

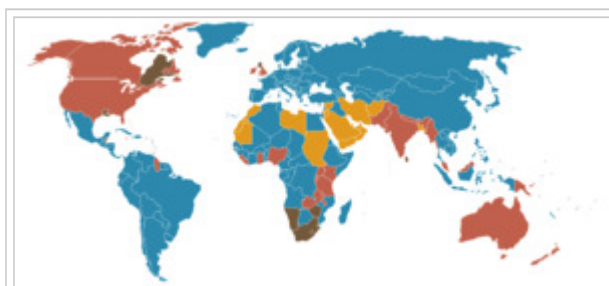
List of country legal systems

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The **legal systems of the world** today are generally based on one of three basic systems: civil law, common law and religious law — or combinations of these. However, the legal system of each country is shaped by its unique history (see State law), and so incorporates individual variations.

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Legal Systems of the World

- ☐ Civil law
- ☐ Common law
- ☐ Bijuridical (civil and common law, also known as mixed jurisdiction)
- ☐ Customary law
- ☐ Shariah

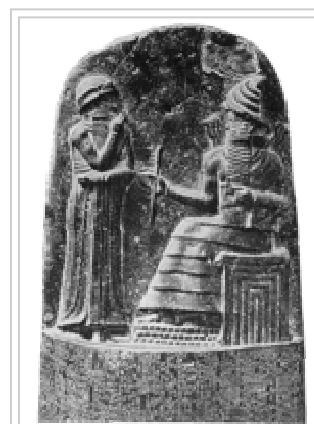
Civil law

Main article: Civil law (legal system)

Civil law is the most widespread system of law around the world. It is also sometimes known as *Continental European law*. The central source of law that is recognized as authoritative are codifications in a constitution or statute passed by legislature, to amend a code.

While the concept of codification dates back to the Code of Hammurabi in Babylon ca. 1790 BC, civil law systems mainly derive from the Roman Empire, and more particularly, the *Corpus Juris Civilis* issued by the Emperor Justinian ca. AD 529. This was an extensive reform of the law in the Byzantine Empire, bringing it together into codified documents. Civil law was also partly influenced by religious laws such as Canon law and Islamic law.^{[1][2]} Civil law today, in theory, is interpreted rather than developed or made by judges. Only legislative enactments (rather than judicial precedents, as in common law) are considered legally binding.


















Scholars of comparative law and economists promoting the legal origins theory usually subdivide civil law into four distinct groups:






























Shamash (the Babylonian sun god) hands King Hammurabi a code of law

- French civil law: in France, the Benelux countries, Italy, Romania, Spain and former colonies of those countries;
- German civil law: in Germany, Austria, Switzerland, former Yugoslav republics, Greece, Portugal, Turkey, Japan, South Korea and the Republic of China;
- Scandinavian civil law: in Denmark, Norway and Sweden. As historically integrated in the Scandinavian cultural sphere, Finland and Iceland also inherited the system.
- Chinese law: a mixture of civil law and socialist law in use in the People's Republic of China.



A comprehensive list of countries that base their legal system on a codified civil law follows:







Country	Description
 Albania	The Civil Code of the Republic of Albania, 1991 [1] (http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN014893.pdf)
 Angola	Based on Portuguese civil law
 Argentina	<p>The Spanish legal tradition had a great influence on the Civil Code of Argentina, basically a work of the Argentine jurist Dalmacio Vélez Sársfield, who dedicated five years of his life on this task. The Civil Code came into effect on January 1, 1871. Beyond the influence of the Spanish legal tradition, the Argentinian Civil Code was also inspired by the Draft of the Brazilian Civil Code, the Draft of the Spanish Civil Code of 1851, the Napoleonic code and the Chilean Civil Code. The sources of this Civil Code also include various theoretical legal works, mainly of the great French jurists of the 19th century. It was the first Civil Law that consciously adopted as its cornerstone the distinction between i. rights from obligations and ii. real property rights, thus distancing itself from the French model.</p> <p>The Argentinian Civil Code was also in effect in Paraguay, as per a Paraguayan law of 1880, until the new Civil Code went in force in 1987.</p> <p>During the second half of the 20th century, the German legal theory became increasingly influential in Argentina.</p>
 Andorra	Courts apply the customary laws of Andorra, supplemented with Roman law and customary Catalan law. ^[3]
 Aruba	Based on Dutch civil law
 Austria	The Allgemeines bürgerliches Gesetzbuch (ABGB) of 1811
 Azerbaijan	
 Belarus	
 Belgium	The Napoleonic Code is still in use, although it is heavily modified (especially concerning family law)
 Benin	
 Bolivia	Influenced by the Napoleonic Code
 Bosnia and Herzegovina	Influenced by Austrian law. The Swiss civil law (Zivilgesetzbuch) was a model for the Law on Obligations of 1978.
 Brazil	Derived from the German and Roman civil law
 Bulgaria	Civil Law system influenced by Germanic and Roman law systems
 Burkina Faso	
 Burundi	
 Chad	

