
Postgraduate Certificate in Legal History (United Kingdom)

Law and Society in the Twentieth Century

Abridgement refers to a concise summary or restatement of a larger work, such as a legal treatise, and is often used to provide an overview of complex topics. Related terms include abstract, synopsis, and digest. In the context of Law and Society in the Twentieth Century, abridgement is useful for understanding the development of legal concepts over time. For example, a historical treatise on contract law might be abridged to focus on key cases and legislation.

Access to justice refers to the ability of individuals to seek legal remedies and redress for grievances, and is a fundamental principle of democratic societies. Related terms include equality before the law, due process, and fair trial. In the context of Law and Society in the Twentieth Century, access to justice has been shaped by social and economic factors, such as poverty and discrimination. For instance, the Civil Rights Movement in the United States sought to address systemic barriers to access to justice for African Americans.

Act of Parliament refers to a statute or law passed by a legislative body, such as the UK Parliament, and is a primary source of law in the United Kingdom. Related terms include bill, enactment, and legislation. In the context of Law and Society in the Twentieth Century, Acts of Parliament have played a crucial role in shaping social and economic policy, such as the National Health Service Act 1946 and the Equality Act 2010.

Administrative law refers to the body of law that governs the administration of government and public services, and is concerned with ensuring that officials and agencies act in a lawful and reasonable manner. Related terms include judicial review, tribunals, and ombudsmen. In the context of Law and Society in the Twentieth Century, administrative law has become increasingly important as government has taken on a more active role in regulating society and economy. For example, the Franks Committee report in 1957 led to significant reforms in administrative law and judicial review.

Alternative dispute resolution refers to processes and techniques used to resolve disputes outside of the court system, such as mediation, arbitration, and negotiation. Related terms include conciliation, settlement, and litigation. In the context of Law and Society in the Twentieth Century, alternative dispute resolution has become more popular as a way to reduce costs and delays associated with litigation. For instance, the Family Law Act 1996 introduced mediation as a way to resolve family disputes.

Appellate jurisdiction refers to the power of a court to hear appeals from lower courts, and is an important aspect of the hierarchy of courts in the common law system. Related terms include appellate court, trial court, and judicial review. In the context of Law and Society in the Twentieth Century, appellate jurisdiction has played a crucial role in shaping legal doctrine and policy. For example, the House of Lords has been instrumental in developing contract law and tort law through its appellate decisions.

Arbitration refers to a process in which a neutral third party makes a binding decision in a dispute, and is often used in commercial and employment disputes. Related terms include mediation, conciliation, and litigation. In the context of Law and Society in the Twentieth Century, arbitration has become a popular way

to resolve disputes quickly and efficiently. For instance, the Arbitration Act 1996 provides a framework for arbitration in England and Wales.

Bill of Rights refers to a document that sets out fundamental rights and freedoms, such as the US Bill of Rights or the European Convention on Human Rights. Related terms include constitution, human rights, and civil liberties. In the context of Law and Society in the Twentieth Century, Bills of Rights have played a crucial role in protecting individual rights and freedoms from government interference. For example, the Human Rights Act 1998 incorporated the European Convention on Human Rights into UK law.

Case law refers to the body of law that is based on judicial decisions, and is a primary source of law in the common law system. Related terms include precedent, judgment, and ruling. In the context of Law and Society in the Twentieth Century, case law has played a crucial role in shaping legal doctrine and policy. For instance, the *Donoghue v Stevenson* case established the duty of care in tort law.

Civil law refers to the body of law that governs civil matters, such as contracts, torts, and property, and is distinct from criminal law. Related terms include civil procedure, court, and litigation. In the context of Law and Society in the Twentieth Century, civil law has become increasingly important as individuals and businesses have sought to resolve disputes through legal means. For example, the Civil Procedure Rules 1998 provide a framework for civil litigation in England and Wales.

Common law refers to the body of law that is based on custom, precedent, and judicial decision, and is a primary source of law in the common law system. Related terms include case law, statute law, and equity. In the context of Law and Society in the Twentieth Century, common law has played a crucial role in shaping legal doctrine and policy. For instance, the common law concept of reasonable foreseeability has been used to develop the duty of care in tort law.

Constitution refers to a document that sets out the fundamental principles and structures of a government, such as the US Constitution or the UK Constitution. Related terms include bill of rights, human rights, and separation of powers. In the context of Law and Society in the Twentieth Century, constitutions have played a crucial role in shaping government and politics. For example, the European Convention on Human Rights has been incorporated into UK law through the Human Rights Act 1998.

Contract law refers to the body of law that governs agreements between parties, and is concerned with ensuring that promises are enforceable and binding. Related terms include tort law, property law, and restitution. In the context of Law and Society in the Twentieth Century, contract law has become increasingly important as individuals and businesses have sought to enter into complex and long-term agreements. For instance, the Sales of Goods Act 1979 provides a framework for contract law in England and Wales.

