

Introduction to Law

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1.Nture of Law

The law affects every aspect of our lives; it governs our conduct from the cradle to the grave and its influence even extends from before our birth to after our death. We live in a society which has developed a complex body of rules to control the activities of its members. There are laws which govern working conditions (e.g. by laying down minimum standards of health and safety), laws which regulate leisure pursuits (e.g. by banning alcohol on coaches and trains traveling to football matches), and laws that control personal relationships (e.g. by prohibiting marriage between close relatives). So, what is 'law' and how is it different from other kinds of rules? The law is a set of rules, enforceable by the **courts**, which regulate the **government** of the state and govern the relationship between the state and its **citizens** and between one citizen and another. As individuals, we encounter many '**rules**'. The rules of a particular sport, such as the rules of a club, are designed to bring order to a particular activity. Other kinds of rule may really be social conventions, such as not speaking ill of the dead. In this case, the 'rule' is merely a reflection of what a community regards to be appropriate behaviour.

2.DEFINITION AND MEANING OF THE TERM 'LAW'

It is very difficult to state a single and accurate definition of the term '**LAW**' as it is a general term and has different connotations for different people. For example, a common man may think of law as a set of rules he has to obey whereas, for a **judge**, it is nothing but a set of **guiding principles** to be applied in deciding cases. Likewise, the law has been variously

defined by various individuals from different points of view and hence there could not be and is not any unanimity of opinion regarding the real nature of the law and its definition.

‘Law’ in simple terms implies ‘rules’ and as such includes different sets of rules which **governor** regulates various external human actions and conduct of individuals, institutions, and the Government with each other. But, merely rules or sets of rules do not mean law, they must be enforced by **the sovereign state** and must receive recognition.

Law is a system of rules enforced through **legal institutions** to govern an individual’s behaviour. Laws can be made by the legislature through **legislation**, the **executive** through **decrees** and **regulations**, or **judges** through **binding judgments**. Private individuals can create legally binding **contracts**, including **arbitration agreements**.

It is possible to describe the law as the body of **official rules** and **regulations**, generally found in **constitutions**, legislation, **judicial opinions**, and the like, that is used to govern society and to control the behaviour of its members, so the law is a formal mechanism of **social control**.

3.Functions of Law

*Law fulfils several important functions, but these are the most important:

- 1.Maintenance of law and order in society.
2. Protection of **Fundamental Rights**.
- 3.Control of **Political System**.
4. The regulations of economic activity.
5. Regulations of human relations.
6. International relations.

Terminology:

English	Arabic
Courts	محاكم
Government	الحكومة
Citizens	المواطنون
Rules	القواعد
Judge/ judges	القاضي/ القضاة
Governor	الحاكم
The sovereign state	دولة ذات سيادة
Legal institutions	مؤسسات / هيئات قانونية
Legislation	السلطة التشريعية
Executive	السلطة التنفيذية
Decrees	مراسيم

Regulations	الـتنظيمات
Binding judgments	أحكام قضائية ملزمة
Contracts	العقود
Arbitration agreements	اتفاقيات التحكيم
Official rules	القواعد الرسمية
Constitutions	الدساتير
Judicial opinions	الاجتهادات / الآراء القضائية
Social control	الرقابة الاجتماعية
Fundamental rights	الحقوق الأساسية
Political system	النظام السياسي

The distinction between the synonyms of the term Law:

Law- Bill – Act- Statute – Code- Regulation- Order – Decree Law.

English	Arabic
Law	قانون
Bill	مشروع قانون
Act	قانون تشريعي
Statute	نظام قانوني
Code	تقنين
Regulation	تنظيم
Order	أمر
Decree Law	مرسوم