

# The Importance Of Legislation And Legislative Law In The Modern Era

**Harikumar Pallathadka**

*Manipur International University, Imphal, Manipur, India  
harikumar@miu.edu.in*

## **ABSTRACT**

*Legislation or is the process or act or process of making laws. Legislative law is the law that has been enacted by the legislature and describes the legal requirements, as well as the punishments that are given when the laws are violated (Babanina, 2018). The legislation covers several parts and aspects of the society, for example, land, animal and human rights, use of public property, et cetera (Aleksynska, 2016). Legislation can be in the form of bills, joint resolutions, simple resolutions, and concurrent resolutions, where bills are the most common (Davis, 2016). Bills vary and can be public or private, general or special, permanent or temporary (Finkelman, 2020). Considering whether the bill is private or public, it affects all the citizens (or the public) if it is public. However, a private bill only affects a specified individual, organization, or private party (Finkelman, 2020). Joint, concurrent, and simple resolutions are the other types of legislation. They all have different purposes, such as protecting the rights of the citizens and other emerging issues that either the Senate or House of Representatives need to address (Belew, 2019). A bill is only passed and becomes law if two-thirds of the votes are for it, and the president approves the bill. However, the joint resolution does not need presidential approval so long as two-thirds of the members of both houses approve the bill (Parliament, 2016). This journal discusses the importance of legislation and legislative laws in the modern era.*

**KEYWORDS:** *Legislation, legislative law, bill, resolution, the Senate, the House of Representatives.*

## **1. INTRODUCTION**

As earlier stated, legislation is making laws and extends to the punishments that are given to the offenders (Babanina, 2018). The legislation is usually carried out either by the House of Representatives or the Senate or, in some instances, both (Parliament, 2016). Legislation can be in the form of the bill, joint resolutions, simple resolutions, and concurrent resolutions and requires votes from either house to be passed into law (Finkelman, 2020). The bill requires the approval of the president for it to be law, while joint resolutions only require the votes and approval from members of both Houses (Parliament, 2016). A bill can either be public or private, where a public bill affects the general public like land and security. In contrast, a private bill only affects certain individuals or private parties. Specific instances of private bills are the immigration and naturalization bills, especially in the United States carried out by Congress. A bill, in this case, is used for purposes of relief (Cormack, 2016). It is also worth noting that a bill can only be passed into law if agreed by two-thirds of the votes and approved by the president (Parliament, 2016).

Another type of legislation is the joint legislation, which is similar to a bill except that joint resolution may include a preamble preceding the resolving clause (Forzley, 2017). It can be initiated in the House of Representatives or the Senate. Moreover, joint resolution does not require presidential approval once two-thirds have approved it of both houses. Concurrent resolutions are only initiated when there are matters that affect both chambers of Congress. In contrast, a simple resolution is mainly operations, rules, and procedures in either of the

Houses. All these resolutions serve the purpose of protecting the rights of the public and private sectors, punishing offenders, and other emerging issues (Valcke, 2017). This journal is about the importance of legislation in the modern era, which stretches from public land, immigration laws, racism, discrimination, et cetera.

The legislation is a process carried out by the legislature, which is one of the bodies of the government. Over the years, governments have always been tasked with working towards the interest of the State as well as the citizens. Legislation and regulations have been influential in laying out rules that the public follows and the punishments that the offenders are given (Babanina, 2018). In the modern era, legislation and legislative laws are essential more than ever since every part of the world is experiencing issues, some of which were never encountered before. The agreement to ban nuclear weapons, which was conducted by the Treaty for the Prohibition of Nuclear Weapons (TPNW) signed in September 2017, aims at eliminating nuclear weapons for the safety of the planet (Pedrazzi, 2018). For example, some legislation, such as the minimum wage bill, ensures that companies pay their employees a reasonable amount of money that they can use to support themselves (Aleksynska, 2016). Without legislation in the case of employment, for instance, employers may exploit their employees.

Racism is prevalent, especially in the United States in the past decades, where one of the best examples is the brutal murder of George Floyd by White police officers (Barber, 2020). Racism puts the lives of people of color living in America in danger, and despite the laws that have been passed, they are still inadequate to end discrimination (Jones, 2018). The legislation against racism that was passed from 1993 to 2003 laid out that every citizen of America, no matter their race or place of origin, were to be treated equally in terms of education, employment, human rights, and representation in the government. This shows the importance of legislation, although there is still a lot that still needs to be done since racism is rapidly rising despite the measures that have been taken.

In 2018, the International Standards for Drug Use Prevention (ISDUP) went into its Second Edition and was accepted by Member states and other global stakeholders (Campello, 2016). The legislation laid out on drugs has made steps to ensure that harmful drugs are eradicated, and society is educated on the detrimental effects of the drugs. According to the World Health Organization (WHO), cannabis is the most abused psychoactive drug and alcohol, among other drugs. It is abused by the youths, mainly those in high school or colleges. The addiction that the drugs give their victims leads them to be overly dependent on the drugs and severe health problems such as liver cirrhosis, bronchitis, madness, and in some cases, death. Drugs also lead to poor judgment hence harmful activities such as unprotected sex and fighting, among others. As laid out in the Second Edition of ISDUP, the legislation aimed to forbid the use of transaction of harmful drugs, treatment of persons who have already been influenced by the drugs, the road safety concerning drugs, as well as HIV and other STD that are associated with the use of drugs due to poor judgment.

