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Ontology of Right as a Component of the Philosophy of Law (Some Reasoning)

Ontology of right (legal ontology) – one of basic constituents of philosophy of right. It investigates legal existence, that presents embodiment in the field of right for such deepest essence that lies in foundation of the world, as material (second such essence – ideal – expressed in legal consciousness in the field of right). Legal existence is totality of legal situations, legal relationships, legal norms and institutes. A legal situation is a conflict (or such that can become a conflict) public situation that is regulated by a right. She predetermines the necessity of legal relations between her participants, and then introduction of corresponding legal norms (and legal institutes) becomes necessary.

Legal ontology is dialectical related to other constituents of philosophy of right. Connections with legal anthropology are determined because a man is done a legal creature by his legal consciousness, that depends on legal existence. At the same time

legal existence is created by a man, as he has legal consciousness. To legal praxiology legal ontology is related because legal existence is created and develops by a man in the process of his legal activity, and here actual legal activity becomes real in space of present legal existence, thus, depends on it. The cross-coupling of legal ontology and axiology takes place because a man is the constituent of existence, and, thus, human values eventually are the product of existence. On the other hand, development of legal existence is largely determined by legal values. Dialectics of legal ontology and legal gnosiology looks so: our knowledge about existence of right is the product of legal cognition and simultaneously a legal gnosiology can be examined as a constituent of legal ontology, because cognitive processes in a right are part of legal existence. Thus, legal anthropology, praxiology, axiology and gnosiology so strongly influence on legal ontology that very substantially determine its maintenance. The deep understanding of legal ontology is impossible without the account of their influence.

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