

CHAPTER ONE

INTRODUCTION TO LAW AND LEGAL SYSTEMS

LAW, ORIGIN & FUNCTION

Law has been defined as a set of rules, of one kind or another, which carry sanctions and are intended to guide the activities of society and its members. Later on you will see that law is not easily defined as for some it could be driven by morality while for others it is merely a sovereign who dictates its rules that must be followed or there are penalties.

Law is closely influenced by social activities. It is therefore important to have an appreciation of the proper social context within which our laws were derived before one attempts the study of our law and legal systems. Commonwealth Caribbean law and legal systems were borne out of our colonial/plantation experience. To be more specific mostly from England's law and legal system.

The common law system in England began to develop after the Norman Conquest in 1066. Prior to the invasion, the island had been following the law of the Anglo-Saxons, or barbarian laws in the land. The Norman conquest of 1066 is one of the turning points in the legal history of the English common law. William the Conqueror, the Duke of Normandy successfully invaded and killed the then King of England, Harold II, and therefore, William became the King of England by the right of conquest. The Norman Conquest led to immense changes in the legal scenario of the country. The Normans had a developed customary law in Normandy. Thus, made its influence on the

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