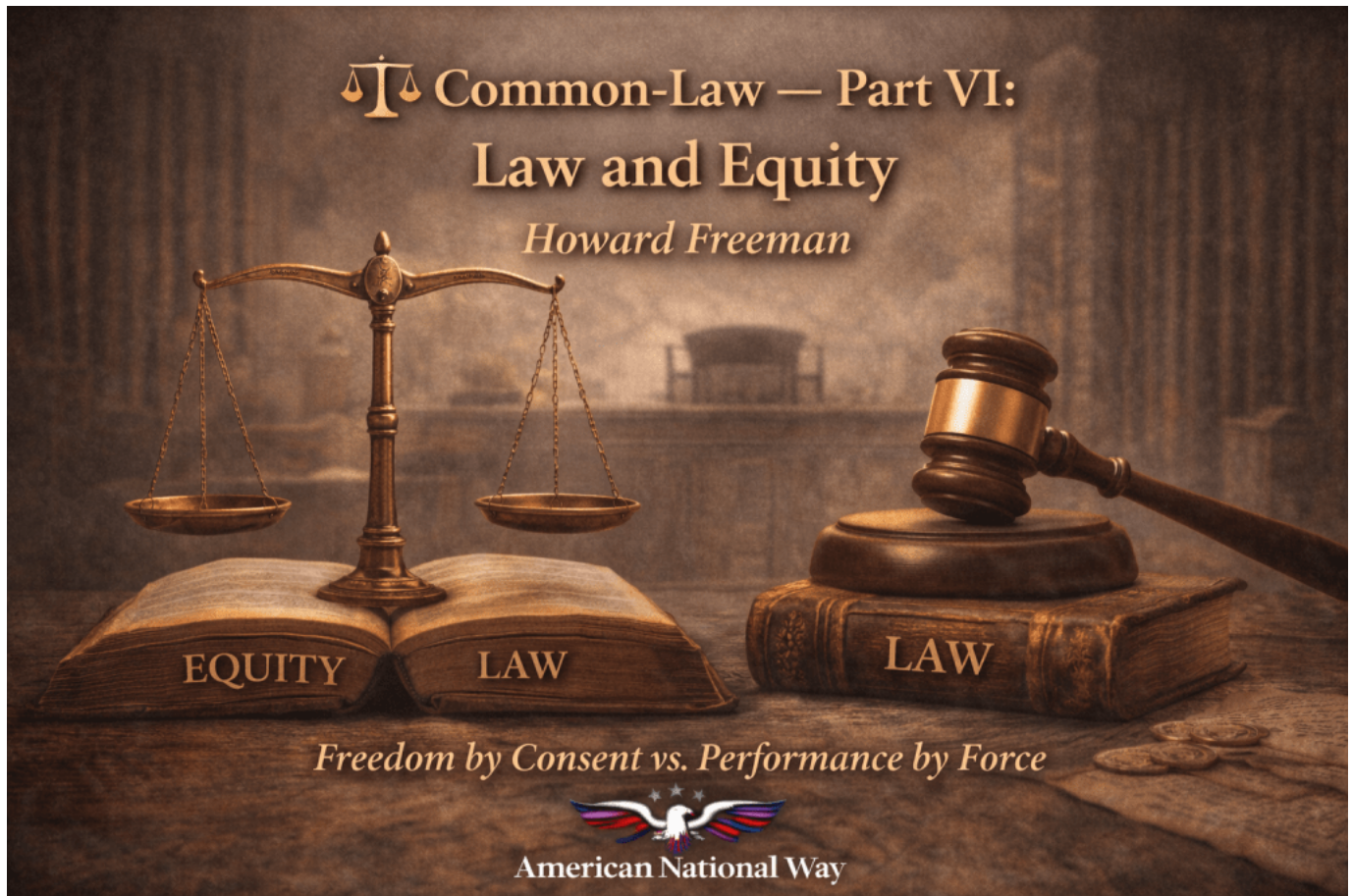


⚖️ Common-Law – Part VI: Law and Equity – Howard Freeman

March 17, 2026



□ Two Systems, Often Confused

Howard Freeman frequently reminded his listeners that **law and equity are not the same thing**, even though they are often spoken of as if they were.

