**Government.**

What are state statutes?

State statues or laws are state provisions of a country that governs that country.State statues have a variety of interpretations and therefore no definite definition since the word law is all embracing in scope and dimension.Law is therefore an idea which has different meaning in different places or societies at different times subject to amendments.Although state statues or laws has been around us for many years,having a clear cut definition has been difficult to come by.In essence,there are 6 main schools of thought that are dominant when it comes to defining law e.g the positivist definition,naturalist definition,sociological definition amongst others which this paper shall adress.But despite there being so many diverse definitions,most contradicting each other ,such detailed and clear sets of laws have been developed across the world in all states.This therefore mean that we accept the idea of law and what it postulates with no precise definition.Even though we prefer to think of law as objective most of the time,it’s mostly always subjective and this is best illustrated in the courts of justice where we observe sometimes judges making decisions based on the rationality of the matter and this is most always what they deem correct or wrong.This implies that they interprete the law differently hence bear subjective definitions of what is to be pronounced as the law.

Various scholars have come up with various definitions of the law and essentially the law as a concept or idea.Karl Max defined law as a tool of oppression of the bourgeoisie against the lower class proletariats ,Herber Hart defined law as a pure science that should not be corrupted by concepts of morality.Law is defined as a set of enforceable norms that govern social relation and is enacted by political system.Law can also be defined as an ideology,an ideology is a system of political beliefs in its broadest sense and therefore law and politics are closely linked.As for most people,Law is the legal manifestation of a political ideology.peoples’ political opinion would be expected to shape the practice and activity of law,so Law appears to emerge from ideology in a straightforward and uncontroversial manner.This means that its merely out of possibilities to have an universal definition of law if we were to consider the political influence towards the law.Therefore ,what autocratic states like Russia and North Korea define statues to be ,what capitalistic states like USA defines law and what religious state like UAE defines law can never be in concurrence.The understanding and definition of law is therefore what the dominant ideas and ideology in the surrounding of its application potrays it to be.

Statues are essentially manifested ideas to govern people,For instance a bill is proposed in parliament,the journey begins by the proposer having a simple idea to what law should be,followed by drafting,debating at voting in parliament.For the moment Law is simply an idea until it reaches presidential assent.A law journey involves various processes before it is fully assented into law.To become legislation ,the concept inform of a bill must be passed by both houses in the same form.This is accomplished using a step by step procedure for example the law making process in Kenya involves,the bill is first read in parliament,the bill is assigned a tracking number and immediately assigned to a committee for analysis.No debate arises and no vote is taken at this stage.The next step is the second reading,the bill is deliberated upon by the house extensively and the main debate is on the principles and objects of the bill.Incase of any amendments,the second reading is deferred to a future date.A vote is taken on the general outlines of the bill before it is designated back to the committee for further analysis.The next stage is the third reading,at this stage the bill is read a third time including its amendments and its given final approval by parliament.The granting of presidential assent is the final process by which the head of the executive arm of government completes the legislative process by formally assenting or signing the parliamentary bill into law.

From the above case example it is clearly manifested that law is a formal conceptualized idea that undergoes various stages to its maturation as law,in addition,some of the traditional and generally agreed definitions of law bears the same outcome with similar instances and contradictions.The sociological school of thought believes that law is an instrument or tool used to help the society achieve its goals.But this is not always the case since at some instances law has been used as oppressive tools to the society like excessive taxation.The realism school of thought argues that law is what the courts stipulate it to be,according to Oliver Wendell Holmes,Law is a statement of circumstances in which the public force will be brought to bear upon the court.The decision of the court are simply reliant on Judges decisions.The judge looks at various situations and circumstances before giving a verdict,therefore the judge analyzes situations and develops idea being guide by the constitution to what applicable law should be.This implies that laws are simply medley of conceptualisation put together.Judges cannot predict every single scenario in advance to enforce laws to govern a state as some are developed based on previous instances.Realist look at the actual works of the law and not traditional definitions.

