NATURAL LAW PARADIGM OF LEGITIMACY IN GENERAL LEGAL THEORY

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Summary

The article examines the natural law paradigm of legitimacy as the theoretically most developed alternative to the positivist reduction of legitimacy to formal validity. The aim of the article is to reconstruct the natural law understanding of legitimacy through an analysis of the key representatives of this tradition – Thomas Aquinas, H. Grotius, L. Fuller, J. Finnis, and R. Dworkin – and to determine the contribution that the natural law paradigm makes to the development of a general theoretical concept of legitimacy in general legal theory. It is established that the natural law tradition, despite its internal heterogeneity, is united around three foundational claims: first, law has an objective normative content that is not reducible to the fact of its enactment; second, an unjust law lacks full binding force; third, the legitimacy of a legal order requires conformity with fundamental moral principles. It is shown that justice and morality are not external criteria but constitutive conditions of legitimacy within the natural law paradigm. At the same time, fundamental limitations of this paradigm are identified: the risk of metaphysical dogmatism in classical versions, the problem of democratic legitimation of judicial discretion in Dworkin, and the question of verifying natural law standards under conditions of value pluralism. The results of the analysis lead to the conclusion that the natural law paradigm provides an indispensable normative-axiological dimension of legitimacy, without which no adequate general theoretical concept of legitimacy is possible; however, this dimension requires supplementation by the formal and sociological dimensions within a three-aspect model.

Key words: legitimacy, natural law, justice, morality, Thomas Aquinas, Fuller, Finnis, Dworkin, general legal theory.

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1. Introduction

The question of what makes law binding and justified is one of the oldest in legal thought, while retaining its relevance in contemporary general legal theory. Legal positivism resolves this question through reduction: legitimacy is reduced either to formal validity (Kelsen), to the social fact of recognition (Hart), or to practical authority (Raz). Each of these reductions is conceptually necessary within its respective theory, but each leaves open the question of the justice of the legal order itself – a question that positivism, as a matter of principle, places outside the domain of legal science.

The natural law tradition takes a fundamentally different position. It proceeds from the assumption that law has an objective normative content that is not reducible to the fact of social enactment, and that the legitimacy of a legal order requires conformity with this objective content – justice, reason, and human dignity. From this perspective, the question of legitimacy is not external to legal science but constitutes its central subject matter.

At the same time, the natural law tradition is internally heterogeneous. It encompasses the theological natural law of Thomas Aquinas, the secularised rational natural law of Grotius and Pufendorf, the 'inner morality of law' of Fuller, the new natural law of Finnis, and the 'law as integrity' of Dworkin. Despite the substantial differences between these versions, all of them share a common foundational intuition: legitimacy cannot be reduced to formal validity but requires normative-axiological justification.

The aim of this article is to reconstruct the natural law understanding of legitimacy through an analysis of the key representatives of this tradition and to determine the contribution that the natural law paradigm makes to the development of a general theoretical concept of legitimacy in general legal theory. An additional task is to analyse the limitations of this paradigm, which open space for the further development of a three-aspect model of legitimacy that combines the formal, normative-axiological, and sociological dimensions.

The methodological foundation comprises the conceptual-analytical method (for clarifying the conceptual content of natural law categories); the method of critical doctrinal analysis (for evaluating the argumentative force of each position); the comparative method (for identifying commonalities and differences between the various versions of the natural law paradigm and between it and positivism); as well as the method of functional equivalence (for identifying categories that perform the role of legitimacy in texts where this term is not explicitly used).

2. Recent Research and Publications

The natural law tradition in its connection to the problematics of legitimacy is developed in contemporary scholarship at the intersection of analytical philosophy of law, normative theory, and general legal theory. The key source for the analysis of the Thomistic conception remains the Summa Theologiae of Thomas Aquinas *(Aquinas, 2000)*, the interpretation of which in the context of the theory of legitimacy has been carried out, in particular, in the works of R. McInerny *(McInerny, 1992)* and J. Finnis *(Finnis, 2011)*. Secularised natural law is represented above all by the treatises of H. Grotius *(Grotius, 1925)* and S. Pufendorf *(Pufendorf, 1934)*, the analysis of which in the context of legal theory has been carried out by R. Tuck *(Tuck, 1979)*.

