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## POLITICAL SYSTEM AS A PHENOMENON OF CONTEMPORARY SOCIETY

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### SUMMARY

The political system is the result of conscious political activity of citizens and it is embodied in various institutions that are endowed either only with purely political activities (political parties and social movements), or with static and political activities (Parliament, Head of State, Government and the State itself "institution of institutions").

**Keywords:** general theory; political science; constitutional law; political system; subsystem; state human activity decisions; authority; institutions; citizen; relationships; whole; procedures electoral democracy; sovereignty; nation; parliament; government; state power; constitutional system; the Constitution; form of government; party; rule of law; political organization; property; development; statehood; integrity constraint; regulatory characteristics; structure; legislative; executive; judiciary; media; opposition; self; completeness; principles; full; investment; electoral body; superstructure; NGOs; control; right to vote.

### REZUMAT

Sistemul politic este un rezultat al activității politice conștiente a cetățenilor și este încorporat în instituții cu activități doar pur politice (partide politice și mișcări sociale) sau cu activități statice politice (parlament, șeful Statului, guvern și Statul în sine ca „instituția instituțiilor”).

**Cuvinte-cheie:** teorie generală, știința politică, lege constituțională, sistem politic, subsistem, autoritate, instituție, procedură electorală democratică, suveranitate, putere de stat, sistem constituțional, partid, organizație politică, media, opoziție, principiu, superstructură, ONG, control.

### ANNOTATION

**Topicality.** The scientific and technical progress has encompassed all areas of life and contemporary thinking, formulating and transforming various theories into practice. Today the world is studied from various scientific perspectives, including systems of various types, such as social and political viewpoint.

Currently, the study of the "political system" is of great necessity, at least for the following reasons. Firstly, contemporary human society is characterized by citizens' increased political activity with direct participation, on the basis of universal suffrage, formation of representative bodies of state power and exercising control over their activity. In other words, through their conscious activity, citizens either directly form

political institutions, elements of the political system (political parties, Parliament), or they do it through their representatives, and thus contribute to the formation of other political institutions (Government, Head of State).

Secondly, it is necessary to identify political institutions as an element of the political system, as well as their place and role in the system. And once the political system is structured, it is necessary to determine scientifically its general properties and features. Thirdly, the study of the "political system" in domestic doctrine is only at its beginning, whereas the scientific study of the "political system" will contribute to the effective control of its functionality.

**Research methods:** analysis and synthesis of theoretical concepts, logical and formal investi-



gation, correlation of concepts and categories, application of the logic square laws, the historical method – development of theories regarding the category of “political system”, comparison – both between social and political sciences, and between the latter and the legal doctrine.

**Sources used.** The paper is the result of analyzing the research in the field of social, political and legal science, by the following authors:

- a) Local: I. Guceac, N.M. Ivanov, Juc V., V. Josanu, I. Rusandu.
- b) Romanian: Delanu I., Drăganu T., Ionescu C., Tomas S., Voiculescu M., Dagh V., Apostu I., Ceterchi I.
- c) American: Easter D., Dahil Robert, Abrarian G.
- d) Russian: Marcenko M. N. and others.

Overall, twenty-one doctrinal sources and two normative acts were studied.

### **I. Theoretical Concepts Regarding the Definition of the Notion of “Political System”**

The middle of the twentieth century is characterized by the scientific-technical revolution that virtually swept all spheres of social and economic life, and all branches of science, including cybernetics. Among other innovations, cybernetics gave rise to the “general systems theory”, which, in turn, gradually encompassed a whole range of sciences, including political science and, a little later, constitutional law as fundamental legal science.

It is under the influence of general systems theory that the American political scientist David Easter for the first time used the term ‘political system’ in his work “The Political System” written in 1953.

Starting from the superlative of “ensuring intrinsic unity necessary to political sciences”, the political scientist proposed the concept ‘po-

litical system’ as means to achieve the goal that was set [14, p. 83].

The concept was developed by its author, as indicated by local political scientists [19, p. 77], in order to avoid ambiguity in the concept of state [15].

As indicated by V.Ivanov, the phrase “political system” includes two categories, and namely: The “system” that has a general scientific character, and “politics” – a general sociological category [18, p. 246].

According to the author’s opinion, the “system” is an integral structure, an organic whole that consists of elements (components) forming a fixed unit, and not just a conglomerate of indefinite elements. This unit is ensured by the presence of homogeneous, complex links between elements, which, in case of changing a component, entail change of one or more other components.

