Private Professional Educational Institution "Krasnoyarsk Cooperative College of Economics, Commerce and Law"

Interdisciplinary educational project on “The concept of law. Its essence and functions” and “English Language”

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**Annotation**

This project is devoted to a comprehensive study of the concept of law, its essence and functions performed. The paper examines various theoretical approaches to understanding law, such as legal positivism, naturalism, and the sociology of law. Special attention is paid to the main features of law, such as norm, mandatory execution and consistency, as well as the social nature of law as an instrument for regulating public relations.

**The project examines the main functions of the law:**

* regulatory information,
* security service,
* educational program,
* estimated value,
* compensating.

Mechanisms of implementation of the functions of law through the system of legislation, the activities of law enforcement agencies and the judiciary are considered.

Keywords (10)

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**Introduction**

Law occupies a central place in the organization and functioning of any society, acting as the most important tool for regulating public relations. It defines the norms of behavior, protects the interests of citizens and ensures the stability of the state structure. However, understanding the law requires a deep analysis of its essence and functional load, since these aspects determine its role in social life.

**The purpose of this project:**

1. Andthe study of the concept of law,
2. Bthe statement ofits essential characteristics,
3. Andlearning the basic functions that it performs in society.

This knowledge is necessary to understand the mechanisms of interaction between law and society, as well as to identify ways to improve the legal system.

**Research objectives include:**

1. Consideration ofhistorical prerequisites for the formation of the concept of law,
2. Aon the basis of the characteristics and features of the law,
3. Andlearning key functions, such as: regulatory, protective, and educational.
4. Overshoot yourprofessional vocabulary.

The research is based on a wide range of scientific works, regulations and practical experience, which allows us to get a holistic view of law as a complex social institution.

The results of the study will help to better understand the role of law in the modern world, identify its strengths and weaknesses, and suggest ways to optimize the legal system to improve its efficiency and meet modern requirements.

**1.****Historical development of law**

Law has gone through a long evolutionary path, starting with primitive forms of regulation of public relations and ending with modern systems of legislation. The history of law reflects the gradual transformation of humanity, the development of civilization and the emergence of fundamentally new ideas and institutions.

**1.1. Primitive law**

In the era of the primitive system, law existed in the form of a set of customs and rituals that regulated the behavior of members of a tribe or community. These customs were of a natural nature, were transmitted orally and were perceived as sacred institutions of the ancestors. The characteristic features of primitive law were:

* Oral: Customs were not written down, but passed down from generation to generation.
* Traditional: The law depended on ancient traditions and rituals.
* Totality: The entire life activity of the team was regulated.
* Personal nature: The tribe member was personally responsible for the violation.

The best-known examples are the customs of Australian Aborigines, African tribes, and Native Americans.

**1.2. Ancient Eastern legal systems**

The first known written laws appeared in the countries of the East around the IV millennium BC. e. The most famous monuments of Ancient Eastern law:

1. The laws of Ur-Nammu (III millennium BC) — the oldest known set of laws of ancient Sumer.
2. The Code of Hammurabi (XVIII century BC) is a famous monument of the law of Ancient Babylon, which was distinguished by the severity of sanctions and a pronounced class character.
3. Indian Vedas and laws of Manu (I millennium BC) - religious texts of India that combined legal regulations with the moral principles of the caste system.

**Characteristic features of Eastern law:**

* The presence of severe punishments (corporal punishment, the death penalty).
* Mixing of religion and law.
* Preservation of patriarchal elements and community orders.

**1.3. The Ancient Era**

Antiquity gave the world two outstanding examples of legal development: Greece and Rome.

**Athenian democracy:** This is where the idea of citizenship and the principle of popular sovereignty first emerged. The Athenian laws of Solon and Cleisthenes created the basis of democracy, where free citizens had the right to vote and took part in the administration of the polis.