Among the representatives of contemporary natural law, the central place is occupied by Lon Fuller, whose concept of the 'inner morality of law' *(Fuller, 1969)* became the starting point for the discussion of the procedural conditions of legitimacy. J. Finnis in Natural Law and Natural Rights proposed the most systematic contemporary version of natural law theory, founded on the doctrine of basic goods and practical reason *(Finnis, 2011)*. R. Dworkin, in Law's Empire and Taking Rights Seriously, developed an interpretive theory of law that links the legitimacy of state coercion to moral justification through the principle of equal concern and respect *(Dworkin, 1986; Dworkin, 1977)*.

In Ukrainian legal science, natural law problematics is developed primarily in the context of the anthropological approach of M. Koziubra and P. Rabinovich, who connect the legitimacy of law to the protection of human rights and the rule of law *(Koziubra, 2015)*. At the same time, a systematic analysis of the natural law paradigm in its connection to the problematics of legitimacy as an independent theoretical-legal category remains insufficiently developed in Ukrainian scholarship, which justifies the relevance of the present study.

3. Natural Law Paradigm: General Overview

The natural law tradition is one of the oldest and most influential in legal thought. Despite its considerable internal diversity, it is united around several foundational claims that distinguish it from the positivist conception of law and constitutively define its approach to legitimacy.

The first and most important claim is that law has an objective normative content that is not reducible to the fact of its enactment by the will of the legislator. Unlike positivism, which defines law through its social sources, the natural law tradition insists that the connection between law and morality is conceptual, not merely factual. A legal order that contradicts fundamental moral requirements is in some sense deficient: it either is not 'genuine' law (in classical versions), or is law but unjust and undeserving of obedience (in contemporary versions).

The second claim is that justice is a constitutive condition of legitimacy, not merely a desirable appendage. Whereas positivism treats justice as an external criterion that lies outside the domain of legal science proper, the natural law tradition regards it as an internal standard without conformity to which a legal order cannot be considered fully legitimate. This difference is fundamental: it determines whether the question of justice is a subject of the theory of law or only of philosophy and morality.

The third claim is that it is possible to have objective knowledge of the moral principles underlying a legitimate legal order. The natural law tradition rejects both moral relativism (according to which there are no objective moral standards) and subjectivism (according to which moral judgements are merely expressions of subjective preferences). Instead, it insists that certain principles – of justice, human dignity, equality – are objectively knowable and serve as a measure for evaluating the legitimacy of concrete legal orders. This thesis is the most controversial in contemporary legal science and generates well-known objections from the positivist tradition.

It is important to emphasise that the natural law paradigm is not monolithic. It encompasses at least four versions that differ in their justification: the theological (Thomas Aquinas), the rationalist (Grotius, Pufendorf), the procedural (Fuller), and the analytic-natural-law (Finnis, Dworkin). Each of these versions understands the source of objective moral principles differently and constructs the argument for the connection between law and morality differently. Nevertheless, all of them, despite their differences, agree that the legitimacy of a legal order is not a function of its formal validity or social recognition alone, but requires normative-axiological justification.

4. Thomas Aquinas: Theological Justification

Thomas Aquinas is the key figure of the classical natural law tradition and one of the most influential theorists of legitimacy in the history of legal thought. His conception of law, set out primarily in the Summa Theologiae (Summa Theologiae, I-II, qq. 90–97), is built on a four-level hierarchy of laws: eternal law (lex aeterna), natural law (lex naturalis), human law (lex humana), and divine law (lex divina) *(Aquinas, 2000)*.

From the perspective of the theory of legitimacy, the interrelation between natural and human law is of fundamental importance. Natural law is the participation of a rational creature in the eternal law: through natural reason, the human being is capable of grasping the basic principles of practical reason, among which the first and most important is 'do good and avoid evil'

(bonum est faciendum et malum vitandum). Human law is the concretisation of these principles with respect to the conditions of social existence: it is legitimate if and only if it conforms to natural law, is directed toward the common good, is issued by competent authority, and distributes obligations fairly among members of the community (Aquinas, 2000, I-II, q. 90, a. 4).

