

PHILOSOPHICAL AND LEGAL ASPECTS OF THE CONCEPT OF SOCIAL EQUALITY

Atavullaev Mirkomil Ahmadovich

Associate professor at the National University of Uzbekistan

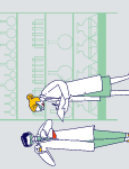
Abstract

In this article, equality is a reflection of the qualities of social groups, people and what they own, that these qualities also represent number, quantity, volume, scope social equality is a relevant topic for each period and Generation, an idea kelshii and its philosophical and legal aspects are researched.

Keywords: Socium, politics, rights, political party, state, economy, social equality, speculative analysis, discourse.

Introduction

In the scientific literature, the concept of "social equality" is defined differently. From a political point of view, it means that the members of the society have equal political rights, such as forming political parties, participating in public affairs, and participating in elections. From an economic point of view, social equality is equal treatment of people to the means of production, equal distribution of created material wealth among them, and from a legal point of view, equal rights and freedoms of all, observance of the rule of law and social order. In short, equality is precisely the quality of social groups, people, and the things they own. These adjectives also express number, amount, volume, scope [1]. Social equality is a relevant topic and idea for every age and generation. Its philosophical and legal aspects were first discussed by Aristotle. He concludes the issues of equality between things and events and says: "equality (to ison) is the interval between fullness and lack (meson ti). And this distance is equally distant from both ends and is equal for all. However, there are such things, events, in which it is possible to find a range with neither number, nor limit, nor quality. In this case, the philosopher suggests to consider the categories "virtue" and "virtuous action" as intermediate. "Virtue, says Aristotle, is intermediate, reaching the peak for high action and maturity." He defines politics and state management through goodness and good deeds. According to him, the state is necessary because it forms a dialogue that promotes goodness between people [2]. This communication is fair, equal, intermediate, in the existence of governing and executive, judgmental and subordinate parts. The former rules, the latter is ruled. "This principle must be established in all mankind." It is known from Aristotle's thoughts that the state is a product of interpersonal communication, it requires that management be conducted through goodness and good deeds in order for management to be fair, equal, and moderate. Equality is neither wealth nor poverty, it is somewhere between these two extremes. It is true that the application of this definition to other, especially subjective realities may lead to different opinions, but the idea of social equality refers to the social material status of people, the ownership of created social



wealth, their relevance to the individual, not speculative analysis, discourses, the relevance of the majority to created material goods and wealth, their Real enjoyment of these resources is implied. In this place, there is a danger of understanding and interpreting the idea of social equality in the manner of "expropriation of exploiters". In fact, inequality is a constant basis in society. There is stratification and social grouping in society and state administration. For example, there cannot be a society without social groups such as public servants (tax collectors, military personnel, internal affairs officers, sanitary hygiene inspectors), farmers, trade employees, teachers, lawyers, workers in enterprises. Each of them is financially encouraged and paid in a unique, differential way. Under the slogan of social equality, they are paid according to their work, which creates injustice and inequality. It is the sovereign right of the state to determine how much salary these social groups will receive. Owners of private property, economic joint ventures set their own wages, but they also cannot pay less than the minimum wage set by the state. Differentiation implies the goal of supporting this or that field, enriching it with new forces, and making its activities effective. As long as there is social stratification, the issue of ensuring social equality continues to bother the state. There is no country that has completely escaped this problem, that has completely solved it, but such inequality creates competition between groups, specialists, and enterprises. Competition with positive significance allows intensive and extensive development of social spheres.

