
Starytska O. – *Ph.D in Law, Associate Professor of the Department of Theory of State and Law of the National Academy of Internal Affairs, Kiev, Ukraine*

Social Nature of Law and State

The evolutionary transformation of social life, modifying of social and legal values, convergence of legal systems are increasingly draw attention to the necessity for legal changes in any country of the world. It is doubtless the assertion that the modern state and the right must be social and should be based on democratic principles, the rule of law and the law itself. But as practice shows, the implementation of the declared issues are not always keep pace with social development. The most progressive ideas and social projects of legal, political and economic systems are still out of the sight of the legislator, and thus society does not obtain them as normative guidelines strategic development.

Modern globalization processes induce to ramification of the social activities of the state and law. Increase of security and protection of individual rights, coordination of interests between different segments of society, overcoming conflicts in society are the

most urgent problems of our time and they should be regulated legally.

Considering that the issues of social properties of the state and law were examined by experts of national and foreign schools, it must be noted that in the context of globalization of society the problem of combining historical experience of foreign countries in the development of national state and legal institutions are less explored. That's why this problem is quite a wide field for scientific research.

The results of this research proved that rising up of the level of social factor in the existence of the right of the state allows not only to explain the reason of their origin, but also detect their essence, which includes the basic idea and the most important purpose in society.

The law and the state are the products of social development that fulfill a number of socially important functions, determine means and conditions of the functioning of society in the modern period, bear the imprint of features of national, political, historical, economic structure of society, and that is why they have the essential characteristics.

For the realization of its social essence the state uses legislation and great variety of legal mechanisms. Also some institutions which are socially oriented are used for realization of the social role of law and state.

Keywords: sociology of law, solidarity, state, science schools, convergence, globalization, development prospects.