

Introduction points on the homeostatic legal system understanding in the dimension of living systems functions organization patterns

Pravomir Kosjančuk¹, Viktor Kotolupov²

¹The European Faculty of Law in Nova Gorica, Delpinova 18b, 5000 Nova Gorica, Slovenia; e-mail: pravomyr@gmail.com

²Centre of homeostatic legal studies, Goče 70, 5271 Vipava, Slovenia; e-mail: viktor@kotolupov.si

Abstract:

The “homeostatic legal studies” is a new jurisprudence methodological direction. We aimed to analyse originating sources of homeostatic legal studies in the light of regularities and objective laws in functioning of living systems. In the context of its development we provide a new paradigm of interpretation of jurisprudential reality as an integral living system as far as its homeostasis support is concerned. The analysed problem is directly connected with sustainable development of society. One of the priority propaedeutic tasks is to explore the notion, peculiarities and significance of the healthy (normal) homeostasis of legal system and its components, including fundamental identification of advantages from achieving normal homeostatic state. In the paper we deal with problems at the state level, which are expected to occur due to the low homeostatic capacity rate in state organization and its functioning structures.

Key words: legal system homeostasis, living systems functions organization patterns, sustainable development, legal consciousness, legal methodology, legal system improvement

The key social system that threads through our beings of social creatures is a legal system, along with its key element – system of law (body of laws), and the state as legal structure. Legal system is one of the basic society existence dimensions expressing its orderliness and supporting it as an orderly integrity on the condition that it (this legal system) is duly adjusted (on the level of the system of law), and equibalanced so that the society is in balance at all levels in terms of its integrity and development despite the need to survive with the limited resources.

Scientific understanding of legal system comes from scientific researches in the field of law accumulated in legal studies. We are convinced that academic knowledge at all times require verification against reality, continuous updating with view of new theoretical and practical experience. So, for instance, there is, at a minimum, a need for certain refreshment of legal system understanding in that sense of law, and state, in particular, with the account of existing legal reality in the aspect of poor efficiency of some suggested academic products applied to the reality as to integrity support, legal system homeostasis in its functioning and in the aspect of increase of its opportunity to survive with the limited resources.

We are convinced, there is no use of the science, legal studies in particular, if its methodological background has no integral natural paradigm that would allow it (science) to become a tool for adequate understanding of reality, and would enable sustainable development of the systems representing it. So, the science and the scientists bear particularly heavy responsibility as they participate in laying the foundations for the world-view, and the model of this foundations determine the prism, dimension of the view to reality, its format, and thus – future of the systems people deal with.

Among the new methodological directions of legal science we propose the homeostatic law studies as a new paradigm of interpretation of jurisprudential reality as an integral living system as far as its homeostasis support is concerned. The core of this approach is the “homeostatic legal consciousness” that is based on the new living systems functions organization biological patterns, discovery of which enabled revision of a living system like legal one. When it comes to the new, integral model of homeostasis support patterns it becomes possible to ensure maintenance of the healthy homeostasis of state (other legal system components). This is a primary object as search for legal system homeostasis and its achievement contain obvious advantages in terms of its integrity,

stability and development, the essence of which needs to be explained. Thus, the one of main tasks is to explore the existing problems, notion, peculiarities and significance of the homeostasis of legal system. We will also discuss issues of understanding the essence of subject, peculiarities of legal system functioning and organization when it comes to support of its healthy homeostasis and legal system development.

No one can deny that achievement of legal system normal homeostasis is the key objective as we would like to prove that legal system integrity, balance and stability and this is definitely a desirable state for optimal functioning of a person, society and ecosystem in their interaction.

While analysing contemporary legal systems, we came to decisive conclusion that they are organized with different extent of balance and function with different efficiency when it comes to the above-mentioned context. Analysis of law making within first of all continental (Romano-Germanic) legal tradition conveys the suggestion that laws and other regulatory acts often seem to be formed at random, without thinking that actually leads to development of crisis phenomena. There occasionally emerges an impression that regulatory act is a simple accumulation of regulations mass notwithstanding their connections, interaction within the legal system in general, and first of all, without understanding of their long-time outcomes in the legal system that forms a potential basis for further destruction of legal system relating to the norm of its homeostasis.

