

HOW TO USE THIS DICTIONARY ...

BECAUSE IT'S A BIT DIFFERENT

This dictionary is not repetitive: you won't find the same information in different places, even though there is a lot of overlap in legal terminology. So you need to follow cross-references to get a rounded picture. Here are a few (very few) tips on how to use the dictionary.

UNDERSTANDING TOPICS

To get the gist:

- For the gist of a word, read the first sentence. That might be enough as a memory jogger.
- For more information, read through to the end.

For understanding in depth:

- Read through to the end.
- To fully grasp context and interlinking of information, follow the cross-referenced terms (given in small capitals). This can be helpful even if you feel you understand the term.
- Follow the *see also* related references at the end of the entry.
- Find the cases cited and read them (or, online, search for the key word within the case to pinpoint the discussion).
- Search for the case name or legislation to find further related commentary.

To get a subject overview:

There are several ways to get the gist of a subject area:

- **Read the summary**, if it is in the **Priestley Eleven** core subjects list. (You will find a full-page summary box next to the spot where it occurs in alphabetical order.) If you are unsure whether it is a Priestley Eleven subject or not, check the Priestley Eleven entry.
- **Start with a word**: If it is a Priestley Eleven subject, look up any of the key topics listed, or any of the other words that seem significant from the description. If it is not a Priestley Eleven subject, or if you feel you have a handle on the subject area, start with a general-level word you think might be a key term (e.g. **will** or **probate**).

- **Chase word links:** Keep following the cross-references until you exhaust the topic. Or start again with another word whenever you like.

Understanding our system (it's very simple)

- **Parts of speech and obsolete terms:** As most entries are nouns, we don't make a special point of saying (*n*) each time. But if it's another part of speech, we mark it: (*v*) for verb; (*adj*) for adjective; and (*obs*) for obsolescent or obsolete.
- **Etymology:** If the Latin or Old French derivation is interesting, or it seems helpful to know how the meaning arose, we list it. Otherwise we don't.
- **Latin phrases:** If a Latin or foreign phrase is still *commonly* used by lawyers, or is genuinely something any lawyer worth their salt would know, we list it. That is why *cum grano salis* is there. But we don't list legal phrases that make little sense in current practice.
- **Islamic terms:** Sharia has become relevant for lawyers in the fast-growing area of Islamic banking and also in laws about face covering, so we have included some terms that might be unfamiliar non-Muslims.
- **Pronunciation:** If you might embarrass yourself by mispronouncing a word, we warn you (it's *best*-iality not *beast*-iality), but we don't usually give pronunciation guides. And when we do, it isn't in phonetics, because our research suggests that people find the phonetic help harder than the word itself.
- **Citations:** To fit in as many cases and examples of legislation as we could, we reluctantly had to trim them. They take a lot of room, and they are easy enough now to locate online, so we give only one citation for a case, even if it appears in multiple reports, and we only give a pinpoint reference if we have used a direct quote; even then, it is only a page number, instead of 'per Dixon CJ at p 49'. We ask for readers' indulgence here – and remind students that formal writing requires more detailed quoting and more extensive pinpoint referencing.
- **Academic references:** Because this is a dictionary, not an academic text, entries are not treated as mini-journal articles with references and a bibliography. We try to explain a term as clearly as we can, but it is not the task of a dictionary to provide lists of distinguished writers in the field, or to discuss terms in a scholarly way. Where a particular term is noticeably associated with a specific author and publication, we have indicated that briefly (author's name and year). That serves the purpose of alerting the reader and giving a starting point for further academic enquiry without taking the dictionary beyond its purpose. At the level of generality of this dictionary, most terms don't fall into that category.
- **Websites:** If there is a useful website with a lot of information, we give the website in the entry. We also list websites in the Abbreviations section (pages xxix–xxxviii).
- **Abbreviations:** Titles of organisations are set out in full in the entry headword. Be aware that that changes the way the entries sort. In other entries that refer to organisations that commonly have abbreviations, we use the abbreviated form to save space (e.g. ATO). If you need to check an abbreviation, look in the Abbreviations section. Where an organisation has a long title starting with an unexpected word and is strongly associated with a more helpful key word, we list it under that word: e.g. the Office of the United Nations High Commissioner for Refugees (UNHCR) appears under refugees (UN office) rather than under Office; Australian Privacy Principles are under Privacy Principles.

