



THE ROLE OF LEGAL CONSCIOUSNESS IN THE MECHANISM OF LEGAL REGULATION

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Abstract

In this article, approaching modern sources of legal consciousness, with the help of analysis, analysis-synthesis and other methodological methods, their role in the formation of a legal democratic state and civil society was studied, and the state was analyzed as their main subject.

Keywords: Legal consciousness, society, norm, legal state, legal state, legal culture.

Introduction

The thousand-year history of human civilization shows that the most complex and delicate area of social renewal, public administration and development is the area of consciousness and thinking of people during the period of the creation of new states and the replacement of one political system with another. Since fundamental economic, social and political changes are taking place in society, changes in the worldview and thinking of Christians occur in a slightly different and more complex way compared to reality.

"It is known that the process of establishing a new democratic state after the transition from one regime to another is extremely difficult. During a difficult transition, serious changes occur in the mentality and consciousness of people, in which the process of rejecting old values and accepting new ones takes place, and this is a painful and acute stage. Confidence in the possibility of creating a real legal system capable of protecting people from the arbitrariness and disregard for the law of bureaucratized officials and criminal structures will decrease.



On the other hand, the influence of the idea of the market, which in many ways has not yet been formed and cultivated in modern legal consciousness, is great. At the same time, it is clear that for enlightened market relations, developed individual legal consciousness, people's understanding of the law, the ability of an individual to perform independent actions based on legal culture, self-regulation are very necessary"[1.97-98].

If we look at our recent history, the transitional period of the first years of independence of the Republic of Uzbekistan and the naming of the neighboring Kyrgyz Republic as the "Democratic Island" showed that the intended goal cannot be achieved without affecting human mind, thinking and reasoning.

During the years of independence of Uzbekistan, which embarked on the path of establishing a legal democratic state and forming a free civil society, along with the social, economic and political renewal of society, significant work was carried out to increase the legal consciousness of society.

As the First President of the Republic of Uzbekistan I.A. Karimov noted: "...of particular importance is the education in people of deep respect for laws and legal documents. Because legal norms live and are implemented only if they are introduced into the consciousness of people and act in accordance with them" [2,127].

There are many sources and opinions about legal consciousness, which is part of the general consciousness of society, in which various researchers have studied various aspects of the formation and development of legal consciousness.

"Legal consciousness can be defined as a system of legal intuitions, ideas, assessments, representations expressing the attitude of citizens of the country to the current law, legal practice, civil rights, freedoms, obligations, as well as to the desired law and other legal events," - defined legal consciousness by Professor Z.M. Islamov [3,122]. Yu.S. Sadikova commented on the above definition of Z.M. Islamov as follows: "This definition ignores the question of what factors form the basis of legal consciousness" [4,16].

In the legal encyclopedic dictionary, legal consciousness is understood as: "a category of state and legal theory and criminology related to the spheres of public, group and individual consciousness, which are associated with the reflection of legally significant events and are determined by legally significant values, understanding of law and ideas about the necessary legal order" [5,18]. The



definition given in the dictionary is unique, and it expresses the factors of formation of legal consciousness, i.e. legal consciousness is a phenomenon determined by “legally significant values, understanding of law, ideas about the necessary legal order”.

Legal consciousness is one of the forms of subjective consciousness, which influences the formation of a positive or negative attitude in people towards the requirements of the law. Legal consciousness, in turn, requires the following: to comply with the content of the law; the relationship of legal values with other, especially moral, religious and political social values; to evaluate the law from the point of view of its social significance; to deeply understand the need for lawful behavior; to accept the results of the implementation of the law” [6,18].

The system of legal knowledge and legal beliefs determines what is allowed and what is not in a person's life. Therefore, from the above it is clear that the state, which has the function of implementing and ensuring the protection of norms, as well as the political regime existing in the state, as well as the governing body, through their powers directly influence the formation and development of the legal consciousness of society.

"Raising legal awareness and legal culture in society is one of the most important conditions for ensuring the rule of law and strengthening legitimacy," said the President of the Republic of Uzbekistan Sh.M. Mirziyoyev.

Legality, law and order, that is, according to Article 20 of the Constitution of the Republic of Uzbekistan, "... determines the essence and content of laws on human rights and freedoms, state bodies, self-government bodies of citizens, their officials" [7,14].

Consequently, subjects with the right to initiate and propose legislation can accept the norms formed in their legal consciousness in the manner established by law, and the state with its powers and governing bodies can take a place among the types of legal consciousness by subject. O.G. Shchedrin also "proposes dividing legal consciousness into stages. Submission to the law - legal consciousness "is born under the pressure of the state" [8, 113]. In this place, the state manifests its legal consciousness and culture through logic, consistency, compliance of its laws and decisions adopted in the established manner, compliance with time and internationally recognized norms and principles, nationalism, the process of legal education. "The desired right" is also associated with the will of the state. The



emergence of legal consciousness of other subjects shows the legal status of society, and society shows the legal status of the state.

Currently, the basis for the classification of legal consciousness has expanded significantly. Thus, V. P. Malakhov “considers it necessary to distinguish between types of legal consciousness and, based on the characteristics of a social group, proposes the following four types of legal consciousness: state, civil, judicial and criminal consciousness” [9, 112].

“Based on the characteristics of geographical and geopolitical determinism, I. L. Vershok proposed dividing legal consciousness into local, intrastate, interstate and international levels” [10, 113]. We can see this in the example of countries with independent entities, such as the Russian Federation, the United States of America and Great Britain. In some regions of these countries, law and order is at a high level, and in some regions, crime and illegal activity are on a large scale. Interstate and international legal consciousness is measured by the extent to which international norms and generally recognized principles are observed. (Russia’s adoption of laws that aggravate the situation of migrants and other political processes and conflicts demonstrates legal consciousness at the international level). Legal awareness contributes to the enhancement of legal culture, participation in the formation of laws and law and order. In turn, legal culture requires legal communication skills. After all, theoretical knowledge in the field of law is not enough today.

Today's era is not yesterday's era, yesterday's "dead laws" do not correspond to today's. The step taken by the state is important in the formation of a positive (faith in the law, recognition of its necessity for society, faith that it will establish order in society, etc.) or negative (disbelief in the law, contempt for the law, considering it unnecessary for society, etc.) attitude among citizens.

In a word, the political and legal reforms implemented in our country are aimed at modernizing socio-economic relations, forming a new type of legal system that meets the requirements and needs of the time. That is why the task of raising legal awareness and legal culture of the population strengthens the legal foundations of our state and society.



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