

Social State-Legal State

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Abstract

This article examines the impact of social reforms carried out in recent years in New Uzbekistan on the foundations and mechanisms of public administration.

Keywords: New Uzbekistan, welfare state, mechanism, society, reform, constitution, law, legislation, corruption, rule of law.

Introduction

Public consciousness cannot but influence the processes and mechanisms of functioning of society as a whole, on the processes taking place in society. Due to the fact that there is a public opinion in Uzbekistan that Islam is the basis for Islam, and not Islam as the basis for Islam, there is no need for this issue. President of Uzbekistan Sh. Mirziyoyev said that "we want Uzbekistan, relying on our Constitution, to do everything in our power." [1]. This call in an optimistic spirit encourages a confident view of reforms aimed at building a social state and generalizing positive experiences in this regard, openly discussing the problems encountered.

The establishment of a social state entails the improvement of the Constitution, which is the basis of the state, making changes to it that comply with the requirements of the new era and development. To this end, Uzbekistan began to carry out constitutional reforms in 2022. This defined the legal, constitutive framework of the social state.

The first legal, constitutional basis is associated with the promotion of human value, the achievement of the service of state bodies to human interests, the achievement of the priority of human honor, dignity and legitimate interests in all spheres.

The Head of State also stressed that a person's goal is to create a worthy place in society. He said, "Man, the state, and society as a goal are a means to an end, so here is the content and source of praise that should be highly appreciated." [1].

To implement this principle, the Oliy Majlis has developed programs for the socio-economic and cultural development of regions, and a model of working together with local councils has been formed to create new jobs, reduce poverty, and promote well-being and gender equality in each mahalla and family. Today, the three-tiered cooperation system "Mahalla Seven" - Council-Senate, formed by the Oliy Majlis, is operating in the regions. [2]. Such cooperation, on the one

hand, allows us to connect the activities of the national parliament with the needs of real territories and real people, and on the other hand, to ensure human dignity and rights.

The connection of the activities of the deputies of the Oliy Majlis with their responsibility to their voters, their participation in solving problems in the regions, is in line with the fundamental goals and functions of the social state. The social state is an institution aimed at reducing disparities in society. It is no secret that the market economy creates property disparities, entrepreneurship and business allow some people and groups to get rich. Millionaires and billionaires in the West have gained wealth and property through this entrepreneurship and business, and their lifestyle cannot fail to arouse admiration. Uzbekistan knows that such property stratification causes dissatisfaction in society, therefore it pursues a policy of reducing social, especially property disparities. However, this does not mean that everyone should receive the same salary, and people cannot be rewarded according to their labor and entrepreneurship. Being rewarded according to their labor and talent is a guarantee of development. Entrepreneurship and small business laws state that there is no limit to how much the entities can earn. This is according to market economy procedures.

An important change introduced into the new Constitution, which glorifies human dignity and life, is the abolition of the death penalty. Article 25 of our Basic Law includes a provision that the death penalty is prohibited in Uzbekistan [3]. Philosophical and legal literature emphasizes that human life is inviolable, that it is given by the Creator and that the state cannot take it away.

For example, the Russian philosopher V.S. Soloyev said that God gives life to a person, therefore no one but God has the right to take it away [4]. Other philosophers and lawyers also express this opinion, but there are also many supporters of the use of the death penalty. In China, the death penalty is used against corruption, and every year about a hundred people are executed for serious crimes, but despite this, it is not possible to eliminate crimes. Therefore, the use of the death penalty for such exceptional crimes is an inhumane measure. According to the international “Miranda Rule”, when a person is arrested or detained, the reason for this, his rights, and the procedure for obtaining legal assistance must be explained to him. This rule is in force in social states around the world, according to which a person can legally defend himself. Since jurisprudence has its own difficult interpretations, the grounds for self-defense must be explained to the person in simple language, without inciting him to commit illegal acts. Allowing a person to legally defend himself in a welfare state, establishing that the subject who is under arrest performs this task himself is a sign of humanizing the activity of legal institutions.

In a social state, providing people with housing is an important domestic policy. The prosperous mahalla, prosperous village, New “cities”, New Tashkent, New Namangan, and new estates being built in New Uzbekistan are intended to meet the housing needs of our population. In 2024 alone, 25.1 billion soums in subsidies and 40.3 billion soums in preferential loans were allocated to citizens to purchase housing and improve living conditions [5]. The “Mahalla budget” serves as an absolutely new system to improve the lives of the population. According to Doctor of Political Sciences, Professor K. Kuronbayev, last year alone 307.8 billion soums were transferred to the Fund for Solving the Social and Economic Problems of the Mahalla. The “Mahalla Seven” and the “Call Center” have introduced a 24-hour work schedule with the population [5].

The social state reliably guarantees private property. This is specifically emphasized in Chapter IX of our Constitution [3].

The legal foundations of the social state were first established by our President Sh. Mirziyoyev. In this regard, it is appropriate to recall his instructions in his speech to the members of the Constitutional Reforms Commission and in his Addresses to the Oliy Majlis. The principle stated in them is that the legal state is a great idea and discovery of human development, an expression of the aspirations of our people. From the "Avesta" to our ancestors, they have been promoting the creation of a state in which the principles of justice, social equality and humanism are established. Due to objective and subjective obstacles, it has not been possible to build it. The necessary opportunity has arisen in the new Uzbekistan.

According to the well-known lawyer, academician A. Saidov, the legal state being built in Uzbekistan includes the following aspects:

- ensuring transparency, openness and accountability in the activities of state institutions;
- introducing effective mechanisms for people's power and checks and balances between authorities;
- expanding the powers of the Oliy Majlis;
- introducing a procedure for approving the decree on the appointment of the head of the anti-corruption agency by the Senate;
- hearing the annual report of the government on the fight against corruption in parliament;
- introducing the institution of introducing legislative proposals that expand the participation of citizens in managing state affairs, etc. [6]. Each of these tasks is important for strengthening the legal foundations of a social state.

At the same time, there are also problems of scientific and practical importance that require attention in this regard. Among them are the following:

firstly, the study of the political and philosophical foundations of the social state;

secondly, the study of international experience;

thirdly, the creation of modern mechanisms for improving the legal culture of society and citizens;

fourthly, the improvement of the activities of social justice and social protection institutions;

fifthly, the creation of new forms of methods and mechanisms for supporting the legal literacy of citizens.

In these areas, our republic has national experiences, and their generalization and scientific analysis are the tasks of researchers.

REFERENCES

1. Қаранг: “Янги Ўзбекистон”, 2022, 18 март.
2. “Инсон кадрлари улуғланган юрт”. // “Халқ сўзи”, 2024, 30 август.
3. Ўзбекистон Республикасининг Конституцияси. - Тошкент: Ўзбекистон, 2023.
4. Соловьев В. Право и нравственность. - Минск: Харвест, Москва: АСТ, 2001.
5. Қуронбоев Қ. Ижтимоий давлат- инсонпарвар давлат демақдир. // “Янги Ўзбекистон”, 2024, 6 декабрь.
6. Саидов А. Конституциянинг Ягона манбаи ва муаллифи-халқдир. // “Янги Ўзбекистон”, 2022, 22 июнь.