

Lecture Four: Private Law

Academic Year: 2023-2024

An Overview on the International Law: Britain as a Case

English common law dates from "time immemorial". Various customs, usages and conventions have been developed throughout the history of British legal tradition. Case law arises out of disputes and may be found in the decisions of courts. This is a system in which legal decisions are based upon decisions in previous cases and on custom, rather than on detailed written law. If there is no previous similar case the court will decide by applying existing laws to a new set of facts and its decision will become a new precedent for courts to follow in the future. The essential feature then, of Common

Keywords:

Common law- British legal tradition- Case law- courts-

Law is, that although partly based on local and national customs it is fundamentally judge-made law developed over many centuries. Laws made by Parliament constitute parliamentary or statutory law. It always prevails, there is nothing more supreme than parliamentary law. Now it is parliamentary law which is gradually seeing common law off the legal field. Statute law can be used to abolish common law rules which have outlived their usefulness, or to amend the common law to cope with the changing circumstances and values of society. Once enacted, statutes, even if obsolete, do not cease to have the force of law. A state stands as law until it is specifically repealed by Parliament. All Acts of Parliament

can be repeated by subsequent Parliaments. (English for Law Students, 1999,p.54)

Keywords:

Parliamentary - statutory law – to amend- to cope- enacted-

 Relevant Ideas Deduced

A rule that is supported by the power or government and that governs the

1. Behaviour of members of a society;
2. That part of the law which is based on former judgements;
3. The body of written laws established by Parliament;
4. Allowed or made by law;
5. Use the former customs or decisions as a guide to present actions;
6. A room or building in which law cases can be heard and judged;