Helping us (we are keen to improve)

- We have had to be selective to keep the dictionary to a manageable size, and there will be things we have missed, or decisions we have made that you disagree with. And we would really like to know about them.
- Also, if you find something missing, unclear, or wrong, please let us know. This dictionary was built with the help of many people. We hope that you, too, will contribute to the excellence of future editions by letting us know where you think this one falls short. Just email with ALD in the subject line.

A

a coeli usque ad centrum (Latin, from heaven to the centre of the earth)

A phrase used in property law to describe an owner's interest in land as extending above and below the surface.

a mensa et thoro *see* DIVORCE.

a vinculo matrimonii *see* DIVORCE.

ab initio (Latin) From the beginning.

After the fact, subsequently. A term used particularly in the construction of a void instrument (e.g. contract, encumbrance or other legal instrument) as a statement about when it became void: from the beginning (*ab initio*), so that it has never had legal effect, or *EX POST FACTO* (becoming void later). The question has particular relevance for a plaintiff seeking a remedy in reliance on the instrument. See e.g. *Victoria v Sutton* [1998] 195 CLR 291.

ab intestato (Old French *intestat*; Latin *ab-*, from + *intestatus*) Having made no will. An inheritance from a person who has died *INTESTATE*.

abandonment Giving something up absolutely, throwing it, or the right to it, away; relinquishing it. Abandonment is subjective rather than objective;

it reflects one's attitude and present intentions, which may change. For parents to leave a child unprotected is to **abandon** the child, but they may later reclaim their parental rights. A legal claim may be abandoned (in one's own mind) without relinquishing the right to pursue it at a later time. Without something more, abandonment of a claim is not *ABROGATION*. Confirmation of relinquishment is required in some form (e.g. a **declaration of abandonment** under *Residential Tenancies Act 1987* (NSW) s 78; a **notice of abandonment** as required by *Marine Insurance Act 1909* (Cth) s 68; compromise of the claim in a negotiated settlement (*see also* *CONSIDERATION*); expiration of some contractual term or *LIMITATION PERIOD*, or *DELAY*). To divest *OWNERSHIP* of property, abandonment requires both a physical act of dispossession and an unequivocal mental *intent to abandon* any right, title or interest in the property abandoned: *Re Jigrose Pty Ltd* [1994] 1 Qd R 382. An **abandoned mine** is a site where mining has been carried out but that is not currently the subject of a licence: see e.g. *Mineral Resources Act 1989* (Qld) s 344. Property reasonably thought or deemed to be abandoned or lost may be seized or collected, but reclamation by the true owner is possible prior to sale by

public auction (usually after six months). Legal costs may be abandoned as a consequence of the way one conducts a case (called wasted costs or COSTS THROWN AWAY). In court a judge may enquire whether a party 'is to be taken to have abandoned' some aspect of a claim, seeking confirmation of an assumed intention. *See also* ADVERSE POSSESSION; FLOTSAM, JETSAM, LAGAN; PUBLIC DOMAIN; RES NULLIUS; TERRA NULLIUS.

abatement Relief from or lessening of some impost or obligation. (1) In commercial and testamentary contexts an insufficiency of estate assets may force an **abatement of legacies** (reduction in the claims of legatees after payment of debts). (2) LITIGATION or criminal proceedings may **abate** by reason of the death of a party or by ORDER of the court. In TORTS LAW, the right of abatement of nuisance allows the person suffering a nuisance to take reasonable action to end it, even if the remedial action involves a wrong such as trespass. And where leased premises are destroyed or damaged, rent *abates* until the lessee can reoccupy. (3) In torts law, **abatement of nuisance** is a self-help remedy permitting a landowner suffering a private nuisance to enter on the land from which the nuisance is emanating in order to stop it. A person with a right of abatement does not incur liability in trespass. However, very good reason will be required; the onus of proving abatement is on the trespasser: *Traian v Ware* [1957] VR 200, 207. Legal action rather than personal intervention will generally carry less risk. (4) In criminal law, proceedings that lapse before they have reached a determinative conclusion (conviction or judgment) are said to have **abated**. *See also* EXTRA-JUDICIAL DETERMINATION; PRIVATE NUISANCE.

