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## DILEMMA: ENVIRONMENTAL LAW AND ANTHROPOCENTRISM

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### ABSTRACT

The article deals with issues affecting such characteristics of the socio-legal state as “ecology” and “anthropocentrism”. The author defines the factors of their influence on the general social structure of the state as priority areas of modern development. In addition, the author emphasizes that these concepts are consistently used by the legislator to determine certain goals of state and social policy, as they serve as an expression of the views of certain social groups and reflect some aspects of the formation of society.

**Keywords:** society, state, law, ecology, anthropocentrism, regulation, legislation, social policy, spiritual values, tradition, security, national unity.

### АННОТАЦИЯ

В статье рассмотрены вопросы, затрагивающие такие характеристики социально-правового состояния, как «экологии» и «антропоцентризма». Автором определяются факторы их влияния на общее социальное устройство государства в качестве приоритетных направлений современного развития. Кроме того, автор делает акцент на том, что указанные понятия устойчиво используются законодателем для определения некоторых целей государственной и социальной политики, так как служат выражением взглядов отдельных социальных групп и отражают некоторые аспекты формирования общества.

**Ключевые слова:** общество государство, право, экология, антропоцентризм, регулирование, законодательство, социальная политика, духовные ценности, традиционность, безопасность, национальное единство.

## INTRODUCTION

The natural environment, or rather the environment, serves as a condition and means of human life, the territory on which he lives, the spatial limit of the exercise of state power, the location of industrial facilities, agricultural facilities, etc. Historically, two forms of interaction between society and nature have developed. The first form is the consumption of nature by man, the use of nature to satisfy man's material and spiritual needs. This form can be called the economic form of interaction. The second form of interaction was environmental protection with the aim of preserving man as a biological and social organism and his natural habitat. This form is called the ecological form of interaction. From this we can conclude that human activity has a significant impact on the environment, subjecting it to changes, which then affect the person himself. In connection with the development of human society, statehood, namely statehood, the state has assumed the responsibility of regulating the consumption of natural resources and their protection. For the ecological worldview, "the main components of our world" are society and nature, man or the social system and the environment. In form, the ecological worldview expresses a practical-spiritual attitude, and at the same time, practice is understood in an objective sense - as a change in certain things, and in a moral sense. It's like doing something.[1]. Throughout its history, humanity has been actively engaged in experiments to improve and change living matter, that is, the totality of all living things, including man himself. However, his mind was not fully used to ascend to a higher level of interaction with living nature, when the interests of living things as a whole, the preservation of natural resources and the survival of humanity itself, become a priority. Man's overcoming of his own naturalness, separation from the natural state and the desire for artificial structures are reflected in the syndrome of destructiveness. Mainly, in the process, issues such as the dilemma of environmental law and anthropocentrism arise.

## LITERATURE REVIEW

The anthropocentric attitude is alien to large-scale social design and rigid social technologies that subordinate the interests of the individual to the logic of the project and turn a person into a "cog" of the state machine. Anthropocentrism contains the requirement that social transformations be proportionate to humans and outlines the limits of government intervention in human everyday life. As for Marxism, it inherited the Enlightenment view of man as a product of circumstances and upbringing and defined the essence of man as a complex of social relations. In addition, although the activity approach, implemented in the concept of social practice, claims to remove the dilemma of anthropocentrism and sociocentrism, Marxism as a whole clearly gravitates towards the latter.

K. Marx's departure from anthropocentrism declared in the "Economic and Philosophical Manuscripts of 1844" and the "Manifesto of the Communist Party" ("the free development of everyone is a condition for the free development of all"), is clearly visible in his concept of the formational development of society as a natural historical process, within the framework of which a person is a "personal element of the productive forces." Russian Marxists, for example, G.V. Plekhanov, clearly gravitated towards sociocentrism in resolving the issue of the role of the individual in history. In classical sociology, the main position of anthropocentrism is clearly expressed by G. Spencer, who believed that "every social phenomenon must have its source in the known properties of individuals," and therefore "the type of society is determined by the nature of its constituent units." Anthropocentrism found a detailed sociological interpretation in Weber "understands sociology." Weber's postulate of subjective interpretation states: nothing can be understood better than individual meaningful action. To understand a social phenomenon means to reduce it to the subjective meanings of acting individuals - the final point of the theoretical analysis of any social processes. In sociology, anthropocentrism is opposed to structural functionalism, whose proponents focused on the determining influence of social structures. Phenomenological sociology, which inherited Weber's traditions, opposed the ratification of social structures and interpreted them as a set of socially approved patterns of human behavior. Without denying the structuring influence of social institutions on human activity, she explored a system of highly complex typifications that accumulate the experience of individual "assimilation" of similar patterns in the performance of social roles (interiorization). Sociological postmodernism eliminated the opposition between man and the products of his creative activity, radicalizing the structuralist ideas of the "death of the subject" (M. Foucault), the dissolution of the author in the text (R. Barthes). Modern sociology is characterized by attempts to resolve the dilemma of anthropocentrism and sociocentrism using the concept of habitus as incorporated sociality (P. Bourdieu). But unlike traditional societies, the habitus of a modern person, involved in many changing personal and anonymous social connections, cannot be considered a social invariant, and the concept of habitus cannot be considered a final solution to the dilemma of anthropocentrism and sociocentrism.