 People's Republic of China	civil law system; based on native customs and practices with Soviet and German influence
 Republic of the Congo	
 Democratic Republic of the Congo	
 Cote d'Ivoire	
 Cambodia	
 Cape Verde	Based on Portuguese civil law
 Central African Republic	
 Chile	<p>The Spanish legal tradition exercised an especially great influence on the civil code of Chile. On its turn, the Chilean civil code influenced to a large degree the drafting of the civil codes of other Latin-American states. For instance, the codes of Ecuador (1861) and Colombia (1873) constituted faithful reproductions of the Chilean code, but for very few exceptions. The compiler of the Civil Code of Chile, Venezuelan Andrés Bello, worked for its completion for almost 30 years, using elements, of the Spanish law on the one hand, and of other Western laws, especially of the French one, on the other. Indeed, it is noted that he consulted and used all of the codes that had been issued till then, starting from the era of Justinian.</p> <p>The Civil Code came into effect on January 1, 1857. Its technique is regarded as perfect; it is distinguished for the clarity, logic and cohesiveness of its provisions. As mentioned by Arminjon, Nolde, and Wolff ('Traite de droit comparé', Paris, 1950–1952) Andrés Bello may be regarded as one of the great legislators of mankind. The influence of the Napoleonic code is great; it is observed however that <i>e.g.</i> in many provisions of property law, the solutions of the French <i>code civil</i> were put aside in favor of pure Roman law.</p>
 Colombia	Civil code introduced in 1873. Nearly faithful reproduction of the Chilean civil code
 Costa Rica	First Civil Code (a part of the General Code or Carrillo Code) came into effect in 1841; its text was inspired by the South Peruvian Civil Code of Marshal Andres de Santa Cruz. The present Civil Code is into effect since January 1, 1888, and reveals the influenced by the Napoleonic Code and the Spanish Civil Code of 1889 (from its 1851 draft version).
 Croatia	Influenced by Austrian and Hungarian law. The Law on Obligations of 2005.

 Cuba	Influenced by Spanish and American law with large elements of Communist legal theory.
 Czech Republic	Descended from the Civil Code of the Austrian Empire (1811), influenced by German (1939-45) and Soviet (1947/68-89) legal codes during occupation periods, substantially reformed to remove Soviet influence and elements of socialist law after the Velvet Revolution (1989).
 Denmark	Scandinavian-German civil law
 Dominican Republic	Based by the Napoleonic Code
 Ecuador	Civil code introduced in 1861. Nearly faithful reproduction of the Chilean civil code
 El Salvador	
 Estonia	
 Finland	civil law system based on Swedish law ^[4]
 France	Based on the Napoleonic code (<i>code civil</i> of 1804)
 Equatorial Guinea	
 Ethiopia	
 Gabon	
 Guinea	based on French civil law system, customary law, and decree ^[4]
 Guinea-Bissau	
 Georgia	
 Germany	The Bürgerliches Gesetzbuch of 1900 ("BGB"). The BGB is influenced both by Roman and German law traditions.
 Greece	The Greek civil code of 1946, highly influenced by the German civil code of 1900 (Bürgerliches Gesetzbuch); the Greek civil code replaced the Byzantine-Roman civil law in effect in Greece since its independence (Νομική Διάταξη της Ανατολικής Χέρσου Ελλάδος, Legal Provision of Eastern Mainland Greece, November 1821: 'Οι Κοινωνικοί Νόμοι των Αειμνήστων Χριστιανών Αυτοκρατόρων της Ελλάδος μόνοι ισχύουσι κατά το παρόν εις την Ανατολικήν Χέρσον Ελλάδα', 'The Social [i.e. Civil] Laws of the Dear Departed Christian Emperors of Greece [referring to the Byzantine Emperors] alone are in effect at present in Eastern Mainland Greece')