For instance, legal system elements at the level of legal relations subject composition due to the lack of resources for survival in the conditions of improper resource allocation within the system far from being adjusted, equibalanced in due way (in particular, with no account of the optimal level of the system-of-law for homeostasis support, model for information and resource interaction), frequently attempt to survive by all means, and their work for integrity of legal system, and state in particular, is ceased. Nevertheless, laws often justify inefficient activity of subjects of law, and other legal system components, with relation to achievement of integrity and efficacy of the entire legal system that leads to substantial resource consumption by the very state, and this places restrictions on its survival in interaction with other states. The incorrect definition on the system-of-law level of the legal system subjects' interaction that causes conflicts harmful to the state integrity inevitably leads to high energetic consumption and again restricts opportunities for survival of legal system in the constantly growing life competition. Legal system structures, for instance, system of medicine, or education, poorly developed on the legislative level, as a rule, work with low efficiency factor when it comes to the legal system in general, while resources spent for the purposes of such system functioning, are not proportionate to low efficiency. Failure to identify priorities leads to the results negative to the living system. Another problem is the results of the fact that legal system undergoes outflow of certain cooperons, formation of which in terms of legal system cost certain energy consumption and often, as experience shows, it is in vain. And incorrect, when it comes to homeostasis support, model of interaction of private – public, individual – national and other things that do not support, do not favour living system homeostasis, increase social tension due to lack of explicit homeostatic model at the system-of-law level of the countries, serve as a bedding for the life troubles we see every day. Such problems are factor or exponent of lack of normal homeostasis on the state level that entails its negative consequences.

While analysing procedures of law-formation and right exercising, in particular, considering generally mentioned issues, we come to conclusion that conceptually it's not even about certain flaws on the level of legislative techniques that influenced system of law, and consequently, legal system in general, and this is expressed by remoteness from homeostatic optimum zone. It turns out, that the problem is much deeper: there is a lack of the necessary paradigm – comprehension of legal system as living one in its interaction with anthroposphere, ecosphere and other living systems, built for the purpose of homeostasis support – as a key target realized. And it's exactly the search, elaboration of new paradigm is today one of the most topical legal system directions namely the paradigm that would give the wall in the development of society, having reduced its energetic, material and organizational consumptions, tension inside the system, for interaction with both inner systems of society, and outer world (other societies), would increase its survivability and ensure its capacities for evolution.

For this reason we point out legal system in its relation to homeostasis and its subsystems as “living organism”, living system with account of recent academic resolutions that gave us an impulse for development and the key new direction for researches in the field of legal methodology.

Prior to academic researches of legal system nature, right, legal structures as, for instance, a state, there took place various mythological, theological, philosophical studies, from which we can trace different dimensions for interpretation of these phenomena. Thus, the studies of many philosophers and scientists, from Plato to for ex. J. R. Kjellén, have already viewed the state as a living organism.

Spreading of organistic ideas in sociology coming from tremendous upgrowth of biological science enabled development of intuitive tendencies in explanation of the nature of society, state as a living organism by the way of analogies. The organistic school in the history of sociology is first of all connected with Herbert Spencer’s academic activity who concluded that society is an organism that has much more in common with living creatures than with the non-organic aggregates. To H. Spencer’s mind, state is an organism consisting of separate people similar to the living organism consisting of cells. The state is formed together with its counterparts – people – and will exist till the end of human society. It would be erroneous to see the state as unintentional human formation; it is a growing organism (...the error that society is a manufacture; whereas it is a growth) (H. Spencer, 1902, p. 99, see: H. Spencer, 1960, pp. 79-120).

In the thinkers’ discourses in general we can single out both partial and full matching of living system with social one. The key point is that application of comparisons and analogies was intuitively right approach of the researchers: to see society as a living, cooperative system as, indeed, the state (society) is an open system, organism, within which the processes similar to those in human organisms or other living systems take place. What remain unexplored are the living systems functions organization patterns that would in scientifically grounded way determine the practical use of such approach when it comes to the state and other social institutes.

Organicism has been criticized as a mechanical transportation of biological laws to society and superficial analogies gave almost nothing for scientific interpretation of society, and particularly, its laws. The criticism was mainly based on motiveless statements about non-academic nature of approach (see, for ex., M. M. Kovalevskiy 1909, p. 20-21). Still there are some common peculiarities, rules related to all living systems without exception, and availability of which disprove critical argument on impracticability of analogies and comparisons. Such comparisons quite on the contrary have natural grounding, but we will return to this later.

