



THE CONCEPT OF ENVIRONMENTAL AND LEGAL CONSCIOUSNESS AND ITS ESSENCE

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ABSTRACT

This article describes the problems associated with the formation of environmental legal consciousness, it is expedient, first of all, to analyze the content of the concepts related to this phenomenon. In other words, by understanding the essence of such categories as "consciousness", "social consciousness", "legal consciousness", it is possible to determine the legal and socio-philosophical nature of the concept of ecological legal consciousness. In turn, the study of the problems of raising environmental legal awareness and the conditions for their elimination requires a generalization of approaches and scientific views put forward in the social sciences on the concept of legal consciousness, in particular, the process of its formation and formation.

KEYWORDS: *legal consciousness, environmental consciousness, sociology, people's lifestyle*

It should be noted that despite the abundance of sources and opinions on the concept of legal consciousness, it is possible to observe certain ambiguities in the approach to this issue, the presence of different opinions and sometimes their contradictions. In this regard, the study can develop a holistic definition and understanding of the concepts of legal consciousness, environmental legal consciousness, their structure through a critical analysis of the approaches put forward in the legal sciences, identifying commonalities and specifics.

It is well known that legal consciousness is one of the forms of social consciousness. At this point, the question naturally arises as to what the social consciousness itself is. According to A.Ibragimov, H.Sultonov, N.Juraev, "a person's understanding, perception and attitude to social life takes place in his mind. That is why the expressions political consciousness and social consciousness are derived from this. 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." [1]. In turn, there are different forms of social consciousness through which people learn social and natural existence. In this regard, the relevant literature distinguishes the forms of spiritual, political, legal, aesthetic, religious consciousness.

The system of general and social worldviews of members of society includes political,

legal and other types of consciousness. In turn, the problems of legal consciousness have always been an important aspect in the formation of social and individual consciousness in society. As a form of social consciousness, legal consciousness also has its own characteristics. As we begin to analyze this legal category, we see that there are different interpretations of it in the views and legal sources of the authors conducting scientific research on the subject. In particular, according to E.H. Khalilov, a legal scholar who has conducted a monograph on this issue, "legal consciousness is the understanding of law, the embodiment of ideas and feelings that express people's attitude to both existing law and any law. It is inherently in common with law and is therefore secondary to existing economic relations. Legal consciousness is formed under the direct influence of the objectively arising needs and interests of society, various social groups, constantly evolving under the influence of changing objective conditions and processes. Legal consciousness is part of social consciousness and is therefore influenced by philosophical, ideological and political views." [2].

In contrast to the above definition, the scientist Z.M. Islamov approaches the concept of legal consciousness as follows: can be described as a system of ideas, assessments, perceptions" [3]. At the same time, Z.M. Islamov describes this phenomenon in detail, including the views of citizens not only on the current law, but also on the existing legal practice, the rights, freedoms and obligations of citizens. A similar definition is put forward by legal scholars A.Kh. Saidov and U. Tajikhanov. That is, in



their opinion, legal consciousness - reflects the feelings, emotions, ideas, opinions, assessments, guidelines, perceptions and attitudes of citizens to the Republic of Uzbekistan, which in relation to existing law, legal practice, civil rights and duties, as well as other aspirations [4].

According to legal scholars N. Saburov and M.K. Najimov, "legal consciousness is a form of social consciousness, a set of ideas, feelings, perceptions of people in relation to law, order and other legal phenomena." [5]. At the same time, in our opinion, the question of what factors form the legal consciousness on the basis of these definitions has been neglected. Moreover, in the definition of A. Saidov and U. Tajikhanov, the category of legal consciousness is described not in terms of the theory of law, but in a limited way, ie in the form of the attitude of citizens to the Republic of Uzbekistan.

The definitions given to the concept of legal consciousness by foreign scholars are also expressed in a specific context. In particular, according to Y.A. Dmitriev, "legal consciousness is a set of views, ideas, perceptions, feelings of people and their various units and society as a whole in relation to existing legal and legal phenomena." [6]. In this definition, the important function of legal consciousness, that is, the evaluation activity indicated by Z.M. Islamov, is neglected.

Carrying out economic recovery in proportion to environmental sustainability in the context of the global financial and economic crisis requires the expansion of the powers of states in the field of ecology and its implementation through administrative and legal means. This is because it takes some time to cultivate the environmental legal awareness and skills of people who do not have environmental legal awareness, knowledge and skills, and who operate in a "consumer" worldview. In turn, it should be noted that waiting for such a recovery period can cause significant damage to environmental safety.

