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Research Article

Beyond Theoretical Postulates: Concretizing the Field of Sociology of Law

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Abstract

The article discusses the potential for the field of sociology of law (SoL) to complement legal science in studying the law and as a science of its own. SoL and legal science study two different realities of law: one based on internal operations, practices, concepts, and perceptions, the other focusing on law's interaction with its societal environment. The knowledge interest of SoL is the background or genesis of law and the functions and consequences of legal regulation. The article argues that instead of integrating SoL and legal dogmatic, SoL could fill gaps that legal dogmatic leaves behind due to epistemological shortcomings in explaining legal practice. The article emphasizes that law is not one indivisible entity which is the tendency in most SoL. It consists of different types of legal norms all with their own characteristics. The article introduces the concept of intervening law, which regulates labor, environment, consumers, and the like in relation to protections of different kinds. Intervening regulation indicates a transitional society and heralds the need for a new societal formation. Finally, the article introduces and points out Norm science as a complement to social sciences putting forward motives as explanatory of human behavior. Another advantage is that Norm science acts as a synthesizing tool affording interdisciplinarity.

Keywords

Sociology of Law, Norm Science, Functions of Law, Legal Regulation of AI, The Genesis of Law, Legal Development, Norms, Interdisciplinarity

1. Introduction[1]

This anecdote illustrates a fundamental characteristic and problem for the academic subject, Sociology of law. It lacks a praxis field to relate to. No one would ask a law student what he becomes after studying law, rather what type of lawyer he or she wants to become. He or she becomes a lawyer, which everyone understands in one way or another what it stands for. The same goes for a student in medicine. You do not ask the professor in medicine what you become after your studies in medicine. You become a medical doctor of some [1] kind depending on what you specialize in. Almost every science has a praxis field. Legal science has the legal system and the legal profession, political science the political system and the administrative system, business administration has the economic system, cultural geography the landscape, etc. as corre-

1 "When I many years ago was appointed professor (chair) in Sociology of law, a student asked me: What do you become after having studied Sociology of law. To avoid the question, I answered: you become a Sociologist of law, well aware that it did not help him, but it has since then caused me to think about the consequences."

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spondent praxis field. There is no such field in between law and society, which motivates empirical studies and theoretical development. The added value of sociology of law is to be found in empirical theory about rules, their causes and their social working ([27] p. 124). This is of relevance for policy-making, but not enough to build a profession of its own.

From a scientific point of view, Sociology of law is like a piece of land squished between two huge continents, legal and social science. It is an island located in between but relevant for both. SoL has emerged as a volcano island. Its height gives an overview. It complements and competes against legal dogmatic in analyzing and understanding law and legal decision-making and it complements social science in understanding normativity as an explanatory factor. From its vantage point, SoL traces a lot of gaps and cracks in the legal landscape and discover a new landscape.

Filling the gaps belongs to the potential for SoL in relation to legal science. Examples will be given below (Section 2.3 and 2.4). The eruptions of the volcano, when lava now and then is falling down distorts the legal landscape. At the same time, the height of the volcano makes you seeing things on the social science continent representing unknown territory. You can see patterns in the form of regularities. Analysis of these patterns makes it possible to understand motives behind human actions and societal development in time and space. In this article, I try to draw a map over the landscape of SoL and its potential as science to spread across the two continents. The ambition with the article is to develop SoL as a science. The map might help researchers pinpoint where they are situated in the landscape. It is the territory, which guides my exercise, not a concoction of existing map images, as for instance the proposal on a (reflexive)matrix in order to solve the inside/outside dichotomy in SoL ([4] p. 18). My argument is that the territory is huge and to a large extent undetected and unknown. When it comes to the social science continent, it requires that SoL exceeds its own boundaries, which I come back to in the last part of the article.

The sociology of law (legal sociology, or law and society) is often described as a sub-discipline of sociology or an interdisciplinary approach within legal studies, see Wikipedia, Sociology of law with references therein. ([27] p. 121) define SoL as "an empirical social science whose subject is social control, that is to say, the social working of rules (primary and secondary), its causes and effects". Clear is that SoL faces two sides, one towards legal science and another towards social science. It deals with law but without adding to the mainstream legal science, legal dogmatic. SoL uses social science theory and methods in order to study legal matters from a social and a societal perspective. This hybrid has led to a discussion about the identity of SoL [4, 5]. Does it have a claim to existence as a discipline in its own right or is it an auxiliary science to legal and social sciences ([50] p. 74). It seems to exist along a continuum from legal sociology to SoL via socio-legal studies ([45], ch.1). A textbook definition may sound like this: "The SoL is an intellectual project in which empirical data are used to describe and explain the behaviour of legal actors" ([60] p. 15). Legal sociology adds mainly quantitative information about how many times a certain legal provision or law is used, who is using law, what the legal profession looks like, etc. As examples, the extensive studies of the legal profession [1, 56] and my own use of statistics in order to analyze the development of law in different respects ([33] ch. 5), can be mentioned. This kind of knowledge might be interesting as such, but is of limited importance for both legal and social science.

Socio-legal studies has its knowledge interest on the role of law, while legal dogmatic focuses on the rule of law. SoL looks for a deeper understanding of the background and/or consequences of a certain piece of regulation, like Animal Welfare Act, Migration law, Contract law, Environmental law, Social security legislation and the like. In SoL a full step is taken towards exploring the sociological aspects of law and the legal system. Then the focus is on the society and its problems and how they are affected by law and legal arguments. I will in this article discuss SoL both as a legal science and as a social science.

SoL might focus on norms as an important study object and as a tool to understand society. By analyzing norms, one can find and understand motives for action in society. In this way, SoL complements social sciences. Instead of casual chains and logical reasoning, SoL thereby makes social science more adequate. Norms cover many possible explanations and layers of understanding. Norm Science is in that sense not a theory of its own. It is primarily a perspective contributing to create a common playing field, which makes it possible to accumulate knowledge from different knowledge fields.

Norms derive from systems. The most elaborated system, norm wise, is definitely law and the legal system. Legal science is a normative science where the right answer to scientific (as well as practical) questions are built on the correct application (which makes it a legal science) of the authorized legal sources. The epistemology is in its basic form built on subsumption logic [48]. Subsumption is based on deductive reasoning. Deductive logic is the process of reasoning from one or more statements (premises) to reach a logically certain conclusion [52]. Informally you can talk about a top down approach. From a methodological point of view, deduction follows the law of syllogism, which means that it takes two or more conditional statements to form a conclusion by combining the hypothesis of one statement with the conclusion of another. If all premises are true, which is to be proved in a legal or fictive process, the terms are clear, i.e. the law is undisputable, which has to be sorted out in the doctrine or in a specific case. When the rules of deductive logic are followed (proper legal reasoning), then the conclusion reached is necessarily true.

This somewhat simplified signum of legal science can be contrasted to the epistemology of social sciences. This is based on an inductive epistemology. Inductive reasoning is constructed on a bottom-up logic, which contrasts with deductive reasoning and its top-down logic. This represents the basic epistemological feature based on inductive empirical studies. This way of gaining experience can in its turn and over time

give rise to more or less coherent theories about empirical phenomenon. The main distinction between legal and social sciences is that the first is a normative science where the premises are given in some kind of accepted legal source, while the latter, social sciences, is in its fundamental form an empirical science. In inductive reasoning, the conclusion is reached by generalizing or extrapolating from initial information. As a result, induction can be used even in an open domain, one where there is epistemic uncertainty. This is a general trait of social sciences. In legal science there is always an answer, the task is to find it, while in social science you have to create the answer.

By relating legal norms to other norms in society, a whole new empirical legal world opens up hitherto largely unknown, a legal science ś own wonderland. It can be regarded as the hidden dimension of law and legal science. Legal science pays its interest to the internal side of law, how law should be interpreted and applied in different situations defined by the law (see for instance, [4, 27]). It is not an interest for legal science to take on an external perspective, why law or what consequences follow from legal regulation. The Finnish legal philosopher, Karlo Tuori, talks about the two faces of law, namely, the legal order as a cultural-normative phenomenon, on the one hand, and law as a societal practice, on the other hand [65]. Tuori claims that these two faces of law characterize legal and social science respectively.

