

## LEGAL SOCIALIZATION OF THE INDIVIDUAL AND LEGAL CULTURE IN MODERN CIVIL SOCIETY

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**Abstract:** *This article provides a philosophical analysis of the content, factors, mechanisms and tools of legal socialization of the individual in the formation of modern civil society. The author delves into 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. Legal socialization is extremely important in the formation of legal awareness and legal culture of the person. Understanding and correctly assessing person's role in society, its role in the system of social relations develops in parallel with its knowledge and understanding of the ontology and specific laws of social and legal relations. The legal socialization of the person appears as an integral part of the process of general socialization. In other words, in the process of assimilation of the system of rules, norms and values established in the society, the legal socialization of the person also takes place. It plays an important role in the formation of the individual as an individual and it also plays an important role in forming the individual's civic position and attitude on what is happening in society.*

**Key words** *legal socialization, legal culture, civil society.*

"We humans are the most perfect creatures in nature, we can understand what is happening around us, we can talk to others about it, we can educate our children, we can teach others what we know, we can work independently, appreciate ourselves and others. We can take ideas, share ideas, share ideas with others, discover something that is not natural in nature, engage in creative work, has the potential to go as it is, it should also be grateful to fate. "

In fact, the most important thing that determines a person is the Supreme Being. Through the mind, man acquires, transforms, the universe. Through the mind, man actively influences the universe and becomes an active part of the universe. As a human being with the mind, he goes from being an element of evolution to being an engine of evolution. The rules governing and regulating society are also the product of human thinking.

“The history of philosophy is the history of the development of human thinking. In fact, human thinking has long been in need of philosophical analysis and generalization, and the development of human thinking has coincided with the development of philosophical thoughts. From this point of view, philosophical considerations originate in the period of human consciousness, that is, from ancient times.”<sup>1</sup> This is because the mind that distinguishes man from other living things is his thinking. For this reason, we regard reasoning as the most important attribute, an integral part of the human being.

Thinking is the process of functioning of the mind. Man is a thinker, a thinker, a creature who can change the world with his thoughts. It helps him to have intelligence. The mind is the activity of the human brain. If consciousness is a possibility, the idea becomes a reality, the activity of the mind. Thinking is the process of thinking, that is, the manifestation of the mind, the functioning of the mind. Consciousness is the essence, and thinking is an event. Existing knowledge does not prove that consciousness can exist independently of man. The mind is a spiritual phenomenon manifested in the thinking process of the human brain. The mind forms, improves, and develops with the human. The mind forms the mind. The spiritual manifestation of conscious reality. It is the spiritual basis for the emergence of thought. Therefore, an intelligent creature cannot think. “The mind is not matter, nor is it. It is a spiritual event, a form of action. Mind is the most powerful tool that helps a person adapt to a changing world.”

Consciousness is the only human form of perception of objective reality, the method of active human interaction with the world. Consciousness is the purposeful, active, meaningful perception of reality in the human mind. This approach has been refined throughout the historical experience of individuals throughout the socio-historical development. Consciousness is the product of the human brain. Consciousness is the mental state of a person. The human brain has been refined throughout history.

He was forced to work and make a conscious effort to keep alive. Consequently, consciousness and thinking are one of the main causes of human socialization. Important elements of consciousness are memory, self-awareness, labor activity, evaluation, reflection. That is, one of the synergistic features of human thinking is that it allows a person to observe, control, self-evaluate, self-assess, self-reflect, and self-organize their behavior. A person remembers objects and features they encountered in reality. To do this, it must have a memory.

Man faces himself in opposition to the outside world, and pursues a goal that is in his interests. For this, it is important for a person to be self-conscious.

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3 Turaev B. Essence, Forms, Properties of Being. -T.: Institute of Philosophy and Law. 2011. B.101.

A person engages in a conscious activity that benefits him and his people. This purposeful and rewarding training is labor. A person improves himself in the process of work and assesses his or her own performance and that of others. He evaluates the things that are necessary for him and others around him, according to their value. On this basis, it distinguishes between good and evil. 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 impact of many material and intangible factors. This process also determines trends in the development of legal culture and legal awareness in society. One of the most important factors determining the level of legal culture and legal socialization is legal awareness. Legal consciousness is one of the forms of social consciousness and represents a holistic system of legal views, theories, ideas, ideas. There are many different ways in which people perceive and perceive their existence. It is a social consciousness. One of the forms of social consciousness is legal awareness. Legal awareness is the subjective perception of legal events by people.

