# **INTRODUCTION**

This work will consist the three parties which are introduction which state a literal bite about the meaning of law according to standard dictionaries of law and same philosophers also the categories of law in the society. Also will have the main body which state about comparison and differences between function and characteristics of law in the society and then finally will conclude the work.

**THE MEANING OF LAW**

The meaning of law was stated by different scholars according to their view thus represent different meaning of law as follows;

According to standard dictionaries of law

Law as a rule established by the authority or custom regulating behavior of members of a community or country.

According to Blacks law dictionary

Law is the regime that orders human activity and relation through systematic application of the force of politically organized society or through social pressure.

The meaning of law according to same philosophers

According to Aristotle Greek philosopher born 384-322;

Law as general rule that procedures a kind of order in the actions and desire of the citizens which are devised in a national manner by a legislator.

According to Montesquieu born 1689 and died 10 February 1755 defined

Law as a series of relationship which are derived from the nature of things.

According to john lock born 29 Augusto 1632

Law as rules and principles agreed by the people on haw they should be governed in given society or state.

**TYPES OF LAW**

There arevarious types of law which are

1. Natural law

Natural law is a theory in ethics and philosophy that say that human beings possess intrinsic values that govern their reasoning and behavior. Natural law maintains that these rules of right and wrong are inherent in people and are not created by society or court judges.

1. Devine law

Is any law or rule that in the opinion of believers, come directly from the will of God. Example law from God acquired through revelation

1. Positive law

Law that has been enacted by a duly authorized legislature example of positive law are man-made law.

1. Scientific law

Scientific law or laws of science are statement based on repeated experiment or observation that describe or predict a range of natural phenomena.

COMPALISON OF LAW INTERMS OF FUNCTION AND ITS CHARACTERISTICS IN THE SOCIETY.

**CHARACTERISTICS OF LAW IN THE SOCIETY**

1. All law are made to be applied in the society; both law which have been made either by man made ,God, parliament or natural law they should be applied in the society under one law called mother law which are constitution .for example in Tanzania the constitution of the united republic of Tanzania of 1997 are used as the mother law which govern all law in Tanzania .Example of law applied in the society are equality of human right, equality before the law, the right to life and the right to person freedom provided under article 12[1] up to article 24[1] of the constitution of the united republic of Tanzania of 1977.
2. All law is made to be obeyed and followed in the society; all law is made in the society whether is Devine law or statutory law should be followed by all member in the society regarding to their age and sex no one can be above the law all person is under the law. Provided under article 13 [1] state that ‘all persons are equal before the law and are entitled without any discrimination to protection and equality before the law’.
3. Both law created punishment to those who ignored or do not follows the law; all law in the society are made to be followed by member of the communities or country but to those who violented the law he or she should be punished under the rule made accordingly. The penal code are the statutes which states all offences and its punishment for example the offense of rape states under section 130 of the penal code [CAP 16 R.E 2022] which state that rape is an offence for male person to rape a girl or women. and provided its punishment of rape under section 131 of the Pinal code that ‘any person who commits rape is except in the cases provided for in the renumbered subsection 2 liable to be punished with imprisonment for life and any case for imprisonment of not less than thirty years with corporal punishment and with a fine and shall in addition be ordered to pay compensation of an amount determined by the court to the person in respect of whom the offence was committed for the injuries caused to such person. Summarized under the case of Director of public prosecution [D.P.P] V Bernard [1920] AC 479. The fact of the case the accused ravished a girl of 13 years and he furtherance of the act of rape placed his hand upon her mouth and his thimble upon they air through where by caused death by suffocation. The sore defense was dankness’ has appeal against murder was dismissed on the ground that he new that he was committing rape so that is why he put his hand on the girls mouth to stop her from skimming which indicate that he new that he was doing any act which is forbidden by the law.