The approach of viewing the state as a living organism was unjustly rejected, mainly by representatives of positivist school, though intuitive analogies of philosophers and scientists were truly appropriate and provided with a new perspective, and became basis for existence of separate vision in view of the state, legal system in general.

Actualization of the new methodological tendencies, namely theory of systems and synergetics in the humanitarian science promoted development of new approaches for understanding social system as an open, self-organized living system. Today the society as system together with its counterparts, and ecosphere have been considered as living systems, along with the other living systems, namely biosphere (see: V. A. Kotolupov and V. F. Levchenko, 2009a, see V. F. Levchenko, 2004, p. 5). While, the key in understanding of a living system is not even a bearing substance (that might be different in different systems, though functions organization laws when it comes to homeostasis support, are the same), but openness, self-organization and self-management of a system at the level of energetic and information structure: the system exchanges information and substance with outer world on the basis of existing “instructions” from genetic and acquired-through-life memory; is capable of getting energy from outside etc (see: V. A. Kotolupov and V. F. Levchenko, 2009b, p. 542). Besides, the genetically changed living systems can be called conditionally living as they are lacking the key property commonly found in living systems – ability for evolution. This term can be transferred to the level of legal system, namely the state. If the system of law is formed in the way that does not allow the state to develop and sustain its economic counterpart (energetic counterpart), the main functioning element, then these states can be called conditionally living.

There were a lot written on homeostasis, but as a rule, it revealed position of one or another specific discipline, and this hindered incorporating any given facts and ideas within single approach that would interpret processes taking place in the living system. Separation of academic model of living systems functions organization universal laws in the aspect of their homeostasis (and, consequently, evolution) support in their integral representation, enabled giving the problem a new look. Thus it became possible due to the researches that were made public from 2009 in the Springer network (see: V. A. Kotolupov and V. F. Levchenko, 2009a, 2009b, 2010).

Integration complex and function model of living systems functions organization universal laws in reference to their normal homeostasis [hereinafter – homeostatic patterns or principles] might be applied to all living systems, including social ones. We might express axiomatic statement that normal homeostasis is impossible beyond these patterns. It means that if these patterns are not kept, the healthy homeostasis in functioning of such systems is unachievable. And this axiom concerns all living systems without exception, including legal system, and state, in particular.

Now we have integral organization and function model: what are the universal rules in their integral, complex and functional rendering, that support homeostasis; in the integral, holistic paradigm the functioning mechanism of the organism, as open system in terms of its integrity and functionality, finally became clear (we mean mechanism of energetic and informational exchange in relation to organism's psychics); how to ensure living system homeostasis; what homeostasis models are known; what is cancer in a living system; what is living system psychics and others. And all these new knowledge urge to revision of the existing academic knowledge on the living systems in the mentioned aspects of not only biology and medicine, but also invigorate to scientific researches in other spheres of science, namely legal one.

Upon singling out of the scientific model of living system functions organization laws in the aspect of its homeostasis, it becomes possible to give a new look to the problem of being, including legal system, and state, in particular, as living systems, and this undoubtedly is of great practical importance.

The problem is in the correspondence to the nature of living systems. Awareness of living systems homeostatic organization and functioning patterns, their universal nature leads to understanding that it is impossible to do better than the nature does as it has billion years of experience. All we can do is attempt to approach it, and we will not loose from this. In our quest for an excellent legal system, state in particular, we must take into account the living systems functions organization patterns, 'honed by the time'.

And that is why we attempt to extrapolate homeostatic laws to the legal consciousness level for their further implementation in organization and functioning of legal system (and state as its element), first of all, through the system of law – in legislative activity. Our ideas on application of homeostatic laws on the level of right are not limited to the system of law (roughly speaking, to legislation) as a part of legal system, they are deeper as we speak of more – raising these universal laws, first of all, to the legal consciousness level. Such approach allows us to develop theoretical basis of legal system made correspond to nature.

Unfortunately, today's macro-level lacks complexity, integrity of understanding what system-of-law model would imbalance legal system and society – what is today of exceptional topicality from the point of view of decrease, elimination of tension in the existing social systems. For the present day we have no paradigm of the legal system that would implement the legal system homeostasis inviolability and would ensure its evolution. All we see today on the basis of the existing rules of behaviour-instructions will lead certain society to specific consequences, one of which might be downfall of the existing states etc. It is just a matter of time when it will take place if measures are not taken in time. And achievement of homeostatic condition optimum or at least approaching to homeostatic condition optimum is far from being utopic. We just need to adhere, while modification of such living system as legal one, to universal homeostatic, symbiotic principles valid for all living systems.

