

Legal Consciousness and Legal Culture: Foundations for Democratic Renewal and Societal Development in Uzbekistan

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Keywords: Legal Consciousness, Legal Culture, Civic Engagement, Democratization.

Abstract: This article examines the relationship between legal consciousness and legal culture within the context of Uzbekistan's contemporary socio-political landscape. As Uzbekistan undergoes a process of state administration renewal, democratization, and modernization, the cultivation of legal culture among its populace emerges as a critical imperative. Legal culture, encompassing political engagement, commitment to democratic principles, and adherence to civic duties, stands as a cornerstone of a mature democratic society and reflects the robustness of its legal framework. Employing philosophical and sociological methodologies, this study delves into the nuanced dimensions of legal consciousness, transcending mere legal awareness to encompass compliance, respect for justice, and the understanding of civic obligations. Furthermore, the article explores the dynamic relationship between legal consciousness and societal development, underscoring its pivotal role in advancing democratic governance, upholding the rule of law, and fostering social cohesion. It also underscores the imperative of integrating legal consciousness and culture into state policy, particularly within the framework of democratization initiatives. Through empirical analysis and theoretical frameworks, this study contributes to a deeper scholarly understanding of legal consciousness and culture as fundamental drivers of societal progress and democratic governance in Uzbekistan.

1 INTRODUCTION


At the current stage of renewal of state administration and further democratization, modernization, and reform in Uzbekistan, the demand and need for legal culture among citizens are increasing. Legal culture encompasses a person's political activity, desire for democratic reforms, genuine civic attitude, and serves as the foundation of a democratic society, indicating the maturity of the legal system. It is a factor that actively influences various societal processes, facilitates the integration of citizens and social groups, and ensures the integrity and stability of society.

The process of establishing a legal state and a democratic society depends not only on the political activity, organization, and solidarity of the public but also on the level of legal literacy and legal culture. "Increasing the legal culture and legal consciousness of the population," emphasizes I. Karimov, "raising citizens in the spirit of obedience and respect for the law is not only the goal but also the means, the most

important condition of building a truly democratic, legal state and a free civil society based on a developed market economy" (Karimov, 1997).

The task of modernizing and liberating our country, democratic renewal of the political-legal and economic system, requires raising people's outlook, thinking, political-legal level, culture, and social activity, further increasing the legal literacy of all participants in legal relations, and improving their legal culture (McAfee, 2011).

In the conditions of democratization of public life, the formation of legal culture among citizens, and improvement of means and methods of legal education and legal upbringing are among the priorities of state policy. The success of the implementation of the tasks defined in (Toshpulatovich, 2023; Szilágyi, 2022; Saliev, 2023) about the New Uzbekistan development strategy in 2022-2026, on the one hand, creates the necessary conditions for each member of society to acquire a certain level of legal knowledge, and on the other hand, it depends to a large extent on the socio-

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practical study of the problems related to the classification of legal education on a scientific basis, taking into account the specific characteristics of different social groups.

2 RESEARCH METHODOLOGY

The article relied on scientific methods of philosophical thinking, such as comparison, generalization, dialectic, systematic analysis, analysis, and synthesis, induction, and deduction, as well as sociological inquiry.

2.1 The Dialectic of Legal Consciousness and Legal Culture

It is known that the level of legal consciousness is one of the rights of people, not just awareness or knowledge of laws. This is manifested, first of all, in compliance with laws and readiness to fulfill them, obedience to the law, and respect for law and justice. Legal ideas and concepts are formed as a result of education in the social environment, and they encourage every citizen to understand their rights and take into account their obligations, determining their attitude towards them. Legal awareness, raised to the level of legal culture, is expressed in the awareness of the duties and responsibilities of every citizen to others as defined by the law. Legal consciousness is one of the forms of social consciousness and manifests the derivative of objective needs required by the development of social existence. In other words, legal consciousness is one of the elements of the cultural existence of society and forms its epistemological basis. Legal consciousness is a specific sub-system in the whole system of social perception, and because it reflects the phenomena of social life included in the framework of the legal system and legal order, it shows the general aspects of the spiritual sphere of society. Until now, different interpretations have been given to the category of legal consciousness in the scientific literature. In the national encyclopedia of Uzbekistan, the category of legal consciousness is interpreted as a form of social consciousness that is reflected in the understanding of existing legal relations and law, and the perception of law and order by members of society. According to E. Halilov, "legal consciousness means awareness of law, it is the embodiment of imagination and feelings that express people's attitude to the existing law and the law they want" (Toshpulatovich, 2023; Nugmanovna, 2023). In our opinion, legal consciousness takes its essence and content not only

