



ANALYSIS OF THE EXISTENCE OF LAW IN ANCIENT GREEK PHILOSOPHY

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In the myths of Ancient Greece, we see the just solution of law, as in Ancient Egypt and Mesopotamia. For example, Homer in his work "Iliad" describes how the deity of Zeus measured the fate of people in golden scales. In the practice of administrative law, the concept of balance means the work of the court itself, that is, the search for balance, the arguments in determining guilt or innocence, and the balance of right or wrong.

Ancient Greek view⁴⁰, if a crime is committed, the balance of relations is disturbed, their disharmony occurs, in short, the universal natural order of nature is disturbed, the harmonious unity of the world is disturbed, which the ancient Greeks called worldly Logos. If there are conflicting traditions - that is, punishing and being punished, it is necessary to reconcile them, then it will be necessary to restore the equal weight of the traditions, and at the same time restore the natural order. And the punishment is something that creates equal weight, here the person who offended is punished in the same way as the damage caused, the guilty person is punished according to the sin he committed, and the person who was offended - according to the offense he received - is punished from a moral or material point of view.

From these opinions, it is possible to understand the concept of "violation of the law". This is because, for example, the criminal code includes a number of articles on punishing a person, not for violating them, but for violating the "order" of relations between people. No one created it, or in other words, according to the ancient Greeks, it is created by nature itself, natural and divine. Therefore, it is considered powerful. It was known before everyone, it was given to people a priori. In these applications, the right to view the relations that are contrary to this regulation are indicated. Positive law limits human relations, and punishment balances this broken boundary. Therefore, the image of the gods who radiate justice is not surprising and also reflects the main idea of legal order. It, in turn, is realized in the norms of business in the society and in the relationship between them in the society.

In ancient Greek myths, Themis, who was the second wife of Zeus, is considered the goddess of justice. It provides justice in Greek society as the guardian of the legal order⁴¹.

Ancient classical philosophical teachings want to equate the problem of life with the problem of knowledge. This happened for the same reasons, that is, for people, the objective

⁴⁰ Крашенинникова Н., Жидкова О. История государства и права зарубежных стран. Издательство НОРМА—ИНФРА - М Москва, 1998.

⁴¹ Тарн В. Эллинистическая цивилизация / В. Тарн ; пер. с англ.



order of the surrounding phenomena is unchangeable, including necessary and successful, and all the thoughts and actions of a person are in harmony with the laws of nature.

The causes of the problem were explained by a person's own ignorance and ignorance, as well as his insufficient understanding of the phenomena surrounding him and the result of his attitude towards them. One way to success, according to ancient Greeks, is knowledge, luck, genius. Whoever has true complete knowledge, he will never be bad, because he knows how to connect his business with the laws of nature. The first degree is not the will, but the mind. Only the intellectual part of the human soul, according to Plato, was considered meaningful. Aristotle himself saw the work of the mind in the will itself. For Ayyem's thinkers, God was found to be reason, order, and worldly logos.

God himself sees himself, and he, like the law of nature, does not change. Therefore, the task of human life is to fully understand the laws of nature and to submit one's business to it. Only in this way can a person's success be realized, and that is why knowledge and success are compared to each other.

The procedural law in the Athenian state was separated from the old customs, traditions, and preservation of the old courtrooms. The right to resolve court disputes belonged both to the People's Assembly and to the Areopagus, and to several special collegiums, each of which had its own separate court case and was not biased from each other.

Tradition called for a strict ritual of court proceedings. For example, if a premeditated crime was committed before the court of the Areopagus, then the work of the court was to proceed as follows. After burying the murdered person, it was customary to carry a lightning as a sign that he was tortured to death, and then to fasten it to his pure saint, and to appeal to the nearest relative of the deceased, the archon-basil, that is, to the pacha. In the eyes of the archon, an Athenian who commits suicide loses the right to enter any temple or front, public places, and loses the support and power of God. In the period of three months, the process of interrogating witnesses will be carried out without haste, and other evidence will be collected; and finally, after the expiration of this time, this case will be handed over to the court.

The pre-arranged crime trial was to be held on the last three days of every month, and this trial was to be held in the open air, so that the participants would not be confused by the fact that they were in the same place as the perpetrator. In order for the judge of Areopagus to be just and fair, and to make it clear that he did not intend to do anything wrong, the trial was held at night, during which the judges did not see the faces of the speakers and only listened to their arguments. According to Demosthenes, before the start of the court proceedings, if they lied to the judge, they had to take an oath in front of everyone and pray for good luck for themselves, their house, and their children. Here, according to a noble tradition, the speaker demanded to be seen on the entrails of a slaughtered pig, ox or ram.

In his speech in front of the court, he said that he could not run away from the content of the case either as a critic or as a critic, and that he could not influence the judges with his pleas and tears, because this was the reason. In the court, each of these two people stood in



his place, that is, the close relative of the dead person stood on the unforgivable stone, and the person who committed the crime stood on the lung stone. For every criminal, if he had not killed his parents, he had a chance to escape the punishment, if he had not killed his parents. At other times, he was expected to receive a severe punishment - that is, the death penalty. On the third day, setting the punishment, the Areopagus said that he could not change the fate of the collector after the crime was determined and he was found to be a criminal.

In general, some points of view about law were systematized in modern Greek philosophy in the classical era. We are not wrong if we say that they are counted from those times in their special study.

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