

English law explored

Lesson 7

The English legal system this time. Enjoy! ☺

England is perhaps the most famous (1)..... country, with its influence being found across the world as a result of its colonial past. England does, however, differ from many other common-law countries in two principal ways.

The first is that it does not have a written (2), a distinction it (3) only with New Zealand and Israel, both of which are considered to be 'common law' countries. Of course that it is not to say that neither England nor the United Kingdom has a constitution, there is undoubtedly a (4)..... that is of constitutional significance. However, it must be accepted that the absence of a written (5)..... does make it more difficult for UK citizens to understand their role with the State. (...)

The second principal way that England differs from many common-law countries is that its law is not (6)..... . Many states, including e.g. New Zealand, have attempted to codify some or all of their law, most usually the (7)..... . The principal advantage of codification is that it brings a degree of certainty to the law, i.e. it is possible for a citizen to easily identify whether something is (8)..... and also how (9)..... will be (10) and (11)..... . One possible disadvantage is that it may make the law slightly inflexible. (...)

The common-law focus and absence of either codification or a constitution raises a number of issues surrounding the role of the (12)..... . The courts are central not just to the (13)..... of the law but also the very development of the law. (14)"....." law remains an important feature of the English Legal System, although in modern times more deference has been shown to the legislature. (...)

In England and Wales, it is quite clear that (15)..... considers itself to be supreme and that common law ranks below (16)..... . The courts have, for the most part, mainly supported this belief including stating on a number of occasions that the courts cannot (17)..... how Parliament passes (18)..... . (...)

Adapted from: A. Gillespie, "The English Legal System", IALS Conference, 2008.

Fill the gaps with the following words:

prosecuted	constitution	examine	courts	codified
criminal law	degree	allegations of illegality		shares
investigated	Parliament	judge-made	adjudications	unlawful
body of law	statutory law	legislation	common-law	