Natural law theory defines law as certain rights inherent by virtues of human nature,traditionally endorsed by The utmost ruling force of the universe.Law is defined based on morality such that humans being by virtue of their nature figure out what should be in their interactions and act in conformity to those laws.An example is the law stipulated by the Bible as the Ten Commandments.If these were to be used as standard definitions of state statutes,then its implications might be challenged as is not always the case judging for instance with the Jewish holocaust that raised from the Jewish massacre.Definition to what is right or wrong is not always as straightforward,people interpret situations and nature differently leaving the naturalist definition with a multiple conscience problem where individuals believe certain statues to be law without a definite definition.Positivist argue that laws are discovered,H.L.A Hart defines law as a combination of primary rules of obligations and secondary rules of recognition.Austin proposes that laws are not influenced by morality or any other exogenous factors but law itself determines the conditions of its own existence.He argues is created by the sovereign of different states and therefore international law cannot exist since there are no international sovereign authority which is not the case as international law exist.This therefore implies that the standard definition of law cannot be restricted to the positivist but rather Law is just a wide concept.

Karl marx definition of law suggest that law is a tool of oppression used against the poor.He envisioned the society to consist of two classes,the bourgeoisie and the proletariats.The bourgeoisie influenced the state to formulate laws in their favor and therefore exploit the poor.He inclined to the idea of communist rule and greatly de popularized the idea of law as the constitution.As much as Karl Max inclined to his definition of law and its merit,Capitalism has still brought out very positive changes in the modern society and therefore rendering law to be a matter of wide subject.Therefore,laws turn out to be ideas and conceptualisation of different societies with those societies applying law based on their own unique circumstances.Additionally,law in an utilitarian society is described as what the majority prefer,even though there might be statues drawn guiding the public as law,should the public deem those statues as unacceptable,the law is amended all together.For instance some nations might prefer state sanctioned execution on certain criminal individuals and if death sentences had been outlawed, then it means that the law would have to be amended to consider what the majority sees fit.This implies that law is a dynamic subject since society preferences change from time to time.

Additionally,historical law school of thought describes law as a product of history and customs of a society that must be elevated in a historical perspective.It sets out possibilities of analysis of law along periods of history allowing investigation of topics and questions that can be studied in no other way.Major flaw of historical definition is that sources might not be reliable and may set out misleading facts about past events due to unreliable evidence.Its therefore clear that a single definition of an universally agreed definition of law can never materialize since as much as majority of people support certain cumulative ideas to be law,there is always most another group that disagrees hence showing the subjectivity in defining law/statute.Law is an idea or conceptions as its nature presupposes its unique social-political phenomenon with more or less universal characteristics that can be discerned through philosophical analysis.Judges and magistrates are bound to differ in ideas about law according to their specific jurisdictions when examining particular cases.Friedrich Karl Von argues that the nature of law is not universal,just like language ,it differs with societies and age.This implies that state statues or laws are simply ideas and concepts applying to different societies as a tool of governance applicable to those sets of people.

Statues acts as instruments used to govern the society without which it would be impossible to administer policy and actions upon the public.Statues defines the responsibility and obligations of the ruling authorities and their subjects.It links the public and the administration by stipulating the common rules of the game/interactions.Statues also defines rights and obligation the citizens bear upon each other,for example,state provisions on property rights guarantees ownership to every entitled individuals to a given property,any encroachment by non-entitled members attracts legal penalties to those members.This ensures property rights are well maintained therefore fostering peaceful coexistence within the society.Statues also consist of the voting rights,marital rights,freedom of expression,rights to utility of public goods such as healthcare and education which are substantive issues in the society.It can therefore be the case that the society is law and statues is the society.The society is a social block and therefore there must be predefined rules of interactions stating rights,obligations and boundaries across individual members.These provisions must be enforceable to the public.

In many states,the executive arm is assigned the power of law or statutes implementation.The judicial arm is responsible for interpretation and enforcement of law.It is the main body that governs the law.Judges and lawyers undergo professional training of the law,they study the constitution and therefore utilizes it as the guiding principle of the law.In autocratic societies,statutory provisions are what the state pronounces them to be so.The state as the ruling authority formulates and amends the legal contract or constitution and pronounces it as the law applicable to every citizen.Legal penalties are attached to these state provisions such Incase of any abuse of the law,legal actions might be taken against law offenders.In commonwealth and capitalist states in general,the constitution acts as the main body that constitutes the law and is supplemented by other bodies including acts of parliament,judicial acts amongst others.

*References*

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