



The Common Law

By Oliver Wendell Jr. Holmes

The Lawbook Exchange, Ltd. Paperback. Book Condition: New. Paperback. 442 pages. Dimensions: 8.9in. x 6.0in. x 1.2in. A decisive influence on sociological jurisprudence, legal realism and the general development of Anglo-American law in the twentieth century. Rejecting the reigning positivist ethos of the nineteenth century, Holmes proposed that the law was not a science founded on abstract universal principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical conclusion that law was not discovered, but invented. This theme is announced at the beginning of Lecture I: The life of the law has not been logic: it has been experience. The Common Law was easily the most distinguished book on law by an American published between 1850 and 1900. Lawrence M. Friedman, A History of American Law It is a book of large proportions, from whichever side approached. (. . .) We cannot close without expressing again our admiration of a book which is so ingenious and so temperate; so rich in learning, thought, argument, and brilliant intuitions. American Law Review Holmes brilliant exposition, as effective on English scholarship and legal thinking as on American, of the true nature of law both as a...



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