

Module 1

The concept of law and constitutional law

In this module the student have to differentiate between public and private law and give examples of each. They must also distinguish constitutional law and its rules.



Activity 1

1. In your own words, explain what you understand under the concept "law".
All societies and people need laws to ensure peace and order in society. Laws include Acts of Parliament, laws of nature, science, economic and sport rules and laws.
2. What are the characteristics of law?
 - Set of rules or regulations that facilitate human interaction
 - Ensures order in society
 - Ensure that the law is applied consistently
 - Laws / rules are interpreted and applied by state institutions such as the police, traffic officers and courts.
3. Identify all the branches of law in South Africa.
 - International law
 - Public law
 - Constitutional law
 - Administrative law
 - Criminal law
 - Procedural law
 - Private law
 - Law of persons / personal law
 - Family law
 - Law of personality / personality law
 - Mercantile law / Commercial law
 - Indigenous law
 - Law of patrimony
 - Property law
 - Law of succession
 - Law of obligations
 - Law of intellectual property
4. Explain what Private Law means.
Private law regulates the relationship between two legal bodies.
5. List five divisions of Private law.
See Q3
6. Explain the meaning of Public Law.
Public law regulates the relationship between the state (governments) and a legal subject or between the state and other states.
7. List three types of Public Law.
See Q3

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