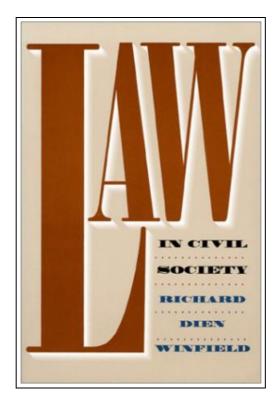
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University Press of Kansas, United States, 1995. Paperback. Condition: New. New. Language: English. Brand New Book. Law in Civil Society advances a new and comprehensive theory of how legal institutions should be reformed to uphold the property, family, and economic rights of individuals in civil society. In so doing, it offers a powerful challenge to the dominant legal theories and practices espoused by liberalism, positivism, natural law, and critical legal thought. Winfield argues against the prevailing assumptions of legal philosophers who dogmatically embrace formal or historical conceptions of law. True law, he contends, must be constructed within the context of the different spheres of rights and ultimately can only exist within a civil society committed to self-determination and community. Working from these fundamental premises, he analyzes in detail a rich array of important legal issues: fair access to legal representation, the rationale for jury trials, appropriate distinctions between civil and criminal legal procedures, the controversies pitting common law versus codification and adversarial versus inquisitorial systems of trial, and the relationship between civil society and the state. Much inspired by Hegel s Philosophy of Right, Winfield s study offers the most convincing critique yet of that renowned philosopher s work and, in the process, provides a more complete and coherent conception of law than Hegel himself articulated. Provocative and highly instructive, the book should attract scholars, teachers, and students in legal and political philosophy and anyone else with an abiding interest in the foundations of Western law.



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