This phenomenon consists of a general set of people's knowledge and understanding of the legal and legal system. Personal legal thinking also includes the ability to objectively evaluate the importance of legal norms in modern society. "Legal awareness is a form of social consciousness that is reflected in the perceptions of members of society about the existing legal relationships and understanding of law and order. Legal awareness includes not only current law, but also knowledge of its history, as well as the facts in other societies. " The legal awareness of the individual, group and society is highlighted. Legal consciousness is made up of legal ideology and legal psychology. Legal ideology is a scientifically generalized system of attitudes, concepts, ideas and opinions about various legal phenomena.

Legal phenomena, reflected in the legal ideology of legal consciousness, have been developed in specific theoretical research on law and are understood in scientific terms. The essence of such scientific works becomes the spiritual property of the people and brings to their minds clear legal knowledge, opinions, beliefs and attitudes.

Legal ideology - formation of the legal consciousness of the person on the scientific basis, having a decisive influence on the right, the relation of the person to the law. Legal psychology is an emotional understanding of legal phenomena. A person understands social events, including legal relationships, not only with the mind but also with the intuition.

Legal awareness is such a form of social consciousness that the individual's ability to exist in the legal space and time. In addition, important social and political tasks will be addressed, such as the adherence to legal norms, the sense of responsibility for the exercise of one's rights and freedoms, the effective functioning of the legal and political system, and the

foundations for the formation of a legal state and civil society. The strength of legal and law enforcement mechanisms is also largely dependent on this.

The dramatic changes taking place in the society today make the problem of legal awareness more relevant. Such processes as transformation of legal norms in the process of globalization, changing the system of legal values, call for a more in-depth study of legal consciousness, legal culture and the phenomenon of legal socialization that summarizes these two processes.

In philosophical literature, legal consciousness and legal thinking, their ontological and gnoseological issues, are traditionally addressed in the context of the problems of social thought. Sociology is defined as the theoretical form of expressing the attitude of legal people or different social groups to the law and law in the process of social relations. The problem of legal consciousness as an independent network of scientific research began to be considered in the early 20th century.

Legal encyclopedias describe that "Legal awareness is the totality of attitudes, views, and evaluations of individuals and social groups in relation to existing legal norms."<sup>2</sup> From this approach, the famous Russian researcher T. Sinyukova describes the legal consciousness as follows: "Legal thinking is an independent phenomenon through which complex, scientific and philosophical problems such as the theory of law, the nature of the right, the existence of the law, its genesis, the role of legal governance, crime and its underlying causes, will be able to study"<sup>3</sup>. One of the most important aspects of legal thinking is that people understand the value of natural, fundamental law, how they are reflected in the existing legal system, and that they are in line with universal human rights standards. In addition to understanding legal norms and legal principles, legal awareness also carries out important scientific tasks, such as developing new legal norms that require social development, in-depth study of existing legal relations and foreseeing the future. The level of legal awareness also depends on the legal information of members of society. Accordingly, it is important to establish a legal information system that will enhance the legal awareness of citizens. Depending on the level of legal culture, legal awareness can be divided into 3 types: simple, scientific and professional. Normal legal consciousness usually arises spontaneously and is defined by the individual's own experience of understanding of life situations related to legal events.

Examples include knowledge about whether a person is responsible for employment or university entry or for traffic violations. Legal consciousness

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<sup>2</sup> A.Barikhin. Large Legal encyclopedia. Moscow. Ray. 2009. p. 352

<sup>3</sup> T.Sinyukov. Main aspects of legal socialization.



does not go beyond the ordinary notions of existence, but constantly evolves and becomes theoretical, scientific. The scientific legal consciousness includes a system of knowledge that accurately reflects social legal reality. Professional legal consciousness is formed as a result of training in law universities and then in the process of legal practice. Its subjects are representatives of the legal disciplines, legal practitioners.