The issue of social equality puts a number of philosophical, legal and political questions on the agenda. If social stratification is preserved, if differentiation is the sociosubstantial basis of social existence, of state administration, won't slogans about social equality become another word game? Or will social equality be implemented according to the Bolshevik intermediate principle, that is, in the manner of "neither the poor nor the rich"? In every society, it is natural for there to be individuals and groups who are jealous of property and wealth. Even in advanced foreign countries that have established a welfare state, there are enough of such people. In them, owning private property and acquiring wealth is a human right. Therefore, inequality remains an attribute of the social state. However, it is necessary for the welfare state to ensure that there are no poor people, and to ensure that every citizen has the minimum for a comfortable life. Ensuring economic equality leads the state to use repressive methods, which is an approach contrary to democratic principles. The welfare state strives to ensure not economic equality, but political and legal equality, in which economic and material condition to live is at the discretion of the citizen. Political equality means that a person participates in the management of state and community affairs, in elections, in forming associations that protect his interests, and legal equality is the possibility of creative, social activity in order to realize the talents and perform the types of activities permitted and defined by the laws. So, social equality does not mean economic and material equality, but political and legal equality. Therefore, social equality should be understood first of all as a reality and a possibility with a political and legal nature. It is the political and legal realities and opportunities that allow a person to live richly and comfortably, guarantee his creative and social economic activity, and support from the state. Some authors, who encourage the understanding of social equality as a natural state, condemn inequality. According to them, the idea of inequality has existed in

people's imaginations and social consciousness since time immemorial. If Plato and Aristotle consider aristocratic rule as a natural state, useful for society, the philosophers after them, up to Voltaire and Jean-Jacques Rousseau, accept the rulers who manage the state, aristocrats and nobles as necessary subjects for state management. Even the desire to deify and sanctify state administration has supported inequality between people. They condemned greed, stealing other people's property, possessiveness and injustice, they considered these vices as rebellion against God, violation of the order established by theology, but they did not discuss the issue of equality and inequality. By the time of the renaissance, men were thought to have equal rights, and issues of ensuring their rights were discussed in social thought. In it, too, not the equal rights of the masses, but the equal rights of wealthy and middle-class men were expressed. The slogan of "liberty, equality, fraternity" announced by the Great French Revolution was transferred to the scientific literature and, as a socio-political reality, began to be applied to state management, and the opinion that the state should ensure social equality was popularized. The International Bill of Human Rights and Freedoms also mentions social equality as a basic value and norm.

By the end of the 19th century, women's rights and issues of gender equality were put on the agenda. In England, women under the age of 30 have equal rights with men and can participate in elections in 1917, and in Switzerland in 1971 [3]. Until the 60s of the 20th century, blacks were not recognized as having equal rights in the United States, they were treated as second-class people. On buses, in shopping centers, in the centers of organizing cultural services, there were signs saying "for black people". So, although the idea of equality was actively promoted by Voltaire and Jean-Jacques Rousseau, boldly introduced into European social thought, it has not been a century since its introduction into social and political life, state affairs, and the creation of equality protection mechanisms. The surprising thing is that countries such as the USA, England, Germany, and France have protected social inequality in their constitutions, which consider the establishment of a welfare state in their constitutions, which honor those who ensure social equality as their greatest achievement, and who seek to inculcate these experiences in other countries even with military force. The well-known philosopher E. Fromm, who studied the specific aspects of personal and social problems in these countries, reveals the essence of their elite approach as follows: "The main function of a large sector of our culture is to obscure the main issues of personal and social life, all psychological, economic, political and moral problems. . One form of such smokescreen is to argue that these problems are too complex for the average person to understand. In fact, the opposite is true: many personal and social problems are simple and so simple that practically anyone can understand them. He often describes them in such a complex way that only an "expert" can understand them. This kills the courage and desire of people to think for themselves; it destroys their ability and confidence to think about actual problems" [4]. Social equality can be observed in the following directions:

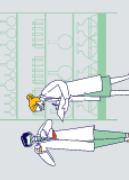
- equality in the political sphere;
- equality in the provision of rights and freedoms;
- equality in employment;

- equality in the field of education and professional development;
- equality in the field of cultural and medical services;
- equality in housing provision;
- freedom of speech and thought.

