

THE LEGAL NORM AND ITS RELATION WITH THE “JUST”

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ABSTRACT: *The set of rules originated from natural reason constitutes what we call natural in an objective sense or simply natural law. Consequently, to support the existence of a “natural right” means to support the idea that there are just things that are so (just) not only in virtue of an agreement or in accordance with a norm, but because they are due in virtue of a certain fact or in a certain situation. As the just is divided into natural just or natural law and positive just or positive law, the respective rules of law are also divided into natural and positive. The positive just comes from human will and thus its rules have the same origin as human decision. In exchange, the natural just has – in order to settle the enunciations of natural reason – its legal norm. Natural law – or the set of natural legal norms – is made of the prescriptions of natural reason, which states a duty of justice, whereas prescriptions are part of natural law.*

KEY WORDS: *art of law, just, unjust, ars legis, natural law, legal norm*

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