



SOCIO-PHILOSOPHICAL ASPECTS OF IMPROVING LEGAL CULTURE IN THE CONTEXT OF THE ACTION STRATEGY FOR THE FURTHER DEVELOPMENT OF UZBEKISTAN

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Article history:	Abstract:
Received: 10 th September 2021 Accepted: 10 th October 2021 Published: 27 th November 2021	The article is dedicated to the socio-philosophical aspects of the development and improvement of legal culture in the context of the tasks arising from the Strategy of Actions for the Further Development of Uzbekistan for 2017-2021. The article analyzes the factors contributing to the improvement of the legal culture of society, as well as practical measures taken in Uzbekistan to achieve the goals set in this area.

Key Words: Law, legal culture, rule of law, legal awareness, legal literacy, legislation, lawmaking, rights and freedoms, reforming the judicial system.

INTRODUCTION

The acquisition of independence by Uzbekistan caused the need to solve many problems in all spheres of society, in particular, in the field of state building, transition to a market economy, reform of the education system, development of self-government, improvement of the social sphere, etc.

At the initial stage of development, in the conditions of independence, the emphasis was on strengthening the spiritual and moral foundations of society and this was logical, since it was necessary to increase the role of national identity, to strengthen the socio-political unity of the people in front of the challenges of the new reality.

As practice has shown, the effective solution of the problems facing society was complicated by the inadequate (insufficient) level of legal culture of the society and the individual. It was necessary to improve the mechanisms of the practice of law enforcement, to raise the legal awareness and legal culture of the country's population, to seek solutions to all issues in the legal field at all levels of interaction between the state and citizens. This is the main requirement of a legal democratic state that is being built in Uzbekistan. Significance of these problems are determined by the fact, that legal culture of an individual characterizes the level of legal socialization of members of a society and also the level of assimilation by them and their use of legal principles of state and social life.

According to our opinion, the dynamic development of society in the legal field is possible under the following conditions:

1. Developed legislation that takes into account the prospects for the development of various spheres of public life and the process of lawmaking, which is constantly being improved, critically assessing the imperfection of the current state;
2. Knowledge of legislation by officials of all levels. Currently, the weak link in this system is middle and lower-level officials and this must be eliminated;
3. Knowledge of legal norms, legal awareness of the population, both in terms of knowledge of general legislation and laws governing the professional sphere;

One of the difficult moments is the development of mechanisms for the implementation of laws, as a result of which discrepancies in the practice of law enforcement are possible.

In Uzbekistan, in the first decade of independence, resolutions were adopted aimed at improving the legal culture of the population, which yielded certain results. [5]

In 2017-2019, within the framework of the Action Strategy, more than 100 major measures were implemented to ensure the rule of law, the priority of human rights and freedoms, equality of citizens before the law, justice and the presumption of innocence.

Thus, in the priority area of the Strategy for Action in the Field of Ensuring the Rule of Law and Further Reform of the Judicial and Legal System for 2020, within the framework of the State Program, two laws were adopted, six Presidential Decrees, one resolution of the head of state and a resolution of the Cabinet of Ministers.

The author of the article in his research relies on the definition of legal culture as a set, norms, values, legal institutions, processes and forms that perform the function of social and legal orientation of people in a particular

society. [1]. If we reveal this definition in more detail, then the following elements can be distinguished in the composition of legal culture:

- law as a system of norms;
- a system of public relations governed by law;
- legal institutions as a system of state bodies and public organizations that provide legal regulation;
- legal awareness and legal activity;
- legal science and training system in this area.

All these components are stable (unchanged) in a certain time period in the history of society and, at the same time, are mobile (changeable), since they are improved in the process of development of society during its transition to a new qualitative state.

DISCUSSION

The reform of the legal sphere, provided for in the Action Strategy, is aimed at bringing the content of normative acts in line with the needs of the development of society, best legal practice, taking into account the traditions of the national mentality. Legal culture characterizes the general level of knowledge and reflects the objective attitude of society to law, representing a set of legal knowledge in the form of norms, beliefs and attitudes created in the process of people's life. The level of legal awareness and legal activity of citizens largely determines the socio-psychological state of people in society and is expressed in the degree of development of rights by citizens / officials and the focus on compliance with prohibitions.

Each subject of social interaction must understand that law is a necessary and priority value in the field of public relations. Know the law (in general and in terms of scope), understand its meaning, be able to interpret certain provisions of the law, determine its purpose, determine the scope, be able to apply the acquired legal knowledge in practice, use the law to protect one's rights, freedoms and legal interests, to be able to behave in difficult legal situations - these are the necessary conditions for building a Civil Society.

