THE "SURVIVAL" OF ROMAN LAW IN THE COMPARATIVE MODERN ORGANIZATIONAL STRUCTURES AND ITS IMPACT ON THE DECENCY OF LIVING

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Abstract:
Ruling from ancient times on the protection but also on the chaining of human freedoms, The Roman law – often positioned upstream of the asperities and the saraband of social inequalities – has left its legal impressions on culture and, by implication, on human legislation and standard of living. Or it is precisely this multi-secular matrix projected on the cultures built on the conceptual pitches of Latinity that brings us to a double question, namely: to what extent and in what form the Romanic ideological-legal elements are found in the philosophy of thought and living of post-modern societies, including their standard of living and whether the right itself can be made responsible for our modern culture in general , including the quality of legislation and standard of living nowadays. In order to be able to respond to such a challenge, but also to identify solutions, we will try to capture the essential features of a long and complex evolutionary process of transposing Romance influences from the logical structure of the legal norm to social realities and vice versa and, on the other hand, we will combine the traits thus obtained with the results provided at the beginning of this millennium by sociological research of comparative cultures.

Keywords *: Roman law, decent living, comparative cultures, Romanesque elements.*

JEL classification: *Drept*

1.General considerations

Realizing the axiological vastness of the assumed theme, before which any intention to exhaust the subject can only be a poor misjudge of ones capabilities, this study attempts a rather synthetic approach as pronounced comparative to the interreality of culture with the law in the geographical area of the nations in the European space, recalling that, according to D.F.Pocock, the first serious attempt in this regard belongs to Montesquieu, in his famous treatise "L'Esprit des lois"[25]. We believe that it is a theme capable of opening new portals of legal research from both cultural and other angles of the social sciences because, as the renowned jurist N. Popa points out, the study of law cannot be limited to the knowledge of legal concepts, but needs "*a complete representation of the social picture in which the law applies*"[26]. Therefore, the overflowing and somewhat versatile complexity of such a theme calls for the solidarity of interdisciplinary, samplelmatic efforts which, technically speaking, is quite difficult to be compressed into the volume of a routine article. However, in order to analyse the correlations and valences of law over time and as a whole in the context of European cultures, including in Romanian culture, it is appropriate to establish as a starting point the meanings of the concepts of "culture", "law" and "decent living", taking into account of course the social structures and processes that cannot ignore the dynamics , political and socio-economic profile of any of the cultures involved. As regards the term law, I consider that it does not raise insurmountable problems because our approach retains the usual meaning of the concept both as an objective (*norma*

agendi) and as an assembly of legal rules in force on the various stages of development of human society and as a subjective right (*facultas agendi*), that is to say, in the sense of the prerogative accorded to the subject of law to defend ONES rights and to exploit ONES interests in relation to third parties[23]. A little more uncomfortable may be the notion of *culture* that since a few decades ago has been recording more than 200 receptions in the world and which, at least in the usual parlance of the most Western European countries, contains a seemingly simplistic message of civilization or chiseling of the spirit through education, art and literature. Without excluding these last linguistic connotations already entered into the main lexical fund of European nations, we will opt for anthropological significance because it is much more semanticcomprehensive (including the aforementioned terminological meanings) but also better integrated into social sciences. In addition, the anthropological significance is also used by the renowned scientist G.Hofstede, in his famous experiment presented and translated into Romanian in the work "*Cultures and Organizations.Mental software*"[9], a thesis of remarkable referential value, to which this study also refers. Therefore, the concept of culture will be used by us in the broad coordinates agreed by Hofstede, namely as a category or collective phenomenon incorporating "*all patterns of thought, feeling and action*" of people living or living in the same social environment[9] which recommends us to adopt the main indicators used by the illustrious scientist in assessing the notions of *distance from power*[9][1] and *degree of uncertainty*[9][2]. And finally, the notion of *decent living*, in the absence of a legal definition, will be addressed in a broad sense, that of *well-being*, as described by the explanatory dictionary, namely "*Good, prosperous material situation; prosperity.*"[3], a description which, although it seems to prioritize the material side of human life, also includes the non-heritage side (state of mind, education, justice etc.) because the word *prosperity* means "*State... happy, thriving life of an individual or a community*".[4] Moreover, we cannot accept the permanence of these elements which have troubled the works of the great thinkers, rulers and jurisconsuls of humanity, regardless of the era. They are also intrinsic to "*honeste vivere*", that is, that principle which the illustrious Roman jurisconsult Ulpian laid the basis of natural law[10][5] and are compatible with what modern law calls respect for privacy, dignity of the person, free development of personality etc. And, why not, such elements also fall within the essence of the definition that the Constitutional Court of Romania gives to decent living, as "*the right to reasonable living conditions, which ensure a civilized and decent living for citizens*"[6].

