

FUNCTIONAL FOUNDATIONS OF LEGAL CULTURE

<https://doi.org/10.5281/zenodo.13969643>

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Abstract

This article presents thoughts and opinions about legal culture and its functional foundations.

Key words

Legal culture, spirituality, citizenship, function, regulatory function.

Legal culture is a dynamic state. Spiritual wealth plays an extremely important role in it. Legal culture of society, like that of an individual, cannot be without spirituality. The restoration of universal values in our society is an integral element of high universal culture and an element of the legal culture of our country. Legal culture is valuable not because it serves the ideals of our country, but because it reflects universal ideals and justice. If legal culture deviates from these ideals, then it serves civilization and legal respect.

It is necessary to consider the structure of legal culture, its essence, its role and function in building a just civil society and a democratic legal state. In this case, it is required not to be limited only to the enumeration and general description of its elements, but to determine the mutual relations of these elements, showing their integrity and organic unity, and distinguishing between them the main elements and the secondary elements. Various aspects of legal reality are considered to be components of legal culture

Legal culture performs several special functions. These functions include:

- regulatory function;
- normative function;
- sociological legal function;
- communicative function;
- prognostic function.

The regulatory function of legal culture is related to the theoretical and organizational activities that ensure the formation of a democratic legal state and

the creation of a just civil society. This function helps to put common and individual interests at the center of human social development, to create an environment for a person's all-round development, to create the necessary work and living conditions for him, and to ensure his political freedom. This function includes legal and moral guarantees of universal importance, namely honesty, integrity, religion, goodness, compassion, conscience, human dignity and freedom of choice. The regulatory function of legal culture directs to ensure the stable and progressive movement of all elements of the legal system. As legal culture emerges as a component of legal consciousness and existence in a unified whole, it not only reflects the entire human existence, but also aims to actively influence it. Its specific values, legal norms, principles and patterns of behavior help to unite citizens, social strata and groups, direct and gather their strength to create a legal state. Legal culture can ensure social integration of people. It not only provides opportunities for citizens, those who engage in mutual legal dialogue, but also manages their mutual relations. The regulatory function of legal culture is realized through private and other social norms. By virtue of this function, legal culture ensures the fulfillment of social aspiration and ideals, needs and interests of people in legal relations, and helps to establish these relations. The normative function of legal culture is reflected using a system of axiological descriptions. It is reflected in the behavior of conscious individuals who have gained a certain importance in various events and facts. As a result, legal norms appear as an object of assessment of the elements that make up the legal culture of another society. Here it is about the importance of water in the law, as well as about the acquisition of a certain meaning by the law as its own importance.

In accordance with the patterns of behavior provided for in the norms of the normative function of legal culture, the environment is reflected in the attitude towards the achieved result of changing the legal reality. Evaluative activity in legal culture consists of the "measure" of a person, law, society of its employees, legislation, legal order, legal relations, legal management mechanism (which has the appropriate legal significance). Legal reality is evaluated on the broadest scale, from legal practice to legal system. It includes the activities of legal protection bodies that fight against violations of legal, precise, legal norms, citizens' behavior and law. The sociological function of private culture can be studied through the system of formation of legal qualities of a person. Undoubtedly, legal reality has a certain influence on such a process. At the same time, it is necessary to carry out targeted legal educational activities, take measures to organize legal education of

the population, provide them with legal assistance, and activate the process of self-education of the individual. Legal culture also performs a communicative function.

The legal culture of society consists of the following parts:

first, law, which is a system of legal norms;

secondly, legal relations, that is, a system of social relations regulated by law;

thirdly, legal institutions, which are the system of state and community institutions engaged in the protection and provision of rights;

fourth, legal consciousness, that is, a system that reflects legal reality in a spiritual way;

fifth, legal behavior (both legal and illegal).

