



MORALITY - LEGAL SPECIFICITY, GENERALITY FEATURE

Journal Website:
<https://theusajournals.com/index.php/ijlc>

Copyright: Original
content from this work
may be used under the
terms of the creative
commons attributes
4.0 licence.

Submission Date: January 07, 2024, Accepted Date: January 12, 2024,

Published Date: January 17, 2024

Crossref doi: <https://doi.org/10.37547/ijlc/Volume04Issue01-08>

Dilorom Ibrakhimova

Teacher of Tashkent State Law University, 100047 Tashkent, Uzbekistan

ABSTRACT

The primary purpose of law and morality is to advance the interests of individuals, social groups, or society as a whole, and to influence people's behavior. Law and morality are the social norms associated with the problems of the free will of the individual and the responsibility for his actions. The article describes the general and specific aspects of morality and law.

KEYWORDS

Morality, law, generality, social norms, punishment, legal norms, moral norms.

INTRODUCTION

One of the problems of moral philosophy is the question of the relationship between legal and moral norms. The main goal of law and ethics is to ensure the interests of individuals, social groups or society as a whole and has a purposeful effect on people's behaviour. Morality and law can be called a set of requirements for people. In the era of increasing attention to human rights, the relationship between ethics and law is becoming more important.

Morality is one of the main types of social norms and reflects the inner-spiritual attitude of a person in terms of social-legal phenomena, good and bad, duty and conscience. Moral norms, or moral norms, refer to the form of moral requirements that regulate people's behaviour through general commands and prohibitions imposed on the same actions [1].

Another unique aspect of legal norms is that what is possible and what is not possible is strictly, clearly and

clearly stated in the law and other regulatory documents. In this regard, it should be noted that legal norms, unlike some social norms, for example, moral norms, are related to written speech and textual studies. Legal norms regulating personal behaviour are prepared in the form of specific documents that have the force of law [2].

METHOD

Law is a universal, officially defined system of legal norms that expresses the will of the state, is determined and provided by the state, and aims to regulate public relations. Morality is the views and ideas directly perceived in the human mind through categories such as good and bad, justice and injustice, duty, conscience, and pride in social life.

By the specific characteristics of morality, we understand its strict commandments and normative and evaluation aspects. A strict command requires the fulfilment of a certain requirement of behaviour and moral laws. It coordinates the interests of the individual with the interests of the society and ensures the priority of the interests of the society, at the same time it does not limit the freedom of the individual, only it does not allow arbitrariness. According to him, a person should not treat another person as a tool. A strict command is an innate moral phenomenon, its demand must be fulfilled unconditionally and voluntarily; it expresses the proportionality of free will and necessity [3].

The rules of social ethics are mainly regulated as legal rules. It can be seen that the rules defined in the civil, labour, tax, and criminal codes are related to morality. The relevance of law to morality is that it is in a concrete situation.

Morality affects the content and implementation of the law. Law-makers consider themselves to have a

certain morality, a clear understanding of good and evil, and a set of moral values. Their moral views are inevitably influenced by the content of adopted normative legal documents [4].

Morality also affects the law enforcement activities of government agencies. Legal issues need to be resolved based on its principles. For example, in criminal law, "the social danger of the crime, its level and the identity of the criminal are taken into account when imposing a sentence."

The uniqueness of the law, its objective nature, and the difference from other types of social norms and other types of social regulation are officially expressed in the principle of equality. The specificity of the sanction of the law is determined by the objective specificity of the right, which is a general and necessary form of equality, freedom and justice.

The peculiarity of ethics is that it expresses the independent point of view of individuals, their free and conscious decision-making about what is good and what is bad, about duty and conscience in human behaviour, relationships and work. The principle of morality is the principle of independent management of individuals' attitudes to themselves and others, to the world, and their inner and outer behaviour [5].

Fichte also interprets the difference between ethics and law according to his philosophical system. The right should be limited to the sphere of the perceptible world and should not be applied to the inner Self of a person, that is, it should not interfere with the way of thinking and mental state of a person. After all, these are outside the scope of legal relations related to morality. Legal law, unlike moral law, does not require goodwill from a person, it applies to external actions [6].

