

Administrative law



**ASSIGN
BUSTER**

Laws, which are made by a country, are supposed to be followed by every citizen regardless of the position they hold in the society; however, does this happen for real? (Simpson, 2005). The many cases reported show that the makers of the laws are prime people to break the law that they made, including the use of all means and ways to ensure nothing binds them to that law. This explains the reason why most of the governments in various countries have the three organs of the government running independently (Kite, 2011). For instance, the congress house is only supposed to make laws and leave the judiciary to implement these laws. This will ensure the right channels are followed, and laws as laid down by the constitution of the land are followed to the letter. The executive, on the other hand, supervises proper implementation of the law by ensuring the right people work in these fields. The state must ensure that the three organs work together for the sake of the citizens and society, at large. The most salient thing here is to note that most of the people, who are in the congress, own a number of investments, and hence sometimes they will pass laws that will ensure that their interests are favored. This narrative illustrates the case about the dam construction as pertaining to the law put forward for the same.

It would be noteworthy to understand the rules or principles put forward by congress concerning the construction of the dam (Kite, 2011). The narrative will start by criticizing the Senator Jones as the chairperson of the agency. The congress of the state has put forward the rule for the construction of the dam. It has only and precisely been stated that the dam should be able to last for 50 years, at least. The rule is just easy to follow, but it was left open; hence, creating room for the navigation of some interested party to fit their

situation. The Agency formed by the state is supposed to ensure that the dams that are to be constructed by the different construction firms meet the requirement of the law (Shroff & Shah, 1999). Contrary to the expectation, the person, who is given the mandate to oversee the working of the agency, is an interested party. It is believed that such a position should be held by a person who has no interest at all. This is the only way to ensure that the agency is managed in the right way, and all rules as laid down by the Congress are followed. It was in the right order for the president's staff to contact Senator Jones for administrative advice on issues regarding the longevity of the dam. Jones being an owner of the construction firm could tell how a dam should be constructed to ensure that it lasts within the given years.

The holding of the position of the chairperson by Jones can be a hindering factor for other firms to work effectively. His voluntary services to work as the chairperson should not only be questioned, but also, he should be put to scrutiny. His position is for personal gain and growth, but not for the sake of the proper administration of the Agency, which aims to ensure that enough and properly conditioned dams are constructed in state "Z". However, Jones ensures that dams are inspected at every stage, so as to ensure that either proper dams are built, or may be to ensure that his own construction firm gets the contract. He personally volunteers to handle the first inspections of the dam, which seems to be a calculated move of ensuring that most of the other firms that offer the same service are rendered unable to build the dams that meet the expectations of the Agency. This could give him a better standing in his investment of his construction firm. Another motive of Jones

can be to ensure that most of other construction firms run at a loss. For instance, failing to approve the clear view dam would mean that Wilma the constructor runs at a loss.

The reason that Jones uses to discard the dam constructed by the Wilma seems that it does not hold a lot of water. The fact that the water of the dam is brown and does not match with green fields and the other water at the surrounding is not one of the laws that were initially agreed by the Congress House at the state Z. This is an additional barrier by the chairperson to ensure that dams constructed by other firms do not meet the standards required by the Agency. Wilma has, therefore, a right to ask for proper following of the laws laid down at the inception of this program. What do the clashes of the colors of the dam have to do with the dams requirements? It would be okay, if the laws stated that the dams are meant for the rearing of aquatic life; however, just a mere construction of the dam should be mandatory that water in it must follow a certain color.

Wilma should state the purpose for his dam. The dams constructed in this case, maybe for the purpose of the hydroelectric power generation or for the aquatic living activity. The purpose for which Wilma intends to have his dam involved will determine also, to a great extent, whether an argument of Jones is valid or not. The brown water in his dam may be because of some algae blooms. Just to give some of the effects of the algae on the water, this may also form part of the explanation that Jones ought to have given. The presence of algae in water makes the aquatic life difficult and also makes water unfit for the intended purpose (Coughlin, 1998). Some of the algae produce dangerous toxins that cause some chronic sickness and even death

to animals and humans. Some of the clear explanation why the water must be clear and free from algae is because of the severe effects of the algae on water. Some of these reasons include and not limited to a low amount of dissolved oxygen, because of algae undergoing reverse photosynthesis during the night and releasing more of carbon dioxide, in the end. The decomposition of algae also depletes oxygen. This will endanger any aquatic life in the water. The algae in the water also causes the foul tastes, and the odor may hinder even animals from taking that water. The brown water also damages the pipes, pumps as well as the filters and screens. The other reason that Wilma should check is the easy penetration of light in the water. Brown water reduces penetration of light, thus decreasing the photosynthetic zone, and this may cause death of the aquatic plants.

The other substantial reason that may be causing the brown water in the dam built by Wilma is allowing more flow of water from outside. Floods from outside will, of course, carry dirty water that will cause browning of the dam water. This can be prevented by ensuring that no water that is dirty is allowed into the dam. The flooding may also occur within the dam. This is mainly because of two reasons: Wilma has no knowledge of occurrences of the floods and secondly, the plans for the space occupancy with regards to the risks of the floods were not adequate. The two reasons should be checked, and proper measures should be taken. However, with the above reasons for brown water at the dam, which now can give him the way forward to improve it, there is still not enough convincing reason as to why the dam should not be approved. It can be strongly held that Jones, the chairperson of the approving Agency, has private reason for failure to

approve the dam. Wilma has two options to use. He can ensure he meets the standard required by the Agency under the chairmanship of Jones or file the case in the court. The first option is extremely dangerous because that would be giving in to improper management of the Agency. It is recommendable for Wilma to take legal action because the condition put by the Congress has been met. The dam is meant for the benefit and improved welfare of the public, and a person should not be allowed to take advantage of his leadership position to destroy the noble call.

In conclusion, the laws are necessary for any development to take place in any place, whether group or individual projects. Some leaders often take advantage of authoritative position that they hold, so that they take advantage of their position and change these laws or even bend them for their own advantage. From the above scenario, it should be strongly believed that Jones has no legitimate intentions of even taking the leadership position of the Agency. The laws, as laid down, should be followed by everyone regardless of their status in the society. This is the only way to ensure social coexistence of people. Jones must stop his private ambitions and look at the interest of the public. Why give such a reason for failure to approve the clear view dam? What has the clashing of the color has to do with the purpose of the dam? I