Thomas Aquinas's celebrated thesis that 'an unjust law is no law' (lex iniusta non est lex) is, in essence, the clearest formulation of the natural law conception of legitimacy in the classical tradition (Aquinas, 2000, I-II, q. 95, a. 2). This thesis does not mean that unjust norms cannot formally exist as legal norms, but rather that they are deprived of the inner binding force that is the distinguishing mark of genuine law. An unjust law may be complied with for external reasons – to avoid punishment, to preserve social order – but it does not bind conscience and does not give rise to a moral duty of obedience.

From the perspective of contemporary theory of legitimacy, the Thomistic conception identifies several interrelated conditions of the legitimacy of human law. First, the teleological condition: the law must be directed toward the common good (bonum commune), not the private interest of the ruler. Second, the axiological condition: the content of the law must conform to principles of natural justice. Third, the procedural condition: the law must be issued by a person vested with the relevant authority. Fourth, the distributive condition: burdens and obligations must be distributed fairly in accordance with the principle of proportionality.

These conditions together constitute what may be called 'full legitimacy' in the understanding of Thomas Aquinas: legitimate is the legal order that simultaneously satisfies all four conditions. The absence of any one of them is grounds for denying legitimacy, though not necessarily grounds for disobedience: Thomas Aquinas permits compliance with some unjust laws in order to avoid a greater evil – civic disorder and social disintegration (Aquinas, 2000, I-II, q. 96, a. 4).

The limitations of Thomas Aquinas's conception for contemporary theory of legitimacy are apparent: a theological justification of natural law cannot claim universal validity in a secularised society with a plurality of worldviews. Yet this limitation does not diminish the contribution of Thomas Aquinas to the theory of legitimacy: he was the first to systematically justify the inseparable connection between law, morality, and legitimacy, laying the conceptual foundation on which later theorists built secularised versions of this connection.

5. Grotius and Pufendorf: Secularisation of Natural Law

The transition from theological to rationalist justification of natural law, which occurred in the seventeenth century, is one of the most important moments in the development of the theory of legitimacy. The main agents of this transition were Hugo Grotius and Samuel Pufendorf, who, while preserving the foundational idea of the natural law tradition concerning the objectivity of moral standards of legitimacy, freed it from theological justification.

Grotius, in De Iure Belli ac Pacis (1625), formulated the celebrated thesis that natural law would retain its force even if God did not exist or did not concern himself with human affairs ('etiam si daremus non esse Deum') (Grotius, 1925, Proleg., § 11). This thesis is important for the theory of legitimacy for several reasons. First, it marks the secularisation of natural law justification: the source of legitimacy is no longer divine will but human reason and the social nature of the human being. Second, it opens the possibility of a universally valid, inter-confessional justification of legal order – an important feature for an era of religious wars.

Pufendorf, in De Iure Naturae et Gentium (1672), developed the Grotian tradition, placing emphasis on the social nature of the human being (socialitas) as the foundation of natural law *(Pufendorf, 1934, I, 2)*. For the theory of legitimacy, it is fundamentally important that Pufendorf connects the binding force of law to its capacity to ensure the conditions of peaceful social coexistence: legitimate is the legal order that promotes the development of human capacities and protects the space for social interaction. Here one can already discern a connection between legitimacy and the practical value of law for its addressees – a motif that will later become central to Raz's service conception, though in a fundamentally different theoretical framework.

The contribution of the rationalist tradition to the theory of legitimacy consists primarily in two achievements. First, the natural law standards of legitimacy were separated from theological justification and transformed into rationally accessible principles that can be the subject of universal discussion. Second, the conceptual foundation was laid for distinguishing between legality and legitimacy in the modern sense: legality is determined by the positive law of the state, whereas legitimacy is determined by conformity with natural law principles that constitute an external and higher standard relative to positive law.