2. Legal and cultural specifications of Roman law

As we well know, for over 1000 years the society of ancient Rome – a highly centralized and legalized society – was governed by the Law of the XII Tables. Appearing amid conflicts between patricians and plebeians during the period of the formation of the state, the decemviral laws try to combine the sacred with the telluric, imposing itself as a remarkable legal creation. And such a thing rightly made the Romans proud of such an achievement. However, the law also contains major

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1.Distance from power is the index of social inequalities and is defined as "*the extent to which less powerful members of institutions and organisations in a country expect and accept power to be unevenly distributed.*".

2.The degree of uncertainty is "*the extent to which members of a culture feel threatened by ambiguous or unknown situations.*".

3.Explanatory Dictionary of the Romanian Language, 2nd edition,'98.

4.Ibidem.

5.According to Ulpian, the principles underlying natural law are: "*honeste vivere, alterum non laedere, suum cuique tribuere*" (decent living, not to harm anyone and to give everyone what is his own).

6.Constitutional Court of Romania, Decision No.1221 of 12 November 2008.

shortcomings, correctly noted by M.Cary and H.H.Scullard[2] as well as by other researchers. First, the law retained the pronounced kind character, rigorously and discriminatoryly distinguishing rights and obligations by origin, sex, age, economic status and status of each individual, which was later taken up by the feudal system. In other words, it maintained slavery, excess formality (not everyone had access to the knowledge of the solemnities on the basis of which the interpretation and application of the law was made), as well as authority (the great distance from power between authorities and civilians), encouraged retalial retaliation (talion law) and, in general, legislated social, political and economic stratifications and inequalities (especially between patricians and plebeians), the inferiority status of women and minors , these are just some of the normative flaw that, as we shall see, have stigmatized European civilization for centuries and even millennia to come. It is also appropriate to recall that the lands which had fallen from the wars into state ownership and then abused by the rich patricians became, by the agrarian law of 111 BC, the property of the patricians, further deepening the differences between the rich (assids) and the poor (proletarians), a situation which could not be changed even as a result of the social upheavals which he had generated (for example, the Gracchi brothers' uprisings).

The Gracchi brothers' attempt to democratically amend the agrarian law in the sense of introducing a minimum fairness on the distribution of agricultural land resulted in their assassination and, after a century, the legislation had come to impose tax rates so great that the uprising in Panonia (6 B.C.) had acquired proportions of a scale that shook the Roman state itself[29]. Loyal to the interestsof the aristocracy, the law did not limit its inequalities in relations between the state and individuals, but enshrined them on all stages and sectors of social life, including within the same families. Thus, the head of the family had unlimited powers over its members, he could *"... to drive them out of the family home, to sell them, to abandon them as useless things, to marry them without asking for their consent, and even to kill them."*[15] and, by way of action in the claim, he could claim them from anyone who wrongly detained them, the condition of the subject being equal to that of the objects of heritage[15]. Of course, the Law of the XII Table Lex, although predominant, was not the only legal source of social inequities. For example, Lex Fufia Caninia (The Law of Fufius Caninius) in addition to restricting the willprovisions on the release of slaves, provided that their death penalty even in the absence of guilt. Thus, according to the law *"... if a slave killed his master, all the other slaves of the family were in the block sentenced to death. What's more, even if the victim had been murdered by someone from the outside, his scabs were still going to die."*[29] On the grounds of the intention to bring Roman society back to the old traditions and virtues of family life, Octavian's laws have shown themselves to be particularly harsh, discriminatory and intrusive in the sphere of private relations, including from the perspective of confiscation of wealth. For example, the law against adultery did not allow the woman to accuse her husband of adultery, whereas the husband had not only the right but also the obligation to accuse his adulterous wife and, in some cases, even to kill her[6]. The law on marriage also punished celibates and required men up to the age of 60 to marry, women up to 50 years of age, widow, within one year of the death of their husband and divorced, within 6 months of divorce [6].

