

General Legal Principles and History

What is the Law?

Black's Law Dictionary has defined "Law" to be:

"That is laid down, ordained or established" and

"A body of rules of action or conduct proscribed by controlling authority, and having binding legal force".

The simple **DEFINITION** of the concept of the law, however, is:

Rules by which civilization is ordered

Types and Priority of Law

The three basic types of law are **Constitutions, Statutes and Case Law.**

The priority or ranking of law is as follows:

- 1. Constitution;**
- 2. Statute;**
- 3. Regulation;**
- 4. Executive Order or Policy.**

It should be noted that **Case Law (Common Law)** is not ranked or given a priority order because its purpose is merely to decide a case in controversy or interpret or explain a constitution, statute, regulation or executive order.

The **Constitution (both federal and state)** are the supreme law, and no other law within the federal or state systems can out rank them.

Other than the Constitution, no other law can ever out rank a statute.

A statute is a law enacted by Congress (federal) or the legislature (state).

Law of Property

Because it developed from the Common Law, most law of Property is:

State Law