Eugeniu Sperantia's Outlook on the Connections between Law, State, Nation and Ideologies

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"There are, however, some universal and eternal foundations of Justice: these are a priori normative convictions, which arise from the structure of the human mind in general."
(E. Sperantia)

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Introduction

EUGENIU SPERANTIA lived between 1888 and 1972, standing out particularly for his work in the field of socio-human sciences and philosophy, and as an eminent professor at the University of Cluj, especially in the interwar period and in the years of the Second World War. Some of his publications were known in the European cultural area, as they were translated into French, Italian and German, or presented during the scientific and philosophical conferences which he attended in various cultural capitals of Europe.[1] As a philosopher, sociologist, writer and fertile thinker in the field of philosophy of law and culture, E. Sperantia researched and worked on a wide range of topics, permeated by a strong humanistic orientation. In the context of an ample synthesis of philosophy of history, sociology of law, anthropology, and history of political and juridical thought, Sperantia devised an original outlook on state, legislation, government and law.[2]

Sperantia's philosophical outlook on law is organically integrated into his outlook on world and society, approached as a whole. Spiritual life is shown under two aspects: one is subjective, or individual, and the other one is objective, or social; the close interactions between the two result in their continual development and mutual enrichment. Personality can only be shaped and improved within an organized, well-regulated society; likewise, society will only reach a high degree of organization through work and a laborious, fertile and orderly activity performed by the people within it. No law and order are possible in a society where individuals are devoid of logical consistency, but nor can there be discipline and individual consistency in a society devoid of law and order. In any case, the two aspects of spirituality grow organically and in conjunction.

Philosophy is necessary in order to understand the historical evolution of justice in the world. In this sense, E. Sperantia brings forth several arguments, rooted not only in Romanian juridical culture, but also in the European *Zeitgeist*, in favor of reconsidering the mission of the philosophy of law:[3] "Yet, whoever wishes to fully understand what Law and Order are, in order to define Law through its essence, whoever wishes to be aware of the place held by Law in the entirety of our lives, or of the spiritual mainsprings demanding, creating and driving it, finally, whoever wishes to discover the conditions for the justification and binding character of legal norms must research the entire structure of that speculative discipline which we call 'Philosophy of Law' (or 'Juridical Philosophy'), with its divisions and subdivisions."[4]

Law and its Sources

Using a specific methodology of multidisciplinary, systemic, structuralist and historical approaches in research, E. Sperantia analyzed law, state and nation in their socio-economic, cultural and spiritual contexts, seeking to explain their genesis, the factors driving their change and development, the connections between them, the laws of evolution and the direction of their becoming throughout history.

The fundamental particularity of social structures and human minds, Sperantia believed, is normativity; suppressing normativity, norms and laws, would make social life chaotic and impossible. Examining the stages of social development, the connections established in the living world, both social and mental, leads us to the discovery that normativity is an integral part of the human being, which makes the latter aware of the fact that man has a natural need for submission to norms, realizing that there are certain directions to follow and

certain limitations and constraints which must be respected.[5] Proper to man is an "ordering imperative," which is not subordinated to any conditioning, and which consists of the universal rule of the universality of norms, from which all imperatives and justifications guiding human behavior are logically derived. Thus, the life of each individual is regulated by diverse principles and norms, not solely juridical, but also of a different nature: moral, religious, social, protocol, technical norms etc., by agendas, political codes, by mores, customs, traditions, habits. All these are, after all, variants of the fundamental norm: "Life must be regulated."[6] E. Sperantia wrote, in this sense, that: "Normativity, in general, is required by the structure of our spirit, but juridical normation is required by this structure only because the tendency to possess values is a source of friction, disagreement and enmity, which can endanger peaceful coexistence, for this tendency, by its very nature, involves a minimum of harmonious convergence on the part of the human minds."[7]

Social justice is achieved when the existing order in the lives of individuals and social groups is consistent with normative principles. From one point of view, justice is relative, "in the sense that it is not the same everywhere, for ideologies and traditions vary with respect to time, place and social groups. There are, however, some universal and eternal foundations of Justice: these are a priori normative convictions, which arise from the structure of the human mind in general. Compliance with them constitutes the absolute and universal social justice."[8]

