

Interdependence Between Law, Morals and Sociology

Andreea CORSEI¹

Abstract

The interdependence between law, morality and sociology constitutes a fundamental pillar in understanding the complexity of the norms that regulate social life. Although each of these fields operates with its own concepts and methods, they do not operate in isolation, but influence each other in a continuous process of shaping individual and collective behaviors. Law, as a formal normative system, has the role of ensuring social order and cohesion through generally binding norms, sanctioned by state authority. However, the content of these norms is often based on the moral values of society, which provide criteria of justice, fairness and legitimacy. In turn, morality exerts a significant influence on the legislative process and legal interpretation, even if it does not benefit from a formal coercive mechanism. Sociology contributes to understanding how legal and moral norms are received and applied in practice, analyzing social dynamics, the degree of conformity and the tensions between normativity and reality. In this sense, the sociology of law plays a crucial role in assessing the efficiency and fairness of legal norms in the concrete social context. Thus, the relationship between law, morality and sociology is one of complementarity, but also of dynamic tension. In modern societies, the balance between these dimensions is essential for maintaining a legitimate legal framework, functional and adapted to changing social values and structures.

Keywords: *Law; morality; sociology; social norms; legal ethics; interdisciplinarity.*

¹ University Assistant at “Petre Andrei” University in Iași, Vice-Dean of the “College of Legal Advisers Suceava” Association, General Secretary of the “Order of Legal Advisers from Romania” Federation, Member of the Romanian Academy – Department of Sociology, Email: office.corsei@yahoo.co.uk

1. Introduction

In the context of modern societies, in which the complexity of social relations is growing exponentially, an in-depth analysis of the normative mechanisms that regulate individual and collective behaviors is becoming increasingly necessary (Trifu, Terec-Vlad, 2015). Three of the most important systems of norms that influence social life are law, morality and social rules studied through the prism of sociology. Although distinct in origin, function and method of application, these normative spheres are not isolated, but interdependent, contributing convergently to maintaining social balance.

Law, as a formalized system of norms imposed by state authority, is intended to regulate relations between individuals and between them and social institutions. However, law cannot be conceived as an autonomous system, completely independent of the values and moral norms of the community. Morality plays a fundamental role in legitimizing legal norms and directly influences the lawmaking process, as well as the interpretation and application of the law. In parallel, sociology provides the conceptual and methodological framework necessary to understand how these norms actually function in society, revealing the differences between the ideal norm and the real behavior of individuals.

This paper aims to analyze the interdependent relationships between law, morality and sociology, highlighting the complementarity, but also the possible tensions between these normative dimensions. Through an interdisciplinary approach, it aims to outline an integrated perspective on how legal norms are constructed, justified and implemented in a dynamic social and value context.

2. Law - an instrument of social regulation

Law is one of the most important instruments through which society organizes, controls and structures its individual and collective behaviors. In its essence, law is a formal normative system, made up of general, impersonal and binding rules, imposed by public authority, with the aim of maintaining social order and resolving conflicts (Hart, 1961, p. 7).

The defining characteristic of law is its coercivity. Unlike other social or moral norms, which are based on internal conviction or informal sanctions (such as social disapproval), legal norms are supported by the coercive force of the state. This coercive dimension is not sufficient to explain the effectiveness of law, however; its

legitimacy, often derived from the moral values of the community, is also necessary (Dworkin, 1986, p. 190).

From a sociological perspective, law cannot be analyzed in isolation, as a simple set of technical norms. It is part of a set of social regulatory mechanisms and acts in interaction with other normative forms – moral, religious, cultural – that influence human behavior (Durkheim, 1893, pp. 102–105).

Thus, law becomes an institutionalized means of regulation, which translates collective expectations and values into formal terms, integrating them into an officially sanctioned system.

In addition, law reflects the power structure of society. According to Weberian theory, the state has a monopoly on legitimate physical coercion (Weber, 1946, p. 78) which gives law a unique authority in organizing social relations. At the same time, law has an essential role in the production and reproduction of social order, establishing limits between what is permitted, prohibited or mandatory.

An essential aspect is also the dynamic nature of law. Far from being a static system, law evolves with society, responding to social, economic and cultural transformations. Therefore, law is not only a product of society, but also an active factor in shaping it (Rouland, 1991, p. 215).

In conclusion, law functions as a complex instrument of social regulation, in which the logic of state authority, moral requirements and social realities intersect. Its efficiency depends both on its formal structure and capacity for application, and on the degree of acceptance and internalization by members of society.

