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## THE ROLE OF LEGAL CONSCIOUSNESS AND LEGAL CULTURE IN THE EDUCATION OF THE INDIVIDUAL

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### ABSTRACT

*The formation of the legal structure of society and legal socialization is incredibly important in determining the degree of development of legal relations. An in-depth study of the processes of legal socialization provides an opportunity to correctly assess the degree of formation of its constituent elements, to conduct more effective research on the phenomenon of legal socialization. We can look into legal consciousness and legal culture as the most important structural elements of the legal socialization process. In this article, we will philosophically analyze the essence and means of legal socialization of a person in the formation of modern civil society. In that investigated the dialectical relationship between legal consciousness and legal culture in the process of legal socialization, the problems of formation of legal consciousness and legal culture and their role in the system of legal socialization, as well as the impact and importance of deviant behavior on the process of legal socialization.*

**KEYWORDS:** *Legal culture, Legal consciousness, Legal socialization, Civil society, Citizen.*

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### INTRODUCTION

We believe that in analyzing the content of the legal socialization of a person in civil society, the main tools, it is necessary to carry out a comparative analysis of the main definitions and different interpretations of the concept of civil society. The concept of civil society is one of the main problems of Social Humanitarian Sciences, which in terms of social philosophy represents a holistic complex of spiritual and economic relations without politicization in society. In the development of socio-philosophical thought, many sociologists expressed their relationship to the concept of "civil society". In particular, "civil society is a system of relations and means independent from the state and more dependent on it, which creates conditions for the realization of private interests and needs of individuals and communities in social, cultural, educational spheres ". Civil society is not a simple, simple sum of individuals, but a holistic view of the colorful relations between people, economic, social, spiritual, cultural interaction. This cooperation is of organizational and institutional nature, and this cooperation is seen in connection with social movements, State and non-governmental organizations, public associations. [1]

### MATERIALS AND METHODS

Civil society in today's interpretation is, of course, a phenomenon that has emerged in Western social relations. Emmanuel Kant (1724–1804) was one of the first to develop the concept of civil society in his book *The Idea of General History in World Citizenship*. Thinking about a legal, civil society, he says its rise depends on the proper organization of governance. Because it is in such a society that its citizens are given great freedom. He argues that freedom should be clearly defined and proportionate to the freedom of others. Gegel, on the other hand, defines the phenomenon of

civil society, in which private property acquires a primary character. That is, "first of all, the system of needs based on private property, as well as religion, social strata, family, morality, duty, culture, education, laws constitute civil society"[2]. Regarding the relationship between state and society, Gegel emphasizes that society is not emac, but the state is the driving political force of development. The primary nature of the state in relation to society (civil society), in his opinion, is explained by the existence of a "secular spirit", "absolute idea" on the basis of the development of the whole universe. "At a time when civil society is" alien "to the spirit, it is the state that emerges as the most powerful representative of the human personality, political, material and spiritual origins, embodying the idea of self-development on a global scale" [3]. In Ferguson's Historical Experience of Civil Society, he expressed a morally critical attitude to the society that existed at that time, that is, to the society on which commercial relations formed the basis of relations. In his views on civil society, Fegryusson praised the articles on the spiritual and moral maturity of a man. He supports Montesquieu's idea that man is born and remains in society. He criticizes the selfish nature of man, coming to the conclusion that an overly selfish man cannot carry out the social activity. In this context, Ferguson can be seen as one of the scholars who actualized the problem of the legal socialization of the individual.

At this point, an attempt is made to analyze the phenomena of legal socialization of the individual, legal consciousness, and legal culture, which are important components of legal socialization, as a separate object of philosophical research. Legal socialization plays an extremely important role in the formation of legal consciousness and legal culture in the individual. "A person's ability to understand his or her place in society, his or her role in the system of social relations, and to accurately assess changes in society, in parallel with his or her knowledge and understanding of the ontology and specific laws of social and legal relations. is formed and developed " [4] The legal socialization of the individual manifests itself as an integral element of the overall socialization process. That is, in the process of mastering the rules, norms, values established in society, the legal socialization of the individual also takes place. It plays an important role in the formation of the individual as a person, as well as in the formation of the civic position of the individual, his attitude to events in society.