Political equality in the management of state and community affairs, in the activities of political parties and civil society institutions, participation in elections, influencing the state administration through representative bodies, resource allocation activities, internal politics, organizing and listening to the reports of the heads of government agencies, drawing up plans for the social and cultural development of the regions, all including equal participation with citizens. The term "political freedom" in today's scientific usage is the end of centuries-long conflicts, class and property conflicts, opposition to the rule of classes, formed under the influence of certain objective and subjective factors, and even revolutions. The genesis of political equality can be equated with the genesis of the state, because the formation processes of the state institution have always been the result of the dominant or victorious interests of certain groups. This superiority or victory was an expression of inequality. Inequality as a political, philosophical and moral reality not only rejects equality, but even turns it into an objective necessity. The long centuries of inequality in state administration and social and political life can be explained by the existence of narrow, wrong ideas about human nature, capabilities, and creative powers. The fact that stratification has taken place in social life, and in social thought that only certain people with divine qualities, especially courtiers, are capable of governing, have almost destroyed discourses about political equality. Especially in philosophy, Plato's idea that the state should be run by aristocrats, people with special knowledge, and philosophers was recognized as an axiom until the second half of the 20th century. K. Popper's criticism of Plato's views was such a stage of democratic development that now the elitist approach is noted as an undemocratic phenomenon. The transfer of power from generation to generation, the procedure for electing the head of state by the elite (for example, the head of the former Soviet state was elected by the elite of the Communist Party, that is, members of the Politburo), the concentration of all management work and political activity in the hands of one party members were condemned. The political equality of citizens has become a criterion of democratic development, and all political plans, decisions and programs related to the management of state and community affairs have become acceptable. The provision of political equality has been studied and evaluated by prestigious international organizations such as the UN and OSCE. Today, political equality is recognized as a universal, democratic value, and the activity and openness of states is evaluated primarily through this value. This evaluation procedure is not just a guide for giving opinions and recommendations, it affects the country's social and economic development, integration with foreign countries, the sale of goods abroad, the import of technical equipment, new scientific developments, and investment. Foreign investors do not allocate funds to a country where the political freedom of its citizens is not ensured, and do not rush into economic cooperation, because they know very well that political freedom directly affects social and economic life. The social state strives to develop by cooperating with advanced countries and entering into integration, this factor means

that it supports political and economic democracy by ensuring the political freedom of citizens. This political position increases the welfare state's international rating and reputation, investment attractiveness, and confidence that its strategic goals will be effective.

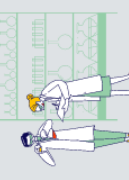
Social equality is an expression of opportunities created in the field of ensuring human rights and freedoms. This large-scale, complex reality can be the subject of multi-volume studies. Here we can note that legal equality means the establishment of rational, rule of law relations between the citizen and the administrative institution, the individual and the society, the individual and the society, which the social state acts on, making it an immutable principle, relying on them in every plan and practical activity. . Ensuring the rights and freedoms of a person is a principle that the social state acts on and confirms its legal state. That is why the social state is called a legal state in scientific studies, a political institution whose main function is to ensure the rule of law. This is not surprising, because the social state implements its fundamental tasks of social justice, social protection, social equality, social welfare and cooperation through the rule of law. Adherence to these universal values, organization of management work based on their requirements shows the political goal and strategy of the social state. In a welfare state, almost all areas are related to law or understood through legal factors. This does not deny the relativity of law. Law always goes hand in hand with non-legal norms, that is, moral procedures, traditions, and in some places it can give way to moral norms and support it. This is related to the humanitarian nature of the law. Therefore, experts tend to see law as a reality related to almost all areas of human life. For example, in a special textbook intended for the legal field, the right: firstly, the right to life of a person, the right to determine the subject of nations, that is, the natural right; secondly, law consists of social norms (labour law, international law, financial law, property law) that are broader than the will of some individual, subjugate it to itself, and arise from the requirements of objective existence; thirdly, they are officially recognized opportunities used by individuals and legal entities, organizations, corporations. In this case, the law expresses the rights and freedoms of individuals or other entities, which are protected by the state and its legal institutions. Fourth, the term "law" includes all social legal realities, legal systems and legal processes governed by laws. The connection of law with such wide areas does not make it a total reality, in the social state, the center of law is "man, his will, interests and needs" [5]. As shown in the above textbook, the specific immanent features of law are manifested in its normative, intellectual voluntary nature, the possibility of coercion by the state, its formal determination, and its systematicity. The term "coercion" may be objectionable here, since in an ideal state there can be no coercion. Understanding coercion as violence encourages it to be removed from the life of the ideal state. Coercion is contrary to the idea of social equality. Is there really no coercion in a welfare state? Judging from the opinions and conclusions of specialists who have studied state and legal phenomena, coercion is an attribute and function of any state. Without it, it would not differ from a simple, voluntary association that can be dissolved at any time. The coercive function of the state serves to ensure order in society, compliance with legal and moral norms, prevention of deviant behavior, preservation of principles of social harmony and social