Land regulations or laws are dealing with the use of land, either public or private. Public land is owned by the government and can only be used for State projects and agendas. Private lands are the lands owned by individuals either by purchasing or the ownership of title deeds. Land use agreements arise, for instance, in real estate and renting of property. Closely linked to land rights are water and mineral rights, and legislation of a land right of another person will in one way or the other affect another person. Considering an instance such as a land easement, encumbrance on another land constitutes another land right.

Land rights are broad and may even constitute aspects such as squatting, where a person lives on land without ownership. Some land rights develop even without state enforcement; a good example is the American West claim clubs, which are the institutions that arose to enforce mining rules (Fountain, 2017). The State's purpose is to issue title deeds

(radical, absolute, or allodial titles), which are helpful for land ownership, land fees, as well as dispute resolution in case disputes, arise (Rhea, 2018). Land rights also give a legal landowner the right to use the land as they wish so long as they don't infringe the rules laid out or others' rights. However, a person may be given land only for specific purposes such as farming or settlement through leasing or renting about land access. The owner can dispel the leaser at any time they wish. In the modern era, unlike the past centuries, the land is getting smaller and smaller due to rapid population growth hence land fragmentation and encroachment of forests (Cubbage, 2018). The land is still an essential source of capital, food, financial security, food, shelter, and other resources, and therefore legislation ensures that people enjoy their rights without misusing the land.

## **2. CONCLUSION**

Summing up, this journal discussed the importance of legislation and legislative laws, which covered a few areas such as land, drugs and substance abuse, racism, nuclear weapons, and employment. The legislation is carried out by the legislature, one of the bodies of the government. Legislations are more critical than ever in the modern era, primarily due to the introduction of matters that were never there before, such as nuclear weapons. The State passes laws to protect its citizens and give out punishments for persons who break the laid-out rules. Usually, the bill is tabled in parliament is voted for or against, and the president either approves or rejects it. For the bill to qualify to be law, it has to receive two-thirds of the votes from both Houses, the Senate and the House of Representatives, and the president's approval.

The modern era is also a global village, and legislation in one part of the continent affects another, especially the ban on nuclear weapons (Pedrazzi, 2018). For the safety of the planet, laws have been passed that encourages countries to avoid the use of firearms. Drugs and substance abuse are also rising, and as stated by the World Health Organization (WHO), cannabis and alcohol are the most abused drugs. Substance abuse affects individuals' health, which then affects their productivity and increases social evils such as violence and prostitution. Racism is also one of the vices in society that has rapidly risen in recent decades, the most recent one being the murder of George Floyd (Barber, 2020). The world is a global village, and therefore discrimination only lags the progress of the world behind. Thus, the legislation and laws that have been put in place are meant to protect every person's rights in the globe and punish the offenders of the law.

**REFERENCES**

- [1]. Aleksynska, M., & Eberlein, F. (2016). Coverage of employment protection legislation. *IZA Journal of Labor Policy*, 5(1), 17.
- [2]. Babanina, V. (2018). Definition of the Criminal Legislation and its Correlation with Criminal Law. *Науковий вісник Національної академії внутрішніх справ*, 109(4), 133-145.
- [3]. Barber, S. (2020). Death by racism. *The Lancet Infectious Diseases*, 20(8), 903.
- [4]. Campello, G., Heikkila, H., & Maalouf, W. (2016). International standards on drug use prevention. *The Cambridge handbook of international prevention science*, 134-159.
- [5]. Cormack, L. (2016). Gender and vote revelation strategy in the United States Congress. *Journal of Gender Studies*, 25(6), 626-640.
- [6]. Cubbage, F. W., McGinley, K., & O'Laughlin, J. (2018). Legislation and policies supporting the sustainable management of forests. *US Forest Sustainability Indicator 7.45.*, 1-3.
- [7]. Davis, C. M. (2016). "Sense Of" Resolutions and Provisions. Washington, DC: Congressional Research Service.
- [8]. Finkelman, P. (2020). The Bills of Rights in Historical and International Perspective: How an 18th Century Document Illuminates Liberty in the 21st Century. *Ohio NUL Rev.*, 46, 291.
- [9]. Forzley, M. (2017). Global Health Security Agenda: joint external evaluation and legislation—a 1-year review. *Health security*, 15(3), 312-319.
- [10]. Parliament, N. Z. (2016). How a bill becomes law.
- [11]. Pedrazzi, M. (2018). The Treaty on the Prohibition of Nuclear Weapons: a Promise, a Threat, or a Flop?. *The Italian Yearbook of International Law Online*, 27(1), 215-234.
- [12]. Rhea, Z. M. (2018). Allodial Traces. In *Land and Water Education and the Allodial Principle* (pp. 17-28). Springer, Singapore.
- [13]. Valcke, A. (2017). Brexit: Protecting Citizens' Rights and New Negotiating Directives. Open letter to Donald Tusk.