



AQA A2 Law – Unit 4C

Introduction

The concepts of law examination answers can cover a wide range of ideas and many different approaches. There is no 'right answer' to philosophical questions of this type, as you will probably realise from looking at the different views of judges and the debates between academics. For this reason the answer to the first question, on law and morals, is written as a guide for what can be covered in a typical question so you can see the broad range of material that could be used. The other two questions have a shorter guide followed by a middle-range answer. These include guidance on what could be improved in order to reach the higher grades.

Each question is worth 30 marks (15 marks each for A01 and A02) plus an additional 5 marks for the quality of written communication (A03).

Chapter 12: Law and morals

It is wise to take the question in two parts. Part A requires a clear explanation of the characteristics of the two types of rule, with the focus on their relationship. This is mostly descriptive (A01) rather than evaluative. Part B is mostly evaluative (A02), analysing and evaluating the examples in A with reference to the specific question about whether the law should reflect moral values. The theories can be brought into either part. If you use them in the first then you can refer back to them in the second.

An answer could contain several of the following key points, but you won't have time to cover everything. There may be a need to strike a balance between breadth and depth – as long as the answer is not superficial and covers the specific question. A candidate who covers a greater number of theories and/or examples would be expected to do so in less detail.

Key points to include

Part A

- Brief explanation of legal and moral rules:
 - Positivism: law can be based on morality, but it is not necessary that it should be. The validity of a law is not affected by whether it is morally acceptable – **Hart**

Unit 4c Study Guide The Judiciary Answers

L Cohen



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The Times Index ,2009 Indexes the Times Sunday times and magazine Times literary supplement Times educational supplement Times educational supplement Scotland and the Times higher education supplement The Northwestern Miller ,1909 San Francisco Chronicle Index ,1979 **Billboard** ,1958-03-31 In its 114th year Billboard remains the world s premier weekly music publication and a diverse digital events brand content and data licensing platform Billboard publishes the most trusted charts and offers unrivaled reporting about the latest music video gaming media digital and mobile entertainment issues and trends Working Mother ,2000-10 The magazine that helps career moms balance their personal and professional lives **Congressional Record** United States. Congress,1972 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873 **Working Mother** ,2000-10 The magazine that helps career moms balance their personal and professional lives *Discourse Production and Comprehension* Roy O. Freedle,1977 The present edited collection of multidisciplinary papers is offered as a stimulus to this ultimate goal Represented here are a wide variety of approaches to the study of discourse sociolinguistics psycholinguistics teacher student interaction conversational turn taking speech acts in developmental psycholinguistics mathematical representations of discourse structure the clinical interview the interactionist approach to discourse language production theories Gricean constraints in discourse and other related issues Preface *The Continuing Study of Newspaper Reading* Advertising Research Foundation,1943 **Transdex Index** ,1990 An index to translations issued by the United States Joint Publications Research Service JPRS **Saturday Review** ,1969 Chicago Tribune Index ,2005 **Newspaper Index: New Orleans Times-Picayune** ,1973 *The Indiana Teacher* ,1958 **Bell & Howell Newspaper Index to the New Orleans Times-picayune** Bell & Howell Co. Indexing Center,1980 **Hoard's Dairyman** ,1922 The Official Index to the Financial Times ,2003 **Editor & Publisher** ,1941 Special features such as syndicate directories yearbook numbers annual newspaper lineage tabulations etc appear as separately paged sections of regular issues Cumulated Index of the Christian Science Monitor ,1968 *The Current Digest of the Post-Soviet Press* ,2003

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