

1974-10-18b: [METHODOLOGY] Historians of Law & Social History

When I get the point of discussing how social history can be extracted from the laws of inheritance, it should be remarked how the good of society as an end of the law gets lost in treatment by law professors, while students writing *thèse de droit* are principally concerned with the rights of the individual because they are trained to consider the matter from the point of view of a prospective client.

I see this in the Riard quotation (Lambert, *L'exhéred.*, 56-7) on universal legacy: the law only says what can't be done in such & such a case. Law is restrictive, not prescriptive. This is a genuine revolution in philosophy of law, I would say. Lawyers are working constantly to allow ever greater freedom for those who have money.