

*Исмаилова Дильфуза Узакбаевна  
студентка 2 курса  
юридический факультет  
Каракалпакский государственный университет имени Бердаха,  
Каракалпакстан, г. Нукус  
e-mail: ismailovadilfuza01@mail.ru*

## ЭЛЕМЕНТЫ СТРУКТУРЫ ПРАВ

***Аннотация:** В статье на основе системного и функционального подходов исследуется понятие системы в праве, анализируется понятие «структура права», изучаются признаки системности права, структурные связи, определяющие строение права. Первичным структурным элементом системы права является правовая норма. Рассматривается также структура системы права, такие ее структурные элементы, как правовая норма, правовой институт, отрасль права, подотрасль права, выявляются признаки правового института, отрасли права, их связи, и проводится их классификация.*

**Ключевые слова:** структура права, теория права, уровни права, блоки права.

*Ismailova Dilfuza Uzakbaevna  
2nd year student  
faculty of law  
Karakalpak state university named after Berdakh  
Karakalpakstan, Nukus*

## ELEMENTS OF THE STRUCTURE OF RIGHTS

***Abstract:** On the basis of systemic and functional approaches, the article examines the concept of a system in law, analyzes the concept of “structure of law”, studies the signs of a systematic law, structural relations that determine the structure of law. The primary structural element of the legal system is a legal norm. The author also considers the structure of the legal system, its structural elements such as a legal norm, a legal institution, a branch of law, a sub-branch of law, identifies signs of a legal institution, a branch of law, their relationship, and classifies them.*

**Key words:** structure of law, theory of law, levels of law, blocks of law.

In the most general form of the system – it is the internal structure of a holistic phenomenon which composed by certain elements (pieces), interconnected and interacting. The jurisprudence is a holistic phenomenon and, of course, it has the

internal structure. In this case, the system of law is its internal structure (content), which consists of legal elements, interconnecting and interacting [1].

The elements of jurisprudence system are:

The rule of law (the definition was given earlier) is the primary component of the governing "primitive" social relations, for example, responsibility for committing theft. The legal regulation is a kind of "building blocks" from which it is build subsequent more complex elements such as institutions and branches of law. Legal Institute is a set of rules governing a certain area (side) of homogeneous social relations. Legal institutions are isolated, usually within the same branch of the law (as is the case with the above given example). In some cases, the legal institution stands out from several branches of law. For example, the Institute of Human Rights composes the rules of constitutional, civil, criminal and other branches of law. Jurisprudence is a set of rules governing the homogeneous social relations inherent method of legal regulation. The right is a major component of the jurisprudence system. Separation of the right on different industries is an objective phenomenon, as it reflects the objectively existing spheres of social relations [2]. The legal system stands out, in addition, sub-sector of law and sub-institute of law. Sub-sector is a set of rules governing the number of sides (portions) of homogeneous social relations (for example, in civil law can be identified as a sub-branch of business law).

The subject of legal regulation (the main criterion) is a set of uniform quality of social relations, which are governed by the rules pertaining to a particular field of law. Legal regulation method (secondary criterion) is a set of legal techniques, methods, effects of the right of public relations (mandatory method, dispositive method, promotion method, recommendation method, autonomy method and the equality of the parties, etc.). Describing the private and public law should pay particular attention to the criteria on which the legal system is divided into the two groups: subject composition; the subject of legal regulation; method of legal regulation.

The law in the legal system of the theory there is also such a thing as "legal system", which is understood as a set of normative legal acts of the state in which

objectified content and structural characteristics of the law. System of law and legislation system are closely interconnected separate categories representing two aspects of one and the same entity-law. Philosophically, the system of law is the relationship between the content and form. System rights on its contents, it is the internal structure of the rights corresponding to the regulated nature of their social relationships.

Legislative system is external form of law, which expresses the structure of its sources, i.e, system of normative legal acts [3]. Legal system consists objectively in accordance with traditional public relations and system of legislation is largely subjective, as it develops in the will the legislator. The primary element of the system of law is the norm, and the primary element of the legislative system is a normative legal act. The system of law acts as a primary, original beginning in relation to the system of legislation and it is an essential guide for the legislator with the adoption, modification or cancellation of certain legal acts.

Unlike systems rights laws system characterized by a high degree of uniformity, as the basis for dividing the jurisprudence branch of the system are the subject of a method and regulation. Branches of law regulate certain areas of public life, which distinguished only on the subject of legal regulation and do not have a single method. Branches of legislation do not always coincide with the branches of law. This is due to the fact that during the formation of industrial standards legislation can be used in different combinations.

### **References:**

1. Avrutin Y.E. State and Law. Theory and practice. M.: 2007, 480 p.
2. Cherdantsev A.F. Theory of State and Law. M Yurayt, 2003.
3. Problems of the theory of State and Law. M .: Lawyer, 2001