In legal science, the aspects of a phenomenon are determined by legal sources. Taking contract as an example, we will find within legal science an interest determined by contract law. This piece of legislation takes up questions of how to conclude a contract, when a contract can be declared invalid and some other aspects. But legal science leaves out a lot of practically important aspects, such as when you should protect a transaction with a formal contract, how to formulate a contract in order to realize what your principal expects and would like to achieve with the contract, etc. This is what lawyers are expected to work with in relation to the economic life and still it is mostly left out in legal science and education.

This task requires quite another skill and type of (legal) knowledge than the one following from mainstream legal science. It is a question of addressing another world. SoL has the potential to cover this scientific perspective and I have in this article the ambition to point out the potential of the external perspective on legal matters. The consequence of the one-sided legal science is that there is a risk for a growing gap between legality and legitimacy in relation to legal regulation, which threatens the rule of law.

Legal regulation is taking place within a certain normative environment. The consequences of law are scattered around very many areas of human life. Therefore, there is a need for a common denominator, which can serve the function of leveling the playing field and make it possible to approach both the causes and effects of law with a common tool. This tool is the concept of norm and a norm science approach. Law reinforces or counteracts norms in society. In a norm perspective, legal norms are constituted by social and other norms, which have been adopted in or upgraded to the legal system ([35] p. 158). The effects of legal regulation are dependent on the specific normative environment in which the law is meant to operate.

The close relation between law and social/professional norms is shown in the following hypothesis:

Legal regulation is never stronger than the norm in society corresponding to the legal norm.

This hypothesis implies that there is a strong relation between legal and social norms, between the effects of legal regulation and the specific normative environment in which the law is meant to operate. This does not exclude the fact that law can be used and is used in order to influence existing norms [15]. Since social and other norms are much more frequent and cover a larger area than legal norms one of the most intriguing questions is which norms become part of the legal system and why? The answers to that question which is not before dealt with could help us understanding the role of law in society.

That certain norms become legal rules means that they are given support. If the norm does not function spontaneously, the transgressed party or society in general can force the rule to be followed. This is the idea in any case. The norm is accompanied with specifically defined sanctions. These are separated from the norm. They can be applied as pressure if the norm itself fails to lead to expected action. A norm that is elevated to a legal rule also becomes more laden with meaning and clearly articulated. It becomes formalized and upheld by a special profession, the legal profession, and if the norm or application is unclear, a judge is given sovereign right to clarify the content of the rule. This means that legal rules have a stability that is both their strength and their weakness ([36] ch. 2.) The strength lies in the predictability of the content of the rule in keeping with the ideal of the rule of law. The weakness lies in the rigidity that might characterize the maintenance and application of rules. The application of law might be seen as bureaucratic and impersonal when the dictates of rules become the invariable basis for interpretation. Norms, in other words, become far less flexible when they attain the status of a legal rule.

2. Sociology of Law (SoL) on the Legal Continent

2.1. The Specific Nature of SoL

“While Law is above all a field of practice closely related to and identified with a well established profession, SoL is an academic discipline, interested in describing and understanding society”, Banakar concludes in his article about the Identity of a “Stepchild” ([4] p. 9). Therefore, SoL runs the risk of remaining a research approach with no, or little, scientific stakes of its own ([5] p. 12). However, this does not

mean that SoL poses no problems as an academic science. Legal pluralism is one of these. The gap problem, which dealt with below, is another.

Problems within SoL to a large extent are generated on a theoretical level, discussing the relation between law and society in general. Inspiration comes from classical sociology [18, 44, 69]. The lack of practical problems to vegetate on, the focus for SoL tends to end up in a bifurcation, either in a theoretical hyper-cycle or in activism. The two Master programs in SoL (Coimbra and Onati) illustrate this. In the Coimbra program (University of Coimbra - Centre for Social Studies and Faculty of Economics) power and inequalities is addressed along three main structural axes – patriarchy, colonialism and capitalism –, reflected in three courses – "Crime and gender violence", "Modernity, colonialism and racial violence", and "Social rights, financialisation and inequalities". In each of these, a plurality of theories, critical perspectives and proposals for an alternative construction be presented. The Onati program (International Institute for the Sociology of Law) is traditionally built on presenting classical and modern theories in SoL.

If SoL does not delve into theoretical discourses, it mainly deals with studies of different pieces of legislation without a common approach. This makes SoL micro-oriented and the results very scattered. Friedman talked about SoL as "an incoherent or inconclusive jumble of case studies", with "no foundation", "no axioms" and "no core", ([25] p. 779). Nonet and Selznick ([47] p. 2) described SoL as "disorderly and non-cumulative". ([5] p. 3) put forward the same views. Chat GPT strengthen this impression: "Sociology of law investigates various topics such as the organization of legal systems, legal reasoning and decision-making, the role of law in social change, the relationship between law and power, the interaction between law and social institutions, such as the family, education, and religion, and the ways in which law is experienced and contested by different groups in society".

These studies are separate from the theoretical discourse and do not create accumulated knowledge in the field. The idea many times is to use general social science theory and methods, mainly sociology, and apply that on a certain topic, like gender, family and children, social issues and welfare, working life, human rights, media and IT, environment and sustainable development. In the best case, a kind of specific socio-legal knowledge would come out of it. However, so far there are no significant signs of that. These studies contribute more to the specific area they address than SoL as such.

The sociology of law has not previously taken norms as its object of study or point of departure in its studies. Instead, the sociology of law has departed from the existing rules of law, and not questioned how these relate to the concept of norms. The anthropology of law has devoted a great deal of energy to discussing what characterises legal rules, in contrast to social norms. In legal pluralism, there is a tendency to equate legal rules with social norms [28]. One leading sociologist of law, Boaventura de Sousa Santos, for example, takes this view as his point of departure in his book Towards a New Common Sense [58]. I believe that it is problematic to not be able to keep legal rules and norms apart. There is reason to see legal rules as a particular category of norms. It seems that whenever researchers in SoL come across a normative phenomenon they associate and refer to legal pluralism or to living law. These concepts are used instead of norms. I can understand why Eugen Ehrlich talked about living law as a label for the norms people followed and that he contrasted these norms from formal, technical rules [20, 22]. Nevertheless, from a scientific point of view living law is an expression for social norms substituting legal norms. However, this is hidden when the phenomenon is covered by a general term, living law without any explanatory value in itself.

The fundamental trap of the theoretical discourse is to try to integrate legal dogmatic and sociology. They represent different knowledge interests and thereby using different epistemologies. Since they are based on separate ontological grounds, the epistemologies are incommensurable. Law is an open normative science using interpretative, deductive methodology, while sociology has an empirical ontology built on social science methodologies in epistemological respect. In this context, SoL leans against sociology.

Legal science has the ambition of displaying the content of law in the specific case, how the wording of legal provisions or precedents should be interpreted. The starting point is the legal provisions, which have to be concretized against the background of authoritative legal sources. The knowledge interest is not geared towards society and the functions law might play. It is in a certain sense misleading to think that legal dogmatic deals with norms. The raison d'être for legal dogmatic is to state the content of law in an authoritative way and that has as such nothing to do with society. Law and society are two different epistemological fields. SoL deals according to its linguistic meaning with the sociological aspects of the law, the consequences of the law in society. These consequences can be understood in terms of social and other norms. It is a question of two different realities of law: one based on the internal operations, practices, concepts and perceptions, the other focusing on law ś interaction with its societal environment (14). The first reality belongs to mainstream legal science and is in its epistemological part of no interest for SoL, while the second reality is the knowledge field for SoL, which is not relevant either for legal practice or legal science.