3. Morality – value foundation of law

Law, as a formal system of norms that regulate social behavior, extracts a significant part of its legitimacy and meaning from the moral values of society. Although there is a clear theoretical distinction between legal and moral norms, in practice, the interdependence between the two is profound and inevitable.

Morality is defined as a set of norms, principles and beliefs accepted by a community, which guide human behavior according to the idea of good and evil (Kant, 1992, p. 15). It is not imposed by an external authority, but is internalized through education, culture and tradition. Moral norms are not formally sanctioned, but they generate social pressure and profoundly influence community life.

Law often takes up content from morality, especially with regard to fundamental values such as justice, fairness, human dignity or the protection of life. For example, the prohibition of killing or stealing is

found in both moral and legal codes. This overlap is not accidental, but reflects a convergence of values between the two systems (Hart, 1961, pp. 185–187).

The essential difference lies in the method of sanctioning and applicability. If morality depends on individual conscience and group pressure, law acts through the authority of the state and has coercive force. However, the validity of legal norms often depends on their agreement with dominant moral values. A legal norm perceived as immoral or unjust, even if it is legal, can be contested and rejected by society (Dworkin, 1977, p. 22).

In addition, morality acts as an axiological filter in the lawmaking process. The legislator does not operate in an ethical vacuum, but is influenced by moral ideals, the demands of justice and the principles of human rights. Thus, legal norms are often built on a moral foundation that gives them legitimacy and social acceptability (Rawls, 1971, pp. 3–5).

This connection is also evident in jurisprudence, where judges rely not only on the letter of the law, but also on implicit moral principles, such as good faith, fairness, or the protection of human dignity. Morality therefore acts as an interpretative guide in the application of the law (Dworkin, 1986, pp. 239–250).

At the same time, morality is essential in assessing legal progress. Many legislative reforms (for example, the abolition of slavery, the recognition of women's rights, or the protection of minorities) were based on a moral paradigm shift before being translated into legal norms (Nussbaum, 2011, p. 118).

In conclusion, morality is not just a parallel set of norms to law, but an indispensable value foundation. It contributes to the formation of the content of legal norms, their legitimacy and the way in which they are interpreted and applied. In the absence of this moral foundation, law risks becoming a formal instrument, but emptied of ethical meaning and social support.

4. Sociology - the analysis of norms in social reality

Social norms constitute one of the fundamental dimensions of collective life, representing institutionalized forms of regulating behavior. Unlike the legal or moral approach, sociology does not focus on the validity of norms from a legal or ethical point of view, but on how they effectively function in the concrete social framework, on the processes of their formation, transmission, application and modification.

In the classical sense, Émile Durkheim considered that norms are the expression of a “collective conscience”, that is, a set of beliefs and values shared by members of a community, which exert constant pressure on the individual (Durkheim, 1996, p. 52).

From this perspective, norms are not only externally imposed rules, but also internalized elements that structure the mutual expectations of social actors.

One of the fundamental objectives of the sociology of law is to investigate the difference between the formal norm and real behavior. Often, legal or moral norms are ignored, reinterpreted or selectively applied depending on the social context. This disarticulation between normativity and reality raises important questions about the efficiency of formal regulations and their legitimacy. For example, anti-discrimination laws or tax norms may exist formally, but be systematically violated in practice, if the social mechanisms to support them are missing.

In this sense, sociology analyzes the factors that influence compliance with norms, such as: socialization, group pressure, power structure, material resources or cultural capital. Max Weber emphasized that legitimate domination is not ensured only by coercion, but by the voluntary acceptance of authority and by the belief in the legitimacy of norms (Weber, 1978, vol. I, p. 215). From this perspective, a norm is effective not only if it is coercive, but also if it is perceived as fair and reasonable.

Sociology also analyzes normative pluralism, namely the coexistence of several sets of norms within the same society. For example, in a state, formal legal norms, informal community rules, religious norms and professional codes can coexist. Sociology studies the tensions and interactions between these systems, as well as how individuals choose to adhere to one set of rules to the detriment of others, depending on the context and interests.

Another essential contribution of sociology is the analysis of the dynamics of social norms. Norms are not static entities, but transform over time, as a result of changes in mentality, social movements or economic and political pressures. Sociology thus allows us to understand how norms once considered natural (for example, norms regarding the role of women in society or the status of minorities) are contested and reformulated.

