In addition to the concepts of tenure and estates, another fundamental aspect of England’s Land Law is the impact of equity. The intervention of equity was originally based upon the need to enforce obligations of conscience and to redress defects in the common law, and also gave rise to the trust. But while the trust might be equity’s greatest creation, the intervention of equity also addressed other areas of Land Law where the common law position was considered to be defective or oppressive. A notable example is the law of mortgages. Aside from modifying the common law, equity also recognized other rights that did not result in the beneficial entitlement to the land. This chapter discusses the historical basis of equity in England, the creation of equitable rights, the enforceability of equitable and legal rights, and human rights.
3. Law, Equity, and Human Rights

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