3. Continuity of roman elements after the fall of the empire

Starting from the assertion that the understanding of law is conditioned by the evolution of society itself[5] we will refer to the conclusions of the sociological experiment which sees in the inequities and excessive authority of Roman law the main causes of cultural and educational decadence, which means that after the fall of the Roman Empire there was a cultural continuity that allowed the survival of such elements. Nevertheless, history is filled with examples which demonstrate that law,

until the great revolutions that marked the shift towards modernism, manifested itself as an inflexible expression of the arbitrariness of the absolute monarchy - the dominant form of government - that left its mark on the cultural essence of society. For example, the two codes of law of the Merovingian period, Lex Salica and Lex Ribuaria, gave political power a pronounced centralization and inequality between members of society, with the help and participation of religious institutions[11].[7] Even important legal acts such as Magna Charta Libertatum (1215), Petition of Rights (1628), Habeas Corpus Act (1679), Bill of Rights (1689), Declaration of the Rights of Man and of the Citizen (1789), are irrefutable evidence of peoples' , nations' themselves reactions to the injustices and inequalities of monarchical systems. Such inequities maintained by the monarchy with the help of justice and administrative apparatus are painted with great clarity by Thomas Morus[22]. Moreover, the servileism of the legislative system focused on the protection of rich oligarchic classes at the expense of the poor is reflected in the works of all modern and medieval thinkers. For example, the great Italian Renaissance humanist Tommaso Campanella, a forerunner of Descartes and Kant's philosophy, describes in his famous work *The Fortress* of *the Sun*, a monumental protest against laws and justice that generates social abuse and oppression, himself imprisoned in difficult years to support the elimination of social inequalities[14] while D. Defoe tells us that social inequalities are the real cause of social divisions and poverty[4]. Ed Burke also condemns the legislative and legal system as being guilty of the "*degeneration*" of society because *"... protect the rich against the many and the poor, bringing into the world and the most disgusting creatures of all, lawyers*"[3] and J.J. Rousseau, who is outraged by the social inequalities protected by the legal and monarchical system, seeks to create a model of society based on freedom and equality, placing such principles in the service of the welfare of the individual and general utility as genuine sources of legitimacy of power[28]. Montesquieu, with unparalleled legal and philosophical sophistication, senses the social inequities generated by the laws and the system of government, seeing in the monarchy an entity incapable of solving such problems[21]. Also, starting from the inequalities created by the laws and relating to consciousness, as the "*supreme court*" of morality[18], Kant conceptualizes the idea of the law of responsibility through education supporting the obligation of the state to make laws that highly correspond to the interests of the people. This concept was a great success on German culture and life, proof being that even in the centuries that followed the Germans were consistent in putting the community's duty first to private priorities[18]. In the monumental work "*Principles of the Philosophy of Law*" Hegel reveals one of the most rotten wounds of justice, namely judicial formalism - the ancestor of today's juridism - which has transformed the means meant to do justice for its own purposes[16] and in the "*Phenomenology of the Spirit*" speaks of the devastation that governs the world[17] of lawand examples can continue. Theoretically and ideologically, human rights and freedoms have acquired in the context of the bourgeois revolutions of the 18th and 19th centuries a pronounced sound on the international legal order. This marked the beginnings of the gradual transformation of the states of the so-called "royal" states, with functions bounded to certain areas (justice, public order, diplomacy, etc.) into social states willing to take over a number of political-social responsibilities (education, health care, etc.) and which are financed