**Roman Law:** The most influential source of European law. Classical Roman law (II–III centuries AD) created a coherent system of private and public law, became the basis of medieval canon law and served as a model for continental Europe. Famous authors-Gaius, Ulpian, Paul, Papinian-developed the concept of property relations, marriage law, inheritance and other branches of law.

**Main features of Roman law:**

* Clear separation of private and public law.
* Logical and clear construction of legal norms.
* The principle of formalism (written proofs, strict procedures).

**1.4. Medieval law**

The medieval period brought a variety of legal systems and a chaotic mix of norms:

1. Feudal law: Based on vassal-fief relations, it depended on the personal location of the lord to the vassal. The Salic capitularies of the Franks, Viking laws, and chivalric codes of honor are prime examples.
2. City law: The emergence of independent urban republics led to the creation of city law (Magna Carta Libertatum in England, city statutes of German Hansa cities).
3. Canon law: The Christian Church created its own legal system that governed church affairs, divorce, marriage unions, and the execution of heresy.
4. Class law: A person's life was determined by belonging to a certain social group (peasant, nobleman, priest).
5. **General law:** The English system of "common law" was formed on the basis of judicial precedents and court decisions.

**1.5. The New Age and the Age of Enlightenment**

The XVI–XVIII centuries were marked by two revolutionary changes:

**Absolutism:** The French Kingdom and England established an absolute monarchy, where the king had unlimited power, limited only by the divine will and the traditional nobility.

**Enlightenment:** Enlightenment ideologues put forward the idea of natural law, equality, and inalienable human rights. The works of Rousseau, Locke, and Voltaire influenced the American and French revolutions of the eighteenth century, which led to the Declarations of independence and the adoption of the first American Constitution (1787).

**This era brought important innovations:**

* Transition from traditional estate law to the idea of universal equality before the law.
* Approval of the principle of separation of powers (legislative, executive, and judicial branches).
* Beginning of the codification of legislation (French Civil Code of Napoleon 1804).

**1.6. XIX-XX centuries**

The beginning of industrialization, the growth of urbanization, and the changing relations of production led to profound changes in law:

* Socialist Revolutions: The First World War and the revolution in Russia led to the emergence of socialist law based on the Marxist theory of classes and the dictatorship of the proletariat.
* Capitalist law: Bourgeois capitalism developed at the same time, the norms of civil turnover, freedom of trade and entrepreneurship were strengthened.
* International law: After the First World War, the first international community emerged — the League of Nations, later replaced by the UN. International law has taken on a new form with the advent of universal human rights norms and doctrine.

**2.****Features and properties of the right**

Law is a complex and multi — layered category that has a set of unique properties and characteristics that distinguish it from other social regulators, such as morality, custom or tradition. Let's consider the main features and properties of law that give it a unique role in society.

**2.1. General validity.**

The right applies to all members of society, regardless of gender, nationality, origin or religious beliefs. It applies equally to everyone, including high-ranking officials and ordinary citizens. Exceptions are possible only in cases established by law, such as the immunity of diplomats or judges.

For example, in most countries, criminal law prohibits murder and theft for absolutely all citizens, without exception.

**2.3. Officialstatus.**

The right is established and sanctioned by the State. Acts of law are formed by special authorities — parliaments, courts, and presidential decrees. It is the State that makes them binding and monitors their implementation.

Any normative act, such as the Constitution, the Civil Code, or the Tax Code, is adopted by an official act of Parliament or the head of State.

**2.4. State protection.**

The right is necessarily accompanied by a coercive mechanism. When the law is violated, the State intervenes and restores order, applying penalties, imprisonment or compensation for victims.

**2.5. Formal certainty.**

The right is expressed in writing, clearly and unambiguously. The rules and instructions are clearly spelled out to avoid ambiguities and misunderstandings.

For example, any criminal offense should be clearly defined in the text of the criminal Code, so that the judge can correctly apply the norm.

**3. The difference between law and other social regulators**

Law is a special type of social regulator that differs from other regulators, such as morals, customs, corporate norms and technical rules. Let's look at the main differences between these types of regulation.