## **DISCUSSION AND RESULTS**

Contemplation gives a person the ability to evaluate their behavior correctly, to draw the right conclusions from their mistakes and achievements. In the Vedas, the first philosophical system of the Hindus, in man: the physical beginning, the etheric beginning astral the existence of beginnings and mental beginnings are emphasized. Mental origin is emphasized as the ruler of man, the shaper of free will. For this reason, it is accused that the desires that capture the human will must be subordinated to reason and thinking, otherwise, the desires will inevitably take over the will of man. The Upanishads say, "Man is formed according to what he thinks." "Man's way of thinking is an important driver of the formation of his inner world" [5] "Thoughts that are full of inner truth, devoid of any taste, purify the spiritual world of man and cause him to unite with his higher self" [6]. As we purify and develop our thoughts, our thinking, we turn it into a virtuous force for those around us. Today, humanity is experiencing an important, turning point in its future. Pessimistic predictions of the future of mankind are on the rise. Global environmental problems, demographic crises, socio-political conflicts, terrorism, views on the spiritual and moral decline, which have called into question the future of mankind, have become the main topic of both the scientific community and the media. It is natural that such a situation in society, among people, leads to depression, insecurity about the future, despair, pessimistic mood. Man begins to feel helpless, defenseless in the midst of the problems that surround him. But man remains human in any situation. He has the ability to find a solution to the problem in any situation, to resolve conflicts. Such an ability is due to the fact that he is a conscious being, a possessor of thinking. If we look at the history of mankind, the solution of the social, political, spiritual crises that have

arisen in society is associated with a change in the way of thinking of man. That is, a change in the existing state of human society is directly related to a change in his way of thinking. This means that thinking is the only savior of mankind, the solution of all its problems, the key.

"Because we humans are the most advanced beings in nature, we can understand and observe what is happening around us, we can tell others about it, we can raise our children, we can teach what we know to others, we can work independently in the world, we can respect ourselves and others." We should be grateful for the fact that we are able to have our own ideas, to pass them on to others, to discover things that do not exist in nature, to be creative and to be artists in various fields" [7]. Indeed, the main aspect that determines the fact that man is a higher being is thinking. Through thinking, man assimilates and changes existence. Through thinking, a man actively influences the being, becomes an active part of the being. As long as man is a thinker, he rises as an element of the evolution of being, as the driving force of evolution. The laws that govern and regulate society are also the product of human thinking.

Thinking is the process by which the mind functions. Man is a thinker, a transmitter of thoughts, a thinker, a thinker who can change the world with his thoughts. It helps him to have consciousness. Consciousness is the activity of the human brain. If consciousness is an opportunity, thinking is the realization of that opportunity into reality, the activity of the mind. Contemplation is the process of thinking, that is, it is the manifestation of the mind, the functioning of the mind. If the mind is the essence, the thinking is the phenomenon. The knowledge in existing experience does not confirm that consciousness can exist independently of man. Consciousness is a spiritual phenomenon manifested in the thought process of the human brain. The mind is formed, perfected, and developed together with man. The mind creates thought. The mind is the spiritual view of reality. It is the spiritual basis for the formation of thought. So a creature without consciousness cannot think. "Consciousness is neither matter nor matter. It is a spiritual phenomenon, a form of action. The mind is the most powerful tool that helps a person to adapt to a changing world" [8]

Consciousness is a product of human brain activity. Consciousness is the mental state of a person. The human brain has evolved throughout the entire historical development of mankind. The man was forced to work, to act consciously, to make a living. Hence, consciousness and thinking are one of the main factors of human socialization. Important elements of consciousness are memory, self-awareness, work activity, evaluation, reflection. That is, one of the synergetic properties of human thinking is that thinking allows a person to observe, control, self-manage, self-evaluate, self-reflectively analyze, self-organize his behavior. Man remembers the objects he encounters in reality and their properties. To do this, it must have a memory. Man pits himself against the outside world and strives for a goal that suits his interests. In doing so, one must understand oneself and be able to estimate one's beliefs correctly. It is important that a person understands himself correctly. Man engages in his conscious activity in an exercise that benefits himself and his own. This is a purposeful and rewarding exercise. In the process of labor, a person improves himself and evaluates his own activity, the activity of others. He evaluates the things he needs for himself and others around him, in accordance with their dignity. On this basis, he distinguishes between good and evil. [9]

