

THE GENERAL THEORY OF LAW AND ITS AMBIGUITIES

Lucretia DOGARU*

ABSTRACT: *In the area of the Theory of Law persist a lot of ambiguities that are continuously perpetuated and got amplified. Even if some of these are apparently insignificant, they cause not only perplexity but also the desire for knowledge and understanding.*

In this paper we will address issues related to the names attributed to disciplines whose object of research is both the law in general and the law as a dimension of a concrete society. So, even starting with the analysis of notions “The General Theory of Law”, “The Theory of Law”, “Introduction to the Study of Law”, we can see that the referent for each case is “Law”, the law stripped of any predictive qualifier. We find that the study of law, leads to a theory generally valid for any law, particularly to it, while the study of a particular law, leads to a theory particular to the theory of law. The same is with the sources of law and right dealt by the “The General Theory of Law”, law is not the same with the law in force.

By analyzing the sources of the objective and subjective law from the perspective of the General Theory of Law, we will distinguish between the objective law and the objective law in force, as well as the particularities of the subjective law.

We will also clarify the distinction between the science of law as a science of social discipline and the legal science just as we will try to clarify some unclears related to other components of law, namely, the positive law and natural law.

Throughout the present paper, other universal themes of the General Theory of Law will be identified and subjected to analysis, such as those on the sources of law, the legal norm in its complexity, the principles of law, the subjects of law and aspects of legal interpretation.

We try to highlight by presenting such aspects, the particularities of a science considered to by the broadest generality and legal principle, the science that opens the gates of the legal universe.

KEYWORDS: *general theory of law; principles of law; legal science; interpretation of the law, legal norm.*

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* Professor, Ph.D., University of Medicine, Pharmacy, Sciences and Technology of Tîrgu-Mureş, ROMANIA.