**3.1. The difference between law and morality.**

Morality is a system of internal attitudes and ethical norms adopted in society. It is based on a sense of right and wrong, conscience and virtues. Unlike law, morality is not compulsory and is not protected by the State. The main difference between law and morality:

* The law is regulated by the State: It is based on acts issued by State bodies and is protected by the power of the State.
* Morality is based on an inner conviction: Its observance depends on a person's conscience and personal beliefs.
* The law is strictly formal: It is written in laws and other sources, while morality is transmitted orally, through traditions and habits.
* The law provides for state coercion: Violation of the law entails legal liability, while violation of morality is limited to public condemnation.

**3.3. The difference between the law and corporate norms.**

Corporate norms are the internal rules of organizations, corporations, and communities. They regulate the internal life of a firm, club, or association and are binding only on its members. Differences between the law and corporate norms:

* The law applies throughout the state: Corporate norms are valid only within the organization.
* The right is created by the State: Corporate standards are developed by the organization's members.
* This right is generally binding: Corporate norms are binding only on members of the organization.
* The right is protected by the state: Corporate norms are protected by the community or organization itself.

**4.Legal functions**

The law performs many functions, each of which is important for maintaining order and stability in society. These functions differ in focus and content, and each of them is important for regulating public relations.

**4.1. Regulatory function.**

Regulatory function-the main function of law, which is to determine the rules of conduct, regulate public relations and regulate interactions between people and organizations. The law forms standard patterns of behavior that ensure the organization and predictability of public relations.

**4.2. Security function.**

The protective function of law is to protect the interests of citizens, organizations and the State from violations and encroachments. The essence of the protective function boils down to the fact that the law prevents and punishes crimes, protects the rights and freedoms of citizens.

**4.3. Educational function.**

The law not only regulates and protects, but also educates citizens, forms their correct views and norms of behavior. The law, through its norms and sanctions, demonstrates to society what behavior is considered correct and acceptable, and what is unacceptable.

**5.Application of law in modern society**

Law in our time is a powerful tool that regulates all spheres of human life and society. Its application is so widespread that virtually no aspect of our life is complete without the intervention of law. Let's consider the main areas where the law is actively applied in modern reality.

**5.1. Politics and government**

Law plays a central role in the formation and functioning of State power. In a democratic society, the rights and obligations of citizens are determined by laws passed by the elected representatives of the people. The main forms of political application of the law:

* **Electoral law:** regulates the electoral process, the order of elections and voting.
* **Constitutional law:** establishes the principles of government, separation of powers, and citizens ' rights.
* **Foreign policy:** International law governs diplomatic relations, military alliances, and territorial integrity.

**5.2. Economics and Entrepreneurship**

The law actively regulates the economy, ensuring stability and predictability of business operations. The economy has hundreds of thousands of legal regulations governing production, trade, investment, and taxes. Main directions:

* **Business Law:** regulates the registration of firms, accounting and bankruptcy.
* **Tax law:** levies fees and duties, ensuring the revenue side of the budget.
* **Bankruptcy:** defines the procedure for liquidation of insolvent enterprises.

**Conclusion**

In the course of my research on the concept of law, its essence and functions, I examined deep philosophical, historical and applied aspects of law, as a central element of society. The obtained conclusions allow us to see law not just, as a collection of norms and rules, but as a fundamental component of human civilization, regulating behavior, setting boundaries of what is allowed and creating conditions for peaceful coexistence.

Studying law allows us to better understand the mechanisms of society's functioning, identify weaknesses in the legal system, and suggest ways to improve it. This study provides valuable information for anyone who wants to understand how the law works, how it affects our lives, and how it can be used effectively.

Thus, the law is a powerful tool designed to regulate public relations, protect the interests of citizens and ensure the stability of society. The better we understand its nature and functions, the more effectively we can use its advantages and overcome its disadvantages.

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