The process of legal socialization is accompanied by the process of adaptation to the socio-cultural environment as a result of the direct and indirect influence of many material and intangible factors. This process also determines the development trends of legal culture and legal consciousness in the society. One of the most important factors determining the level of legal culture and legal socialization is legal consciousness. Legal consciousness is a form of social consciousness, which represents a holistic system of legal views, theories, ideas, perceptions. There are different forms of people's acceptance and understanding of an existing being - this is social consciousness. One of the forms of social consciousness is legal consciousness. Legal consciousness is the subjective perception of legal phenomena by people. This phenomenon consists of the general sum of

people's knowledge and perceptions of the legislative and legal system. The legal thinking of the individual is the law in modern society it also includes the ability to objectively assess the importance of norms. "Legal consciousness is a form of social consciousness, which is reflected in the perception of existing legal relations and law, the concept of law and order"[10] The legal consciousness of the individual, group, and society are highlighted. It consists of legal consciousness, legal ideology, and legal psychology. Legal ideology is a scientifically generalized system of views, concepts, ideas, and views on various legal phenomena. The legal phenomena reflected in the part of the legal ideology of the legal consciousness find their development in the special theoretical researches devoted to the law and are understood at the scientific level. The content of such scientific works becomes the spiritual property of people and brings to their minds clear legal knowledge, considerations, beliefs, and moods. Legal ideology - the formation of the legal consciousness of the individual on a scientific basis, which has a decisive influence on the law, the attitude of man to the law. Legal psychology is the emotional understanding of legal phenomena. Man understands social phenomena, including legal relations, not only intellectually but also intuitively. [11]

Legal consciousness is a form of social consciousness that reflects a person's ability to exist in legal space and time. Adherence to the rule of law, a sense of responsibility for the exercise of their rights and freedoms, resulting in the effective functioning of the legal and political system, the social and political tasks that form the basis of the rule of law and civil society As a result of globalization, the system of legal values is changing in the transformation of legal norms, which in the process necessitates a deeper study of the phenomenon of legal socialization, which generalizes legal consciousness and legal culture. [12]

In the philosophical literature, legal consciousness, and legal thinking, their ontological and epistemological issues are traditionally considered in the context of the problems of social thinking. Sociology, on the other hand, defines legal thinking as a theoretical form of expressing the attitudes of individuals or different social groups towards law and laws in the process of social relations. The problem of legal consciousness as an independent branch of scientific research began to be considered in the early twentieth century. In legal encyclopedias "Legal consciousness is a general set of attitudes, views, and assessments of individuals and social groups in relation to existing legal norms"[13]. Based on this approach, the famous Russian researcher T. Sinyukova defines legal consciousness as follows: "Legal thinking is an independent whole, through which complex, scientific and philosophical problems such as the theory of law, the essence of law, the existence of law, its genesis, the role of legal administration in the system of governance, crime, and its root causes will have the opportunity to study [14]. One of the most important aspects of legal thinking is the understanding by people of the value of natural, fundamental legal norms, the extent to which these norms are reflected in the existing legal system, and their compliance with universally recognized human rights requirements. Legal consciousness is not just about understanding legal norms and legal values, but also about developing new legal norms that require social development, studying the current state of legal relations, and predicting the future. also perform scientific tasks. The level of legal awareness also depends on the legal knowledge of the members of the society. Accordingly, it is important to create a legal information system that will help raise the level of legal culture of citizens. Depending on the level of legal culture, legal consciousness is divided into 3 types: ordinary, scientific, and professional. [15]