The legal culture of an individual implies a respectful attitude towards law, an adequate level of legal awareness and literacy. A person with a legal culture is characterized by:

- a certain level of knowledge of legal norms;
- positive sense of justice, i.e. respect for the law;
- conduct in accordance with legal regulations.

The solution of these issues is the target of the Action Strategy at a new stage in the progressive development of independent Uzbekistan.

Development Strategy of Uzbekistan for 2017-2021 marked the country's transition to a new stage of national progress. Five priority areas were developed, including "Ensuring the rule of law and further development, reforming the judicial and legal system." The priority of this direction means that without increasing the legal culture of society and the legal culture of the individual, further advancement along the path of national progress will not be very effective (difficult). Therefore, it is very important to have legal knowledge, legal awareness, turning them into legal convictions, as well as the willingness to act lawfully, that is, to fulfill duties, comply with prohibitions, and also be able to defend their rights in the event of their violation.

It should be noted that at the initial stage of Uzbekistan's independence, officials were not psychologically prepared for the fact that individuals and legal entities - entrepreneurs, companies, government organizations - are equal subjects of law. The courts also often sided with the state administrative structures, because this was the tradition of the Soviet period. Therefore, one of the priority directions of the Strategy was the reform of the judicial and legal system.

One of the points of this direction provides for the expansion of the scope of the Habeas Corpus institute, strengthening of judicial control over the investigation, as well as the full implementation of the principles of independence and impartiality of the court, competition and equality of the parties to the trial.

The Strategy also provides for guarantees of reliable protection of the rights and freedoms of citizens in the activities of judicial, law enforcement and regulatory bodies and ensuring unhindered access of citizens to justice. The President of the Republic of Uzbekistan noted that the time has come to clearly raise the issue of the reasons for the violation of human rights, to answer for cases of pressure during the pre-trial proceedings, that every person who crosses the threshold of the court must be completely sure that the principle of legality and justice is strictly observed in Uzbekistan. [5]

Summing up the results of 2018, the President of the Republic of Uzbekistan in his Address to the Oliy Majlis (Parliament) on December 28, 2018, emphasized that reforms to ensure the rule of law and improve the judicial and legal sphere are aimed at ensuring human interests, his rights and freedoms, expanding access to justice ...

In his Address to the Oliy Majlis of January 24, 2020, the President of the Republic of Uzbekistan noted that the legislative measures adopted in Uzbekistan are already yielding concrete results. The UN Special Rapporteur on the independence of judges, Mr. Diego Garcia-Sayan, also acknowledged positive changes in this area. [8]

Over the past three years (2017, 2018, 2019) acquittals were issued against 1,989 persons, of which only in 2019 - 859 persons. Also, according to the President, in 2019, 3,081 people were released from the courtroom, the unfounded charges against 2,623 citizens were re-qualified or canceled. [7] Of fundamental importance is the statement of the head of state that officials should firmly understand for themselves: the issue of ensuring the

independence of the courts will continue to be under the strict personal control of the President of the Republic of Uzbekistan.

It is necessary to note some other transformations that have been carried out in the judicial system of the country. So, in 2017, the President's Decree "On measures to radically improve the structure and increase the efficiency of the judicial system of the Republic of Uzbekistan" was adopted, and the Oliy Majlis adopted the Law on amendments and additions to the Constitution and other legislative acts. These acts created a legal basis for strengthening judicial protection of the rights and freedoms of citizens, ensuring their access to justice, increasing the efficiency of the judiciary, and expanding public control over the selection of candidates for judicial positions.

Within the framework of the measures envisaged by the Strategy, the institution of the advocacy has undergone major changes. The Decree of the President of the Republic of Uzbekistan adopted in 2018 "On measures to radically increase the efficiency of the institution of the legal profession and expand the independence of lawyers" strengthened the legal status of lawyers. [10]

In January 2019, the Law of the Republic of Uzbekistan "On the Protection of Victims, Witnesses and Other Participants in Criminal Proceedings" was adopted, which established a system of measures to protect victims, witnesses and other participants in criminal proceedings.

The provision of the reform on "Improving the system of rendering legal aid and services" is of great importance.

