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THEORETICAL ASPECTS OF THE RELATIONSHIP BETWEEN LAW AND ETHICS

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Abstract:

This article examines the role of law and ethics in social life, their similar and different aspects, as well as their theoretical foundations. The interrelationship between law and ethics is analyzed based on normativist, natural law, and sociological approaches. Additionally, the expression of moral values in the Constitution and laws, the role of national customs and traditions in legal creativity, and the importance of ethical norms in judicial practice are considered. Our research shows that the harmony between law and ethics is an important factor in ensuring social stability and justice.

Keywords: Law, ethics, legal theory, normativist approach, natural law theory, sociological approach, moral values, Constitution, customs, society.

Introduction:

Law and ethics are among the most important regulatory mechanisms of human life. Law is a system of norms established by the state with mandatory force that regulates social relations and governs them based on legal standards. Ethics, as a collection of behavioral rules formed by society's spiritual values, customs, and social consciousness, influences a person's inner world and their place in society. Therefore, law and ethics occupy an important position as complementary social orders. From the earliest stages of human development, legal and ethical norms have played important roles in society. In ancient times, moral rules operated mainly in the form of customs and traditions, while later some of them became legal norms. Thus, the roots of law and ethics stem from a single source — people's collective life and social needs.

Today, the harmony between legal norms and moral values holds special significance in ensuring social stability and progress. Because if legal order becomes detached from moral standards, it cannot form justice and trust in people's



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consciousness. Therefore, in building a legal state, not only the rule of law but also the harmony of moral values with legal norms is important.

Main Part: **Although law and ethics are complementary social regulators in social life, they have their own distinctive aspects.**

First, law is a collection of norms established by the state that are mandatory. It has legal force, and its implementation is obligatory. The main function of law is to ensure order in society and to govern relationships between people within the framework of law.

Second, ethics is a system of spiritual values formed in society's social consciousness. It is formed based on customs, traditions, religious and spiritual views and determines a person's inner world and behavior. The implementation of ethics is not made mandatory by the state but is ensured through social consciousness and public opinion.

Third, when legal norms are violated, a person is held legally responsible as determined by the state. That is, a person who breaks the law faces punitive measures. When moral norms are violated, social condemnation, reprimand by the community, or loss of reputation usually occurs.

Therefore, although law and ethics serve the same purpose — regulating human behavior — their mechanisms of operation and influence differ from each other.

The relationship between law and ethics can be explained through various theoretical approaches. Among them, normativist, natural law, and sociological theories hold special positions. According to the normativist approach, law and ethics are mutually independent but complementary social phenomena. In this theory, law is interpreted as a system of laws developed by the state that are mandatory. Ethics operates based on values, customs, and traditions formed in social consciousness. Therefore, the normativist approach views law more as a means of external control and ethics as an internal regulatory mechanism. Natural law theory considers the compliance of legal norms with moral norms as the main criterion. According to this view, laws are just only when they conform to moral values. If a legal norm contradicts moral principles, it is not considered true law. This theory emphasizes the organic connection between law and ethics.



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In the sociological approach, it is noted that law and ethics develop together with society's social progress. This theory does not limit law to written laws alone but explains it as a process closely connected with the real manifestation of social life, customs, social values, and moral norms. Therefore, the sociological approach substantiates the social evolution of law and ethics and their adaptability to changes in society. Thus, although various theoretical approaches interpret the relationship between law and ethics differently, all of them specifically emphasize the role of these two systems in ensuring social stability and justice. Although law and ethics are different social phenomena, they operate in harmony in ensuring social progress and stability. Particularly, the expression of moral values in legal norms holds special importance in the process of building a legal state.

First, the expression of moral values in the Constitution and laws is the brightest manifestation of the harmony between law and ethics. For example, principles such as respect for human rights, justice, equality, and freedom are consolidated in the form of legal norms. These values actually stem from moral views, and their consolidation in laws ensures they have mandatory force.

Second, the role of national customs and traditions in legal creativity is also of great importance. Each nation's legal system develops in accordance with its spiritual heritage, values, and way of life. For example, taking into account national values and moral norms in regulating family, marriage, or inheritance issues ensures that the legal system is close to people's lives.

Third, taking into account moral norms in judicial and law enforcement practice is also one of the important aspects. Judges' reliance on principles of justice, conscience, and humanity in making decisions shows that the legal process has a moral foundation. This strengthens citizens' trust in laws and develops legal culture in society.

The harmony between law and ethics ensures that laws are just, strengthens social order in society, and raises people's legal and moral consciousness.



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Conclusion:

Law and ethics are among the most important social institutions that have ensured the development and stability of society throughout human history. Although they appear to have different normative systems at first glance, they are actually complementary and mutually supportive mechanisms. Law is a system of mandatory rules established by the state that ensures the regulation of social relations. Ethics manifests itself as an internal regulatory force based on society's spiritual values, customs, and traditions. Therefore, law and ethics are two inseparable aspects of social life.

Law achieves true effectiveness only when it is based on moral values. Laws detached from ethics often cannot form a sense of justice in people's consciousness, and their practical implementation weakens. Therefore, the integration of moral principles such as justice, equality, humanity, and freedom into the content of legal norms ensures the effective functioning of the legal system. The harmony of legal and moral norms is of great importance for social progress. Taking into account national traditions and universal human values in building a legal state, applying principles of justice and conscience in judicial practice, and considering moral norms in lawmaking serve to increase social stability and citizens' legal culture. The harmony between law and ethics is an important guarantee not only for maintaining social order but also for ensuring society's spiritual elevation and sustainable development.

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