Knowledge of justice, freedom, democratic principles, natural and inalienable human rights, as well as obligations to the state and society is the legal awareness. The ability to properly evaluate whether a society's processes are legitimate or illegal, just or unjust is a product of people's legal awareness and legal thinking. Let us clarify the differences between the phenomena of legal consciousness and legal thinking.

Legal awareness is the ability of the individual to analyze and absorb the information received in the system, if the knowledge and understanding of the existing system of legal norms exists in society. That is, legal awareness is a process, and legal thinking is the product of that process. Like all other forms of thought, legal thinking represents a part of the human being, the legal part of it. Legal thinking is seen as a positive or negative reaction of people to existing legal norms. The quality of legal thinking, legal knowledge, legal opinions and the system of legal values is a complex phenomenon.

Legal consciousness is the view of the people in society as legal norms play an important role in regulating various social relationships between people in the economic, political and cultural life of society. Legal awareness, that is, people's knowledge of the law, the implementation of the rule of law, is very important in regulating social relations with the norms of law.

Legal awareness differs from other forms of social consciousness in society - philosophy, politics, religion, morality. It is a special form of social consciousness in the society, because legal consciousness is a broad concept that includes knowledge about the adoption of legal norms in society, the application of legal knowledge, the complex social tasks of legal culture and legal education. Legal awareness is inextricably linked to the right. The relationship of legal consciousness and law is reflected in the following features:

- Legal awareness plays an important role in the development and adoption of different ideas in the adoption of laws and other legal norms;
- Legal awareness in the society of all citizens, the state play an important role in regulating various social relationships with law enforcement agencies, especially law enforcement agencies, courts, prosecutors, police, the National Security Service, justice authorities and officials;
- Legal awareness in the society plays an important role in regulating and codifying the legal norms of the state's current law;

- Legal awareness in society differs from other forms of social consciousness with rights, obligations, delinquencies and penalties imposed.

Legal awareness plays an important role in the adoption of legal norms by the state, in the implementation of legal initiatives, in the implementation of legal norms in the development of various social relationships between them and people. This is because any laws and other legal norms in the state are studied by legal experts before they are adopted. Therefore, the better the legal norms, the better the 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. As legal consciousness teaches the views of those who are on the law, it has its own structure - legal ideology and legal psychology. Legal ideology refers to the views of the various classes of the society, ethnic groups and nations on the law. The constitution and other laws, legal norms, which are accepted in the society, are adopted in the interests of nations and ethnic groups in society. Legal ideology in every state includes law, besides law.

Legal psychology refers to the views and knowledge of everyone in society about the law. Its emergence and development involves all social groups and individuals in society. Therefore, legal ideology and legal psychology are interrelated.

Legal ideology plays a key role in the development of legal awareness in society and in the adoption of legal norms. This is because legal ideology contributes to the existence of the legal framework in society, its responsiveness, and the regulation and strengthening of various social relationships between people<sup>4</sup>.

Legal psychology is the nourishment for the legal ideology.

Legal awareness as a form of social consciousness consists of the following components:

1. Intellectual;
2. Emotional;
3. Activity.

The intellectual component of the legal consciousness includes a set of views on the norms of law, legal values, and legal relations. In the emotional part of the assessment, the individual forms his or her attitude towards the legal knowledge that is available. This attitude can be a positive, negative or indifferent attitude.

In the area of activity, the legal activity of a person is based on his legal knowledge and legal assessment. Legal activity is manifested in the form of

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<sup>4</sup> Jabborov I, Jabborov O. Customs of traditional and law. T. Uzbekistan 2014. B.92

legal behavior and is manifested in the course of the person's activities in the form of obedience to laws, non-avoidance of laws and recognition of legal norms as the norm, or vice versa. In the process of legal socialization of a person under the influence of various social factors, certain disruptions in the formation of legal awareness can occur. That is, all three elements may not develop together.

For example, the legal mind is intellectually formed, aware of the laws, well aware of the legal norms, but cannot properly evaluate them, ignore or neglect the power of laws. That is, he knows the laws and knows that breaking them can lead to liability, but that does not prevent him from violating the law. The second element of the legal consciousness is that the proper formulation of legal assessments can sometimes prevent a person from committing an offense.

