

Whether Contemporary Jurisprudence is Capable for Uniform Governance Worldwide Analysis of Impact of Contemporary Jurisprudence upon Communist Ideology

Atul Garg

Arun Priyadarshi, C.C.S University Meerut (India).

DOI: 10.54882/13202313202317432

Abstract The philosophy of the School of Contemporary Jurisprudence, Role of Jurisprudence in Modern Civilization. Factors involved in the existence of Democratic and Communism ideology. The School of Contemporary Jurisprudence is appealing for the Universal Governance System for Democratic and Communism ideology, expecting the next Democratic, political and Judiciary revolution to be nearby.

Introduction In this Article, we have to examine the philosophy and Question of Law and the political and Sociological effect of the School of Contemporary Jurisprudence. Examine the Philosophical validity on which ground present Democratic and Judicial Structure is denied by Contemporary Jurisprudence. We have to examine, whether the School of Jurisprudence is capable of getting rid of Communist ideology, the role of Jurisprudence in modern Civilization along with Historical Journey of Jurisprudence.

1. School of Contemporary Jurisprudence-

Recently the present Democratic structure and Judiciary system have been denied on the grounds that -

- a) The Parliament/Legislative Assembly cannot be considered an absolute representative session of the Republic of State, because the individual interest of an elected person (MP/MLA/Mayor) never be the same as the collective interest of the Republic of State.
- b) Judiciary System - The School of Contemporary Jurisprudence also denied the Judiciary System of the State is an independent body of Democratic Structure, a serious challenge to the basic principle of the present Judiciary system by
 - i. Judiciary of any State does not undertake the election process, hence never considered as an independent body of the State. The Judges/Bench can never be treated as an independent Judiciary Body,
 - ii. on the ground that the Court cannot be treated as an independent Judiciary Body because the Court/Judges, Judges are also present under the State. Let's work in the case of State vs. Republic, the decisions can be full of bias.
 - iii. The present Bar-Bench and three-layer Lower Court, High Court and Supreme Court is a decentralized Judicial system, speedy Justice is not possible through this centralized processing Structure. The present Judiciary system is not suitable for States with large populations.

Therefore, as per the School of Contemporary Jurisprudence,

- a. The Parliament or legislative cannot be considered as an absolute representation of the Republic of State.
- b. Judiciary system is a part of the Govt of State and not to be considered as independent body.

From my point of view, the above criticism grounds seem to be fair and valid, most likely, this opinion will be acceptable by the general public as well as the group of hon'ble Jurists, philosophers, Social and Political Scientists.

The school of Contemporary Jurisprudence was propounded by an Indian jurist Mr. Deepak Sharma (often referred to as the father/founder of Contemporary Jurisprudence). He has validly challenged the basic tenets of the existing Judiciary and Democratic Jurisprudence.

In Contemporary Jurisprudence, the power of formation of law has been divided into two representation sessions of Parliament Govt and Society Representatives. The first time proposed the Direct representation of Societal representation in Parliament in the role of opposition. Based on the above legislation,

- a. Mr. Sharma propounded three levels of Democratic structure against the current Parliamentary system, he propounded three-level representative sessions in the form of Public-Society Representation-Parliament/Legislative Assembly. He emphasized the point that the same group of people having common interests for their economic and civil needs, such group is called society, (as advocate, farmer, student, worker), hence any of such society Even the representative person will be called society representative, the general interest of such representative shall naturally be the same as the general interest of the society,
- b. He further says that such society representatives will be an essential part of the Parliament/ Legislative Assembly in the role of the opposition of the States.
- c. While the elected member of the Parliament will be part of the Government, representing the State.
- d. He further propounded that both Parliament (ruling/State) and society representation (opposition) would jointly participate in the law-making process, possibly helping to increase the degree of democracy.
- e. The power distribution of lawmaking should be codified and transparent between the government and the opposition, based on the category of legislation. (While the law is divided into five types)
- f. The member of the Parliament should be selected through the election process. Which will fix the term for the next election due date (4-5 years), while the representative of the society before the Parliament should depend on the plebiscite process, the plebiscite or voting scale will be open forever, if Any time a chosen person loses a referendum, he or she will also lose representative status before Parliament. Referendum means any other mechanism like a recall election system, which will be based on the principle of support of the majority, in which the process of selection will be open forever.

