CAPACITĂȚILE FUNCȚIONALE ALE MODELULUI CONCEPTUAL AL DEZVOLTĂRII DURABILE A SISTEMULUI JURIDIC ÎN SOLUȚIONAREA PROBLEMELOR DE DEZVOLTARE POLITICĂ ȘI JURIDICĂ A REPUBLICA MOLDOVEI ÎN PERIOADA POST-ELECTORALĂ

FUNCTIONAL CAPABILITIES OF THE CONCEPTUAL MODEL OF THE LEGAL SYSTEM'S SUSTAINABLE DEVELOPMENT IN SOLVING THE PROBLEMS OF POLITICAL AND LEGAL DEVELOPMENT OF MOLDOVA IN THE POST-ELECTORAL PERIOD [1]

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Rezumat. *Acest articol prezintă rezultatele unui studiu care examinează relația dintre capacitățile funcționale ale unui model conceptual de dezvoltare juridică durabilă și provocările dezvoltării politice și juridice a Republicii Moldova în perioada post-electorală, care continuă calea aleasă de țară spre integrarea în spațiul politic și juridic european. Autorul explorează capacitățile funcționale ale modelului conceptual prin stabilirea relației dintre funcțiile interne și externe ale unui sistem juridic în dezvoltare durabilă. Baza metodologică a studiului este o combinație de modelare juridică teoretică, analiză sistemico-structurală și funcțională, ținând cont de înțelegerea științifică modernă a dezvoltării proceselor sociale în cadrul paradigmelor științifice civilizaționale și ciclice.*

Cuvinte-cheie: *dezvoltare durabilă, sistem juridic, funcții, integrare europeană, perioadă post-electorală.*

Summary. *This article presents the results of a study examining the relationship between the functional capabilities of a conceptual model of sustainable legal development and the challenges of Moldova's political and legal development in the post-electoral period, which continues the country's chosen path toward integration into the European political*

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and legal space. The author explores the functional capabilities of the conceptual model by establishing the relationship between the internal and external functions of a sustainably developing legal system. The study's methodological basis is a combination of theoretical legal modeling, systemic-structural, and functional analysis, taking into account modern scientific understanding of the development of social processes within the framework of civilizational and cyclical scientific paradigms.

Keywords: *sustainable development, legal system, functions, European integration, post-electoral period.*

Introduction

For every country, the post-electoral period is a time of particular public focus on those political promises and domestic and foreign policy priorities that have swayed public trust in favor of the political forces that won the elections. However, unlike the campaign period, the post-electoral period is a time of transition from promises to carefully thought-out strategies for their implementation and concrete actions. Therefore, in a certain sense, the post-electoral period can be considered a kind of „indicator" of the true commitment of the political forces that won the elections to the values for which citizens voted and which, in their opinion, should determine the vector of political course and legal reforms in the country in the coming years.

What values did Moldovan citizens vote for in the parliamentary elections of September 28, 2025? Clearly, the primary value is the country's genuine development within the context of the European integration process, a process of civilizational significance for its citizens, with which the country's population associates not only their well-being but also their security. It is precisely this genuine, comprehensive development of the country, which allows for the preservation of its sovereignty and European sociocultural identity, that defines the long-term vision for which its citizens voted in the referendum of October 20, 2024, and to which they demonstrated their commitment in both the 2024 presidential election and the 2025 parliamentary elections.

In moving from citizens' choice of values to concrete strategies and actions, the political forces that win the elections, having gained the opportunity to shape the current political agenda and implement specific legal reforms, simultaneously assume a kind of „political obligation" to offer carefully thought-out approaches to solving those problems of political and legal development that are the focus of public attention, societal expectations, and the real social needs of the country's citizens.

Modern sociological research conducted in Moldova reveals a whole range of problems of the country's socio-economic development, including problems of economic and institutional sustainability, and the sustainability of infrastructure [1], the analysis of which allowed us to diagnose two basic social demands of the population of Moldova: the demand for „stability" and the demand for „development", which concern not only the socio-economic sphere, but in one way or another affect all spheres of life of Moldovan society.