The knowledge interest for SoL is about the background and the functions of law. These are not of any interest for legal dogmatic other than in exceptional cases. See the following figure [32]):

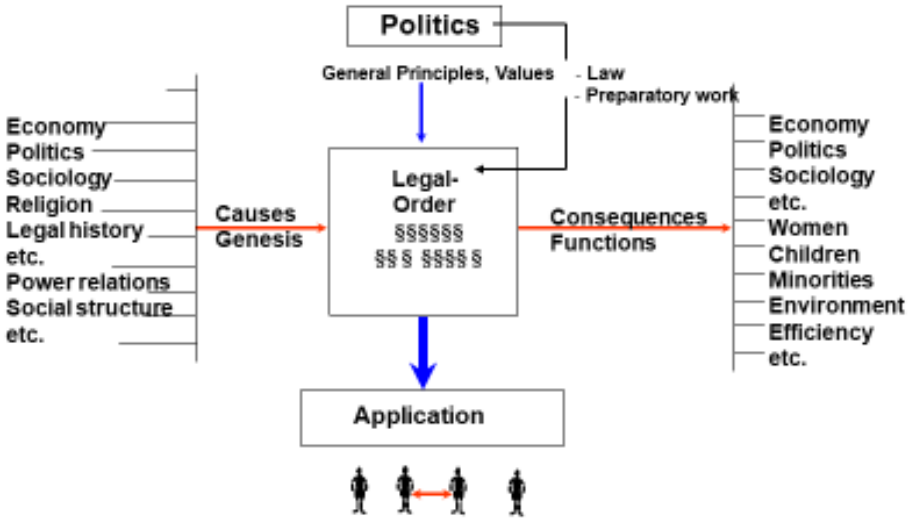

Figure 1. *The Crossroads in Legal science.*

SoL and legal dogmatic are both about law but having different interfaces in relation to law. Legal Science – the vertical dimension above - is driven by the purpose of applying law in certain situations/cases in society. Law is a political instrument with certain purposes. It can be seen as standardized politics ([31], ch.8). One important aspect is that it has to be applied in a consistent way. In order to be legitimate, law has to apply in a predictable manner. That is an important goal of legal science to work for, actually the very essence of legal dogmatic. Legal certainty is a key word in this context. It makes legal science doctrinal and prioritizing legal dogmatic.

The knowledge interest for SoL – the horizontal dimension in the figure above – is the focus on the emergence of law and the consequences or functions of legal regulation. In other words it is about the causes and genesis of law, at one side and the consequences and functions of law, on the other side, two distinct normative orders (Hydén 2021). The legal dimension built on (legally) constructed norms, which makes legal science an openly normative science (Peczenik 2008). SoL is an indirect normative science built on cognition and empirical studies to find regularities in society. These regularities are built on normative guidance for action in the same way as legal regulation. The difference is that while the main bulk of legal norms are prescriptive the cognitive based norms functions more as guidance. Both reflect expectations. They tell us the best way to act in certain situations.

2.2. SoL as Compliment to Legal Science

Instead of trying to integrate SoL and legal dogmatic, SoL might fil the gaps legal dogmatic leaves behind due to epistemological shortcomings in explaining legal practice. It is a question of discovering the blind spots and consequences the legal dogmatic cause in society. There are a lot of potential research questions in relation to the legal system, which SoL can take on, empirical studies which over time can lay the foundation for SoL theories in relation to law. The terrain on the legal continent is open and to a large extent unresearched.

Law cannot be considered as an indivisible entity. There are different types of legal norms. These different legal areas have dissimilar backgrounds and adhere to separate principles. It is curious that this has not received more attention in legal scientific circles or within SoL. In this context, legal pluralism is of definite relevance. The penal and civil law systems adhere to a normative rationality model, which follows duty rules interpreted and implemented by the courts. One could say that civil law dominates in societies that are characterized by liberal market economies. Societies where constitutional law and administrative law dominate, generally have socialist legal systems. The importance of penal law in both cases varies. Societies that emphasize civil law could be presumed to have fewer, and more importantly, more humane aspects of penal law than societies that emphasize public law. Societies that practice a mixed economic system, such as the Scandinavian welfare states, have aspects of both civil and public law. In these societies, an increase in intervening rules take place, which can be seen as a sign of a society in transition (see more below).

Civil norms are primarily a question of providing norms for collaboration and game rules in relation to that. Criminal law does not tell us – as most people think - what to do but what not to do. It sets up borders for acceptable behavior. Civil and criminal law are reactive in the sense that they actualize ex post, when something has happened ([37] pp. 20-23). In their capacity as game rules, they should be as precise as possible. This is still more important in relation to criminal law setting up borders for what is permissible and what is not. They are built on prerequisites, which have to be present in order for the law to be applicable.

A classical approach to Civil law studies from a SoL perspective is represented by the American sociologist of law Stewart Macaulay, who wrote a classical article "Non-Contractual Relations in Business: A Preliminary Study" [43]. Macaulay represents one of the common law world's

leading scholars of the law of contract and of the law in action approach to the study of law. According to Macaulay ´s work, firms face two strategic decisions when engaging in a new purchase transaction: the decision whether to draft a detailed contract and the decision whether to select a partner with which they share a close tie.

SoL, in its connection to criminal law, is dominated by criminology, which is an academic discipline in itself. In general, criminology's interest in norms is restricted to norms that dictate what is or not allowed. However, this interest is mainly focused on the violators and not on the legal norms themselves. Broadly, criminology directs its inquiries along three lines: first, it investigates the nature of criminal law and its administration and conditions under which it develops; second, it analyzes the causation of crime and the personality of criminals; and third, it studies the control of crime and the rehabilitation of offenders, cf. [65] and references therein. Criminology is defined in different ways, but probably the most common definition was formulated by Edwin Sutherland et al. ([60] p. 3) in their very broad definition: "Criminology is the body of knowledge regarding crime and delinquency as a social phenomena. It includes within its scope the process of making laws, breaking laws, and reaction to the breaking of law." Thus, criminology in some respects lies very close to SoL by encompassing the activities of legislative bodies, law-enforcement agencies, judicial institutions, correctional institutions, private and public social agencies.

Administrative law contains provisions telling the actors what to do. These actors are professional civil servants with different specialities and not individual persons. Through administrative law, the political system conveys tasks to the executive about what should be carried out and instructions on how to go about it. In that way, administrative law is applied ex ante, in advance. Therefore, it cannot be exact in the same way as civil and criminal law. Instead of clear requisites, administrative law is goal oriented. It sets up aims and provides with certain means, which may be used for fulfilling the aim of the legislation. The normative content of administrative law manifests in the application of law and is determined by the profession dominating the administrative authorities. In this context I use the distinction of legal norms in terms of Who, How and What. In relation to administrative law, regulation of Who and How (the means) dominate ([36] ch. 1). For instance the medical personnel are in charge of operational decisions regarding medical treatment. The purpose of law is in these cases to provide with an organization - regions and hospitals - and an administrative body. The same goes for the administration of education, transports and to a certain extent, the police. The normative content determined by the specific profession, which is set up for handling the problem at hand. To analyze the role of law in these situations is an important task for SoL.

The mentioned legal categories are the ones lawyers use. However, there is a special kind of legislation, what I call intervening law [3, 30], which is a mix of civil, criminal and administrative law. It has private individuals and companies as addressees, however, controlled by administrative authorities. What could that be? It is regulation of labor, environment, consumers, and the like, in relation to protections of different kinds. Legislation dealing with negative external effects of certain activities in society, activities which tends to create problem if they released without control. Therefore, society has put restrictions on certain activities, such as exploitation of human beings (labor law), environment (environmental law and law about sustainable development), consumers (consumer legislation), individuals (discrimination law), etc. This kind of legislation is characterized by compromises between incompatible positions, you both want to eat the cake and keep it. This is the reason why it addresses individuals as well as public authorities. The last mentioned represent the common interest and have to control the implementation and if individuals or private companies do not adhere to the law, take actions. The public authorities are equipped with criminal law means to force those actors which do not comply with the decision of the authorities. From a societal point of view, you can say that it is an expression of the contradictions in society, which tend to emerge in the contemporary, overripe industrialized societies. It heralds the need for the reorganization of society.

Intervening regulation represents the transitional society and as such an important potential for SoL research. It provides examples, together with special administrative law – more about below – of areas on the legal continent, which to large extent can be seen as gaps and cracks on the map over the legal territory.

2.3. SoL Filling the Knowledge Gap Legal Dogmatic Leaves Behind

The legal dogmatic strain of legal science never asks the fundamental question: do the courts follow law and take decisions according to the law? It is taken for granted and an axiom for legal dogmatic which dominates legal science. The interest paid to court decisions in legal dogmatic is related to the Supreme Court and then in relation to precedents. Legal science is typically not concerned with decision-making at lower levels. Moreover, decisions made by administrative bodies, such as those related to general insurance, environmental regulations, construction permits, and social services, which have a greater impact on individuals than court judgments, are even less likely to be scrutinized. While only a small proportion of the population comes in contact with courts during their lifetime, they are dependent on the social service administration from the cradle to the grave. In the mentioned areas, decisions are primarily made without judicial examination, which is still more remarkable given that these public authorities are not lawyers and yet often make legally complex decisions. Furthermore, there is an important distinction between judges ´perspective on law – scientifically correspondent to legal dogmatic – and users ´ perspective,

which look for the practical use of law in society requiring a SoL perspective [31]. Anyhow, for different reasons there tends to arise gaps between formal law and how it is applied in practice.

