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The Effectiveness of Social Values and Law in Society

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Abstract: In assessing the social value of law, the chapter uses an approach that considers how certain social goods promote a better quality of life and looks into how law may be able to aid in attaining and securing each social good. It looks at the second methodological principle to determine the actual effects of the qualities of law since empirical methods of investigation are used to analyse how officials and citizens take law in hand. The chapter generally adopts a constitutive view to determine the influence of law in structuring society a collective term for how law organizes the world 'into categories and concepts' and accounts for 'thought and action'. Any person who attempts to study law in society is faced with the dilemma of either taking law too seriously or not taking it seriously enough since one may view law simply as a system of rules. This study will look into ideas that are contained in both perspectives: that law can be a distinctive social phenomenon although it may be interrelated with other aspects of society; that law exercises authority over society but restrains and influences society in doing so; and that law is, in a way, an independent social formation while it is simultaneously interdependent with other social formations. In other words, in studying law, one must be able to look at the qualities specific to law while also considering the role of law and how this affects society.

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