[2]

## **RESEARCH METHODOLOGY**

The method of environmental law as a method of legal regulation of social relations in this area is of a secondary nature, since the forms and the very nature of legal influence are determined by the essence of the regulated relations. This, of course, does not deny the classification value of the method of legal regulation. However, compared to the subject of legal regulation, it is of a secondary, auxiliary nature. The

question of the method of legal regulation and its role in the formation and characteristics of a particular branch of law is currently debatable. Often this concept has different meanings. However, the prevailing opinion, apparently, can be considered that the law is characterized by three main methods of legal regulation: prohibition, prescription and permission. The absence of a method in many branches of law, including environmental law, does not at all exclude the existence of certain features of legal regulation inherent in a particular branch of law.[3] Such features consist, as a rule, in a specific combination of various methods, characteristic specifically for this particular branch of law. Branches of law. Individualization of methods of legal influence on regulated relations in individual branches of law makes it unlike other branches of law. Environmental law is characterized by the predominance of the administrative-legal method of influencing regulated relations, the characteristic features of which are not the relations of legal equality of the parties, characteristic of the civil method, but relations of power and subordination. Environmental authorities have the powers to protect the interests of society and citizens. The dilemma of environmental law and anthropocentrism lies in the fact that the provisions of these two directions reveal the features of legal and identical reproduction. Let us define the significance of anthropocentrism. In social cognition, anthropocentrism is the opposite of sociocentrism, or sociologism. The concepts of the anthropocentric direction emphasize the independence of the individual as a subject of free choice and responsible action. In politics, the principle of anthropocentrism is implemented in liberalism, which recognizes the priority of the interests of the individual over the interests of any communities and the inalienability of its natural rights. Methodologically, anthropocentrism opposes naturalistic determinism and historicism, meaning the priority of goal-setting human activity over social structures and the “laws of historical necessity.”

Historically, anthropocentrism appeared long before its rational awareness and theoretical-public expression in relevant treatises.

Actual examples of the organization of society based on the principles of anthropocentrism are first discovered with the emergence of the state and Politics as a form of managing the development of society through organized violence. The initial manifestations of anthropocentrism were episodic inclusions against the background of the traditional communal way of life and expressed the emerging intentions of individualism and self-will of the favorites. With the accumulation of social wealth and an increase in the productivity of social labor, the possibility and necessity of a break with tradition and independent individual organization of one’s own life appears for all members of society.

## ANALYSIS AND RESULTS

The content of environmental legal relations is subjective rights and obligations, i.e. rights and obligations belonging to subjects in each specific environmental legal relationship. These rights and obligations depend on the categories of subjects of these legal relations, the goals, types and nature of environmental management or environmental work and activities. Anthropocentrism, asserting that the very value of man is proclaimed, considers man to be the center of the universe, the master of nature, the reason for the existence of nature and the world as a whole, the measure of all things and values. Thus, anthropocentrism opposes man to nature as an end to a means. This process of identifying contradictions led public associations to join the field of environmental protection. The role of public environmental associations in the legal protection of the natural environment is determined both by their own activity and by the totality of powers with which they reendowed. Public environmental associations as subjects of legal environmental protection must have a scope of powers sufficient to effectively resist violations or non-compliance with environmental legislation by environmental users and government agencies. The effectiveness of the implementation of the tasks and functions of public environmental associations depends on the completeness of the powers granted to them, as well as on the enshrinement in legislation of guarantees for their implementation. Most of the rights that public environmental associations have are declarative and do not contain such guarantees. When locating objects whose economic and other activities may cause harm to the environment, the decision on their placement is made taking into account the opinion of the population or the results of a referendum. Officials who prevent citizens and public associations from carrying out activities in the field of environmental protection and exercising their rights are held accountable in the prescribed manner. Now the question is asked what is most important for society, environmental law or anthropocentrism, which will be in the implementation of installations, or whether they will be subject to definitions. The results show that in society it is necessary to determine the significance of human activity in relation to the environment as a subject of the effectiveness of the implementation of the environmental legal or environmental-ethical aspect.

## CONCLUSIONS

To summarize environmental law, an environmental legal relationship usually arises, changes and terminates on the basis of not one, but a set of legal facts that form the actual composition. Moreover, each type of natural objects and complexes mischaracterized by its actual composition and anthropocentrism, which affirms the objectivity and value of human identity. The traditional communal way of interaction between these two elements is a dilemma. Because you yourself are contradictory to

each other. Among the environmental rights of citizens, the right to protect health from the adverse effects of the environment and other facts is important. Legislation is a special element of relationships between people and, undoubtedly, it is one of the most important subjective rights of citizens. Thus, it can be determined that it is especially important to comprehend the values of nature and human rights as a dialectic of the relationship between these processes. We can conclude: a natural object as an integral part of the environment, protected by current legislation, has characteristics of natural origin, is part of the ecological chain of natural systems, contributes to the performance of environmental, economic, cultural and health functions and ensures the quality of the human environment.

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