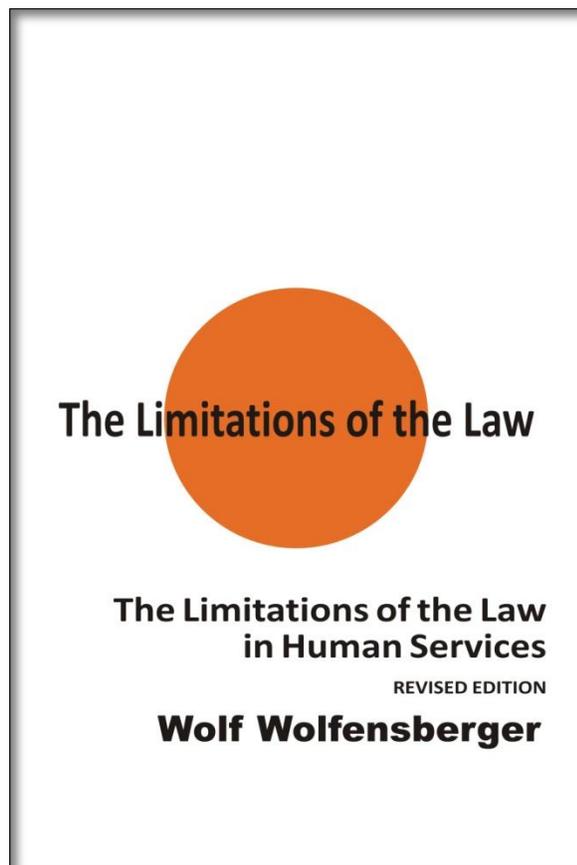


A revised and expanded edition of *Wolf Wolfensberger's* classic work

Announcing :  
**The Limitations of the Law  
In Human Services (rev. ed.)**



Dr. Wolfensberger said, right at the beginning of the original monograph, “Law is one of mankind’s noblest social institutions” – an attribute he has retained in this updated and expanded version. His intention, both then and when the present text was completed just prior to his death on February 27, 2011, is clearly to ensure a proper understanding of the role and “vast potential of the law.” (*Orville Endicott*, from his foreword)

**Author:** Wolf Wolfensberger PhD, 1934-2011

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## **About the book** (from the Preface)

Since the publication of the first edition, Dr. Wolfensberger developed extensive material and taught widely on the limits of a law- and legal rights-based approach to addressing human needs. His teaching came to emphasize more and more that the foundations for an adaptive, or even merely a functional, service system were in the minds, hearts, and values of the members of a society; and that so often, recourse to the law was either an attempt to bypass the long and difficult work of persuading the citizenry to adopt certain attitudes and values, or a de facto declaration that such an attempt at persuasion would fail. However, this does not mean that recourse to the law is to be totally rejected, only that its limitations must be understood, and it must be put and kept in its proper place.

This version has been expanded from the original 24 page version to 83 pages.

## **About Wolf Wolfensberger** (1934-2011)

World renowned human service reformer, Professor Wolfensberger (Syracuse University) was involved in the development and dissemination of the *principle of normalization* and the originator of the program evaluation tools *PASS 3* and *PASSING*, and of a number of service approaches that include *SRV* and *Citizen Advocacy*.

## **This book includes the following chapters**

FOREWORD Orville Endicott

PREFACE TO THE NEW EDITION

INTRODUCTION

BACKGROUND AND SOCIETAL CONTEXT

INHERENT LIMITATIONS IN LAW ITSELF

- Laws Are Ideological
- Law is More Allied to and Productive of Order Than Justice
- Law Cannot Solve Problems of Human Relationship
- Social Problems Can Rarely Be Solved by Law Alone
- The Effectiveness of Legal and Other Technical Safeguards is Very Limited
- The Irresolvable Conflict Between Clarity and Specificity of Law, and Flexibility in Its Implementation

LIMITATIONS OF LITIGATION AS A WAY TO SOLVE SERVICE PROBLEMS AND/OR ACHIEVE SERVICE OR ADVOCACY

GOALS

- Problems With Relying on Litigative Approaches
- The Power of Litigative Victories is Very Limited
- Conditions Under Which Recourse to the Law for Service and Advocacy Problems Might be Justified

LIMITATIONS OF THE LEGAL PROFESSION, AND OF LAWYERS

- The Tendency to Idolize the Law
- Lawyers Tend to Be Conservative and Oriented to Privilege
- Like the Law Itself, Lawyers Tend to Be Oriented More Towards Order Than Justice
- Lawyers Tend to Be Oriented to Specific Cases, Not Systemic Issues
- Lawyers Tend to See Themselves as Mere Technicians
- Lawyers Tend to Be Oriented More Towards Winning Than Towards Problem-Solving, or Even Truth
- Lawyers Can Be Hard for Non-Lawyers to Deal With

CONCLUSION AND IMPLICATIONS

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