

THE CRISIS OF THE RULE OF LAW - SHORT THEORETICAL AND PRACTICAL ANALYSIS

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ABSTRACT:*The rule of law theory should help us understand the issues that now, at the dawn of the third millennium, arise and need to be addressed so as to promote human rights and stop the arbitrariness of power in the context of an ever growing social complexity and globalization. It can certainly be asserted that these issues configure a crisis of the rule of law that affects both the operation of the democratic structures of those states that have adopted the model as well as the international protection of human rights.*

In the light of certain exogenous processes in which the use of force at international level has as justification the protection of human rights, however done by means that constitute by themselves breaches of international law, the classical scheme of state power distribution and differentiation, typical to the state of law, seems to be obsolete from a functional and spatial point of view, while the human rights theory is forced to deal with issues that by far exceed state limits thus becoming international.

KEYWORDS: *rule of law, human rights protection, globalization, legislative inflation, sovereignty.*

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