6. Lon Fuller: Inner Morality of Law

Lon Fuller is a key figure in the development of contemporary natural law theory of legitimacy. His concept of the 'inner morality of law', set out in The Morality of Law (1969), is an attempt to justify a natural law position without appeal to metaphysical or theological foundations *(Fuller, 1969)*.

Fuller's central argument is as follows: law as a social phenomenon has its own teleological structure – it is directed toward guiding human behaviour through norms that are comprehensible, predictable, and consistent. From this teleological structure, Fuller derives eight principles of the 'inner morality of law': generality of norms (law must consist of general norms, not merely ad hoc decisions); promulgation (norms must be publicly known to their addressees); non-retroactivity (norms must not operate retroactively, with limited exceptions); clarity (norms must be clearly formulated); non-contradiction (norms must not contradict each other); possibility (norms must not demand the impossible); stability (norms must remain in force long enough); and congruence between the norm and its application (Fuller, 1969, pp. 46–91).

For the theory of legitimacy, these eight principles are of fundamental importance. They are the minimal procedural conditions without which law as a normative system cannot function at all and consequently cannot claim legitimacy. Fuller speaks of a 'failure in law' when none of these principles is observed: the result is not merely a defective legal system but the absence of a legal system altogether (Fuller, 1969, p. 39).

Fuller's conception differs from classical natural law in one significant respect: it does not appeal to substantive moral principles (justice, equality, human dignity) but concentrates on the procedural conditions that flow from the very function of law. This allowed Fuller to propose a natural law theory that is comparatively neutral in axiological terms: it does not require agreement with any specific substantive values, but only with those procedural requirements without which law cannot fulfil its function.

At the same time, Fuller's well-known opponent Herbert Hart identified the principal limitation of this approach. Procedural propriety does not guarantee substantive justice: a legal system may be 'internally moral' in the Fullerian sense while having an unjust content (Hart,

1961, pp. 202–207). Nazi law, which Fuller analysed as an example of the systematic violation of inner morality, in fact observed many of the eight principles at a formal level – at least during certain periods of its operation. This demonstrates that procedural conditions are insufficient for a complete theory of legitimacy, which also requires substantive criteria.

Despite this limitation, Fuller's contribution to the theory of legitimacy is undeniable: he demonstrated that there is a conceptual connection between law and morality at the procedural level that positivism, even in its most developed versions, cannot adequately reproduce. The eight principles of the inner morality of law constitute a minimal but real normative standard of legitimacy that is immanent to the legal system itself, not external to it.

7. John Finnis: New Natural Law and Basic Goods

John Finnis, in Natural Law and Natural Rights (1980), proposed the most systematic and analytically developed contemporary version of natural law theory *(Finnis, 2011)*. His approach is distinctive in that it seeks to justify natural law principles not through appeal to a metaphysics of human nature in the Aristotelian-Thomistic style, but through an analysis of practical reason and the structure of human good.

The starting point for Finnis is the concept of 'basic goods': those fundamental values that are self-evident to every person capable of practical thinking, and which cannot be reduced to more basic considerations. Finnis identifies seven such goods: human life, knowledge, play, aesthetic experience, friendship (practical understanding), practical reason, and religion (in the broad sense of the search for meaning) (Finnis, 2011, pp. 86–90). None of these goods is instrumental relative to the others – each is an end in itself.

The legitimacy of a legal order in Finnis's account is a function of its capacity to promote the realisation of basic goods and to protect the space for their achievement. But unlike a simple instrumental conception (where law is legitimate if it is effective), Finnis's conception is normatively more demanding: it requires that the legal order respect the inviolability of each basic good and not permit their deliberate destruction for any purpose, however socially significant. This 'absolute' dimension in Finnis rules out consequentialist justifications of serious human rights violations on grounds of social utility.

