SCIENCE PROBLEMS.UZ

ISSN: 2181-1342 (ONLINE)

№ 3 (3) - 2023

ИЖТИМОИЙ-ГУМАНИТАР ФАНЛАРНИНГ ДОЛЗАРБ МУАММОЛАРИ

АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО-ГУМАНИТАРНЫХ НАУК

ACTUAL PROBLEMS OF HUMANITIES
AND SOCIAL SCIENCES



ЭЛЕКТРОННЫЙ ЖУРНАЛ ELECTRONIC JOURNAL



ISSN: 2181-1342 (Online)

Cайт: https://scienceproblems.uz

DOI: 10.47390/1342V3I3Y2023

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ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

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Мазкур журнал Вазирлар Маҳкамаси ҳузуридаги Олий аттестация комиссияси Раёсатининг 2022 йил 30 ноябрдаги 327/5-сон қарори билан тарих, иқтисодиёт, фалсафа, филология, юридик ва педагогика фанлари буйича илмий даражалар буйича диссертациялар асосий натижаларини чоп этиш тавсия этилган илмий нашрлар руйхати (Руйхатга) киритилган.

Crossref DOI:

Тахририят Crossref DOI нинг расмий аъзоси хисобланади ва 10.47.390 DOI префиксига эга. Хар бир нашр ва илмий маколага индивидуал Crossref DOI раками берилади.

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Муассис: "SCIENCEPROBLEMS TEAM" масъулияти чекланган жамият.

Тахририят манзили:

100070. Тошкент шаҳри, Яккасарой тумани, Кичик Бешёғоч кўчаси, 70/10-уй. **Электрон манзил:**

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Ижтимоий-гуманитар фанларнинг долзарб муаммолари. -2023. -№ 3 (3). ISSN: 2181-1342 (Online)

https://scienceproblems.uz

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THE ROLE OF FOLK TRADITIONS IN FORMING LEGAL CULTURE OF STUDENTS OF LAW SCHOOLS

Abstract. The use of all the wealth of folk wisdom, which contains valuable ideas of training and education, plays an important role in the development of a modern personality. Folk traditions serve as a source for the development of humanistic culture of a person. The experience of the present shows that an inattentive attitude to the traditions of our people, to its past and present means the destruction of the connection between generations and causes irreparable damage to the moral formation of the individual. The era of change, which the people of Uzbekistan entered, led to great changes not only in the field of social policy, economy, culture, but also in the moral principles and guidelines of the individual, in its value orientations.

Keywords: traditions, legal culture, professional education, integration, globalization, social regulation, competence.

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РОЛЬ НАРОДНЫХ ТРАДИЦИЙ В ФОРМИРОВАНИИ ПРАВОВОЙ КУЛЬТУРЫ СТУДЕНТОВ ЮРИДИЧЕСКИХ ТЕХНИКУМОВ

Аннотация. Использование всего богатства народной мудрости, содержащей ценные идеи обучения и воспитания, играет важную роль в развитии современной личности. Народные традиции служат источником развития гуманистической культуры человека. Опыт современности показывает, что невнимательное отношение к традициям нашего народа, к его прошлому и настоящему означает разрушение связи между поколениями и наносит непоправимый ущерб нравственному становлению личности. Эпоха перемен, в которую вступил народ Узбекистана, привела к большим изменениям не только в области социальной политики, экономики, культуры, но и в нравственных принципах и ориентирах личности, в ее ценностных ориентациях.

Ключевые слова: традиции, правовая культура, профессиональное образование, интеграция, глобализация, социальная регуляция, компетентность.

