

JOHN AUSTIN (1790-1859)

Every positive law, or every law strictly so called, is a direct or circuitous command of a monarch or sovereign number in the character of political superior: that is to say, a direct or circuitous command of a monarch or sovereign number to a person or persons in a state of subjection to its author

- ♦ Jurista inglês. Professor na *University College* de Londres, entre 1826 e 1834. Iniciador do movimento da *analytical jurisprudence*, que mistura o hobbesianismo e o benthamismo.
- ♦ Identifica direito e poder, transportando o utilitarismo para a defesa da ordem estabelecida. Ligado aos utilitaristas, nomeadamente a John Stuart Mill.

- *The Province of Jurisprudence Determined*, 1832. Nova ed. org. por H. L. A. Hart, Londres, Weidenfeld and Nicholson, 1955.
- *A Plea for the Constitution*, 1859.
- *Lectures on the Philosophy of Positive Law* (1861), Londres, John Murray, 1863.

➤ 1832 *Province (The) of Jurisprudence determined*

📁 Gettel (1936), pp. 399 segs; Maltez (ESPE, 1991), II, p. 21; Maltez (PGD), tomo I, pp. 231 segs..