cooperation. It is difficult to understand coercion in the social state as a reality that serves the formation of positive law.

Employment law (labour law) is central to the system of human rights and freedoms. Man, as an individual, is a "social creature" (Aristotle) who actively participates in social relations, and wants to express himself through socially useful work. It is social work that shows that a person is a useful subject for society, a willing person capable of improving social existence with his capabilities, intelligence, and creative powers. This is a sign of a person's evaluation by society. A person does not work only for his personal interests, comfort and well-being, he wants to contribute to the improvement of the lives of the people around him and his loved ones with some useful work. In this sense, he is a social being. Employing people, ensuring their labor rights has become one of the global problems today. According to the information and conclusions of the International Labor Organization (ILO), in 2023 and the following years, there will be negative situations in the employment of the population. Various factors such as the 2020-2022 pandemic and ongoing military conflicts in different parts of the world, increased migration flows, increased labor resources in some regions, and decreased social and economic growth make the provision of labor rights a problem. In this regard, it is predicted that Europe and Central Asia will suffer a lot. According to the ILO, only in 2023, the employed people will be only one percent, but the number of unemployed will exceed 208 million and make up 5.8% [6]. According to international experts, employment is a reality for ensuring social equality. A person's comfortable living, realization of his rights and freedoms is precisely in his participation in labor processes. International experts have come to the conclusion that the majority of the population will agree to work with low wages and difficult conditions. Since 1970, the world economy has been in a state of stagflation, that is, growth in the economy slows down, and inflation, on the contrary, increases. Youth and women often suffer from unemployment. Among them, 47.4% were women, and 72.3% were men. The difference between these numbers, ie 24.9%, shows that there are two women unemployed for every man. One in five young people in the world neither work nor study [6]. Therefore, the ILO emphasizes the need to create a new international agreement on employment, which will help countries to establish social equality and social justice.

A person's right to education and employment is an expression of social equality established in the state. This right is defined in the laws of the states, in their programs with strategic goals. In addition to them, special legal mechanisms for organizing the educational process and making it public and open will be developed, special measures will be taken to support gifted children. In the welfare state, secondary school education is made compulsory, colleges, lyceums and special training courses are organized to guide young people to the profession. Higher education and career choices are optional. The tradition of support for intellectual research established in society encourages young people to pursue higher education. Higher education allows them to engage in mental, intellectual work. In recent years, the right to education has been provided mainly in the form of globalized, integrated, mobile, commercialized and distance education. Experiences of social states show that education and professional rights determine the principle of social equality in society, because an educated,



knowledgeable person actively reacts to the processes in society, looks for ways to eliminate injustice and inequality. An uneducated person, on the contrary, gets used to the existing procedures, does not seek to change or improve them; It is a step between ignorance and ignorance. According to statistics, people's interest in education is increasing. According to 2017 data, 92% of children in the world are enrolled in general school education, 74% of them have incomplete secondary education. People with higher education make up 30% [7].