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YURIDIK TEXNIKUM TALABALARINING HUQUQIY MADANIYATINI SHAKLLANTIRISHDA HALQ AN'ANALARINING O'RNI

Annotatsiya. Ta'lim va tarbiyaning qimmatli g'oyalarini o'zida mujassam etgan xalq donishmandligining butun boyligidan foydalanish zamonaviy shaxs kamolotida muhim o'rin tutadi. Xalq an'analari insonning

gumanistik madaniyati taraqqiyotining manbai boʻlib xizmat qiladi. Zamonamiz tajribasi shuni koʻrsatadiki, xalqimiz an'analariga, uning oʻtmishi va buguniga beparvo munosabatda boʻlish avlodlar oʻrtasidagi bogʻliqlikni buzish, shaxsning ma'naviy kamolotiga tuzatib boʻlmaydigan zarar yetkazishdir. Oʻzbekiston xalqi qadam qoʻygan oʻzgarishlar davrida nafaqat ijtimoiy siyosat, iqtisod, madaniyat, balki shaxsning ma'naviy-axloqiy tamoyil va koʻrsatmalarida, uning qadriyat yoʻnalishlarida ham ulkan oʻzgarishlarga olib kelmoqda.

Kalit soʻzlar: an'analar, huquqiy madaniyat, kasbiy ta'lim, integratsiya, globallashuv, ijtimoiy tartibga solish, kompetentsiya.



https://doi.org/10.47390/1342V3I3Y2023N35

Introduction. Nowadays, the problem of the moral position of the individual, his responsibility for the fate and future of the country, becomes more urgent than ever. Society needs not only deep reforms, but also spiritual cleansing. A moral person who demonstrates patriotism and citizenship, integrity and respect for elders, dignity, decency, care, compassion and dedication in serving the country and people are the decisive force of positive changes in today's situation. The return to spiritual sources, the revival of folk traditions and the attraction of their positive potential for solving pressing issues in the field of culture and spirituality is an integral part of the problem of forming a national culture and reviving the nation. In the conditions of Uzbekistan, folk traditions insufficiently demand by the public consciousness today, spiritual and moral capital and the experience of previous generations. Klyuchevsky V.O. said: "I don't know what a person will be like in a thousand years; but take Makarenko A.S. also noted the role of tradition in the team: "Nothing holds the team together like tradition. To educate traditions, to preserve them is an extremely important task of away from a modern person this acquired belongings of rituals, customs and all kinds of conventions - and he will forget everything, he will unlearn everything and will have to start all over again "[1; 125] educational work" [2]. The problem in this area is also associated with the processes of the revival of national culture taking place in our country, the revitalization of the traditions and spiritual foundations the life of the people. Moreover, the ideologization of spiritual life, the subordination of the scientific and artistic process to political and ideological dogmas in the recent past led to distortion of the real features of national consciousness, to an underestimation of the role of traditional forms of culture.

At the same time, each nation develops and lives in peculiar social, historical, natural and geographical conditions, which leaves an imprint on its traditions and customs. As long as there are nations and nationalities, the culture they create cannot exist without nationality. At the same time, it must be born in mind that the modern culture of the people is not a blind copying of the culture of the past. The progressive development of any national culture is ensured by innovation, which tolerates neither a break with progressive traditions, nor conciliation in relation to obsolete traditions. Folk tradition is not only an ethnographic ornament, but also above all an idea of the ideal, of social justice, of reasonable forms of coexistence, a real form of survival of the national identity of various aspects of people's life, conditioned by the entire course of social development. Respect for traditions and customs is the most important indicator of the culture of a person and society.

Therefore, folk traditions from beginning to end are built on the dichotomy of "good and evil". They express the dialectics of the functioning of the system of moral consciousness fixed in society and act as an internal source, the core of moral life, the formation of a person. Normative requirements, prohibitions, and moral assessments of personality behavior based

