

# Quiz 2

[Science](#), [Social Science](#)



Lecturer: Political Science Multiple choices questions Federal law 2. Malum prohibitum means evil because it is said to be. 3. We don't use it anymore is not true about common law

4. The U. S constitution is the supreme law of the land

5. A law passed by a federal government is called a statute

Short answer questions

Question 6

An adversary system in the united state, is a legal system in which the parties in a controversy usually present and develop most of the arguments as well as submitting evidence which entails questioning witnesses and abides to certain rules which controls the process. One person or a group of people which involves a jury or a judge usually remain passive and neutral throughout the proceeding. Also the adversarial system is used in countries employing common law whereby two advocates are involved in representing their parties ' position in front of a neutral individuals or group of people, this is mostly a jury or a judge or a group of judges who are presiding over the case. It is a two sided structure which encompasses criminal trial courts that involves the prosecution being against the defense. Fairness is achieved when an effective petitioner is able to convince the jury or judge that their view of the case is the right one (Boyack, Connor 2011).

The adversarial system has some perceived advantages which include; It tends to test the validity of arguments and this helps in discovering the truth as the adversaries are are offered equal opportunities to air their arguments for their case and to critically questioning the opponents arguments mainly via witnesses.

Also legal representatives cannot mislead the court through false allegations despite playing a key role to the court.

Objective consideration of the evidence is encouraged by the court via proceedings and rules are carried out efficiently (Gitman, Lawrence and Carl, McDaniel 2008).

The adversarial system is accepted by many communities since it appears to be fair and a sensible method of resolving conflicts or disputes as it satisfies the idea of fair play in a community (Tarakson, Stella 2004).

Sources of the law

Question 8

The law can be sourced from precedents, precedents is sourcing laws from previously made judgments that is judgment passed by some of the intellectuals jurists , it is normally used when there is no legislature in a particular situation where changing conditions arises.

Customs-these are a rules in which a particular family or district in a particular section or tribes have, it roots from long usage that is obtained from the force of the law.

Legislation-entails declaration of legal rules by a competent authority, it's a direct source of the law and it is involved in framing new laws while amending old laws

Statutory interpretation-it involves a process of ascertaining expressions and meanings of letters by courts, it involves constructing or interpretation, as for interpretation the court seeks to ascertain meanings of particular legislations and it is through the interpretations that the judiciary comes up with the law.

Preparatory works-the processes that lead to legislation are subsequently used as guidelines on how laws are interpreted and comprehend acts of legislations and this takes place in some legal cultures (Hein, Paul, Garcia & Clair 1994).

#### Work Cited

Hain, Paul L, F C. Garcia, and Clair G. K. St. New Mexico Government.

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Tarakson, Stella. Everyday Law. Sydney: The Federation Press, 2004. Print.