Owing to the latest discoveries, it's safe to say that now the repercussions of legal system, state, its occurrence interpretation organic theory acquire conceptually new look. And this direction, in

reflections, might be fairly called 'homeostatic legal studies' or 'natural law in its scientific futurist vision'.

Obviously, we can simply ignore facts, disregard both homeostatic laws and logical laws, what usually takes place in the process of law-making and right execution. However, homeostatic laws that by their features are close to the nature's and logic laws, do not cease to exist and no matter how we ignore them, but homeostasis is impossible without compliance with them and the state in this case can be considered unhealthy.

Unfortunately today we observe imbalance between cooperons in their energetic, informational and substantial support; imbalance between cooperons in priorities (resources support) from the viewpoint of system's existence in its integrity. On the other hand there is imbalance between cooperons as due to wrong approaches (instructions) in government of a state, the cooperons are autonomized, start working inefficiently for the single system or not working for legal system homeostasis at all (i.e. they work for themselves).

Today's states work mainly by method of tries and errors – these are actually experiments on society due to poor awareness of how living organisms work. Experiments should be set up on the theoretical models with consideration of available experience, not on people.

Motivated by ill-considered law (with no consideration of living systems peculiarities) the functional, organizational inefficiency in many spheres, for instance, in medicine, in education, became 'pseudo-norm' of legal systems contemporary condition. Besides, lack of appropriate control over cooperon working quality, cooperon clusters compromises efficiency indicators as control guarantees efficiency.

We might also observe lack of programs, concepts of development of state as a living system and legal system in general, that would take into account all homeostatic regularities. These all add chaos to the life, make it more unpredictable.

Unfortunately, resource limitation in the context of further system evolution is similarly not taken into account – consumer-oriented approach does not provide for the thoughts on the next generation, for ex. in the light of sustainable development.

Pathogenic external factors that affect the state at times are unpredictable, but their influence upon the system might be reduced by the increase of resistance, and this can be achieved, amongst others, by reducing energy consumption with account of living systems functions organization peculiarities.

As we see, approaches to the state problems solution, existing in the legal systems, do not provide for the global mechanism of understanding of all those patterns that relate to the state as a living system what in its turn endangers human safety, as well as its social and genetic evolution.

Awareness of patterns allows us to compare of what living systems have and what they fail to do, with legal mechanisms (laws). This will allow avoiding more wrong solutions. Thus, in particular, living systems do not use foreign genetic memory, but for symbioses. We mean intermediate transfer of genetic memory to its own organism, having skipped over huge historical interval and principle of genetic superstructure. For example, as if US law was transferred to Afghanistan or Iraq etc. (see: V. Kotolupov, P. Kosjančuk, 2013).

But, in the first instance, we need to explain some aspects of **legal system homeostasis** before deep into the modelling with homeostatic patterns.

At the present day, some scientists considering law to be a system sometimes mention homeostasis, subject matter of which is determined by the semiosis pragmatic level. It generally touches only certain aspects of this phenomena relating to the legal system. Thus, for ex., I. Mukhachov, defines homeostasis as 'assurance of law's correspondence to the needs of social life' (see: I. V. Mukhachev 1997, p. 4).

However, we now have no adequate general-purpose legal research that would raise an issue of homeostasis, its role in relation to the legal system and universal theoretical model for its support.

What we know of homeostasis? Today we might separate such referential meanings. Homeostasis is an ability of organism (object) to support its individuality (integrity, invariability), due to optimal value of the system's invariants, in spite of the environmental changes. Along with this,

homeostasis might be viewed as ability of organism to reach its optimal functioning parameters that would ensure its integrity, in spite of the environmental changes (of course, within certain limits).

Besides, homeostasis in general and legal system in particular might be seen as a living (legal) system condition expressed in the balance of system components in their interaction, due to the system's support (in case of available opportunities) of the optimum invariants' values that ensure its optimum functioning in spite of the environmental changes.

We speak of homeostasis as a state and feature of living systems depending on the context, with adherence to the logical rule (see: P. Kosjančuk, 2007) of unambiguity, to avoid equivocations and equiscriptions¹ (see: P. Kosjančuk, 2009).

