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LAW, SOCIAL NORMS AND DEMOCRATIZATION

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Abstract. ***Law is a complex system of legal norms and rules of behavior that are characteristic of a wide range of people and situations. The rule of law is an important type of social norm therefore it is characterized by features inherent in any social norm. A social norm acts as a criterion for the legitimacy of the behavior of subjects, which is clearly defined. The rule of law is presented in the form of a model of behavior that defines the boundaries of possible and acceptable actions in relationships, while ensuring a measure of individual freedom. The peculiarity of the legal norm is expressed in the fact that it is adopted by government bodies with the sanction of the state.***

Keywords. *law, social norm, model of behavior, measure of freedom, state*

Introduction:

There are many different norms and rules, guided by which, people solve various kinds of issues in their daily lives, namely: aesthetic, moral, religious customs, legal, political, corporate, rites, rituals, etiquette requirements, standards of decency and a number of others. Norms are presented in the form of certain standards and models of behavior, without which human coexistence is impossible.

In legal science, all norms are divided into two large groups - social and technical. Lawyers do not deal with technical norms, but only come into contact with them, because It is important for them to establish the distinctive features of technical norms from social ones. "Technical norms" mean all non-social norms, for example, sanitary and hygienic, environmental and others, but if social norms regulate relations between people and their associations, i.e. social life, then technical norms regulate relations between people and the outside world. Technical standards define scientifically based methods, techniques, and methods of handling natural and artificial objects, i.e. the former are created by people, the latter do not depend on human will. What binds technical and social norms is that they are related to human activity, and what is distinctive is the objects and methods of regulation. Among the technical norms, there are norms enshrined in legal acts and acquiring legal force - these are technical and legal norms, for example, fire safety rules, energy supply, storage, etc.).

Social norms are generally accepted patterns, rules of human behavior that protect people's lives from chaos, directing it in the right direction; therefore, social norms are the necessary rules of joint human existence, indicators of boundaries, reflecting the patterns of social development. For example, F. Engels wrote: "At a certain, very early stage of development of society, the need arises to cover as a general rule the acts of production, distribution and exchange of products that are repeated day after day, to ensure that the individual submits to the general conditions of production and exchange. This is a rule „„

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which is first expressed in custom, then becomes law" (Concept and classification of social norms, 2025,). Law developed later than other normative systems, but on their basis. The emergence of social norms is directly related to the transition from herd people to human society, which took several million years. According to E.A. Lukashev "Historically, law arises as if to compensate for the "inadequacy" of morality, which is revealed with the emergence of private property and political power" (Lukasheva, 2006, p. 87).

A social norm represents not just an abstract rule of desired behavior, but a real action, i.e. The social norm determines, in addition to the "ought", also the "existent". In turn, a norm is a measure of socially useful behavior that is aimed at achieving the desired interest. As noted by V.N. Kudryavtsev, "behavior that corresponds to the norm is more common than deviation from it - pathology" (The concept of lawful behavior, 2024). It should be noted that social norms are very diverse, which is associated with the richness of social relations. For example, in sociology they are divided into types, classes, groups. Social norms are divided into: 1) legal; 2) moral; 3) political; 4) aesthetic; 5) religious; 6) family; 7) corporate; 8) norms of customs, traditions, habits; 9) business practices; 10) rules of etiquette, correctness, decency, rites, rituals and others (Matuzov, Malko, 2014, p. 243). This is a very common classification, where despite their differences, they are closely interrelated.

Ancient philosophers Aristotle, Plato, Democritus, Cicero pointed out the importance of law and morality, their similarities and discrepancies. According to the convictions of I.A. Ilyin's concept of law rests on the concept of norm (Egorov, 2024) Russian jurists, such as: V.S. Soloviev, I.A. Ilyin noted that law is only a minimum of morality or legally formalized morality (Gerashchenko, Gerashchenko, 2018, p. 56-64). Law is a means of realizing the moral and humane ideals of society, while morality is a social institution of historically developing life principles, views, beliefs, but what is essential in morality is the interpretation of good and evil. I. Kant noted: "Whoever turns himself into a worm should not then complain that he is being trampled underfoot" (Shirkov, Shirkova, 2020, p.193). The main social values are recognized: ***honor, dignity, good name***. Morality is characterized by internal and external aspects, where the internal aspect expresses the depth of an individual's awareness of his "I" and the degree of responsibility and duty. According to Kant, two things amaze our imagination - the starry sky above us and the moral laws within us. "The law that lives in us," Kant wrote, "is called conscience; conscience is, in fact, the relationship of our actions with this law" (Porubov, Porubov, 2023, p. 239). Cicero saw conscience as the main decoration of a person: "If you want to sleep soundly, take a clear conscience with you to bed" (Quotes from famous personalities, 2025). The second aspect of morality is the forms of external manifestation of the above qualities. As Hegel noted, "Man is a series of his actions. What a man is externally, that is, in his actions, such is he internally" (Social science, 2025).

