

<Guaranteed>

9511056 Law
HyunSooChun

Do we have freedom to do anything?

Before we go into the details we must first think of the characteristics of rights as a whole. One of the perspectives is that human rights is something already given in humans not something that is given by law or the states. A second view is that it is given by law. a benefit gained by the state not acting to restrict it.

Our own constitution clearly states that rights that are not mentioned with in the scope of the constitution will not be overlooked. Rights derives from the human nature, Then if rights derives from human nature is it absolute or unlimited? Because we have just concluded that rights derives from human nature not from law, if right of freedom has any limit it should first have a limitation within its ownself, not by law. I would like to contemplate this matter not legally but from a purely sociological point of view.

The French declaration of human rights states 'Freedom is the freedom to do anything as far as you don't harm others' meaning that the freedom of individuals maybe pre-state but not pre-society. The freedom of the nationals cannot be absolute or unlimited. Of course the right of freedom must be guaranteed but it is only a relative freedom not an absolute. The right of freedom has in its own restriction that one's freedom ends where another freedom begins.

Freedom from the restraint

9811031 Park Jun Sung

The slavery of our times results from three sets of laws-those about land, taxes, and property. And, therefore, all the attempts of those who wish to improve the position of the workers are inevitably, though unconsciously, directed against those three legislations.

that it becomes evident that the essence of slavery lies not in those three roots of legislation on which it now rests, and not even in such or such other legislative enactments, but in the fact that legislation exists; that there are people who have power to decree laws profitable for themselves, and that as long as people have that power there will be slavery.

Formerly it was profitable for people to have chattel- slaves, and they made laws about chattel-slavery. Afterwards it became profitable to own land, to take taxes, and to keep things one had acquired, and they made laws correspondingly. Now it is profitable for people to maintain the existing direction and division of labor; and they are devising such laws as will compel people to work under the present apportionment and division of labor. Thus the fundamental cause of slavery is legislation, the fact that there are people who have the power to make laws.

What is legislation? and what gives people the power to make laws?

Guarantee of Rights

9511131 Kim Sang In

1. Introduction

The definition 'Guarantee of Rights' could more easily be understood when each term 'Guarantee' and 'Rights' is verified separately. Looking over Max Weber's definition of rights, we will go over how 'rights' is actually made real by 'guarantee' from the government.

2. Guarantee by Government

Throughout history, scholars have tried to find the role of the state in contrast to the people. Many political terms have popped up to define the state of a government in each period of time. We usually divide history with revolutions or other distinct happening, and through this cannot be made exact to the year, we have come to generally understand which time span we are taking about. Ever since the prehistoric age, until the time of modern states, the rights belonged to one ruler. The interest of the people were in the hands of His grace. So guarantee such as protection against outside enemies was solely on the hands of whoever ruled the people. After the Civil Revolution, as modern states started to appear, people took their rights into their hands. So it was said that human rights were given, or inborn. This meant that it was not something that was finally endowed upon by another being, but already enjoyed right from the beginning. The only problem happened to be that whoever had power could deprive another of this right of enjoyment. Division of power came about and also other means to leave the right and its enjoyment where it belonged. From the beginning of the modern state, its role was not to provide enjoyment of right but to leave the people alone and only interfere when national order was endangered. Today, the state does more than just sit and let the people enjoy their right. There is always a risky balance here as to what extent the government can interfere or infringe one's right for the public's interest. This is basically ruled by written law and supplemented by the court.

3. Conclusion

Guarantee of right therefore has changed its literal meaning throughout history. At present it is always a risky balance as to what extent the government must provide for or leave alone people's actions that have legal meaning. For example our National Security Law is criticized for it is largely known to infringe people's right.

Guarantee

9611042 Eungsuk Park

1. Guarantee of Peace (Innocence)

Guarantee of Peace has function of guarantee. The meaning of guarantee be the law is that the law clarifies the limit of rangement and protects people's freedom and rights from arbitrariness. For example, criminal law guarantees that it ensures people's freedom of action in a way that it would not define people as criminals unless they violate the law. So the people can have their freedom to act freely in the limit of law.

To secure it effectively, the law has to be clearly stated, analogical inference should be prohibited and retroactive appliace of law should be also prohibited. If it is not clearly stated in written form, the judge can apply it to the criminals at his own will, which means his arbitrariness. He can translate it in various way according to his subjective view.

2. Guarantee of Order (The Limit of Punishment)

It is so obvious that criminals should be punished. But human rights of criminal's should also be considered. Therefore judiciary cannot sentence a punishment more severely than what is written in the law. In that reason the law is sometimes called Magna Carta for criminals. Punishing more or less severely that the law would be against the equal distribution of power in government and human fights.

In medieval period, the judiciary had absolute power to punish people who violate the law because at that time what the legislation and executive said is that the power to rule is given by god is not worth living and the judiciary can even take the life away. Therefore there was a need to put some limits to protect people's tights from arbitrariness of the law Constitutional guarantee in terms of its contents.

