

THE FORMATION OF SOPHISTIC VIEWS IN ANCIENT GREECE: STATE AND LAW ISSUES

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Abstract: This article examines the spiritual, philosophical, and political movements of Ancient Greece. At the same time, the most characteristic features of Sophistics, moral standards, and the opinions expressed by the ancient Greek sophists about the issues of state and law in it have been deeply studied. The Sophists' political views, important contributions to popularization of knowledge and culture are also studied.

Keywords: state, truth, development, human society, justice, mythology, democracy, aristocracy, education, monarchy, timocracy, oligarchy, tyranny.

INTRODUCTION

Sophists (Greek *sophos* - wise), especially their older generation, appeared as teachers of public speaking and publicizing existing knowledge to meet new needs in society. A distinction is usually made between the older generation and the younger generation of sophists. Representatives of the older generation of sophists: Protagoras, Gorgias, Hippias, Antiphon, Prodicus; representatives of young sophists include Lycophon, Thrasymachus, Callicles, Alcidamchus, Critias. Representatives of the older generation of sophists had their progressive views and were supporters of democracy. Among the young sophists there were representatives of the democratic direction as well as defenders of authoritarian views and currents.

No works of the sophists have reached us, except for some isolated fragments. Information about their works and teachings is available in the works of ancient thinkers, mainly Plato and Aristotle. However, both of them, especially Plato, were critical of the Sophists [1].

It should be noted that the views of the state and law were first of all expressed in the views of Protagoras (490 - 420 BC), a well-known representative of the older generation of sophists. There are many works by his pen, including "On the State", "On the Gods", "Truth or Disruptive Speeches".

Protagoras put forward the doctrine of the relativity of knowledge, the ideas of good and evil. In his opinion, everything depends on how a person perceives and evaluates the reality he understands. Protagoras believed that "Human is the measure of everything".

According to Protagoras, judgments about good and bad are relative and contradictory. There can be two opposite opinions about the same action, two opposite opinions about what is just and what is unjust. For example, in war, evasion is shameful, but in competition it is praiseworthy; killing one's countrymen is condemned, but killing in war is necessary and even commendable. Beautiful and shameful work, just and unjust - they are all the same. Protagoras emphasized the conditionality and changeability of legal norms in legal matters. He tried to free people's ideas about the state and law from any prejudices, to show the state and law as a product of the development of human society [2].

Protagoras tried to abandon the religious explanations of the process of the emergence of the state and law, while maintaining an external mythological view. The myth of Protagoras about Prometheus is dedicated to this, and it was quoted by Plato in the work "Protagoras". First of all, Protagoras stopped to consider the condition of people before the state, and described the helpless life of wild people without weapons, powerless in the face of need and incapable of organized life. Protagoras rejected popular notions of a golden age that preceded the Iron Age. He also tried to give an idea of the step-by-step development of human culture from the most primitive state to the level of people acquiring art, technical skills, using fire, and finally moving to the art of organized life in cities. This art - according to Protagoras, the ability to distinguish between justice and injustice is inherent in all people. Virtue must belong to all, otherwise there will be no state. The myth of Protagoras led to the following democratic conclusions: every person should be a participant in political life and should participate equally in solving state affairs.

Protagoras contrasted human rights with natural rights in order to emphasize the optionality and conditionality of the law. However, the natural state, according to Protagoras, is not higher or better than the civil state. On the contrary, Protagoras described the state of nature as a war of all against all, in which it is absolutely impossible for people to live together. The practical conclusion of this philosophy can only be a call to unconditional compliance with existing laws.

Gorgias and Hippias recognized the norms of law as relative: positive law was a conditional product of state power, which established its rules regardless of what was consistent with nature. Hippias determined that the law was tyrannical to men and that its judgments were contrary to "human nature".

Antiphon and Lycophon taught that the law is nothing more than the product of a simple agreement between people. Legal norms were contrasted with the abstract accepted "nature" of man. Antiphon taught that the instructions of the laws are voluntary, but the command of nature is necessary. According to him, most of what is recognized as just law is hostile to human nature.

By nature, says Antiphon, we are equal in every way. We all breathe the same air through our mouths and noses and eat the same things with our hands. At the same time, we value those of pedigree and noble parentage, and respect them in contrast to those who are not noble.

Along with the sophists in Athens, Socrates (469-399 BC) became famous for his work. He took an active part in the social life of Athens. He participated in the Peloponnesian War. He was the teacher and friend of the Athenian politician and commander Alcibiades. In 399 BC, he was accused of being "guilty of corrupting the youth by introducing new gods rather than honoring the gods that the police respect". As a free citizen of Athens, he was not executed and drank poison himself.

Like the Sophists, Socrates claimed to be a sage and taught the Greek youth. You can learn about Socrates and his teachings mainly through the works of his students - Xenophon and Plato. This caused difficulties in learning the true content of the teachings preached by Socrates [3].

Socrates said that sensory perception does not give true knowledge, it is not knowledge that gives rise to thought. True knowledge, according to Socrates, came only through general understanding. It should be the task of science to establish universal, general concepts and definitions, not to know the particular and unity. He believed that true knowledge can be achieved only through induction, the discovery of common signs for particular phenomena, and passing from particular cases to general definitions.

Socrates applied this method mainly to issues of ethics, and partly to issues of politics, state and law. It was in ethics that he looked for the meaning of generality and was the first to direct his thoughts to general definitions. He declared that this field is more suitable for scientific knowledge than the field of nature. Socrates, who was against the study of nature, said that natural science should follow the study of social issues. Socrates recommended starting with self-knowledge: "Know thyself". To know oneself is to know what is useful and what is harmful, what is just and what is unjust, what is compatible with human powers and what is superior to them. This is how Socrates tries to justify his negative attitude to the scientific understanding of nature and to define the range of issues that he wants to study - these are questions about what justice, law, piety, state, etc.

