



HISTORICAL AND THEORETICAL ROOTS OF ESTABLISHING A DEMOCRATIC LAW IN UZBEKISTAN

Ikramov Ravshan Aktamovich

Assistant of Professor
Dean of the Faculty of History and Languages,
Candidate of Legal Sciences,
Tashkent Region Chirchiq State Pedagogical
Institute

Ismayilov Akmal Ziyadillaevich

Senior lecturer
Department of "Social sciences"
Tashkent Region Chirchiq State Pedagogical
Institute

ANNOTATION

This article examines the theoretical issues of building a democratic legal state in the Republic of Uzbekistan. In particular, the article examines the historical roots of Uzbekistan in building a democratic state, as well as the role and importance of legal reforms in building a democratic rule of law.

KEY WORDS: *Building a democratic state governed by the rule of law, improving the system of state and society building, ensuring the rule of law, further reforming the judiciary, liberalizing the economy, developing the social sphere, ensuring security, interethnic harmony and religious tolerance.*

DISCUSSION

The independence of the Republic of Uzbekistan, the construction of a legal democratic state and civil society was defined as the main goal. The process of its formation, relying on our national and spiritual heritage, our values in the field of national statehood, has chosen a specific and appropriate path of development. So cannot be called a true democratic society, a society that does not rely on its spiritual values, heritage, which, taking into account it, cannot harmonize with universal values, principles.

Any state develops on the basis of historical, cultural and moral heritage of its society, as well as universally recognized democratic printouts. Such harmony raises new stages in the development of the people. Its perspective factors. "Avesto", created by our ancestors on the territory of Uzbekistan, has a special place in the understanding of history as a theory of such statehood.

The first president of the Republic of Uzbekistan I.A.Karimov at a meeting with historian scientists and journalists: "...now the whole world recognizes the so-called territory of Uzbekistan, that is, our homeland is not only the East, but also one of the cradle of universal civilization. From this ancient and tabarruk soil, great scientists, philanthropists, scholars, politicians, commanders have been trained. The basis of the religious and secular sciences was

created on this ground, which was glossed " [1], they argued. Indeed, the cultural heritage of the great statehood, which appeared in the Movarounnahr range, is known as the most primitive and ancient statehood culture in the genesis of human history. Thanks to our independence, opportunities are opened to study such a heritage as an important ground of national, democratic values.

It is known that the oldest source of our national statehood in Uzbekistan is Avesto. It is also considered a social view on the first statehood created by our ancestors in the 3 millennium BC. If we pay attention to the ideas put forward in Avesto, we can see that today's fair - democratic society is in sync with our ideas for restoration.

On the formation of the foundations of statehood "Avesto" includes information about almost all political, economic and social relations, the foundations of the state system, the philosophy of the zardushti, the development of world history. In the source, first of all, the priority is placed on the issues of human freedom, its spiritual perfection. For example;" I give glory to a good idea, a good word, a good job " is called in the book Yasna (14). Ahuramazda, the relationship that is going on between people calls for mutual sincerity, respect indifference, the need for help and end, to be avoided from bad thoughts. There are number of human principles of respect for an adult and self-esteem for



the little one, patience, honesty, kindness and a number of others, which are in harmony with the basic principles of our national idea.

One of the most important issues in Avesto is that legal relations are theoretically formed. In it there is information that human life and socio-economic relations between people are based on law. Truth, good word and purpose, pursuit of purity and goodness, preservation of water, land, fire, house and livestock are considered moral duties. Man with his works and thoughts serves as an assistant to the Supreme Ahuramazda, who brings good, light and happiness, gives life and truth.

The refusal of the word or oath given in the family and the community, the violation of the covenant made between people, was considered a great sin: "O Spitama, the person who broke the contract breaks the whole country, thereby undermining all property belonging to art. O Spitama, do not break your covenant..." ("Yasht", Chapter X.)[2].

