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Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas

Henry Sumner Maine

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Henry Sumner Maine : Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas before purchasing it in order to gage whether or not it would be worth my time, and all praised Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas:

1 of 1 people found the following review helpful. Packed. Intricate.By Just Joe AveragePACKED and more. Intricate explanations that require reader's intense attention--but "it's there," if your journey to it is a bit convoluted. From a lifetime of study and learning by a learned man of substance. The main reference text for a Berkeley professor's class. Not a fast read, but an informative one if time is taken. The language is generally elevated-1800s, but with some effort it can be handled. Usually. A piece of work.0 of 0 people found the following review helpful. Five StarsBy LavalThink you perfect8 of 8 people found the following review helpful. A "must read" for political science, law and social studiesBy J. PrestonThis book should be mandatory reading for any history classes, law studies and political science curricula.Professor Maine (of Cambridge) wrote this treatise in 1867. It is a documentation of how ancient laws (especially from ancient Greece and Rome) have influenced our modern societies and systems of law.One of the most illuminating chapters contains his brilliant analysis of the American system of government just after the civil war.Professor Maine points out that the US system of government is based almost entirely on Roman Law. Many of the important ideas in our seminal documents, such as the Declaration of Independence and the Constitution, derive

from the Roman "Jus Gentium." [The "law" of the People] The Jus Gentium was the law which Rome used to rule over its empire. It was designed to guarantee certain rights and freedoms to the people of the empire, notwithstanding their diverse cultural, economic and religious differences. Prof. Maine points out that just as the Romans ruled over the diverse nations and cultures, of the ancient world, by imposing the Jus Gentium upon them, the federal government in the U.S. governs the diverse cultures, economies, religions and geographies of the several states of the Union. He is the only historian who realized that the principal premise of the Jus Gentium was the basis for the U.S. Constitution. The principal premise of the Roman Jus Gentium was: "omnes homines natur quales sunt," [All men are created equal] Maine, Henry Sumner (2011-03-17). Ancient Law Its Connection to the History of Early Society (Kindle Location 1094). Kindle Edition. He points out, brilliantly, that Thomas Jefferson, and most of our founders, were scholars of ancient law and implemented the principles of ancient law in the founding of our country. As this was written just after the American Civil War, Professor Maine's insights give new meaning to President Lincoln's most eloquent Gettysburg Address: "Four Score and seven years ago, our fathers brought forth onto THIS continent a NEW nation conceived in liberty and dedicated to the proposition that: omnes homines natur quales sunt." [All men are created equal] . . . that these honored dead shall not have died in vain, . . . and that the 'Jus Gentium' [translated by President Lincoln as: 'Government of the people, by the people and for the people'] shall not perish from the earth."

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