Socrates criticized the Athenian democracy. His ideal form of government was aristocracy. He described the aristocracy as ruled by a small number of learned men, trained for the work of public administration and possessed of real knowledge.

Trying to justify the rule of the minority, Socrates proved that rule is the "art of kingship". It should be allowed only to those who have mastered real knowledge, wisdom, the "best" people, and this is also related to their birth, especially education and upbringing: "Kings and rulers are not crowned, or elected by anyone, or those who gain power by drawing lots or violence or deception, but by those who know how to rule". That is why Socrates condemned the replacement of positions accepted in the Athenian democracy by drawing lots.

Socrates also expressed a negative opinion about the composition of the supreme body of the Athenian state - the People's Assembly. According to him, the people's assembly consists of artisans and merchants who "...only think about buying something cheaper and selling it at a higher price" and "...never thought about public affairs...". These and similar statements of Socrates were grounds for accusing him that his speeches instilled in the youth hatred of the established state system and a tendency to violent acts [4].

Socrates developed the doctrine of natural law, which he said was the unwritten, "divine" laws established not by men, but by the Gods, which had force everywhere regardless of the will of men. These laws are "brothers of human laws". These laws formed the moral basis of the law in force in the state. Whether expressed in written laws or not, there are rules that are universally accepted by the people. For instance, glorifying the Gods, honoring parents, thanking those who donated, etc. are among them. Natural, unwritten laws also require obedience to written laws. Justice and legality are exactly the same thing.

Socrates used the concept of unwritten, natural laws not to criticize existing laws, but to justify the need to follow them. He said that any laws, regardless of their merits, are more savior than lawlessness and arbitrariness.

Plato (428-348 BC) received this name for his broad shoulders or broad forehead. He received a good education from a young age, and was also engaged in wrestling, painting, and writing tragedies. At the age of twenty, he met Socrates and became his student. Plato's worldview was mainly formed under the influence of his views. After Socrates' execution in 399, he left Athens and traveled to Egypt, southern Italy. He returned in 387 and had a garden near Athens named after the hero Akademos. There he founded a school called the Academy, which continued to operate until 529 AD, when it was closed by the Byzantine Emperor Justinian.

Main works: "Apology of Socrates", "Phaedo", "Pyrrhus", "Phaedrus" (doctrine of ideas), "Theaetetus" (theory of knowledge), "Parmenides and Sophist" (dialectic of categories), "Timaeus" (natural philosophy), political and legal topics were encountered in the dialogues "State", "Politics", "Laws". Plato is the only philosopher whose works have come down to us.

According to Plato, the state arose as a result of the will of the gods, when people could only collectively satisfy their needs by cooperating with each other based on the division of labor [5].

In "The State" Plato described the famous project of the ideal state. Plato, based on the existence of layers, referred to the analogy between the human soul and the state.

As there are three principles in the human heart, there are three principles in the state: rationality, protection and business (intellect, will, emotions), so the state should have three layers.

The first layer (rulers, philosophers) functions to protect the interests of all.

The second layer (warrior-guards) protects the social unit from external enemies and ensures order in society.

The third layer (manufacturers, farmers and artisans) takes care of meeting the personal needs of the individual.

Therefore, they must avoid the temptations of personal enrichment, and their lives are organized on the basis of collective property and collectivism. These restrictions do not apply to the third layer. Plato proposed to regulate all aspects of human life: political system, material conditions, spiritual and intimate life of each person, including having children, as well as education, traveling abroad, etc. Such prohibitions are necessary to introduce the solidarity of citizens (not only educationally, but also through coercive measures) and to prevent possible changes in the political system. Attempts to change the laws are punishable by death.

It can be observed that Plato's views changed over time. Later, he developed a "second-best" state project in *The Laws*, where he described an "ideal" system that was closer to reality. In this state: all citizens, including philosophers and warriors, are allowed to have families, land, and private property. Land is considered the property of the state; and it is used based on the right of ownership; the division of citizens into categories will be replaced by their classification according to the size of their property. Political rights are determined depending on the size of the property; the production needs of agriculture are fully satisfied at the expense of slave labor. Politically, slaves are considered completely disenfranchised [6].

Plato described in detail the organization of state power and put forward the idea of a mixed form of government: democracy and monarchy.

Plato developed a detailed typology of state forms based on the number of rulers and the degree of compliance with laws. He divided it into such groups as monarchy, the rule of the minority, and the rule of the majority. Also, Plato divided these groups into two groups - right and wrong, that is, based on the law or not based on the law. Plato got the idea of the typology of state

forms from the historian Herodotus, and then this typology was used by Aristotle with minor changes.

In the works “State”, “Politician”, “Laws” there are various variants of forms of governance. In *The State*, Plato identifies four wrong forms of government: timocracy, oligarchy, democracy, and tyranny.

In the work “Laws” for the first time in the history of political thought, he stated the idea of a mixed form of the state, which was later developed by Aristotle and Cicero. According to Plato, the ideal political system was a mixture of elements of monarchy and democracy, avoiding the extremes of autocracy (single rule) and pluralism.

Plato paid attention to the problem of laws. In his opinion, the law was considered the main pillar on which the state rested. Its highest goal is to ensure the welfare of the state. The best antidote to potential threats to statehood is to create just laws, no matter where they come from. Plato distinguished between right laws (established for the common good) and wrong laws (established for the benefit of any individual or group that gained power). According to Plato, law is a written act established by sages, a set of religious and moral standards to guide citizens.

In short, Protagoras, Socrates and Plato were among the first in history to consider politics as a social phenomenon, introduced this concept into scientific and lexical circulation and described it.

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