



THE ANSWERS OF THE EUROPEAN COURT OF JUSTICE TO THE LEGAL UNCERTAINTY

Having vanished the mirage of the precision of the normative texts, as well as that of the completeness and non-contradictory nature of the legal system, in Italy scholars and practical operators are becoming aware of their common destiny of having to live with a more (or less high) rate of legal uncertainty.

This situation complicates the knowledge of all the uncertain rules by their recipients; therefore, it hinders its observance.

And this damages the whole of society, for which compliance with the rules it adopts is a necessary prerequisite for defense and development. But the need to relentlessly test the effectiveness of the techniques adopted for managing uncertainty, to improve them by correcting doubts as far as possible, and to experiment with others is also recorded outside our country.

In defining the state of uncertainty and in seeking remedies, one cannot ignore the determination of the consistency and legal significance covered by the state of certainty.