



Conscience, Equity and the Court of Chancery in Early Modern England

Dennis R. Klinck

Download now

[Click here](#) if your download doesn't start automatically

Conscience, Equity and the Court of Chancery in Early Modern England

Dennis R. Klinck

Conscience, Equity and the Court of Chancery in Early Modern England Dennis R. Klinck

Judicial equity developed in England during the medieval period, providing an alternative access to justice for cases that the rigid structures of the common law could not accommodate. Where the common law was constrained by precedent and strict procedural and substantive rules, equity relied on principles of natural justice - or 'conscience' - to decide cases and right wrongs. Overseen by the Lord Chancellor, equity became one of the twin pillars of the English legal system with the Court of Chancery playing an ever greater role in the legal life of the nation. Yet, whilst the Chancery was commonly - and still sometimes is - referred to as a 'court of conscience', there is remarkably little consensus about what this actually means, or indeed whose conscience is under discussion.

This study tackles the difficult subject of the place of conscience in the development of English equity during a crucial period of legal history. Addressing the notion of conscience as a juristic principle in the Court of Chancery during the sixteenth and seventeenth centuries, the book explores how the concept was understood and how it figured in legal judgment. Drawing upon both legal and broader cultural materials, it explains how that understanding differed from modern notions and how it might have been more consistent with criteria we commonly associate with objective legal judgement than the modern, more 'subjective', concept of conscience. The study culminates with an examination of the chancellorship of Lord Nottingham (1673-82), who, because of his efforts to transform equity from a jurisdiction associated with discretion into one based on rules, is conventionally regarded as the father of modern, 'systematic' equity.

From a broader perspective, this study can be seen as a contribution to the enduring discussion of the relationship between 'formal' accounts of law, which see it as systems of rules, and less formal accounts, which try to make room for intuitive moral or prudential reasoning.

 [Download Conscience, Equity and the Court of Chancery in Ea ...pdf](#)

 [Read Online Conscience, Equity and the Court of Chancery in ...pdf](#)

Download and Read Free Online Conscience, Equity and the Court of Chancery in Early Modern England Dennis R. Klinck

From reader reviews:

Hester Crutchfield:

Have you spare time for any day? What do you do when you have considerably more or little spare time? Sure, you can choose the suitable activity intended for spend your time. Any person spent their particular spare time to take a walk, shopping, or went to typically the Mall. How about open or even read a book titled Conscience, Equity and the Court of Chancery in Early Modern England? Maybe it is for being best activity for you. You know beside you can spend your time using your favorite's book, you can better than before. Do you agree with the opinion or you have some other opinion?

Megan Rivera:

In this 21st hundred years, people become competitive in each and every way. By being competitive right now, people have do something to make these survives, being in the middle of typically the crowded place and notice simply by surrounding. One thing that occasionally many people have underestimated this for a while is reading. Sure, by reading a publication your ability to survive improve then having chance to stay than other is high. For yourself who want to start reading a new book, we give you this Conscience, Equity and the Court of Chancery in Early Modern England book as basic and daily reading guide. Why, because this book is greater than just a book.

Annamarie Windham:

Conscience, Equity and the Court of Chancery in Early Modern England can be one of your starter books that are good idea. We recommend that straight away because this guide has good vocabulary that will increase your knowledge in terminology, easy to understand, bit entertaining however delivering the information. The copy writer giving his/her effort to set every word into enjoyment arrangement in writing Conscience, Equity and the Court of Chancery in Early Modern England nevertheless doesn't forget the main point, giving the reader the hottest and also based confirm resource details that maybe you can be one among it. This great information can drawn you into completely new stage of crucial contemplating.

Linda Meier:

Reading a book make you to get more knowledge from that. You can take knowledge and information originating from a book. Book is prepared or printed or illustrated from each source that filled update of news. In this modern era like now, many ways to get information are available for a person. From media social such as newspaper, magazines, science reserve, encyclopedia, reference book, novel and comic. You can add your understanding by that book. Do you want to spend your spare time to open your book? Or just seeking the Conscience, Equity and the Court of Chancery in Early Modern England when you essential it?

**Download and Read Online Conscience, Equity and the Court of
Chancery in Early Modern England Dennis R. Klinck
#ICLSD0H549R**

Read Conscience, Equity and the Court of Chancery in Early Modern England by Dennis R. Klinck for online ebook

Conscience, Equity and the Court of Chancery in Early Modern England by Dennis R. Klinck Free PDF d0wnl0ad, audio books, books to read, good books to read, cheap books, good books, online books, books online, book reviews epub, read books online, books to read online, online library, greatbooks to read, PDF best books to read, top books to read Conscience, Equity and the Court of Chancery in Early Modern England by Dennis R. Klinck books to read online.

Online Conscience, Equity and the Court of Chancery in Early Modern England by Dennis R. Klinck ebook PDF download

Conscience, Equity and the Court of Chancery in Early Modern England by Dennis R. Klinck Doc

Conscience, Equity and the Court of Chancery in Early Modern England by Dennis R. Klinck Mobipocket

Conscience, Equity and the Court of Chancery in Early Modern England by Dennis R. Klinck EPub