

Jurisprudence

Date

What kind of jurisprudence?

- ❖ Answer either “analytical j.,” “interpretive normative j.,” or “critical normative j.”
 - A. What is a tort?
 - B. What is the Supreme Court’s reason for overturning state restrictions on abortion in the first trimester?
 - C. When is it permissible for the court to set a high bail amount?
 - D. What is enforcement of law?
 - E. Should “consent of the victim” be a legal defense to charges of murder?
 - F. What is the reason that the Supreme Court holds the Obamacare health insurance mandate to be constitutional?
 - G. What is a contract?

Could these be laws? Why or why not?

1. Red is the best color
2. xoxidfdagftkfsk
3. no one shall think about tomatoes without also considering peppers
4. Police in free states must arrest anyone alleged to be a runaway slave, even if the only evidence is the testimony of someone claiming ownership. Alleged slaves are to be returned to those claiming ownership and are not permitted a trial or even to give their own testimony

Truisms about law

- ❖ All legal systems have judges
- ❖ Courts interpret the law
- ❖ Legal authorities have the power to obligate even when their judgments are wrong
- ❖ In every legal system, some person or institution has supreme authority to make certain laws.
- ❖ A law is something that can be followed (i.e. always normative)
- ❖ Not all legal procedure can be embodied in written law