Law, as a system of norms, has specific characteristics, above all the logical compliance with the principles and imperatives from which it is derived, favoring sociality and the realization of justice. Textually, Sperantia believes that the following traits of law can be identified: "a) it is composed of a total of norms; b) it favors sociality, i.e. it contributes to the assurance thereof to the greatest extent; c) its structure always contains an element of conformity or logical consistency with certain pre-established principles or imperatives."[9] The entirety of norms existing in a system of law is not homogenous: its parts have different degrees of generality and binding character; some seem to possess an evident, axiomatic validity, others appear to be arbitrary; some seem logically better established than others, and not all have the same social effectiveness. Most important for ensuring human coexistence are those which Sperantia calls "cardinal norms," and the others—which ensure or facilitate the application of the former, are called "adventitious norms." Cardinal juridical norms (such as "the norm of mutual respect" or "the norm of respecting engagements") are identical both to the formal guarantees for social life, and to those of spiritual life, constituting a normative whole, distinct from the "arbitrary" commandments of positive law,

and as such we may call them: natural law, rational law or transpositive law.[10] Their validity is universal, as is the universality of the principles of logic and morals. According to the their function, cardinal norms can be: punitive (prescribing sanctions against transgressions); coercive (prescribing constraints); dispositive (commanding certain actions); exceptive (stating cases when certain dispositive norms may be eluded); prohibitive (forbidding certain actions); permissive (stating cases when certain prohibitive norms may be eluded); organizational (constructing the directives of institutions). In connection to cardinal juridical norms, which ensure and guarantee social life, there are also norms seeking to ensure the application of cardinal norms; these are called adventitious norms (i.e. derivative, auxiliary). Such are the categories of norms regulating the organization of executive power, law enforcement, the establishment and operation of judicial, legislative and administrative bodies. As a matter of fact, all bodies and institutions of the state owe their existence to adventitious norms.

Historically, the conversion of a priori juridical norms, which are a natural part of the structure of the general human spirit, into norms of positive law, and into positive juridical orders, has been accomplished in various concrete ways. The people's innate need for normation and justice was involuntarily fulfilled, at the beginnings of history, through customs, habits and rites rooted into collective practices. It was only afterwards that express, intentional "legislation" appeared, on the basis of cardinal norms. Sperantia analyzed legislation, as a mission of the state, which can be independent from others, in close connection to the different factors which may influence it, either positively (greater rationality and effectiveness of juridical norms), or negatively (distancing legal norms from society's need for justice).

As a "willful creation of the norms of law,"[11] legislation requires certain special conditions: the existence of goals, means, procedures, agents, support etc. A new law must be based on motives; these result from the analysis of existing realities in the given society, with an emphasis on "evils," on the one hand, but also with the possibility of "a superior value," the road to more justice, on the other hand. "The legislating activity, being an activity directed towards social order, presupposes dissatisfaction with the given situation and pursuance of a new social order, of a superior value. It is understood that the way in which the appraisal is made, the scale of values proper to the legislator and his possibilities of conceiving change, the means he uses and the degree of success, are very variable and depend on a large number of factors,"[12] among which are mindsets, outlooks, beliefs, customs, the legislator's potential and culture, assessment criteria that are dominant in the social group and, last but not least, the human material (masses of citizens) to which the norms are to be applied. The perennial goal of any legislation is the creation of a new, superior social order. All of

the abovementioned circumstances may influence legislation, so its results are axiologically relative. There have been many cases when the new order of law proved to be inferior to the one it replaced.

Not anyone possesses the possibility and opportunity to legislate. Legislating agents or institutions have a different, sometimes negative legislating potential (when chaos, corruption, disorder ensue in society, various anomic states appear etc.). This is because formulating and imposing new laws is upheld by relations of power between those who support legislation and those who oppose it. Obedience is not widespread among all members of society. "In order for a collectivity to accept the norms decreed by a 'legislating agent,' the latter should demonstrate the possession of a certain value that is called either 'prestige,' or 'authority.'"[13]

The multitude of factors influencing legislation, the system of law, the creation of a new order in society includes: collective mindsets, dominant currents of opinion, customs and traditions, religious ideas and secular beliefs, political and philosophical trends, various ideologies and doctrines. To the question: "Where do certain ideas and suggestions used by the legislator come from?" E. Sperantia answers: "From a certain ideology, from a custom existing or having existed within a certain nation, from foreign legislation, from a jurist's doctrine or from a philosopher's theory."[14] Such factors may act either in the sense of a new law being passed, or against the change of the juridical order. A given philosophy will certainly provide justifications in favor or against a given social order and the possibilities of legislation derived from it.

