



SCIENTIFIC AND THEORETICAL BASIS OF LEGAL VISION AND LEGAL CULTURE CONCEPTS

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Article history:	Abstract:
Received: 26 th March 2021 Accepted: 7 ^h April 2021 Published: 23 th April 2021	This article conducts research on the scientific and theoretical foundations of the concepts of legal consciousness and legal culture. In particular, the article discusses the development of legal consciousness, ie the attitude of citizens to legal issues and legal institutions, legal cultural values, ie values inherent in the legal system, general legal culture, the development of a scientific concept of legal consciousness and legal culture.
Keywords: Suffer, gender discrimination, Afro American woman, black women, racial discrimination, violence, women's freedom.	

Abstract:

Key words: To serve the formation of legal consciousness, legal culture, legal phenomena, legal perceptions, legal institutions of society, legal values of society, legal life of the country, level of legal culture, rule of law, civil society, legal literacy, public order, national legal statehood, legal culture.

The high level of legal awareness and culture of the population in society is one of the important criteria of a democratic state governed by the rule of law and a free civil society. From the first years of independence, our country has paid special attention to this issue. Raising the legal awareness and culture of the population has become a priority of public policy.

As the First President of the Republic of Uzbekistan Islam Karimov rightly noted, "A high level of legal culture is a characteristic feature of the rule of law. In the context of the formation of a market economy, raising the legal culture is an important task. However, the level of legal culture is determined not by the number of laws passed, but by the implementation of these laws at all levels. In this important work, it is especially important to instill in people a deep respect for laws and regulations. After all, legal norms live and come into being only if they are absorbed into the minds of people and acted through them. "

In this regard, the President of the Republic of Uzbekistan No. PF-5618 of January 9, 2019 "On radical improvement of the system of raising legal awareness and legal culture in society."

Decree [1] was an important step in the formation of respect for human rights and freedoms, the implementation of measures aimed at further improving the effectiveness of work to raise the legal awareness and legal culture of the population.

It should be noted that more detailed information on the concepts of legal consciousness and legal culture can be found in the relevant legal literature. In this case, what is the need to think about these issues? The question may be transverse. The point is that in recent years, more precisely after the collapse of the old system, the scientific and educational literature has been discussing the crisis of legal consciousness and culture in society.

There are, of course, objective and subjective reasons for this. It is a well-known fact that the process of building a new democratic state after one regime is extremely complicated. During the complex transition period, there are serious changes in the psyche and consciousness of people, in which there is a process of abandonment of old values and acceptance of new ones, and it is a painful, sharp phase. Well-known jurist V.S.Nersesyants noted that during this period, on the one hand, people's confidence in the ability to quickly build a legal social state, to create a

real legal system that can protect people from the arbitrariness of bureaucratic officials and criminal structures and disregard for the law is declining.

The crisis of legal consciousness is characterized by negative factors such as the gap between existing relations in society and the norms enshrined in the Constitution and laws, the situation in the legal field, the lack of accountability of government agencies and officials.

In addition, despite the abundance of sources and ideas on the concept of legal consciousness, it is possible to observe certain ambiguities in the approaches to this issue, the presence of different views and sometimes their contradictions. We take a critical look at the ideas expressed in his theory and try to identify commonalities and unique approaches in them.

In our view, before we can observe legal consciousness, we must first think about social consciousness. After all, the thesis that legal consciousness is an integral part of general social consciousness is unlikely to be challenged by anyone. What is social consciousness itself? "A person's understanding, perception, and attitude to social life takes place in his mind. This is the origin of the terms political consciousness and social consciousness.

It is the manifestation of consciousness that the reality is reflected in the human brain, which includes all his mental activity and, of course, is directed to a specific goal. Consciousness is also a set of spiritual, political, philosophical, religious, artistic views of a person. That's what social consciousness is all about. "

Hence, since legal consciousness is a part of the general consciousness of a society, it is natural that logically it should also have aspects and features peculiar to the general consciousness. At the same time, since legal consciousness is a part of the general consciousness that belongs to the same legal entity, it can be concluded that it includes aspects that are not specific to the general consciousness. In order to reach the content and essence of any event, it is necessary to pay attention to the definitions given to it. Because in definitions the most important, significant aspects of the object and the event find the expression.

Here we turn our attention to the definitions given to the legal consciousness in the sources: prof. ZM Islamov defines the concept of legal consciousness as follows: can be described as "[3]. In our opinion, in this definition, the question of what the legal consciousness is, that is, on what factors it is formed, is neglected.