As we can see, legal culture is a multifaceted state of social consciousness and social practice, and it is a synthesis of all legal aspects characterizing society. The elements that make up the legal culture of the society are included in other structures at the same time. In addition, the elements of legal culture are considered as components of several systems. When analyzing the structure of legal culture, the main attention should be paid to its nature. If one tries to determine the place of the forms of personal activity in the legal culture, first of all, it is necessary to consider two areas: firstly, activity in the legal field, and secondly, activities that are not legal in nature, but are related to the field in which the law applies. activity. Although the understanding of the first one shows very unconventional directions, there are no difficulties. The content of the latter is processed, that is, some works that reflect legal ideas, views, assessments, qualities, etc. in an artistic form. This activity does not directly enter the legal culture, but it is absorbed into it in terms of its ideological content. Thus, radio, television, literature, visual arts, cinema, journalism are not part of the legal culture by themselves, but constantly fill it. The above-mentioned elements of legal culture do not fully correspond to its content. But they represent the level of legal culture of the society. Its content includes not only legal consciousness, law and legality, but also the level and amount of its development, that is, everything that the current stage of civilization and social development provides.

Now let's consider the components of legal culture in detail.

a) Law, - the basis of legal culture. As we mentioned above, the first and main component of legal culture is law. Currently, the law of Uzbekistan is distinguished by the fact that it has undergone serious and fundamental changes. The changes taking place before our eyes in the laws, legal structure of the state, institutions and mechanisms of legal regulation and legal culture are so rapid and profound that thinking about the comprehensive, strategic perspectives and goals of legal

development, the legal reforms taking place in our country in the world "alignment" with the process of legal development, it is necessary to determine the place of Uzbekistan in it, as well as the directions and goals of reforms appropriate to this place. There is no doubt that our national legal system was created anew on a completely new basis, on the basis of democratic principles, which are the achievements of the world legal process.

b) Legal relations - current legal culture. The second element of legal culture is legal relations. In legal literature, there is a widespread opinion that legal relations are social relations regulated by legal norms. Therefore, the legal attitude is, first of all, the result of the implementation of legal norms, the application of law. It is through legal relations that law "lives", applies. It is the emergence of legal relations that shows the real picture of the implementation of legal opportunities and legal obligations of legal subjects. The legal position and goals of the subjects of legal relations, their initiatives and activities in the legal field, and the degree of preference for legal forms of their behavior together determine their legal culture. Legal relations are an indicator of the legal culture of society, depending on whether they arise in relation to a socially beneficial or negative legal fact. For example, the possibility of transitioning to a marriage entrenched in family law is rarely clear; is realized in legal relations and finds its practical expression. This indicates that the legal culture of the society has not yet accepted this norm, which is not only a legal but also a social value.

c) Legal institutions. The third element of legal culture is legal institutions. The driving force of legal development and legal culture consists of a professional legal team consisting of practicing lawyers and legal scholars and teachers. Lawyers are the owners of legal progress, the development of rights and freedoms in society, the processes of making legal claims, and the representatives of the requirements for protecting the individual and society from arbitrariness. After all, as the lawyers are, so is the law. Law, and the level of lawyers depends on the legal education given to them. The system of state legal institutions has undergone significant changes. A new system of independent Uzbek state bodies was created, the democratic principle of separation of state power was implemented, a system uniting three parts of the judiciary was formed, law enforcement bodies were reorganized, national human rights institutions (National Center for Human Rights, Ombudsman Institute, the relevant commission in the parliament, etc.) was established.

g) Legal consciousness. The fourth element of legal culture is legal awareness. Legal consciousness is a right manifested in the consciousness of a person, in the

ideas of society. legal consciousness is a system of beliefs, perceptions, evaluations, feelings and other components of spirituality in relation to law and legality. Legal consciousness is the element of legal culture that is least influenced by the government and society. It is possible to quickly adopt a new law and establish a state body, but the legal consciousness of a person cannot be changed quickly. Forming a high legal consciousness is a difficult task that requires a lot of effort and time. That is why raising the level of legal awareness of all legal subjects in the "National Program for Improving Legal Culture in Society" was not accidentally set as the main goal. spiritual assimilation of legal values requires simple human culture and literacy. It is inextricably linked with the processes of general education of a person.

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