abdication Voluntary renunciation of power or high office, especially of the throne by the sovereign, effected by statute. Thus to marry Wallis Simpson, Edward VIII abdicated through *His Majesty's Declaration of Abdication Act 1936* (UK). By extension, any improper failure to exercise proper power, or abandonment of duty. Examples are a state parliament's abdication of legislative power in purporting to convert offences against state law into offences against federal law; or a tribunal's uncritical application of government policy to the facts of a particular case (*Drake v Minister for Immigration and Ethnic Affairs* (1979) 24 ALR 577), or abdication of proper responsibility by police (e.g. *Peter Eric Dunesky & Anor v Commonwealth of Australia & Ors* [1996] FCA 624). An allegation that the head of a department is responsible for a 'gross abdication' of the department's duty to safeguard children is a defamatory imputation (*Matchett v Queensland Newspapers Pty Ltd & Anor* [2004] QSC 223). From Latin *ab*, away from + *dicare*, to proclaim. *Cf* resignation from lower offices.

abduction (Latin *ab-*, away + *ducere*, to lead) (1) Abductive reasoning, 'inference to the best explanation'. Inferential reasoning that starts with a set of accepted FACTS and infers the best (most likely) explanation for them. Abduction moves from data describing what happened to the hypothesis that best explains the data. It is the kind of reasoning used in law when a BARRISTER constructs a CASE THEORY and presents it to the court, through EVIDENCE, to explain allegedly CRIMINAL conduct and argue about its guilt status. The ADVERSARIAL LEGAL SYSTEM depends on opposing theories of the case being argued persuasively in order to discern

the stronger abductive case. (2) Stealing a person away (*see* CHILD ABDUCTION; KIDNAPPING; SEDUCTION).

abet (*v*) (**aid, abet, counsel, procure**) To assist or encourage the commission of an offence; it may be minor assistance such as keeping a lookout, but it must be knowing assistance (being present is not enough). **Abetting** is a form of secondary criminal liability as an ACCESSORY of a principal offender, in COMMON LAW terminology. **Aiding** usually refers to provision of material assistance. The criminal codes refer to *counsellors, procurers, aiders* and *abettors*. Apart from accessories after the fact, all participating offenders are COMPLICIT in the offence and may be punished as principal offenders: *see e.g. Crimes Act 1958* (Vic) s 323. *Criminal Code 1995* (Cth) s 11.2(1) provides: 'A person who aids, abets, counsels or procures the commission of an offence by another person is taken to have committed that offence and is punishable accordingly.' *See also* CONNIVE.

abeyance (Anglo-French *abeiance, abeyance*, Old French *abeance, abaence*, to gape after or aspire (breathe into), open mouth wide, agape) In Old French the condition of the heir or other aspirant, in whose abeyance or aspiration a title or property stood; hence in English law applied to the condition of the property, the ownership of which is thus claimed, or is merely liable to be claimed by someone. In ownership limbo. More generally, something that is only within legal expectation or contemplation, not actually vested in a person; the position of waiting for an owner or being without a claimant or owner (OED). Thus **abeyance of seisin**, a gap in the right of possession of land.

abnormal Unusual, out of the ordinary, given the particular context. Thus in tax and finance, an abnormal item (loss, expense, gain, profit) is beyond the normal range of expectations for the business. In torts, a plaintiff may have an abnormality that makes him or her particularly vulnerable (*see* EGGSHELL SKULL RULE).

abode Dwelling-place. *Income Tax Assessment Act 1936* (Cth) s 6 defines residency in terms of 'usual' or 'permanent' place of abode. *See also* DEEMED DOMICILE; DOMICILE.

abominable crime *see* UNNATURAL OFFENCE.

Aboriginal and Torres Strait Islander Corporations Culturally specialised Indigenous corporations administered by an independent statutory body, the Office of the Registrar of Indigenous Corporations (ORIC) under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (CATSI Act) within the Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA). www.oric.gov.au

Aboriginal community (1) In general terms, a community of Aboriginal people who have a traditional and customary connection or AFFILIATION with the land; may include others whose connection is based on historical association. (2) Incorporated Aboriginal communities to which community legislation is declared to apply by proclamation. In WA, under the *Aboriginal Communities Act 1979* (WA) s 3, an Aboriginal community is defined as a 'community or association wholly or principally composed of persons who are of Aboriginal descent within the meaning of the *Aboriginal Affairs Planning Authority Act 1972* (WA)'.