The Role of Ideologies in Justifying Law and Legislation

NATURALLY, JURIDICAL norms—the system of law constructed logically and in accordance to rational criteria— would have to impose themselves upon the human mind through their inherent authority, an authority which does not come from the outside and which does not need to be proclaimed by the legislator. In reality, however, "arbitrary" juridical norms have also been passed by legislators, stemming from conditionings situated outside their mission. In such cases, a system of norms deemed to be unjust and contestable would be imposed by force and would constitute, in fact, a system of constraint. Since the legislator is legitimate and entitled to pass laws, his laws would seem justified and binding.

The mission of legislating can be shaped or legitimated by ideologies.[15] There have been periods in history when the cardinal norms of law were altered in terms of their meaning and application. Ideologies, aspirations, collective mind-

sets generate changes in the fundamental set of juridical values, and transformations that appear, in time, within the order of values will also produce changes in the juridical order, especially as regards adventitious norms.

> *The great reformist and revolutionary movements of renewal are always guided by the purely ideological and purely conjectural assertion of yet unconsecrated rights, the desire for recognition and for the social confirmation of norms. For a long time, some ideologies have lacked the power to become reality; whether they are not shared by the greater society, or accepted by most people, they do not have, in their structure, the qualities required for their materialization into a positive juridical order. Circulating as a simple received idea or as a "verbal" cliché, such an ideology can linger for decades and centuries in the life of one or several peoples, which dream of it without living it and assert it without applying it, until someone gives life to the theory, creating and bringing to its aid a collective enthusiasm so intense that it defeats the inertia of routine and the barriers raised by the beneficiaries of the old regime. These states are, in fact, embryonic phases experienced by almost all ideologies.*[16]

Ideological trends, political agendas derived from them, utopias, all have had their own evolution: some remained latent, some prevailed in public, having a relative stability, others generated collective enthusiasm, and then abruptly collapsed. There have been ideologies which generated collective enthusiasm, maintaining themselves owing to their utopian, propagandistic vision, conveyed to the masses, and concealing the weaknesses, shortcomings and the mediocrity of a gray regime. In any case, Sperantia believed, positive law is not only the result of certain conflicts among people, but also of a "selection" among ideologies. The selection involves lengthy debates, propaganda, struggle. "Ideologies are born, they fight for domination, and then die."[17] The most certain and efficient norms pertain to positive law, but "their validity only lasts as long as the views maintaining them in force enjoy collective recognition. And if there are immutable views, they can only be found among the a priori principles from which no system of law can stray."[18]

In the history of state, law and juridical culture, different ideologies have existed and succeeded one another, justifying and legitimating government, legislation and law. E. Sperantia analyzes the most important ones of his time: national and social mysticism, as well as state mysticism—both of a scholarly origin. The former originated in the philosophical outlook on state of Friedrich Carl von Savigny—the founder of the historical school regarding state and law[19]—, in Carl Schmitt's theory of "free law"[20] and in the views of modern social anthropology. According to this doctrine, law and government have their sources in the nature and characteristics of a race or of a homogenous nation.

When the nation becomes free, when it has purity of blood and is governed by authentic representatives, inspired by the national spirit, by the will for communion, then a state and a juridical order will result, having developed organically alongside the race. This outlook emerged in the German world after the First World War, as a psychological compensation for the losses incurred in 1918. The other one—"state mysticism," is illustrated by the Fascist doctrine that prevailed between the two world wars, but also by the Soviet one; both identified the state with the people's "collective spirit," with the single will of the nation or with the will of the "proletariat." The dictator is the representative body of the state, who expresses the will of the entire collectivity and of each citizen. Consequently, the citizen cannot want anything other than what the monolithic state wants, as the latter faithfully represents him. Being a part of collective will, individual will must naturally not contradict the will of the whole, for a logical contradiction would ensue.

There are, also, other ways of justifying law and legislation than the ones that subordinate the legislator's activity to a superior and peremptory principle. Sperantia addresses doctrines that find sufficient justifications within the juridical and state system, such as: positive law is justified exclusively by the legislator's will (law is the result of force, it is a creation of "the strongest"); law is a result of pursuing pleasure and avoiding pain (the hedonistic doctrine); law results from pursuing usefulness, so that all that is useful is law (the utilitarian doctrine); juridical positivism, which asserts that there is no other law than that which is passed by legislation. In all these doctrinal variants, the legislator (be it an individual, a college or parliament) is free, autonomous with respect to any type of outward constraint of a social, economic or doctrinal nature, so that juridical norms will result exclusively from his judgment, from his free will.

