

This bachelor thesis focuses on the problems which result from the division of law into positive law and natural law. These problems can be summarized by a question whether there is a standard by which one could evaluate the rightness of the positive law or whether there is only boundless legal licence. The thesis sees a possible solution to this dilemma in the work of Friedrich Nietzsche and his ontological reinterpretation of the concepts of subject, morality, power and justice. The result is an insight that by rejecting metaphysically conceived natural law, we do not throw off the possibility of evaluating the law as such. Justice, conceived not as a static factum, but as a constantly found and lost quality of a legal system, should become the instrument of this new criticism. Legal system itself is conceived as an outcome of the struggle of diverse perspectives, which leads to continuous reevaluation (interpretation) of its elements and so it constantly leads to new forms of justice from which none can be just "per se", because that would lead to the elimination of the tension which founds the legal system as such.