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Présentation de la fiche

Coteb019_f0314

SourceBoite_019-13-chem | Economie de guerre. Organisation [?]. Hayek. Röpke.

LangueFrançais

TypeFicheLecture

Personnes citées[Kelsen, Hans](#)

RelationNumérisation d'un manuscrit original consultable à la BnF, département des Manuscrits, cote NAF 28730

Références éditoriales

Éditeuréquipe FFL (projet ANR *Fiches de lecture de Michel Foucault*) ; projet EMAN (Thalim, CNRS-ENS-Sorbonne nouvelle).

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Notice créée par [équipe FFL](#) Notice créée le 26/08/2020 Dernière modification le 23/04/2021

theory, as it is presented in this book, is directed at a structural analysis of positive law rather than at a psychological or economic explanation of its conditions, or a moral or political evaluation of its ends.

When this doctrine is called the "pure theory of law," it is meant that it is being kept free from all the elements foreign to the specific method of a science whose only purpose is the cognition of law, not its formation.* A science has to describe its object as it actually is, not to prescribe how it should be or should not be from the point of view of some specific value judgments. The latter is a problem of politics, and, as such, concerns the art of government, an activity directed at values, not an object of science, directed at reality.

The reality, however, at which a science of law is directed, is not the reality of nature which constitutes the object of natural science. If it is necessary to separate the science of law from politics, it is no less necessary to separate it from natural science. One of the most difficult tasks of a general theory of law is that of determining the specific reality of its subject and of showing the difference which exists between legal and natural reality. The specific reality of the law does not manifest itself in the actual behavior of the individuals who are subject to the legal order. This behavior may or may not be in conformity with the order the existence of which is the reality in question. The legal order determines what the conduct of men ought to be. It is a system of norms, a normative order. The behavior of the individuals as it actually is, is determined by laws of nature according to the principle of causality. This is natural reality. And in so far as sociology deals with this reality as determined by causal laws, sociology is a branch of natural science. Legal reality, the specific existence of the law, manifests itself in a phenomenon which is mostly designated as the positiveness of law. The specific subject of legal science is positive or real law in contradistinction to an ideal law, the goal of politics. Just as the actual behavior of the individuals may or may not correspond to the norms of positive law regulating this behavior, positive law may or may not correspond to an ideal law presented as justice or "natural" law. It is in its relation to the ideal law, called justice or "natural" law, that the reality of positive law appears. Its existence is independent of its conformity or nonconformity with justice or "natural" law.

The pure theory of law considers its subject not as a more or less imperfect copy of a transcendental idea. It does not try to comprehend

* Cf. my paper *The Function of the Pure Theory of Law in a Law: A CENTURY OF PROGRESS, 1835-1935; CONTRIBUTIONS IN CELEBRATION OF THE 100TH ANNIVERSARY OF THE FOUNDING OF THE SCHOOL OF LAW OF THE NEW YORK UNIVERSITY* (1937) 231-241.