1.1. The proposed political System in Contemporary Jurisprudence.

let's take an example, suppose the group of farmers, Workers, Technicians, Advocates, Entrepreneurs, Students, etc. are part of the Republic of State, Every Group in this class has been called a Society, in Contemporary Jurisprudence the representation of such groups to be mandatory before Parliament and play the opposition of Parliament, where such groups demand to resolve their problems and Govt shall be liable for solutions of problems, let's further more elaborate, assuming that Parliamentary election has been done through the Election Process. On the other hand, suppose that Farmers has a database of 1 million members, from which 15 farmers file nominations for Parliament representation, in that case, each member of the Farmer is a person nominated in the first stage of the referendum process. shall have the right to vote. For the second level, only 2-3 volunteers will be selected on the basis of a higher vote percentage in the first level. 2nd level (final) plebiscite will be open based so any member of the society will have full right to change their plebiscite at any time, after 2nd level plebiscite, let's say person A who got a higher percentage of the vote shall be designated as the Farmers representative before the Parliament, if during any time, person A loses the referendum and person B gets the status of the referendum in his favour, then person B will be the representative of the Farmers before the Parliament. (Something like vote recall through the online process will be open forever). The same procedure shall be adopted for other groups of Society, now Parliament has been dual representation, the ruling party as Election winners and the opposition as Society Representatives.

1.2. The Proposed Judiciary System in Contemporary Jurisprudence - The judiciary system is part of the State, but has completely refused to consider the present Judiciary as an independent body, the above Statement holds some validity, which cannot be completely dismissed. Further advocates for public representation in the Judiciary system, in this regard, proposed the role of Chartered Law Officers in the proceedings of the judiciary. He defined a Chartered Law Officer as an independent law officer, who shall be a capable person of law. Judges will be bound to rely on the selection and report process carried out through blind review proceedings of the Chartered Law Officer's report, criminal and civil or any other matter. In this incident, he has also proposed centralized trial proceedings called J.I.T (Just in Trial) proceedings. Just in Trial (J.I.T.) is claimed to be the world's first centralized trial system, J.I.T. It is claimed to be 25 times faster and 20 times more transparent than the current bar-bench trial proceedings system. (The complete Details of JIT are still not available in the public domain therefore more exploration is not possible).

1.3. The School of Contemporary Jurisprudence is being appealed for a Universal Governance System whereby no difference between Democratic and Communism ideology-

To cover this question, we have first examined the factors involved in the existence of the Democratic and Communism/Socialism Systems.

a. For the Democratic System- Under the effect of the Industrialization revolution, Mankind further needed the more intellectual capability of Jurisprudence. The Economic System of the World was shifting into a colonial State from authoritarian State rule. In that case, scriptures and theories of Natural Jurisprudence were not sufficient to run the colonial system, therefore more transparent and codified instructions were required to run the colonial Economic System. After World War II, the colonial system collapsed Worldwide, in that case most commonwealth countries adopted the Democratic System. The Present Democratic system predicts three different levels of State as Parliament (Legislative Assembly), Judiciary and Bureaucracy, the parliament is the supreme body of the State and is liable to Pass the Law, Judiciary is the monitoring authority to protect the law as passed by Parliament, and Bureaucrats is responsible to Executive law passed by Parliament. The entire System of State is codified by the Constitution of the State.

b. For Socialism/Communism System- in the modern Era of Jurisprudence, the king rule State does not have sufficient intellectual capability to run the Industrial Revolution and Economic Systems, whereas the Industrial Revolution was based on the cardinal principles of Capitalism, in this race an alternative system was needed to control the adverse effect of capitalism. Therefore, A new ideology came into existence. Which adopted the control of King rule State, mainly on the sources of Production, but was different from King rule State in terms of Election proceedings and Election methods for selecting the President in the rule of single party ruling concept.