For example, he knows the legal norms and has confidence in the activities of law enforcement agencies, but commits offenses under the influence of various objective and subjective factors. Thus, the process of legal socialization is the process of co-existence of all elements of legal thinking.

Legal awareness in society carries out the following functions:

**Regulatory function** - legal awareness acts as the control and control of social relations in society. This task provides for the reliance on legal norms in social processes and the level of legal awareness in the regulation of social relations.

**Assessment function** - legal norms, other elements of the legal system are the object of evaluation. The valuation function represents a reaction to different legal processes. This task expresses the attitude of law and law towards the actions of oneself and others.

**The function of cognitive (gnoseological)** involves the acquisition of legal knowledge, the formation of the concept of legal reality.

**The function of the prophecy** is to predict the future of the existing legal system.

**The function of lawmaking** - the legal awareness produces new norms regulating, developing, managing and controlling various areas of society.

There are the following forms of legal awareness:

- everyday (empirical) legal awareness is the totality of legal knowledge acquired through the influence of the external environment, family, upbringing process, as well as life experience.

- Professional legal awareness is formed as a result of special legal education and legal activities. It is a form of legal awareness in the professional and professional level.

- scientific legal awareness is formed as a result of an understanding of the legal reality as a result of in-depth research.

The process of categorizing the phenomenon of legal consciousness as a direction of scientific theoretical research began in the 1970s by Russian scientists. There are several approaches to the classification of legal consciousness in modern legal theory. In particular, A. Ratinov identifies the following criteria for the classification of legal consciousness<sup>5</sup>;

- the subject of legal awareness (individual, social group, society)
- the object of legal awareness (legal norms, legal values, legal relations)
- Ways of manifesting legal consciousness (gnoseological legal consciousness - knowledge and understanding of legal norms, legal values, psychological legal awareness - in the form of emotions and evaluation)
- Depending on how well-understood and assimilated (daily legal consciousness is reflected in the everyday life of each individual, theoretical legal awareness is expressed in highly structured legal knowledge, in the work of legal professionals)
- How widespread (public legal consciousness represents social groups, public legal consciousness, specialized legal awareness - legal consciousness inherent in professional groups, local legal consciousness - legal awareness of particular social groups).

I. Vershok proposes to classify the legal consciousness according to its sector features, such as environmental legal awareness, civil law, and criminal law.

All of us are well aware that our state strives for building a civil society and building a democratic legal society. The realization of this goal is connected with the formation of legal culture, legal culture of our youth. In all aspects of our society, it is more important than ever to know the laws governing social relations and our lives.

Commenting on the importance of legal culture in the spiritual development of society and the development of society, our great countryman, the great Eastern wisdom Abu Ali Ibn Sina said: "The reason why there is so much evil and injustice in the world is with us. When we refuse to fight evil because of ignorance or ignorance, we allow ourselves to become evil. "<sup>6</sup>.

Consequently, the level of legal awareness, legal culture, and ultimately legal socialization of individuals in society is the basis for the rule of law in the society, the formation of a just legal state and civil society.

"In our country, unprecedented reforms in all areas are being made to integrate into a fully developed, free, prosperous, law-abiding, modern-day democratic state that has been the strategic goal of today's Uzbekistan. In particular, in recent years a new era of reform has begun in the national legal

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<sup>5</sup> A.Ratinov. Legal psychology. Moscow.Lawyer. 2001. p.226

<sup>6</sup> Abu Ali Inb Sina. Donishnoma. - Tashkent: 1980. - p.74.



system, both in terms of scope and substance. <sup>7</sup>” The fundamental idea of reforms in the system was to radically change the attitude towards the maintenance of human rights and freedoms and their legitimate interests.

There are a number of important factors that determine the development of the state and society. We will briefly list only three aspects.

- “First of all, it is necessary to have high level of socio-political activity of members of the developed society and citizens of the state;

- Secondly, the level of legal awareness, legal culture, and legal literacy should be high;

- “Third, they need to have a sense of involvement in the reform of that society.”<sup>8</sup>

Today, the phenomenon of legal culture is one of the main problems that draw the scientific public opinion as a socio-legal and 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 problem of its formation is becoming an urgent problem. Scientists of our country are also trying to study the scientific, theoretical and practical aspects of the formation and development of legal culture.

