


# Sources of English law

- What type of legal system is the legal system of England and Wales?
- What are its main sources?



ANCIENT CUSTOMS	JUDICIAL PRECEDENTS	STATUTE LAW (Acts of Parliament)	EQUITY	DELEGATED LEGISLATION	THE EUROPEAN CONVENTION ON HUMAN RIGHTS	EUROPEAN LAW
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- Which of the sources of English law listed in the above table have historical importance?
- Which of them are still a creative/productive source of law?

# Making Of English Law

**Philip Rawlings**



## **Making Of English Law:**

**The Making of English Law** Patrick Wormald, 1999      **The Making of English Law** Patrick Wormald (historicus), 1999      Making of English Law: King Alfred to the Twelfth Century Patrick Wormald, 1999-10-26 This volume the first of two comprising The Making of English Law provides the first full length account of the Old English law codes for over eighty years and the first that has ever been published in the English language      **Making of English Law: King Alfred to the Twelfth Century** Patrick Wormald, 1999-10-26 This volume the first of two comprising The Making of English Law provides the first full length account of the Old English law codes for over eighty years and the first that has ever been published in the English language It is designed to be both an authoritative work of reference for scholars seeking enlightenment on particular legal manuscripts or texts and a coherent account of how the corpus of Old English law from the seventh to the twelfth century came to subsist and survive Part I opens with an account of the historians of early English law including the immortal F W Maitland 1850 1906 and Felix Liebermann author of the definitive edition of the law codes 1898 1916 It then provides the most detailed examination English of law and legislation on the European continent in the post Roman era and of the earliest Anglo Saxon legislators in the seventh century This sets the scene for the law making of King Alfred and his successors As well as providing an authoritative account of Anglo Saxon legislation this much anticipated book opens new perspectives on the emergence of the English State It will be welcomed as a landmark in the study of English law and government and as an exploration of the problem of authority in a pre modern society      **English law before Magna Carta** Stefan Jurasinski, Lisi Oliver, Andrew Rabin, 2010-09-14 This volume marks the centenary of Liebermann's *Die Gesetze der Angelsachsen* 1903 1916 by bringing together essays by scholars specializing in medieval legal culture The essays address not only Liebermann's legacy but also major issues in the study of early law      The Making of the English Law Patrick Wormald,      *The Making of English Law* Patrick Wormald, 2001-05-18 This volume originally intended as the first of two comprising The Making of English Law provides the first full length account of the Old English law codes for over eighty years and the first that has ever been published in the English language It is designed to be both an authoritative work of reference for scholars seeking enlightenment on particular legal manuscripts or texts and a coherent account of how the corpus of Old English law from the seventh to the twelfth century came to subsist and survive Part I opens with an account of the historians of early English law including the immortal F W Maitland 1850 1906 and Felix Liebermann author of the definitive edition of the law codes 1898 1916 It then provides the most detailed examination English of law and legislation on the European continent in the post Roman era and of the earliest Anglo Saxon legislators in the seventh century This sets the scene for the law making of King Alfred and his successors As well as providing an authoritative account of Anglo Saxon legislation this much anticipated book opens new perspectives on the emergence of the English State It will be welcomed as a landmark in the study of English law and government and as an exploration of the problem of authority in a pre modern

society These changes are to be made to the about the book section and author bio and also to the jacket copy and should be fed out to all relevant websites

**The Oxford History of the Laws of England Volume II** John Hudson, 2012-03-22 This volume in the landmark Oxford History of the Laws of England series spans three centuries that encompassed the tumultuous years of the Norman conquest and during which the common law as we know it today began to emerge The first full length treatment of all aspects of the early development of the English common law in a century featuring extensive research into the original sources that bring the era to life and providing an interpretative account a detailed subject analysis and fascinating glimpses into medieval disputes Starting with King Alfred 871 899 this book examines the particular contributions of the Anglo Saxon period to the development of English law including the development of a powerful machinery of royal government significant aspects of a long lasting court structure and important elements of law relating to theft and violence Until the reign of King Stephen 1135 54 these Anglo Saxon contributions were maintained by the Norman rulers whilst the Conquest of 1066 led to the development of key aspects of landholding that were to have a continuing effect on the emerging common law The Angevin period saw the establishment of more routine royal administration of justice closer links between central government and individuals in the localities and growing bureaucratization Finally the later twelfth and earlier thirteenth century saw influential changes in legal expertise The book concludes with the rebellion against King John in 1215 and the production of the Magna Carta Laying out in exhaustive detail the origins of the English common law through the ninth to the early thirteenth centuries this book will be essential reading for all legal historians and a vital work of reference for academics students and practitioners

