

What is Law?

The term law is derived from its Teutonic root lag which means something which lies fixed or evenly. In English, it means something which is uniform. The word law is employed in the modern usage in a variety of ways.

In physical sciences like Physics and Chemistry it is used to denote the sequence of cause and effect. In social sciences, it refers to the rules which regulate human conduct in various spheres of social life.

Laws which govern motives and internal actions of men are known as moral laws and those which regulate external human conduct are known as political or positive laws. The former are enforced by the force of moral sense of the people but the latter enjoy the sanctions of the authority of the state.

These laws are moved by the executive as the bills, passed by the legislature and thereafter assented by the head of the state. Political Science is mainly concerned with them.

We ordinarily use the term 'law' to mean a body of rules to guide human action. In any community, there are certain set customary ways of carrying on social activities, which save time and avoid friction.

They form a sort of unwritten code, enforced by parental and religious authority or by the pressure of public opinion. Some of these customs, however, may become so important in the interest of general welfare that stronger pressure than social authority or opinion must be brought to bear on those members of the community who act in violation of accepted social standards.

Whenever any community, acting through its government, undertakes to apply such pressure by fixing a penalty for violation, then such customs cease to be purely social and become Political. They become the laws of the land.

They are virtually commands, ordering or prohibiting certain actions, disobedience to which involves a penalty inflicted by the Government. The various definitions of law given by eminent jurists may be given as follows:

- *"Law is that portion of the established thought and habit which has gained distinct and formal recognition in the shape of uniform rules backed by the authority and power of government."* (Wilson).
- *"Law is a general rule of external human action enforced by a sovereign political authority."* (T.E. Holland).

- *"The law constitutes body of principles recognized or enforced by public and regular tribunals in the administration of justice." (Pound).*
- *"The law is a system of rights and obligations which the State enforces." (Green).*
- *"The law is the body of principles recognized and applied by the State in the administration of justice." (Salmond).*
- *"Law is the command of a sovereign, containing a common rule of life for its subjects, and obliging them to obedience." (John Erskine).*
- *"Law is the command of authorized public organ acting within the sphere of its legal competence." (Gettell).*