

Role and function of law

Law



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According to Melvin (2011), “ A generally accepted generic definition of the law is a body of rules of action or conduct prescribed by controlling authority, and having legal binding force” (p. 4). The scope of modern law is broad with tentacles that reach into every area of public and private dealings.

Essentially law furnishes a process by which the rulings and directives to regulate certain behaviors, disagreements, plus unlawful acts are available to individuals for use in resolution of disputes and to enforce promises.

Law weaves into practically every aspect of the daily activities of businesses as well as individuals within the society. The evolution of law from basically a way to protect property rights to the intricate and complex system it has become is astounding. The research will examine the numerous roles and functions of law in relation to business and society. Laws govern many facets of business. They regulate—business operation, environmental standards, treatment of employees, workplace requirements—to name a few.

The broad design of the law is to discourage against predatory business practices and to protect the consumer from fraudulent advertising or receiving inferior products as well as provide remediation to victims when necessary. To accomplish this, the federal as well as state governments have policing powers to enforce the rules a society chooses to govern itself. This law incorporates into the fabric of the society. For example, there are federal and state laws that control e-business commerce plus international business dealings.

Congress derives its power to regulate the flow of commercial activity along interstate and intrastate highways likewise railways together with the vehicles that transport the goods from the commerce clause. The application

of these powers varies. According to Melvin (2011), “ However, the direct and broad power to regulate all persons and products related to the flow of interstate commerce is the fundamental source of its authority. ” Furthermore, manufacturing, distribution, shipping, employment, patents, trademarks, and copyrights are under government regulation as well.

Federal law supplants state law when they conflict in intrastate matters, e. g. Cipollone versus the Liggett Group, Inc. Laws hold companies responsible for product safety. Therefore, manufacturers as well as sellers are liable to consumers for damaged or defective products as well as injuries or deaths that may result from their use. For example, the government establishes laws to standardize the quality of food, drink, and medicines consumers ingest while issuing additional laws to control the mechanical quality of automobiles and appliances—home and commercial.

Enterprises employ these laws throughout the production process to ensure compliance. Consequently, the public is safer from injury and disease through quality control of products. There are numerous federal agencies that regulate business (the Federal Trade Commission, U. S. Consumer Product Safety Commission, U. S. Patent and Trademark Office, The United States Trade Commission, plus The International Trade Commission), to name a few. Finally, antitrust laws keep businesses from monopolizing markets, price fixing, similarly cornering an industry.

Laws touch every aspect of social behavior across walks of life. For example, the activities of a typical day may include waking at home, preparing breakfast, getting children to school, and arriving at the workplace unmindful of the laws that manipulate these acts. The day continues with the use of an

identification badge to park, clock-in for work, and in some cases to access restricted areas of the building. The day concludes with a stop at the local grocery store to purchase a few items for dinner and pay for them with a bank card giving no thought of the numerous laws that govern this business transaction.

After all, the design of the law is to function in society and business in such a way that following them requires little thought. Laws provide order and a tool for the government to enforce satisfactory behavior with a precise set of rules (public laws) for citizens to adhere to, such as civil, criminal, administrative, and constitutional laws. By the power of public law the government imposes penalties (fines or incarceration) for breaking the law through civil and criminal court actions upon members of the society.

The African Methodist Episcopal Zion Church has a rigorous set of laws, policies, procedures, and committee to vet potential ministerial candidates. However, since 1984 state law requires a criminal background check from the state law enforcement agency where the candidate resides before working in a day-care facility for children or senior citizens. The law further requires a one million dollar insurance rider for sexual misconduct charges that could result from counseling or visitations.

The church complies with the intent of this legal mandate to protect the congregants from predators, and to avoid potential lawsuits that could bankrupt the church. In conclusion, the influence of law upon individuals' lives begins at birth, and ends following death and the settlement of the estate. Law functions in marriage, separation, divorce, custody of children, birth certificates, and death certificates. To start a business, a person needs

a permit, business license, and an attorney. Indeed the law influences people through the entirety of life.

References

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