It must be underlined that, above all forms of legitimation and justification of government, legislation and public administration, Sperantia places the rationalistic acceptation, i.e. that philosophy of natural law which historically has not had a sufficient dissemination among the masses, being too abstract and theoretical. But the future presents great opportunities for asserting this philosophy, as the people will cultivate themselves, following the generalization of public civic and political education at a high level. The efficacy of juridical rationalism might increase in the future, Sperantia believed, if accompanied by a certain amount of religious education and interpretation, adequate to the masses' level of information. Thus, gradually, the negative and sometimes toxic influences of ideologies on legislators and governments would diminish, and those normative convictions that are imposed from the outside, being of a logical, rational and spiritual nature, will be strengthened.

Connections between Law, State and Nation

Both historically and structurally, law and state have had reciprocal connections. How must these connections be understood? This issue, E. Sperantia believed, was solved in a wide variety of ways, with two extremes: the identification of law and state (the solution of Hegel, Kelsen[21] etc.) and the trenchant negation of law's dependence on state (the theory of social law, the institutionalist doctrine of law etc.). But it is an axiomatic truth that juridical norms (unlike other norms, such as moral, religious, technical, and protocol ones) have always been created by the state organization; likewise, the state deals with their application, sees to it that juridical norms are observed, in order for it to effectively fulfill its assumed functions: legislative, executive and judicial. Appearing as an overarching institution that exists on a geographic territory, the state possesses its own legal order that can be compared to what *statute* means in a private institution. Neither law, nor state, is an end in itself. The three separate and at the same time coordinated powers of the state serve the law, and law is designed to ensure justice and the peaceful coexistence of people in society. The final purpose of state and law is to ensure the conditions required for social coexistence, social peace, to prevent conflicts and rivalries, in accordance with the commandments of human spirituality.

The state is an institution and therefore involves some organization, and cannot be identified with the population residing on a territory, with a nation, with a social group, with a race or with the sum total of individuals included within its structure. As an institution, the state is a systemic and systematic ensemble of social actions, performed by civil servants hired by the three powers, converging towards a well-determined purpose and complying with the given legal norms. The quality and efficiency with which the state fulfills its functions and its mission depends exclusively on the value of its employees' competence and on their activities, devoted exclusively to the purpose of the institution. "The state is nothing but activity, organized, regulated, led and endowed with means."[22] The purpose of this institution is to ensure a maximum of justice, for a maximum of people. For this reason, it creates and defends juridical norms constituting the order of law.

Pursuing the fulfillment of prerequisites for peaceful coexistence, for strengthening social cohesion, the state is watched upon by all members that make up the collectivity, so that the state is an institution with prominently public functions. In this context, the state is the institution which organizes itself, creating and issuing adventitious norms. These are subsumed to the cardinal imperative of the "need for justice." All subdivisions and bodies of the state, all civil servants working in the institutions of power, in administrative ones, in the judicial sys-

tem, the army, the police, the revenue service etc., and, broadly speaking, in the state sector, are regulated by adventitious norms, i.e. all norms composing the administrative law, and by organic laws—those regulating the function of the bodies of the state. All bodies and institutions of the state make up an ensemble with a concentric configuration, the core of which is the need for justice. In order to fulfill its mission, the state possesses a "public force"—the guarantee, in extremis, of social cohesion and the one called upon to eradicate illicit and rebellious interests.

Distancing himself from any sort of ideology or doctrinal position, Sperantia theoretically analyzes the possibilities of estranging the state from its cardinal mission—phenomena that have appeared frequently and diversely, with ebbs and flows, throughout history. Such manifestations occurred when certain means of the state were transformed into ends, often considered to be more important than the need for justice. On this basis, the state allowed itself to expand over the entire society, creating the impression of identifying itself with the will of the entire nation, with the human collectivity at large, with the lives of the people. In totalitarian regimes, it came to "invoke state interests" in order to suppress fundamental rights and freedoms; the state could afford to nationalize values, to become the greatest landowner, the greatest merchant, the supreme administrator of public health, education, environmental protection etc.

