

## **THE CONSTITUTION OF THE REPUBLIC OF UZBEKISTAN – THE LEGAL FOUNDATION OF A DEMOCRATIC STATE**

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**Abstract:** This article analyzes the significance of the Constitution of the Republic of Uzbekistan in the formation and development of democratic statehood. The role of the Constitution in building a legal state, ensuring human rights and freedoms, implementing the principle of separation of powers, and developing civil society institutions is highlighted. During the study, normative and legal sources, constitutional and legal literature, and scientific research were analyzed. The results showed that the new Constitution of the Republic of Uzbekistan further strengthened the legal basis for democratic reforms in the country.

**Keywords:** Constitution, legal state, democracy, human rights, rule of law, civil society, constitutional reforms.

From the first days of independence, the Republic of Uzbekistan has set the establishment of a democratic state based on the rule of law as one of its main goals. I consider it appropriate to emphasize that over the past years, the Constitution of the Republic of Uzbekistan has been consistently implemented in our country. The Constitution of the Republic of Uzbekistan enshrines an important principle of a state based on the rule of law - the separation of powers. “According to Article 11 of the Constitution of the Republic of Uzbekistan, “The system of state power of the Republic of Uzbekistan is based on the principle of the division of power into legislative, executive and judicial branches of government.”

The Constitution is the basis of the legal and political system of any state based on the rule of law. The Constitution is a normative legal act of the highest

legal force, determining the organization of state power, comprehensive relations between society and the state, and the rights and freedoms of citizens.

The Constitution is a guarantee of rights and freedoms for a person, a legal source of stability and a just society for society, and a basic legal document of governance for the state. Therefore, it serves not only as the Basic Law of the state, but also as a solid foundation for the development of society, human interests and national statehood.

“The inviolability of human rights and freedoms is a constitutional and legal principle that means that the rights and freedoms of every person from birth are respected, protected and not unreasonably restricted by the state, society and other individuals. The Constitution of the Republic of Uzbekistan recognizes human rights, freedoms, honor and dignity as the highest value. State bodies and officials are obliged to ensure and protect human rights in their activities.”

As legal scholar A.Kh. Saidov noted, “The Constitution is the main political and legal document that determines the legal nature of the state and strengthens the guarantees of human rights.”

As noted in the Concept of Further Deepening Democratic Reforms and Developing Civil Society in Our Country, the large-scale socio-economic, political and legal reforms carried out in our country in the field of democratization of state power and administration over the past period are aimed at taking urgent measures to consistently implement the constitutional principle of the separation of powers, form an effective system of checks and balances of interests between the powers, increase and strengthen the powers and control functions of the legislative and representative authorities at the center and at the local level, liberalize the judicial system and ensure its independence. Thanks to the implementation of this principle, a people's and democratic system of state power has been formed in our country. The judiciary, including its central link - the Constitutional Court, has established itself as an independent branch of state power. The Constitutional Court consistently works to determine the compliance of certain regulatory legal acts with our Basic Law, to provide interpretations of the norms of the Constitution and laws, to ensure the principle of separation of powers, and to protect the rights and freedoms of

citizens through the powers to implement legislative initiatives. Currently, ensuring and adjudicating human rights and freedoms plays an important role in the policy of every democratic state. After all, a person is a person, according to the theory of law, he is a physical person, and every democratic state is obliged to protect his rights and freedoms in all possible ways. Human rights and freedoms are an integral part of international law, which means the possibility of their implementation in life. Human rights are understood as rights that are necessary to characterize the legal status of a person in any modern society.

The constitutional reforms carried out in Uzbekistan in recent years have become an important stage in the development of the country as a democratic and legal state. “The new Constitution, adopted by a national referendum in 2023, is aimed at enhancing human dignity, strengthening the principles of a social state, and ensuring that the activities of state bodies serve the interests of the people.” The purpose of this study is to analyze the importance of the Constitution in building a democratic state and assess its role in the development of legal statehood. The following scientific methods were purposefully used in the study of the topic “The Constitution of the Republic of Uzbekistan is the legal foundation of a democratic state.” We used the method of normative and legal analysis, the method of comparative and legal analysis, the historical and logical approach, the method of analysis of scientific literature, and the methods of systematic analysis and generalization to clarify the content and essence of the topic.

