

**Canadian and International Law 12 (CLN4U)**  
**Chapter 2**

Homework Questions

1. Define jurisprudence and make a case as to why it is important to law. [44]
2. Differentiate between primary and secondary sources of law. [45]
3. Provide an example of a custom that has been incorporated into our legal system. [45]
4. Provide an example of a convention that has been incorporated into our legal system. [46]
5. Briefly outline the role of religion in our legal system. [46]
6. Using *R. v. Lavelle*, section 143 of the Criminal Code and Judge Sopinka's reasoning illustrate how changing societal and political norms impacted on our legal system. [47/48]
7. Explain the terms "ultra vires" and "intra vires" and their importance to the law making process. Provide an example. [50]
8. "The rule of precedent provides for predictability, uniformity, and impartiality". What is meant by this and should it matter? [51]
9. What is the meaning, importance and place of "ratio decidendi" in our legal system. [52]
10. Briefly differentiate between the adversarial and inquisitorial systems of trial. [59/60]
11. Comment on which system of trial you would prefer if you were charged with an offence and you knew you were innocent.
12. Would your answer to the above change if you knew you were guilty? If yes, why?
13. Would your answer change if the crime had been committed against you? If yes, why?
14. Do you believe in the jury system as an effective decision-maker in criminal cases? Provide your reasoning.
15. Differentiate between Substantive and Procedural Law. Provide an example which differentiates between the two. [64]
16. Provide a one line description of each of the various parts of Private and Public Law. [64]
17. You have been given the task of creating a new trial system for the Land of T, that incorporates the best of the adversarial and inquisitorial trial systems. What would your system look like? Provide your reasoning.
18. Would you utilize the jury system in your new trial system? Provide your reasoning and an alternative if you do not select the jury system.