

Common law

- forms a major part of the law of many countries, especially those with a history as British territories or colonies.
- originally developed under the auspices of the adversarial system in historical England from judicial decisions that were based in tradition, custom, and precedent.
- judgments extensively expose the facts, compare or distinguish them from the facts of previous cases, and decide (if not create) the specific legal rule relevant to the present fact
- statutes are precise, statutes provide detailed definitions, and each specific rule sets out lengthy enumerations of specific applications or exceptions
- rules can be changed from time to time, subject to the doctrine of stare decisis (principle that a question once considered by a court and answered must elicit the same response each time the same issue is brought before the courts.)
- Until the beginning of the 20th century, jurisdictions had two parallel court systems, courts of "law" that could only award money damages and courts of "equity" that could issue injunctions, orders to do or stop doing something.

Continental law (Civil law)

- a codified system of law that sets out a comprehensive system of rules that are applied and interpreted by judges.
- It has its origins in Roman law.
- Is the base of the law in the majority of countries of the world, especially in continental Europe, but also in Quebec (Canada), Louisiana (USA), Japan, Latin America, and most former colonies of continental European countries
- the general principles are embodied in national codes and statutes
- decisions first identify the legal principles that might be relevant, then verify if the facts support their application
- codes and statutes are concise, statutes provide no definitions
- highly systematised and structured and relies on declarations of broad, general principles, often ignoring the details
- **Equity** is the name given to the set of legal principles, in countries following the English common law tradition, which supplement strict rules of law where their application would operate harshly, so as to achieve what is sometimes referred to as "natural justice."
- In modern practice, perhaps the most important distinction between law and equity is the set of remedies each offers. The most common remedy a court of law can award is money damages. Equity, however, enters injunctions or decrees directing someone either to act or to forebear from acting.
- A plaintiff whose neighbor will not return his only milk cow, which wandered onto the neighbor's property, for example, may want that particular cow back and not just its monetary value.

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