**The Formation of the English Common Law** John Hudson, 2017-08-07 The Formation of English Common Law provides a comprehensive overview of the development of early English law one of the classic subjects of medieval history This much expanded second edition spans the centuries from King Alfred to Magna Carta abandoning the traditional but restrictive break at the Norman Conquest Within a strong interpretative framework it also integrates legal developments with wider changes in the thought society and politics of the time Rather than simply tracing elements of the common law back to their Anglo Saxon Norman or other origins John Hudson examines and analyses the emergence of the common law from the interaction of various elements that developed over time such as the powerful royal government inherited from Anglo Saxon England and land holding customs arising from the Norman Conquest Containing a new chapter charting the Anglo Saxon period as well as a fully revised Further Reading section this new edition is an authoritative yet highly accessible introduction to the formation of the English common law and is ideal for students of history and law

**The Oxford Handbook of European Legal History** Heikki Pihlajamäki, Markus D. Dubber, Mark Godfrey, 2018-07-04 European law including both civil law and common law has gone through several major phases of expansion in the world European legal history thus also is a history of legal transplants and cultural borrowings which national legal histories as products of nineteenth century historicism have until recently largely left unconsidered The

Handbook of European Legal History supplies its readers with an overview of the different phases of European legal history in the light of today's state of the art research by offering cutting edge views on research questions currently emerging in international discussions. The Handbook takes a broad approach to its subject matter both nationally and systemically. Unlike traditional European legal histories which tend to concentrate on heartlands of Europe notably Italy and Germany, the Europe of the Handbook is more versatile and nuanced, taking into consideration the legal developments in Europe's geographical fringes such as Scandinavia and Eastern Europe. The Handbook covers all major time periods from the ancient Greek law to the twenty-first century. Contributors include acknowledged leaders in the field as well as rising talents representing a wide range of legal systems, methodologies, areas of expertise and research agendas.

**The Oxford History of the Laws of England Volume II** John Hamilton Baker, 2003. The Oxford History of the Laws of England provides a detailed survey of the development of English law and its institutions from the earliest times until the twentieth century, drawing heavily upon recent research using unpublished materials.

[A Historical Introduction to English Law](#) Russell Sandberg, 2023-05-11. There are some stories that need to be told anew to every generation. This book tells one such story. It explores the historical origins of the common law and explains why that story needs to be understood by all who study or come into contact with English law. The book functions as the prequel to what students learn during their law degrees or for the SQE. It can be read in preparation for or as part of modules introducing the study of English law or as a starting point for specialist modules on legal history or aspects of legal history. This book will not only help students understand and contextualise their study of the current law but it will also show them that the options they have to change the law are greater than they might assume from just studying the current law.

**Policing: A short history** Philip Rawlings, 2012-12-06. This book provides an overview of the history of policing in the UK. Its primary aim is to investigate the shifting nature of policing over time and to provide a historical foundation to today's debates. Policing a short history moves away from a focus on the origins of the new police and concentrates rather on broader but much neglected patterns of policing. How was there a shift from communal responsibility to policing? What has been expected of the police by the public and vice versa? How have the police come to dominate modern thinking on policing? The book shows how policing in the sense of crime control and order maintenance has come to be seen as the work which the police do even though the bulk of policing is undertaken by people and organisations other than the police. This book will be essential reading for anybody interested in the history of policing or how differing perceptions emerged on the function of policing on the part of the public, the state and the police and in today's intense debates on what the police do.