Naturally, the system of environmental protection covers a wide range of measures, and one of the key factors in it is the formation of environmental legal awareness of citizens, especially young people. Consequently, the state of the natural environment depends primarily on human behavior and the extent to which it uses natural resources and resources. At the same time, the main factor that determines people's behavior is their views, beliefs and knowledge related to different areas of social life. This situation requires a deeper study of the phenomenon of legal consciousness as a factor influencing whether a person's behavior is legal or illegal. In this regard, the study of issues related to the nature of environmental legal awareness, which is an integral part of the legal consciousness of citizens,

plays an important role in the system of environmental security. The nihilistic attitude towards the role and place of law in society has also had a negative impact on the content and essence of social relations in the field of ecology. Today, when the interests of consumers take precedence over the requirements of the rule of law and the interests of environmental protection, the effective functioning of the mechanism of environmental security can be achieved only by raising the environmental awareness of citizens, especially young people. It should be noted that in the sciences of ecology and jurisprudence there are different approaches to the understanding of environmental legal consciousness.

Many philosophical, sociological, and legal studies use different categories to describe an individual's attitude toward nature. In particular, "socio-ecological consciousness", "socio-ecological culture", "economic-ecological thinking", "socio-ecological self-awareness", "ecological worldview", "society's attitude to nature", "human attitude to nature" and others.

According to I.L. Vershok, a Belarusian scientist who has conducted research on environmental consciousness, the definitions between these concepts are in many respects related to the understanding of ecological existence in the usual and special form. [7]. However, given the inconsistencies in the relationship between nature and society, and the fact that issues related to the use of natural resources are regulated by law in almost all countries of the world, it should be noted that environmental law plays an important role in the system of categories. That is, given that human behavior in relation to the natural environment takes place within the framework of environmental legal norms, we need to assess its relationship to nature from a legal or non-legal point of view. The need to study the phenomenon of "environmental legal awareness" is primarily due to its serious impact on security, including environmental security.

In this regard, a comprehensive study of the ecological legal consciousness and the features of its manifestation today is one of the urgent tasks facing science.

It should be noted that the current ecological situation is characterized by the inability to ensure the harmony of nature and society in a natural way. Ensuring natural sustainability depends in many ways on the nature of anthropogenic activity and the extent to which it is compatible with environmental requirements. In this regard, the First President of the Republic of Uzbekistan I.A. Karimov rightly noted that, the problem of harmonizing the interactions of survival and achieving a balance in the relationship between man and nature is becoming increasingly important [8]. This is confirmed by the results of a survey



conducted in March 2011 in collaboration with the Ecological Movement of the Republic of Uzbekistan and the National University of Uzbekistan to study the views of citizens on the formation of environmental legal awareness in Syrdarya, Samarkand, Kashkadarya and Fergana regions. In particular, when asked, "What is the deterioration of the environmental situation in Uzbekistan?", 69.2% of respondents answered "with the rapid development of science and technology and industry." 2.7% of respondents point to various other factors that have contributed to the deterioration of the environmental situation in Uzbekistan. This shows that the deterioration of the environmental situation was explained by the majority of respondents, ie 69.2% with the rapid development of science and technology and industry [9].

It should be noted that at the current stage of human development, environmental problems affect all forms of social consciousness (moral, political and legal). However, this does not mean that ecological consciousness is a generalization of forms of social consciousness. It performs special functions that other forms of social consciousness do not. In doing so, it is tasked with ensuring specific social needs, that is, harmony in the relationship between society and nature. In carrying out this task, ecological consciousness, of course, is in close contact with other forms of social consciousness, including legal, moral, political, religious consciousness. In this regard, it should be noted that ecological consciousness has a number of different aspects that determine the specific features of its functioning in the system of forms of social consciousness.

First, that it is of a complex nature, characterized by the specificity of the object of reflection. Consequently, a person who thinks correctly from an ecological point of view must not only understand the individual phenomena of nature, but also the interconnectedness of the ecological system as a whole as a complex phenomenon.

Second, an ecologically correct understanding of any natural object or phenomenon implies the ability to see not only the near-term but also the future consequences of changes in nature.

The peculiarity of ecological consciousness is more vividly manifested in the purposes expressed in it. Understanding nature has always been a factor in actively changing it. In this sense, ecological consciousness must perform a certain opposite function, that is, it must determine the transformation of nature by man at a certain historical stage within ecologically permissible limits.

The processes of integration of scientific knowledge and the emergence of interdisciplinary problems, in turn, created the conditions for the

emergence of a special type of ecological consciousness, the phenomenon of ecological legal consciousness. According to TS Smirnov, today the greening of forms of social consciousness is reflected in its impact on economic, political, legal, aesthetic forms of consciousness [10]. According to L.D. Dolgopolova and N.I. Dolmatova, ecological legal consciousness is not an independent form of social consciousness, but it is manifested as a mixture of legal and ecological consciousness [11]. In contrast to the above approach, I.L. Vershok believes that the global changes taking place in nature and society today require the study of certain areas separately from the structure of legal consciousness. In particular, in his opinion, the risks and problems posed by the global environmental crisis pose new challenges to society in principle. The essence of these tasks is to understand the problems associated with the use of nature and environmental protection, as well as the life-threatening consequences of environmental violations, to accurately assess the current environmental situation, to study in detail the rights and obligations of citizens in nature management and protection. [12].

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