# Sources and Categories of Law:

### Primary Sources of Canadian Law

* Those parts of a legal system that have the longest historical development and represent the system’s cumulative values, beliefs, and principles

1. Influence of Religion and Morality

Historical Influences

Greek Influences

* + - * First to practise democratic ideals in their political and legal systems
      * People accused of crimes tried by juries of their fellow citizens – citizen participation and trial by jury

Roman Influences

* + - * First to draw up a code (systematic collection of laws, written down and organized into topics)
      * First to train specialists to advise citizens who needed to use the legal system
      * Presumption of innocence
      * The rule of law

Aboriginal Influences

* + - Created a union bound together by a formal constitution

British Influences

* + - Britain adopted many principles from the Greeks and the Romans, which in turn were inherited by the Canadian legal system
    - Magna Carta – guaranteed innocent until proven guilty, recognized the rule of law

French Influences

* + - Civil-law system – precedents are not as important in deciding cases as in a common-law system – judges must refer to the law itself and to scholarly interpretations of the law in making their decisions

1. Influence of Customs and Conventions

Customs – a long-established way of doing something that, over time, has acquired the force of law

Convention – a way of doing something that has been accepted for so long that it amounts to an unwritten rule

1. Influence of Social and Political Philosophy
   * Great Depression: social security, employment insurance, workers’ compensation benefits