idea that knowledge of facts and knowledge of values are learnt in different ways</li><li>Rejects metaphysical assumptions</li><li>That is because rules can be physically observed while values cannot be so observed</li><li>Therefore rules are relevant to science and values are not</li></ul>	<ul style="list-style-type: none"><li>is about the idea that law does not depend on a natural order, but on social and scientific facts</li><li>Rejects the idea of a natural order</li><li>Legal rules come from humans, not from Gods</li><li>Therefore legal rules can be criticised</li></ul>	<ul style="list-style-type: none"><li>One of the oldest ideas in legal theory is the idea that law is essentially a command by a sovereign to those who have a habit of obeying those commands</li><li>Rejects the idea of the common good</li><li>Rules deal with individual rights</li><li>Therefore law manages the conflict between society and the individual</li></ul>
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# Grade 11 Life Orientation Exemplar

**Sumaya Laher, Kate Cockcroft**



## **Grade 11 Life Orientation Exemplar:**

**Life Orientation Gr11 T/g ,      Life Orientation Gr11 L/b ,      Life Orientation Gr12 T/g ,      History Gr11 T/g ,**

**Psychological Assessment in South Africa** Sumaya Laher, Kate Cockcroft, 2013-01-01 This book provides an overview of the research related to psychological assessment across South Africa. The thirty six chapters provide a combination of psychometric theory and practical assessment applications in order to combine the currently disparate research that has been conducted locally in this field. Existing South African texts on psychological assessment are predominantly academic textbooks that explain psychometric theory and provide brief descriptions of a few testing instruments. Psychological Assessment in South Africa provides in depth coverage of a range of areas within the broad field of psychological assessment including research conducted with various psychological instruments. The chapters critically interrogate the current Eurocentric and Western cultural hegemonic practices that dominate the field of psychological assessment. The book therefore has the potential to function both as an academic text for graduate students as well as a specialist resource for professionals including psychologists, psychometrists, remedial teachers and human resource practitioners. The Palgrave Handbook of Autoethnographic and Self-Study Education Research Methods Deborah L. Mulligan, Meg Forbes, Emilio A. Anteliz, Patrick Alan Danaher, 2025-07-21 This edited handbook focuses on the methodological design of autoethnography and self study. Contributions delve into the diverse usage of these novel methodologies providing the reader with a range of applications and researchers are presented with a full discussion of the challenges and the successes of the contributors' experiences. Beginning with the important developments in contemporary philosophy and theory in autoethnography and self study, the book goes on to examine critiques and misunderstanding surrounding these methods, how researchers can engage effectively and ethically with them, their impact on researcher identity and how researchers design the methodology involved in their autoethnographic and self study writings. Drawing on research conducted in the United Kingdom, the United States, Canada, Continental Europe, Asia, Africa and Australia, the book will appeal to academics and researchers applying or researching autoethnography and or self study as well as students deploying these approaches in their work and counsellors, psychologists and social workers who use self narrative techniques with their clients. **Internationalisation in Secondary Education in Europe** Henk Oonk, Ralf Maslowski, Greetje van der Werf, 2011-08-01 The scope of the book is an integrated discussion of several aspects of the internationalisation process in secondary education in Europe. The European and International Orientation (EIO) in education is dealt with from different national angles and theoretical visions supported by recently conducted empirical studies in several countries. The book describes national policies concerning EIO, the way in which schools implement these policies and the success and difficulties of the activities that they undertake. A connection is made with ideas of citizenship in a European perspective and the question comes up for discussion if there can be spoken of common European values. Important issues are explored like the tension between national identity and European

communality as well as the risk of EIO in increasing the gap between lower and higher educated students The mission of the book is provide not only background information to all who are interested in or involved in internationalisation of education social integration and European citizenship but to provide recommendations for future practice as well A central focus in these recommendations is the Common Framework for Europe Competence CFEC the first model that offers the possibility to structurally shape the knowledge and skills concerning the European and international developments in the school Directions for future elaboration of this framework and its implementation in the teaching and learning process in schools are discussed