The roots of the problems that determine the severity of such social demands in Moldova are, of course, common to most countries of the post-Soviet space, the Soviet period in whose history made the „catch-up model" of social development difficult to overcome for many of these countries [2]. However, the decades since the countries of this region gained sovereign political and legal development have also given rise to their own internal problems, which have also created difficulties in satisfying the basic social needs of the population. In Moldova, such difficulties forced the country into a period of „captured state" [3], led to problems of bureaucracy and corruption [4], and resulted in the excessive „politicization" of public life in a country with a relatively small population. This led to the substitution of ongoing political struggle for genuine solutions to domestic policy problems and has distanced the country from long-term social development strategies. The trend of „politicization" also manifested itself in the recent parliamentary elections of 2025, in which a disproportionately high number of political parties participated in the fight for voters' votes for a small country like Moldova: «According to the CEC, this election features one of the highest numbers of contenders in Moldova's parliamentary history, underscoring the intense interest in this pivotal contest» [5: p.7]. This once again demonstrated the clear predominance of the „political" agenda over the agenda of the country's socio-economic development, despite the difficult conditions characterizing the recent, current and projected state of Moldova's economic competitiveness indicators [6,7,8], on which the quality of satisfaction of the basic social needs of the country's population largely depends within the framework of the European integration process.

Since for the Republic of Moldova, as for any other modern state that recognizes the values of democracy and the rule of law, the satisfaction of the basic social needs of the population and the resolution of related internal problems are, first and foremost, *the tasks of its political and legal development*, it should be assumed that any strategy for solving such problems must involve strong-willed political decisions that *take the form of legal reform*.

In this regard, *the legal conditions* necessary for the adoption of urgent political decisions, voiced by political participants during the election campaign as their „political promises", *are effectively becoming an integral element of a detailed political strategy for satisfying the basic social needs of citizens and truly upholding the values for which the country's citizens voted*.

Theoretical and methodological background of the research

The entire complex set of legal conditions necessary for solving the problems of political and legal development of Moldova in the post-electoral period can be summarized by using *the method of theoretical legal modeling*, the object of which is the legal system of society, which is an example of a complex systemic formation, which

reflects the legal conditions of the political and legal development of the country, affecting the organizational, normative, institutional and spiritual-cultural components of the legal life of society.

What theoretical model can the legal system of modern Moldova rely on in addressing its political and legal development challenges, aimed at satisfying the country's population's fundamental social demands for „stability" and „development"? It seems that to answer this question, we must proceed from the premise that these social demands shape *long-term trends* in the country's development. Therefore, a legal system capable of creating the legal conditions necessary for the country's development in line with these trends must be based on *long-term guidelines* linked, within the framework of a modern civilizational scientific paradigm, to *the preservation of society's socio-cultural identity*. In this regard, it seems reasonable to search for the necessary theoretical model of the legal system in examples of modern European legal systems that are civilizationally close to Moldova's and have managed to preserve their cultural identity, an integral element of which are the continental legal traditions of the Romano-Germanic legal family.

Our analysis of the modern history of the development of European legal systems after World War II [9] allowed us to discover a number of common features in the post-war development of the legal systems of Western European countries that not only helped them overcome the „development gaps" that had formed in the pre-war and war periods, but also contributed to the deepening of integration processes in Europe [10]. Since the general patterns we discovered in the overcoming of these „development gaps" by these legal systems allowed, on the one hand, *to stimulate the political and legal development* of the respective countries, which entailed the development of other spheres of public life, and, on the other hand, made it possible to overcome the post-war crisis and *stabilize public life*, we used *the concept of „sustainable development"* [11] to designate the theoretical model of the legal system embodying such patterns, reflecting the ability of this European model to satisfy the basic needs of society for development and stability.