on this dichotomy. Along with this, traditions occupy a special place in the system of ideological and spiritual factors influencing the consciousness of people and the formation of the younger generation, traditions that due to historical conditions acquired a national character. Traditions in general and folk, in particular, are social phenomena that are present in all the main spheres of society. They are objective factors by which the continuity of social history is determined. Folk traditions absorbed the centuries-old experience of the people. By extracting creative energy from them, it becomes possible to turn them into our present heritage, to make this heritage an active force for moving forward. Furthermore, it should be note here that the main criterion for assessing folk traditions is their social orientation, humanistic attitude to the environment. In this sense, traditions are part of folk thought. At the same time, the history of social thought and culture, of which folk traditions are the part, is an extremely complex area of research, because they created over the centuries, did not exist in a social and social vacuum, but made their way in a complex confrontation and confrontation of various principles. However, the basis of the moral and ethical institutions of the people is the evaluative principle, focused on the cult of reason, on a rationalistic explanation of the world around.

Undoubtedly, each new generation is socialized, relying on the social, cultural and spiritual experience of previous generations, which includes folk traditions At the same time, folk traditions are the sphere of being of a free national spirit, which has every right to build its life world in accordance with its views on what is possible and what should be, based on its own ideas about good, truth, beauty and justice. The people, in their traditions, have a full basis for determining their own path of development, the main values of which can and should be their spiritual principles. If the people remain faithful to their traditions, then they will find the meaning of life and the way to further move forward. In turn, the processes of globalization have caused an identity crisis around the world. Today, the world forms that consists mainly of markets, networks, individuals and strategic organizations, transnational corporations. This world does not appeal to the importance of maintaining cultural pluralism and to any form of identity. At the same time, in modern conditions of weakening of moral ideals, the true national self-consciousness of people, pride in their country is being washed away. In these conditions, the issue of training specialists in the field of technical education becomes urgent, the theory and practice of training which should be based on the best examples of culture and national traditions. Using the values of folk traditions allows updating the content of vocational education based on the socio-cultural attitude. Meanwhile, in a broad pedagogical sense, upbringing understands as the purposeful formation of a person's moral qualities that meet the requirements of social morale through a systematic impact on their consciousness, feelings and behavior. The pedagogical role of folk traditions seen in the transfer of values accumulated and reinforced by time, including number of spiritual and moral, older generations to younger. Thus, the pedagogical role in the assimilation of folk traditions occurs through a purposeful educational influence on young people from educational institutions, which necessitates reforming the existing process of educating an educational orientation and including a compulsory course in the curriculum of vocational education institutions, illuminating, along with other norms, the essence of folk traditions.

Materials and methods. The formation and change of traditions at different historical stages is associated with the development of social needs and interests. In addition, this, in turn, presupposes that each of the functions of tradition receives its own special development in

historically specific conditions. Let us focus only on the main functions of the tradition that ensure stable reproduction of society: social regulation, value orientation, socialization, education [3; 27]. So, the function of social regulation based on certain well-established social norms that correspond to any historical era. The regulatory function of tradition includes norms, methods of communication and the status of subjects. The norms indicate the most effective, time-tested ways of communication and activity. They actively participate in the reproduction and functioning of social institutions. Traditions, are along with legal norms, regulate relations between people. They aimed at harmonizing the processes taking place within any social system. Traditions require a person to choose a method of activity that is most acceptable for moral, ideological and other value considerations common in a given society. Traditions contribute to the consolidation of value attitudes, acting as the most important means of personality formation. In addition, social norms and attitudes unite and separate various social communities in society determine their specificity. The regulatory function also determines the way; the subject uses the values transferred in the process of socialization. The axiological function usually interacts with the function of social regulation and ensures the transmission of the most essential value attitudes from generation to generation. Traditions, as a set of patterns that must follow, acts as the object of the most essential values, which guided by the overwhelming majority of members of society. In the process of historical development, traditions are inevitably transform into more and more concrete spiritual value, passed from generation to generation in the form of time-tested experience. Such values, as a rule, exist as an object of ideological evaluation and select from all the positive experience accumulated by humankind. The function of socialization realizes the adaptation and formation of the personality in specific historical conditions. The formation of the personal qualities of individual representatives of any social community takes place directly thanks to traditions. The individual assimilates experience, acquiring the necessary skills, engaging in social activities, performs a number of social functions. Traditions are a direct mechanism for the socialization of individuals, their inclusion in the system of social relations and mastery of the experience of previous generations. As noted by Stovba A.V. "the essence of tradition is the transmission and reproduction of the accumulated social historical heritage, passed down from generation to generation in order to ensure the continuity and continuity of social life" [4]. An individual only in the process of socialization becomes an active subject of social reproduction, capable of effectively interacting with other members of society.