They are distinct systems, designed for different purposes, operating under different principles.

Wolf country blends them together. Sheep assume they are interchangeable.

Law addresses **right and wrong**. Equity addresses **remedy and balance**.

Understanding which system you are in determines everything that follows.

□ **Law Deals With Rights and Duties**

Law, properly understood, concerns:

- Rights
- Duties
- Status
- Standing
- Jurisdiction

It operates on principle and rule. Law asks *what is rightfully owed* and *by whom*.

Lawful outcomes depend on clarity of position and authority.

⚖️ □ **What Law Concerns Itself With**

Law asks foundational questions:

- Was there harm or injury?
- Who was wronged?
- What duty was breached?

Law seeks truth and justice.

It does not negotiate outcomes.

⚖️ **Equity Deals With Fairness and Remedy**

Equity arose to address situations where rigid application of rules produced harsh or unjust outcomes.

Equity considers:

- Fairness
- Circumstance
- Balance
- Remedy

It does not replace law – it **supplements** it.

Freeman emphasized that equity assumes the parties have already submitted themselves to the court or forum offering relief.

□ **What Equity Concerns Itself With**

Equity assumes that a relationship already exists.

Its questions are different:

- What is owed?

- What remedy balances the account?
- How can performance be compelled?

Equity does not determine innocence or guilt.

It manages obligations.

□ **Equity Requires Submission**

One of Freeman's quieter warnings was this:

Equity is voluntary.

To seek equity is to ask for mercy, adjustment, or relief.

That request places the seeker under the discretion of the forum granting it.

Equity does not ask whether the system has authority – it assumes it.

□ **Why Equity Dominates Modern Courts**

Freeman explained that most modern venues operate primarily in equity.

This allows systems to:

- Manage large volumes efficiently
- Resolve disputes without examining foundational authority

- Focus on remedies rather than rights

Sheep often enter equity seeking fairness, unaware they have set aside questions of law.

□ **The Common Mistake**

Many enter equity forums arguing principles of law.

They speak of rights where remedies govern.

Freeman warned that this mismatch leads to frustration, not justice.

Understanding the forum prevents unnecessary conflict.

⚖️ □ **Rights Are Not Argued in Equity**

A critical distinction Freeman stressed:

- Rights belong in law
- Remedies belong in equity

Once a matter is framed as equitable, questions of status, jurisdiction, and standing are usually no longer examined.

Fairness replaces right. Outcome replaces principle.

☐☐ Equity Is Not an Enemy

Freeman did not teach hostility toward equity.

Equity has a purpose. It can soften rigid outcomes and resolve practical disputes.

The danger lies in **confusing mercy with authority**.

Equity can grant relief – but it cannot create lawful standing.

☐ How Sheep Drift Into Equity

Sheep often enter equity by:

- Asking for permission instead of asserting position
- Requesting relief instead of clarification
- Seeking fairness instead of jurisdiction
- Accepting remedies instead of addressing authority

None of this is malicious. It is habitual.

☐ Choosing the Proper Door

Freeman taught that wisdom lies in knowing **which door you are approaching**.

- Law asks: *By what authority?*
- Equity asks: *What is fair?*

Entering the wrong door leads to frustration – not injustice.

□□ Why This Distinction Matters

Without understanding law and equity, sheep:

- Argue rights in equitable forums
- Expect law where only remedies are offered
- Mistake relief for recognition

Freeman taught that clarity, not conflict, restores balance.

□ Preparing for Standing and Capacity

This part completes a crucial foundation:

- Law
- Equity
- Commerce
- Sovereignty

Only with these distinctions clear can a man or woman approach standing and capacity without confusion.

Mercy cannot replace authority.

□□ What This Understanding Reveals

Once the difference between law and equity is understood, another element becomes unavoidable. If outcomes are driven by records rather than truth, then the **record itself** becomes the battlefield.

Part VII – *The Record* examines why systems prioritize documentation over reality, and how quiet accuracy preserves position.