As per the above discussion Democratic State allowed the many parties' election process on the other side Communist State allowed only a single-party election process. If the society representation shall be mandatory before the communist party or Parliament of State, in that case, both the Parliament and Communist Party shall be liable to resolve the issue of Society representatives. This means the Communist party and Parliament became to failure to resolve the issues of Society representatives, in that case, the Republic of State would be removed from their position.

This means while this is the cardinal principle, that every King, Parliament, and Communist party shall be liable for the welfare of the State. Apart from this in Contemporary Jurisprudence law has been divided into five types where the formation of Law shall be the mutual concern of the Parliament and the opposition, while the opposition role shall be played by Society Representatives, in that case, Communist Party and Parliament shall be facing the strong opposition, but this process in Communist Country may criticize this Jurisprudence at the initial level, after adoption by various countries, later this process shall be adopted by Communist Countries.

1.4. A sign for the next Democratic and Judiciary revolution!

The entire structure of our democratic and Judiciary system shall be affected due to Contemporary Jurisprudence because of cardinal principle of our democratic and Judicial system has been challenged upon initio by the concept of the School of Contemporary Jurisprudence.

The structure of the Parliamentary shall be changed only that shall be file the nomination, of who is intellectually capable of fully fulfilling the public needs, A strong opposition shall be present before Parliament. The intellectual capability shall be increased definitely, election procedure shall be changed up to initio.

On the other hand, structure of the Judicial System shall be changed up to initio, In JIT Judicial System, an additional body shall be a mandatory part of the Judiciary System, and the entire structure of Every Judiciary System shall be changed. The Judiciary system as proposed in Contemporary Jurisprudence appears to be more transparent, efficient and effective, resulting in a rapid reduction in the crime rate.

1.5. An analysis considering the impact of Political Structure-

As my opinion, the entire political system/Structure shall be changed, because the role of politicians shall be ended. Most probably only the professional person having the capability of designing the development policy towards in welfare of society shall be elected and formed the Govt, whereas in opposition the representative of Society (representatives of the Students, Workers, industrialists, etc.) shall be in the role of opposition for monitor the performance of Govt, corruption, Crime, the policy of Govt.

On the other part, the Politics of left-wing, right-wing, socialism and capitalism shall be no more, because of H.R. Economic System being an advanced Economic System, removed the relevance of Capitalism and Socialism Worldwide.

1.6. An analysis considering the impact of Social Science-

After considering the both of Concept in present Scenario, the present Societal divided into economic class, Caste, Religion etc. shall be more emphasis on their professional class, as members of the Working class, Entrepreneur Class, and Professional class, because of the H.R. Economic System and Contemporary Jurisprudence has been designed for monetized conversion of Human Resource as well as Parliamentary representation of Society, therefore a different race for getting membership by professionalism shall be replace by present Society Shape, on ground that Economical benefits by Human Resource Economic System.

1.7. Whether the School of Contemporary Jurisprudence shall be capable of reducing the probability of protest, civil war and World War.

The representation of the Republic in the form of the society shall be mandatory before the Parliament, it means that the public will not need to raise any protest before the Government, because all the issues, primarily will be resolved at the Parliament level or legislative assembly. It shall be cause to minimize the situations of civil war. The concept of dual representation of the Republic of State shall create direct or indirect pressure on those States that are aligned with one-party authoritarian State rule (communist State as in Russia and China) to opt for the Concept of Contemporary Jurisprudence. If the dual representation of the State shall be increasing the degree of Democracy. Which shall reduce the probability of a World War situation.

Therefore, it may be possible that the School of Contemporary Jurisprudence be responsible for the next Democratic, Judicial, Political, and Social Revolution.

