

INTRODUCTION

One of the most remarkable features of the ultimate development of social sciences and particularly also of the legal science is the effort to find exact methods of knowledge. This research started, as far as our legal science is concerned, some years ago simultaneously in the Institute of Law of the Czechoslovak Academy of Sciences and at the Faculty of law of the Charles University and the Czechoslovak legal science certainly does not occupy the last place on the world-wide scale as far as this domain of research is concerned. Nevertheless, the actual task is still that of opening ways to new methods and often it represents more a search for problems than a search for their solution. This situation of the research work, as characterized above, determines also the conception and the content of the present compendium. At a moment when completely new and up to now unknown methods penetrate into scientific knowledge, when on one side it is necessary to break the conservative dislike and mistrust and on the other side avoid—with a similar tenacity—all fashionable shallowness, one can well understand that in such a period extensive synthetical works do not appear at once. After a previous elucidation of some general theoretical questions of basic importance, the attention of the scholars is directed more towards partial problems, sometimes even rather narrow ones, sometimes on the contrary treated in a broader way than their basis is able to support. All these difficulties are difficulties of growth and they become obvious also in the compendium which is offered here to the attention of the public.

This explains also the fact, which otherwise would hardly escape to the critics, that the uniting idea of the whole compendium is a very loose one and that in the broad shadow of this idea coexist within the compendium very heterogeneous works, often rather remotely connected with the problems concerning the State and the law.

I do not consider these features, mentioned above, as being really unsufficiencies of the compendium, but I think that they reflect simply the existing situation of the research work. I consider the compendium as representing a comforting evidence of the fact that the first steps have not led to a standstill, but that, on the contrary, this difficult research work goes on.

The uniting idea of the compendium is the effort to search for exact notions and for exact methods of knowledge in legal science. I do not wish to develop here a discussion about what is meant in fact by exactness of knowledge. I shall express it in a very primitive way: the task is to overcome by scientific research the idea according to which the object of exact knowledge can be only what can

be measured with metres and weighed with kilogrammes and to prove that exact knowledge is also possible within the domain of social sciences and namely in the science on State and law. The first steps were naturally undertaken already before. The actual task consists in studying the limits of this possibility as well as the different ways leading to exact knowledge, because their possibility is probably nowadays not contested any more. Hardly can anybody doubt today that social relations and processes can be modelled, that even in society exist functional relations, that feedbacks exist in social relations, that the logical theory of classes can be extensively applied in the investigation of society. If I speak about exactness in social sciences, I have not in mind any aprioristic conception of exactness, but merely a convenient application of logical, mathematical (and mathematico-logical), as well as cybernetical methods of understanding, the aim of which is to make the knowledge of the society more precise, to deepen its veracity, which means to reduce to the minimum the possibility of a subjectivist deformation of the knowledge in question.

This anthology serves this purpose and makes it valuable and useful.

I wish finally to add still one remark. After having briefly indicated what are the purposes of these investigations, I should like to say also something about what is not their purpose: in no way it is intended to substitute formal logic or cybernetics to the theory of State and law, or even to marxism-leninism. Logic, mathematics or cybernetics are in this domain not separated from the marxian-leninist theory of the State and of the law or directed against this theory, but they represent in this respect very effective auxiliary sciences of the theory of State and law, as well as of the legal and political science in general.

When introducing logical, mathematical and namely cybernetical methods of knowledge in legal science, the aim is not to substitute in the direction of the socialist and of the communist society completely machines to men. I believe as little that machines would some day be able to love or to write lyrical poetry as I believe that they would play bridge and enjoy it as players of bridge do. I am however profoundly convinced that the perspectives of cybernetical machines are immense (even as far as their application in the direction of society is concerned), I do not share however the conviction that they ever could make human mind useless. I believe in dominated Golems, not in dominating Golems. If I investigate the possibility of introducing exact methods of knowledge in legal science, with the undubitable final aim to apply cybernetical machines in the direction of society, I do it, in any case according to my opinion, not with the intention to eliminate men from the direction of society, but with the intention to help even here men, that means to make even in this domain the human activity more easy, more rapid and first of all to render it as much precise as possible.

Please, let me finally cordially welcome this compendium as a further spray

on the still not great shrub of new knowledge in legal science and as a mark of scientific progress which gives us the right to hope that, in a near future, further and constantly more perfect works will appear.

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