This gap problem was first addressed by the American lawyer, Roscoe Pound in terms of law in books and law in action already in the beginning of the last century [53]. Roscoe Pound, was a prominent Jurist of the Sociological School of Jurisprudence which emerged in the 19th to 20th century as a protest to the positivist theory of law. The sociological school considers societal customs as well as the society itself as a source of law. This is, however, a line of thought which to a large extent has been dropped in SoL.

In his theory of Social engineering, Pound compared lawyers to engineers – he believed that law, just like any other scientific subject, is a body of knowledge and experience that is used by the 'social engineers' like lawyers and advocates to apply structure to the society. He equated law to engineering in the manner in which engineers use their knowledge to give structure to their finished products, the law can be used in the same way to give structure to the finished product of happiness in the society. Social engineering came out of a mode in the radical movement in the aftermath of 1968 [45].

The gap problem might be regarded as one of the most discussed problem in SoL ([46] ch.1). It is also something which distinguishes SoL from legal dogmatic. When SoL points out how law in action many times deviates from law in books, it is an implicit critique of legal science in terms of legal positivism, which legal science cannot cope with. Defining a specific event to fit within legal provisions is a fundamental challenge in the field of law, particularly in criminal cases where the burden of proof requires convincing evidence to establish guilt beyond a reasonable doubt. As a result, this issue has led to the development of a specialized legal branch known as procedural law, which focuses on principles of evidence and proof [15]. Legal psychology is a behavioral science intended to help to explain the gaps [27, 39]. There is always a potential gap in criminal cases between reality and law.

Another important factor is that SoL research implies there are other competing norms sometimes determining legal decision-making rather than the taken for granted, legal norms. SoL has therefore had a strained relationship – almost antagonistic - with legal science in terms of legal dogmatic. This contributes to SoL never being fully accepted at law faculties and missing from the ordinary syllabus. In Lund, SoL became a department of its own located at the social science faculty, which made the subject possible to develop without controversies with the law faculty. Nevertheless, SoL also has not gained a strong position as part of the subject of Sociology.

The subject of SoL has the scientific interest but is without resources to fill the gap. Time after time, legal science in terms of legal dogmatic departments are established. There is from a scientific point of view no sense in this. The explanation has no doubt to do with praxis field. The knowledge SoL provides in that perspective is not regarded as valuable, rather as a disturbing element that can overthrow the legitimacy of law and legal science. From a scientific point of view, it might be hard to claim that a court or public authority in its decision-making has set aside legal arguments in favour of other arguments. A blatant case is when Eugen Ehrlich describes how living law in the late 19th century in the outskirts of the Austria-Hungary empire deviates from the Law promulgated in Vienna, far away from Bukovina where Ehrlich served as a judge ([20] and [46] ch. 2 and ch. 15).

Law has the flexibility that a judge almost always can find legal support for a decision. When a legal decision is taken, it has to be legitimated in some kind of reasons for judgement. These are constructed in a logical way to lead to the final decision. Therefore, it looks like there is only one legal answer to the stated problem, while there actually are more possible outcomes. It is empirically hard to prove that the decision-maker has overridden law.

One scholar who from a legal point of view has examined the decisions of lower courts is Anna Christensen. She studied how the unemployment funds in Sweden handled the law according to the Compensation Act. Her findings provided strong evidence that the content of the law did not determine the content of the decisions ([13] p. 17). Christensen concluded that the application of law in those cases she had studied did not seem to follow from legal dogmatic arguments. The result was much too inconsistency in relation to the law. Another example pointing in the direction of distortion of law is made by the sociologist of law, Antoinette Hetzler [29]. She conducted an empirical investigation of admission under "the Act on the Preparation of Inpatient Psychiatric Care" at a number of major psychiatric hospitals in southern Sweden. Hetzler's conclusion was that it was not possible to find a pattern in decision-making based on the criteria set out in the Act. However, if one took into account the social background factors that characterized the inmates, one could see a trend in that the law was used as a last resort when no other solution could be found.

A pioneer study in relation to equality before the law is conducted by the famous Norwegian sociologist of law, Vilhelm Aubert, in the 1970s [3]. It is a systematic study in which he compared social status with punishment in all criminal cases in six district courts in the Eastland region of Norway in the 1950s. Aubert concludes that there are significant variations between judges and courts sentencing similar cases. What these studies of equality before the law highlight is that there are normative considerations other than those deriving from law that sometimes influence judicial decision-making, something that is beyond the reach of the legal-dogmatic paradigm and which consequently requires SoL. In a later study by Christian Diesen and his colleagues reveal various claims of breaches of equality before the law [17]. The conclusions of a study "Equality before the Law" based on thousands of actual judgments shed light on ongoing structural discrimination in the justice system in Sweden.

More recent example is Lena Svenaeus' study and analysis of violations of the equal pay principle in the Swedish labor market despite the prohibition of wage discrimination. There always seems to be something more important than implementing an equal pay reform, Svenaeus notes [63]. At the same time, Svenaeus points out welfare is failing due to misvalued and underpaid care work. Another similar type of study can be found in relation to studies of the application of migration law [42]). These studies follow a tradition of interest in equality before the law [40].

The sociological dimension of administrative law is a question of implementation and evaluation of fulfillment of the public tasks law provides to relevant authorities. This is an interest, which SoL shares with sociology, political science, public administration, and other disciplines. In the 1980s, at a time when a tremendous growth of administrative law took place, certain academic disciplines were created – like implementation research and evaluation research - geared towards these specific problems. Large parts of administrative law left out from the legal curriculum. It is only general administrative law - the one regulating the relation between the state and its authorities versus individuals and private companies - which taken into account in legal science. What labelled special administrative law, such as regulation of healthcare, education, transport, infrastructure, etc. is more or less neglected in legal science. The normative content of law in these cases determined by factors other than the law itself, such as expert professional knowledge in medicine in relation to health care legislation, in education with regard to educators, and with respect to technicians who decide about transport and infrastructure, etc. SoL has the ability to study analyze these cases.

Still more important is to study the application of intervening laws, such as environmental legislation, labour law issues, consumer protection, discrimination, etc. Their compromising nature makes them hard to predict and systematize. In order to understand the difference in relation to other types of legislation, a distinction of the legal addressee in terms of who, how and what has to be introduced ([36] ch.4.4). The "what" dimension has in administrative law changed from prerequisites to goals. Instead regulation is focused on the "who" dimension, regulating what public authorities are competent taking decisions in certain cases. When it comes to intervening laws, the normative content is lacking. The "what" dimension is diluted. It is replaced by norms pointing out what interests should be weighed against each other in a kind of negotiating process in order to shape the compromise. Gunter Teubner has labelled this kind of regulation reflexive law [64]. The characteristic of intervening law is that it points out which actors are affected and thereby eligible to take part in the negotiating process.

The establishment of SoL as a field was motivated in part by the recognition of the necessity for alternative approaches beyond legal doctrine for regulating and conducting implementation and evaluation research. This arose in response to the significant expansion of administrative and interventionist law from the 1970s onwards. Prime minister of Sweden, Olof Palme was the one who in 1972 took the decision to establish SoL as an academic subject and institution. Professor Per Stjernquist who was the one introducing SoL in Sweden focused in his research on the implementation of the laws in the Forest [59]. The interesting thing, however, is that the politicians do not ask for that kind of research and education. They seem not interested in research pointing out that the aims and goals of the legislation are not always fulfilled. Law thus has a potential symbolic function, which can occasionally be used to legitimate a façade. Both as an academic subject and as a practice, SoL never has gained support, either from the political system or in academia. In the last mentioned respect, the reason is that none of the surrounding sciences, the social and the legal, wanted to "let SoL in". For them SoL remains an isolated island.

