

Legal Analysis of the Meaning of the Rule In dubio pro libertate for the Interpretation of Criminal Law Norms

Authors : Pavel Kotlán

Abstract : The paper defines the role of the rule in dubio pro libertate in the interpretation of criminal law norms, which is one of the controversial and debated problems of law application. On the basis of the analysis of the law, including comparison with the legal systems of various European countries, and the accepted principles of interpretation of law, it can be concluded that the rule in dubio pro libertate can be used in cases where the linguistic, teleological and systematic methods fail, and at the same time, that interpretation based on this rule should be preferred to subjective historical interpretation. It can be considered that the correct inclusion of the in dubio pro libertate rule in the choice of the interpretative variant can serve in the application of criminal law by the judiciary.

Keywords : application of law, criminal law norms, in dubio pro libertate, interpretation

Conference Title : ICCL 2025 : International Conference on Criminal Law

Conference Location : Berlin, Germany

Conference Dates : May 15-16, 2025