

## Business Law Branches of Law

Black's Law Dictionary (9th ed. 2009), Bryan A. Garner, Editor in Chief

**private law.** The body of law dealing with private persons and their property and relationships.

**public law.** The body of law dealing with the relations between private individuals and the government, and with the structure and operation of the government itself; constitutional law, criminal law, and administrative law taken together.

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**procedural law.** The rules that prescribe the steps for having a right or duty judicially enforced, as opposed to the law that defines the specific rights or duties themselves.

**substantive law.** The part of the law that creates, defines, and regulates the rights, duties, and powers of parties.

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**administrative law.** The law governing the organization and operation of administrative agencies (including executive and independent agencies) and the relations of administrative agencies with the legislature, the executive, the judiciary, and the public.

**air law.** The part of law, esp. international law, relating to civil aviation.

**animal law, *n.*** The field of law dealing with vertebrates other than humans. • The field cuts across many traditional doctrinal areas (e.g., contracts, torts, administrative law) as well as jurisprudence. Topics include wildlife-management law, laws concerning treatment of laboratory animals, and laws relating to companion animals.

**antidumping law.** A statute designed to protect domestic companies by preventing the sale of foreign goods at less than fair value, as defined in the statute (for example, at a price below that of the domestic market).

**antispamming law.** A statute enacted to combat or criminalize the sending of unsolicited commercial e-mail.

**antitrust law.** The body of law designed to protect trade and commerce from restraints, monopolies, price-fixing, and price discrimination.

**arms, law of.** Rules concerning conditions of war, such as the treatment of prisoners. **2.** The law relating to the right to bear arms.

**bankruptcy law.** Traditionally, a statute that provides some relief and protection to an insolvent debtor or to the debtor's creditors.

**civil law.** The law of civil or private rights, as opposed to criminal law or administrative law. **law of property.** The category of law dealing with proprietary rights in rem, such as personal servitudes, predial servitudes, and rights of real security. • It is one of the three departments into which civil law was traditionally divided: persons, property, and modes of acquiring property (obligations). In modern civil codes that follow the model of the German Civil Code, civil law is divided into five books: general principles, obligations, family law, property, and succession. **law of obligations.** The category of law dealing with proprietary rights in personam — namely, the relations between obligor and obligee. • It is one of the three departments into which civil law was traditionally divided. **law of persons.** The law relating to persons; the law that pertains to the different statuses of persons.

**commercial law.** The substantive law dealing with the sale and distribution of goods, the financing of credit transactions on the security of the goods sold, and negotiable instruments.

**constitutional law.** The body of legal rules that determine the constitution of a state. The field of law dealing with aspects of constitutional provisions, such as restrictions on government powers and guarantees of rights.

**consumer law.** The area of law dealing with consumer transactions — that is, a person's obtaining credit, goods, real property, or services for personal, family, or household purposes.

**consumer-protection law.** A state or federal statute designed to protect consumers against unfair trade and credit practices involving consumer goods, as well as to protect consumers against faulty and dangerous goods.

**criminal law.** The body of law defining offenses against the community at large, regulating how suspects are investigated, charged, and tried, and establishing punishments for convicted offenders. — Also termed *penal law*.

**environmental law.** The field of law dealing with the maintenance and protection of the environment, including preventive measures such as the requirements of environmental-impact statements, as well as measures to assign liability and provide cleanup for incidents that harm the environment. • Because most environmental litigation involves disputes with governmental agencies, environmental law is heavily intertwined with administrative law.

**family law.** The body of law dealing with marriage, divorce, adoption, child custody and support, child abuse and neglect, paternity, juvenile delinquency, and other domestic-relations issues

**forest law.** The body of law protecting game and preserving timber.

**health law.** A statute, ordinance, or code that prescribes sanitary standards and regulations for the purpose of promoting and preserving the community's health.

**insolvency law.** A statute that provides relief to a debtor who lacks the means to pay creditors. • The term is sometimes used interchangeably with *bankruptcy law* because legislative drafting may not produce a bright-line distinction.

**international law.** The legal system governing the relationships between nations; more modernly, the law of international relations, embracing not only nations but also such participants as international organizations and individuals (such as those who invoke their human rights or commit war crimes). **law of the sea.** The body of international law governing how nations use and control the sea and its resources. **humanitarian law.** *Int'l law.* Law dealing with such matters as the permissible use of weapons and other means of warfare, the treatment of prisoners of war and civilian populations in armed conflicts, and generally the direct impact of war on human life and liberty. **laws of war.** *Int'l law.* The rules and principles agreed on by most nations for regulating matters inherent in or incident to the conduct of a public war, such as the relations of neutrals and belligerents, blockades, captures, prizes, truces and armistices, capitulations, prisoners, and declarations of war and peace.

**labor law.** The field of law governing the relationship between employers and employees, esp. law governing the dealings of employers and the unions that represent employees.

**maritime law.** The body of law governing marine commerce and navigation, the carriage at sea of persons and property, and marine affairs in general; the rules governing contract, tort, and workers'-compensation claims or relating to commerce on or over water.

**military law.** The branch of public law governing military discipline and other rules regarding service in the armed forces. • It is exercised both in peacetime and in war, is recognized by civil courts, and includes rules far broader than for the punishment of offenders.

**privacy law.** A federal or state statute that protects a person's right to be left alone or that restricts public access to personal information such as tax returns and medical records.

**real law.** The law of real property; real-estate law.

**tax law.** The statutory, regulatory, constitutional, and common-law rules that constitute the law applicable to taxation. **3.** The area of legal study dealing with taxation.

**usury law.** A law prohibiting moneylenders from charging illegally high interest rates.