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INTRODUCTION:

The Common law in England basically unwitting or uncodified law which is constantly changing. Common laws are created by the Judges by delivering written judgments using their knowledge of legal precedent about the cases before them. English Common law is basically Judges' decisions rather than in statutory law.

A set of procedures and codes which is used to carry out laws is known as a legal system. Common law principles are the basis of the English Legal System. Different parts of the British Isles were under the government of various different legal systems (**e.g. Norse in northern England**) each reflecting the influence of particular invaders, this happens because of the fact that prior to the Norman Conquest, and develops historically. The representatives of the monarchy impose principles around the country and emerge gradually, where the practices of the law were common to each of these localities (**CHAMBERS, 2022**). The doctrine of binding precedent was ultimately led by the emergence of the principle of stare decisis. The changing societal needs of the age were adopted by a common law system which has become the English legal system after that.

COMMON LAW:

Around the world today, many scores of countries use a legal system known as common law. By a strict legal code, the judges make written decisions and create a body of law which is referred to as case law or common law. In individual cases, the court decisions derive from unwritten, underlying law's common law systems. In this system, a very powerful role is played by the judges. Instead of from a codified set of legal statutes, judicial decisions make laws in common law systems which also include a reference to stare decisis. The decisions made by previous courts are followed by the idea that courts are obligated to follow them, and this is referred to as stare decisis which means 'let the decision stand' (**Johnson, 2020**).

For deciding new cases precedents looked to previous cases where the judicial decision practices are involved. Guidelines are provided for future decisions so that they can establish precedents as in common law systems cases are decided by judges. Future cases can overturn as precedents are not completely binding. In common law systems, the position of judges is made very prominently by all of this (**Hale, 2020**). But, by overturning old ones or establishing new precedents, they can also effectively compose laws and also apply them. Judges can make common law decisions and can also respond to them. Besides, based on those rulings they can enact legislation as lawmakers in the government. A court ruling can become a statutory law in a common law system in this manner.

CIVIL LAW:

In the world, the most widely adopted legal system is civil law. This law is the combination of both a branch of law and a legal system. The term civil law is used between two non-governmental parties where a dispute arises over court cases. In the sixth century, Corpus Juris Civil is, the Justinian Code built a legal system outside of the U.S. as civil law (**Jenks, 2021**). There is a civil law system in the most Western European states. Due to the French heritage of Louisiana, the civil law tradition is followed by this state only in the U.S. There are continuously updated legal codes of countries with civil law systems. An appropriate punishment for each offense and an application procedure is brought before a court to specify all this matter (**Ginsburg, 2022**). Applying the provisions of the applicable code by establishing the facts of the case is the role of the judge in a civil law system. By deciding on the case, investigating the matter, and bringing the formal charges a comprehensive, codified set of laws establish a framework within which the judge works. In shaping civil law, the decisions of legal scholars and legislators are consequently more crucial than the judge's decision because they interpret and draft the codes.

COMMON LAW VS. CIVIL LAW:

Nowadays, one of the most important distinctions is common law vs. civil law. In the world, these two items can divide most legal systems. Instead of unwritten law, civil law is cantered on complex legal codes. That means, upholding and applying written laws in the best way is sought by the judges in the civil law system.

In continental Europe, Civil Law is often contrasted with the Common Law traditions as the foundation of the legal traditions of English-speaking countries (**Stéphane, 2022**). In deciding cases, the judges mostly depend on the "legal codes" on the basis of their Roman law model. Thus, written doctrines and codes have taken priority in a civil law system. And so jurisprudence and the role of the judge are emphasized by common law systems.

In continental Europe, the civil law system is dominant and can be contrasted with the common law systems. The judiciary and legislature help to keep a balance between these laws. With Napoleonic heritage, the French Civil Code influence the civil law systems traditionally. The civil code or constitution is the primary source of the law in civil law systems (**Rheinstein, 2023**). Other laws stem from here.

In the world, there are more common law systems besides the English legal system. During the imperial expansion, many colonies and territories were exported through this system. While the English common law has historically developed in a particular way, it can be defined as a unique system. The issue of the effect of new law between the civil law system and the common law system is another significant difference.

THE HISTORY OF THE COMMON LAW:

Over many centuries the English common law has developed and it can be traced back to Roman law or even **Anglo-Saxon kings**. So-called writs were issued by the Normans, Anglo-Saxon rulers, and their successors during the Middle Ages. Including correcting injustices, many different situations were addressed in the name of the sovereign which the courts issue legal orders or writs (**Cywinski, 2020**). To answer charges, defendants appear in court demanded by some writs. In individual court decisions, judges often had to interpret these writs instead of creating an all-inclusive legal code because of the sovereign issued specific writs. To create unwritten legal rules and norms, the judicial decisions rely on them and help to create the English common law system (**Langbein, 2021**). Because of the legal innovations of King Henry II, he is often referred to as the **"Father of Common Law"** although he was not the first ruler to issue writs. But he had promoted strong judicial institutions and expanded access to courts.

EXAMPLES OF THE COMMON LAW WORKING IN PRACTICE:

In many different situations, common law is manifest because of its continued use today and its rich history. The courts make decisions on the basis of stare decisis included in common law examples. That means to decide cases legal precedents are looked at by the judges. The legal systems of Australia and the United States are largely based on common law.

Another practical example of common law is common-law marriage. In a marriage where the partners are granted the same rights as those who are married but not formally registered as a civil or religious marriage can be referred to as common-law marriage (**Dixon, 2023**). Without being formally married, reaping the benefits of being married by partners is common-law marriage. These marriages are not celebrated in religious institutions nor recorded by state registries. The basis for newly written legislation is furnished by common law from time to time. **"Outraging public decency"** can be taken as an example of a common law offense in the U.K.

To prosecute a new intrusive which is known as up skirting, the authorities have used this ancient common law in the last decade (**CHAMBERS, 2022**). To distress or humiliate for sexual gratification or to take a photo or video of their private parts without their consent or knowledge, or in between a person's legs sticking a camera can be included in up skirting. The U.K. Parliament passed the Voyeurism (Offences) Act in February 2019. On the sex offenders register, the possibility of placing a convicted individual punishable by up to two years in prison is officially declared by the court as up skirting is a crime.

CONCLUSION:

The local businesses are influenced by employment law, company law, and the contract regarding which the components of the English legal system have been built. While comparing international standards to the principles of England's legal system in some instances, the doctrine and principles of the legal system appear to be at odds according to the court's decision, in this case, can be concluded by it. During the interpretation process in determining priority, the court is assisted with international standards to ensure it. Thus, it can be said that the English Legal System is based upon common law principles.

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