Fundamentally important for the theory of legitimacy is also Finnis's concept of the 'requirements of practical reasonableness', which specify the standards of legitimate authority. Among these he identifies: a coherent plan of life (the principle of non-contradiction in choice), the absence of arbitrary preference among basic goods, the absence of arbitrary preference among persons, a degree of detachment, commitment to the common good, following one's own conscience, and respect for every basic good (Finnis, 2011, pp. 100–133). These requirements are criteria by which both the subjective virtue of the ruler and the objective quality of the legal order are assessed.

Also significant is the way in which Finnis conceptualises the relationship between the binding force of law and legitimacy. In his view, law gives rise to 'pro tanto moral reasons for compliance' only when it is legitimate – that is, when it promotes the realisation of the common good and respects the requirements of practical reasonableness (Finnis, 2011, pp. 351–368). Illegitimate law remains law in a descriptive sense (it can function as a system of coercion), but does not give rise to a moral duty of obedience, which is fundamental from the perspective of the theory of legitimacy.

Compared to positivism, the Finnisian conception of legitimacy is substantially more complete: it encompasses substantive criteria (basic goods), procedural requirements (practical reason), and social function (common good). At the same time, it retains the vulnerability characteristic of all versions of natural law: the question of how we come to know basic goods and whether they are truly self-evident remains contested. The plurality of value positions in contemporary democratic societies casts doubt on the possibility of general acceptance of Finnis's list of basic goods as a mandatory standard of legitimacy.

8. Dworkin: Law as Integrity and Legitimacy

Ronald Dworkin occupies a distinctive place in the natural law tradition. Although he rarely described his own theory as 'natural law', his interpretive conception of law develops the key intuitions of this tradition – about the inseparable connection between law and morality, about the role of principles in legal argumentation, about the fact that legitimacy cannot be reduced to formal validity – while avoiding the metaphysical justification characteristic of the classical versions of natural law.

The starting point for Dworkin's critique of positivism is the distinction between rules and principles *(Dworkin, 1977)*. Rules operate on an all-or-nothing basis: if a rule is valid, it applies in the relevant case; if not, it does not apply. Principles, by contrast, operate differently: they have 'weight' and may yield to other principles without being invalidated. Positivism, in Dworkin's view, can adequately explain the operation of rules but is unable to account for the role of principles in legal argumentation. Yet principles – of justice, equality, dignity – are an integral part of the legal system and play a decisive role in so-called 'hard cases'.

In Law's Empire, Dworkin develops the conception of 'law as integrity' *(Dworkin, 1986)*. Its essence is that a legal system is legitimate when it can be represented as a coherent whole – as a system of principles that it observes equally with respect to all citizens. The legitimate judge (embodied in the celebrated 'Judge Hercules') interprets legal norms in such a way that they form the 'best possible' justification of the community's political decisions, meaning that they most consistently reflect the principles of equality and justice that underlie the legal order.

Fundamentally important for the theory of legitimacy is Dworkin's thesis that the legitimacy of state coercion requires moral justification through the principle of 'equal concern and respect' (Dworkin, 1977, p. 272). The state is legitimate when it treats all its citizens as equals – not as equals in their values and convictions, but as equals in their dignity and right to participate in social life. This principle is a substantive normative standard of legitimacy that cannot be reduced either to formal procedure or to the social fact of recognition.

Dworkin's conception offers the most developed answer to the question that positivism left open: why do citizens have a moral duty to obey the law? Dworkin's answer: because (and only because) the legal order treats them with equal concern and respect and consistently observes the principles of justice and equality. Where this condition is absent, the duty of obedience is absent or substantially weakened.

At the same time, Dworkin's conception has its limitations, which critics have identified. First, the thesis that law as integrity always has one 'right answer' in hard cases is the subject of serious objections: in real adjudicative practice, different judges with equally serious commitment to the law may reach opposite conclusions, and it is unclear how to choose between them. Second, the conception of law as integrity grants judges extraordinarily broad discretionary powers in the name of the 'best' moral interpretation of law, raising the question of the

democratic legitimation of judicial lawmaking. Third, Dworkin built his theory primarily on the material of American and British legal systems, and the question of its suitability for the analysis of other legal cultures requires independent investigation.

