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0521524962 - Sir Henry Maine: A Study in Victorian Jurisprudence

R. C. J. Cocks

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CAMBRIDGE STUDIES
IN ENGLISH LEGAL HISTORY

Edited by

J. H. BAKER

Fellow of St Catharine's College, Cambridge

SIR HENRY MAINE
A STUDY IN VICTORIAN JURISPRUDENCE

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Sir Henry Maine died in 1888 and since then his ideas have been used by lawyers, historians, sociologists and many others. This is the first book to concentrate upon what he said about the law itself, and, as such, it explores the pioneering work Maine did in explaining law not by reference to abstract analysis but by placing it firmly in its social and historical context. Instead of concentrating on concepts such as sovereignty he looked at the realities of law as it was practised by professionals and experienced by laymen. The result was a controversial achievement stressing the reforming duties of jurists and citizens at times of social change.

This is neither a conventional biography nor an abstract analysis of Maine's thought, but a demonstration of the contemporary context and significance of his views. Although primarily a study of one man's ideas, it throws important new light on a number of controversial issues of the mid-Victorian period, not least the rise of the modern notion of English legal history.

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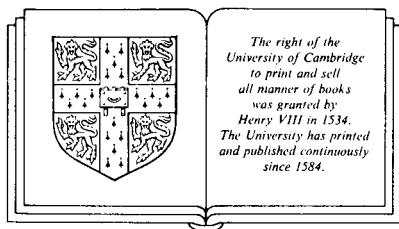
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