 Guatemala	<p>Guatemala has had three Civil Codes: the first one from 1877, a new one introduced in 1933, and the one currently in force, which was passed in 1963. This Civil Code has suffered some reforms throughout the years, as well as a few derogations relating to areas which have subsequently been regulated by newer laws, such as the Code of Commerce and the Law of the National Registry of Persons. In general, it follows the tradition of the roman-French system of civil codification.</p> <p>Regarding the theory of 'sources of law' in the Guatemalan legal system, the 'Ley del Organismo Judicial' recognizes 'the law' as the main legal source (in the sense of legislative texts), although it also establishes 'jurisprudence' as a complementary source. Although jurisprudence technically refers to judicial decisions in general, in practice it tends to be confused and identified with the concept of 'legal doctrine', which is a qualified series of identical resolutions in similar cases pronounced by higher courts (the Constitutional Court acting as a 'Tribunal de Amparo', and the Supreme Court acting as a 'Tribunal de Casación') whose theses become binding for lower courts.</p>
 Haiti	Influenced by the Napoleonic Code
 Honduras	
 Hungary	Based on codified Roman law, with elements of the Napoleonic civil code
 Iceland	Based on Germanic traditional laws and influenced by Medieval Norwegian and Danish laws.
 Italy	Based on codified Roman law, with elements of the Napoleonic civil code; civil code of 1942 replaced the original one of 1865
 Japan	Modeled after European (primarily German) civil law system. Japanese civil code of 1895.
 Latvia	Largely influenced by Germany, medium influences from Russian and Soviet law.
 Lebanon	Modeled after French civil law
 Lithuania	Modeled after Dutch civil law
 Luxembourg	Influenced by the Napoleonic Code
 Macau	Based on the Portuguese strand of the continental tradition, itself much influenced by Germany; also influenced by the law of the PRC

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 Mexico		
 Mongolia	Civil Code of 2002 based on German BGB	
 Montenegro	First: the General Property Code for the Principality of Montenegro of 1888, written by Valtazar Bogišić. Present: the Law on Obligations of 2008.	
 Netherlands	Influenced by the Napoleonic Code	
 Norway	Scandinavian-German civil law. King Magnus VI the Lawmender unified the regional laws into a single code of law for the whole kingdom in 1274. This was replaced by Christian V's <i>Norwegian Code</i> of 1687.	
 Panama		
 Paraguay	The Paraguayan Civil Code in force since 1987 is largely influenced by the Napoleonic Code and the Argentinian Code	
 Peru	Based on civil law system; accepts compulsory ICJ jurisdiction with reservations	
 Poland	The Polish Civil Code in force since 1965	
 Portugal	Influenced by the Napoleonic Code and later by the German Civil Law	
 Republic of China (Taiwan)	Codification derived from German BGB.	
 Romania	Based on the Napoleonic Code	
 Russia	Civil Law system descendant from Roman Law through Byzantine tradition. Heavily influenced by German and Dutch norms in 1700-1800's. Socialist-style modification in 1900's, and Continental European Law influences since 1990's.	
 São Tomé e Príncipe	Based on Portuguese civil law	
 Serbia	First: the Civil Code of Principality of Serbia of 1844, written by Jovan Hadžić, was influenced by the Austrian Civil Code (Allgemeines bürgerliches Gesetzbuch). Present: The Swiss civil law (Zivilgesetzbuch) was a model for the Law on Obligations of 1978.	

 Slovakia	Descended from the Civil Code of the Austrian Empire (1811), influenced by German (1939-45) and Soviet (1947/68-89) legal codes during occupation periods, substantially reformed to remove Soviet influence and elements of socialist law after the Velvet Revolution (1989).
 Slovenia	A Civil Law system influenced mostly by Germanic and Austro-Hungarian law systems
 Spain	Influenced by the Napoleonic Code, it also has some elements of Spain's legal tradition, starting with the <i>Siete Partidas</i> , a major legislative achievement from the Middle Ages. That body of law remained more or less unchanged until the 19th century, when the first civil codes were drafted, merging both the Napoleonic style with the Castilian traditions.
 Sweden	Scandinavian-German civil law. Like all Scandinavian legal systems, it is distinguished by its traditional character and for the fact that it did not adopt elements of Roman law. It is indeed worth mentioning that it assimilated very few elements of foreign laws whatsoever. It is also interesting that the Napoleonic Code had no influence in codification of law in Scandinavia. The historical basis of the law of Sweden, just as for all Nordic countries, is Old German law. Codification of the law started in Sweden during the 18th century, preceding the codifications of most other European countries. However, neither Sweden, nor any other Nordic state created a civil code of the kind of the <i>Code Civil</i> or the BGB.
 Switzerland	The Swiss civil code of 1908 and 1912 (obligations; fifth book)
 Turkey	Modeled after the Swiss civil law (<i>Zivilgesetzbuch</i>) of 1907; this has been a conscious choice of Kemal Atatürk, the founder of the modern Turkish state, in order to abolish the Islamic law (<i>Sharia</i>), aiming at westernizing the country
 Ukraine	Civil Code of Ukraine of 2004
 Uruguay	
 Uzbekistan	Represents an evolution of Soviet civil law. Overwhelmingly strong impact of the Communist legal theory is traceable.
 Vietnam	Communist legal theory and French civil law

