

The system of jurisprudence

(Erasmus students 2/2022)

Jurisprudence is one of the social sciences. Its subject are the legal phenomena, primarily the law as a normative system.

The basic division of jurisprudence is:

- Special legal disciplines - dealing with the various branches of law.
- General legal disciplines (fields) - dealing with the law in its general form.

The general legal disciplines include in their degree of generality the following areas:

- **Legal philosophy** - it deals with the most general questions of law, particularly exploring legal ontology - the essence of law, legal gnoseology and methodology, axiology - value questions of law.
- **Theory of Law** – is combined with legal philosophy and focuses on general theoretical questions of law which are common to all branches of law.
- **Legal sociology** - examines the mutual (reciprocal) relationship between law and society, efficiency of law, legal consciousness, legal attitudes, legal knowledge, legal relations.
- **Legal psychology** - explores the psychological aspects of operation of law, the psychological aspects of legal phenomena.
- **Legal anthropology** - studying the evolution of law in relation to human development, the role of law in human evolution, the study of law in primitive tribes (societies, communities)
- **Lawmaking theory** - deals with the process of creating legal norms.
- **Legal logic** - studying the forms and methods of legal reasoning and legal argumentation.
- **Legal informatics** - the creation of legal information systems and how to use them.
- **Comparative Law** - compares different national legal systems and legal culture.
- **Legal history** - studying development of law in different historical periods. It contains the Roman law

Jurisprudence is comprehensive and compact social science.

System and Structure of Law

Law is a system characterized by unity and differentials.

Unity of law lies in its:

- **Logical consistency**- ensuring that legal norms should not contradict each other.
- **Value consistency** – legal norms are consistent in values, basic legal principles.
- **Completeness** - legislation without gaps. All relevant legal relations are regulated by law.
- **Hierarchical arrangement** - pyramid arrangement of norms on the basis of legal power.

Differentiation lies in the structure of its elements and relationships between them. The basic elements of the structure of law in hierarchical order are:

- **Legal norms**
- **legal regulations**
- **Legal institutes**
- **Legal branches**
- **Legal principles**