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### **Divisions of Law**

The law is divided into the following:

**I/ Public Law**: it is that class of law, which regulates the constitution of the supreme and the subordinate authorities of the State whether legislative, executive or judicial.

#### **1- Constitutional law:**

A- the constitutional law is concerned with the political organization of the State.

B- Constitutional law defines the form of the State, determines the organs of its government and fixes the limits of the powers accorded to each.

C- The organs of the government in the State are usually three in number; the legislative branch which issues the laws, the executive branch, which executes and applies these laws and the judicial branch, which settles the disputes arising under the law.

#### **2- Administrative law:**

A- Administrative law shows us how the State actually carries on the government of the country.

B- Its methods include the rules relating to:

1- The organization of the police.

2- The management of the state property.

3- The collection of revenue.

4- The control of the trade and public establishment.

5- The organization of education and public health.

**\*The principle of separation powers.**

A- It is held to involve the freedom of the administration from the judicial interference.

B- It follows that a person, who wishes to institute a claim against the administration or its representatives in respect of administrative acts done by them in breach of his rights, cannot prosecute his suit before ordinary courts.

C- To permit recourse to the courts would to subject the administration to the control of the judicial authorities.

D- The civil rights and liabilities of private citizens in their dealings with officials as representatives of the States are thus determined not with the ordinary courts but with the administrative tribunal.

#### **3- Criminal Law:**

A- Criminal law is that part of law of a country, which relates to the definition and punishment of acts, which the State intervenes to suppress criminal law.

B- It is essentially punitive and for this reason is sometimes tallied about as penal law.

C- It is because the community needs to be protected against the criminal that the for punishment arises and the state in inflicting punishment is acting as the representative of the community at large.

D- Criminal law is entirely imperative it commands abstention from particular acts and threatens punishment in default.

#### **4- The Law of Criminal Procedure:**

A- The rules of procedure determine the methods, which will be followed by the State in enforcing the observance of the law by its citizens.

B- Criminal procedure law regulates the constitution of criminal courts, the modes which persons are brought before them, the process of the trial, and the execution of the sentence.

#### **5- Financial Law:**

A- Financial law contains the rules, which organize the budget and the taxes.

#### **6- Public International Law:**

A- Modern public International law rests international custom and partly upon agreements made between the States to supplement or supersede the custom.

B- The rules of public International law are usually discussed under three heads: Peace<sup>1</sup>, War, and Neutrality.

C- The negotiation and nature of treaties, the rights and duties of ambassadors, the process adopted for the amicable settlement of disputes Court of Arbitration-

D- To the head of war belong the rules, which determine the methods which may legitimately be used carrying on hostilities. Barbarous methods are strictly forbidden, prisoner and wounded should receive certain treatment-.

**II/ Private Law:** it is that branch of law, which is concerned primarily with the relations of private individuals among themselves.

#### **1- Civil Law:**

A- Civil Law is a body of rules that organize the relations among individuals, except the relationship organized by another branch of private law.

B- The civil law regulate the relations among persons living in a society,

C- these relations are divided into relations of personal status matters pertaining to family, to capacity-, and relations of real status activities in respect of estate, pecuniary rights and ways of acquiring them, transferring them , and ways of their extinction-.

#### **2- Commercial Law:**

A- It contains the rules that organize the relationships arising from commercial acts, and also indicates when a person is considered a merchant whether this person is an individual or a company.

B- Besides it determines the duties of merchants in the trade register and book keeping. Moreover, it organizes the various kinds of companies, their foundation, their activities, and their extinction.

C- It also organizes commercial contracts, brokerage, bankruptcy, commercial pledge and bills of exchange.

#### **3- Maritime Law:**

A- One the of reasons that have led to separate Maritime Law from commercial law is the fact that ships are of considerable value, are subject to great risks and are away from their owners supervision while being exploited .

B- Maritime law is the body or rules that organize the special relations, which deal with a navigation.

C- The relationships, which, this law organizes, center around ships.

D- Thus, it organizes the rules of selling, buying, and insuring ships and their shipments.

E- It also organizes maritime contracts and relationships between the captain and the crew of a ship, on one hand, and the ship-owner on the other hand, as well as the responsibility of the ship-owner towards the crew.

F- Furthermore, it organizes maritime transportation contracts and maritime loans.

#### **4- Labour Law:**

A- Labour law deals with legal problems arising from employment.

B- It organizes the relations between employers, employees, trade unions and employers' organizations.

#### **5- The law of civil Procedure:**

A- It is a body of rules, which determine the procedures that must be taken in civil courts to protect citizens rights if they are subject to disputes.

B- Civil law determines the rights and duties of citizens.

C- But the law of civil procedure determines the procedures concerned with the protection of such rights, and the execution of such duties.

D- Moreover, law of civil procedure is concerned with the organization of civil courts, civil process, and methods of civil execution.

E- The law of civil procedure is also concerned, in civil cases, with the law of evidence, which consists of the rules that indicate the means by which fact may be proved before the court.

#### **6- Private International Law:**

A- Law is normally applied on a territorial basis, and that the territorial tribunals alone have jurisdiction, within the boundaries of the state, whatever the nationality or religion of the parties may be.

B- Yet there are many exceptions, where we find that the courts of a country are proposed to refer to rules of foreign law in deciding questions in which some foreign interest is present.

C- The reasons for that is the existence of an extensive peaceful and commercial intercourse between the subjects of different states which, has made it necessary for each country to fix within what limits such recognition of foreign law and foreign jurisdiction will be accorded.

D- In applying private international law, distinction should be drawn between personal and real statutes.

E- The personal statutes are those, which follow man wherever he goes. In other words, the law of his country will be applied.

G- But Real statutes do not follow man. They are applied in a country without regard to the nationality of the parties.