

First Course in the English Legal Language

* Read the text:

Title: Civil Law and Common Law

As lawyers know, legal systems in countries around the world generally fall into one of two main categories: common law systems and civil law systems. There are roughly 150 countries that have what can be described as primarily civil law systems, whereas there are about 80 common law countries.

The main difference between the two systems is that in common law countries, case law — in the form of published judicial opinions — is of primary importance, whereas in civil law systems, codified statutes predominate. But these divisions are not as clear-cut as they might seem. In fact, many countries use a mix of features from common and civil law systems. In civil law countries, judges are often described as “investigators.” They generally take the lead in the proceedings by bringing charges, establishing facts through witness examination and applying remedies found in legal codes.

Lawyers still represent the interests of their clients in civil proceedings, but have a less central role. As in common law systems, however, their tasks commonly include advising clients on points of law and preparing legal pleadings for filing with the court. But the importance of oral argument, in-court presentations and active lawyering in court are diminished when compared to a common law system. In addition, non-litigation legal tasks, such as will preparation and contract drafting, may be left to quasi-legal professionals who serve businesses and private individuals, and who may not have a post-university legal education or be licensed to practice before courts.

In contrast, in a common law country, lawyers make presentations to the judge (and sometimes the jury) and examine witnesses themselves. The proceedings are then “refereed” by the judge, who has somewhat greater flexibility than in a civil law system to fashion an appropriate remedy at the conclusion of the case.

For further details, please check the following link: <https://ppp.worldbank.org/public-private-partnership/legislation-regulation/framework-assessment/legal-systems/common-vs-civil-law>

Useful words:

Legal systems= الأنظمة القانونية	Lawyers= رجال القانون	Advice = نصيحة
Common law = قانون العموم (المشترك)	Proceedings = الإجراءات القضائية	Pleadings = مرافعات
Civil law = القانون المدني	Facts = الوقائع	Court = المحكمة
Case = قضية	Witness = الشاهد	Argument = الحجة
Judges = قضاة	Business = الأعمال	Litigation = الدعاوى القضائية
Investigators = محققون	Clients = العملاء، الزبائن	Contract = العقد

Question: Is there any other legal system?