**Law and Order in Anglo-Saxon England** Tom Lambert, 2017-02-23. Law and Order in Anglo-Saxon England explores English legal culture and practice across the Anglo-Saxon period, beginning with the essentially pre-Christian laws enshrined in writing by King Æthelberht of Kent in c. 600 and working forward to the Norman Conquest of 1066. It attempts to escape the traditional retrospective assumptions of legal history focused on the late twelfth century Common

Law and to establish a new interpretative framework for the subject more sensitive to contemporary cultural assumptions and practical realities The focus of the volume is on the maintenance of order what constituted good order what forms of wrongdoing were threatening to it what roles kings lords communities and individuals were expected to play in maintaining it and how that worked in practice Its core argument is that the Anglo Saxons had a coherent stable and enduring legal order that lacks modern analogies it was neither state like nor stateless and needs to be understood on its own terms rather than as a variant or hybrid of these models Tom Lambert elucidates a distinctively early medieval understanding of the tension between the interests of individuals and communities and a vision of how that tension ought to be managed that strikingly treats strongly libertarian and communitarian features as complementary Potentially violent honour focused feuding was an integral aspect of legitimate legal practice throughout the period but so too was fearsome punishment for forms of wrongdoing judged socially threatening Law and Order in Anglo Saxon England charts the development of kings involvement in law in terms both of their authority to legislate and their ability to influence local practice presenting a picture of increasingly ambitious and effective royal legal innovation that relied more on the cooperation of local communal assemblies than kings sparse and patchy network of administrative officials

**A Companion to Alfred the Great**, 2014-12-04 Eleven major scholars of the Anglo Saxon period consider Alfred the Great his cultural milieu and his achievements With revised or revived views of the Alfredian revival the contributors help set the agenda for future work on a most challenging period The collection features the methods of history art history and literature in a newer key and with an interdisciplinary view on a period that offers less evidence than inference Major themes linking the essays include authorship translation practice and theory patristic influence Continental connections and advances in textual criticism The Alfredian moment has always surprised scholars because of its intellectual reach and its ambition The contributors to this collection describe how we must now understand that ambition

**Law, Literature, and Social Regulation in Early Medieval England** Anya Adair, Andrew Rabin, 2023 Valuable new insights into the multi layered and multi directional relationship of law literature and social regulation in pre Conquest English society Pre Conquest English law was among the most sophisticated in early medieval Europe Composed largely in the vernacular it played a crucial role in the evolution of early English identity and exercised a formative influence on the development of the Common Law However recent scholarship has also revealed the significant influence of these legal documents and ideas on other cultural domains both modern and pre modern This collection explores the richness of pre Conquest legal writing by looking beyond its traditional codified form Drawing on methodologies ranging from traditional philology to legal and literary theory and from a diverse selection of contributors offering a broad spectrum of disciplines specialities and perspectives the essays examine the intersection between traditional juridical texts from law codes and charters to treatises and religious regulation and a wide range of literary genres including hagiography and heroic poetry In doing so they demonstrate that the boundary that has traditionally separated law from

other modes of thought and writing is far more porous than hitherto realized Overall the volume yields valuable new insights into the multi layered and multi directional relationship of law literature and social regulation in pre Conquest English society     The Linguistic Past in Twelfth-Century Britain Sara Harris,2017-10-12 How was the complex history of Britain s languages understood by twelfth century authors This book argues that the social political and linguistic upheavals that occurred in the wake of the Norman Conquest intensified later interest in the historicity of languages An atmosphere of enquiry fostered vernacular literature s prestige and led to a newfound sense of how ancient languages could be used to convey historical claims The vernacular hence became an important site for the construction and memorialisation of dynastic institutional and ethnic identities This study demonstrates the breadth of interest in the linguistic past across different social groups and the striking variety of genre used to depict it including romance legal translation history poetry and hagiography Through a series of detailed case studies Sara Harris shows how specific works represent key aspects of the period s