The empirical basis of the study was the Constitution of the Republic of Uzbekistan, constitutional laws, official materials of state bodies, and scientific works of national and foreign scientists. The Constitution, as the main sign of a legal state, the most important feature of a legal state is the implementation of state activities on the basis of law. This principle is reinforced by the Constitution.

“Article 1 of the new edition of the Constitution establishes that Uzbekistan is a “sovereign, democratic, legal, social and secular state” . This norm serves as a constitutional model of state development.

According to Professor O. Yusupov, “the essence of a legal state is manifested in the limitation of state power by law and ensuring the primacy of human rights.”

From this point of view, the Constitution appears as the main means of legal limitation of state power.

Constitutional guarantees of human rights and freedoms, the main criterion of a democratic state, are determined by the level of provision of human rights. Article 19 of the Constitution of the Republic of Uzbekistan states that “In the Republic of Uzbekistan, human rights and freedoms are recognized and guaranteed in accordance with the generally recognized norms of international law and in accordance with this Constitution. Human rights and freedoms belong to everyone from birth.

In the Republic of Uzbekistan, all citizens have the same rights and freedoms and are equal before the law, regardless of gender, race, nationality, language, religion, belief, social origin, social status. Privileges are determined only in accordance with the law and must comply with the principles of social justice. Article 20 also states that “A citizen of the Republic of Uzbekistan and the state are bound by mutual rights and obligations towards each other. The rights and freedoms of a person enshrined in the Constitution and laws are inviolable and no one has the right to deprive them of or restrict them without a court decision. The rights and freedoms of a person are directly applicable. Human rights and freedoms determine the essence and content of the activities of laws, state bodies, citizens' self-government bodies, and their officials. Legal measures applied by state bodies to a person must be based on the principle of proportionality and be sufficient to achieve the goals stipulated by the laws. All contradictions and ambiguities in the legislation that arise in the relationship between a person and state bodies shall be interpreted in favor of the person.

These norms demonstrate a tendency to prioritize human rights over state interests. As noted in the materials of the Constitutional Commission, "the activities of state bodies must serve to ensure human dignity." From the point of view of international law, these provisions comply with the principles of the UN Universal

Declaration of Human Rights. Strengthening the principle of separation of powers is one of the important conditions for democracy.

As Sh. M. Mirziyoyev noted, "Every citizen evaluates the activities of the state through the positive changes that he experiences in his daily life. Therefore, it is necessary for government agencies to solve people's problems in a timely, fair and systematic manner. Excessive red tape and bureaucracy reduce the effectiveness of reforms and undermine the population's trust in the state. He recalled that Uzbekistan has put forward the principle that "the people should serve the state agencies, not the state agencies," and that human interests are at the center of reforms. He emphasized that the main criterion in the activities of ministries and agencies should be the principle of working "for the result" and not "for the process." The "Quality Public Administration" program should serve to objectively assess the activities of state institutions, identify their strengths and weaknesses, popularize best practices, and create a healthy competitive environment.

"The people should serve the state bodies, not the state bodies" The meaning of this principle is that state organizations should focus their activities on ensuring the needs and interests of citizens. In the past, sometimes citizens had to apply to various bodies many times, collect excessive documents, or wait for a long time. According to this principle, we must understand that state bodies should provide convenient services to the people, appeals should be resolved quickly and fairly, officials should be accountable to the people, and the main goal of the state should be to serve the well-being of citizens. That is, the state exists for the people, and not the people for the state. "Work for the result, not for the process" Here it is emphasized that when assessing the activities of state bodies, it is not the number of tasks performed that is important, but their effectiveness. "Working for the process" is limited to holding numerous meetings, preparing reports, and formalizing documents. "Working for results" is the real solution of the population's problems, the improvement of the quality of services, the increase in the satisfaction of citizens. In a simple example. If there is a problem with drinking water in the neighborhood, the main result is not the number of meetings, but the provision of water to the population.