In addition, sociology offers methodological tools (surveys, participatory observation, discourse analysis) that allow the investigation of the concrete way in which norms are applied and perceived. Through these methods, the researcher can observe not

only the formal existence of the norm, but also the degree of its internalization, resistance or adaptation to the reality of everyday life (Nonet & Selznick, 1978, pp. 43–45).

In conclusion, sociology plays an indispensable role in the analysis of norms in a social context. It goes beyond the boundaries of a purely legal or moral perspective and offers a contextualized, dynamic and empirical understanding of normativity. In this sense, sociology not only explains the mechanisms of functioning of norms, but also contributes to the foundation of effective public policies, anchored in social reality.

5. Interdependence and tensions between law, morality and sociology

In any modern society, social order is maintained through a set of normative mechanisms that regulate individual and collective behavior. Of these, law, morality and social norms (their study mainly belonging to sociology) are the most significant forms of regulation. Although they have convergent functions – ensuring social cohesion and predictability in interactions – they operate through different mechanisms, have distinct sources of authority and often face conceptual and functional tensions.

a. Law, morality and sociology – complementary normative dimensions

Law is the formal system of norms developed and imposed by state authority. Its essential characteristic is coercivity: failure to comply with legal norms entails sanctions applied by specialized institutions. On the other hand, morality operates through individual conscience and informal social pressure, being composed of unwritten norms that define what is considered “good” or “bad” in a community.

Sociology, as a science of social life, is not a normative system in itself, but it provides the necessary tools for understanding how these norms are generated, applied and internalized within a given society. It highlights the fact that norms (legal or moral) cannot be dissociated from the cultural, historical and economic context in which they develop.

Thus, we can speak of a functional interdependence between the three domains. Law relies on moral values to gain its legitimacy, and its effective applicability depends on social reality, analyzed by sociology. In turn, morality deeply influences the content of legal norms

and is shaped by dominant social norms. Sociology mirrors them, demonstrating that none of these spheres operates in isolation.

b. Sources of tension: legitimacy, applicability, transformation

Despite this interdependence, structural tensions frequently arise between the three dimensions, due to differences in source, authority, and purpose.

One of the most important sources of conflict is the discrepancy between legality and morality. History provides numerous examples of legal norms that are legal but perceived as deeply immoral (e.g., racial laws in totalitarian regimes). In such cases, morality becomes a critical instrument against an illegitimate right (Dworkin, 1977, pp. 17–19). This highlights the fact that legality does not automatically guarantee justice, and the tension between law and morality is inevitable in the dynamic context of social values.

Another source of tension arises between formal law and social reality. Sociology often reveals the ineffectiveness of applying a legal norm that does not correspond to the social context. For example, a law that imposes behavior without taking into account local cultural values or economic infrastructure may become ineffective, ignored, or undermined by informal practices (Cotterrell, 1984, pp. 109–112).

At the same time, in contemporary societies marked by cultural and value pluralism, tensions between law and morality are exacerbated. Morality is no longer unitary, but divided into multiple value codes (religious, ethnic, professional), which complicates the legislator's task of constructing universally valid legal norms. In this context, the sociology of normative pluralism becomes essential for understanding conflicts between official regulations and the behavioral norms of minority social groups (Merry, 1988, pp. 869–896).

c. Possibilities for harmonization and balance

Despite these tensions, there are mechanisms for reconciling law, morality, and social reality. One of these is the principle of material justice, which presupposes the interpretation and application of legal norms taking into account fairness and the fundamental values of the community. In practice, this principle is reflected in the judge's role in adapting the norm to the particularities of the case, avoiding excessive rigidity.

Also, civic participation and public consultation in the legislative process contribute to aligning law with morality and the real needs of society. Morality can thus be channeled into the legislative process,

and sociology provides the necessary data for the substantiation of efficient and legitimate public policies.

Another mechanism for harmonization is provided by fundamental human rights, which act as a bridge between morality and law, codifying universal moral principles (such as human dignity, freedom, equality) in legal norms. These "higher" norms have the capacity to correct normative excesses and ensure coherence between law and ethics.

The relationship between law, morality, and sociology is complex, dynamic, and essential for understanding the functioning of any society (Trifu, A., Juravle, A.I., Terec-Vlad, L., 2017). These fields cannot be analyzed separately without losing sight of the whole. Their interdependence is necessary for the legitimacy and effectiveness of social norms, while the tensions between them reflect the changes and contradictions inherent in social life. An integrative, interdisciplinary approach that takes into account moral values and social reality in the formulation and application of legal norms remains essential for a democratic and equitable society.