7.We know, for example, that Lex Salica, which applied from Clovis's time to the 9th century, maintained and protected a highly differentiated economic and political legal order based on vassality. For example, for the murder of a subject of Gallo-Roman origin, compensation was paid which was half of the compensation paid to a salinic franc (and the inability to pay made the law of talion applicable by the relatives of the deceased); the population of Gallo-Roman origin was also subject to taxes on the land as well as on the products sold, while the French population was also exempt from obligations.

from taxes and taxes. Under the psychological impact of the two world wars and the international agreements (United Nations Charter, Universal Declaration of Human Rights, International Covenant on Civil and Political Rights etc.) states have taken social policies further by taking into their own constitutions a much wider range of fundamental rights, including the obligation to ensure their citizens decent living conditions.

4. The crisis of Romanian law

Vasile Lupu's Pravila or "Romanian Book of Teaching" (1646) and Matei Basarab's Pravila, also known as "Law-Enforcement" (1652) are collections of legal norms that legislate feudal greed and oppression of peasants, by serving, supplications and tying them to the land, as well as by a multitude of other inequities. All these issues addressed by the judiciary and political power below the level of human dignity have ultimately been accounted for the dramatic standard of living and education of the population. In Transylvania, the law and the legal system were quite controversial and served for disturbing inequities. Thus, the Romanian carl, although formally declared by law as being free, had also enforced on with such obligations to the nobles, king and church that it had the condition of slave, without any rights, *"... condemned even by law that he could never shake the yoke ...."*[1].

All this considered, the effects of the severities and inequities of the legislative systems are generally reflected in the endless revolts of society which, under the pressure of misery and hunger, have penetrated the entire history of humanity. Sometimes social upheavals had opposite effects to what their promoters expected.For example, following the defeat of the uprising led by Gh. Doja, the legislative body (The Transylvanian Diet) tightened the status of the carl by consecrating eternal servitute or serfia. By the Urbarial Act of 1769 the yobs had to work during agricultural period every day (including days off) otherwise the masters would impose extreme punishments that could go as far as the death penalty. Such an act of protest against the inequities of the legislative and political system governed by the three states of Transylvania was "*Supplex Libellus Valachorum*" (Petition of the Wallachians of Transylvania), an act whose fundamental thesis was "*the rights of both man and civil society.*".

At the end of the 19th century and the beginning of the next, the formalistic character of the law (inherited from antiquity) and a slight inflation and instability[27] of the legal regulation are added, the legal order becoming under the influence of politics and even the economic o *"constant mutability in the sense that today's legality may become tomorrow's illegality*"[26]. This syncope of legislative technique will overlap a century later an increasingly aggressive, formal and ignoble tendency to interpret and enforce the law, thus giving rise to a particularly toxic legal phenomenon, *juridism*, which came as if to foretell a genuine legal anarchy.

Rised against the background of apparently fair and humanistic legislation, *juridism* - a real crisis of the law but also a degradation of the conscience of law - has been signalled its aggression since the beginning of the last century by great academic personalities (C-tin Rădulescu-Motru, E. Hope etc.) continuing to be severely fought by emblematic personalities of contemporary culture and law (A. Marga, M. Duțu, M.-M. Pivniceru, I. Guceac, and so on). Professor M.Duțu, for example, argues that "*We live in a world more legalized than ever, but more alien to the authentic spirit of law than ever!*"[8] In harsh but correct terms, juridism is also criticized by the great philosopher and political scientist A. Marga, a reasoned criticism of two essential perspectives of law[20] :

