

Law on Books and Law on Action

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Abstract

Social engineering is a sociological term, it means a situation where self-interest and social interest is a perfect balance. In society , n number of member resides , they all have individual interest and for that they work but due to aim of achieving self-interest, social interest get hampered which makes society imbalance . To avoid this conflict some of the rules, norms, and customs have been noted down in book in form of law. Law on book is an ideal solution for making society to work peacefully. But society keeps changing very rapidly, so the principle written down in books becomes hypothetical, irrational and ineffective. So, need is that law on books should be made in such a way that it can become law on action. In this essay we will discuss various aspects of law on action and law on books, their significance, imbalance and solution for making balance.

Introduction

Law on Books

It is cultural practice in law school among law professor who taught and conducted research on legal doctrine {rules of law} as the proper object of legal knowledge.

Legal doctrines as taught in law school are literally “books” of law. Most law courses are compendiums of cases , statues and regulations organized by substantive legal area or topic : torts , property , criminal law , taxation , professional responsibility etc. Each area is organized by legal content or legal doctrine. Legal doctrine is relevant to but often far removed from law on action.

Law on Action

It is an decision, action or transaction made or contemplated by individuals and organizations as to which law or legal consequence might be relevant and might have impact on how decision are made . The decision can be those made by lawyer practicing law but May also be made by organization and citizen in the ordinary business of life.

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Law in action also depends upon social and economic condition of society. The social and economic condition of society varies from time to time, so what today in law in action might not be law in action for tomorrow. It whole depends upon realistic conditions of society.

Significance of Law on Books and Law on Action

This essay does not favor one among two but rather advocates that both are significant from their stand. From one end law on books is made by the research, seminar and data and draft it down on book as how law in function and what law are needed to add or remove. Law on book provides resources and raw material for society. But function of law on books is not completed until law on action does not perform his job. Law in action is just act which is made while keeping in mind law on books. So, if one exit than it will be of no use , so there is a need of ideal situation where law on action is being conducted on basis on law on books.

Reasons which Create Differences

1. **Hypothetical and complex law:** To make law work effectively, law should be made in such sense that it could be understood by everyone and can be applied easily. From layman to lawman, each citizen of country should know law and its working. The law which has too much of clauses and lots of amendment make its complex to understand and to work, by this law become more of hypothetical and less of practical sense. Complexity of law is one of the basic reasons which create difference between law on books and law on action.
2. **Rigidity:** Coming the second aspect which make difference, is rigidity. Nothing is permanent in this temporary world. With time social norms changes , social values changes , social will changes , crime changes , pattern of occupation changes and by result society overall change. So, the point is that how law can remain static and rigid. Framing of law should be such that it should be change from time to time and from circumstances to circumstances, moreover if its nature is not fruitfully as per present conditions, than it can be vanished. Let us take an example of law of reservation for minority sector of society in India. As law was made in 1948, that time reservation is necessary .As with time in later 90's the amendment was made which increase criterion In it. But now social conditions do not need any reservation, as it is basic part of drafting of constitution, it can't be changed easily. Now in Indian society even reservation is available but use of this law is very less because of its rigidity. Therefore we can say rigidity is also basic cause which creates difference between law on book and law on action.
3. **Baseless law:** These are law which do not have stand related to social condition of society. In more details law which opposes the social norms of society a hinder in its working than society ignore such law. Say for example Dowry act stats that 'any person give or take money or property or motivate to do so in punishable with fine\punishment under dowry act'. This law is present in constitution of India from long back time but never come into action. as society has norm to take and give

dowry at wedding but in some case it changes its forms and becomes crime and for that if law is created which prohibits dowry, then it would not stand as reasonable ground to control crime. For such crime which is derived out of social norms, law should be made in such manner which works as case and its circumstances are. In this way difference can be lower down between law on books and law on action. Otherwise baseless law will keep on coming and just remain law on book will never become law on action.

4. **False Methodology:** It means such practices or methods which are being prevailed in law school through law on book is being separated from law on action. Conducting research paper, making seminar does not make a sense more as result of these methods will be limited to paper work only. These false practices separated law on book from law on action. In most law school there is a written exam to judge what law scholar has learned about particular section or law, there is less concern about exam which can judge scholar's skill; how to implement that law. As a result false methodology creates vast difference between law on book and law on action from very basic stage only.

Proposed Solution

- (a) Increase in number of legal helping hand -> Valiance which is being committed but pray for justice if remain silent, so in that condition there should be increase in number of legal and social worker should be provided. The government should introduce servant who can go from home to home, to give help and check valiance from domestic level. In this way people will be aware of law and its power and law on action can be more powerful.
- (b) Involvement and Interaction -> Interaction of lawman and policemen with citizen of country should be increased. By such interaction citizen can learn how to launch FIR, what their rights are and how to cope with any problem if it emerges.
- (c) Awareness regarding individual role -> Individual which is a part of country should be made aware about his rights and duties. If any sought of crime is being committed in front of him then he should inform it to police man so that law on action could work better.
- (d) Co-ordination between social norms and law -> If law are made for improving life of human, that they should be made keeping concern human activity in society. Law which contradicts social norms of society will be ignored and left as only law on books. For making law on books useful law should be made with concern of social norms.
- (e) Awareness programs-> The power of law, the right of individual, the notion of equality and liberty should be told and made understood to each and every citizen of society. The awareness program should be started from very village and school level, so that law on action and law on books should be known from very basic level of society.

Conclusion

It is well said “where there is a problem is a solution similarly where there is a crime there is a law”; matters what how it is implemented. As both faces of coin are important are complete each other similarly both the aspects that is law on books and law on action complete each other. For making society stable, law should be made keeping social norms in mind and law on book should be implemented by increasing involvement of legal and social clinics etc. As by increasing involvement crime can be decrease and as a result of this we can say that law on book is same as law on action.

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