According to Professor Yu.A. Dmitriev, "legal consciousness is a set of views, ideas, perceptions, feelings of people and their various units, as well as society as a whole in relation to existing law and legal phenomena" [4]. In this definition, the evaluative activity mentioned by Z. Islamov, which was an important function of legal consciousness, was neglected.

The definition of legal consciousness given by the Russian jurist AN Golovistikova is the same as the definition of Yu.A. Dmitriev, that is, "legal consciousness is the sum of views, ideas, perceptions, feelings of people and their various units and society as a whole" [5]. Coincidentally, the descriptions of these two authors are exactly the same, in which people's attitudes towards the expected, desired, in the words of ZM Islamov, "desirable law" and the formation of legal consciousness are ignored.

According to R.A. Romashov and A.G. Indyk, "legal consciousness is a set of legal ideas, views, ideas, feelings that reflect the evaluative mental attitude of people to the legally significant events of social life (current legislation, legal practice, human and civil rights and freedoms). is a set of emotions "[6]. This definition also ignores people's attitudes towards the expected law and the factors that shape legal consciousness.

The book "Problems of the General Theory of Law and the State", edited by Academician VS Nersesyants, defines legal consciousness as follows: "Legal consciousness is people's perceptions, views, inner beliefs, values, feelings and attitudes to law and state-legal phenomena. is the sum of their emotions "[7]. In this definition, too, the legal consciousness of the people has been reduced to include the attitude towards the expected right. At the same time, it must be acknowledged that there is a serious affinity in all of the above definitions. Nevertheless, among these descriptions, Z. Islamov's description covers certain aspects of this social phenomenon in detail. It emphasizes people's attitude not only to the existing law, but also to the desired, "desirable" right.

In the legal encyclopedic dictionary, legal consciousness is a category of state and law theory and criminology, which refers to the social, group and individual spheres of consciousness associated with the reflection of events of legal significance and defined by legally significant values, understanding of law, necessary legal order. "[8].

This definition is unique in the dictionary, which also reflects the factors of formation of legal consciousness, that is, the phenomenon of legal consciousness (defined by the notion of legally significant values, understanding of law, the necessary legal order).

Legal consciousness is a set of legal feelings, emotions, ideas, views, assessments, guidelines, perceptions and attitudes of citizens to the state, which should be in relation to applicable law, legal practice, rights and duties of citizens, as well as other desired rights. system.

Legal consciousness is the understanding of law, the embodiment of perceptions and feelings that express people's attitude to both the existing law and the law themselves [9].

Legal consciousness is a form of social consciousness, a set of ideas, feelings, perceptions that people have in relation to law, legislation, law and order and other legal phenomena.

Legal consciousness is a set of views, feelings, considerations and imagination that express (express) people's attitudes towards legal phenomena and law in society.

Legal consciousness is a form of subjective consciousness that influences the development of a positive or negative attitude in people towards the requirements of law. Legal consciousness, in turn, requires: observation of the

essence of the law; to compare legal values with other social values, in particular moral, religious and political; assessment of the law in terms of its social significance; a deep understanding of the need for lawful conduct; acceptance of the results of the exercise of the right [10].

Based on the above, the concept of legal consciousness can be defined as follows: legal consciousness is an important component of social consciousness, which is determined by the level of development of society, people's thoughts, ideas about law, political and legal events, legal practice, legal system and desired, expected law, is a set of feelings, attitudes, sufferings, and values and perceptions.

It is well known that the spirituality, culture, including legal culture of a society is an extremely complex and multifaceted social phenomenon.

The culture of a society is a historically formed system of universal spiritual and moral values, according to which lifestyle is determined and social relations between people are regulated.

Why a legal culture? When and where is a legal culture formed in a person? In what cases and by whom is this factor formed?, the researcher asks

IA Matjanov, in turn, answers these questions as follows: "Before answering these questions, we must first understand the concept of legal culture. True, we can refer to a legal dictionary or encyclopedia to understand the concept of legal culture. But will the direct use of ready-made concepts be effective? The first step in the formation and development of legal culture in the human mind is to be able to understand the concept of legal culture through one's own views. When a person speaks of legal culture, he tries to be faithful to what he perceives in his mind, defends his views, and, through this, develops personal thoughts in that person.

So, first of all, one of the first signs of the emergence of a legal culture is that a person has a personal opinion.

This, in turn, demonstrates the importance of the noble goal of the state policy in the field of youth - the efforts to educate young people to have a personal opinion "[11].