The upbringing function integrates the system of social relations inherent in traditions and focuses on the moral and aesthetic education of the individual. Family traditions and customs, which are an essential factor, in the realization of social ideals, have a high educational potential. It should be noted, that the educational function has a class character, since each social stratum adopts and uses traditions in its public interests. In any case, tradition, as a system of values, becomes the basis for the content of moral education of the new generation, which in the process of socialization attaches to national values. Consequently, without mastering the achievements of previous generations, a person cannot become a full-fledged person, ensuring the progressive development of society. The personality assimilates the nature of the social life of previous eras, thereby realizing the historical continuity of generations.

In turn, the content of the tradition concentrates selected, time-tested experience, the appeal to which allows us to distinguish two content blocks: "knowledgeable" and "practical".

The first is formed as an «information array» reflecting all spheres of social life, passed from generation to generation «wisdom of all strata of society» [5]. Second, the tradition is enriched in the process of transforming human activity, it reproduces the strategy of activity, its forms, methods and techniques, norms and patterns that justified themselves in the past, as well as the experience of emotional-value relationships that arise in activity. Since the tradition presents experience verified by generations, we can say that its content is due to the historical heritage of culture, the level of its development, the stability of inheritance. Before each new generation, she appears as a ready-made sample of values, relationships, activities. At the same time, not every experience is becoming traditional. Therefore, young people must take away all that valuable that preserved in the process of evolutionary development, taking into account the traditions that must be used so that the connection of times is not interrupted. Revealing and shaping a tradition is always a selection, a thorough filtering «through a strict sieve» of the relevance of the past. At the same time the result of a value choice that occurs at the intersection of socio-cultural reality and the subjective evaluative activity of the bearer of the traditions. Along with this, "cognitive structures" [5], "stereopitized structures of consciousness" [6], "attitudes", "ideals" [7], "accumulated meanings", "samples of sensations, thinking and behavior" [8; 5]. There is a connection between tradition as an attribute of objective reality and the socio-cultural formation of a person. Mastering the experience presented in the tradition, a person penetrates into the "mental space" [8, 5] of a social community and becomes a member of it. In this context, tradition, being a means of socialization and enculturation of the individual, also acts as a condition that ensures the stability and integrity of the community. In addition, a tradition regression is possible and natural, when the connection between the tradition and changing socio-cultural conditions is lost, because of which it loses its significance for the majority of its carriers. The experience recorded in tradition reproduces mechanically, like a familiar ritual. As the tradition develops the old in the content of the tradition gradually replaced by the new. Changes can affect both the conservative core of the tradition and its later layers. At the same time, the emergence of a new tradition does not mean the death of the old one: having originated in the historical past, it is renewed and enriched in the new conditions of the development of society.

Thus, from a cultural and historical point of view, tradition appears as an organic element of socio-cultural reality with a dual nature.

It is both objective and subjective, concentrates in itself historically proven experience and at the same time reflects the result of the value choice of a person, its bearer and protector. Tradition is discontinuous and endless, changeable and stable. In its content, the old and the new are dialectically interacting. All this allows us to consider it as a dialectical continuation of innovation, i.e. renewal of being. In turn, national educational traditions, according to Volkov G.N., "are strong not by scientific arguments and evidence, but by the logic of action, deed, activity, the results of influencing the psyche of the educated and ready-made thoughts selected and polished for millennia. The strength of folk pedagogy lies not in authoritative names and fruitful theories, but in authoritative thoughts and fruitful results" [9].

