



## THE ESSENCE OF LAW, ITS SIGNS AND FUNCTIONS

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**Abstract:** *Law affects various spheres of society's life – economics, politics, the social sphere, cultural-spiritual relations, and thus performs economic, political and educational functions. From a legal point of view, these functions can be classified into two types: regulatory (regulatory) and negative (protective) functions. The regulatory function of law consists in establishing positive, universally acceptable rules of behavior and behavior of members of society, putting social relations on a legal basis, harmonizing and stabilizing social ties between people. The relevant government agencies ensure that the requirements of the law are strictly met by the owners of rights, creating an atmosphere of legitimacy in society. The case involves determining the fact of violations of rights, investigating them and bringing the guilty to legal responsibility.*

**Keywords:** *law, civil society, statute of law, legal culture, social protection, human rights.*

In the history of mankind, the erosion of the primitive collective system, the emergence of private ownership of weapons and means of production, the division of society into opposite classes lead to the emergence of the right. In the primitive community system, the right was not necessary. With the emergence of private property and the division of society into classes, customs lose their social character, consequently, the basics of their voluntary execution are broken.

The law arises as a product of the special activities of state power. The law, the supreme expression of the state order, is created as a result of a complex process carried out by an authorized body of power.

-The term law has on the one hand a social content (moral law, the right of a member of a particular social organization, the right of self-determination of nations) on the other hand a legal content (positive law i.e. a right in the capacity of freedom of conduct from the point of view of law).

- Law simultaneously acts as a means of universal social regulation, Organization of social life, order as an influential factor in the provision of discipline. This aspect of the essence of law begins to manifest itself especially at the present stage, when the development of society is moving from intolerance to Harmony, from suppression to diversity of thoughts, from violence to agreement. Law, like the state, began to become a mechanism for solving more and more common issues.

In a society that has achieved culture, law today fulfills three main functions:

1) organizational (determination of the structure of the state, determination of the authority of its bodies).

2) The Guardian of disputes and discord (setting the rules for the consideration of disputes in society and the procedure for their resolution, protecting society from lawless actions).



3) ideological (influence on the consciousness and behavior of people).

The legal norm is an departmental regulatory directive consisting of information on how to behave under certain conditions.

- The norms of law are divided into prohibitive, coercive and empowering norms.
- All issued laws are issued based on the Constitution.

There are 4 forms of law:

- A) habit form
- B) sample court form
- C) normative act form
- D) international contract form.

The philosophical basis of the theory of the legal state was explained by Immanuel Kant. He argued that "the state is a union of a very large number of people subject to legal law"[1]. The concept of state and law theory represents a system of generalized theoretical - methodological knowledge about the theory of state and law. He studies one of the complex aspects of human society living and not only explains what the state and the right are, what its nature is, but also shows the relationship of the state and law with the economy, politics, culture, ethics, etc. The theory of state and law reveals the laws of the emergence and development of various state and legal systems.

The problem of state and law has been reflecting on humanity for thousands of years, from the moment of the emergence of statehood. This is reflected in the mythological sources of the ancient Egyptians, Indians, Chinese, vavilones, Greeks, Romans and other peoples.

The idea of law and a just social system was reflected in the Homeric epics, which lived in the early period of the ancient Greek statehood. This idea is of even greater importance in the epic of Hesiod.

Not only in antiquity, but also one of the great thinkers of the history of political and legal doctrine, Plato made an important contribution to the development of theoretical thinking about the state and law. In his dialogues, called "State", "Laws", he gave the concept that the ideal legal state itself understood. Plato's theory of state and law was further developed in Aristotelian doctrine.

- By this time, the peoples of Central Asia have made katt achievements in the field of political and legal thought. The leader of the popular uprising, the Mazdak doctrine, raised in the medieval God of Central Asia in the 5th - 6th centuries, is of interest in this aspect. His doctrine of equality of people became widespread. Hoshim ibn Hakim (Muqqanna) was a follower of his ideas. Abu Nasir al Farabi, who lived in the 9th - 10th centuries, made a particularly significant contribution to the visions of a rational state system. He was called Plato of the East by Hegel. Farobius was the first of the Eastern thinkers in the Middle Ages to reflect on the problems of society and the state. His works "The city of prosperous people", "A book on laws", "A treatise on ways to achieve happiness" reflected on the science of social life, its Guardian, the origin of Public Associations.

Farobius viewed the emergence of the state and its activities as the result of his natural desire for the unification of people. He knew that everyone's ultimate goal was to



achieve happiness. But a person alone cannot achieve happiness. For Bunng, a joint effort of many people is necessary, a certain social organization that creates the necessary conditions, directs the activities of people. The state is such a social organization.

Forobi believes that the state will be of two types.

- The first one – without virtue, fantasy, lies elicited happiness. It was to this species that he introduced all the states of his time.

- The latter Khili is a " Phosil", " ideal " state, and such a state can provide real happiness. The scientist shows the model of such a state in his work "the city of sensitive people".

- An Ideal state, Forobi believes, is based on understanding each other to those who live in it; on humanity, love for a person, seeing high moral values in it, striving to improve his life.

Law is a system of universal rules of conduct established or approved by the state and protected by its power.

The process of lawmaking consists of the following stages:

1. Determination of the objective need for the creation of a particular law;
2. Legislative initiative;
3. Discussion of the bill;
4. Enactment of the law;
5. Signing and promulgating the law;
6. Determination of the need for regulation by law[2].

Law is closely connected with the state. Without a state, there cannot be a right, because it is the state that brings law and guarantees the implementation of legal norms, law enforcement. In turn, the state cannot exist without rights either.

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