**Course Name:** Media Ethics and Laws

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**Introduction to Laws**

**Law** has been defined as “a body of rules of action or conduct prescribed by a controlling authority, and having binding legal force. That which must be obeyed and followed by citizens subject to sanctions or legal consequence is a law.

**Categories of Law**

In a society such as the United States, the law informs everyday life in a wide variety of ways and is reflected in numerous branches of law. For example, contract law regulates agreements to exchange goods, services, or anything else of value, so it includes everything from buying a bus ticket to trading options on a derivatives market. Property law defines people’s rights and duties toward tangible property, including real estate (i.e., *real property*, such as land or buildings,) and their other possessions (i.e., *personal property*, such as clothes, books, vehicles, and so forth), and intangible property, such as bank accounts and shares of stock. Tort law provides for compensation when someone or their property is harmed, whether in an automobile accident or by defamation of character. Those are fields of civil law, which deals with disputes between individuals. Offenses against a federal, state, or local community itself are the subject of criminal law, which provides for the government to punish the offender. Press laws are the laws concerning the licensing of books and the liberty of expression in all products of the printing press, especially newspapers. The liberty of press has always been regarded by political writers as of supreme importance.

**The Purposes of Law**

The law serves many purposes. Four principal ones are establishing standards, maintaining order, resolving disputes, and protecting liberties and rights.

### Establishing Standards

The law is a guidepost for minimally acceptable behavior in society. Some activities, for instance, are crimes because society (through a legislative body) has determined that it will not tolerate certain behaviors that injure or damage persons or their property. For example, under a typical state law, it is a crime to cause physical injury to another person without justification—doing so generally constitutes the crime of assault.

### Maintaining Order

This is an offshoot of establishing standards. Some semblance of order is necessary in a civil society and is therefore reflected in law. The law—when enforced—provides order consistent with society’s guidelines. Wildlife management laws, for example, (such as West Virginia’s prohibition against using ferrets for hunting,) were first passed in an effort to conserve game that had nearly been hunted into extinction during the nineteenth century. Such laws reflect the value society places on protecting wildlife for future generations to enjoy.

### Resolving Disputes

Disputes are unavoidable in a society comprised of persons with different needs, wants, values, and views. The law provides a formal means for resolving disputes—the court system.

### Protecting Liberties and Rights

The constitutions and statutes of the United States and its states provide for various liberties and rights. One function of the law is to protect these various liberties and rights from violations or unreasonable intrusions by persons, organizations, or government. For example, subject to certain exceptions, the First Amendment to the Constitution prohibits the government from making a law that prohibits the freedom of speech. Someone who believes that his free speech rights have been prohibited by the government may pursue a remedy by bringing a case in the courts.

## Functions of the Law

In a nation, the law can serve to (1) keep the peace, (2) maintain the status quo, (3) preserve individual rights, (4) protect minorities against majorities, (5) promote social justice, and (6) provide for orderly social change. Some legal systems serve these purposes better than others.