The development of the institution of the legal profession, an increase in the role of the lawyer in the consideration of criminal, civil, administrative and economic cases contributes to an increase in the legal culture of society, enhances the legal literacy of the population, the legal discipline of employees of state bodies and thereby strengthens citizens' confidence in the law enforcement system.

Another important direction envisaged by the reforms is the formation of the judiciary in accordance with the principle of the independence of the judiciary. It is considered appropriate that the task of selecting and appointing judges of district, city and regional courts should be fully taken over by the judicial community. The law on free legal aid is expected to be passed in 2021.

Another significant factor on which the legal culture of society, its role in the practical plane depends, is the professional legal culture inherent in the community of people for whom legal activity is a profession, and which includes police officers, prosecutors, judges, lawyers, legal advisers and etc.

Professional legal culture should be characterized by a higher level of knowledge and understanding of legal phenomena in the relevant areas of professional activity. At the same time, each legal profession has its own specifics. Therefore, it is important that representatives of various areas of legal activity strive to achieve an understanding of the specifics of their field in terms of legal literacy and, at the same time, be competent in related specialties. This is necessary for the correct interpretation of legal norms, so that there is no discrepancy between the laws in the practice of law enforcement.

The issues of legal ethics, their elaboration and effectiveness in the practical activities of representatives of jurisprudence also play a large role in improving the legal culture of society. Society has high moral standards for those involved in legal activities. Representatives of the law are required to be competent, incorruptible, loyalty to the spirit and letter of the law, respect for the equality of all before the law.

Ethical norms are aimed at ousting from the justice sector those workers who are unable to resist the pressure and desires of various influential persons, local or departmental interests and act contrary to their professional duty and conscience.

Hence the important task that must be solved - increasing the quantity and quality of training of legal personnel, the development of scientific legal institutions. In Uzbekistan, there are only about 4000 lawyers for 33 million people (this means lawyers and lawyer consultants) []

CONCLUSION

The reform of the legal sphere, provided for in the Action Strategy, is aimed at ensuring that the content of regulatory acts is adequate to the needs of the development of society, best legal practice, as well as the traditions of the national mentality. It should be noted that the last point is very significant. It is no coincidence, in the theory of law, it is believed that it is necessary to increase the social justification of the current legislation, the moral bar of its legal content. Only a "moral law" that does not conflict with the prevailing notions of good, evil, justice, and truth prevailing in a given social environment is able to find a response in the mass consciousness of justice. Legislation that is at variance with the criteria of what is proper and fair in society, as a rule, does not take root in society. [2. 15] At the same time, sometimes it is necessary to rebuild the sense of justice, "break", and not follow the lead of outdated ideas that do not correspond to the spirit of the times and hinder the development of society.

In countries based on Islamic culture, moral standards play no less role than legal ones. Sharia is a set of moral and legal precepts of Islam. This tradition also affects the development of public consciousness in Uzbekistan. Here, the mentality of the population, public opinion are such, that legal norms should not contradict moral norms. This, to a certain extent, affects the nature of the legal culture of society. The public conscience in such countries is not very sensitive to the norms of law when they clash with moral traditions. Here, ideas about justice are more focused on moral traditions than on legal norms. It is necessary to note such an important moment in the development of legal culture as its relationship with other forms of human culture, such as literature, painting,

architecture, the moral and religious sphere. The harmonious, synchronous development of all forms of culture contributes to the assimilation of the individual's own legal values. Certain work is also being carried out in this direction in Uzbekistan. Thus, in the Program for the formation of youth policy, the President of the Republic of Uzbekistan put forward five initiatives, including the strengthening of youth's interest in music, fine arts, literature, theater and other types of art, as well as an initiative to increase the spirituality of youth and widespread promotion of reading. According to this program, it was planned to deliver one million copies of books of fiction, historical and scientific-educational literature to the Republic of Karakalpakstan and to all regions of Uzbekistan. [3].

In conclusion, we note that the analysis of the socio-political, socio-economic and spiritual development of Uzbekistan for almost three decades indicates that the country has undergone profound changes in the economy, politics, public consciousness. This is evidence that the country has entered a new stage of national progress. All this required bringing in line with the requirements of the new reality of organizational reforms in the sphere of state and social construction, educational reform, legislative sphere, correction of social policy, as well as further liberalization of the economic sphere. Many of the goals set have already been achieved or are in the process of being implemented. So, as follows from the article, serious legislative work has been carried out in the legal sphere, which will inevitably lead to the growth of the legal culture of society and the individual, and is a new step in the development of the Civil Society.

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