Healthy (normal) homeostasis is within the norm of genetic record with capacity for evolution – improvement of genetic record. Unhealthy homeostasis is homeostasis of diseased organism. Disease is a state of organism manifested in failure of its normal vital functions, span of life and its capability to support its homeostasis. It is a result of limited energetic and functional resources of a living system as contrasted to pathogenic factors. Disease is always failure of normal homeostasis (see: V.A. Kotolupov, 2005).

Concept of homeostasis appeared in the second half of the 19th c. owing to research C. Bernard, while the term was introduced by W. Kennon in 1929. Study of homeostasis appeared on the basis of biological science, and later covered all living systems and their counterparts: from the cell to biosphere that might dynamically support their integral condition with the feedback mechanisms (see: V. A. Kotolupov and V. F. Levchenko, 2009a, p. 302).

Bernard stated that all vitally important mechanisms have only one objective – to support regular internal environment. And it's a matter of course that homeostasis is related to struggle of individual organism for existence and ensures its optimal functioning in the changing conditions. E. Bauer in his works of the first half of 20th c., grounding on the conceptions of a range of naturalists, suggested that main part is played here by the positive and negative feedbacks that ensure regulation of vital processes (see: E. S. Bower, 2002). With the feedbacks mechanism, open systems are capable of sustaining their conditions. Positive and negative regulation feedbacks are similarly available for the legal system in the aspect of its key target – support of its homeostasis with opportunity for further evolution of such system. These connections are the ones that enable legal system to remain in the balance condition in spite of external conditions variations. And thus here there is a need for such adjustment of the legal system that would ensure its homeostasis, and consequently, society homeostasis. It's because legal reality is the main filter-paradigm for society that conveys incarnation of certain model order in it. Thus, optimum consistency of legal system internal environment is the main key to its homeostasis.

Anokhin has differentiated rigid and flexible (adaptive) constants (see: P. K. Anokhin, 1968). Deviation from rigid constants is incompatible with homeostasis. Flexible constants are those, deviation of which is acceptable within certain limits, and does not hinder performance of important functions of legal system, state, in particular. However, the term 'constant' does not suit this context and we'd better speak of the condition parameters maintained by the organism in the narrow or wide range.

What is obvious is the fact that legal system homeostasis condition is self-maintained. If homeostasis is violated, then legal system is unable to efficiently control and manage the processes directed at its survival. In the homeostasis, practically all strictly regulated and adaptive parameters maintain in the allowed value range. When it comes to illustrative representation of legal system condition in relation to its homeostasis, we suggest to apply the so-called 'spot approach' and speak of homeostasis parameters zone (zonal approach). Organism always 'attempts' to remain within the homeostatic zone.

Homeostasis varies from legal system ontogenesis. Legal system as an integral system should be homeostatically balanced at each step of its ontogenesis. Borders of the zone of optimum, system

¹ 'Equiscription' is a term first introduced to the academic usage by Pravomir Kosjančuk

comfort are variable depending on the adaptive characteristics, though invariants remain the same in any case.

Legal system, state as an organism all the time attempts, strives to be within the limits of legal system optimum attractor (see: V. F. Levchenko, 2004, pp. 94-95). It is exactly in the attractor centre – system comfort zone (see: V. V. Khlebovich, 2007, p. 5) - where it is possible to achieve optimum in the state organization and functioning with reference to homeostasis support. However, it often happens that legal systems, states ontogenetic pathways never get into the zone of optimum in relation to attractor.

In the course of ontogenesis, comfort zone limits do not remain stable due to adaptive parameters variations.

At each stage of legal system ontogenesis not all organism abilities are in fact used to the full extent. Thus, for instance, young state cannot immediately perform the functions requiring its completeness, 'maturity'. On the other hand, in conditions of maturity there does not any longer exist the need of some functions that were necessary during the development. However, there always exist the optimum zone, its targets and ways to reach them.

Zone of homeostatic parameters, similarly to parameter system optimum are not stable throughout the life. There is a variety (continuum) of potentially possible homeostatic states in relation to legal system adaptive system parameters! Part of them is actualized, other is not. However, whatever is nature of factor affecting the organism, it always 'attempts' to remain as close as possible to the zone of system comfort of certain moment, period of development.