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In Queensland, an Aboriginal community may by request be declared to be an Aboriginal Community to which the *Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-management) Act 1978* (Cth) applies, with a regime of reserves and councils. Communities are the subject of Queensland legislation (*Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984* (Qld) and *Aboriginal Communities (Justice and Land Matters) Act 1984* (Qld)) but are defined only in terms of community government areas in the shires of Aurukun and Mornington and other areas proclaimed under the *Local Government (Community Government Areas) Act 2004* (Qld). See also TRADITIONAL OWNER.

Aboriginal cultural heritage Any place or object, including human remains, that is significant, secret or sacred to the Aboriginal people because of traditional or family links or history. See e.g. *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth); *Aboriginal Cultural Heritage Act 2003* (Qld); *Aboriginal Heritage Act 2006* (Vic). Terminology and protections vary between statutes.

Aboriginal customary law The body of rules, customs and traditions of an Aboriginal society that established standards of behaviour to be followed by the members of that society and recognised by them. In *Milirrpum v Nabalco Pty Ltd* (1971) 17 FLR 141 Blackburn J found ‘a subtle and elaborate system highly adapted to the country in which the people led their lives, which provided a stable order of society and was remarkably free from the vagaries of personal whim or influence. If ever a system could be called “a government of laws, and not of men”, it is that shown in the evidence before me’. Aboriginal

customary law may describe a way of life and incorporate religious beliefs, and therefore narrow definitions are inappropriate (ALRC, *The Recognition of Aboriginal Customary Laws*, Report No. 31 (1986) [98]–[101]).

The NTLRC has cautioned against distinguishing between ‘custom’ and ‘law’, describing Aboriginal tradition as ‘an indivisible body of rules laid down over thousands of years and governing all aspects of life, with specific sanctions if disobeyed’ (NTLRC, *Report into Aboriginal Customary Law* (2003) [3.9]).

Aboriginal customary law may be, but is not always, enforced by Elders. The content of Aboriginal customary law varies throughout Australia. It may also evolve over time. A contemporary manifestation of customary law is circle sentencing, which enables Elders to have input into the sentencing of Aboriginal offenders.

Contrary to popular stereotypes, Aboriginal customary law does not condone family violence (WALRC, *Aboriginal Customary Laws*, Report No. 94 (2006) 18–30).

The High Court has rejected the argument that Aboriginal customary criminal law in some way survived British settlement. ‘It is a basic principle that all people should stand equal before the law. A construction which results in different criminal sanctions applying to different persons for the same conduct offends that basic principle ... The general rule is that an enactment applies to all persons and matters within the territory to which it extends ... the entirety of Imperial law was in force in Australia’ (as introduced by the *Australian Courts Act 1828* (Imp)); *Walker v NSW* (1994) 182 CLR 45, upholding the power of the NSW legislature to enact criminal statutes of application to all persons, Aboriginal and non-Aboriginal. Recognition of NATIVE

TITLE is in a special position and does not give rise to a wider recognition of customary law.

Aboriginal deaths in custody In 1987 the Royal Commission into Aboriginal Deaths in Custody was established to investigate the deaths of 99 Aboriginal and Torres Strait Islanders who had died in custody between 1980 and May 1989. The Royal Commission found that Aboriginal people were not more likely to die, once in custody, than non-Aboriginal prisoners, but that they were grossly over-represented within the criminal justice and prison systems. Among the Commission's key recommendations were that imprisonment should be used only as a sanction of last resort (recommendation 92). The Commission also recommended that arrest be used as a last resort (recommendation 87), since of the 99 deaths investigated, 60% occurred not in prison but in police custody. Since the Royal Commission reported in 1991, the problems of Indigenous over-representation in prisons and of deaths in custody have remained unchanged or have deepened, depending on jurisdiction. *See also* BRINGING THEM HOME REPORT; DEATH IN CUSTODY.