**X-kit FET Grade 10 Mathematical Literacy**,2006      **Participatory Visual Methodologies** Claudia

Mitchell,Naydene De Lange,Relebohile Moletsane,2017-09-18 This book demonstrates how data from participatory visual methods can take people and communities beyond ideological engagement initiating new conversations and changing perspectives policy debates and policy development These methods include for example photo voice participatory video drawing mapping and digital storytelling Organised around a series of tools that have been used across health education environmental and sociological research Participatory Visual Methodologies illustrates how to maintain participant engagement in decision making navigate critical issues around ethics track policies and maximize the potential of longitudinal studies Tools discussed include Pedagogical screenings Digital dialogue devices Upcycling and speaking back interventions Participant led policy briefs An authoritative and accessible guide to how participatory visual methods and arts based methods can influence social change this book will help any postgraduate researcher looking to contribute to policy dialogue      **Transitional Justice, Distributive Justice, and Transformative Constitutionalism** David Bilchitz,Raisa Cachalia,Magdalena Inés Correa Henao,Nathalia Bautista Pizarro,2024-01-21 This volume offers the first dedicated scholarly comparison of Colombia and South Africa in relation to the intersecting ideas of transitional justice distributive justice and transformative constitutionalism      **Towards a holistic approach to support learners at risk of interrupted**

**development** Macalane J. Malindi,Johnnie Hay,Thabo Makhalemele,2024-02-23 The COVID 19 pandemic and the restrictions that came with it led to unprecedented disruptions in learner development and put them at risk of poor developmental outcomes It is thus important that the extent of the disruption on their development and the support needs of learners be investigated Researching the impact of the disruption should focus on holistic development In this book the authors use multiple research approaches and methods of gathering data in their respective fields to examine the impact of the disruption and determine the support needs of learners Data gathered through the different methods are processed and findings are presented The findings have implications for both practice and future research in the fields of inclusive education learner support educational psychology movement education Life Orientation and curriculum development

**Being a Teacher in Post-Apartheid South Africa** Yusuf Sayed,Marcina Singh,2025-05-01 In a compelling exploration of the challenges faced by newly qualified teachers NQTs in South Africa s evolving educational landscape this book provides

an empirically grounded account of their experiences Drawing on extensive research it offers a poignant narrative that seeks to illuminate the nuanced journey these educators embark upon as they transition from teacher education spaces to the complex reality of classrooms in post Apartheid South Africa The book acts as a crucial platform for the voices of NQTs shedding light on the myriad enablers and disablers they encounter during this transformative period Timely and relevant it tackles pressing questions about the readiness of teacher education to prepare students for the demands of South African schools The book charts the transition from teacher education to active teacher for NQTs The lessons distilled from this research present a clarion call for a re assessment of teacher education policies and practices This book arrives at a pivotal moment as South Africa reviews its teacher education policies With the quality of initial teacher education programmes under scrutiny the book s critiques findings and recommendations serve as indispensable tools for policymakers arguing for the need to reconceptualise South African teacher education policies As South Africa strives to avoid a cycle of developing new teachers only to lose them due to inadequate support this book seeks to support educators policymakers and all those invested in the future of South African education toward creating a more socially just education system recognising the highly unequal society in which teachers work

International Encyclopedia of Education ,2009-04-17 The field of education has experienced extraordinary technological societal and institutional change in recent years making it one of the most fascinating yet complex fields of study in social science Unequaled in its combination of authoritative scholarship and comprehensive coverage International Encyclopedia of Education Third Edition succeeds two highly successful previous editions 1985 1994 in aiming to encapsulate research in this vibrant field for the twenty first century reader Under development for five years this work encompasses over 1 000 articles across 24 individual areas of coverage and is expected to become the dominant resource in the field Education is a multidisciplinary and international field drawing on a wide range of social sciences and humanities disciplines and this new edition comprehensively matches this diversity The diverse background and multidisciplinary subject coverage of the Editorial Board ensure a balanced and objective academic framework with 1 500 contributors representing over 100 countries capturing a complete portrait of this evolving field A totally new work revamped with a wholly new editorial board structure and brand new list of meta sections and articles Developed by an international panel of editors and authors drawn from senior academia Web enhanced with supplementary multimedia audio and video files hotlinked to relevant references and sources for further study Incorporates ca 1 350 articles with timely coverage of such topics as technology and learning demography and social change globalization and adult learning to name a few Offers two content delivery options print and online the latter of which provides anytime anywhere access for multiple users and superior search functionality via ScienceDirect as well as multimedia content including audio and video files

**Collaborative community partnerships across education settings** Mariëtte P. Koen,Luiza O. De Souza,2025-02-25 This book features chapters by scholars from various education fields specialising in sustainability As the

first volume in North West University's Community based Educational Research Series it focuses on transforming education through a participatory approach. The authors explore quality education across early childhood, primary, secondary and higher education by examining collaborative efforts among practitioners, parents and teachers. This scholarly book provides empirical evidence on how collaborative initiatives can promote sustainable development. These initiatives encourage partnerships among community leaders, educators, learners, nongovernmental organisations, government and the private sector for lifelong learning and professional development. It highlights southern African experiences in collaborative education aligned with the United Nations sustainable development goal of achieving quality education. The book demonstrates various research designs and methods applied to educational practice from early childhood to tertiary levels through empirical research and community projects.