Normal legal consciousness usually arises spontaneously and is determined by a person's personal experience, his or her understanding of the life situations associated with legal events. Examples include knowledge of a person's employment or university admissions rules, or liability for violating traffic rules. Legal consciousness does not remain within the confines of ordinary concepts of existence, but constantly evolves and becomes a theoretical, scientific concept. Scientific legal consciousness includes a system of knowledge that accurately reflects the social



legal reality to one degree or another. Professional legal consciousness, on the other hand, is formed as a result of studying at law schools and then being polished in the process of legal practice. Representatives of legal sciences, legal practitioners are its subjects. Legal consciousness is determined by the socio-political conditions of society, its cultural, legal, democratic, or authoritarian traditions. [16]

Legal consciousness is the generalization of knowledge about justice, freedom, democratic principles, natural and inalienable rights of people, as well as their obligations to the state and society. The ability to correctly assess whether the processes taking place in a society are legal or illegal, fair or unjust, is a product of people's legal consciousness and legal thinking. At this point, it is necessary to speak about the difference between the phenomena of legal consciousness and legal thinking. Legal consciousness is the ability to receive knowledge and ideas about the existing system of legal norms in society, while the received information is the product of human analysis and assimilation in the system of knowledge. That is, legal consciousness is a process, legal thinking is a product of this process. Like other forms of thinking, legal thinking represents a part of the being that surrounds a person, the legal part. Legal thinking manifests itself as a positive or negative attitude of people towards existing legal norms. The quality of legal thinking, legal knowledge, legal views, and the system of legal values is a complex phenomenon. [17]

Legal consciousness is the view of people in society about the law because legal norms play an important role in regulating various social relations between people in the economic, political, and cultural life of a society. Legal consciousness differs from other forms of social consciousness in society - philosophy, politics, religion, morality. Legal consciousness has an integral relationship with the law, and their interaction is manifested in the following:

- legal consciousness in society plays an important role in the development and adoption of various ideas in the adoption of laws and other legal norms;
- legal consciousness in society is important in regulating various social relations with all citizens, government agencies, especially law enforcement agencies, the judiciary, and officials, in order to properly apply the law in life;
- legal consciousness in society plays an important role in regulating, codifying the norms of law in force in the current state;
- Legal consciousness in society differs from other forms of social consciousness by law, obligation, duty, delinquency and punitive measures applied to it. Legal consciousness plays an important role in the adoption of legal norms of the state, in the implementation of legal initiatives, in the application of legal norms in marriage, in the regulation of various social relations between them and people. Because any law and other legal norms at the state level are studied by legal experts before adoption. Therefore, the better the lawyers know the policy and practice, the stronger the accepted legal norms will be. After the independence of the Republic of Uzbekistan, many laws and codes were adopted with the active participation of legal scholars, creating the legal basis for a market economy. While legal consciousness teaches people's views on law, it has its own structure, i.e., legal ideology and legal psychology. Legal ideology is the understanding of the views of different classes, classes, nations, and peoples in society on the law. The basic law of the state, adopted in society, the Constitution and other laws, legal norms are adopted in the interests of nations and peoples in society. Legal ideology in each state includes not only law but also jurisprudence. "Legal ideology plays a key, decisive role in the development of legal consciousness in society, the adoption of legal norms. Because the legal ideology greatly contributes to the existence of a legal basis in society, its compliance with the requirements, the regulation and strengthening of legal norms and the development of various social relations between people. Legal psychology

is an important factor in maintaining legal ideology. Because it consists of the legal consciousness of individuals and the public about the law. "Legal psychology is understood as the views and knowledge of everyone in society about the law" [18]. Legal consciousness as a form of social consciousness consists of the following components:

