

LAW - The Basics for First Year Students by Marlon Borg

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Former American President Roosevelt in his first speech said that “the future belongs to those who believe in the beauty of their dreams”. The Law course is probably one of the longest and challenging courses at University. However, it is also the course which gives to the students an insight into society, provides them with food for thought and if taken seriously can be the key to making the changes needed in society. One of the most important qualities which one needs upon entering such a challenging course is determination. Determination gives you all the drive you need to be successful. Determination makes you dream and believe in your dreams.

The First year of the course is one in which many try to find their footing. I remember myself along with my friends, how confused we were ... spending half the time at University searching for lecture rooms and the other half trying to understand what the lecturer was saying! But that is normal in the first year. There is a big leap between school and university! Entering the law course isn't like furthering studies in English, French, Mathematics or any other subject, but it is the start of a completely new subject in which one should be mature enough to use all that he has learnt before, in school and in life! The law course is all about maturity, profound analysis of legal writings and how to structure your argument and essays. The course is a very tangible one – you meet the law everyday! People talk about the law everywhere! It is the basis of society – its structure! Probably, the first year can be described as the theoretical part of the course ... but should still be interesting.

Roman Law gives one an insight into the origins of Law, especially in Malta, which derives greatly from Roman Law. The subject focuses much on the historical element of this millennium of legal developments dating from the Twelve Tables (ca. 439 BC) to Emperor Justinian's Corpus Juris Civilis (AD 528) which has served as the basis for legal practice in Continental Europe.

A personal favourite in first year was Constitutional Law, most probably being also the most tangible subject studied in first year. Constitutional law is the body of law dealing with the distribution and exercise of government power. The constitution is the highest body of law defining the fundamental political principles and establishing the structure, procedures, powers and duties of the government. Although, not all that is written in the constitution is justiciable, even the principles contained in it are considered fundamental and by which the government of the day has a duty of abiding. The constitution also contains the fundamental human rights which govern the rights of the individuals in that particular state. The famous doctrine of the Rule of Law dictates that the government must be conducted according to law. In the first year one will be hearing so much about the famous A.V. Dicey – Dicey identified three essential elements from British constitutional law which were indicative of the rule of law: (i) absence of arbitrary power, (ii) equality before the law, and that (iii) the constitution is a result of the ordinary law of the land. (This way, you have the opportunity to know something about Dicey before discovering who he was a week before the final exam...)

Enough said about Constitutional Law, I will now turn onto probably the most confusing subject one will face in the whole of the law course. This is Philosophy of Law. Not because the subject in itself is confusing, but having such a complex subject in first year, where one hasn't even studied any law before, is not an easy task. Year after year, there are appeals to the administration to move this subject further up in the law course, making much more sense not only to the structure of the course but also to the students studying the subject. Philosophy of law is concerned with providing a general philosophical analysis of law and legal institutions. Issues in the field range from abstract conceptual questions about the nature of law and legal systems to normative questions about the relationship between law and morality and the justification for various legal institutions. The subject of political philosophy can probably be described as its easier counterpart. Anyone having had philosophy beforehand will probably find himself quite comfortable with the subject. Others will also do so after some reading.

Criminal Law – last of the compulsory subjects during first year, but not least – is probably one of the most interesting subjects one will come across during the whole course. First year in Criminal law will be dedicated to theory, second year to the more practical and analysis of specific crimes. Essential to anyone studying Criminal Law are the reading of theories written by jurists, which one will hear a lot of during the lectures, and also of Criminal sentences given by the courts which will enable one to understand much more the understanding of the courts of particular crimes and particular theories. Any court sentences can be downloaded from the website justice.gov.mt which will become probably one's most important database during the running of the course.

Regarding the elective study-units, all I can say is choose wisely, take any useful advice that may be given by more experienced students and never hesitate to call upon GHSL for any advice you might need about the law course. Good Luck, enjoy this new journey and be proud to be part of it!