In the United States, England, Canada, Finland, Switzerland, Germany, Ireland, Poland, Russia, and India, which are considered social states, great attention is paid to higher education. England is a world leader in the organization of education and the provision of people's right to education. The Republic of Uzbekistan ranks second in the world (75.38 points) after Ireland (75.70 points) in terms of introducing innovative developments into the education system [8]. Although the right to education and career choice is considered as an indicator of ensuring social equality, there are still many problems to be solved in this regard. For example, why has it become customary to abandon the national education system and follow western models in recent years? Are national pedagogical skills and educational experiences no longer needed? Is it not possible for the welfare state to make higher education or training in vocational courses free of charge?... Social equality is also formed by ensuring the right of a person to use cultural and medical services. Ensuring this right of the individual is carried out by the state making these services paid (commercialized, priced) and free (state subsidy, donation). In foreign countries, all cultural services are provided by commercial centers. The state does not interfere with these services. Institutions providing cultural services in the republics that emerged in place of the former USSR (except the Baltic republics) fulfill state orders and receive subsidies from the state budget. The necessary personnel for them will be prepared by the state educational institutions of culture and art. In them, culture and art are a system that fulfills the state ideology and the tasks of social education. The procedure for providing paid (private, commercial) and free (state, charity) services has also been established in the medical field. This procedure will be preserved in the welfare state, but the issues of popularization and cheapening of medical services will remain on the agenda. For a person, the issue of health is always in the first place, it does not matter in which country he lives, so he always feels the need for quality medical services. The state should take responsibility for meeting this need. Social equality makes the problem of providing housing to citizens the most important direction of the state's internal policy. The right to own a house is an important factor in a person's participation in social life, state and community affairs. By owning a home, a person feels connected to a certain social space, region, and homeland, a homeless person becomes a cosmopolitan, that is, a being who goes where there is bread and shelter. The right to own a house instills a sense of patriotism in a person, a person deprived of such a right is not interested in the fate of the country, society, people, and family members. A state that strives to ensure social equality cares about its citizen's housing, helps him to get housing. Social equality puts a number of issues on the agenda in terms of housing. For example, land is state property? If the source of the state is the people, why is it the sole owner of the land? Do people not have the right to own land? How to explain the fact that the state sells land to the people, to citizens

who want to build a house? Is the principle of social equality violated here? Therefore, the welfare state should change the form of land ownership, form new procedures for meeting the needs of its citizens in accordance with the requirements of social equality. Social equality is also about ensuring freedom of thought and expression. In a democratic society, freedom of thought and speech is an opportunity to show or realize one's talent, epistemological enthusiasm and intellectual potential. Without such an opportunity, social equality and a social state whose goal is to ensure it cannot exist. The legal paradigm of the social state also aims to form the freedom of thought and speech related to this social equality as a "specific measure" or indicator of human rights and freedoms [9]. Freedom of thought and speech is not just expressing opinions, they are a manifestation and a guarantee of living as a social person, a conscious person, an active subject. Through thoughts and words, a person realizes that he is a living and active person, enters into social relations, communicates with others and state administration institutions and bodies. The condition of a person's existence as a social being is his freedom of thought and speech.

References

1. Dvorkin R. Sovereign Virtue. The Theory and Practice of Equality. London: Harvard University Press, 2002; Сорокин П. Проблемы социального равенства. Санкт Петербург: Питер, 1997; Козловский В.В., Уткин А.П., Федотова В.Г. Модернизация: от равенства к свободе. СПб.: Питер, 1995.
2. Аристотель. Сочинения в четырех томах. Том 4. - Москва: Мысль, 1983. С.85.
3. Некрасов Д. Социальное неравенство. Альтернативный взгляд. - Москва: Альпина ПРО, 2022. С. %.
4. Фромм Э. Озодликдан қочиш. - Тошкент: Янги аср авлоди, 2021. 290 б.
5. Теория государства и права. Учебник. Под. Ред. В.М.Корельского и В.Д. Перевалова. - Москва: НОРМА ИНФА М., 2001. С.229.
6. Новости ООН. Глобальный взгляд Человеческие судьбы //news. un.org.
7. <https://theworldonly.org>
8. <https://www.elib.buxdu.uz>
9. Аристов Е.В. Правовая парадигма социального государства. - Москва: Юнити Диана; Закон и право, 2016. С.203 206.