A fundamentally important aspect is also the fact that common law systems and the continental legal tradition operationalise the principle of legitimacy in different ways. In common law systems, on the material of which Dworkin developed his theory, the appeal to moral principles and their judicial interpretation is a daily instrument of legal argumentation: recourse to principles of justice, equality, and equal concern and respect is organic to the common law method. By contrast, in the continental legal tradition, where the principle of legality and codified regulation are system-forming, the discourse of legitimacy manifests itself primarily at the level of constitutional review, rather than in everyday adjudication. This difference between the two legal traditions in their approach to legitimacy is an important aspect for general legal theory: it demonstrates that the operationalisation of Dworkin's principle of equal concern and respect may take different institutional forms depending on the legal tradition, and that a complete theory of legitimacy must account for this difference.

9. Natural Law Paradigm vs Legal Positivism

Comparing the natural law paradigm with the positivist theories of legitimacy reveals the fundamental conceptual difference between these two approaches and determines the contribution of each of them to a complete general theoretical concept of legitimacy.

From the perspective of positivism, the question of legitimacy is either placed outside the domain of legal science (Kelsen and Hart), or resolved through an appeal to the practical value of law for its addressees (Raz). The Kelsenian Grundnorm ensures the unity of the legal order but does not raise the question of its justice. Hart's rule of recognition is a social fact that does not provide normative grounds for a moral duty of obedience to the law. Raz's service conception approaches a normative standard but remains instrumental: it tests whether law helps addressees follow their reasons for action but does not determine what those reasons ought to be in substance.

The natural law paradigm resolves these limitations in a fundamentally different way. First, it refuses to place the question of justice outside the domain of legal science and instead treats it as the inner constitutive principle of legitimacy. Second, it provides a normative justification for the moral duty of obedience to law: citizens are obligated to obey law not because it is formally valid (Kelsen) or socially recognised (Hart), but because it is an expression of objective moral principles and promotes the realisation of the common good (Thomas Aquinas, Finnis) or treats citizens with equal concern and respect (Dworkin). Third, the natural law paradigm is capable of critically evaluating a legal order that is formally valid but substantively unjust – precisely what positivist theory, by its own admission, cannot do.

Yet the natural law paradigm, in turn, has its own limitations that are symmetrical to the advantages of positivism. Positivism rightly points out that natural law standards of legitimacy are burdened with significant metaphysical presuppositions in classical versions or are conceptually imprecise in contemporary versions. The question of who and how determines the content of 'natural law', 'basic goods', or 'equal concern and respect' remains open. Furthermore, the appeal to substantive moral principles as criteria of legitimacy may open the door to moral dogmatism and the rejection of democratically adopted decisions that contradict the views of particular theorists or judges about 'justice'.

Thus, neither of the two paradigms constitutes a self-sufficient theory of legitimacy. Positivism provides the indispensable formal dimension: legitimacy requires conformity with established procedures and criteria of validity. Natural law provides the indispensable normative-axiological dimension: legitimacy requires conformity with substantive principles of justice. Neither of these dimensions can be reduced to the other or replaced by it. It is this fundamental difference between the two dimensions that determines the necessity of developing a three-aspect model of legitimacy that combines the formal, normative-axiological, and sociological dimensions.

10. Justice and Morality in Natural Law Legitimacy

The concept of justice is central not only to the natural law paradigm but also to the general theory of legitimacy. In the natural law tradition, justice performs a dual function: on the one hand, it is a substantive criterion of legitimacy; on the other, it is a constitutive principle of law itself as a normative system.

In the Thomistic version, justice is one of the four cardinal virtues and consists in the 'constant and perpetual will to render to each what is his' (constans et perpetua voluntas ius suum cuique tribuendi) (Aquinas, 2000, II-II, q. 58, a. 1). It is not a subjective feeling but an objective principle that determines the limits of the legitimate claims of each member of the community. A legal order that systematically violates this principle in favour of some groups and to the detriment of others is unjust and loses its legitimacy regardless of its formal validity.