Throughout its life the organism goes through different, relatively stable states, in other words, legal system is drifting along, with determined hereditary background (legal tradition, in particular), ontogenetic optimum ontogenetic tradition that lies within the continuum of potentially possible homeostatic states and describes the route of gradual displacement of homeostatic attractor centre with legal system invariants remaining unchanged. For instance, public law forbidding norms do exist, but parameters of these norms undergo changes depending on the need of specific period within existing priorities (for more see: V. Kotolupov, P. Kosjančuk, 2013).

All ontogenesis cases prove that homeostasis is inherent ability of any living organism. Homeostasis is maintained both in case of normal and in case of pathological branches of the organism's growth (see: O. G. Sorokin and I. B. Ushakov, 2005).

Responsibility for legal system homeostasis support is held by and homeostasis mechanism is explained by the legal system psychics. **Legal system psychics** is a system of selection of priority activity form due to functioning of adaptive and compensational mechanisms: comparison of information of the given moment with genetic information and preserved information, and as a consequence – activity form. This system of selection of priority activity form for the specific moment is stipulated both by genetic information, and information the organism acquired throughout life, information received from outside of the system and generated inside the system in the given moment (see: Psychics in The Great Soviet Encyclopedia).

Thus, systems of law in the state have role of legal system (state) homeostasis support. It is system of law that is key bank of possible programs of state elements interaction between themselves and with external world. If these programs of system of law will not collectively assure homeostasis and evolution of legal system, such system is eventually sentenced to death through the struggle for existence at the level of separate subsystems. It means that if living systems homeostatic patterns are not actualized, then whether it is in human organism, or in ecosystem, or in state – the homeostasis will be broken, and this may lead to such systems liquidation.

Like organisms for the purposes of homeostasis support improvement overbuild their genetic record for its better functioning, like the state might improve the laws in the framework of homeostatic patterns.

It's worth emphasizing, that system of law within the limits of legal system of each country is individual, but laws of evolution are the same. It is due to the right laws that high level of system homeostatic capacity might be achieved.

System of law should foresee homeostatic interaction at all levels, including human-to-human. Unfortunately, person and state as cooperons are wasting significant efforts for support of their homeostasis because of not established mechanism of their interaction, and it turns out in the result that everyone ‘hogs the cover’. This cost enormous energy consumption, and it is better to direct them at support of general homeostasis where each would spend efforts optimally, not disorderly. We should combine interests of person and state, and this is often not taken into account in the real legal system. And this might be done knowing homeostasis and laws in the framework of which it is achieved in order to direct homeostatic attempts in unison. In this context it is important to introduce the notion of ‘symbiotic coefficient’ which is an important parameter in adjustment of interaction between cooperons.

We suppose that legal system homeostasis in accordance to the living systems functions organization laws is a basis for legal system reconstruction at the level of consciousness and the system of law.

We can acquire obvious advantages, approaching or having reached the state of normal homeostasis it its zone of optimal parameters – ‘comfort zone. Homeostasis is first of all stability and predictability, based on reduction of energy consumption in the conditions of energy limitation, as well as system working efficiency within its optimality values. This is extremely important from the point of view of the state existence, namely, its economic system. The only making of right decisions that allow to avoid errors, avoid tension etc., reduce, in the result, energy consumption, and this may give substantial advantages in interaction of the elements of not only state, but interaction of the state with the other states. Organization of legal system in the way complicated by the homeostatic laws allows significant increase of the level of adequate reaction to the changes inside and outside of the system for the purpose of preservation of system’s integrity and evolution capacity, and so ensures certain level of stability that, in its turn, speaks of the possible predictability and planning within the ‘rules of game’ (see: V. Kotolupov, P. Kosjančuk, 2013).

The most successful states are those with better organization in terms of the living systems functions organization biological patterns observation. If we implement homeostatic approach with account of biological patterns at the level of legal system of contemporaneity of one of the countries, this will increase its competitiveness on the background of other countries where legislation does not consider biological patterns.

We are convinced, that if we implement integration methodology, through the prism of homeostatic principles, at the level of countries’, or states’ legal systems – this could become new basis for assurance of order, global piece, as the advantage of new approach is that it explains how to reduce conflicts, disagreement at the society functioning level, and thus increase level of integrity and evolution of legal system.

New approach might become the basis for proper life in society, namely when it comes to the views on biosphere (together with anthroposphere) in the part of its understanding as living organism we have feedbacks from, and in the part of correct patterns of interaction with Nature to ensure evolution of biosphere like of living system.

