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The Province Of Jurisprudence Determined

The Province of Jurisprudence Determined is a book written by John Austin, first published in 1832, in which he sets out his theory of law generally known as the 'command theory'. Austin believed that the science of general jurisprudence consisted in the clarification and arrangement of fundamental legal notions.

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Having suggested the purpose of my attempt to determine the province of jurisprudence: to distinguish positive law, the appropriate matter of jurisprudence, from the various objects to which it is related by resemblance, and to which it is related, nearly or remotely; by a strong or slender analogy: I shall now state the essentials of a law or rule (taken with the largest signification which can be given to the term properly).

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In John Austin: Work ...part of his lectures, is The Province of Jurisprudence Determined, published in 1832. Here, in order to clarify the distinction between law and morality, which

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he considered to be blurred by doctrines of Natural Law, he elaborated his definition of law as a species of command. According to Austin, commands...

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significance of his achievement is the fact that The Province of Jurisprudence Determined constitutes part of the intellectual heritage of a large number of legal scholars. Echoes of

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Page 258 - Every positive law, or every law simply and strictly so called, is set by a sovereign person, or a sovereign body of persons, to a member or members of the independent political society wherein that person or body is sovereign or supreme.

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John Austin, *The Province of Jurisprudence Determined*, ed. W. E. Rumble, Cambridge, Cambridge University Press, 1995, pp. xxxix + 293. A. D. E. Lewis(a1) (a1)

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Page 139 - Every positive law, or every law simply and strictly so called, is set by a sovereign person, or a sovereign body of persons, to a member or members of the independent political society wherein that person or body is sovereign or supreme.

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