Aboriginal land rights Statutory rights of Indigenous Australians to acquire non-transferable freehold title to traditional lands over which the crown had claimed legal title during the white colonisation of Australia (e.g. under *Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987* (Cth); *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) or *Aboriginal Land Rights Act 1983* (NSW)). Enacted land rights have given limited recognition to Aboriginal AFFILIATION with particular land for which title has been sought. These land rights are distinguishable from NATIVE TITLE to Indigenous lands, which

pre-existed and survived colonisation and is recognised at COMMON LAW.

Aboriginal person In Australia, being an Aboriginal person has three aspects: being a member of the Aboriginal race of Australia (being the communities of original inhabitants of what is now Australia before British colonisation); identifying as an Aboriginal person; and being accepted by the Aboriginal community as an Aboriginal person: see e.g. *Aboriginal Land Rights Act 1983* (NSW) s 4(1). Communities with different AFFILIATIONS use different terms: *Wangkayi*, *Nyungar*, *Anangu* and *Mardu* all mean 'Aboriginal person' to the people who use those terms: *Harrington-Smith on behalf of the Wongatha People v State of Western Australia* (No. 9) [2007] FCA 31. *See also* KOORI COURT.

aborted trial A TRIAL that has been terminated early, by stopping it and discharging the jury, at any stage before the usual conclusion reached at the point of verdict. The trial will usually be aborted on application by one or more parties, on the basis that it is no longer possible to conduct the trial fairly (at that time, or before those jurors), e.g. because prejudicial material has been published in the media after the jury has been empanelled. *See also* MISTRIAL.

abortion (unlawful) Termination of a pregnancy by causing the exit of a foetus and associated products of conception from the uterus using surgical or other means (drugs or instruments). A **miscarriage** is a spontaneous abortion before the foetus can survive. By itself, abortion is a neutral medical term; it implies nothing about why the pregnancy was aborted, whether spontaneously or intentionally induced. In law, **induced abortion** is a criminal offence in certain

circumstances, which vary among the Australian jurisdictions. Although abortion is now legal in Victoria when carried out by a relevant health professional (see *Abortion Law Reform Act 2008* (Vic)), it is a criminal offence in other circumstances: *Crimes Act 1958* (Vic) s 65. In most states a defence is available where a doctor can show that the abortion was carried out in good faith and with reasonable skill for the preservation of the mother's life. However, there are also slight variations in relation to the operation of this defence. In COMMON LAW CRIMINAL JURISDICTIONS where the offence of unlawful abortion is modelled on the *Offences Against the Person Act 1861* (UK) (see *Crimes Act 1900* (ACT) ss 42–43; *Crimes Act 1900* (NSW) ss 82–83, and formerly also in Victoria) it is modified by the MENHENNITT RULING as to necessary and proportionate termination. Queensland and Tasmanian codes contain three offences: *Criminal Code 1899* (Qld) ss 224–225 (defence in s 282); *Criminal Code 1924* (Tas) ss 134–135 (defence in s 51(1)). In NT, SA and WA unlawful abortion is a criminal offence but legislation provides for lawful medical terminations: *Criminal Code Act* (NT), ss 172–173 (lawful terminations under s 174); *Criminal Law Consolidation Act 1935* (SA), ss 81–82 (lawful terminations under s 82A); and *Criminal Code 1913* (WA) s 199. A related offence is **child destruction**.

abridgment Truncation (shortening) of the period allowed for completion of some procedural step. Subject to principles of PROCEDURAL FAIRNESS, judicial officers generally have DISCRETION to **abridge** the time prescribed in court orders or RULES OF COURT. Cf EXTENSION of time allowed.

abrogation Formal nullification or cancellation. To **abrogate** a law, or

the continuing effect of an agreement, obligation, instrument or right, is to formally put an end to it. Abrogation by government occurs in different ways depending on the branch concerned. The LEGISLATURE abrogates previous law by repeal or abolition; the EXECUTIVE abrogates rights or duties by administrative action such as cancellation; and the JUDICIARY does so by invalidation or nullification.