3. SoL vs. Social Science

3.1. SoL Expands the Understanding of Norms by Exceeding Its Own Boundaries

SoL deals primarily with one normative order in society, the legal order. Norms built on expectations. It is important to note that the source of expectations is not only related to law or interactions among individuals and social control. In a modern society the understanding of norms has to be extended to cover also expectations which stem from the rationality of different systems. In these cases, sanctions are not upheld either by the State apparatus or by social control. The sanctions for norm violations are embedded in the norm itself ([36] ch.7.2.1).

There are other normative orders competing with law in society. Norms are not just something that belongs to normative systems such as religion and law. They also exist within the framework of cognitive systems. Norms can be derived from knowledge about how a system functions. It can be technical knowledge about how to build a house or a bridge. It can be economic knowledge about how the market looks in a certain respect, etc. which guides behavior. It can refer to scientific knowledge about gravity, thermodynamics, photosynthesis, or others.

Today expectations emanate from different systems man has created to meet human needs. The most prominent might be technical systems of different kinds, but there are also administrative/bureaucratic systems, educational systems not to mention the market as an economic system. These systems are elaborated on in different cognitive sciences. However, the normative implications of these systems are not dealt with in a systematic way. They are hidden in the cognitive sciences, which further more belongs to academic (cognitive) subjects, which are spread among different faculties. In order to catch the influence of these different normative systems on society

and on human behavior, Sol can play an important role in relation to social science. It requires, however, that SoL broaden its scope and become a Norm science not only dealing with law as a normative system.

Norms which have the status of legal rules are well known. They are articulated and published in legal acts and textbooks. However, when it comes to all these other norms, we have lesser knowledge. Technical norms are in certain contexts fairly well articulated and documented (Swedish Building standards). They relate to a strong practical interest and are therefore transmitted in written texts. Social and economic norms are harder to catch ([36] ch. 3.2.). These two kinds of norms are characterized by being taken for granted. They are integrated as part of the game, so to say, and therefore are seldom articulated specifically. They have the character more of guiding principles than norms/rules. It is a huge task to map out the content of dominant norms in relation to different sectors of the economy and in social relations. This mission requires a further development of existing theory and methods within social science.

In relation to the understanding of society out of the norm perspective, it is also urgent to underline the existence of norm conflicts. The empirical outcome of these norm conflicts gives us a picture of the contemporary society and its characteristics. The systemic norms tend to dominate over the social and moral norms. Very much of what is going on in present society is steered by the logic of the existing system. The space to make moral arguments or social claims in relation to production and distribution of goods and services has been insignificant. Nevertheless, it is a condition to strengthen these types of norms in order to develop society. However, this will not take place unless knowledge arises about the construction of norms and the existence of norm conflicts.

Without having here the possibility to elaborate on the theoretical derivation of the concept of norms the following essential attributes constitute the norm concept. The ontological attributes of the norm concept are: (a) behavioral instructions (imperatives, in accordance with Kelsen), (b) norms being socially reproduced and (c) expression of the individual's understanding of surrounding expectations regarding their own behavior (derived from Durkheim 2014). In addition to the essential attributes, there are accidental attributes. They consists of (d) the presence of sanctions, (e) the origin of the norm, (f) the context or arena in which the norm is socially reproduced, (g) the orientation of the norm, i.e. whether it is system-oriented or value-oriented, (h) the internal function of the norm, (i) the addressee of the norm. While the essential attributes are common for all type of norms, the accidental attributes helps us to make distinctions between different types of norms.

What serves as the normative core in these contexts is the rationality around which each system is built. Rationality ultimately determined by the success criteria for the system. What distinguishes the economic system from the social system is that the norms follow from a rationality embedded in the system itself. Social systems are built on norms that are created when two or more individuals interact with each other for one reason or another, arbitrarily. Norms are created by the individuals and become dependent on the values and aspirations (the Will) of the actors involved in the particular case. In the economic system, norms are given by the fundamental principle that characterizes the system. The economic system is purpose-driven by design. It provides itself the value premises for the actions of the actors. The market economy contains the motives and incentives for the actors' actions.

To chisel out the content of these different systemic norms is a potential task for SoL in order to complement social science.

One must distinguish between the norm as an actual phenomenon and the norm employed as an analytical instrument. In both cases it helps us to explain behavior. As an actual phenomenon, norms appear in constructed norm systems, primarily legal systems and religious systems of different kinds. These systems are constructed top down. In these cases norms will be used as an independent variable. With help of norms as an instrument of analysis, human motives for collective action can be captured. Here the circle of motives – see below - makes it possible to reconstruct either the conditions of the particular act(s) being studied, or the components that comprise generally accepted norms, including legal rules. Thereby the concept of norms and the empirical study of norms help us to understand causalities that underlie human actions on a collective level. This is otherwise only possible in the context of micro-oriented, social psychology studies of people's behavior in different situations. However, this does not tell us much about the motives that underlie people's actions at a meso or macro level. Norms, however, do. By expanding the understanding of norms to include other than legal and social norms, SoL contributes by complementing legal science and expanding social science.

3.2. Epistemological Implications

3.2.1. Looking for Patterns

The definition of the norm concept is one thing, finding norms is something else. Norms are abstract. They can only be detected in an indirect way. The research process starts with pattern finding, i.e. the first step is to find and identify patterns or regularities in society. To make some well-known example, a pattern might be a queue, people form a pattern of meandering, a traffic rule such as driving on the right side of the road, people following a certain dress code or woman wearing hijab or burqa, homonormativity, etc. However, the pattern does not have to be manifest like the given examples. The pattern might not be visible, such as marriages. Still marriages represent a pattern in society. It is harder to get hold of even if marriage might be signaled through ring(s) on a finger. Homonormativity is something display in certain behavior

against homosexuals.

Patterns also occur in professional contexts. Many of these are prescribed in regulations based on law, by laws or in professional codes of conducts. Still more pregnant are behavior following technical arrangements, not least by using AI. When these are applied the outcome in terms of actions and behavior exhibits certain patterns. Another factor that gives rise to pattern behavior is the market. Much of consumer behavior relates to what can be called market pressure. Visiting a shopping mall, it is obvious for everyone. What society provides in terms of infrastructure and means for transportation necessarily determines people's behavior. As a consequence people travel by their own cars to their workplace or using collective means of transportation such as busses, metro, etc., leaving behind certain patterns of behavior. These patterns might be weakened in situations, such as during the COVID pandemic when people had to work from home. The more modern a society becomes, the more of systems with inbuilt norms are created, determining people ´s behavior.

When a certain pattern spotted – as a second step - the key to find the underlying norm is to understand the reason why the pattern arises. It might, as in the case of the queue, be a tool for distribution of services, goods and similar. The norm tells you in what order the performance should take place. The same goes in a way for the market mechanism. Here we can talk about norms for distribution of services. When it comes to dress codes, the norms might be related to religion as in the case of hijab or burqa or to socio-economic norms emanating from the market about how to dress according to the latest fashion. The same might be due to many other behavioral norms like haircut, music styles, etc. The social pattern behind marriage has a close explanation in norms related to love, but can also be due to practical reasons in terms of family building, economic distribution between the spouses, inheritance and other aspects regulated in family law. Homonormativity based on the idea that people solely are heterosexual and that gender and sex are natural binaries. As such, it relates to prejudices, which in turn has to be explained.

In professional contexts, patterns became visible in relation to norms about the secondary socialization, what you learn in education for a certain job or simply successively on the job. It is a question of norms both related to the performance of the assigned tasks and bureaucratic norms determining decision-making. Technology leaves tracks of specific behavioral norms depending on development. The computer changed the workplace and way of communication, not to mention the mobile telephone and AI. A lot of behavior today would not take place 20 years back. They are explained by technical changes. Chamorro-Premuzic talks about humans in the AI age [12] and raise the question: what happens when mankind automate most impactful and superior cognitive capacity—thinking—and we do not think for ourselves? Focus is only on what algorithms and artificial intelligence want us to focus on. Tracing results from personalized searches, a website algorithm selectively guesses what information a user would like to have and encapsulates the user in a filter bubble [10]. As a result, users become separate from information that does not match their preferences or viewpoints, effectively isolating them in cultural and ideological bubbles [50]. The behavior impact and consequences AI has on us is huge, according to Chamorro-Premuzic.