2. The philosophical comparison School of Jurisprudence with the previous Schools of Jurisprudence-

Jurisprudence probably had its beginning before human civilization, because human civilization had its first beginning with tribes and it is true that ideal principles of Jurisprudence were present in tribes before the beginning of tribe culture. Tribes own their Jurisprudence and rules of sociology. Due to this, they set the rules of their tribes, there was no codification system at that time, but human civilization was slowly moving forward.

In the next stage, the tribes depended on each other to meet their basic needs. In this sequence, the formation of the State was needed by such tribes and a central power was needed to run the State, to fulfil this need, a person took the central position in his hand, who had unlimited power to control the State. This person is called a king, and as far as his powers are affected, that location is called a kingdom. Thereafter the king was present in the centralized power position to run the State and on the other hand the people of the State who were considered as Republic of State. It was the basic principle to run civilization in a disciplinary manner under the State, that the king would use his powers for the welfare of the Republic of State and establish the rules and regulations for the welfare of the State. Herein it's mentioned, that the king had unlimited powers of State and there was no control of any other power over the king. In this order, the king was confined within the rules of Scripture, so that the powers of the king could be determined in favour of the Republic of the State.

Still, the formation of Jurisprudence has been very complex in the present time, It is not impossible to understand the entire Jurisprudence in a single, therefore various prominent jurists play a significant role in understanding the concept of Jurisprudence, which has been codified mainly five different thoughts, Such Thoughts of Jurisprudence known as School of Jurisprudence. Likewise Natural Law, Historical, Sociology, Analytical, and Realist School of Jurisprudence. Let's discuss the brief of the School of Jurisprudence to understand modern Jurisprudence.

2.1. Natural School of Jurisprudence

The sign of Jurisprudence was codified in 2000 BC, where the first codification of Jurisprudence was presented by Socrates, Plato and Aristotle, which is known as the School of Natural Jurisprudence. This phase was led by Socrates and Aristotle and various scriptures like the Bhagavad Gita, Ramayana, Bible etc. Natural Jurisprudence refers to intellectual knowledge about natural law and human rights. This phase is also often referred to as the philosophical School of Jurisprudence.

The natural law is the imperative law, the law that is universal, the divine law, the moral law, the law of God, and the unwritten law, which has come forth from human reason. Morality, justice, ethics, right reason, good behaviour, equality, freedom, liberty, social justice, and democracy are synonyms of natural law. The Natural School of Jurisprudence is an essential school of thought that tries to study law from a philosophical, abstract, and ideal point of view in relation to nature, God, reason, or conscience. All this is outside and is independent of human power, control or authority. This is an ideal term that explains what is right or wrong. It focuses on justice to improve people. It rejects any unjust law that supports morality, which is a rational basis for moral judgment.

Natural law should therefore not be seen as a product of the imagination. Natural law is binding on everyone in all States or territories, and no human right is valid at any time if it contradicts it. It has always been dominant in the human world to this day. It used to be reflected in the areas of ethics, politics, religion, or supernatural issues, while more recently it was an undeniable weapon of modern political and legal ideologies.

Socrates believed that as there is natural physical law there is also natural law. In his concept of natural law man has his own insight which makes him know of the things whether they are good or bad, it is this insight according to him by which a man is able to inculcate the moral values in him, the only way to judge the basis of law according to Socrates is man's insight. Through his theory, Socrates wanted to ensure peace and stability in the region which was one of the principal demands of that time. Aristotle's

concept of natural law is different from that of Socrates, he divides the life of man into 2 parts, first, he says that man is a creature that is created by God and second he possesses the quality of reason by which he can develop his own will. It is this reason through which one can discover the principle of natural justice. Aristotle is considered to be the founding father of natural law school and gave this theory a very solid ground so that it could develop naturally.