The identification of „development gaps" in both European states that found themselves in crisis in the post-war period and in modern Moldova *allows us to consider the conceptual model of sustainable legal system development, the features of which we discovered in the post-war political and legal development of Western European countries, as a civilizationally similar model to Moldova and, at the same time, oriented toward satisfying similar basic social needs*. This model provides a theoretical framework for the legal conditions necessary for addressing the country's pressing political and legal development challenges in the post-electoral period. Furthermore, given that this particular model of legal system dynamics accompanied the expansion and deepening of integration processes in Europe, we believe that its features can be successfully implemented in the functioning of the legal system

of modern Moldova to deepen its integration into the European political and legal space.

The key question, the search for an answer to which, in our opinion, will help to more fully analyze the possible impact of the implementation of the features of the conceptual model under study in the process of solving the problems of political and legal development of Moldova in the post-electoral period, is the question of what real functional capabilities does the conceptual model of the dynamics of the legal system under consideration have and how can these functional capabilities contribute to the satisfaction of the basic social needs of the population of Moldova?

For a scientific analysis of the functional potential of a conceptual model of sustainable development of a legal system in addressing the challenges of political and legal development of the state, it seems appropriate to use *a combination of functional and systemic-structural analysis*. This methodological combination allows us to differentiate the functional potential of the theoretical model under study by its *basic components, which form an internally consistent structure of a sustainably developing legal system* [12] *with its own internal structural development cycle*.

Next, we will analyze the functional capabilities of each component of the structure of the studied conceptual model of the dynamics of the legal system in the context of their ability to influence the satisfaction of the social demands of Moldovan society for „development" and „stability", which are strategically important for solving the problems of political and legal development of Moldova in the post-electoral period. These demands also determine the satisfaction of *the value demand* of modern Moldovan society for the preservation of its socio-cultural identity within the European political and legal space, and the successful overcoming of geopolitical threats to the national security of Moldova.

Functional capabilities of the organizational component of a sustainably developing legal system

In the structure of the conceptual model of sustainable development of the legal system, the organizational component performs the internal function of organizing legal interactions and the external function of dialogizing the space of social communications.

In our opinion, there is a direct connection between the internal and external functions of the components of the legal system model under consideration, which is explained by the fact that the way in which each component interacts with other components of the system, performing its *internal function*, also determines how this component will influence the external environment, that is, determines its *external function*. In fact, *the external function of each component reflects the influence of the legal system on the external environment, mediated by its internal mode of interaction with other components, since this component does not interact with this environment direct-*

ly, but as part of the whole, that is, it indirectly influences the environment through the legal system of which it is an element. Thus, the internal function of each component, determined by the place of this component in the internal *structure* of the legal system model under consideration, determines the external function that this component indirectly performs as part of the *system*, that is, as an attribute of the whole, which clearly demonstrates *the connection between the structural and systemic characteristics of the legal system in the functioning of the research model under consideration*.

The absence of the organizational component's dynamics, characteristic of the sustainable development of the legal system, creates difficulties in this component's performance of its *internal function of organizing legal interactions*. This hinders the formation of feedback loops between legal interactions necessary for the emergence of fully-fledged legal communication between legal system actors. At the same time, the organizational component of the legal system also loses its ability to effectively perform its *external function of dialogizing the space of social communication* affecting other spheres of public life, since within the legal system, this component experiences difficulties in forming its own space of legal communication, through which the organizational component of the legal system could (assuming its sustainable development) influence other forms of social communication.

Analyzing the connection between the functions of the organizational component of our conceptual model under consideration and the satisfaction of the social demands of Moldovan society for „development" and „stability", which are strategically important for solving the problems of political and legal development in Moldova in the post-electoral period, we can establish that the space of full-fledged legal communications formed thanks to the functioning of this component, with the feedback attributed to them between their participants, undoubtedly forms *the organizational and legal framework* for other types of social communications, due to which, for these types of communications, the presence of feedback characteristic of legal dialogue becomes not just an attribute of a full-fledged communicative act, but a necessary *legal condition*, which contributes to maintaining the dialogic nature of the space of social communications. At the same time, we can note that the influence of the organizational component of a steadily developing legal system on the external environment of social communications, manifested in such dialogization, provides through the maintenance of feedback loops between participants in these communications, an impetus for the further „development" of their relationships. Simultaneously, through the organizational and legal framework created by this component for other types of social communications, it brings a certain order to the latter, one way or another associated with „stability". Thus, thanks to its functional capabilities, the organizational component of a steadily developing legal system becomes capable, on the one hand, of stimulating „development", and on the other, of introducing a certain „stability" into the sphere of social communications.