Behind the pattern of infrastructure and transportation lies norms for practical reasons. Norms manifest themselves for instance when people referred to the same means of transportation, or are using the same kind of technical device. COVID-19 as a pandemic is an example of how even a biotic and abiotic system might have consequences for society and human behavior. COVID-19 has extensive implications for the society ´s need to introduce norms regarding the individuals ´behavior in order to minimize infection in the population.

The third step of the research process, is to search for the answer to the why question, why do the norms look like they do. What are the motives behind the norm or explained in another way, what motives does the norm carry. This can give us a deeper understanding of societal processes than a research built on spotting casual relations between certain variables, which makes SoL developing social science.

A reasonable assumption is that the queue norm might be about effectivity. The queue is the most rational way to distribute something as smooth as possible. It is a way of avoiding chaos. It can also be a question of justice lying behind the queue norm. The distribution of a service, goods or whatever takes place in the order people make claims. No one is favored before another. The norm behind the dress code in the mentioned examples explain by the religious norm system. The secular dress codes and followers of the latest fashion explain by social (group) pressure and by an aspiration to be like everyone else and not deviate from the group norm. This may also be a factor that explains why the hijab and burqa religious dress codes are as strong as they are. In some countries, deviations from these dress codes is punishable, which further leads to conformity. Homonormativity can be an expression of fear of what some people find alien and simply abnormal. In many cases, the norm may have more than one underlying explanation.

In relation to infrastructure, transportation and construction processes, the technology is the explanatory factor. This is in its turn related to cognitive systems of different kinds depending on what area addressed. Technical norms follow the latest within relevant areas, like construction of houses, of cars, roads and bridges and so on. These norms have their origins within different academic disciplines where they can be identified. Looking for them in practice is harder due to the possible mix with other norm systems, such as the economic, bureaucratic and/or the social system.

SoL as Norm science helps us map out what is operating in the specific case.

3.2.2. The Circle of Motives

The study of norm systems within SoL contributes to un-

derstanding aspects of human behavior and societal development which otherwise falls between the cracks. Norm science asserts that the underlying motives are the driving force behind human behavior.

Norms are many times multi-facetted. It is helpful or valid to understand norms as the expression of one ś will, something one wants to achieve. However, norms consist of three dimensions: (1) Will and values, (2) Knowledge and cognition and (3) Systems and possibilities [36]. See the following figure:

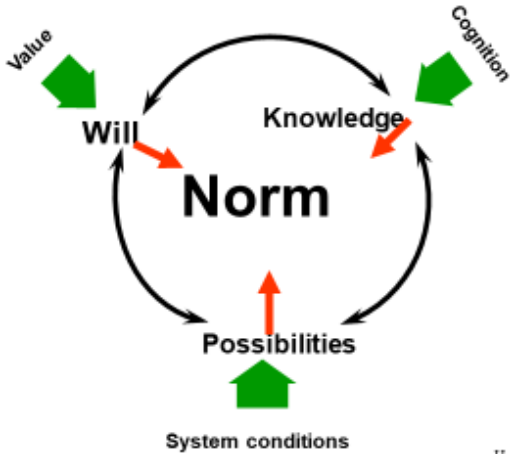

Figure 2. *Circle of motives.*

Social norms are typically initiated by human will or values, which require knowledge for implementation, including cognitive references to the norm's addressees. The outcome of a norm application is finally dependent on the possibilities of carrying out what the norm prescribes. The limits of these possibilities are set by systems that humans have created for various purposes.

There are different underlying conditions for each of these categories: (W) Will, (K) Knowledge and (SP) System Possibilities. See the figure:

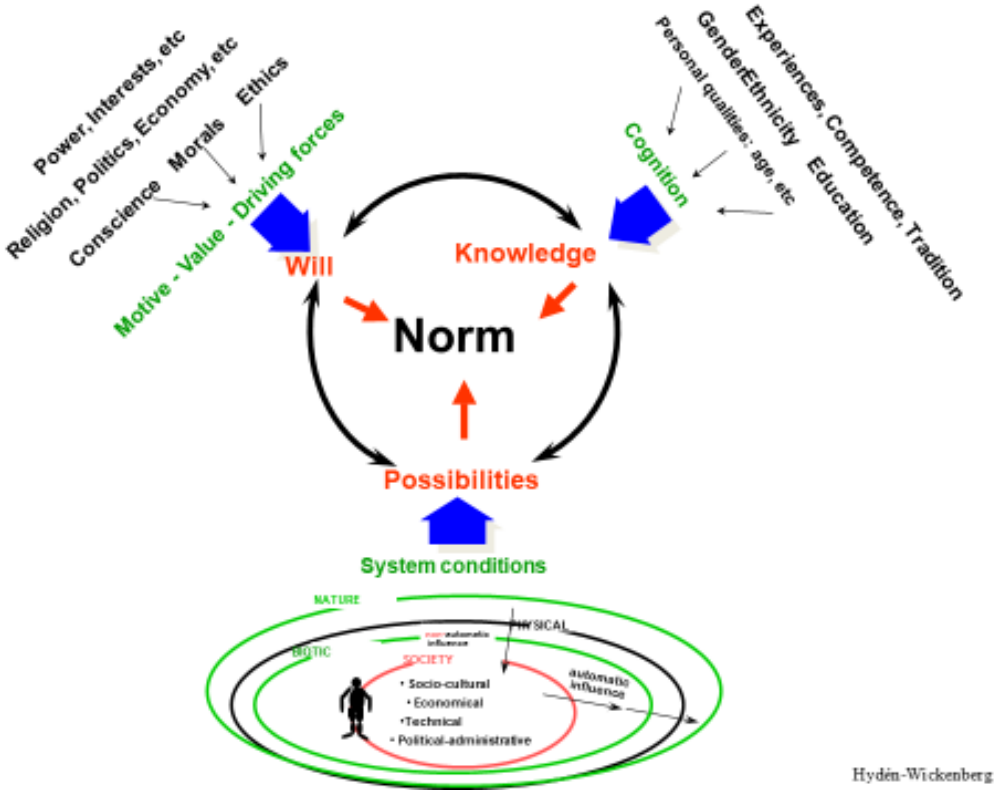

Figure 3. *Circle of motives extended.*

Will relates to the values that the individual encompasses and the underlying driving forces, i.e. the motives behind human action. In turn, these forces can be traced back to various motivational systems, from man's conscience to morals and ethics, and external influences such as religion, politics and other ideologies. Economic considerations linked to selfish motives, as well as acting on the basis of solidarity with other people, are other examples of possible motivational drivers. What is deciding in the particular case is an empirical question. This circle of motives is content, so to speak, with pointing out what kind of analysis is relevant for understanding human behaviour from a norm perspective.

However, this is not enough. When it comes to the second component, knowledge, cognition is key [62]. Knowledge depends on how we see and perceive the world. Here, differences between gender, ethnicity, education and power apply, but also what social position or vantage point you have when expressing yourself. Women's studies have shown that knowledge characterizes by gender [70]. In the area of international migration and ethnic relations, so- called IMER research, have learned just how dependent on ethnic and cultural belonging our views on knowledge are [49]. Knowledge implies a good deal more than mere so-called book learning. It involves both communicative and social skills as a form of "tacit knowledge" [14, 54].

In this context, there is also reason to emphasize an old truth that knowledge is not evenly distributed among the population, but is related to economic and social status, which in turn lays the foundation for power inequalities. All of this has an impact on the creation of norms in society. However, in answer to the question of what knowledge is, it is perhaps even more important to emphasize that there is a fundamental difference between a lifeworld perspective and a systems perspective. Jacques Ellul makes in his classical book on The Technological Society a distinction between artificial and natural based knowledge [21]. The artificial knowledge emanates from the abstract constructed systems while the natural knowledge has its roots in the lifeworld understanding among individuals. Ellul ś point is that the artificial knowledge dominates the modern society and has more and more contra-productive consequences as changes of society are imminent.

Norms have to do with both the values and understanding of knowledge of primary socialization and the professional skills of secondary socialization. Cognition can be related to the language and cultural as well as the professional level. The influences for knowledge development can come from both W (the will component of the norm) and SP (systems and possibilities). Thus, the norm may be described using the combination of initials: N = W, K, SP or N = SP, W, K. The norm can be based on the will as well as in systems and possibilities. In the former case, primary socialization's cultural perceptions have an impact on cognition, while in the latter case it is the system-bound, professionally developed knowledge that determines cognition and the knowledge component. This means that the arrow in the figure in the first case points from W to K and in the second case from SP to K. Even knowledge might be the initial dimension of norms to establish. That for instance is the case in relation to AI. The technological development give rise to norms [33]. Various sciences have been developed to support system-based forms of knowledge, which have gradually become more specialized. For instance, algorithms, seen as norms, within the area of artificial intelligence are based on new knowledge – digital technology – that creates new systemic conditions that in turn govern our preferences.