Criminal law refers to the body of law that governs criminal matters, such as offenses, penalties, and prosecution, and is distinct from civil law. Related terms include crime, punishment, and justice. In the context of Law and Society in the Twentieth Century, criminal law has played a crucial role in maintaining social order and public safety. For example, the Criminal Justice Act 2003 provides a framework for criminal law and procedure in England and Wales.

Custom refers to a practice or tradition that is widely accepted and followed, and is often used as a source

of law in the common law system. Related terms include usage, convention, and norm. In the context of Law and Society in the Twentieth Century, custom has played a crucial role in shaping legal doctrine and policy. For instance, the custom of implied terms in contract law has been used to develop the duty of care in tort law.

Damages refer to a monetary award made by a court to compensate a party for a loss or injury, and is a common remedy in civil law. Related terms include compensation, restitution, and reparation. In the context of Law and Society in the Twentieth Century, damages have played a crucial role in providing redress for wrongful acts and breaches of duty. For example, the Law Reform (Miscellaneous Provisions) Act 1934 provides a framework for damages in England and Wales.

Due process refers to the principle that individuals should be treated fairly and justly by the legal system, and is a fundamental aspect of human rights and civil liberties. Related terms include fair trial, natural justice, and rule of law. In the context of Law and Society in the Twentieth Century, due process has played a crucial role in protecting individual rights and freedoms from government interference. For instance, the European Convention on Human Rights has been used to challenge unfair and arbitrary decisions by government agencies.

Equality refers to the principle that individuals should be treated equally and without discrimination, and is a fundamental aspect of human rights and civil liberties. Related terms include non-discrimination, equal opportunities, and human rights. In the context of Law and Society in the Twentieth Century, equality has played a crucial role in shaping social and economic policy, such as the Equal Pay Act 1970 and the Equality Act 2010.

Equity refers to a body of law that is based on principles of fairness and justice, and is used to provide remedies and relief in cases where the common law is inadequate or unjust. Related terms include trust, fiduciary duty, and injunction. In the context of Law and Society in the Twentieth Century, equity has played a crucial role in shaping legal doctrine and policy. For instance, the Maxim "equity will not suffer a wrong to be without a remedy" has been used to develop the duty of care in tort law.

Evidence refers to the material or information presented in a court or tribunal to prove or disprove a fact or allegation, and is a critical aspect of the adversarial system. Related terms include witness, testimony, and document. In the context of Law and Society in the Twentieth Century, evidence has played a crucial role in shaping legal doctrine and policy. For example, the Civil Evidence Act 1995 provides a framework for evidence in civil proceedings in England and Wales.

Human rights refer to the fundamental rights and freedoms that are inherent to all human beings, and are protected by international and national law. Related terms include civil liberties, constitution, and bill of rights. In the context of Law and Society in the Twentieth Century, human rights have played a crucial role in shaping social and economic policy, such as the Universal Declaration of Human Rights and the European Convention on Human Rights.

Injunction refers to a court order that prohibits or requires a party to do something, and is a common remedy in equity. Related terms include restraining order, mandatory order, and declaration. In the context

of Law and Society in the Twentieth Century, injunctions have played a crucial role in providing redress for wrongful acts and breaches of duty. For example, the Senior Courts Act 1981 provides a framework for injunctions in England and Wales.

Judicial review refers to the process by which a court examines the legality of a decision or action taken by a government agency or official, and is a critical aspect of administrative law. Related terms include appeal, tribunal, and ombudsman. In the context of Law and Society in the Twentieth Century, judicial review has played a crucial role in ensuring that government agencies and officials act in a lawful and reasonable manner. For instance, the Administrative Court has been instrumental in developing the principles of judicial review in England and Wales.

Jurisprudence refers to the study and theory of law, and is concerned with understanding the nature, scope, and application of law. Related terms include legal philosophy, legal theory, and law reform. In the context of Law and Society in the Twentieth Century, jurisprudence has played a crucial role in shaping legal doctrine and policy. For example, the works of Jeremy Bentham and John Austin have been influential in shaping legal theory and philosophy.

Justice refers to the principle of fairness and morality in the application of law, and is a fundamental aspect of human rights and civil liberties. Related terms include fairness, equity, and due process. In the context of Law and Society in the Twentieth Century, justice has played a crucial role in shaping social and economic policy, such as the Criminal Justice Act 2003 and the Justice and Security Act 2010.

Law reform refers to the process of changing or amending the law to make it more effective, efficient, or just, and is a critical aspect of legal development. Related terms include legislation, regulation, and policy. In the context of Law and Society in the Twentieth Century, law reform has played a crucial role in shaping legal doctrine and policy. For example, the Law Commission has been instrumental in reforming areas of law such as contract law and tort law.