Functional capabilities of the normative component of a sustainably developing legal system

In the structure of the conceptual model of sustainable development of the legal system, the normative component performs the internal function of standardizing legal communications and the external function of legitimizing social regulation, which indicates the special role of law in the life of modern European society, which, despite the religious principles of Christian morality underlying its spirituality, is deeply imbued with the ideas of liberalism, which makes it a predominantly secular society in need of *legal*, rather than religious, basic legitimization of social norms [13,14].

The effective implementation of *the internal function of standardizing legal communications* by the normative component of the legal system presupposes: *firstly*, the effective implementation by the preceding (organizational) component of the function of organizing legal interactions, without which these interactions will be largely fragmented and, without established feedback, will not be able to form full-fledged acts of legal communication, which must then be standardized in the process of sustainable development of the normative component of the legal system; and, *secondly*, it presupposes such a dynamic of the normative component that will allow the formation of *legal experience*, which serves as a necessary condition for the effective standardizing of legal communications. Such dynamics are precisely the „sustainable development" of the normative component, since, on the one hand, the formation of legal experience presupposes the relative stability of the space of legal communications, ensuring that they pass through the stage of „accumulation" of legal experience, and, on the other hand, the formation of legal experience in legal communication means the transition of a certain amount of *precedents* of legal communications to a qualitatively new state of a *general norm* for all similar acts of legal communication in the future, which implies the development of the internal space of legal communications.

The ability of the normative component of a steadily developing legal system to carry out its *external function of legitimizing social regulation* is determined by the method of interaction with other components of this model of the legal system, which is characteristic of its internal function and is based on the above-mentioned mechanism for the formation of legal experience. It is precisely the accumulation of this kind of experience in legal communications arising from similar legal situations that forms the criteria for a model of legal behavior approved by the majority of participants in these communications, which in a secular state acquires the features of a kind of „monorm" of modern society, the legitimacy of which is capable of extending beyond the framework of purely legal communications, and therefore the principles of social regulation underlying this norm can find their application in other social regulators of public relations, which gives other social norms, from the point of view of public opinion, a fair and progressive character [15]. Such an influence of the legitimacy of the norms of legal communications on the legitimacy of social

regulation in other spheres (economic, political, religious, etc.), on the one hand, often stimulates a certain progress in the system of social regulation, testifying to the „development" of this system, and, on the other hand, introduces into the system of various social regulators certain features of uniformity and predictability, which are attributes of the „stability" of socio-normative regulation.

Thus, through the mechanism for shaping legal experience inherent in the function of standardizing legal communications, the normative component of a sustainably developing legal system is capable, through its external function of legitimizing social regulation, of influencing „stability" and providing progressive impetus to the „development" of other social regulators. As a result, the functional capabilities of the normative component of a steadily developing legal system considered above enable it to create the legal conditions necessary to satisfy the fundamental social needs of Moldovan society in the area of social regulation, and thus enable it to ensure the implementation of the objectives of Moldova's political and legal development in the post-electoral period.

Functional capabilities of the institutional component of a sustainably developing legal system

Within the conceptual model of sustainable development of the legal system, the institutional component performs the internal function of institutionalizing legal communications and the external function of democratizing societal institutions.