On the basis of historical documents, it can be said that the legal teachings put forward in the books of Avesto "Yasna", "Visprat", "Yasht", "Videvdat" are considered to be more ancient than Roman law. Therefore, they later served also as the source of the formation of the political system of the constituent states. In this way, "Avesto" influenced the work of Greek thinkers and Roman lawyers with its comprehensive perfection. In particular, the types of crimes committed as a result of human rights, physical and legal personality land, human land, the issue of equality of a man and a woman, the right of a minority, the right of minors, conscience, and religion land, the right of communities and groups, the right to property, the right of family, the right of obligation of contracts, intentional or Also classified as burglary or occupation differences in Avesto, the right to protection and judicial proceedings, as well as other legal printouts such as the organization of their own expression[3].

It is known that the basis of a democratic society is manifested in the presence in the state of systemic immaturity of political-social, economic and legal printouts. By the way, it is based on the fact that they are in harmony with universal values. We will witness the formation of such values and prints on Avesto. This can be seen in the traditional foundations of power and forms of governance.

Man by nature lives, striving for freedom, goodness. The need for the state in the organization of rules and their procedures, which are universal for all such needs, arises. Here such a need formed the theoretical criteria of universal values. At present, in the periods associated with the mutual urges and disagreements of the personality society, new educational teachings have emerged as a destructive idea. Exactly IX and XII centuries were such a difficult period in the history of Central Asia. The

struggle of the people for their independence and the ideas associated with the human freedom call for the nation to rise spiritually. Such philosophers as the world famous Khorezmiy, Fergani, Abu Nasr Farabi, Ibn Sina, Beruni, Yusuf Hos Hadjib, Nizamulmulk, politicians, historians, scientists lived and worked in this period. This period goes down in history as a period of awakening of Central Asia in terms of its content, salinity.

There are specific aspects of the culture of the Renaissance, which are interpreted in the formation of the theory of statehood based on the following:

1. The pursuit of secular enlightenment, the wide use of the achievements of the past and culture of the countries of the world on this path, especially the development of natural-philosophical, religious, historical and social sciences.

2. Interest in nature, the narration of the science of natural Science, rationalism, belief in the power of reason, giving the main attention to the sciences aimed at finding the truth, to consider the truth as the basis of human imagination, science.

3. Glorification of man, justification of his intellectual, natural, spiritual, artistic, spiritual qualities, manifestation of humanism, high moral laws and rules, education of a perfect man.

4. Universelligence encyclopaism, interest in all natural phenomena and striving for its essence[4].

5. Formation of theoretical bases of state construction and management on the basis of justice, moral prints, development of their legal and practical bases.

6. Classification of activity levels of the head of state and his servants, the creation of theoretical bases of the system of responsibility criteria.

At the same time, in order to create conditions for a deep analysis of the path of development of our country, further improvement of the result of the reforms carried out, comprehensive and rapid development of the state and society, the president of the Republic of Uzbekistan signed an agreement on 2017.

At present, a strategic program document is being actively implemented in our country, approved by the Decree of the President of the Republic of Uzbekistan dated February 7, 2017 in order to deepen the analysis of the country's development path, further increase the effectiveness of ongoing reforms, create conditions for comprehensive and dynamic development of the state and society. The "Action Strategy for the five priority areas of development of the Republic of Uzbekistan for 2017-2021" identifies priorities for building a democratic state governed by the rule of law in Uzbekistan [5].

In accordance with the constitution, reforms in the areas of improving the system of state and society construction, ensuring the rule of law and further



reforming the judicial and legal system, liberalization of the economy, development of the social sphere, ensuring security, harmony of the nation and religious tolerance and deeply thought out, mutually beneficial and practical foreign policy are an important factor

As President Shavkat Mirziyoyev noted in his speech at the solemn ceremony dedicated to the 24th anniversary of the adoption of the Constitution of the Republic of Uzbekistan, during the years of independent development, our Constitution serves as a solid foundation for the construction of an economy based on the rule of legal democratic state, a strong civil society, free market relations and after all, our basic law, along with the advanced international experience in the field of human rights, has adopted the achievements in the history of Uzbek statehood, in particular the popular slogan of Amir Temur "Power is in justice". This is a key factor in raising the processes of restoration of a democratic legal state in Uzbekistan to a high level, ensuring social justice and legality in society.