Legislation refers to the process of making law through the enactment of statutes or regulations, and is a primary source of law in the common law system. Related terms include bill, act, and regulation. In the context of Law and Society in the Twentieth Century, legislation has played a crucial role in shaping social and economic policy, such as the National Health Service Act 1946 and the Equality Act 2010.

Litigation refers to the process of resolving disputes through the court system, and is a common way to resolve civil and commercial disputes. Related terms include trial, hearing, and appeal. In the context of Law and Society in the Twentieth Century, litigation has played a crucial role in shaping legal doctrine and policy. For example, the Civil Procedure Rules 1998 provide a framework for litigation in England and Wales.

Mediation refers to a process in which a neutral third party facilitates negotiation and settlement of a dispute, and is a common form of alternative dispute resolution. Related terms include arbitration, conciliation, and negotiation. In the context of Law and Society in the Twentieth Century, mediation has become a popular way to resolve disputes quickly and efficiently.

Negligence refers to a breach of the duty of care, and is a common tort in the common law system. Related terms include carelessness, recklessness, and liability. In the context of Law and Society in the Twentieth

Century, negligence has played a crucial role in shaping legal doctrine and policy. For example, the *Donoghue v Stevenson* case established the duty of care in tort law.

Ombudsman refers to an independent official who investigates complaints about government agencies or officials, and is a critical aspect of administrative law. Related terms include judicial review, tribunal, and appeal. In the context of Law and Society in the Twentieth Century, ombudsmen have played a crucial role in ensuring that government agencies and officials act in a lawful and reasonable manner. For instance, the Parliamentary Ombudsman has been instrumental in investigating complaints about government agencies in the UK.

Precedent refers to a previous judicial decision that is used as a guide or authority in later cases, and is a critical aspect of the common law system. Related terms include case law, judgment, and ruling. In the context of Law and Society in the Twentieth Century, precedent has played a crucial role in shaping legal doctrine and policy.

Property law refers to the body of law that governs ownership and use of land and goods, and is a critical aspect of civil law. Related terms include real property, personal property, and intellectual property. In the context of Law and Society in the Twentieth Century, property law has played a crucial role in shaping social and economic policy, such as the Law of Property Act 1925 and the Land Registration Act 2002.

Public law refers to the body of law that governs the relationship between the state and individuals, and is concerned with constitutional and administrative law. Related terms include constitutional law, administrative law, and human rights. In the context of Law and Society in the Twentieth Century, public law has played a crucial role in shaping social and economic policy, such as the European Convention on Human Rights and the Human Rights Act 1998.

Restitution refers to the principle of restoring someone to their original position, and is a critical aspect of equity and unjust enrichment. Related terms include compensation, reparation, and damages. In the context of Law and Society in the Twentieth Century, restitution has played a crucial role in providing redress for wrongful acts and breaches of duty. For example, the Law Reform (Miscellaneous Provisions) Act 1934 provides a framework for restitution in England and Wales.

Rule of law refers to the principle that the law should be applied equally and fairly to all individuals, and is a fundamental aspect of democratic societies. Related terms include due process, fair trial, and human rights. In the context of Law and Society in the Twentieth Century, the rule of law has played a crucial role in shaping social and economic policy, such as the European Convention on Human Rights and the Human Rights Act 1998.

Separation of powers refers to the principle of dividing power between the legislative, executive, and judicial branches of government, and is a critical aspect of constitutional law. Related terms include checks and balances, independence of the judiciary, and accountability. In the context of Law and Society in the Twentieth Century, the separation of powers has played a crucial role in shaping government and politics. For example, the UK Constitution has been shaped by the separation of powers between the Parliament, Executive, and Judiciary.

Tort law refers to the body of law that governs civil wrongs, such as negligence, nuisance, and defamation, and is a critical aspect of civil law. Related terms include contract law, property law, and restitution. In the context of Law and Society in the Twentieth Century, tort law has played a crucial role in shaping legal doctrine and policy.

Trust refers to a relationship in which one party holds property or assets for the benefit of another party, and is a critical aspect of equity and fiduciary law. Related terms include fiduciary duty, trustee, and beneficiary. In the context of Law and Society in the Twentieth Century, trusts have played a crucial role in shaping social and economic policy, such as the Trusts of Land and Appointment of Trustees Act 1996.

Witness refers to a person who provides evidence or testimony in a court or tribunal, and is a critical aspect of the adversarial system. Related terms include evidence, testimony, and document. In the context of Law and Society in the Twentieth Century, witnesses have played a crucial role in shaping legal doctrine and policy. For example, the Civil Evidence Act 1995 provides a framework for witness evidence in civil proceedings in England and Wales.