The state always serves and defends the rule of law, a certain kind of spirituality, to ensure the cohesion and peace of a social group. The state itself establishes the limits of the group to which juridical order is applied, so that the geographic border of the state would coincide with the limits of the social group; the span of the state determines the scope of the power of its laws, and vice versa. "This is why nothing endangers the unity of a state more than the lack of unity of its legislation."[23] But it is a mistake to believe that the state should only be a national state. History contradicts us! In this context, Sperantia emphasizes certain advantages of the national state as compared to, for instance, federal, multilingual and multiethnic states. These advantages result from the defining characteristics of a nation: "The nation stands for a certain unity, through the relative similarity of predispositions and propensities of temperament, which are also due to the common anthropological background, but mostly to a specific mindset created by the circulation of certain outlooks, beliefs and aspirations, accredited and accommodated within it."[24]

As a spiritual unit, resulting from the education and molding of several successive generations in the same "spiritual regime," with the same values and normative guidelines, the nation has a specific affinity for a certain type of social and juridical order. For this reason, the national state has the highest chances of building the most homogenous and unitary political organization, in which

individuals would find the most appropriate environment for the application of laws and for compliance with the norms of coexistence; the national state functions as a social formation directly serving human coexistence and giving each individual the social-cultural environment that is closer to his temperament and personality. This is why the national state embodies the highest degree of consistency with human spirituality. "The national state is the most unitary state, and has the greatest homogeneity in terms of collective aspirations and mindsets. The national state has the highest chances of considering itself as socially settled within a maximum of achievable justice. The national state is, therefore, a technical construct for defending and guaranteeing the type of justice and social order which most closely corresponds to the general outlook and spiritual demands of a nation. By this, the national state appears as a social formation serving human spirituality to the greatest extent."[25]

Sperantia did not exclude the possibility that other types of states (heteroethnic, multilingual, multiethnic or multinational) might constitute an institutional environment offering the individual an appropriate context for his mental and spiritual qualities. But this organizational, cultural and spiritual structure is the result of historical development, of a political-juridical, social and religious education and orientation, which has been accomplished over centuries. The construction of the European Union as a state might be an example in this sense. But the example given by Sperantia is the Swiss Federation.

Conclusions

Eugeniu Sperantia, a creative intellectual with encyclopedic knowledge, enriched the analysis of state, law and nation by including it in a broader philosophical and sociological perspective, according to which social life at large and the life of each individual, taken separately, are guided by values, so that "axiotropism" is specific of the human being.[26] It is values that guide the life of individuals and social groups, contributing to the accomplishment of their synthetic unity (as personalities, nations, human collectivities etc.), having a spiritual basis and universal imperatives. Law, legislation, government and the life of the state are oriented by values in a spiritual environment, defining the human condition.

The fundamental postulate of the entire system of law is "Law must exist," and since it only exists if it is respected, we may formulate this obligatory commandment, for itself and by itself: *Positive law must be respected!*[27] The directional value that must be attained by legislation is the creation of that positive law that would lead to the accomplishment of a maximum of justice. And the state, as an

institution situated somewhat above the other institutions, has the final purpose and reference value of achieving the conditions required for sociality, peace and order in society, in order to ensure spiritual cohesion within the social group governed by the law of that state.

The role of ideologies is that of linking state institutions, operating law, and of influencing the mindset of the human collectivity and of the nation. Dominant ideologies leave their mark on legislation, changing systems of law and revolutionizing them in certain historical periods.

The dynamic of the relations between state, law, legislation and national life results from the action of several internal and external factors. Among these, beliefs, ideologies, aspirations and dominant ideas in the collective mindset are dynamogenous factors. But the direction in developing state, law and government is given by cardinal norms, by universal principles of law. These are derived from the people's eternal need for peaceful coexistence, in a *polis* focused on justice, on the scale of values promoted by rationalistic and humanistic orientations in universal culture and thought; individuals and their natural rights are ends in themselves, central values in society.

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Notes

1. With reference to the creative personality and the encyclopedic spirit of Eugeniu Sperantia, see the studies of Achim Mihu, "Eugeniu Sperantia: In memoriam," *Studia Universitatis Babeş-Bolyai* (Cluj), ser. *Sociologia* 17 (1972): 117–118 and Vasile Preda, "Eugeniu Sperantia—un spirit enciclopedic," *Studia Universitatis Babeş-Bolyai,*" ser. *Sociologia* 48, 1–2 (2003): 2–6.
2. E. Sperantia's view on state, law, legislation and the role of ideologies is outlined in the following works: *Factorul ideal: Studii sociologice şi aplicări la viaţa noastră naţională* (Oradea: Tip. Béres Carol, 1929); *Curs de filosofia dreptului şi sociologie* (Cluj: Cartea Românească, 1936); *Lecţiuni de enciclopedie juridică: Cu o introducere istorică în filosofia dreptului* (Cluj: Tip. Cartea Românească, 1938); "Viaţă, spirit, drept şi stat," *Gând Românesc* (Cluj) 6, 3–4 (1938): 156–161; *Introducere în Filosofia Dreptului* (Sibiu: Tip. Cartea Românească din Cluj, 1944); *Sinteză de filosofia istoriei, muncii şi culturii* (Cluj: Ed. Universităţii Regele Ferdinand I, 1947).
3. Eugeniu Sperantia studied and was profoundly familiar with the great contemporary trends of thought and with the new schools in the philosophy of law. He made a critical analysis of the work of some great authors in the field (such as Hans Kelsen, François Gény, Maurice Hauriou, Julius Binder, Husserl, Croce, G. Gentile, Georgio Del Vecchio, F. Orestano, Mircea Djuvara etc.) and analyzed the trends and the schools of juridical thought (such as institutionalism, the pure theory of law, the new juridical philosophy in Germany, "free law," the neo-Hegelian current, the ethno-