Therefore, the systematic study of legal culture phenomena through various approaches, systematic study of legal, political, ethical, cultural and philosophical disciplines on the main laws of formation and development of legal culture, the main factors influencing the formation of legal culture and its relation to related forms of culture can be effective. This is because the phenomenon is an internal law of the legal system of society. We have already analyzed the phenomenon of legal consciousness as the basis for the formation of legal culture. After all, legal consciousness is the theoretical basis, the intellectual carrier of the legal culture. Legal literature is defined as “legal culture - a generalization of the system of legal knowledge, norms and values that is manifested in the process of legal entities’ involvement in legal relations.”<sup>9</sup> Legal culture is a complex, complex phenomenon that is manifested in public life and includes legal awareness, legal principles, legal behavior, legal evaluation, legal relations and legal activity. In essence, legal culture includes all the achievements of humanity in the field of law, all the knowledge of humanity in this field, the legal phenomena. Law itself, legal sciences, legal thinking and legal practice are part of the legal culture. Therefore, legal culture is a legal reality, a legal reality. Such an interpretation

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<sup>9</sup> Sh.M.Mirziyoev. We will steadily continue our way of national development and raise it to new level. – Tashkent : Uzbekistan, 2017.

<sup>8</sup> A.Ratinov. Legal psychology. Moscow. Lawyer. 2001. p.24

<sup>9</sup> Explanatory Dictionary of main spiritual notions. T., 2013. p.283

of legal culture complicates its epistemological aspect. It presents certain complexities and problems in its research. That is why we try to explore legal culture as a form of social relations, an element of the human cultural system, which is manifested in the form of legal behavior, legal activity and legal behavior in society.

The form of legal awareness in practice is the legal culture. Legal culture is said to give people the knowledge of the rights, the respect for the law, the observance of legal norms, and the penalties for violations if they are not followed.

"We need to create such a legal culture in our society that according to the Constitution and laws, respect for the rights and freedoms, honor and dignity of others is not a daily routine, but a custom." "To be honest, when it comes to legal awareness, legal culture, legal literacy, most of us understand only the laws or the level of awareness of them. It is, in fact, a very broad concept that includes the three important factors that determine the prosperity of the state and society.

A person with a high legal culture is always obedient to the laws and is always respected by the law. Such people do not act contrary to the rules of law, but rather encourage others to do so. Socially active politician reacts to the events taking place in the society, senses their involvement in the reforms, and feels a civic responsibility to the state and society. Most importantly, he will try to make a real contribution to the development of the country.<sup>10</sup> "

Formation of democratic legal state in Uzbekistan requires increase of legal culture of society, officials and citizens. Therefore, an important feature of the rule of law is a legal culture. Uzbekistan's transition to a market economy will require various democratic reforms. This requires the development of legal awareness and legal culture of citizens. Legal culture is part of the universal culture. The less civilized, the more aware of the legal norms and laws, the less aware of the legal literature and the more they apply it.

Therefore, much attention is paid to improving the legal culture of people in the country. In particular, the ninth session of the Oliy Majlis adopted a program for the development of legal culture in society. The program focuses on the development of legal culture and legal literacy of the population at the national level, with an emphasis on improving legal education, increasing the number of legal literature, and raising legal awareness among the population.

In this regard, during the transition period of the Republic of Uzbekistan to the modern market economy, legal education and development of legal culture played an important role in building a democratic state, strengthening the rule of law and implementing various social, economic and political

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<sup>10</sup> Sh.M.Mirziyoev. We will steadily continue our way of national development and raise it to the new level. – Tashkent: Uzbekistan, 2017.

reforms. One of the main goals of the legal culture is to influence people's livelihoods through active participation in all aspects of social life, to create an awareness of the need for advanced legal norms in the lives of individuals, social groups and society.