Common law

Main article: Common law

Common law and equity are systems of law whose sources are the decisions in cases by judges. Alongside, every system will have a legislature that passes new laws and statutes. The relationships between statutes and judicial decisions can be complex. In some jurisdictions such statutes may overrule judicial decisions or codify the topic covered by several contradictory or ambiguous decisions. In some jurisdictions judicial decisions may decide whether the jurisdiction's constitution allowed a particular statute or statutory provision to be made or what meaning is contained within the statutory provisions. Statutes were allowed to be made by the government. Common law developed in England, influenced by the Norman conquest of England which introduced legal concepts from Norman law, which in turn was influenced by aspects of Islamic law.^[2] Common law was later inherited by the Commonwealth of


Nations, and almost every former colony of the British Empire has adopted it (Malta being an exception). The doctrine of *stare decisis* or *precedent by courts* is the major difference to codified civil law systems.







Common law is currently in practice in Ireland, most of the United Kingdom (England and Wales and Northern Ireland), Australia, India (excluding Goa), Pakistan, South Africa, Canada (excluding Quebec), Hong Kong, the United States (excluding Louisiana) and many other places. In addition to these countries, several others have adapted the common law system into a mixed system. For example, Nigeria operates largely on a common law system, but incorporates religious law.

In the European Union the Court of Justice takes an approach mixing civil law (based on the treaties) with an attachment to the importance of case law. One of the most fundamental documents to shape common law is Magna Carta^[5] which placed limits on the power of the English Kings. It served as a kind of medieval bill of rights for the aristocracy and the judiciary who developed the law.



King John of England
signs Magna Carta

Country	Description
 American Samoa	
 Antigua and Barbuda	based on English common law
 Australia	based on English common law
 Bahamas	based on English common law
 Barbados	based on English common law
 Belize	based on English common law
 Bhutan	
 British Virgin Islands	based on English common law
 Canada	based on English common law, except in  Quebec, where a civil law system based on French law prevails in property and private matters
 Dominica	based on English common law
 England and Wales  (UK)	primarily common law, with early Roman and some modern continental influences
 Fiji	based on English common law
 Gibraltar	based on English common law
 Ghana	
 Myanmar	based on English common law
 Grenada	based on English common law
 Hong Kong	principally based on English common law
 India	based on English common law (except Goa which follows a Civil Law based on Portuguese Civil Law)
 Ireland	based on Irish law before 1922, which was itself based on English common law
 Jamaica	based on English common law
 Kiribati	based on English common law
 Marshall Islands	based on U.S. Law
 Nauru	based on English common law
 New Zealand	based on English common law
Northern Ireland  (UK)	based on Irish law before 1921, which was itself based on English common law
 Palau	based on U.S. Law
 Pakistan ^[6]	based on English common law with some provisions of Islamic law
 Saint Kitts and Nevis	based on English common law
 Saint Vincent and the Grenadines	based on English common law

 Singapore	based on English common law, but Muslims are subject to the Administration of Muslim Law Act, which gives the Syariah Court jurisdiction over Muslim personal law, e.g., marriage, inheritance and divorce.
 Tonga	based on English common law
 Trinidad and Tobago	based on English common law
 Tuvalu	based on English common law
 Uganda	based on English common law
 United States	Federal courts and 49 states use legal system originally based on English common law but which diverged greatly in 19th century with substantial indigenous innovations and borrowing of some civil law practices such as codification; State law in the U.S. state of Louisiana is based upon French and Spanish civil law (see below)