Let's dwell on the essence of the "Quality Public Administration" program. This program is aimed at evaluating and improving the work of state organizations based on modern requirements. The main tasks envisaged by the program are as follows.

An objective assessment of the activities of state institutions, the work of each ministry or department is checked based on specific criteria. The assessment is based on results, not personal relationships.

Identifying strengths and weaknesses, through analysis, it is determined which areas are working well, which areas have problems, and what reforms are needed.

Popularizing best practices, if an organization has introduced an effective work method, its experience is applied to other departments.

Creating a healthy competitive environment, organizations strive to improve their activities. Because their results are compared and institutions with the best indicators are shown as examples.

All these ideas serve one goal. Subordinating public administration to the interests of the people, reducing bureaucracy, improving the quality of public services, and assessing the work of each state agency through concrete results. As a result, citizens' trust in the state is strengthened and social development is accelerated.

Strengthening the independence of the judiciary expands the possibilities for effective protection of citizens' rights and freedoms. In particular, the Constitution further clarifies the provisions on the independence and immunity of judges.

The Constitution and civil society institutions Civil society is an important institutional basis of democracy. The Constitution strengthens the legal foundations of democratic institutions such as freedom of speech, freedom of conscience, the right to association, and freedom of the media. Research shows that the development of civil society institutions serves to increase the efficiency and openness of public administration.

The new Constitution strengthened the status of the mahalla institution and recognized it as an important link in public administration.

Constitutional foundations of the concept of a social state One of the important results of the 2023 constitutional reforms was the strengthening of the concept of a social state. The Constitution stipulates that the state should support the segments of the population in need of social protection, ensure decent working conditions, and improve the standard of living of the population. This corresponds to the modern model of a democratic state and demonstrates the socially oriented nature of the Constitution.

The Constitution of the Republic of Uzbekistan is of great importance for society, man, and the state. It serves as the main legal foundation of the life of the state and society. It guarantees beneficial aspects, rights, and freedoms for man. It protects such fundamental rights as the right to life, the right to education, the right to work, and freedom of speech and belief. It ensures human dignity. Human honor and dignity are recognized as inviolable. No one may be punished or discriminated against outside the law. Guarantees social protection. Ensures the rights to pensions, benefits, medical care and social assistance. Provides fair judicial protection. Everyone has the right to appeal to the court if their rights are violated.

Benefits for society. Ensures stability and order, clearly defines the relationship between citizens and the state. Establishes the rule of law in society. Strengthens the principle of equality. Ensures equal rights for all citizens, regardless of race, nationality, language, gender, religion and social origin.

Develops civil society. Creates a legal framework for the activities of non-governmental organizations, public associations and the media. Strengthens public control. Allows citizens to participate in state governance.

Benefits for the state. Determines the legal basis of state power. Determines the powers of the president, parliament, government and judiciary. Ensures the principle of separation of powers. It ensures a balance between the legislative, executive and judicial branches of government. It strengthens sovereignty and independence. It legally protects the territorial integrity and independence of the state. It is the basis for democratic reforms. It sets the legal direction for the development and modernization of the country.

The Constitution is a guarantee of rights and freedoms for the individual, a source of stability and justice for society, and the main legal document of governance for the state. Therefore, it serves not only as the Basic Law of the state, but also as a solid foundation for the development of society, human interests and national statehood.

The results of the study showed that the new Constitution of the Republic of Uzbekistan has created a solid legal basis for the development of democratic statehood in the country. The Constitution defines human rights and freedoms as the highest value. It ensures the rule of law, strengthens the principle of separation of powers, creates a legal basis for the development of civil society institutions, and legally ensures the concept of a social state. Therefore, the Constitution is the fundamental legal foundation for building a democratic state and developing a legal statehood in Uzbekistan.

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