Philosophical analysis of legal culture Today, there is a deep analysis of the Russian scientist SS Alekseev. In his view, "legal culture is analytical activity and culture. It is a legal wealth that has emerged as a result of the development and improvement of the regulatory aspects of the law, and it is a field of spiritual culture that provides for the improvement of the legal and legal mechanisms in the society and the way people live.<sup>11</sup> "

Another widespread interpretation of legal culture is a sociological interpretation, which is now being thoroughly researched by A.P.Semitko. According to him, "legal culture is a combination of a range of spiritual values that can be expressed in the individual, individual and collective social context. In other words, the legal culture is a specific level of development of the society and reflects the quality of the legal life of the individual and society<sup>12</sup>". According to sociological interpretation, legal culture is the state of legal development of society, the basis of which is political, economic and legal development.

The legal culture is reflected in the advanced level of legal activity and reflects the legal mechanisms and legal awareness of the people. It represents a qualitative state of the legal life of society.

In addition, the institutional interpretation of legal culture is widespread, and we believe that all aspects and features of legal culture are fully covered. To him, a broad legal culture is a social phenomenon that facilitates the balance between political and legal structures, organizations, and the legal behavior of members of the society and facilitates communication between them. That is, the institutional interpretation of the legal culture emphasizes its role in regulating the relationship between society and the individual. The two concepts are different. That is, "legitimacy" and "fairness". This interpretation of legal relations was also present in ancient Greek philosophy. In particular, the famous Greek philosopher Socrates's famous phrase, "What is lawful, that is just,<sup>13</sup>" is still a subject of debate among sociologists and lawyers. According to the legal interpretation, any legitimacy is fair and must be strictly enforced, and sociologists have recognized that the fairness of legal norms should be influenced by the process of social relations, and that the law is characterized by the interests of all members of society.

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<sup>11</sup> S.S.Alekseev. Theory of State and Legacy: textbook / S.S.. Alekseev. – M: Norm, 2004. – p.283 .

<sup>12</sup> A.P.Semitko. Legal Culture of socialistic society: essence, contradictions and progress: monograph / A.P.Semitko. – Sverdlovsk: The Ural publishing House, 1990. – p.176

<sup>13</sup> Saidov A. Comparative law. M.Norm 2006

The institutional interpretation of legal culture involves the coordination and reconciliation of these two approaches. This is one of the main criteria for the rule of law in the world today. That is, the laws and by-laws adopted must represent human interests. The Ombudsman oversees the adoption of laws that are in the best interest of all members of the community. Legal culture envisages harmonization of views, ideas, ideas about legal obligations, legal rights and opportunities, people's attitude to existing norms of law, their compliance with the law, the legal basis of public order. The legal culture is a sociocultural phenomenon, where two concepts are interrelated but different from each other. The most important element of the legal culture phenomenon is the subject of legal culture. That is, the legal sciences deal with common concepts such as certain social groups and society in the process of analyzing a particular legal process or concept. This activity is called anonymous. That is, the subject of the analysis is not an individual, but an abstract person or social group. The legal culture is characterized by the fact that the event and process is focused on a specific subjective basis, a specific person<sup>14</sup>. Even concepts such as "person", "individual" are practically not used in jurisprudence.

Jurisprudence usually deals with the concept of "person." While specific states use the notion of a "citizen" as an object of certain legal relations, the norms of universal law. the declarations use the concept of "person" in the legal relationship between the state and the person. Attributes and peculiarities of legal culture are the fact that they are related to a particular person and an individual. It is the individual who is the owner and carrier of legal culture. According to the philosophical-ontological approach, legal culture is a special form of human existence and represents its specific manifestation in the legal space and time. This legal space has been designed by the individual to maintain order and stability in society, and is one of the key elements of the existence of society and its impact on each individual's life and activities.

According to the philosophical-ontological approach, legal culture is a special form of human existence and represents its specific manifestation in the legal space and time. This legal space has been designed by the individual to maintain order and stability in society, and is one of the key elements of society's existence and its impact on each individual's life and activities.

When a macro level of legal culture and legal culture is formed from a combination of micro-level legal cultures, the legal culture at the macro level, in turn, actively influences the formation of the micro-level of legal culture.

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<sup>14</sup> Mamatov X. Jurisprudence T. Adolat 2016. p.352



The degree of formation of the legal culture in the society as an objective factor influences the formation of the individual legal culture.

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