from legal norms but from the life of the whole perfect real society that creates them. That is why it is always influenced by philosophical, ideological, and political views. The basis of the cultural existence of society is, first of all, human needs and interests, in particular, the legal need - its understanding, the goals, plans, and creative activities to satisfy it, its results, and its mastery, and stable relations between them are the object of legal consciousness through the improvement of legal life, ensuring that it goes. This, in turn, grounds the legal continuity of the dialectical unity between the elements of legal existence. Also, in the view of legal consciousness as the attitude of people only to the actual law, the range of material and moral problems that determine its content in advance is limited. The content and level of a person's worldview, beliefs also affect the formation of legal consciousness. This means that the elements of legal consciousness can exist even when the norms of law are not fully reflected in human consciousness. Even a baby who does not yet know what rights are, knows that his toy is only his own. This situation can be explained by natural rights such as birth and life, freedom and equality, and ownership of property given to man by nature. Human rights and obligations are the form of natural rights reinforced by positive law in various normative documents. Therefore, legal consciousness means, first of all, social and moral understanding of the rights given to man by nature (Tadzhikhanov, 1998). According to I. Ilin, the knowledge of one's own value in the heart of a person and the respect for one's identity arising from it is a guarantee that one's actions are in accordance with the goals and instructions of the law. The presence of free will in a person's soul forces a person to appreciate the right as a necessary form of spiritual life and to follow its instructions. On this basis, legal consciousness is formed in a person, that is, striving for the law, its goal, voluntariness, and the ability to legally justify one's actions with the understanding of this goal (Karimov, 2010; Stevens, 2007; Zakirov, 1998). Also, the recognition of the mutual moral value of people is the basis of the legal relationship. The legal order cannot exist outside of these forms of recognition because with its disappearance, any unity and any solidarity, consensus will disappear. Therefore, the level of legal consciousness is not measured only by the arithmetical sum of legal knowledge, but it is determined by the level of personal pride, self-awareness, national consciousness, and spirituality of a citizen.

Sociological studies indicate that as individuals age, their interest in law also tends to increase. For instance, when asked, "Do you know your rights and

responsibilities?", 20.3% of 14-19-year-olds, 21.3% of 20-24-year-olds, and 22.5% of 25-29-year-olds responded affirmatively. However, this trend cannot be solely attributed to individuals' natural maturation processes and their quest for social integration. Instead, it is posited that individuals' socialization processes, coupled with heightened self-awareness, contribute significantly to their evolving legal consciousness. Legal consciousness is construed as a manifestation of individual cognition, societal ideals, and a complex amalgamation of beliefs, imagination, evaluations, emotions, and other spiritual components pertaining to legality. Scholars such as E. Halilov, Islamov, and Tadzikhonov assert that legal concepts, feelings, and volition constitute the foundational elements of legal consciousness, alongside legal mentality and legal ideology.

The subjective experiences individuals undergo in their legal encounters are often expressed through emotions with legal connotations. Legal mentality, as distinct from mere emotional inclinations, encompasses relatively stable components such as customs and traditions. In contrast, legal ideology is characterized by its theoretical and scientific engagement with legal realities, reflecting societal structures, relationships, and the methods of state regulation. Legal ideology transcends empirical realities to encompass both existing and potential social relations, operating on a more comprehensive level compared to legal mentality.

The debate surrounding legal consciousness posits two contrasting perspectives: one emphasizing the dominance of ideological influences and the other emphasizing spiritual elements. Proponents of the former argue that legal mentality is directly shaped by legal ideology, wherein ideological education significantly impacts individuals' perceptions and responses to legal issues. Conversely, advocates of the latter perspective highlight the pivotal role of individuals' mental structures in shaping legal frameworks and practices. The national psyche is deemed crucial in determining the trajectory of legal consciousness, thereby influencing the ongoing efforts to enhance legal consciousness and culture in Uzbekistan.

Notably, societal attitudes towards law often reflect unique national characteristics, as evidenced by surveys indicating a greater inclination towards law-abidance over the active assertion of constitutional rights. This tendency towards implicit compliance underscores the significance of cultural and societal norms in shaping legal behavior. However, some segments of society exhibit skepticism towards the efficacy of legal mechanisms,

preferring to rely on state intervention for dispute resolution. These attitudes, characterized by a lack of confidence in legal frameworks and an inclination towards passivity, pose challenges to the cultivation of a robust legal consciousness and culture.

