

LEGAL STUDIES

Conditions that give rise to law reform

There are many conditions that give rise to law reform. But what is law reform? Law reform is the process of reviewing existing laws, and amending or creating new laws to help improve our legal system. Changing social values, new technology, and failure of existing laws are all conditions that give rise to law reform.

Changing social values in our society is probably the most important condition in regards to law reform. If the majority of society doesn't believe in a law, or believes a law should be implemented, then the law should be amended to reflect the views of our society. For example, before the law was amended, a husband was legally allowed to sexually abuse his wife, as that was considered a personal or 'family' issue. Society's social values changed, as many believed this was unacceptable. The law was then amended, as a result of a changing social value.

When a new technology becomes available to our society, such as the Internet, there are no laws governing its use. Thus, the law must be reformed so that there are boundaries and limits to protect our society. When the Internet became available, there were no laws regarding cyber-bullying. The law was then reformed to combat such issues as cyber-bullying and defamation. Another example would be piracy on the Internet i.e. illegally downloading music and movies. New technology gives rise to law reform, as seen by these technologies.

When a law fails or becomes outdated, the process of law reform occurs to remove or amend the law. Laws that have failed to perform their intended use should be amended or removed from our legal system, so that law enforcement agencies cannot be able to exercise that law. An example of an outdated law would be the act of execution. When an individual commits a crime, we should encourage that individual to reflect and rehabilitate him or herself, so that they can become an accepted part of our society. Execution does not allow the person to rehabilitate him or herself, and also leaves no room for error, as a person cannot be brought back from the dead. Therefore, the act of execution is a perfect example of a failed or obsolete law.

In conclusion, there are many conditions that give rise to law reform. One would be changing social values, where our law must be reformed or updated to reflect society's views. Another would be the introduction of new technology, as there are no laws governing its use, and therefore no boundaries set to protect our society. Finally, failed or obsolete laws gives rise to law reform as failed laws should not be kept in our legal system, as there is no longer a use for them. All of these examples are conditions that give rise to law reform.