2.2. Historical Schools of Jurisprudence

This phase was led by Friedrich Carl von Savigny (the father of historical Jurisprudence), Henry James, Somer Main, Georg Friedrich Puchta, who expanded the intellectual capabilities of Jurisprudence by showing how our traditional values and moral Values are the source of law. Historical Jurisprudence first arose in the German romantic era in the early nineteenth century and lasted until it was gradually superseded by the sociological turn in legal thought between the 1880s and the First World War. There were some notable publications even after 1914, but they were an aftermath, mostly collecting or reprinting earlier work. By 1920, historical Jurisprudence was legal history. This chapter first looks at historical Jurisprudence in its various iterations; it was not only a German but an international phenomenon. It then describes the work done by its adherents, in particular their purposes, objects, and approaches. In addition, a proper understanding of historical Jurisprudence requires recognition of its political implications. The conclusion reflects upon the legitimacy of instrumentalizing legal history for current agendas.

Savigny believes that the law cannot be borrowed from outside. And the main source of law is the consciousness of the people. He was of the view that the law of the State grows with the strengthening of the State nationality and law dies or fades away when nationality loosens its strength in the State.

2.3. Sociology School of Jurisprudence

This phase was led by Rudolf von Zering (the father of sociological Jurisprudence), Auguste Comte, Eugen Ehrlich, Roscoe Pound and Léon Duguit. This stage is known to codify the law structure of our society into criminal, civil, tort etc. Laws form an integral part of society as they help in maintaining order, remind us of our rights and duties and help prevent miscarriage of justice. Every society is bound by a specific set of laws. Therefore, the combined study of sociology and law becomes inevitable. Law can be rightly referred to as a social phenomenon as every social institution needs and has a different set of laws governing them

2.4. Analytical School of Jurisprudence

This phase was led by Bentham (the father of Analytical Jurisprudence) and Austin. In this stage, we got the codified definition of law, 'what is law and what ought to be law'. The analytical school attempts to distinguish between law as it is and law as it ought to be. Although Austin does not deny the success of moral factors in the creation of law, he disregards morals in his theory. Analytical Jurists believe that law is the product of human will. Therefore, the common approach is that the law is made by 'someone'. Analytical jurists have a rigid opinion against ethics. Analytical jurists only focus on the positive law. They are concerned only with what is the pure fact of the law.

Bentham heralded a new era in the history of legal thoughts. He is considered to be the founder of positivism in the modern sense of the term. It has been rightly observed that Austin owes much to Bentham and on many perspectives, his prepositions were nearly the paraphrasing of Bentham's theory. Bentham was a talented person having the capacity of acumen of a jurist logician. Dicey, in his book Law and Public Opinion in the 19th Century, sketched Bentham's idea about individualism and law reforms which have affected the growth of English law in the direction of positivism.

The most important questions of analytic Jurisprudence are: "What are laws?"; "What is the law?"; "What is the relationship between law and power/sociology?"; and "What is the relationship between law and morality?" Legal positivism is the dominant theory, although there is a growing number of critics who offer their own interpretations.

2.5. Realist School of Jurisprudence

This phase was led by Oliver Wendell Holmes and John Chipman Gray (both known as the fathers of Realistic Jurisprudence). In this phase, it was codified for the first time that court decisions are also sources of law. The jurists of this era lay more emphasis on court proceedings, court structure and decisions. Realist school of Jurisprudence, the law is studied in its real workings, rejecting the usual concept that it is a collection of rules or principles. Rather than being defined by a set of rules, the law is defined by the judge's decision. Realists, sarcastically define law as a good reason for a bad man. The thesis of realists is based on the notion: "Law is what the psychology of courts determines – the aggregate of the item of Judicial and official actions". "Law is what the judges decide." They emphasize the element of uncertainty in the law and the part played by the personal characteristics of the judge. Law is defined not as a set of legal propositions, but in terms of the official action.

2.6. Contribution of Jurisprudence in Modern Civilization.

Looking at all the stages together, it is known that, now the human race has the following intellectual abilities

- a. What are Human Rights/Fundamental Rights?
- b. Formation of Democratic system, constitution and law
- c. Judiciary System of the State. The Judiciary system is supposed to be an independent body. Who is responsible for protecting the law passed by the Parliament / Legislative Assembly?
- d. Role of Parliament/Legislative Assembly- The Parliament/Legislative Assembly is the representative session of the State Republic and is authorized to codify laws for the welfare of the State. In which the members of the Parliament/Legislative Assembly are selected through the election process.