Religious law

Main article: Religious law

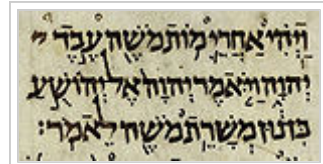
Religious law refers to the notion of a religious system or document being used as a legal source, though the methodology used varies. For example, the use of Jewish Halakha for public law has a static and unalterable quality, precluding amendment through legislative acts of government or development through judicial precedent; Christian Canon law is more similar to civil law in its use of civil codes; and Islamic Sharia law (and Fiqh jurisprudence) is based on legal precedent and reasoning by analogy (*Qiyas*), and is thus considered similar to common law.^[7]

The main kinds of religious law are Sharia in Islam, Halakha in Judaism, and canon law in some Christian groups. In some cases these are intended purely as individual moral guidance, whereas in other cases they are intended and may be used as the basis for a country's legal system. The latter was particularly common during the Middle Ages.















The Islamic legal system of Sharia (Islamic law) and Fiqh (Islamic jurisprudence) is the most widely used religious law, and one of the three most common legal systems in the world alongside common law and civil law.^[8] It is the most protected divine law, because, the majority of the rulings of Sharia law are based on the Qur'an and Sunnah, while a small fraction of its rulings are based on the Ulema (jurists) who used the methods of *Ijma* (consensus), *Qiyas* (analogical deduction), *Ijtihad* (research) and *Urf* (common practice) to derive *Fatwā* (legal opinions). An Ulema was required to qualify for an *Ijazah* (legal doctorate) at a *Madrasah* (school) before they could issue *Fatwā*.^[9] During the Islamic Golden Age, classical Islamic law may have had an influence on the development of common law^[2] and several civil law institutions.^[1] Sharia law governs a number of Islamic countries, including Saudi Arabia and Iran, though most countries use Sharia law only as a supplement to national law. It can relate to all aspects of civil law, including property rights, contracts or public law.

The Halakha is followed by orthodox and conservative Jews in both ecclesiastical and civil relations. No country is fully governed by Halakha, but two Jewish people may decide, because of personal belief, to have a dispute heard by a Jewish court, and be bound by its rulings.

Canon law is not a divine law, properly speaking, because it is not found in revelation. Instead, it is seen as human law inspired by the word of God and applying the demands of that revelation to the actual situation of the church. Canon law regulates the internal ordering of the Roman Catholic Church, the Eastern Orthodox Church and the Anglican Communion. Canon law is amended and adapted by the legislative authority of the church, such as councils of bishops, single bishops for their respective sees, the Pope for the entire Catholic Church, and the British Parliament for the Church of England.

























Aleppo Codex: 10th century Hebrew Bible with Masoretic pointing

Country	Description
 Afghanistan	Islamic law
 Bangladesh	Formerly based on English common law
 The Gambia	English common law, Islamic law and customary law
 Ghana	Based on English common law
 Iran	Islamic law
 Libya	Islamic law
 Mauritania	mix of Islamic law and French Civil Codes, Islamic law largely applicable to family law.
 Morocco	mix of Islamic law and French Civil Codes, Islamic law largely applicable to family law.
 Nigeria	Sharia
 Oman	Sharia and tribal custom laws
 Saudi Arabia	Islamic law
 Sudan	Based on Islamic law
 Vatican City	Based on principles of Code of Canon Law
 Yemen	Islamic law