In conclusion, the evolving legal consciousness and culture in Uzbekistan are influenced by a myriad of factors, including societal norms, ideological frameworks, and individual attitudes towards law. While there exists a latent potential for legal development and democratic reforms, the realization of these aspirations necessitates concerted efforts to address skepticism, foster confidence in legal institutions, and promote active civic engagement.

The legal consciousness and mentality of the population lag behind the legal ideology promoted by the state, and the legal ideas and principles typical of the legal state differ sharply from the legal nihilism of everyday consciousness. The reasons for such a situation in legal consciousness are not limited to the framework of the legal system but are determined by economic, social, and other objective and subjective factors. The national character of legal consciousness is one of the objective factors.

Legal consciousness is manifested in the equality of law and law for everyone, regardless of nationality, religion, or belief in the life of society. People's national units and religious units do not have the opportunity to unite and organize on such a large scale. In our opinion, legal consciousness consists of views and beliefs that express people's relationship to the law, their imagination, aspirations, and feelings about the law. It is not only a passive reflection of existing laws in the human mind but also a moral basis that creates the need for the development of legal norms and can unite members of society. On the other hand, historical experience testifies that only a nation with a high level of legal consciousness and culture can be self-aware and work steadily towards achieving its goals. In other words, legal consciousness is a field of consciousness that reflects legal reality in the form of legal knowledge and assessment of law and its implementation, legal behavior and values that regulate human behavior. So, this definition shows that legal consciousness is also an internal, personal regulating force of human behavior.

The scope and boundaries of the content and object of legal consciousness are formed under the direct influence of the objectively derived needs and interests of society, the various social groups that make up it, and the changing objective conditions and processes lead to its continuous development.

Economic difficulties in society not only lead to a wide spread of defects of legal consciousness but at the same time cause legal activation of the citizen whose behavior is oriented according to the goal. According to the results of sociological surveys, "Do you want to improve your legal literacy?" 53.4% of those who gave a positive answer to the question - incomplete secondary education, 53.3% - secondary education, 61.1% - secondary special education, 51.8% - higher education.

In our opinion, legal consciousness is a reflection of the development of the legal reality of society in human thinking, a system of views that defines the compliance of human behavior with the norms of law, and a form of social consciousness that represents the moral basis of the application of law to life.

It is known that legal consciousness, like other areas of human consciousness, can go beyond the possibilities of existing legal norms. This shows that the legal mind is not a dry copy of the existing legal norms in the human mind, but their ideological source. Even though legal consciousness directly gives the meaning of "legality" to individual relations, in some cases, it also reveals problems that are not in the existing legal norms. Demands to protect human rights and freedoms, to realize them, to cancel certain laws and create new ones, show that legal consciousness has exceeded the standards of existing law. At the same time, this kind of "overtaking" is characteristic not only of the initial stages of the creation of rights but also of the development of society as a whole. The change of legal consciousness creates new opportunities in the development of law and legislation. This situation can be seen in the example of the legal reforms being carried out in Uzbekistan, which has chosen the path of building a legal democratic state.

The role and importance of legal consciousness are clearly visible, especially at the turning points of history. In such periods, the level of legal culture of citizens affects the life and development of society both positively and negatively. As a result of citizens' ignorance of the new laws adopted during the transition period, and their inability to apply them even if they are informed, it can be observed that their rights are violated by officials in some cases. In order to prevent these situations, it is important to develop and adopt documents that establish new legal mechanisms aimed at further strengthening the role of state authorities, law enforcement structures, including the prosecutor's office, to comply with legal requirements and ensure the rule of law.

The success of the processes of democratization of public life largely depends on the improvement of

legal consciousness and legal culture of citizens. Because only a citizen with a high level of legal literacy and legal culture can be a reliable support for free economic, democratic, and spiritual changes. That's why today the question of improving legal culture, legal awareness, and knowledge of every citizen, based on the needs of the time, is gaining great importance.

Therefore, legal consciousness consists of views and beliefs that express people's relationship to the law, their ideas about the law, aspirations, and feelings. A people and a nation that has grown in legal consciousness, knowledge, and culture can build a great future state by being self-aware, believing in its own strength, and using all its possibilities in a positive way. Legal consciousness, legal knowledge encourages all citizens not only to solve today's problems but also to think about the future.

