

МЕТОДОЛОГІЯ ПРАВА

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Co-Evolutionary Dynamics of Law and Society in Terms of the Method of Mathematical Modeling

On the basis of mathematic modeling means, the conditions of balance between legal development and dynamics of social requirements and opportunities are analyzed. It is proved that the application of such means enables to define some parameters of optimal proportionality of law and society co-evolution.

The article demonstrates that although co-evolutionary dynamics of law in the system of social life is a kind of self-organized processes, it still requires a reasonable adjustment in accordance with the principal terms of optimization, especially in terms of dynamic proportionality and balance (because, in addition to their objective factors, these dynamics are significantly dependent on subjective volitional human activity). Even outlined in this article selected examples of such conditions and parameters have to be sufficient reasons for the feasibility of deontological content of law analysis from the point of view of its coordination with ontology of social reality, regulated with this law. In particular, the extension of the range of rights must correspond not only to the increasing scales of subjective needs, but also to the dynamics of the growth of social opportunities for their satisfaction and the effectiveness of mechanisms to ensure the appropriate legal requests; in turn, the content and range of such requests have to be correlated with «already working» practical schemes, and so on. In this relation, the method of mathematical modeling is a quite effective mean of determining and justification of the criteria of social and legal development's rational proportionality.

Keywords: ontology of law; social dynamics; co-evolution of law and society; proportionality of legal development.