

English Legal System 9th edition: Gary Slapper's introduction

As systems go, few can be more important than the legal one. The road system, the water system and the postal system, for example, are all essential for society but each is really concerned with one part of life. The legal system by contrast is the system which maintains civilisation, and *it* applies to all parts of life. It isn't more important to life, of course, than the provision of water to all, but it is also no less important than water for stable and sustained society.

Law permeates into every part of what we are and what we do: from what can and can't be done to an embryo, to the quality of the brake pads on a hearse. A good comprehension of the English legal system requires knowledge and skill in a number of disciplines. The system itself is the result of developments in law, economy, politics, sociological change and the theories which feed all of these bodies of knowledge. For example, take judges. What sort of judges there are, I mean what are the technical differences between a high court judge and a court of appeal judge and what legal powers they can exercise... Well these things are legal questions, sometimes called black letter law questions. Black letter law means technical law as opposed to more vague and sweeping legal principles and black letter law comes from the historical usage of bold black ink in law reports to denote the key passages of the judgment in which the law was formulated. So, those are legal questions about judges. But how judges came to have the role they have is an historical question. How far judges are making new law when they judge is a philosophical question. Whether, consciously or unconsciously, judges reflect class interests in the judgments they deliver is an economic question. Whether judges reflect the composition of the society in which they are judges is a sociological question. And whether they *should* reflect the composition of the society in which they are judges is a political question.

In writing this edition we have endeavoured to put the law and the rules of the system into those contexts wherever appropriate and we've aimed to present a range of relevant critical views. We've also made several major changes in this edition, apart from the legal updating that we've actually written into the chapters. We've reduced the length and the detail of the material in several of the chapters where particular issues or themes have ceased to be as relevant to law students as they were a couple of years ago. We have included two completely new chapters where developments have warranted such new writing. These are on the rule of law and human rights and on legal reasoning and politics. The online companion site to this book... In fact I won't tell you too much about that as in order to be listening to this, of course, you'll have already visited the site and you'll have seen that it has all sorts of new features including a multiple choice questions and answers facility and updated links to relevant articles and news.

It has been said that publishing a good hard copy atlas is very difficult as some of its detail can become out of date in the short time between when it is compiled and when it's published. That's because the expansion and contraction of national borders through wars and politics, and countries changing their names, mean that by the time all the maps in the atlas are designed and labelled and collated, and the atlas is printed and distributed and put onto the shelves of libraries and bookshops, some of the maps are already out of date. A law book is a bit like that. But the internet is a marvellous thing of course. It means that any significant changes can be notified to readers through the book's website and we will

therefore be periodically updating readers of this book who visit the companion website, organising any relevant changes on a chapter by chapter basis.

Organised legal education didn't get off to an auspicious start. It was condemned as unlawful and shut down not long after it was launched, in fact, in London. The Monarch considered it would not be conducive of good order to have people prying into the law and spreading opinion of its contents. The law schools set up in London in the early 13th century were suppressed in 1234 by a writ of Henry III. The writ said, 'Through the whole city of London, let it be proclaimed and wholly forbidden that anyone who has a law school in that town shall teach the laws and if any one shall conduct a school of that nature there, the Mayor and the sheriffs shall put a stop to it at once'. Happily, today, legal education is regarded as very important. We hope that you have a good experience in your law school and that, having had a look at your reading lists, legal study is something that you want to put a start to at once.