A necessary prerequisite for this component to fulfill its *internal function of institutionalizing legal communications* is the formation of norms governing these communications during the effective functioning of the preceding (normative) component, since it is precisely these norms that lay the necessary foundation for the emergence of any real, rather than nominal, institutions of society, including those associated with the implementation of political and legal tasks (lawmaking, justice, etc.). Since, under the conditions of sustainable development of the legal system, the emergence of norms governing legal communications precedes the institutionalization of these communications, the legal institutions of society that arise on the basis of these norms and that primarily address political and legal issues are formed „from below", as it were, maintaining a connection with the real needs and demands of society through the norms of legal communications that form their basis, which are reflected in the legal experience accumulated during the formation and selection of these norms. This internal logic of the formation of legal institutions of society in the process of the implementation of its internal function by a steadily developing institutional component of the legal system determines the emergence in this process of a kind of „democratic impulse", which the steadily developing institutional component of the legal system, as if by inertia, transmits to other social institutions, thereby fulfilling its *external function of democratizing the institutions of society*.

Analyzing the relationship between the functions under consideration and the satisfaction of Moldovan society's basic social demands for „development" and „stability", we can establish that, on the one hand, the natural institutionalization of legal communications, occurring in the context of their sustainable development according to the principle „from norms to institutions", and not vice versa, is an attribute and simultaneously an indicator of *the stability of the legal life of society*, in which normative and institutional components do not function chaotically and fragmentarily, but are a logical continuation of one another. Moreover, the very fact of a unique „logical transition" from individual norms of legal communications to fully-fledged legal institutions of society testifies to the fact that the conceptual model of the legal system under consideration creates conditions for *the real development of the legal institutions of society* based on the performance of its components' fundamental internal functions, in particular, thanks to the effective implementation by the normative component of its internal function of standardizing legal communications, which is a prerequisite for the institutionalization of these communications and the creation (or some change) of the legal institutions of society.

Thus, we see that the functioning of a steadily developing institutional component of the legal system creates conditions, on the one hand, for stabilizing the legal life of society, and, on the other, for the emergence of an internal „democratic impulse" for the development of society's legal institutions „from below" in accordance with the logic of „from norms to institutions". Moreover, through the political and legal tasks these institutions perform in lawmaking, justice, legal protection, and other matters, this internal impulse for democratization can be transmitted to other institutions of society, further facilitating their democratic development.

Functional capabilities of the spiritual-cultural component of a sustainably developing legal system

In the structure of the conceptual model of sustainable development of the legal system, the spiritual-cultural component performs the internal function of identifying the intentions of legal consciousness and the external function of reflecting of public consciousness.

Analyzing the functional potential of this component also seems appropriate by tracing its structural relationship with other components of the model under study. During its sustainable development, the spiritual-cultural component of the legal system exhibits a direct „incoming" connection with the preceding (institutional) component and a direct „outgoing" connection with the organizational component, which „closes" the structural cycle of sustainable development and simultaneously initiates a new cycle of legal system development. The internal potential of the legal system, having reached the ultimate forms of objectification in the preceding (institutional) component, must receive impetus to undergo a new development cycle, achieving a

fundamentally important transition from its objective manifestations to its subjective foundations. Such subjective foundations, concealing the as-yet-untapped internal potential of the legal system and stimulating the legal system toward a kind of „renewal", are the *intentions of legal consciousness*, gradually acquiring increasingly specific features of specific communicative intentions during the functioning of the legal system's institutional component. At the same time, under the dynamic, sustainable development of the legal system, conditions arise for the gradual concretization of legal consciousness's intentions through an assessment of the objective results of the institutional component's functioning, reflected by legal consciousness, and an awareness of their legal aspects, which require qualitative change, that is, require the legal system to develop on fundamentally different subjective foundations. *These new subjective foundations, identified by legal consciousness as specific intentions, or „communicative intentions"*, must, as the legal system progresses through a new structural cycle of sustainable development, first be transformed into individual legal interactions among participants in society's legal life, then into acts of full-fledged legal communication with feedback. Afterwards, legal experience accumulates and legal communication norms are formed, ultimately achieving their ultimate form of objectification through the process of institutionalization.

