

Exercise 5.4. – The role of law

Educational objectives	<p>Ancient philosophers have drawn on different values in defining the purpose of law.</p> <p>The different value options are related to different social and political systems.</p> <p>Theory provides a framework for the reflection of daily experience, in which our value options are guided by our interests.</p> <p>The students are encouraged to make deliberate choices of values within the framework of human rights, to expose them to comparison and discussion and to be committed to them in everyday life.</p>
Resources	<p>Different concepts of the role of law are written on a large sheet of paper and displayed on the wall (see M 1 in materials section).</p>

Procedure

1. The students form groups of three or four and are given worksheets with a list of rules of conduct (see M 2 in materials section).
2. Each group has to relate the rules of conduct to the underlying concept of law (10 minutes).
3. The groups check their results.
4. The students choose the concept to which they subscribe most.
5. The students choose the concept to which they subscribe least.

Extension

Reflection in class:

- Do the rules you apply in your own life correspond to your choice?
- Do you know of rules which come under the options you have rejected? Have you opposed them? Why? What did you do?

Reflection in writing:

- To which concept of the law are you committed most and why?
- State five rules of everyday life that you adhere to.

Materials

(see next page)

M 1: Basic concepts of law

1. The purpose of the law is to prevent individuals from infringing on other people's rights (Aristotle).
2. The purpose of the law is to give each person what he deserves (Aristotle).
3. The purpose of the law is to create a perfect society (Plato).
4. The law serves to prevent the damage done to individuals by injustice (Glaucon).
5. The law should serve to preserve the interests of those who govern (Thrasymachus).
6. The role of the law is to maintain social peace by ensuring the well-being of all and to enforce the practice of that which is useful for society (Protagoras).
7. The purpose of the law is to protect the weakest.

M 2: Rules

1. People who have brutalised their children will be imprisoned.
2. The state will guarantee the unemployed an income which allows them to survive.
3. Priority for jobs will go to the students who have the best grades.
4. All workers will have to contribute something from their earnings to meet the needs of the unemployed.
5. Any action by one person which causes another person damage will oblige the former to compensate for that action.
6. Teachers will make sure that students know that the laws of our society, being the best laws, are inviolable.
7. Any person who demonstrates his opposition to the organisation of society will be interned in a centre for re-education.
8. Only activities allowed by the state for the well-being of all are authorised.
9. Only taxpayers will have the right to vote.
10. All young people will have to belong to state organisations so that they can engage in useful work.
11. Companies should install anti-pollution filters on chimneys.
12. Nobody will be allowed to disseminate ideas which have not been recognised as valid by the government.
13. The state has the right to expropriate if necessary for the public interest.
14. Company directors have the right to organise private security services.
15. It is forbidden to enter another person's home without his or her permission.