The general and specific aspects of ethics and law are relatively less covered in modern ethics literature.

Proponents of natural law claim that legal consciousness is very close to moral consciousness in terms of concepts such as fair and unfair, and legal and illegal. The influence of positive law on moral values is very complicated because certain norms and laws usually conflict with moral principles [7].

N. Matuzov expresses the unity between law and morality as follows:

- law and morality represent types of social norms;
- law and morality fulfil the same goals and tasks;
- regulates and improves social life;
- law and morality regulate social relations in the same way;
- they are based on the value system formed in society;
- legal and moral standards, originating from society [8]

Based on the above, we can see the generality of law and ethics in the following:

- 1) law and morality are universal regulators of people's behavior, and have the ability to penetrate into various spheres of social life;
- 2) law and morality is a multidimensional structure with a complex structure consisting of the same and interacting elements;
- 3) law and ethics serve a common purpose - improving and regulating social life, regulating people's behaviour, maintaining order, coordinating the interests of the individual and society, ensuring and enhancing human dignity;

4) law and morality act in a single field of social relations;

5) law and morality are social norms related to the problems of the free will of a person and responsibility for his actions.

Law and morality differ from each other in important features. Legal norms are adopted by the state with the active participation of public organizations, non-governmental non-profit organizations and members of society. The state can change legal norms, make additions to them, and in some cases, cancel them. Law not only expresses the will of the people but also expresses its will reflecting the priority of state interests. In this sense, the law can only be called a special state regulator that regulates people's behaviour. Morality is not created by the state but by society.

According to Nersesyanes, the misconception that law is supposed to be spiritual and moral remains widespread. However, if such a requirement goes beyond the scope of the legal method considered by us to satisfy the legitimate legal requirements of morality or ethics, in the light of the essence, the law should be moral, not legal, and the content of the law should be moral, not legal. means need. Such an understanding of law violates the essence of not only law but also morality because the moralization of law is inevitably accompanied by the legalization of morality [9,10].

Ethical and legal relations are not only a scientific topic but also an important public problem. In addition, the particularity and generality of ethics and law as a social problem is an important and constant scientific topic. The social space of moral norms is wider than legal norms. The law regulates important areas of social life. Customs, traditions, and religious teachings also play

an important role in the formation and development of moral and legal norms.

Immorality and crime do not have the same meaning, an act considered immoral is not a crime, and not all crimes are morally corrupt. Similarly, behaviour is not lawful and full of good qualities.

CONCLUSION

Summarizing all of the above, the following can be noted:

- law and morality in the system of social norms is the universal regulator of relations spread throughout society;
- in terms of the rules of formal logic, concepts of morality and law, they are interconnected as general and private;
- compared to the law, morality makes high demands on a person, it serves as criteria for evaluating the law;
- law and morality directly affect each other.

REFERENCES

1. Dictionary of Philosophy. T., "Uzbekistan", 1976, p. 47.
2. B.T. Tuychiyev. "Philosophy of Law", 2010, page 144.
3. Matuzov N.I., Malko A.V. Teoriya gosudarstva i prava: ucheb. 4-e izd., ispr. i dop. M.: Izd. Dom "Delo" RANXiGS, 2013. S. 214;
4. Cherdantsev A.F. Brother. hair 2014 S. 327.
5. Yakimenko P. I., Baklanov I. S. Sootnoshenie moralnyx i pravovyx norm/ 2014.
6. Nersesyanes V.S. Legal philosophy. 99-100 b. T: "Justice", 2003.
7. Abdukahharovna, N. G. (2023). Issues of Moral and Ethical Requirements of Scientific Research in the

Work of Abu Rayhan Beruni. International Journal of Formal Education, 2(9), 107-111.

8. Nosirhodjaeva, G. (2017). The historical-philosophical heritage and the methodological problems of the history of science. Review of law sciences, 1(2), 4.
9. Ibraximova, D. (2022). Axloq-huquq xususiylilik, umumiylik jihatlari. Academic research in educational sciences, 3(NUU Conference 2), 321-325.
10. Ibrahimova, D. (2022). Professional-Moral Ethics and Image of a Modern Pedagogue. Eurasian Journal of Learning and Academic Teaching, 11, 4-10.