1. Intellectual;
2. Emotional (evaluation);
3. Behavior (activity).

The intellectual component of legal consciousness includes a set of views on legal norms, legal values, and legal relations. Under the influence of various social factors, certain interruptions in the formation of legal consciousness may occur in the process of legal socialization of the individual. That is, all three elements together may not develop in sync. For example, legal consciousness is intellectually formed, aware of laws, knows legal norms well but cannot evaluate them correctly, is either indifferent or does not believe in the power of laws. That is, he knows the laws, he is aware that breaking them will result in liability, but that does not prevent him from committing the offense. The second element of legal consciousness is that even the correct formation of a legal assessment cannot sometimes prevent a person from committing an offense. For example, he knows the legal norms and has confidence in the work of law enforcement agencies, but commits offenses under the influence of various objective and subjective factors. So, the process of legal socialization is a process in which all the elements of legal thinking coexist. Legal consciousness performs the following functions in society:

- regulatory function - legal consciousness plays the role of management, control of social relations in society. This task implies the reliance on the rule of law in social processes and the level of legal thinking in the regulation of social relations;
- evaluation function - in which legal norms, other elements of the legal system are the object of evaluation. The evaluation function represents the attitude to various legal processes. This task expresses the attitude towards one's own and others' behavior in relation to law and legislation;
- cognitive (epistemological) function - involves the accumulation of legal knowledge, the formation of ideas about the legal reality;
- forecasting function - predicts the future of the existing legal system;
- The function of lawmaking - legal consciousness produces new norms that regulate, develop, manage and control various spheres of society.
- There are the following forms of legal consciousness:
- everyday (empirical) legal consciousness is a set of legal knowledge acquired under the influence of the external environment, in the family, in the process of upbringing, as well as as a result of life experience;
- Professional legal consciousness is formed as a result of special legal education and legal activity. It is a form of legal consciousness at the professional and professional level;
- Scientific legal consciousness is formed as a result of in-depth scientific research as a result of understanding the legal entity.

The factors determining the level of development of the state and society are reflected in the following three groups: - "First, the socio-political activity of members of a developed society, citizens of the state should be high; - Second, the level of legal awareness, legal culture, legal literacy should be high; "Thirdly, they need to have a sense of belonging to the reforms in that society". In the era of global integration, the issue of legal culture is one of the main problems attracting the opinion of the scientific community as a socio-legal-philosophical problem. At the

same time, the study of legal culture not only as an integral part of the system of human culture but also the study of the problems of its formation is becoming a topical issue.

Scientists of our country are also trying to study the scientific, theoretical and practical aspects of the formation and development of legal culture, and are conducting research in this area. Therefore, the study of the phenomenon of legal culture through different approaches, systematic study of the basic laws of formation and development of legal culture, the main factors influencing the formation of legal culture, its relationship with related forms of culture in legal, political, ethical, cultural and philosophical sciences can be extremely effective. Because this phenomenon is the internal driving law of the legal system of society.

We have already analyzed the phenomenon of legal consciousness as a basis for the formation of legal culture. After all, legal consciousness is the intellectual carrier, the theoretical basis of legal culture. The legal literature defines "legal culture as a generalization of the system of legal knowledge, norms and values manifested in the process of entering into a legal relationship by the subjects of the legal process". Legal culture is a complex phenomenon that manifests itself in social life and includes legal consciousness, legal principles, legal behavior, legal evaluation, legal attitudes, and legal activity. All that humanity has achieved in the field of law, which includes legal culture in its content achievements, all the knowledge created by mankind in this field, legal phenomena. Law itself, legal sciences, legal thinking, and legal practice are part of legal culture. From this, we can say that legal culture is a legal existence, a legal reality. Such an interpretation of legal culture complicates its epistemology. It causes certain complications and problems in its study. For this reason, we try to study legal culture in a narrow sense, as a form of social relations, an element of the human cultural system, manifested in society in the form of legal behavior, legal activity, and legal behavior. The form of manifestation of legal consciousness in practice is legal culture. Legal culture says that people have knowledge of the law, respect for the law, compliance with legal norms, and if they do not comply, they will be punished accordingly.

