

Topic Page: [estate](#)

Definition: **estate law** from *Britannica Concise Encyclopedia*

Laws governing the nature and extent of an owner's rights with respect to real and personal property. When used in connection with probate proceedings, it refers to the laws governing the disposition of the total property of whatever kind owned by a person at the time of death. See *also* estate tax, property, property tax.

Name: estate law or estate law

Keywords: estate law

Summary Article: **estate**

From *The Columbia Encyclopedia*

1 In property law, see property; tenure. **2** In constitutional law, an estate denotes an organized class of society with a separate voice in government. Representation by estate arose in Europe in the 13th cent. when the feudal system was being broken up as a result of the growth of the towns. The term generally designates three classes—the nobility, the clergy, and the commons. The commons were the knights and the townspeople of substance—the burgesses or bourgeoisie. The sovereign would occasionally consult the three estates and consider their grievances. Often voting was by an estate as a whole rather than by individual vote. In many cases the estates might merely advise the sovereign, and their decisions were not binding. From these practices modern parliamentary institutions gradually evolved in several countries. Much of the constitutional development of the later Middle Ages is a record of the emergence of the commons—sometimes called the third estate—into a position of equality with the other two estates. The process is clearly shown in the history of the States-General in France. The next step was the transition from representation by estates to popular representation. A crucial moment in the French Revolution was the rejection of voting according to estates and the merger of the States-General into the national assembly. The English Parliament may be viewed historically as a representative body of the estates; the nobility and the Church of England are represented by the House of Lords, and the commons—the remaining adult citizens—by the House of Commons. In fact, however, the term *estate* is not applicable to a country with democratic institutions and is probably not appropriate in any modern state.

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