6. Conclusion

The complex analysis of the relationships between law, morality and sociology reveals that these three normative and explanatory dimensions of social life can only be understood in a deep and dynamic interaction. Each of them contributes specifically to the regulation of human behavior, to social cohesion and to the maintenance of a functional public order, but no dimension is self-sufficient. The interdependence between them is not only conceptual, but also practical and historical.

First of all, law represents the institutionalized form of social and ethical norms, being the expression of the normative will of the state. However, its legitimacy is deeply linked to morality. Legal norms derive a large part of their normative force from the dominant moral values of a society, and when a major discrepancy between law and morality appears, the authority of the law is seriously affected. This fact becomes evident in non-democratic regimes, where law, even if formal, becomes an instrument of oppression, losing its legitimacy in the absence of a moral foundation.

Morality, on the other hand, provides criteria for evaluating the justice and fairness of legal norms. It is not limited to filling in the gaps in law, but can become the catalytic force for its change, when social values evolve. Thus, movements for civil rights, gender equality or

environmental protection were born from the moral challenge of unjust or outdated legal frameworks.

On the other hand, sociology makes an essential contribution to understanding how these norms actually function in social reality. Through its empirical and conceptual tools, sociology shows us that both law and morality must be anchored in the concrete context of society in order to be effective. Legal norms may exist formally, but if they are not internalized by individuals or are not supported by the social structure, they remain ineffective. In this sense, sociology demystifies the norm as omnipotent and reframes it as the result of power relations, cultural traditions, conflicts and social compromises.

This interdependence is inevitably accompanied by tensions. Sometimes, law ignores social reality or conflicts with dominant moral values. Other times, morality is fragmented and pluralistic, generating difficulties in drawing a common legal framework. Sociology, although critical, can be accused of normative relativism, to the extent that it explains and legitimizes any type of behavior depending on the context. However, these tensions emphasize the need for an integrative and reflexive approach, which does not absolutize any of the three dimensions, but seeks a rational and ethical balance between them.

In conclusion, law, morality and sociology are not three parallel spheres, but three dimensions of the same process of regulating, evaluating and understanding social life. Law needs morality for legitimacy and sociology for efficiency; morality needs law for institutionalization and sociology for social validation; sociology, in turn, needs law and morality as objects of research and as points of value reference. Only by coherently articulating these three dimensions can we build a society based on justice, equity and social realism.

This interdependence must be recognized not only theoretically, but also in legislative, legal and political practice, so that the norms that govern social life are not only coherent and efficient, but also profoundly humane and reasonable.

References

- Cotterrell, R. (1984). *The sociology of law*. Butterworths.
Durkheim, É. (1893). *De la division du travail social*. Presses Universitaires de France.
Durkheim, É. (1996). *Regulile metodei sociologice*. Editura Științifică.
Dworkin, R. (1977). *Taking rights seriously*. Harvard University Press.
Dworkin, R. (1986). *Law's empire*. Harvard University Press.
Hart, H. L. A. (1961). *The concept of law*. Oxford University Press.

- Kant, I. (1992). *Metafizica moravurilor*. Editura Științifică.
- Merry, S. E. (1988). Legal pluralism. *Law & Society Review*, 22(5), 869–896. <https://doi.org/10.2307/3053638>
- Nonet, P., & Selznick, P. (1978). *Law and society in transition: Toward responsive law*. Harper & Row.
- Nussbaum, M. C. (2011). *Creating capabilities: The human development approach*. Harvard University Press.
- Rawls, J. (1971). *A theory of justice*. Harvard University Press.
- Rouland, N. (1991). *Introduction à l'anthropologie juridique*. Presses Universitaires de France.
- Trifu, A., Terec-Vlad, L., (2015). Professional Ethics in Financial Organizations, *Anuarul Universității Petre Andrei din Iași, Fascicula Drept, Științe Economice, Științe Politice*, 16, 25-31.
- Trifu, A., Juravle, A.I., Terec-Vlad, L., (2017). The Economic and Philosophical implications of the Concept of Responsibility. *Ecoforum*, 6(1).
- Weber, M. (1946). Politics as a vocation. In H. H. Gerth & C. Wright Mills (Eds.), *From Max Weber: Essays in sociology* (pp. 77–128). Oxford University Press.
- Weber, M. (1978). *Economy and society* (Vol. I). University of California Press.