An integral part of pedagogical culture are customs and traditions.

The term "tradition" (from Latin traditio) is interpreted in reference philosophical publications as: "1) transmission, 2) delivery, 3) teaching, 3) teaching, 4) tradition, narration, 5) a long-established opinion or habit, 6) broadcast, 7) identity or identical-whole, 8) ethos" [10]. According to S.I. Ozhegov's dictionary: "Tradition is that which has passed from one generation to another, which is inherited from previous generations. (For example, ideas, views, tastes, image, etc.)" [11]. In the Philosophical Encyclopedic Dictionary, tradition is revealed as "historically formed and passed from generation to generation customs, rituals, social institutions, ideas and values, norms of behavior, elements of social and cultural heritage that persist in society or in individual social groups for a long time" [12; 663]. Folk traditions define as stable elements of social and cultural heritage, manifested in all spheres of life, inherent in the ethno cultural characteristics of a particular nation.

Results and discussion. Folk traditions have a high spiritual, moral and educational potential, thanks to which they can be one of the sources of spiritual and moral education of young people. In turn, one should agree with Lisovenka G.V. who classifies as essential such signs of folk traditions as: "educational and ideological orientation, value orientation, practice-oriented character, multifactorial nature, emotional saturation, stability, social and play plot" [13; 9]. Taking into account these features, the conditions for their pedagogical use in the development of the legal culture of young people can be determined: educational-target organization; value-semantic integration into the educational process; involved in the activity; the unity of the educational influences of society and an educational institution; actualization of the experience of emotional-value relationships; normative and regulatory focus; variability. The classification of folk traditions based on the spiritual and moral potential of traditions and a system of relations, which makes it possible to realize this potential. Differentiation of traditions in terms of spiritual and moral potential is carried out in accordance with the priority goals of the development of the legal culture of youth and includes the following groups of folk traditions:

- a) world outlook and orientation, aimed at assigning youth moral values;
- b) positive-role, with the potential to educate moral attitudes and qualities;
- c) regulating, through which the formation of moral norms of behavior is carried out. At the same time, the following functions of national traditions in the process of spiritual and moral education of young people can distinguish. The main ones, correlated with the tasks of spiritual and moral education and auxiliary ones. The main functions include the development of the legal culture of the individual, the formation of the experience of spiritual and moral relations, to subsidiary cultural, educational, creative, and developing. It should be noted that the leading role in the organization of education and upbringing in developed societies belongs to the education system. Modern societies, striving to effectively fulfill the tasks of teaching and educating the younger generations, are focused on creating and optimizing the vocational education system as the leading institution in this sphere of public relations. The educational process, aimed at preparing the younger generations for independent activity in society through the transfer of the most significant cultural achievements, based on traditions that determine both the content of education and the methods of its transfer. The analysis of education, both the process and the result, contributes to the identification of socially significant experience, the assimilation of the content of which is the basis for the socialization

of the younger generations. At the same time, it develops its own pedagogical traditions inherent in her as a social institution.

Tradition is a phenomenon that connects forms of consciousness and activity. Clarification of the mechanism of this relationship facilitates by the use of an anthropological approach. Objective historical conditions and factors of social life are reflected in the individual consciousness, because of which they acquire personal meaning and interpretation.