Such links ensure the integrity of the environment and are a specific form of interaction in which changes of components take place while maintaining the integrity of the system and each component with its methods is involved in social performance. However, they convey the system new qualities that are irreducible to its components [18, p. 246-247].

But the author does not reveal the category of the “political”. But political scientist M.Voiculescu presents both components. So, by “system” he means “a set of elements and relationships of interaction, rules that constitute the structure of these assemblies or sets” [23, p. 181].

Whereas politics is “human activity concerns the making and implementation of decisions invested with the authority of society, for these decisions are made (...) politics implies an activity or process” [23, p. 26-27]. In conclu-

sion, the political scientist notes that “the political system implies the existence of structures or modeled links” [23, p. 27].

Another opinion originating in Romanian political doctrine says that “the political system comprises institutions and processes that enable the citizens of a state to apply and modify public policies” [22, p. 226].

Both American political doctrine and the Western European one are not unanimous regarding the definition of “political system”.

For instance, the American political scientist Robert A. Dahil thinks that a “political system” is a stable model of human realities which includes power, authority, or rule of conduct [11, p. 6]. Another opinion underlines that the “political system” represents “all the bodies that make political decisions, general compulsory norms, standards of conduct, the breach of which entails the repressive power of the state” [1].

The European political science considers that a political system forms the totality of decision-making processes regarding the entire global society [20, p. 34]. Yet another opinion about the “political system” is defined as an “ensemble of political structures established through expressing democratic electoral processes and, periodically, of the sovereign will of the nation, targeting exercise of governance” [6, p. 35].

The “Political System” is also a subject of indigenous political science that identifies political system with “governmental institutions and their activities” [19, p. 7]. Developing on the subject, the authors note that the term “political system” is used in its both narrow and wider sense. In the narrow sense the “political system” presents a “totality of interactions be-



tween governmental institutions”. Whereas taken broadly, the “political system” is “all the elements of political life which interact with each other and other systems that make up the society, their work being the result of global decision making” [19, p. 7].

In our view, we believe that the first definition is too narrow, because it leaves out the notion of political parties that are not part of government institutions. The second definition is too broad, since it includes “other systems”.

Another issue raised by the authors is “to determine differences between the political system and other systems” [19, p. 7]. Scientists say that “political system” is specifically customized for “specific” outputs “; the political system transforms the needs, wishes, and aspirations of people in decisions that become global in character, they target the community at large, having a binding character for all its members”.

As far as our own opinion is concerned, the “political system” can not, all by itself, “transform” the needs, wishes, and aspirations of people into general binding decisions. This function is left only to certain institutions, which are political system elements, such as the Parliament and the Government.

The legal doctrine, both Romanian and native, also studies the “political system”. Thus, for example J. Ceterchi and M. Luburică think that the political system is “a set of bodies and social organizations, which, in some form or another, participate in the management of power and society” [7, p. 280]. The essential element in this definition is the fact of “participation” in order to achieve power and governance of society. Although, in our opinion, society is guided namely by certain state bodies.

In another opinion the political

system is interpreted as the “political organization of society” as “all the institutions, relationships, methods and measures by which the political leadership of society is ensured” [10, p. 70].

Moreover, the Romanian legal doctrine attempted an innovation in this area, and namely it introduced into the legal circulation the concept of “constitutional system”. So, for example Cristian Ionescu claims that a “constitutional system” strictly speaking means “coherent and harmonious whole structured political institutions and legal norms which objectifies governance mechanisms mentioned in the Constitution, by means of which the management process of the state is achieved”. In this context the author specifies and emphasizes that “this definition is given exclusively from an institutional perspective” [17, p. 374].

Moreover, analyzing the practice of different countries, the author exclusively employs the term “political system” [ibidem, p. 396-463] without defining this phrase.

This means, in our view, that the phrase “constitutional system” does not fully relate to the concept of “general systems theory”.

The domestic legal doctrine also examines the concept of “political system”. For example, Ion Guceac uses the phrase “political system” aiming to prove that “the political system, with the organizational and functional social phenomenon is regulated by rules of constitutional law” [16, p. 136]. The use of the term “political system” in political and legal language is dictated by the following:

- ”governance of society is carried out through a system of a combination of bodies and structures, at the core of which is the State;

- the State never was the only holder of public power, em-

powered to ensure society governance;

- state activity oriented toward society management has always been full of various activities of social bodies, which together form the state political system of society” [16, p. 136].

