

# LEGAL SYSTEMS: WORLD & HONG KONG



(This set of teaching aids is designed and prepared by the HKU Rule of Law Education Project Team.)

**01.**

**MAJOR LEGAL SYSTEMS AND THE  
LEGAL SYSTEM IN HONG KONG**

**02.**

**CASES AND THE EVOLUTION OF  
LEGAL SYSTEM IN HK**

**03.**

**JUDICIAL REVIEW  
AND HUMAN RIGHTS**

**04.**

**Q&A SESSION**

# 01. MAJOR LEGAL SYSTEMS & THE LEGAL SYSTEM IN HONG KONG

Definition and comparison

## More than law: towards a definition of 'legal system'

'Law is the set of rules and regulations enforced by the government. The formal law, though, is just part of a broader legal system that includes the structures, substance, and culture that breathe life into the law on the books. Together, law and the legal system function as both a method of social control and a means of dispute settlement.'

—Lawrence M. Friedman and Grant M. Hayden,  
*American Law: An Introduction* (OUP, 2017)

# Legal system: seeing more than the rule

Enactment

How did the rule become 'law'?

Who are responsible for making the rule?

- The monarch?
- The legislature?
- The courts?
- Local custom?

The rule

E.g. unlawful killing of another person is a punishable criminal offence



Interpretation

How does the court understand the rule?

How does the court apply the rule to the specific situation?

Enforcement

Making sure people observe the rule

Penalty for those who break the rule