If we examine the contribution of Jurisprudence in the present scenario, it is clear that -

- a. The State and natural rights (fundamental rights/human rights) have originated from the natural School of Jurisprudence.
- b. Received intellectual capacity regarding civil law, criminal law, tort etc. as propounded by the Sociological School of Jurisprudence.
- c. The historical School of Jurisprudence has helped in making laws related to marriage, rituals, festivals etc.
- d. All analysis regarding what the law is and what the law ought to be is derived from Analytical Jurisprudence.
- e. Current Parliament System and Judiciary System (which has considered the Judiciary as an independent pillar), the role of bureaucracy, election process, and governance is mostly derived from realist Jurisprudence. the contribution of the realist School of Jurisprudence is mostly in the making of the Democratic system.

2.7. The philosophical Comparison between School of Contemporary Jurisprudence with previous School of Jurisprudence –

- a. On the philosophical Question, in Contemporary Jurisprudence, law has been divided into five types
 - ii. Economic Development laws,
 - iii. Religious, Rituals, and Custom values laws,
 - iv. limit to use the nature resources laws,
 - v. personal interest (education, health) and survival effort laws
 - vi. Civilization/ public interest laws,

On the base of the above Law formation, the segregation of law into five types, and their formation power has been divided between the State (Govt.) and Society of the State. Therefore, on the ground of philosophy. Nature Jurisprudence belongs to personal interest (education, health) and survival effort laws, Historical Jurisprudence belongs to Religious, Rituals, and Custom values laws, and other Jurisprudence belongs to all above. Therefore, in my opinion, there is no conflict found with previous Jurisprudence and Contemporary Jurisprudence. Only difference with present Democratic and Judicial has been denied as absolute.

b, The School of Contemporary Jurisprudence have been a separate ideology from previous Schools of Jurisprudence, The School of Contemporary Jurisprudence more emphasis on enhancing the degree of Democracy and the Judiciary shall be effective and more efficient. From the above discussion, it is proven that the School of Contemporary Jurisprudence propounded a new intellectual capability to Mankind. the entire structure of the present Democratic and Judiciary system will be positively affected because to cardinal principles of the Democratic system have been challenged on valid grounds.

CONCLUSION

1. The School of Contemporary Jurisprudence has a separate ideology from the previous School of Jurisprudence, The School of Contemporary Jurisprudence emphasizes enhancing the degree of Democracy and the Judiciary shall be effective and more efficient. In contemporary Jurisprudence, the Degree of Democracy Shall be increased, it shall have a positive effect on maintaining Peace in World order
2. From the above discussion, it is proven that the School of Contemporary Jurisprudence propounded a new intellectual capability to Mankind. Contemporary Jurisprudence shall be capable of forming a common uniform Governance Worldwide. Most probably it shall be acceptable for Communist/Socialism, and other democratic nations worldwide.
3. Most communist countries run the single-party election process to show, that they are following the democratic System, Meanwhile, in Contemporary Jurisprudence dual representation has been mandated for Democratic Nations, therefore either such nations shall adopt dual representation or declare as dictators' nations before the World Community. The dictator nations will not survive more. Thereafter survival of a dictator over the Republic of State will not sustainable more. Hence probability for uniform Governance shall be increased.