## **CONCLUSION**

"Legal culture implies the harmonization of ideas, views, ideas about people's legal obligations, legal rights, and opportunities, people's attitudes to existing legal norms, the legality of this or that behavior, the legal basis of public order." Legal culture is a socio-cultural phenomenon that is formed from the point of view of the union of legal consciousness and legal activity, two concepts that are interrelated, but at the same time different from each other. The most important element of the phenomenon of legal culture is the subject of legal culture. That is, the legal sciences deal with this or that legal process, in the process of analyzing the concept, with general concepts such as certain social groups, society. This activity is called impersonal activity. That is, the subject of analysis is not a specific person, but an abstract person or social group. "Legal culture as an event and process is characterized by a focus on a specific subjective basis, a specific person." Even concepts such as "person" and "individual" are rarely used in jurisprudence. Jurisprudence usually deals with the concept of "person". Norms of universal law, while specific states use the concept of "citizen" as the object of certain legal relations. declarations use the term "person" to describe the legal relationship between the state and the individual. The attribute and specificity of legal culture are that it is a phenomenon that belongs to a specific person and an individual. It is the individual who is the owner and carrier of the legal culture. According to the philosophical-ontological approach, a legal culture is a special form of human existence, which represents its specific manifestation in legal space and time. This legal space is designed by man to ensure order and stability in society and is one of the elements that form the basis of the existence of society and the specific impact on the life and activity of each individual.

Two levels of legal culture can be distinguished from each other: the macro-level of legal culture and the micro-level of legal culture. The macro-level of legal culture is the general legal culture of

a society, social groups, and classes at a certain stage of development, while the micro-level of legal culture is the legal culture of a particular person, a specific subject of law. These two levels of legal culture are inextricably linked and interdependent. From the set of legal cultures at the micro-level, the legal landscape of society at the macro level, the legal culture is formed, while the legal culture at the macro level in turn actively influences the formation of legal culture at the micro-level. The degree of formation of legal personality in society as an objective factor influences the formation of individual legal culture. For example, the legal culture of an individual is formed under the influence of the family in which the child is born and raised, the school in which he or she is educated, and the social environment that surrounds him or her. However, at the same time, there may be differences between the legal culture of society, that is, the legal culture at the macro level and the legal culture at the individual, micro-level. That is, the perceptions of individuals about the norms of law, the system of legal values may differ from those of society. The views of society and individuals in this area may be inconsistent. As in all spheres of culture, legal culture can have legal cultures in the form of "counterculture".

The Decree of the President of the Republic of Uzbekistan Shavkat Mirziyoyev dated January 9, 2019 "On radical improvement of the system of raising legal awareness and legal culture in society" also has practical significance in transforming the knowledge and culture of the population into practical skills, raising legal literacy. It states that "in raising the legal culture, first of all, the work on legal education and upbringing is not carried out systematically and organically, for many years the solution of this issue was considered the task of law enforcement agencies, the principle of family-neighborhood-civil society was not sufficiently followed. This has a serious negative impact on the rule of law."

It should be noted that "in recent years, significant work has been done to radically reform the national legal system, to form a legal culture in society and to train qualified legal personnel. At the same time, a number of problems and shortcomings remain that hinder the formation of respect for human rights and freedoms, raising the legal awareness and legal culture of the population, increasing the level of legal literacy of citizens in society. In particular, in raising the legal culture, first of all, the work on legal education and upbringing is not carried out systematically and organically.

The issues of raising the legal awareness and culture of young people, which is one of the important directions of state youth policy in our country, are reflected in the Law "On further improvement of state youth policy" adopted in August 2016. In particular, Article 5 of the law is entitled "Main directions of the state youth policy" and states that the main directions of the state youth policy are: ensuring the rights, freedoms, and legitimate interests of the youth; youth life and health care; to promote the spiritual, intellectual, physical and moral development of young people; providing open and quality education for young people; employment of young people and creation of conditions for their employment ..."

Article 16 "Powers of the judiciary in the field of state youth policy". Judicial bodies: participate in the development and implementation of state programs, regional and other programs in the field of state youth policy; participates in legislative activities in the field of state youth policy; makes proposals on improving the normative and legal documents in the field of state youth policy; implements and coordinates activities to raise the legal awareness and legal culture of young people "

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