

## EVOLUTIONARY FORMS OF LAW AND SOCIAL SYSTEMS

Pasquale Luigi DI VIGGIANO\*

**ABSTRACT:** *Modern law is a social system, functionally differentiated as a result of a social evolution, which is embedded in its processes of variation, selection and stabilization, and generated through mechanisms enabled by law itself. Modern positive law, therefore, is based on a decision, and has value by virtue of a decision (that is contingent and changeable). The acquisitions of the social systems theory of Luhmann describe how the stabilization of normative expectations, that is to say the stabilization of uncertainty, establishes the mechanism of production of modern law.*

**KEYWORDS:** *Expectations, Evolution of the Law, Luhmann, Social Systems, Sociology of Law, Social Theory.*

**JEL CLASSIFICATION:** *K00, K10.*