

# Jus publicum

**Jus publicum** /jəs pəbləkəm/. Public law, or the law relating to the constitution and functions of government and its officers and the administration of criminal justice. Also public ownership, or the paramount or sovereign territorial right or title of the state or government. The right shared by all to navigate on waters covering foreshore at high tide and, at low tide, to have access across foreshore to waters for fishing, bathing or any other lawful purpose. *Arnold's Inn, Inc. v. Morgan*, 63 Misc.2d 279, 310 N.Y. S.2d 541. See **Jus privatum**.

It implies a right in a sovereign or public capacity to be exercised for the interest or benefit of the state or the public, as distinguished from the exercise in a proprietary capacity of a right of the sovereign or a right possessed by an individual in common with the public.

Sovereign's right of jurisdiction and dominion for governmental purposes over all lands and waters within its territorial limits, including tidal waters and their bottoms, is sometimes termed "*jus publicum*."

**Publici juris** /pəbləsaj jʊrəs/. Lat. Of public right. The word "public" in this sense means pertaining to the people, or affecting the community at large; that which concerns a multitude of people; and the word "right," as so used, means a well-founded claim; an interest; concern; advantage; benefit. This term, as applied to a thing or right, means that it is open to or exercisable by all persons. It designates things which are owned by "the public;" that is, the entire state or community, and not by any private person. When a thing is common property, so that any one can make use of it who likes, it is said to be *publici juris*; as in the case of light, air, and public water.

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