Based on the age-old traditions, traditions, language, religion, and spirit of our people, legal culture serves to inculcate in our minds the feelings of enlightenment and truth, such as honesty and faith, justice and legality, high respect and attention to people, and patience. Therefore, a legal culture that directs people's thoughts and worldviews to work selflessly for our independence is a vital necessity.

In our opinion, legal culture expresses the level of legal consciousness, knowledge of law, and respect for laws, includes the activities of law enforcement that serve to ensure and strengthen legal order and legality, and reflects the ideological and legal situation of society at a certain historical stage.

Law can fulfill the role of a moral factor that regulates social relations only when it is recognized as a moral value and vital necessity, that is, when a person determines the objective importance of its norms and principles, not when it is understood by thinking and verified by experience. After all, "as long as the citizens do not have a conscious attitude to the laws, they will not be implemented, and instead of giving impetus to the development of society, they will remain a mess. The active manifestation of a conscious attitude to the laws consists of the sense of claim developed in every citizen. The establishment of a sense of interest in the law among citizens is the basis for their legal activation - increasing the level of their legal culture (Ismoil kizi, 2024).

Legal culture is formed and improved under the influence of legal ideology, legal knowledge, legal psyche, or social-spiritual, emotional-volitional side (experiences, feelings, habits, trust, etc.) within legal consciousness. At the same time, legal culture leads to the formation and control of property, economic, national, family, and other relations between citizens

and states, as well as the growth of people's legal consciousness, literacy, and knowledge. Where legal consciousness is not formed, there can be no talk of legal culture (Zakirov, 1998).

Legal culture begins first of all with obedience to the law, which is a manifestation of deep respect for the law. These qualities are also indicators of a positive legal consciousness, and they are determined only if the citizen identifies it as a means of satisfying his needs in the process of studying the legal entity, getting to know it more deeply, making sure of its fairness, comparing it with other legal systems. Therefore, if legal consciousness includes not only knowledge of legal norms but also a firm attitude towards it, legal culture includes only relatively progressive, socially useful, and valued phenomena of legal existence. Also, legal culture does not allow people to be confined only within their national framework but also encourages them to solve problems of universal importance in a legal way.

The understanding of law as a value goes back not only to the state of the legal existence of the society but also to the life program of the citizen, to the level of his legal literacy, to the correct understanding and observance of the instructions of the law. Therefore, the development of legal consciousness in society is the basis for the improvement of high legal culture. In this sense, legal culture implies that a person fully follows the law in his activities. Legal consciousness is a sphere of pure consciousness, while legal culture is a form of practical manifestation of legal consciousness in socio-legal reality. However, legal culture is not only the result of activity but also its means; in this sense, moral legal culture is understood as a way of thinking, norms, and standards of behavior, and in relation to a person, it is expressed in his mentality. Turning to legal culture allows us to understand the mechanism of becoming a phenomenon that can be studied objectively and participates in the development of society.

There are two ways of understanding legal culture in science. On the one hand, legal culture refers to a set of legal phenomena. In this case, the legal culture of any society includes law-making, legal organizations, legal practice (activities of official state bodies, legal behavior of citizens), legal consciousness. On the other hand, legal culture is manifested as a certain level of development of individual, group, or social legal consciousness. It is this understanding that is widespread, and legal culture at the individual level is manifested in a deep knowledge and understanding of the law, in the implementation of its instructions on the basis of high consciousness as a perceived necessity and inner

need. In this case, legal culture is both a product and a quality indicator of purposeful activity based on the legal consciousness of a person.

3 RESULTS

So, legal consciousness covers only the spiritual life of society and is considered a part of social consciousness, while legal culture has both a spiritual description and covers the material part of law. The legal culture of society consists of the following: firstly, the system of legal norms - law; secondly, legal relations, that is, from the system of social relations regulated by law; thirdly, from state and community institutions involved in providing legal protection, i.e. legal institutions; fourthly, legal consciousness, that is, from the system of educational and educational work that ensures the absorption of legal existence into human spirituality; fifth, from legal actions.

The development of legal culture takes place on the basis of comprehensive reform and improvement of all its listed components. The historical development of legal culture is made up of the legal situation and the level of legal freedom.