REFERENCES

Monographs and anonymous publications

1. ANOKHIN, P. K., *Biologiya i neirofiziologiya uslovnogo refleksa* (Biology and Neurophysiology of Conditioned Reflex), Moscow, 1968, 546 p.
2. BOWER, E. S., *Teoreticheskaya biologiya* (Theoretical Biology) (1935). St. Petersburg: Rostok, 2002.
3. KOVALEVSKIY, M. M., *Obshcheye ucheniye o gosudarstve. Lektsii, chitannyye v 1908-1909 gg.* (The General Study of The State. Lectures, Read in 1908—1909). Sankt-Petersburg: Kassy vzaimopomoshchi pri S-Peterb. politekhn. in-te, 1909.

4. LEVCHENKO, V. F., *Evolyutsiya biosfery do i posle proiskhozhdeniya cheloveka* (Evolution of Biosphere before and after Origin of Human), St. Petersburg: Nauka, 2004.
5. SPENCER, Herbert, *Autobiography*. P. 1. Sankt-Petersburg: Prosveshchenie, 1902.
6. SPENCER, Herbert, *The Sins of Legislators (1884) / The Man versus the State (1884)*, introduction by Albert Jay Nock. Caldwell, Idaho: THE CAXTON PRINTERS LTD., 1960.

Scientific and professional papers

7. KHLEBOVICH, V.V., *Urovni gomeostaza (Levels of Homeostasis)*. *Priroda*. 2007, no. 3, p. 61-65.
8. KOSJANČUK, Pravomir, *Polisemiya 'pravnoyi vidpovidalnosti' u stosunku do 'derzhavnogo prymusu'* (Polysemy of 'Legal Liability' in Relation to 'State Enforcement'). *UzhNU Scientific Herald. Law Series*. Uzhhorod, 2009, No 12. Part 1, pp. 22-27.
9. KOTOLUPOV, Viktor and KOSJANČUK, Pravomir, *Legal system homeostasis in the dimension of living systems functions organization patterns*. *Digital Commons Network – Open access academic research from top universities on the subject of Law and Society*., November, 2013.
10. KOTOLUPOV, V. A. and LEVCHENKO, V. F., “Zonal Model” of Description of Homeostasis *Journal of Evolutionary Biochemistry and Physiology*. 2009a, Vol. 45, No. 2, pp. 301-308.
11. KOTOLUPOV, V. A. and LEVCHENKO, V. F., *Multifunctionality and Homeostasis. Regularities of the Organism Functioning, Important for Maintenance of Homeostasis*//*Journal of Evolutionary Biochemistry and Physiology*, 2009b, Vol. 45, No. 4, pp. 538-547.
12. KOTOLUPOV, V. A. and LEVCHENKO, V. F., *Levels of Organization of Living Systems: Cooperons* // *Journal of Evolutionary Biochemistry and Physiology*, 2010, Vol. 46, No. 6, pp. 631-641.
13. MUKHACHEV, I. V., *Gomeostazis konstitutsionnogo prava: Postanovka problemy* (Homeostasis of Constitutional Law: Problem Statement) / *Pravo i zhizn. Nezavisimyi pravovoj zhurnal* (Law and Life. Independent Law Magazine.). Moscow: Manuscript, 1997, no. 12, pp. 3-7.
14. SOROKIN, O. G. and USHAKOV, I. B., *Possibilities and Perspectives of Use of Adaptation Potential in Medical Practice, Ekologiya Cheloveka*. 2005, no. 10, pp. 1–8.

Chapters in book and conference contributions (abstracts, etc.)

15. KOSJANČUK, P., *Logical and theoretical approach to the understanding of law in the context of criticism of the concept "integrated fields of law". Urgent problems of state creation in Ukraine through the eyes of young scientists. The collection of scientific works of the International Scientific Conference of Students and Aspirants: the materials of the International Scientific Conference of Students and Aspirants of the National Taras Shevchenko University of Kyiv (19-20 April 2007)*. Kyiv: 'Promin'. 2007. Pp. 8-9.
16. KOTOLUPOV, V. A., *The Illness (Morbus). New Biological Principles Illness and Pharmacy. Proceedings of 3rd European Congress “Achievements in Space Medicine into Health Care Practice and industry”* / Kochueva, E. and Kochuev, N., Eds.. Berlin, 2005. Pp. 170–176.
17. *Psikhika (Psychics)* (definition by V. Kotolupov). *The Great Soviet Encyclopedia (Bolshaya sovetskaya entsiklopediya)*.