The author also notes that the terms “political system” and “political regime” are not synonymous, because “political system” indicates the way of organizing and exercise of political power by state authorities in accordance with a set of values and ideas, programs of political parties, whereas “political regime” highlights methods of exercise of power used by public institutions of the state” [ibidem, p. 137].

At his turn V.M. Ivanov believes that “political system” is “all state organizations, public, work and other groups of citizens working in the Constitution, which provides exercise by the people of the Republic of Moldova of the tasks aimed at building a society with democratic rule of law” [18, p. 247].

In another vision the “political system” is seen as “a mechanism of integrating policy and independence of the people that ensures management of society and regulation of social activity” [4, p. 75].

Russia political scientists regard political system as a “universal system of state management of organized society, the components of which are linked by political relations” [21, p. 488]. This postulate is generally followed by defining the political system as “all state organizations, public and and of other types, interrelated and designed to develop independence and political activity of people in the process of its exercise of political power” [ibidem, p. 492].

Russian sources employ the phrase “political organization of society” which implies “all state



and public institutions, which constitute the institutional and organizational structure of political life" [ibidem, p. 491]. The fact that "political system" is broader than "political organization of society" is also to be noted.

Rightly, the main feature of social systems and thus, of the political system, "is that they are related to conscientious, volitional activity of people, their various associations and organizations" [4, p.75]. Or, in short, "people form the political system" [21, p. 490]. Indeed, "along centuries of history, being considered an subject of history, currently, in a democratic, pluralist society, the man becomes its true subject" [23, p. 41].

Summarizing the ideas expressed above, we believe that the *political system is the result of human activity and represents the organized political and state bodies hierarchically structured and operating in accordance with constitutional provisions to ensure the common good of the sovereign people.*

## II. Identifying Characteristic Properties of the "Political System"

If experts in the field have not reached a unanimously accepted definition of the phrase "political system", then the "general theory of systems" has identified with certainty a complete set of characteristic properties of all systems, including specific manifestations in related areas.

Experts have exposed their opinions on the subject. For example, I. Guceac, among the main features of the political system anthology lists and analyzes the following aspects:

1) *The political system is a subsystem of the social system yet "the political system is both subject and object of management."*

2) *The political system, like*

*any system, is an integral unit.*

3) *The political system is a unified organizational structure.*

4) *The political system is structured on several levels of organization.*

5) *The political system is in a state of constant evolution.*

6) *The political system fulfills specific functions such as:*

- targeting social development through decisions concerning all social life;
- ensuring stability and integrity of the society by preventing processes of disintegration and social chaos;
- achieving adaptation to changes that occur both within and without the environment of a society by renewing structures, creating new political roles or modifying the contents of the old ones;
- political decisions and general obligatory norms and their enforcement, including the use of law enforcement [16, p. 140].

The political system functions are also an important matter for V. Ivanov, who notes that among other things they contribute to:

- determination of the goals and objectives of the society, developing a work plan in accordance with the interests of the people;
- mobilizing society to achieve goals, set by leading elements of the political system;
- integrating society elements around socio-political goals and objectives;
- distribution of society values in accordance with the interests of social structures in order to maintain this system, property and power [18, p. 248].

While stressing that the main feature of the political system lies in the fact that it involves the will, conscious activity of people (...) [18, p. 247]. And its essence is the fundamental characteristic of

the "integrating mechanism of expressing policy and power of people, ensuring society management and regulation of social activities" [ibid].

Political scientists argue that domestic political system has inherent characteristics of any system, these being manifested, of course, in a specific way:

- is a system of elements ("parts") in the interaction, which in relation to "the whole" manifest themselves as systems (authors do not identify, yet they define what these "elements" are);
- *subsystems* establish between themselves hierarchical relations, which result in a stratification in *levels* (supranational, national and subnational);
- has its own *structure*, involving both branches (institutions) government (legislative, executive and judicial) (the institutions are "Parliament", "Head of State", "Government", the Supreme Court, Courts of Appeal, Courts of Substance, including the military and not legislative, executive and judicial – which are branches of power, the state functions), and political parties, interest groups, pressure groups, the media, relations between government and opposition, each of which has specific *functions*, defining the mechanisms of *self-regulation* system, but also contributes to the functioning of the other systems; (general system theory identifies the "self-adjustment" and not "self-regulation");

- interactions between the elements that make up the national political system determine different forms of completeness, i.e. different *forms of government and political regimes;*

- it is an open system, in constant evolution, in interaction with the environment (with other systems with non-political elements



of the civil society), indicating that this feature is manifested differently, in some cases (such as in totalitarian regimes) there is even a stronger tendency to closing, but to opening [19, p. 8].