abscond (v) (Latin *abscondere*, to hide or conceal) To flee (fly from) the law in order to avoid one's creditors, or some legal proceeding. Often (but not necessarily) has the sense of **fleeing the jurisdiction** (the geographical area in which a legal regime operates): thus a defendant might **abscond** from Queensland to avoid a state criminal charge, or abscond from Australia to avoid a family law proceeding. **Deemed absconding** may be very broad: e.g. the *Confiscation Act 1997* (Vic) s 5(a), (b) DEEMS a person who has been charged with an offence but dies prior to its determination, or who cannot be found for six months after a warrant is issued, to have absconded. The *Australian Federal Police Act 1979* (Cth) s 42A defines absconding in connection with an OFFENCE in terms of the defendant having been charged, a warrant having been issued, and after six months the person cannot be found (or is outside Australia, in which case EXTRADITION proceedings become relevant). The *Proceeds of Crime Act 2002* (Cth) s 334 is cast in similar terms.

absence (1) The state of being away, generally from a place, sometimes but not always with a pejorative sense (e.g. an **absentee landowner** who is away or out of the jurisdiction). An **absentee vote** (or **absent vote**) is cast from outside the electorate by an **absentee voter**

(**absent voter**). (2) Failure to attend when required (e.g. absence from court of a party expected or required to appear at a hearing, or of a witness to appear on summons). Courts may make orders in default of appearance (see **DEFAULT JUDGMENT**). (3) A party may be absent by reason of being unaware of a proceeding (see **EX PARTE**).

absente reo (Latin) The person accused (defendant) being absent.

absolute (*adj*) (1) Definite and incontrovertible, with 100% certainty; full, complete, and lacking nothing. The law imposes **absolute liability** for some **OFFENCES** and for **BREACH OF STATUTORY DUTY**, and provides for **absolute discharge** (unconditional release) from **CUSTODY** (*cf* conditional release). In **CONTRACT LAW** **absolute acceptance** of an **OFFER** is full acceptance of all its terms (*cf* conditional acceptance); **absolute delivery** delivers completely and finally; **absolute discharge** completes the contract in full. However, the law does not make absolute findings of fact; in criminal law 'NOT GUILTY' is as close as the law comes to **INNOCENCE**, and juries are asked to find guilt 'BEYOND REASONABLE DOUBT', not to look for **absolute proof** of guilt.

(2) Also used in the sense of being *foundational* or *fundamental*, e.g. in contract law, for **absolute breach** (fundamental breach) of a **CONDITION**. Similarly, Kelsen (see **GRUNDNORM**) proposed **absolute duty** for the kinds of duties matched by fundamental **RIGHTS** (e.g. **HUMAN RIGHTS** protected by the **CHARTER OF FUNDAMENTAL RIGHTS**).

absolute liability In **CRIMINAL LAW** and **TORTS LAW**, the liability of a defendant irrespective of a mental element (the plaintiff need not prove **NEGLIGENCE** or a

FAULT ELEMENT in order to establish a cause of action). No defence apart from **FORCE MAJEURE** is available (even honest and reasonable mistake: *cf* **STRICT LIABILITY**).

absolute majority In any matter put to a vote, a group of more than half (51% or more) of all voters *entitled* (eligible) to vote. *Cf* 50 per cent of the members who actually vote (a simple **MAJORITY**).

absolute privilege see **PRIVILEGE IN DEFAMATION**.

abstract of title In old system conveyancing, a chronological list of the **CHAIN OF TITLE** with documents attached. This form succeeded an earlier style of abstract of title which contained recitals of documents (extracts from the wording of the relevant parts in accordance with detailed rules), and of all other relevant facts and events. An abstract of title must start with a good **ROOT OF TITLE** at least 30 years before the contract date; it can be or include a list of documents, events and facts arranged (apart from a will or codicil) in date order, if the list in respect of each document shows its date, general nature, names of parties and any registration number; and has attached a legible photocopy or an official or registration copy of itself. See e.g. *Conveyancing Act 1919* (NSW) s 183 and *NSW Contract for the Sale of Land—2005 Edition*, cl 25, which applies to land under **QUALIFIED TITLE**, **LIMITED TITLE** and **OLD SYSTEM TITLE**. A **perfect abstract** specifies each link in a chain of title, from a good root of title to the present owner (vendor), with no gaps or errors in the abstract itself (not the same thing as a perfect title).