- from the point of view of the "*dilemmas*" of legal regulations leading to the "*disfigurement of the law*" because of their erroneous, inflationary and unstable

characters, as well as as the multitude of inequalities (exaggeration of the allowances of those in power, rewards and special pensions, as well as the increase in inequalities (exaggeration of the allowances of those in power, rewards and special pensions, attribution of functions, etc.). And these things demonstrate in the author's opinion a return of post-modernist society towards a kind of feudalism, but towards one *"... who knows no merit, nobility and honor!"*; and

- from the direction of formal application of the law, the author considers that "*the application of the existing law or by the way it applies or by both - to citizens or almost all citizens are reduced rights provided by the Constitution precisely under the pretext of the law.*". The renowned author also points out that the "*formalism*" of justice has attracted throughout the history of Europe countless social reactions immortalized by countless famous writers (Balzac, Victor Hugo, Dostoyevsky etc.) as a result of authoritarianism or discrepancies with historical reality, reaching nowadays that society suffers from juridism, a disease of ignoring the meaning of the law generated by jurists , some bureaucratic and bad faith benders of the texts of the law.

5. Comparative sociological studies on culture and law

Projections of a rudimentary and antithetic culture, inequalities generated by the legislation and the consuetudinary law of Roman antiquity are found in abundance in the cultures of the post-modern world, and this led the Dutch researcher G.Hofsted to establish, on the basis of scores grouped into five cultural dimensions, the differences in culture between individuals/populations of different countries/organisations. The researcher's experimental results show that those countries with a Romanic based cultural heritage, such as Romania, France, Italy, Portugal, Spain, score very high from the perspective of the main cultural indicators (distance from power, degree of uncertainty, etc.) as opposed to countries with more consolidated democracies, such as Denmark, the Netherlands, United Kingdom, Norway, Sweden, which enjoy much lower scores[9]. Unfortunately, Romania is on the top of the category of countries with very high scores. However, in order to be able to achieve from legal and sociological perspectives the cultural differences between individuals in high-scoring countries (influenced by the authoritarian system of the Roman empire) and those in low-scoring countries, we will present below, summary, their characteristics, starting with those in the first category (countries with weak democracies) and continuing with those in the second (countries with consolidated democracies), as follows[9]:

- individuals in the first category feel the need for numerous and precise laws and the authorities, as a rule, use legal language, while those in the second category are satisfied with few and general laws and the authorities do not use legal terms;
- those in the first category prefer civil servants that are Law Graduates , while those in the second category rely on officials without legal studies;
- the first category is characterised by maintaining a distance between authorities and individuals, between parents and children, between teachers and pupils, between employers and employees, between men and women, while in the second category there is a much greater approachement based on transparency and equal treatment;
- in general, people in the first category value authoritarian values, while within the other category only less educated people value more authoritarian values;
- the first category considers that justice and good are on the side of the strongest and the rich must have privileges, while the second category considers that the exercise of power must be entitled, subject to the criterion of good and evil, and people must be equal in rights;
- inequalities between individuals of the first category are to be expected, while the other category considers that inequalities must be minimised;

- in the first category there are large differences in income between individuals, especially those at the top of the organisation and those at the bottom, and the tax system competes to increase the differences, whereas in the opposite category the income differences are much smaller due to the tax system;

- the first category has a small middle class, while the second category benefits from a much larger middle class;

- for the first category the ideal boss is a benevolent autocrat or "*good father*", while for the second category is a capable Democrat;

- subordinates of the first category are waiting to be told what to do, while those in the second category are waiting to be consulted;

- for the first category work at the State is more valuable than that of the private sector, while for the second category the two benefits enjoy the same status;

- in the first category there is more corruption, poverty and the motto of individuals is "*time costs money*", while in the second category there is less corruption, the economy is satisfactory and time is only a reference system for guidance.

The above results illustrate not only how society perceives the topic of law within the value system, but also the socio-legal profile of the individual, the authorities and society from the perspective of respect for or non-compliance with the law.