Pluralistic systems

Civil law and common law







Country	Description
 Botswana	South African law (a mixed system) transferred <i>uno acto</i> through a proclamation of reception
 Cameroon	
 Cyprus	Based on English common law (Cyprus was a British colony 1878-1960), with admixtures of French and Greek civil and public law, Italian civil law, Indian contract law, Greek Orthodox canon law, Muslim religious law, and Ottoman civil law.
 Guyana	
 Israel	Originally (1948) based on English common law; in the process, influenced by German civil law—for instance, between 1962 and 1981, the Knesset issued twenty (20) wide-ranging laws, which were clearly influenced by civil law, and were in the form of codes. Religious law plays a role, especially in matters of personal status and family law, and judicial and legislative decisions take into account Jewish law (halakhah) on occasion. ^[10]
 Lesotho	South African law (a mixed system) transferred <i>uno acto</i> through a proclamation of reception
 Louisiana (U.S.)	Based on French and Spanish civil law, but federal laws (based on common law) are in effect in Louisiana as well.
 Malta	Initially based on Roman Law and eventually progressed to the Code de Rohan, Code Napoleon with influences from Italian Civil Law. English common law however is also a source of Maltese Law, most notably in Public Law
 Mauritius	
 Namibia	South African law (a mixed system) transferred <i>uno acto</i> through a proclamation of reception
 Philippines	Based on Spanish law; influenced by U.S. common law after 1898 Spanish and Philippine-American Wars, personal law based on sharia law applies to Muslims
 Puerto Rico (U.S.)	Based on Spanish law; influenced by U.S. common law after 1898 (victory of the U.S. over Spain in the Spanish-American war of 1898 and cession of Puerto Rico to the U.S.)
 Quebec (Canada)	After the defeat of the French in the battle at the Plains of Abraham, the British tried to convert Quebec to English language and Common Law, but given the growing menace of the United States, had to allow them to keep their language (French), their religion (Roman Catholicism), and their legal system (civil law), as part of the Quebec Act of 1774. However, as Quebec is part of the Canadian Confederation (since 1867), English-based laws applied at the federal level are in effect in Quebec also.
 Saint Lucia	
 Scotland (UK)	Based on Roman and continental law, with common law elements dating back to the High Middle Ages

 Seychelles	The substantive civil law is based on the French Civil Code. Otherwise the criminal law and court procedure are based on the English common law. See Seychelles Legal Environment (http://sites.google.com/site/theseychelleslegalenvironment/legal-system) .
 South Africa	An amalgam of English common law and Roman-Dutch civil law as well as Customary Law.
 Sri Lanka	An amalgam of English common law, Roman-Dutch civil law and Customary Law
 Swaziland	South African law (a mixed system) transferred <i>uno acto</i> through a proclamation of reception
 Thailand	The Thai legal system became an amalgam of German, Swiss, French, English, Japanese, Italian, and Indian laws and practices. Even today, Islamic laws and practices exist in four southern provinces. Over the years, Thai law has naturally taken on its own Thai identity.
 Vanuatu	Consists of a mixed system combining the legacy of English common law, French civil law and indigenous customary law.
 Zimbabwe	South African law (a mixed system) transferred <i>uno acto</i> through a proclamation of reception

Civil law and religious law

Country	Description
 Afghanistan	
 Algeria	
 Bahrain	
 Comoros	
 Djibouti	
 Egypt	Based on Islamic law and French civil law system
 Eritrea	
 Indonesia	Based on civil law of Holland and adat (cultural law of Indonesia)
 Jordan	Mainly based on French Civil Code and Ottoman Majalla, Islamic law applicable to family law
 Morocco	Based on Islamic law and French and Spanish civil law system
 Oman	
 Qatar	Based on Islamic law and Egyptian civil law system (after the French civil law system)
 Syria	Based on Islamic law and French civil law system
 United Arab Emirates	Based on Islamic law and Egyptian civil law system (after the French civil law system)

Common law and religious law

Country	Description
 Bangladesh	
 Brunei	
 Gambia	
 Malaysia	based on English common law, personal law based on sharia law applies to Muslims
 Nigeria	Sharia is applied in some northern states
 Pakistan	based on English Common Law, some Islamic law applications in inheritance. Tribal Law in FATA

Hybrid law

The most prominent example of a hybrid legal system is the Indian legal system. India follows a mixture of civil, common law and customary or religious law. Separate personal law codes apply to Muslims, Christians, and Hindus. Decisions by the Supreme Court of India and High Courts are binding on the lower courts. Further, most of the laws are statutory and it also has a constitution which signifies the Civil nature of law in India.

Systems by geography

Despite the usefulness of different classifications, every legal system has its own individual identity. Below are groups of legal systems, categorised by their geography. Click the "show" buttons on the right for the lists of countries.

See also

- Comparative law
- English common law
- Rule of law
- Rule According to Higher Law
- Islamic law
- Socialist law
- Soviet law
- Tribal sovereignty
- Western law
- Anarchy

External links

- World Legal Systems (<http://www.droitcivil.uottawa.ca/world-legal-systems/eng-monde.php>) , Website of the Faculty of Law of the University of Ottawa
- Australian Institute of Comparative Legal Systems (<http://ausicl.com>)

- Factbook list of legal systems (<https://www.cia.gov/library/publications/the-world-factbook/fields/2100.html>)
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