3. conclusion

Order and peace can be obtained by different many ways but by law it can be obtained safely and fast. Some people may say that law is the last thing to lean into, because it is the most unnatural way, but my own opinion it is the best way to make the society what the ruler intends to.

Guaranteed

9411191 KIM, SUNG-EUN

1. Introduction

A socialistic nation refers to a country where the responsibility of providing all citizens with the basic level of necessities for life to enable them to maintain a healthy, culturally adequate life falls on the government, at the same time being the right of the citizens to request these conditions.. Also, the principles of a socialistic nation implies a national principle of realizing welfare for all citizens by means of a constitutional state in order to maintain social justice. As the 20th century approached, labor-management conflicts regarding the distribution of social wealth has been worsening and with social poverty becoming more common, modifications to the capitalistic economic order and revolution of the society has been inevitable. As a result, socialistic nations and a welfare state, which hold responsibility for broad social welfare and perfect employment while being based on capitalistic structures have emerged.

2. The principles of a socialistic nation

By adhering to concepts of social justice concerning conflicts of social class that incurs in an industrial society, a socialistic nation aims to improve society and integrate the society itself. The social justice mentioned here refers to a state where the gains of all members of society are regulated and protected, where welfare of all citizens are pursued equally, where various public taxes are levied equally, and where the principle of equal distribution of wealth that enables each citizen to maintain a adequate level of economic and cultural prosperity is realized.

Also, a socialistic nation is an positive nation, which develops policies actively and intervenes on personal lives, while emphasizing not only national responsibility for individuals but also for responsibility for the society by individuals and between individuals themselves.

To realize these principles of socialistic nations it is requested that:

- i) a series of basic social rights including the right to live as a human being must be guaranteed.
- ii) the social functions of property rights must be emphasized.
- iii) economic democracy such as guarantees of equal opportunities and appropriate distribution of wealth must be realized.
- iv) social welfare and public welfare programs must be pursued.
- v) regulations and control regarding economic order must be enforced.

3. Limitations of the principles of socialistic nations

- (1) Limitations by the principle of a constitutional state A socialistic nation cannot escape the principles of a constitutional state, therefore a socialistic nation, which ignores the procedures of a constitutional state, is not allowed.
- (2) Limitations by limiting the basic rights
A socialistic nation may be able to limit the *basic rights* in order to reach its objectives, but it may not harm the essential contents of freedom and rights.
- (3) Limitations by financial, economic power
Securing of budgets to realize a socialistic nation can only depend on the financial, economic power of that nation.
- (4) Limitations by the principles of subsidiarity.
Social problems must be first solved on a personal basis, and a nation will only intervene if that is not possible.

Civil defense

9816019 Jung-Won Lee

In war or national defense, all nonmilitary actions taken to reduce loss of life and property resulting from enemy action. It includes defense against attack from conventional explosive bombs or rockets, nuclear weapons, and chemical or biological agents. During World War 11 the threat of aerial attack on cities became sufficiently great to call for organized civil defense planning. Although a few special air-raid shelters had been built in Great Britain and Hawaii, civil defense tactics during the interwar years consisted principally of utilizing improvised shelters, such as basements and subways. Germany built special bunkers for a small fraction of its population, and these proved to be effective in saving lives. Other World War 11 civil defense tactics included blackouts to reduce the glow from city lights that could guide enemy pi 'lots. The British government provided its people with gas masks, and practically all countries involved in the war trained citizens in fire fighting, rescue, and medical first aid.

The relatively small weapons used in World War 11 had afforded time for people to learn by experience that shelters were safer than ordinary buildings, and for civil defense volunteers to be recruited and trained after the war had begun. But with nuclear weapons that can destroy whole metropolitan areas at one blow, there is no opportunity to learn from repeated attacks because the first attack, in all probability, will accomplish its mission.

These radical increases in destructive force caused equally radical changes in civil defense policies. Although almost any shelter provided reasonable protection against conventional

bombs, nuclear weapons required a policy of locating and marking sites that offered the best possible protection in the area. Consideration was also given to the evacuation of urban centres if an attack seemed imminent. With the advent of shorter warning times and with better understanding of the radiation hazards of fallout, however, this policy lost its appeal except as a possible pre-first-strike measure to be employed by an aggressor nation.

From the 1960s on, the attitude of the public in the West ranged from apathy to a crusading zeal for national defense and survival. Some peace organizations opposed all civil defense measures as futile and likely to encourage the acceptance of war as inevitable. The Soviet Union organized the most comprehensive civil defense program, with compulsory public training and drills, periodic alerts, and widespread dissemination of information and propaganda.

Significant civil defense measures that may be taken in peacetime include provision of warning and of communications; training of the populace in first-aid means and in radiological monitoring; reduction of fire hazards; and modification of building codes and general urban planning to incorporate such features as increased structural strengths and fireproofing of buildings, duplicate and emergency public utility services, community shelters, and wide streets and adequate parks to provide firebreaks.