Based on the general features of systems developed to “general systems theory” we intend to identify the properties of the political system and how they are manifested. We shall mention in this context that the political system, like any other system, has properties and traits, but not principles, the latter being characteristics of the political regime.

Therefore, in our opinion, the following are properties of the political system:

1. The political system is a set or a series of political and state bodies that consists of citizens of the state. This fact implies the conclusion that the core element of the political system is the citizen, holder of all rights, freedoms and fundamental obligations, it is its inherent measure that it determines its scheme.

It is the citizen that is the element of the whole, which is the political system.

In his famous book “Politics”, Aristotle stated: “We must disentangle the compound until units no longer compound, for they are the smallest parts of the whole” [2, p. 33-35].

In our case, just as in the case described by Aristotle, the smallest part “of the whole” is just the man, the citizen.

Also, Aristotle states that the “natural community established for everyday life is the family” [2, p. 35]. While the “primary community of several families made up out of a need, which is not ephemeral, is the village” [ibid]. And finally the complete community... formed of several villages is the fortress that “is natural and

that man is naturally a political creature” [ibidem, p. 37].

Also, it is the groups of people that produce other elements of the political system such as political parties, social movements and political ones, electoral bodies, Parliament, and Government.

2. The political system is an open system. It is a dynamic category *par excellence*, being in a constant development, not only reflecting qualitative changes occurred in all social relations, but also as a dynamic factor in the development of these relations.

3. The political system is characterized by the presence of specific links that are established between the whole and its elements (in a word, institutions). The structure of the political system appears as a complex and unified whole that displays interaction between its elements, as well as between them and the whole of the political system. Example: The citizen exercises his exclusive political right to vote for the election of MPs, proposed by political parties, which leads to the election by the electorate body of the Parliament. After validating the MP mandate, the Parliament proceeds to the formation of state bodies: The Head of state, Government investment.

4. The political system is not the result of its division into components, as it is not the sum of its elements either. Therefore, the interrelationships between political system components and interrelationships between these elements and the system as a whole can not, and should not, be understood as a simple configuration as a simple composition of elements in the system, but as one *whole*, as a complex phenomenon with new properties, irreducible to components. For example, the interrelationships between the Parliament and the Head of State give rise to cate-

gory of “form of government” and interrelations between institutions of the Parliament, Head of State and Government give rise to such institutions as regimes: “parliamentary, presidential, semi-presidential.” Interrelations that define how to “build” a political system covers all the features and “laws” of the political system, characterizing its behavior as a whole.

5. The political system distinguishes itself from its surrounding environment: it is distinguished from all other institutions and phenomena of the superstructure. The main feature of the **political system** and, at the same time, the main criterion of the capacity of being destroyed lies in the fact that the core element is the citizen, the creator of social relations and the one acting in strict accordance with the Constitution, the supreme legislative power for the political system.

6. Within the political system there is a hierarchical order of its elements. The political system architecture is determined by the functions of their respective elements. Thus, only state has the most important functions that also distinguish it from all other institutions and political phenomena. These are: the legislative function, the executive function, and the judicial functions.

7. The political system has characteristic features that reveal its essence. These functions appear not only in the existence of the elements of the system, but also in the needs arising from the very functioning of the political system and its elements. In our view, the political system functions in relation to its elements: ensuring unity of its elements; boost their corresponding socio-economic facilities, political and moral society, so that the political system is a factor in driving them forward.

8. The political system, viewed



as a whole and the political bodies is organizable. But, having its own mechanism of self-adjustment, political system can not be self-organized. Yet it is adjusted from outside by the political activity of citizens as well as regulatory activity undertaken by state bodies.

In our view, generally, systems created by working people are organized, but not have a self-adjustment mechanism that is why they are adjusted externally by human activity. All other systems created by nature have a self-regulating and self-adaptation mechanism, but at the same time they can be adjusted externally by human activity: (crossing, selection etc.).

