

Business Law
Lesson: 4/9/2020

Learning Target: Identify the four sources of law

Let's Get Started:
Watch Video: [Sources of Law](#)

What Are the Sources of Law?

Laws in this country are created at all three levels of government—federal, state, and local. The forms that these laws can take include constitutions, statutes, ordinances, case law, and administrative law.

Constitutions are the highest sources of law, and the federal Constitution is “the supreme law of the land”. This means that any federal, state, or local law is not valid if it conflicts with the federal Constitution. Similarly, within each state the state constitution is supreme over all other state laws.

Federal and state constitutions are concerned primarily with defining and allocating certain powers in our society. Constitutions allocate powers

- (1) between the people and their governments,
- (2) between state governments and the federal government, and
- (3) among the branches of the government.

Federal, state, and local legislatures all create administrative agencies.

WHAT ARE THE SOURCES OF LAW?

- **Constitutions** - document that sets forth the framework of a government and its relationship to the people it governs.
- **Statutes** - law enacted by state or federal legislatures.
- **Ordinances** - legislation enacted by a town, city, county board, or commission.
- **Case law** - made when an appellate court endorses a rule to be used in deciding court cases.
 - ***stare decisis*** - doctrine that requires lower courts to follow existing case law in deciding similar cases.
- **Administrative law** - governmental body formed to carry out particular laws.
 - **Examples** - federal Social Security Administration, your state's division of motor vehicles, and your county's zoning commission.

ACTIVITY #4

Answer the following questions in full sentences/paragraphs in you Journal:

1 - The federal Constitution guarantees the citizens of the United States many rights. These include freedom of speech, of press, of assembly, to petition, to bear arms, against unreasonable searches and seizures, and more. What part of the U.S. Constitution contains most of these guarantees?

2 - Railroads often are used to transport goods over long distances. What type of commerce, interstate(between states) or intrastate(inside a state), does this represent, and which level of government should regulate it?

3 - How is power allocated between federal, state, and local governments?