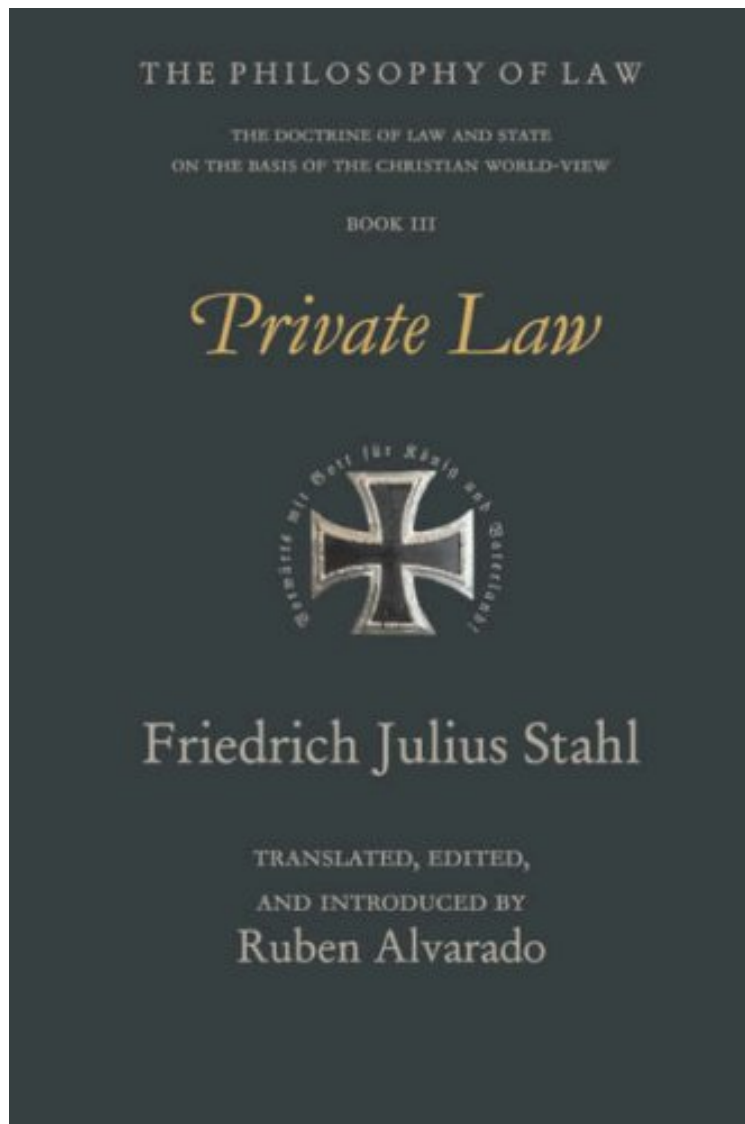


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Private Law (Philosophy of Law: the Doctrine of Law and State on the Basis of the Christian World-View)

Friedrich Julius Stahl

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"Private Law" is a translation of Book III of "The Doctrine of Law and State," providing the detailed outworking in private law of the principles of law developed in Book II, "Principles of Law." In it, the rights of man receive full explanation within the context of higher, God-given legal principles. Thus, for Stahl human rights do not serve as the source of law but as a secondary principle subservient to a higher law. The further outworking of this concept in rights of property, contract, the law of the family, is masterfully laid out. Institutions such as property and marriage are not made the creature of will and contract but are fully explained as given realities which the human will cannot alter. This book constitutes a return to sound principles of private law and an antidote to contemporary emotivism and primacy of the will.