As legal consciousness essentially consists of knowledge of the applicable law and its evaluation, it is a conflicting form of consciousness formed under the influence of objective and subjective factors, and it is not enough to establish a legal state. For this, it is necessary for the legal consciousness to rise from the set of ideas and opinions that express the attitude of a person to the law both in practice and their own desire, to the level of legal culture (being able to fully use one's rights and freedoms within the framework of the law and acting in accordance with it).

No matter how high a person's level of legal literacy is, if he does not treat the law with respect, does not follow it in his activities, does not follow its instructions, it is impossible to achieve the rule of law in society, that is, the celebration of democratic principles. Surveys conducted among the population show that a large number of respondents admit that they do not commit crimes because they fear punishment, not because they respect the law. Therefore, our main task is not just to spread legal knowledge, but to form the ability to follow the law in every person from a young age as a conscious necessity. Legal knowledge is the basis for a high legal culture only if it is mastered on the basis of a firmly formed positive life program, if it passes through the scales of intelligence, faith, and honesty. That is, the ability of a person to actively use acquired

legal knowledge in his work, to comply with the current legislation, and to cultivate the spirit of respect for the law in him is a sign of legal culture.

4 CONCLUSION

Legal culture, as a relatively broad concept, encompasses legal consciousness and depends on its level, but it is not limited to the sum of legal knowledge. A necessary factor for the formation of a high legal culture is a person's understanding of law as a necessary need for the existence of society, a deep understanding of its essence, and seeing law enforcement agencies as the defenders of their rights and freedoms, treating the law with the level of faith and always following it. The legal culture of a person is individual views, assessments, reasons, legal guidelines from the point of view of universally recognized social values, which are the basis for legal and socially active actions related to the implementation of rights and obligations, the result of educating legal consciousness with a specific goal, it is the highest stage. So, legal consciousness and legal culture are concepts that rely on each other, and their level depends on a person's goals and beliefs. Legal culture as a higher level of legal consciousness is also a component of the general culture of a person. In this sense, it includes all legal aspects and issues that characterize society and man. The elements that make up the legal culture of society are also the components of several social and spiritual systems. The tasks of legal consciousness, which reflect life from the point of view of the rights and obligations of people participating in social relations, rely on intelligence, manners, and moral values, and legal culture, which represents a higher level in terms of quality, is in harmony with each other. Therefore, legal consciousness and legal culture are in a dialectical interrelationship, one of them has an ideological-legal influence on the spiritual environment of society, people on their life programs, and the other, as a logical continuation of the first one, shows the transformation of possibility into reality. A person with a wide legal mind and knowledge can differentiate between good and bad, theft and righteousness, honesty and impurity. And the legal culture educates him in the spirit of obedience to the law, instills hatred in people's hearts towards those who commit bribery and extortion, conspire with criminal groups, deceive and kill others, and want to own their property. Based on the above, it can be concluded that: First, legal consciousness, which is a component of social consciousness, has an impact on

the development of society and the development of social life. Legal ideas, knowledge, and imagination, legal theories penetrate into all aspects of social life, occupy a place in the minds of citizens, and have an ideological and spiritual impact on people's behavior and practical activities. Legal consciousness encourages people to manage themselves in a certain way, to operate within the framework of laws and regulations adopted by society; Secondly, legal consciousness is an important component of legal culture, which primarily consists of the views and beliefs of people expressing their relationship to the law, their perceptions of law and the law, and their aspirations; Thirdly, there is an inherent dialectical relationship between legal consciousness and legal culture. Changes in legal consciousness are reflected in legal culture. Improving legal awareness changes the content of legal culture under certain circumstances; Fourthly, legal culture helps every person, citizen to know and protect their rights. Acquiring legal knowledge and culture, strictly following them in life, feeling the rule of law from the heart and soul, gives a person great education and upbringing, helps him to live and work safely and peacefully in life. Legal knowledge and culture are important indicators of the maturity of people and nation; Fifthly, a people and a nation with a developed legal culture become self-aware, objectively evaluate their strength and capabilities, and understand more deeply that acting based on localism, groupism, clannishness, and familiarity is the cause of the greatest social disasters and tragedies; Sixth, the level of development of citizens' legal awareness and knowledge is directly related to their socio-legal activity. Active participation of members of society in socio-political, economic, cultural-spiritual spheres, in self-management bodies leads to an increase in the level of legal consciousness and culture. Legal culture is formed synergistically, reflecting the level of the existence of society and the stages of human civilizational development.

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