Different methods are called for in relation to the analysis of existing norms compared to the creation of new norms. The process discussed above containing three research steps is meant for the analysis of prevailing norms. With the ambition to look for new desirable norms, we have to make the analysis in the reversed order, i.e. start up with how the new desirable piece of society –for instance Smart Cities and Communities, gender equality, climate change - look like in different respects. Thereafter analyze and try to understand what that means in relation to the different dimensions the new norms need. Finally, a new pattern has to be designed needed for the alternative situation we are going for (Borchers 2001, Koulu et al 2021, Arianna Rossi1 et al 2019).

3.2.3. Methodological Implications

The circle of motives contains elements of actor theory as well as system theory. The voluntary Will component is articulated and asserted by individuals and groups.

Knowledge is also linked to the actor, but is developed by learning methods. In this respect, the circle of motives is an actor-oriented theory of action. When observing systemic conditions, a switch to system theory is needed. The systems are constructed differently, and therefore they have different structures. Thus, when applying the circle of motives to specific cases, there is a need to consider all these aspects, regardless of the fact that the importance of different factors varies with the type of problem and action studied. In this way, SoL as Norm science becomes multi-disciplinary via a broadened perspective. It will make Social science more adequate and holistic instead of being restricted by its different disciplinary boundaries.

SoL broadens the scope of social science by make it possible to integrate actors and systemic factors in explanation of societal human behavior.

The basic starting point for science based on the circle of motives lies in the question: What determines actions? This question endows the circle of motives with an action-theoretical content, developed from an actor's perspective in relation to relevant values, knowledge and learning processes. Additionally, a second, overarching question needs to be asked: What causes the emergence of a norm in individual cases? This question means that the circle of motives

shifts to system theory and discussions about structures. The synthesis consists of the interaction between value, knowledge and opportunities in individual cases, where the long-term systemic conditions can provide premises for the individual and contribute to shaping short-term motivations for action. The systems provide the basis for individuals' actions and the design of society. Systems can be regarded as the virtual playing field. In this way, SoL as Norm science breaks the old boundaries between system and action theories. Both contribute to the understanding of most problems social science deals with.

In this sense, the norm-scientific perspective is interdisciplinary. See the following figure:

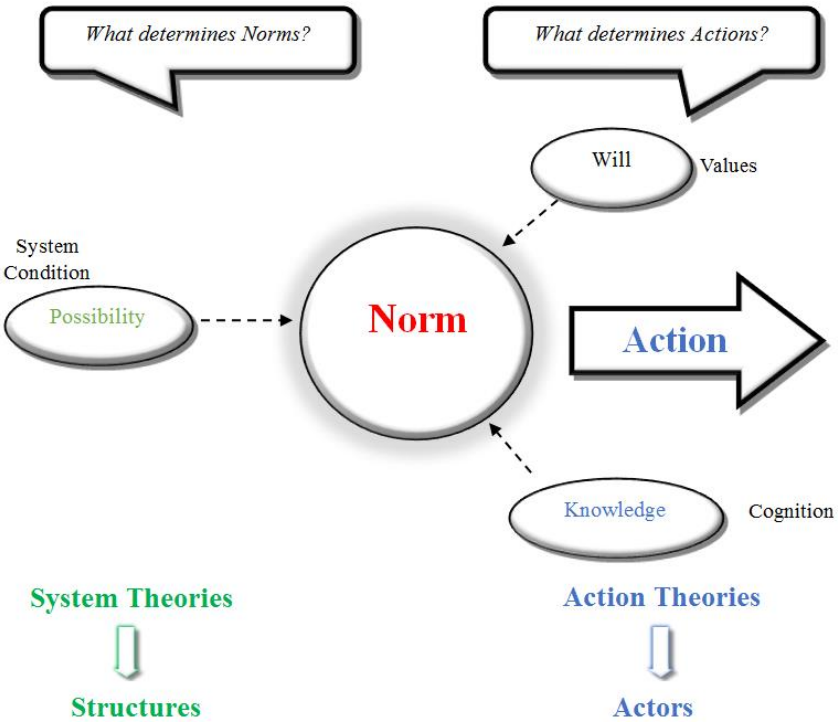

Figure 4. *Norm science as interdisciplinarity.*

3.3. Societal Development and Changes in Norms

Norms are typically taken for granted. They help us act without the need to reflect. Norms guide us, often without us even being aware of them. Norms are embedded in the organization of a company or public authority. They also reflect in what can be called tradition, which even have the power to form organizations, such as the family. Norms are the carriers of information over generations on how to act in different situations. One can therefore also see norms as having the function of reducing complexity [41]. However, when society or an organization undergoes change, or the individual wants to change his or her behavior, it becomes important to be aware of the norms ´guiding behavior. In these situations, norms rise to the surface and have to be reflected on.

Another basic assumption of the normative scientific research approach is that the development of society is cyclical, and this applies to norms as well. Thus, there is a close connection between the stage and formation of a society and norms. They are following the societal development. There is a large corpus of literature based on the understanding of history as cycles. Society, like any other system, begins, expands, stabilizes and decays before finally withering away to be replaced by another societal model [7]. This cyclical way of looking at societal development occurs in many disciplines. Some of the most influential works on this are attributed to [68] and his theory about world systems. The so-called Annales school used similar ideas of recurrent events. Among other things, they use the concept of "the history of mentalities". By mentality, they meant ideas, which were not necessarily conscious ones. They are shared within a collective, and they change slowly. The concept of zeitgeist catches the phenomenon. Perhaps the most prominent member of the Annales school, Ferdinand Braudel, divided historical time into different rhythms, la longue durée [11]. Ewerman has described and analyzed societal development in terms of S-curves [24]. See the following figure for a development during the last three centuries:

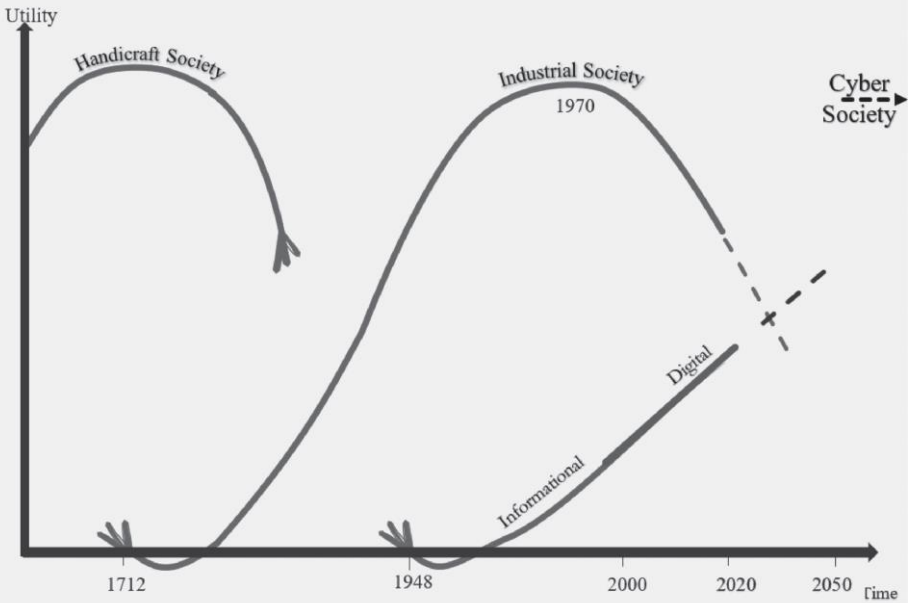

Figure 5. *Societal development as S-curves.*

Expressed in terms of S curves, the driving forces can be explained using marginal benefit curves, since the marginal benefit of yet another process of disassembly is exceeded by the marginal benefit of assembling the disassembled parts into new commercial services and products ([56] p. 128). At this point in time, society shifts its focus from disassembling to assembling. Then, functional differentiation are replaced by functional coordination ([8] p. 74). We face the challenge of capitalizing on, that is, to put to re-use, that which has been dismantled. This is accomplished by various actors. Assemblers and disassemblers are dependent on each other. The components discovered during the atomization process are used by the next generation ś assemblers. This new scientific approach requires that scientists are working together among themselves and together with relevant practitioners in some form of problem-solving or action groups. It goes beyond the interdisciplinary/disciplinary distinction by including practice as a source of knowledge.