Legal culture is an integral part of the general culture of society. Therefore, legal culture refers to the legal life of society, its legal reality, normative-legal documents, the system of spiritual, moral and legal values achieved in the development of legal consciousness, as well as obedience to the law and social relations to establish law and order in the country. the implementation of the tax is understood.

The concept of "legal culture" more describes the level of importance of the legal reality, its state of development, the achievements of cultural development. After all, legal culture is a condition for ensuring the freedoms and security of the individual, human rights, a guarantee of his legal protection and civic activism, mobilizes the government to ensure the legal status of the person. It is also necessary to differentiate the categories of legal system, legal culture and legal regulatory mechanism depending on the scope of their scope.

Legal culture is the level of legal knowledge of people, their conscious attitude towards law, respect and observance of law.

Legal culture is a system of spiritual, moral and legal values that reflects the legal life of society, its legal reality, normative and legal documents, the level of development of legal consciousness, as well as the regulation of social relations to ensure compliance with the law and law and order in the country. is understood to be done.

Since legal culture is a comprehensive, multifaceted, meaningful phenomenon, it is difficult to fit it into a single definition.

In addition to the above-mentioned features and characteristics, legal culture also includes the following aspects:

- understanding of legal reality, ie a certain state of legal consciousness;
- general cultural conditions, the level of enlightenment of society;
- level of knowledge of the population of the law, high level of respect for legal norms, their prestige;
- high quality of lawmaking and law enforcement processes;
- legal activity, lawmaking, law enforcement,
- effective management and other activities;
- unconditional obedience of citizens and officials to the law.

It should be noted that legal culture implies a certain knowledge of the basics of current legislation, the ability to use it. Without the necessary knowledge of the legal system of society and the current legislation, citizens can not exercise their rights and duties and protect their interests.

The term "legal culture" is used to describe the legal system, the legal framework of society. The analysis of the legal culture of society focuses on the level of development of legal phenomena, the definition and interpretation of legal values, human rights and freedoms, the state of protection of the citizen in society. The concept of "legal culture" implies an assessment of the "quality" of legal life in a particular society, comparing it with other advanced legal norms, ideals and values.

According to Academician Sh.Z. Urazaev, "legal culture

- a broad concept that covers the maturity, development of the legal system, the state of legitimacy, the attitude of people to legal requirements, the law, the level of legal literacy of the general population, their intolerance of violations of law "[12].

Based on the analysis, it should be noted that the legal culture:

- includes an approach as a priority value to the legal institutions, processes, forms of activity of a particular society. In other words, it represents the legal values of the society, the progressive achievements in the field of law;
- reflects the quality of legal life of the country, so each country has its own level of legal culture;
- is the highest form of understanding the interests and needs of society in the field of legal regulation, and therefore the law itself is a social value;
- is part of the general culture, but social
- has a special, independent place in the spiritual environment;
- The morality of society depends in many ways on the moral qualities of the people who carry out legal activities;

- The rule of law is an indispensable condition and factor in the formation of the state and civil society.

The following are important in determining the content of legal culture: 1) legal consciousness, ie the attitude of the citizen to legal issues and legal institutions; 2) legal cultural values, ie values inherent in the legal system; 3) general legal culture, in which values are recognized in society (e.g., traditions of community or individuality).

It should be noted that the concept of legal culture is characterized by the fact that it embodies the most important aspects, that is, "the level of legal culture is not only knowledge of the law, knowledge of legal information. It means a culture of obeying and obeying the laws. It means respecting a fair trial, the need to go to court to protect one's rights. "Legal culture means refusing to use illegal forces to resolve various conflicts."

From the first years of independence in Uzbekistan, attention has been paid to the formation of the organizational and legal framework for raising the legal culture in society, and a number of normative legal acts have been adopted in this regard.

Special attention is paid to the radical reform of the national legal system, the formation of a legal culture in society and respect for human rights and freedoms, raising the legal awareness and legal culture of the population, raising the level of legal literacy in society.

Legal culture is an important component of social culture. the actual sum of legal knowledge and legal behavior. The concept of "legal culture" goes far beyond pure law, and strict discipline, personal responsibility lead to the establishment of true social justice in society, a behavioral decision that is important as a value relevant to the most important aspects of the legal life of society.

Based on the above, we feel that each of us is responsible for the implementation of the intended work, so that legal awareness and legal culture among citizens will increase, and only a state where the rule of law prevails.

In short, since our main goal is to build the rule of law and civil society, the creation of a perfect modern system of legal literacy should be one of our top priorities.

Indeed, these tasks will ultimately serve to strengthen public order and discipline, the formation of national legal statehood, a high level of legal culture.

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