At present, in Uzbekistan, work is being carried out to protect democratic values and integrate them into the lifestyle of citizens. Work is being carried out in accordance with the printouts of the Constitution of the Republic of Uzbekistan, the norms of international law on the construction of legal state and civil society and the experience of developed countries in the conditions of implementation of our national legislation, deepening of democratic reforms, relying on the Advanced International experience on the modernization of the state

It is to radically improve the efficiency and quality of democratization processes in our country, to ensure the freedoms, rights, decent lifestyle and interests of citizens, to raise the responsibility of the bunda state agencies, to introduce new effective means and methods in establishing open dialogue with the people, to work under the slogan "Human interests - above all things". President Sh.Mirziyoyev pointed out in relation to the activities of state and governing bodies, officials of law enforcement organizations, "We forgot to communicate with people at a later time. Getting into them, talking openly and sincerely, hearing their grief, unfortunately, in our activities, has become the last place"[6]. The fact that the people's reception rooms are functioning in all regions, a large - scale dialogue with the people has brought to a new level the work carried out to ensure the openness of the activities of the state authorities and management bodies.

The successful implementation of large-scale reforms at the modern stage of the country's development requires the creation of an absolutely new and effective system of Public Administration. In this regard, significant work is being carried out to

radically improve and modernize the system of Public Administration in the country.

In Uzbekistan, in addition to the constitutional legal basis for the restoration of a Democratic state, there are historical and theoretical roots. A sovereign state consisting of equal sovereignty of citizens can only be a legal state. The restoration of such a state depends on the rule of law in the spheres of social life, the state itself and its organs directly connected with the law, the guarantee of the right of an individual, the mutual responsibility of the state and the individual, strict control over the practice of laws, normative legal acts. In Uzbekistan, these requirements are based on the Constitution and laws based on it. At present, Uzbekistan, as a legal state, first of all, is based on the rights and legislative acts for the performance of its constitutional functions. Our state, its executive officials and bodies are inextricably linked with the law, and state power is implemented on the basis of laws [7]. Secondly, a whole system of constitutional integrity of relations in society and the state is created on a legal basis, and is being created[8]. As a result, we can conclude that the existence of the following signs of a democratic legal state in Uzbekistan has become a real reality:

- the constitutional print-up of the separation of powers is strictly valid;
- On the basis of the political building program "Strategy of action on five priority directions of development of the Republic of Uzbekistan" fair civil society is being formed;
- the accumulation of legal powers in a particular joint or structure to monopoly and its monoideology, which prevents it from remaining anti-democratic mechanisms have been established;
- the supremacy of the Constitution and laws, the direct application of which is achieved;
- the sovereignty of state power was determined by the Constitution and the law and began to be introduced into life without deviations;
- on the basis of the norms of the right to elect and be elected, a legislative two-chamber parliament was formed, strict control over the formation and expression of the legislative will was established;
- our internal legislation harmonizes with international norms and principles;
- legal protection of all subjects of social treatment from arbitrary decisions of whom;
- the andose and means of ensuring legal democratic statehood the independence of judicial power as a whole ensured the reformation being given away for a while;
- the effectiveness of the experience of ensuring the legal organization of the system of state power on the basis of the principle of the rule of law, i.e. compliance with the law;
- continuity of rights and duties, obligations of citizens;



- mutual responsibility of the state and the individual with each other;

- the desire to abandon narrow norms, official dogmatism in legal creativity, to fully mobilize its content in the interests of the nation, etc. [9].