The actors that dismantle consist of administrators and profiters with the sole goal of atomising (people that focus on details), while those who assemble are inventors, entrepreneurs and innovators (people with a holistic view) ([22] p. 478) However, for a period they coexist in a struggle for hegemony. When the economic pie of society no longer suffices to meet demand, more space must be given to innovators. In time, this will lead to a new phase of growth. Jean Gimpel talks about psychological drive and technological evolution [24]. He divides the stages of development into an era of growth, an era of maturity and an aging era. In the first two eras, the psychological element precedes the technical development. In the last overripe era, the opposite is true, something which causes a shift in norms.

The mentioned conditions also have an effect on the sciences. A stalemate between reductionism and holism, between quantitative and qualitative methods, between knowledge and faith, etc. occur. [2]. Reductionism stands for detail, division, specialization and atomization. This line of thought means that in a static society there is a focus on the link between effect and problem, which is seen as the actual object of study, while when searching for solutions in a dynamic society, there is a focus on the cause. We are faced with the need for a transition from disjunctive, reductionist scientific disciplines to an assembling, holistic science, which can lay the foundation of a new societal curve. The Norm science is a scientific approach invented for this purpose.

The societal shifts during the development of a societal cycle also cause changes in norms, not least noticeable in law. The legal system consists of many bipolar continuums. The poles are constituted by different, opposing values, such as the distinction between substantive justice at the top of the vertical continuum and formal, procedural justice at the bottom that occur in the initial stage of an emerging society.

The development from one societal system to another shows itself in a progression from collective to individual orientation, which is legally equivalent to a shift in focus from political-legal governance to privatized, self-regulation, which in turn increases the significance of contract as a legal instrument. If applying the reasoning on legal changes in the form of movements between binary poles within the normative field, we would find ourselves in an era moving towards a new stage of increased repressive elements. This is a respond to perceived ideological transgressions because the dissolution of the centralized legal regime has resulted in a proliferation of identity politics [8, 9] and the commoditization of grievances. In this situation, the interest of the victim increases. Here are clear parallels to what Durkheim refers to in terms of mechanical solidarity. The societal context, which today gives rise to repression, differs completely from the

context, which was valid in the times Durkheim discusses. However, the repressive norm mentality and the legal form is the same. This is an example of what SoL as Norm science contributes to the social science understanding of contemporary society.

Without having the possibility here to derive different bipolar relations the following figure give us a picture of how the contemporary normative situation looks ([34] p. 249):

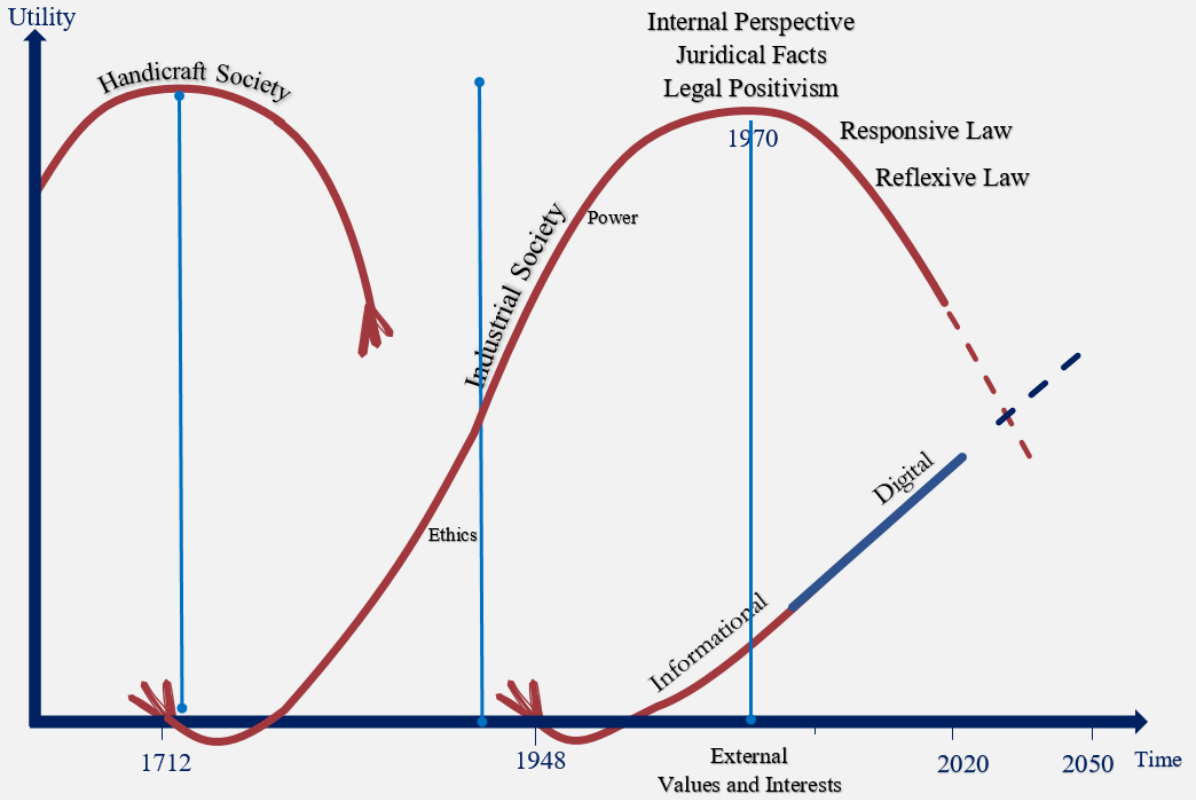

Figure 6. *The development of bipolar values over time.*

3.4. Norm Science Broaden the Playing Field by Interdisciplinarity

Norm science has a valuable interdisciplinary potential. It responds to the present need for inter- or multidisciplinary perspectives by being synergetic. Over the past hundred years or so, society has been dominated by specialization and functional differentiation ([24] p. 406). The process is the same in chemistry, biology and physics. With the help of computers, the borders of both the macro- and micro-cosmos have been rolled back. This extreme "deconstruction" gives rise to the need for a new reconstruction or synthesis. This tendency has also impacted on the human and the social sciences, which, although they have retained the individual (from the Latin individum, meaning indivisible) as the lowest common denominator, still possess specializations in a number of sub-disciplines focusing on various aspects of human action. A watertight division exists between the social and natural sciences when studying, for instance, the environment. Both sides take their own or each other's knowledge for granted ([31] pp. 26-20). This makes contributions from science in general hard to get in relation to a concept like sustainable development. Norms, as an analytical tool, can offer a possibility here, particularly as norms consist of both cognitive and value, or moral, elements.

A transition from a deconstructing, reductionist science to a constructive, holistic science is needed. Such a science demands two things. The first is that it takes up problems that originally are not scientifically defined, and therefore do not fall under the (reductionist) theoretical framework of one or more established scientific traditions. The future is theory-less, as Ewerman expresses it ([23] pp. 21-24). The future must first be invented before we can apply theoretical explanations to it. The requirement is that, since one is dealing with problems with points of departure in the experiences of many different scientific disciplines, these must be brought together to give comprehensive answers. Constructors and de-constructors are dependent upon each other. The components that are found after deconstruction are used by the next generation of constructors. The science of norms thus requires that one is working in the way taskforces do.

4. Forward Looking Conclusion

What we can do is to try to establish a scientific perspective with as many points of contact with other disciplines as possible, and thereby interact with and draw from the knowledge produced during the period of deconstruction. Thus, it is time for new disciplines to see the light of day. These disciplines should have a holistic perspective. Today it is more important to bring together existing knowledge to form new pictures of the world than to create new knowledge with existing theories and methods.

Abbreviations

K	Knowledge
N	Norm
SoL	Sociology of Law
SP	System Possibilities
vs.	Against
W	Will

Conflicts of Interest

There author declares no conflict of interest.

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