

Chapter 2

1. List the three main branches of law.

- ❖ International law
- ❖ Foreign law
- ❖ South African national law

2. Distinguish between international law and foreign law

International law

- ❖ The legal system created when countries enter into agreements with each other (regulates the relationships between states)
- ❖ Made up of treaties and international conventions that are agreed upon by numerous countries, e.g.: peace treaty, trade agreement
- ❖ Section 239(1) of the Constitution asserts that courts must take international law into account when they interpret the BCR
- ❖ Administered/ controlled by the United Nations (UN)
- ❖ International Court of Justice in The Hague (hears cases) takes action against UN member countries that violates international law

Foreign law

- ❖ Refers to law of other countries
- ❖ Section 239(1) asserts courts and other forums may take foreign law into account.
- ❖ SA court may refer to foreign decisions when it is appropriate to do so

3. With regard to section 239 of the Constitution, distinguish between international law and foreign law.

Answered in Question 2

4. List the three main branches South African national law is divided into.

- ❖ Public law
- ❖ Private law
- ❖ Procedural law

5. Provide an explanation of public law.

The law that governs the relationship between the government and its citizens (vertical relationship)

6. List the branches of law public law is divided into.

- ❖ constitutional law
- ❖ administrative law
- ❖ criminal law
- ❖ labour law
- ❖ law of taxation

7. What does constitutional law deal with?

- ❖ It deals with the Constitution
- ❖ provides for

Chapter 25 Answer

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Table of Contents Chapter 25 Answer

1. Understanding the eBook Chapter 25 Answer
 - The Rise of Digital Reading Chapter 25 Answer
 - Advantages of eBooks Over Traditional Books
2. Identifying Chapter 25 Answer
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Chapter 25 Answer
 - User-Friendly Interface
4. Exploring eBook Recommendations from Chapter 25 Answer
 - Personalized Recommendations
 - Chapter 25 Answer User Reviews and Ratings
 - Chapter 25 Answer and Bestseller Lists
5. Accessing Chapter 25 Answer Free and Paid eBooks

- Chapter 25 Answer Public Domain eBooks
 - Chapter 25 Answer eBook Subscription Services
 - Chapter 25 Answer Budget-Friendly Options
6. Navigating Chapter 25 Answer eBook Formats
 - ePub, PDF, MOBI, and More
 - Chapter 25 Answer Compatibility with Devices
 - Chapter 25 Answer Enhanced eBook Features
 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Chapter 25 Answer
 - Highlighting and Note-Taking Chapter 25 Answer
 - Interactive Elements Chapter 25 Answer
 8. Staying Engaged with Chapter 25 Answer
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Chapter 25 Answer
 9. Balancing eBooks and Physical Books Chapter 25 Answer
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Chapter 25 Answer
 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
 11. Cultivating a Reading Routine Chapter 25 Answer
 - Setting Reading Goals Chapter 25 Answer
 - Carving Out Dedicated Reading Time
 12. Sourcing Reliable Information of Chapter 25 Answer
 - Fact-Checking eBook Content of Chapter 25 Answer
 - Distinguishing Credible Sources
 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development

- Exploring Educational eBooks
14. Embracing eBook Trends
- Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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