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HANS KELSEN'S EARLY PHILOSOPHICAL AND LEGAL POSITION

In the article the early philosophical and legal position of the famous Austrian-American jurist Hans Kelsen (1881–1973) is presented. The features of his study at the Vienna University (1901–1906) are given in the beginning, e.g. the influence of his Vienna professor Edmund Bernatzik (1854–1919).

Further Hans Kelsen's interpretation of the juridical and philosophical work of the great Italian thinker and poet Dante Alighieri (1265–1321) in his main early German work "Die Staatslehre des Dante Alighieri" (1905) is considered. Hans Kelsen's philosophical and legal position in ten chapters of this work is analyzed. The young Austrian jurist has

reviewed "De Monarchia" (1310/1317), the most important juridical work of Dante Alighieri.

In Hans Kelsen's work "Die Staatslehre des Dante Alighieri" (1905) such philosophical, legal and juridical problems, as the state and the church, the monarch and the Pope, the monarch and the people, the forms of statehood, Dante's universal monarchy etc. are analyzed.

In the conclusion the influence of Hans Kelsen's early philosophical and legal position in his later works "Allgemeine Staatslehre" (1925) and "Die philosophischen Grundlagen der Naturrechtslehre und des Rechtspositivismus" (1928) is pointed out.