In summarizing the above, we can note that in countries significantly influenced by the legacy of Romanic elements (Romania's case) which, in principle, are countries with a poor democratic culture, the law enjoys an increased appreciation (authorities use legal language, graduates of law faculties are preferred for public office etc.), the distance from power is high, the uncertainty of individuals is high, the economy is weak, corruption is relatively high, education levels are weak. On the contrary, in countries less exposed to the Romanic element which, in principle, are economically and democratically developed countries, the law is of quite low interest, not being at the heart of civil society's concerns. In other words, all the traits of individuals in the first category are diametrically opposed to those of the next category caracatized by a short distance from power, low uncertainty, high educational level, etc. For example, in a study conducted in the United Kingdom only 3% of civil servants were law graduates while in countries with a high degree of uncertainty, about 65% of civil servants had law faculties[9].

Final conclusions

The congenital influences of Roman law on European cultures, influences codified in the normative law of each European country, do not represent a novelty in itself for anyone, but merely constitute the assertive premise at the heart of which this work makes its efforts to analyse the correlation of law with social, economic and political inequities in a complex and permanent evolutionary metamorphosis. Synthetically and without pursuing a dissident air, we can conclude - however disturbing for those who excel in the glorification of law - that the protection of social inequalities, including through a fairly well-preserved legal formalism, is perhaps the oldest and most ignoble method of law, which highlights its responsibility to culture in general and to justice, in particular, a justice assailed today more intensely than ever by the alarming phenomenon of juridism or legalisation. A phenomenon that violently harms the psychological and legal root of fairness and which systematically asphyxiates post-modern society and this problem cannot be abstracted from what is justice and the quality of life or human life. Moreover, other legal studies carried out on contemporary Romanian society highlight worrying discrepancies between social realities and those expressed by legal norms, which is why some researchers propose a *reconstruction* of the law which has as its starting point the peculiarities of each level of social existence

and, on the other hand, the harmonious correlation of individual conduct with the common interests of society[7].

Another problem that comes from the direction of comparative crop research warns us about the correlation between the degree of highlighting of the law (as well as social perception) and the level of democratic culture. The results of these studies highlight the existence of a strong correlation between the tendency to highlight and over-appreciate the law and the countries/collectivities with democracies and precarious economies, with poor learning, with a real inflation of specialists in law and economy, with authorities that mainly use legal language and that keep a great distance from citizens. On the contrary, countries with strengthened democracies, with a high standard of living, have an almost unobservable attitude towards law, the law is like background music, slow, domestic and non-irritating, and the legal language is almost foreign to the authorities and citizens concerned, as a rule, with entirely other fields, such as literature, business, sport, etc.). Or this dichotomic projection validated by sociology is no stranger to the two projects around which the entire political and legal evolution of man has been built, projects that law professor M. Duțu speaks to us about in one of his works.[8] This is the Hobbes project, which conceptualised the need for permanent control and correction of man due to its dangerous and harmful potential, and the Spinoza project, which supported the liberation of man, the author (M. Duțu) urging the harmonious conjugation of the two theses in order to achieve progress and social peace. It is interesting that the "barrier" separating the projects analysed by Professor M. Duțu and the intercultural "barrier", retained by the above sociological studies, seems to represent one and the same obstacle, which explains why the shattering of monarchical apparatus and, in general, the progress of legal modernisation of states, have failed to put an end to the failure of the law in carrying out its noble missions, that of establishing social equity and of effectively guaranteeing respect for the boundary between good and evil, of course within the limits of the proportions imposed by the imperfical nature of man.

Therefore, the solution - which seems to be hard to discover - does not consist of any miraculous recipe, nor do we find in the tabs of the treaties of law or economy. It has been right in front of our eyes for a long time. And in order to receive it, we only need to remember the words of the brilliant Romanian jurist Titu Maiorescu who a century ago drew attention to the close link and interdependance between the quality of legislation and the culture of a society, in which context he asked the political class to make good schools for the Romanian people because only this way will legislation and governance improve[19].