These signs of the legal state as principles have become the main path of the political and legal development of Uzbekistan, the first president of our country the fact that the teachings of I.Karimov created in this regard have earned a holistic content, while the president of our country is still today. The fact that thanks to Mirziyoyev's reasonable policy, our state is confidently moving towards fair civil society, relying on the Constitution and the rule of law, along the path of independence and development, is proof of the inevitability of the future of Uzbekistan to become a great state [10].

Also, President Sh.Mirziyoyev proposed a fundamentally new mechanism of communication with the people, with the legally elected representatives of the people. Since 2017, a new democratic institute has been introduced - the institute of exodus of the president of the Republic of Uzbekistan with an appeal to the Supreme Assembly of the Republic of Uzbekistan. Having a deep political and legal essence, an important institution opened the door to new opportunities for the parliament to truly increase its role and position in the life of the country, to ensure social cohesion on important priorities and tasks in the new political path of development of Uzbekistan.

Decree of the president of the Republic of Uzbekistan "On approval of the concept of administrative reforms in the Republic of Uzbekistan", adopted in this regard, is an important step in the implementation of the strategy of action on five priority directions of development of the Republic of Uzbekistan in 2017-2021 and, in essence, opens a new page in the construction of thanks to independence, we realized ourselves, as a free nation and an independent state, it was possible to show the huge potential of Uzbekistan to the whole world. In a short period of time, great victories were achieved in the construction of the state and society, in the political, legal, socio-economic spheres, in the minds of our citizens literally new perspectives and new thinking bases were formed.

In the place of the conclusion, we can say that since the Republic of Uzbekistan has a democratic nature that serves the interests of the people since ancient times, in its activities it relies on such prints as democracy, people's power, socio-political-legal pluralism, human rights priorities, social justice, distribution of powers, legality, equality of all before law and court, compliance of national legislation

REFERENCES

1. Каримов И.А. Асарлар тўплами 7 жилд. - Т.: Ўзбекистон, 1999, 132-бет.
2. Сагдуллаев А, Аминов Б, Мавлонов Ў, Норқулов Н. Ўзбекистоннинг тарихи: Давлат ва жамият тараққиёти. Т.: Академия, 2000, 31-бет.
3. Абдукамилов Р. Авестийские текст о государственности и праве: вопрос генезиса и эволюции структур. Ўзбекистон тарихи, 2000, 3 сон, 22-бет.
4. Ўзбекистонда ижтимоий - фалсафий фикрлар тарихидан лавхалар. Хайруллаев М. тахрири остида. -Т.: Ўзбекистон, 1995, 11-12-бетлар.
5. Ўзбекистон Республикаси Президентининг «Ўзбекистон Республикасини янада ривожлантириш бўйича Харажатлар стратегияси тўғрисида»ги 2017 йил 7 февралдаги ПФ-4947-сонли Фармони // <http://www.lex.uz>.
6. Мирзиёев Ш.М. Ўзбекистон Республикаси Конституцияси қабул қилинганлигининг 24 йиллигига бағишланган тантанали маросимдаги нутқ. Халқ сўзи, 8 декабрь, 2016 йил.
7. Мирзиёев Ш.М. Бирлашган Миллатлар Ташиқлоти Бош ассамблеясининг 75-сессиясидаги нутқларидан. gazeta.uz
8. Nazirov H.H., Ismayilov A.Z., & Rasulov A.N. (2020). *The Impact of Economic Factors on the Family Crisis*. Евразийский союз ученых, 6(75), 64-65.
9. Utamuradov A., Khojiev T., Isanova G., & Khaytmetov R. (2020). *The Prospects of a New Template of the Modernization Uzbekistan*. Jour of of Adv Research in Dynamical & Control Systems, 2(12), 2670-2676.
10. Исмаилов А.З. (2015) Ҳуқуқий онгни билишнинг фалсафий- методологик даражаси. Фалсафа ва ҳуқуқ, 92-95.