### III. Constituent Elements of the Political System

This topic is treated differently by various theorists. In a political science vision, the following would be the elements of the political system: "The state is the fundamental political institution of the political system; political parties, legislative power" [23, p. 76].

The local political analysts give the following classification of the elements of the political system: "a) legislative institutions (Parliament) b) executive institutions (Head of State and Government), c) judicial institutions" [19, p. 17-20].

The legal doctrine has its own view on this subject. So the following elements would belong to a political system: "a) the state b) non-governmental organizations, c) political parties and social political organizations" [4, p. 76-82].

In another opinion, the structure of the political system would be represented in the state, with all its institutions of power and administration; political parties; trade unions; public organizations of all kinds [18, p. 247].

In a third opinion as a politi-

cal system's elements are: "State, political parties, public associations as traditional elements, and additionally: the army, the police, mass media and religious cults" [16, p. 141].

The Romanian scientist Cristian Ionescu believes that "the elements of the constitutional system are the bodies of national sovereignty, i.e. the Parliament, the Head of State (President or monarch) and the Government."

Obviously, an important role in the establishment and functioning of the system as such have the judicial institutions, and in a certain respect, the body responsible for overseeing the constitutionality of laws [17, p. 374].

But when considering the practice of different countries, one can see the abandoning the category of "constitutional system" and use of the phrase "political system" and including of other elements. "Constitutionalism, party system, the organization of Parliament, the President, the Government, the Court (Council) Constitutional" [ibidem, p. 396-451].

The Russian doctrine, examining this issue, stems from the fact that the specific feature of the political system elements is the "(...) direct link with politics." And its elements are: "the state, political parties, public organizations" [21, p. 490].

After this brief exposition of doctrinal trend on identification of elements of the political system we shall expose on this subject the visions and ideas of Prof. T. Drăganu; according to his view, in order to reach a truly scientific solution to the problem of the classification of elements of political system. It is necessary, on the one hand" (...) to proceed by applying a criterion to be both consistent and substantial (...) and on the other hand, the classification of phe-

nomena within the overall features must be based on the work account of their fundamental aspects, since only thus can be reached the very essence of the studied subject matter" [13, p. 157].

So, if we elucidate the political system elements, two components need to be identified: 1) the unique substantial criterion and 2) the fundamental aspect of the phenomenon. Unity and correlation of these two components provide truly a scientific solution to the proposed task.

As for the first component, we believe that it would be the "primary constituent" of political structures derived from his activity. And the second is the political activity of this element that crowns the exercise of state power.

Hence, the classifications of the political system are the following:

**A. Citizen.** In the previous paragraph we established that the core structure of immanent political system is the man. This is because "not being a *homo faber* (producing being, but a *homo sapiens* (thinking being), the man thinks and defines his existence according to a project. As a participant in social relations, man is the creator of history and bears full responsibility for his actions" [5, p. 8].

But as a participant and producer of social relations of political man "takes" a citizen, as that is expressed through his "permanent political and legal connection unlimited in time and space" between him and the Republic of Moldova (in our case thereby becoming full holder of rights, fundamental freedoms and guaranteeing of their constitutional duties.

As a citizen, man has the following exclusive political rights: 1) Right to vote and to be elected (Article 38 of the Constitution) 2) Right to administration (art. 39), 3)



Freedom of parties and other socio-political organizations (art. 47) [9].

Beginning to analyze political institutions, broadly speaking, "human organization based on a number of rules of law in which the organization is operating for the fulfillment of goals" [13, p. 113] social aspects in our case - Political activity factor distinctibilitate become functions it performs an institution or other\*.

**B. Political Parties.** As a result of free association of citizens in based on statutes and programs political parties arise, as they are the first institution of political and collective character and the next element of the political system. The political parties are, by definition, "forces or groups organized to defend and promote the common interests of one or specific groups of citizens, with state authority means" [23, p.109]. Parties acquire this quality due to their functions in politics.

According to par. (1) Article 41 of the Constitution, political parties "(...) contribute to defining and expressing the political will of the citizens and the law, and participate in the elections."

So constitutional political parties are invested with two functions: 1) ideology, 2) participation.

1) The ideology function of the party means to contribute to the finalization and the free expression of political will of the citizens. This feature occurs more intensely during election campaigns, in which materializes the second position and, namely, participatory.

According to Article 41. (2) of the Election Code the right to nominate candidates for election belongs to the following bodies:

\*Instituțiile politice merită un studiu aparte, iar în articolul de față noi ne propunem doar a le identifica ca elemente ale sistemului politic, specificându-le funcțiile, fără a le dezvălui.