References and Footnotes

1. Suresh, an article on whether contemporary Jurisprudence has a separate ideology from the previous school of Jurisprudence.
2. Ashu, Ashutosh, for about Deepak Sharma, founder of Contemporary Jurisprudence Ashu, Ashutosh, Biography of Deepak Sharma (August 13, 2023).
3. Rathore, the School of Contemporary Jurisprudence A research article in Hindi on the topic of School of Contemporary Jurisprudence..
4. Long, A.A. (2011). "Socrates in Later Greek Philosophy". In Donald R. Morrison (ed.). *The Cambridge Companion to Socrates*. Cambridge University Press. pp. 355–379.. ISBN 978-0-521-83342-4
5. Aristoteles (31 January 2019) [1831]. Bekker, Immanuel (ed.). "Aristotelis Opera edidit Academia Regia Borussica Aristoteles graece". apud Georgium Reimerum
6. Corbett, R. J. 2009. "The Question of Natural Law in Aristotle." *History of Political Thought* 30, no. 2 (Summer): 229–250

7. Corwin, Edward S. 1955. *The "Higher Law" Background of American Constitutional Law*. Ithaca, NY: Cornell University Press.
8. Farrell, James M. 1989. "John Adams's Autobiography: The Ciceronian Paradigm and the Quest for Fame." *The New England Quarterly* 62, no. 4 (Dec.).
9. Gert, Bernard, [1998] 2005. *Morality: Its Nature and Justification*. Description & outline Archived 2020-04-11 at the Wayback Machine. Revised Edition, Oxford University Press.
10. Haakonssen, Knud. 1996. *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment*. Cambridge, UK: Cambridge University Press.
11. Haakonssen, Knud. 2000. "The Character and Obligation of Natural Law according to Richard Cumberland." In *English Philosophy in the Age of Locke*, ed. M.A. Stewart. Oxford,
12. Chisholm, Hugh, ed. (1911). "Savigny, Friedrich Karl von" .*Encyclopædia Britannica*. Vol. 24 (11th ed.). Cambridge University Press. pp. 242–243.
13. Montmorency, James E. G. de (1913). "Friedrich Carl von Savigny". In Macdonell, John; Manson, Edward William Donoghue (eds.). *Great Jurists of the World*. London: John Murray. pp. 561–589.
14. von Savigny, Frederick Charles (1831). *Of the Vocation of Our Age for Legislation and Jurisprudence* . Translated by Abraham Hayward (2 ed.). London: Littlewood. ISBN 9781584771890.
15. Hattenhauer, Hans, ed. (2002). *Thibaut und Savigny: ihre programmatischen Schriften* (2 ed.). München: Verlag Franz Vahlen.
16. asoher, W. (1895). "Contributions to Biblical Exegesis by Rudolph von Ihering". *The Jewish Quarterly Review*. 8 (1): 185–188. . JSTOR 1450039.
17. de Jonge, Moritz (1888). *Rudolf von Ihering: eine Skizzenach seinen Werkengezeichnet* (in German). Berlin: Siemenroth& Worms. hdl:2027/mdp.35112101209155.
18. Macdonell, John (1914). "Rudolph von Ihering". In Macdonell, John; Manson, Edward (eds.). *Great Jurists of the World*. Little, Brown, and Company. pp. 590–599. LCCN 14013574.
19. Herbermann, Charles, ed. (1913). "Benthamism". *Catholic Encyclopedia*. New York: Robert Appleton Company.
20. Chisholm, Hugh, ed. (1911). "Bentham, Jeremy" .*Encyclopædia Britannica*. Vol. 3 (11th ed.). Cambridge University Press.
21. Macdonell, John (1885). "Bentham, Jeremy" . In Stephen, Leslie (ed.). *Dictionary of National Biography*. Vol. 4. London: Smith, Elder & Co.
22. Jeremy Bentham, "Critique of the Doctrine of Inalienable, Natural Rights", in *Anarchical Fallacies*, vol. 2 of Bowring (ed.), Works, 1843.
23. Austin, John (1831). *The Province of Jurisprudence Determined* Collins, Ronald K. L., ed., *The Fundamental Holmes: A Free Speech Chronicle and Reader* (Cambridge University Press, 2010).
24. Hoefflich, Michael H. and Davies, Ross E., eds. (2021). *The Black Book of Justice Holmes: Text Transcript and Commentary*. The Lawbook Exchange, Ltd. ISBN 9781616195939. Publisher's description Holmes, Oliver Wendell (1881). *The Common Law*. Little, Brown, and Company.