In the rationalist version (Grotius, Pufendorf), justice appears as a requirement of reason: what natural law demands of people as rational social beings. The principle of justice here is not a theological postulate but a rationally grounded condition for the possibility of social coexistence: a legal order is legitimate when it realises those requirements that are binding for every rational person, regardless of religious belief.

In contemporary versions (Finnis, Dworkin), justice acquires a more specific content. In Finnis, it is connected to the protection of basic goods and equal treatment of each person as a bearer of those goods. In Dworkin, it is concretised through the principle of equal concern and respect, which requires the state to treat each citizen as an equal – not in the sense that they have equal rights to any specific advantage, but in the sense that each is equal in dignity and the right to serious consideration of their interests.

For an understanding of the natural law paradigm of legitimacy, it is important to distinguish between two ways in which morality and law may be related. Positivism permits between them only a factual connection: a legal system may or may not conform to moral standards, but this fact in no way changes its legal status. The natural law tradition insists on a conceptual connection: the moral deficiency of a legal system directly affects its legal status – more precisely, its legitimacy and capacity to give rise to a duty of obedience. This difference is fundamental, since it determines the place that the question of justice occupies within legal theory itself.

In summary, the natural law paradigm treats justice and morality as constitutive, not merely desirable, components of legitimacy. Law that does not conform to these components may function as a system of coercion, but cannot claim the kind of authority that gives rise to a moral duty of obedience. This thesis is the most significant contribution of the natural law paradigm to the general theory of legitimacy and at the same time what distinguishes it, fundamentally, from the positivist approach.

11. Conclusions

The analysis carried out allows the following conclusions to be formulated.

First, the natural law paradigm is unique among the leading traditions of legal thought in providing the normative-axiological dimension of legitimacy in its fullness: it treats justice and morality not as external criteria for the evaluation of law, but as constitutive conditions of its legitimacy. This feature makes the natural law tradition an indispensable partner in the development of an adequate general theoretical concept of legitimacy in general legal theory.

Second, the natural law tradition is internally heterogeneous and encompasses at least four different versions: the theological (Thomas Aquinas), the rationalist (Grotius, Pufendorf), the procedural (Fuller), and the analytic-natural-law (Finnis, Dworkin). Each of them justifies the connection between law, morality, and legitimacy differently, but all agree that legitimacy cannot be reduced to formal validity or the social fact of recognition.

Third, the natural law paradigm has its own fundamental limitations: the risk of metaphysical dogmatism in classical versions; the problem of democratic legitimation of judicial interpretation in Dworkin; the question of the verification of natural law standards under conditions of value pluralism. These limitations do not invalidate the contribution of the natural law tradition, but indicate that it cannot serve as a self-sufficient theory of legitimacy.

Fourth, positivism and natural law are fundamentally distinct yet mutually complementary paradigms of legitimacy, neither of which can replace the other. Positivism provides the formal dimension of legitimacy; natural law provides the normative-axiological dimension. Neither dimension is self-sufficient: the first is incapable of critically evaluating the justice of the criteria of validity themselves; the second requires concretisation through the institutional mechanisms of formal validity. From this it follows necessarily that a three-aspect model of legitimacy must be developed, combining the formal, normative-axiological, and sociological dimensions into a unified analytical conception.

Fifth, the central concept of the natural law paradigm of legitimacy is justice, which in the various versions of the tradition acquires different concrete forms: from 'rendering to each what is his' in Thomistic law, through the protection of basic goods in Finnis, to the principle of equal concern and respect in Dworkin. Despite these differences, in all versions justice performs the function of a substantive normative standard with which the legal order must conform in order to be legitimate.

Prospects for further research are seen, first, in the development of an original definition of legitimacy as an autonomous category of general legal theory that synthesises positivist and natural law approaches within the three-aspect model. Second, in the study of the sociological dimension of legitimacy in the Weberian and post-Weberian tradition. Third, in a comparative analysis of natural law standards of legitimacy and discursive conceptions (Habermas), which constitute another important direction of contemporary legitimacy theory that seeks to combine normative rigor with democratic justification.

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