"A) parties and other social-political organizations (...);

b) electoral blocks formed on the basis of decisions adopted under the statutes (regulations) of parties and other social-political organizations that formed them (...)" [8].

The next group of political institutions in the *strict sense*, are those who "participate directly in the actual exercise of political power" [17, p. 35]. Here are included the Parliament, the Head of State, Government and the Constitutional Court, the list corresponds to the logic of "hierarchy".

**C. Parliament** is the first institution since, according to Art. 61, para. (1) of the Constitution, it is elected by the citizens on the basis of universal suffrage, equal, direct, secret and freely expressed. As a result of this, Parliament possesses, among others, the following functions: 1) representative, 2) legal (both in art. 60, para. (1) Constitution), 3) formation of state (election of the President (Art. 78 para. (1) of the Constitution) Government Investment (Article 98 of the Constitution); appoints two judges to the Constitutional Court).

The following two political institutions are related to executive power in Moldova, because it is two-headed, and namely: The Head of State and the Government.

**D. Head of State.** Under Art. 77 of the Constitution, the President of the Republic as the head of state represents the state and is the guarantee of sovereignty, national independence, unity and territorial integrity. These constitutional provisions clearly provide two functions of the President of the Republic of Moldova: a) representative function and b) position of guarantee. But after an analysis of the constitutional text, we see

a third function: mediation function [3, p. 14-15]. Thus, according to art. Article 85. (1) of the Constitution (...) the President of the Republic, *after consulting parliamentary factions* (sn), may dissolve the Parliament.

And according to art. 98 para. (1) of the Constitution, "After consulting parliamentary factions, the President of the Republic shall appoint a candidate for the position of Prime Minister."

**E. Government.** It is the main pivot executive power; according to Art. 96 para. (81) of the Constitution, it is the only one that "... ensures and carries out domestic and foreign policy and oversees public administration".

However, the Government, in accordance with Art. 136 para. (2) of the Constitution shall appoint two judges to the Constitutional Court.

**F. Constitutional Court.** Undoubtedly, the whole political system, along with other state phenomena, finds the its law covenant in the Constitution, the fundamental law of the nation. Essentially, the Constitution is endowed with legal supremacy over all normative acts of the state.

This supremacy is guaranteed by the Constitutional Court as the sole authority of constitutional jurisdiction in Moldova and independence in its work of any public authority. Being subject only to Constitution, the Constitutional Court carries out its functions strictly determined by the text of the Constitution.

Among them, according to art. 134 para. (3) lies ensuring supremacy of the Constitution in order to achieve the separation of state power into legislative, executive and judicial power.

To achieve these functions vested in the Constitutional Court under Art. 135 of the Constitution



with specific tasks, including: a) exercise the appeal, the constitutionality of laws and decisions of Parliament, decrees of the President of the judgments and orders of the Government and the international treaties to which Moldova is a party; b) confirms results of parliamentary elections and the President of Moldova, c) establishes the circumstances justifying the dissolution of Parliament, dismissal of the President or acting as President, and the inability of the President to exercise powers for more than 60 days, d) to decide on issues dealing with the constitutionality of a party.

So, being a purely constitutional jurisdiction institution, the Constitutional Court, by its functions and tasks, keeps under constant supervision the entire political system, in accordance with the Constitution. *For these reasons we included the Constitutional Court of Moldova in the list of elements of a political system of the RM.*

**G. State** Political science accepts the state seen as a "... legal community, the body [of the same] individuals subject to the same laws, the same political authority". And the notion of state includes "(...) the Government and all the structures through which it expresses its authority" [23, p. 90].

While a legally state is regarded as an "institution of institutions" set in a unique and organically articulated whole through specific links between these elements and the "whole" "state" [12, p. 131].

State as part of the political system regulates social relations, first of all as a representative of the power of law creation.

While political relations formed in "the process of political system operation related to the functioning of the political power relations in society, which is the increased expression of state power.

It is exercised through various political institutions, regulated largely by constitutional law, the main one being the state, whose power extends legitimately in the entire society" [4, p. 76].

In conclusion, we found a double realization of state in the political system, and namely: I) – part of the political system and II) structuring factor of the entire political system. So, the state is on top of the hierarchy elements structuring its the entire political system architecture.

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