**X-kit FET Grade 12 MATHEMATICAL LITERACY** Derek Swart, 2009

**Nation-Building, Identity and Citizenship Education** Joseph Zajda, Holger Daun, Lawrence J. Saha, 2008-12-16. A major aim of Nation Building Identity and Citizenship Education Cross cultural Perspectives is to present a global overview of selected scholarly research on global and comparative trends in dominant discourses of identity politics and nation building in comparative education research. It provides an easily accessible practical yet scholarly source of information about the international concern in the field of nation building identity and citizenship education. Above all, the book offers the latest findings on discourses surrounding national identity, nation building and citizenship education in the global culture. It offers a timely overview of current issues affecting the formation of social identity and citizenship education in the global culture. More than ever before, there is a need to understand and analyse both the intended and the unintended effects of globalisation and the forces of globalisation on nations, organisations, communities, educational institutions and individuals around the world. This is particularly relevant to the evolving and constantly changing notions of nation states, national identity and citizenship education globally. Current global and comparative research demonstrates a rapidly changing world where citizens are experiencing a growing sense of alienation, uncertainty and loss of moral purpose. In this stimulating and important book, the authors focus on discourses surrounding three major dimensions affecting the national identity, nation building and citizenship education debate in education and society: ideology, democracy and human rights. These are among the most critical and significant dimensions defining and contextualising the processes surrounding the nation building and identity.

**Education in the European Union: Post-2003 Member States** Trevor Corner, 2015-07-30. The volume provides a comprehensive reference resource for education in the countries that joined the European Union between the signing of the Treaty of Nice to the present time: Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia. Many of these countries have previously been under the influence of the Soviet Union and are moving through transitional phases towards more western models. The chapters in this volume, written by regional experts, examine the educational heritage of these countries and how these education systems evolved in

response to changing national needs European agreements including the Treaty of Nice and The Bologna Process and international evaluations such as the Programme for International Student Assessment PISA The chapters on Cyprus and Malta show the very special circumstances of these two Mediterranean islands and the international influences that have underpinned their developments in education Contextualising Rural Education in South African Schools ,2023-04-03 South Africa s democratic government inherited a divided and unequal system of education Under apartheid South Africa had nineteen different educational departments separated by race language geography and ideology This education system prepared learners in different ways for the positions they were expected to occupy in social economic and political life under apartheid and was funded and resourced in ways that favoured white people and disadvantaged black people who remain in the working class The newly elected democratic government in 1994 laid a foundation for a single national education system Twenty five years after the dawn of democracy education is still in a parlous state in many communities in South Africa but it is in the rural areas mainly in the former homelands that learners are most disadvantaged Contributors are Olufemi Timothy Adigun Oluwatoyin Ayodele Ajani Alan Bhekisisa Buthelezi Joyce Phikisile Dhlamini Bongani Thulani Gamede Samantha Govender Lawrence Kehinde Nontobeko Prudence Khumalo Primrose Ntombenhle Khumalo Azwidohwi Philip Kutame Manthekeleng Linake Sive Makeleni Nkhensani Maluleke Bothwell Manyonga Mncedisi Christian Maphalala Takalani Mashau Hlengiwe Romualda Mhlongo Rachel Gugu Mkhasibe Dumisani Wilfred Mncube Nicholas Tumelo Mollo Ramashego Shila Mphahlele Fikile Mthethwa Grace Matodzi Muremela Edmore Mutekwe Nokuthula Hierson Ndaba Clever Ndebele Thandiwe Nonkululeko Ngema Phiwokuhle Ngubane Sindile Ngubane Dumisani Nzima Livhuwani Peter Ramabulana and Maria Tsakeni **World Yearbook of Education 1984** Sandra Acker, Jacquetta Megarry, Stanley Nisbet, Eric Hoyle, 2013-03-07 Published in the year 2005 World Yearbook of Education 1984 is a valuable contribution to the field of Major Works *Educational Processes, Decisions, and the Development of Competencies from Early Preschool Age to Adolescence* Sabine Weinert, Hans-Günther Rossbach, Jutta von Maurice, Hans-Peter Blossfeld, Cordula Artelt, 2024-05-03 The contributions to the open access volume are comprehensive summaries of important research findings from the two comprehensive interdisciplinary longitudinal studies BiKS 3 18 and BiKS 8 18 conducted by the research unit BiKS Educational Processes Development of Competencies and Formation of Educational Decisions funded by the German Research Foundation The aim of the book is to present selected important findings from these comprehensive longitudinal educational studies in addition the edition also aims to provide an overview of the design and measurements of the two surveys

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