However, the intentions identified by legal consciousness explain not only the internal renewal of the structural cycle of the sustainable development of the legal system, but can also influence the external environment of the legal system (social, economic and other spheres) through the implementation by the spiritual and cultural component of its *external function of reflection of public consciousness*, the subject of which is the comparison of society's ideas about the surrounding reality (not only about the legal sphere, but also about other spheres of public life) with the communicative intentions identified by legal consciousness, which serve as the basis for the formation of critical self-awareness of society. We can see the implementation of this external function in the example of changes in the mass public consciousness and popular culture of European society that occurred after the crimes against humanity committed during the Second World War received their legal assessment [16].

Analyzing the relationship between the functions in question and the satisfaction of Moldovan society's fundamental social demands for „development" and „stability", we can establish that, on the one hand, the maintenance of critical legal awareness and, in general, the mass self-awareness of society through these functions constitutes a kind of *internal mechanism for „diagnosing" the legal system*, enabling the identification of those legal aspects that require change, the awareness of which by society „stimulates" the legal system's further *development* with the goal of objectifying the communicative intentions identified by public legal awareness within the framework of a new structural cycle of the legal system's development. On the other hand, maintaining a direct link between the functioning of the spiritual-cultural com-

ponent and the functioning of the institutional component within the context of the legal system's sustainable development means that the intentions of legal awareness, which provide impetus for a new cycle of legal system development, are formed through the functioning of the legal system itself. This is a manifestation of continuity within this system and a manifestation of the capacity of a sustainably developing legal system for self-regulation. Both of these manifestations demonstrate the functional potential of the spiritual and cultural component of the model under study in maintaining the *internal stability of the legal system*. This stability, however, is not some fixed, permanent state attained by the legal system, but rather the legal system's acquired ability to maintain its stability in the face of an objectively changing reality. Moreover, given the indirect influence of the spiritual-cultural component of the legal system on mass public consciousness, the sustainable development of this component creates legal conditions for reflection of mass consciousness, which can stimulate the development of other spheres of public life and, at the same time, will provide this development with specific *legal frameworks, limited by the identified intentions of legal communication*. This serves as a unique guarantee of a stable legal transition to the practical solution of pressing social development challenges.

Conclusion

In the process of functioning of the conceptual model of sustainable development of the legal system in the external environment, we can observe something similar to the action of the „law of communicating vessels", due to which the sustainable development of the organizational, normative, institutional and spiritual-cultural components of this dynamic model of the legal system is transmitted to other spheres of public life, introducing into them the features of „stability" and giving a certain impetus for their „development".

The functional capabilities of the conceptual model of sustainable development of the legal system in addressing the challenges of the political and legal development of the state are determined by a kind of „synergistic systemic effect" that generates the interrelationship between the internal and external functions of the basic components of the conceptual model's structure. The impact of the model's components on the external environment (social, economic, and other spheres), directly expressed in the external functions of these components, is made possible by the specific internal mechanisms of their functioning under the conditions of sustainable development dynamics. The components of the conceptual model under study manifest these internal mechanisms in their interactions within the legal system through their internal functions, the interconnected action of which explains the internal structural cycle of the legal system's sustainable development, the „rhythms" of which can be transmitted to the dynamics of other spheres of public life. This is especially important given that addressing the challenges of the political and legal development of the state

takes the form of legal reform and is closely linked to the nature of the dynamics of the state's legal system.

The civilizational proximity of the legal system of Moldova to the European political and legal space, as well as the focus of the conceptual model of sustainable development of the legal system, successfully implemented by European legal systems, on overcoming the „development gaps" that existed not only in post-war Europe, but also still exist in the political and legal development of Moldova and other countries of the post-Soviet space, give reason to consider the functional capabilities of this conceptual model applicable to solving the current problems of the political and legal development of Moldova in line with the regional trend towards integration into the common European political and legal space, the beginning of the formation of which in the second half of the last century was accompanied by the emergence of features of the conceptual model under study in the functioning of the legal systems of Western Europe.

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