The unity of law and morality lies in the fact that: 1. they are types of social norms that form an integral system of regulatory regulation; 2. law and morality are aimed at achieving common goals and objectives - improving public life, developing and enriching the individual, protecting human rights; 3. have the same object of regulation; 4. law and morality determine the boundaries of proper and possible actions of subjects and serve as a means of expressing personal and public interests (Tatar, Mihalache, 2024, p. 159).

.Law and morality have their own specifics, which consist in the following: 1. Law and morality differ primarily in the methods of their formation. 2. Law and morality differ in the methods of their enforcement. 3. Law and morality differ in the form of their expression. 4. Law and morality differ in the nature and methods of their influence on the consciousness and behavior of people. 5. Law and morality differ in the nature and order of responsibility for their violation. 6. Law and morality differ in the level of requirements for human behavior. 7. Law and morality differ in scope. 9. Law and morality have different historical destinies.

Roman jurists called law the art of goodness and justice, and themselves priests. The power of laws increases if they are based not only on power, but also on morality. The reasons for the contradictions between law and morality lie in their specificity, in different methods of regulation. Law by its nature is more conservative; it lags behind the flow of life, containing many conflicts, while morality is more mobile and dynamic. The lack of "mutual understanding" between them affects the regulatory and educational capabilities of both.

Customs play a significant role in regulating aspects of social life, namely the connection with law, morality, and culture. Customs are recognized as stable and widespread rules of behavior that become habits observed voluntarily. Compliance with a number of rites and rituals is no less an imperative requirement for an individual than the fulfillment of legislative requirements. In legal science, all norms in force in society are divided into ***legal*** and ***non-legal***. Legal customs are reflected in the law, they are protected, defended, acquiring legal force. Legal customs are designed to facilitate the legal implementation process, complement and enrich the mechanism of legal mediation of various social relations (Matuzov, Malko, 2014, p. 252). Legal custom is one of the sources of law. Article 5 of the Civil Code of the Republic of Moldova, dedicated to business customs, states: "A custom is a norm of behavior that, without being provided for by law, is generally accepted and regularly applied in a certain area of civil legal relations" (Civil Code of the Republic of Moldova, 2002).

The Church respects the law, laws, and the order established in the state, and the state guarantees the possibility of free religious activity that does not contradict the principles of public morality and humanism. Freedom of religion is an essential feature of a civil democratic society (Matuzov, Malko, 2014, p. 256). Politics is also the art of the possible, the art of compromise, coordination of what is desired and the ability to reckon with reality. ***Political norms*** are the rules of behavior of political subjects, participants in the political process, political relations, and when these norms are reflected in laws and constitutions, they acquire the character of a legal one. There is ***political ethics***, presented in the form of a set of established canons adhered to by conscientious politicians, namely: observance of laws, morals, and established order.

Legal presumptions and axioms are not legislative norms, but types of rules (principles) that were developed as a result of the long development of legal theory and practice. As methods of legal regulation, they are useful and necessary when "non-standard situations" arise. Here we will touch upon the presumption, which is predictive in nature and acts as a means of helping to establish the truth. The most characteristic presumptions are: the presumption of knowledge of the law - every member of society knows

the laws of his country, and ignorance of the law does not exempt from responsibility for violating it. Presumptions of fairness of law; the truth and validity of the verdict; responsibility of parents for harm caused by their minor children; assumptions that the actual owner of a thing is its owner, that ownership follows the main thing; a later law repeals the previous one in all respects in which it differs from it; no one can transfer to another more rights than he has himself; a special law cancels the general law; there is no obligation to do the impossible; he who does not deny admits; not everything that is legal, moral (Matuzov, Malko, 2014, p. 257). Any presumption is accepted as true and is valid until the contrary is proven. It is worth distinguishing versions and hypotheses from presumptions. ***A version*** is one of several assumptions that relates to the facts and circumstances of a particular case, and a hypothesis is an assumption put forward in the process of studying a phenomenon and requiring verification by practice. In addition to versions and hypotheses, we should not forget about fictions - which represent special techniques that involve putting reality under a certain formula that does not correspond to it, in order to later draw certain conclusions from this formula. Fictions were still used by Roman jurists. Z.M. Chernilovsky noted that the meaning of legal fictions is expressed by introductory words: "as if", "as if", "let's admit" (Legal presumptions and axioms, 2025). *Thus, presumptions, fictions, and axioms complement legal norms and serve as an important aid in regulating complex relationships between people.*

Conclusions:

Thus, a rule of law is a generally binding rule of behavior, sanctioned by the state and at the same time aimed at regulating social relations. The characteristics of a rule of law include: 1. generally binding nature - a rule of behavior that applies to life situations and a large circle of people; 2) formal certainty - expressed in writing in official documents; 3) connection with the state, ensured by measures of state influence; 4) provisional-binding nature, expressed in the authoritative instructions of the state regarding the possible and proper behavior of people; 5) microsystemicity presented in the form of a specific microsystem, consisting of a hypothesis, disposition and sanction.

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