

Revision Summary Chapter 1

What is Law?

- Natural law theories concentrate on the relationship between law and morality.
- Legal positivists are not concerned with morality or values that cannot be scientifically evaluated. Validly created laws are laws, irrespective of their content.
- The term 'common law' has three meanings:
 1. a legal system that is based on the system existing in England;
 2. the body of law created by the judges via case law; and
 3. the body of law that operates alongside the system of equity.
- The term 'civil law' has two meanings:
 1. the body of law that regulates the rights and obligations existing between persons;
 2. a system of law based upon Roman law and characterized by a codified set of laws.
- Equity is a supplementary system of law designed to mitigate against the potential harshness of the common law.
- The phrase 'English legal system' refers to the legal system of England and Wales.
- Wales, Scotland, and Northern Ireland all have their own bodies with various legislative powers, but the Parliament at Westminster retains legislative supremacy.