Folk tradition influences the consciousness of an individual, forming stereotypes of his consciousness and activity. Stereotyped forms of individual consciousness create a subjective basis for the development of traditions. Thus, the value potential of culture is presented at both the collective and individual levels. Folk tradition is a phenomenon and a mechanism for the preservation of the most significant experience for society, presented in specific forms of activity. In this sense, folk tradition expresses the dominant type of social relations, determined by goals, value orientations, and attitudes prevailing in society. The study of cultural traditions is associated with a detailed analysis of society as a system of norms, institutions, functions based on certain ideological and value priorities. The stability of traditions as an element of culture is determined not only and not so much by the time parameter, but by their value potential. In general, the study of traditions helps to identify the spiritual and value potential of culture in a specific historical period of the genesis of society. In modern research on pedagogy, it is noted that "tradition is an axiological category that takes into account the accumulated experience of previous generations and contributes to the identification of innovative approaches of our time" [14]. At the same time, in the process of inheritance, traditions reproduce consciously. Consequently, tradition may differ depending on the goals, values and attitudes of the subjects of inheritance. Hence, the conclusion: it is impossible to reproduce in the tradition that which is not in the heritage. The problem of tradition methodologically formulates as the ratio of fact and idea, value, as that historical experience that assesses as positive. Traditions do not exist, firstly, if there is no historical consciousness, which should be understood as identification with the continuity of one's own culture, with one's own heritage; secondly, when there is no bearer of this continuity; and thirdly, in the absence of unity of purpose between generations. At the same time, one cannot agree with the authors who consider traditions only as a conservative principle in social development, as the opposite of innovation [15]. In modern science, traditions must be understood not as an amorphous layer of mechanically reproducible patterns of behavior and judgments, but as a dynamic process of their endless interpretations, which does not completely exclude them, but is constantly recreated in new manifestations and expressions adapted to current life situations. Since the development of culture and society goes from the past to the present, from the present to the future, there are always traditions in society, which are the quintessence of the experience of modernity, which, in turn, will become the legacy of future generations. As living conditions change, traditions give way to innovations, which then themselves turn into traditions, continuing the process of cultural development. It should be understood that an innovation in the sphere of culture does not always represent a deviation, and the process of renewing traditions by the modern is natural, predictable and inevitable by historical development. Ensuring the preservation of past designs should not necessarily imply the elimination of innovations, their limitation. Traditions those are not relevant in the modern world, do not adopted and unclaimed, in our opinion, will not take root in reality, even if they introduced by

eliminating or limiting innovations. New traditions, expressing true interest, are associated with old ones, which, having arisen in the past, were modified in accordance with the new social being, enriched and developed in content and form [16]. It should note that a person enters humanity through a national individuality, as a person with nation. That is why each person should bring up as a worthy representative of his native ethnic group in the semantic field of certain signs, meanings and valuesinherent in people. However, every person is at the same time an equal member of the world community, in which the processes of globalization are making themselves felt more and more clearly. Thus, the analysis of general theoretical issues, the disclosure of the nature, essence, functions of traditions, based on modern philosophical science, makes it possible to draw conclusions that tradition, firstly, is a multifaceted and multifaceted sociocultural phenomenon. It is one of the fundamental categories of social philosophy, providing a unique way of accumulating, storing and transferring people's social experience. At the same time, tradition is a way of developing human culture, a characteristic feature of which is the solution of new, creative tasks on the basis of previously achieved results of activity. In the unity of these two aspects, tradition turns out to be one of the essential types of social connection between people in the process of their activity. Secondly, tradition is a more dynamic phenomenon in its structure, capable of quickly rebuilding and enriching itself with new elements. Tradition carries out not only intra-spatial, but also inter-temporal communication, i.e. communication of subjects of different generations of spiritual and social development. Thirdly, tradition is a social connection of individuals and groups in society, the content of which consists in the reproduction from generation to generation of certain elements of action and representation that fix the accumulated social experience and act as regulatory principles for mastering new conditions and tasks of activity. It is an attribute of public life, the most important means of educating and socializing the young generation, one of the important levers of achieving ethnic stability, the growth of self-awareness, enrichment of the spiritual world of the individual, a mechanism of continuity, thanks to which carried out sociocultural development.

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ISSN: 2181-1342 (Online)

Сайт: https://scienceproblems.uz

DOI: 10.47390/1342V3I3Y2023

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№ 3 (3) – 2023

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