34. Specific performance

This chapter concerns the remedy of specific performance. The remedy of specific performance is a remedy which applies only where someone has already engaged to do something, but has then failed to do so. An equitable remedy of specific performance is a personal remedy against the defendant, as equity acts *in personam*, and disobedience is classified as a contempt of court which can lead to imprisonment or other action. The remedy provides an alternative to an award of damages, and it may sometimes be awarded alongside damages. The remedy of specific performance evolved to allow the courts to compel a defendant to perform a contractual obligation. At common law, if a contracting party failed to do what was promised, the injured party had a remedy only in damages.
34. Specific performance

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