References

1. Abrudeanu I.R. (1928). Moţii, calvarul unui popor eroic dar nedreptăţit. Ed. Cartea românească,.

2. Cary M., Scullard H.H. (2008). Istoria Romei până la domnia lui Constantin. Ediţia a III-a, traducere de Simona Ceaușu,Ed.ALL, Bucureşti,.

3. Copeland T.W. (1950). Edmond Bruke: Six Essays, Londra,.

4. Defoe D. (1980). Jurnal din annul ciumei. Ed.Minerva, Bucureşti,.

5. Djuvara M. (, 1999). Teoria generală a dreptului. Drept raţional, izvoare şi drept pozitiv. Ed. All Beck, Bucureşti.

6. Drimba O.(1960). Poetul Romei şi al Tomisului. Ed.Tineretului,.

7. Duminică R., Drăghici A. (2012). Realitatea social ca „dat" al dreptului – între viziunea modernist şi cea post-modernistă. Analele Universităţii „Constantin Brâncuşi" din Târgu Jiu, Seria Litere şi Ştiinţe Sociale, Nr.2

8. Duțu M. De iustitia et de iure sau despre nevoia reabilitării ideii de drept. https://www.juridice.ro/essentials/1282/de-iustitia-et-de-iure-sau-despre-nevoia-reabilitarii-ideii-de-drept.
9. Geert Hofstede, Gert Jan Hofsted, Michael Minkov(2012). Culturi şi organizaţii. Softul mental. Ed.Humanitas, Bucureşti,
10. Georgescu Ștefan,(2001). Filosofia dreptului.O istorie a ideilor din ultimii 2500 de ani. Ed.: All Beck,.
11. Goffart W.A. Old and New in Merovingian Taxation, in:Past and present, nr.96, Oxford,1982,https://academic.oup.com/past/article-abstract/96/1/3/1535568?redirectedFrom=fulltext, accesat la 08.04.2020.
12. Goyard-Fabre S. (1998). Le Droit et la société d'aujourd'hui, vol. Panser la justice, Mafpen de Toulouse, C.R.D.P. Midi-Pyrénées..
13. Goyard-Fabre S.(1992). Les fondements de l'ordre juridique, PUF, Paris,.
14. Gulian C.I. (1974). Introducere în istoria filozofiei moderne. Ed.enciclopedică română, București,.
15. Hanga V. (1978). Drept privat roman, Editura didactică şi pedagocică, Bucureşti,.
16. Hegel G.W.F. (1969). Principiile filosofiei dreptului, Ed. Academiei, Bucureşti,.
17. Hegel G.W.F. (1965). Fenomenologia spiritului, Ed. Academiei, Bucureşti,.
18. Kant I. (2013.). Metafizica moravurilor. Ed.Antet Revolution,
19. Manolescu N. (1970). Contradicția lui Maiorescu, Editura Cartea Românească,.
20. Marga A. Juridismul ca maladie a justiției, https://www.cotidianul.ro/juridismul-ca-maladie-a-justitiei/
21. Montesquieu. (1970). Scrisori persane.Caiete. Ed. Minerva, Bucureşti, 1970.
22. Morus Th. (1958). Utopia. Ed.ştiinţifică Bucureşti,.
23. Muraru I., Tănăsescu E.S. (2008). Drept constituţional şi instituţii politice, Ediţia a 13-a, vol.I şi vol. II, Ed. C.H. Beck, Bucureşti,.
24. Platon A.-F., Radvan L. ș.a. (2010.). O istorie a Europei de Apus în Evul Mediu. Ed.Polirom,
25. Pocock D.F. (1961). Social Anthropology, London,
26. Popa N. (2008.). Teoria generală a dreptului. Ediţia 3, Editura C.H. Beck, Bucureşti,
27. Popa N., Gh.Dănișor ș.a. (2007). Filosofia dreptului. Ediția 2, Ed.C.H.Beck, București.
28. Rousseau J.J. (1957).Contractul social. Ed.Ştiinţifică, Bucureşti,
29. Vergiliu. Eneida. Traducere de Eugen Lovinescu. Prefața de Edgar Papu, Ed.Tineretului.