imaginative engagement with English Brittonic Latin and French language development     **Early Medieval Studies in Memory of Patrick Wormald** Stephen Baxter,Catherine Karkov,Janet L. Nelson,David Pelteret,2017-05-15 Patrick Wormald was a brilliant interpreter of the Early Middle Ages whose teaching writings and generous friendship inspired a generation of historians and students of politics law language literature and religion to focus their attention upon the world of the Anglo Saxons and the Franks Leading British American and continental scholars his colleagues friends and pupils here bear witness to his seminal influence by presenting a collection of studies devoted to the key themes that dominated his work kingship law and society ethnic religious national and linguistic identities the power of images pictorial or poetic in shaping political and religious institutions Closely mirroring the interests of their honorand the collection not only underlines Patrick Wormald s enormous contribution to the field of Anglo Saxon studies but graphically demonstrates his belief that early medieval England and Anglo Saxon law could only be understood against a background of research into contemporary developments in the nearby Welsh Scottish Irish and Frankish kingdoms He would have been well pleased therefore that this volume should make such significant advances in our understanding of the world of Bede of the dynasty of King Alfred and also of the workings of English law between the seventh and the twelfth century Moreover he would have been particularly delighted at the rich comparisons and contrasts with Celtic societies offered here and with the series of fundamental reassessments of aspects of Carolingian Francia Above all these studies present fundamental reinterpretations not only of published written sources and their underlying manuscript evidence but also of the development of some of the dominant ideas of that era In both their scope and the quality of the scholarship the collection stands as a fitting tribute to the work and life of Patrick Wormald and his lasting contribution to early medieval studies     *Beyond Magna Carta* Andrew Blick,2015-04-30 The 800th anniversary of Magna Carta falls in June 2015 In this work Dr Blick argues that this event should be the occasion for a reassessment of the past present and future of the UK constitution He draws on his experience as research fellow to the first

ever parliamentary inquiry into the possibility of a written constitution for the UK Dr Blick considers a series of English and UK historical texts from Anglo Saxon times onwards among which Magna Carta is the most prominent which sought to set out arrangements for the governance of England and later the UK as a whole He argues that they comprise a powerful tradition of written constitutional documents and stresses the importance of the European dimension to their introduction and content The author then considers the present nature of the UK constitution describing the period of immense flux through which it has passed in recent decades and the implications of this phase of change Dr Blick identifies a need for a full written constitution for the UK as the next appropriate step Finally he discusses the democratic processes suitable to devising such a text and what its contents might be With this book Andrew Blick has made a major contribution to our understanding of how our system of government has worked in the past how it is working or not working now and what it could be in the future Combing the centuries he challenges many misconceptions and makes a powerful case for a written constitution This volume is absolutely essential to anyone who wants to appreciate the real meaning of Magna Carta and why we should celebrate it Graham Allen MP Chair House of Commons Political and Constitutional Reform Committee Beyond Magna Carta brings together the utility of a road map with the fascination of a changing cartography of political thought all part of the constitutional development of these islands from the Great Charter of 1215 to the confusing aftermath of the Scottish Referendum of 2014 It is a superb work of explanation capped by intriguing suggestions of future possibilities Lord Hennessy of Nympsfield FBA Attlee Professor of Contemporary British History Queen Mary University of London     **After Alfred** Pauline Stafford, 2020-07-02 The vernacular Anglo Saxon Chronicles cover the centuries which saw the making of England and its conquest by Scandinavians and Normans After Alfred traces their development from their genesis at the court of King Alfred to the last surviving chronicle produced at the Fenland monastery of Peterborough These texts have long been part of the English national story Pauline Stafford considers the impact of this on their study and editing since the sixteenth century addressing all surviving manuscript chronicles identifying key lost ones and reconsidering these annalistic texts in the light of wider European scholarship on medieval historiography The study stresses the plural chronicles whilst also identifying a tradition of writing vernacular history which links them It argues that that tradition was an expression of the ideology of a southern elite engaged in the conquest and assimilation of old kingdoms north of the Thames Trent and Humber Vernacular chronicling is seen not as propaganda but as engaged history writing closely connected to the court whose networks and personnel were central to the production and continuation of these chronicles In particular After Alfred connects many chronicles to bishops and especially to the Archbishops of York and Canterbury The disappearance of the English speaking elite after the Norman Conquest had profound impacts on these texts It repositioned their authors in relation to the court and royal power and ultimately resulted in the end of this tradition of vernacular chronicling



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