political justification of law, the changes in the philosophy of natural law etc.), assimilating the main arguments regarding the mission, the specific, irreplaceable role, and the utility of the philosophy of law, hailing from different sources of knowledge. At the same time, Sperantia constructed a systemic and evolutionistic view on law, state, nation and on the factors that may influence their historical function and development.

4. Sperantia, *Introducere în Filosofia Dreptului*, 275.
5. Ibid., 283.
6. Ibid., 285.
7. Ibid., 319.
8. Ibid., 292.
9. Ibid., 301.
10. Ibid., 310.
11. Ibid., 311.
12. Ibid., 312.
13. Ibid.
14. Ibid., 402.
15. What Sperantia understands by ideology, or more specifically by doctrine, as a source of positive law, is the following: "The notion of doctrine is very broad; it comprises all studies that have a general character, syntheses and philosophical explanations, exegeses and critiques"; doctrine has a "free opinion" character and a large part of its ideas are hypothetical truths. Often, doctrines assume the form of outlooks on society or on one of its areas. Ibid., 404.
16. Ibid., 329.
17. Ibid., 330.
18. Ibid., 331.
19. See Joachim Rückert, "Friedrich Carl von Savigny, the Legal Method, and the Modernity of Law," *Juridica International* 11 (2006): 55–67. This article performs an objective analysis of Savigny's contribution to the development of European philosophy of law. Sperantia's vision and scientific objectivity pertain to the same theoretic and methodological framework, which is why his works can be regarded as a contribution to the development of the postmodern philosophy of law.
20. See David Chandler, "The Revival of Carl Schmitt in International Relations: The Last Refuge of Critical Theorists?" *Millennium: Journal of International Studies* 37, 1 (2008): 27–48. In his article, Professor Chandler from the University of Westminster subsumes Schmitt's anti-liberal views to the same ideological current which was precisely defined by Sperantia, hence the topicality of the Romanian professor's philosophical outlook regarding the relations between state, moral values, legislation and the use of force.
21. See François Rigaux, "Hans Kelsen on International Law," *European Journal of International Law* 9, 2 (1998): 325–343. Rigaux brings solid arguments which indirectly justify Sperantia's view, 65 years after the publication of the work *Introduction to the Philosophy of Law* (1944).
22. Sperantia, *Introducere în Filosofia Dreptului*, 415.

23. Ibid., 417.
24. Ibid., 418.
25. Sperantia, "Viaţă, spirit, drept şi stat," 160.
26. Eugeniu Sperantia, *Cartea despre carte* (Bucharest: Ed. Ştiinţifică şi Enciclopedică, 1984), 112.
27. Ibid., 294.

Abstract

Eugeniu Sperantia's Outlook on the Connections between Law, State, Nation and Ideologies

This paper seeks to highlight the original contribution of a Romanian scholar, Professor Eugeniu Sperantia (1888–1972) of Cluj, in the development of several disciplines, such as: juridical philosophy and sociology, the theory of state, legislation, government and nation. His contribution arises from the fact that his approach was founded on humanistic and rationalistic bases. Between the state, as an overarching institution on a territory defined by precise borders, on the one hand, and legislation, juridical norms, government and national life, on the other hand, there are reciprocal connections, driven by a historical dynamic. The ideologies, beliefs and mindsets of social groups leave their mark on these connections, with intensities and results varying from one historical period to another. The sociological analysis of the evolution of state and law, the use of interdisciplinary and systemic research methodology enabled Sperantia to devise a theory of the field he investigated, which remains topical and useful even today.

Keywords

philosophy of law, state, nation, ideologies, Eugeniu Sperantia