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Some Comments On The Constitution Of The Republic Of Uzbekistan: From The Action Strategy To The Development Strategy

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ABSTRACT

The article sheds light on the Constitution of the Republic of Uzbekistan and its goals and objectives. In particular, author emphasizes the unconditional recognition of the supremacy of the Constitution of the Republic of Uzbekistan which has the highest legal force in the country. In the end, certain conclusions were reached.

KEYWORDS

Constitution, Supremacy Of Universally Recognized Rules Of International Law, Constitution And Rule Of Law, Democracy, Public Authorities And Administration, Action Strategy, Development Strategy.

INTRODUCTION

In Uzbekistan, as in any civilized country, the main legal basis of national statehood – the Constitution is widely celebrated every year as a holiday. December 8, 1992 – the day of adoption of the Constitution of the Republic of Uzbekistan, the face of the state of the Republic of Uzbekistan, the passport of the state. According to the structure, the Constitution of the Republic of Uzbekistan consists of the preamble, 6 sections, 26

chapters and 128 articles. So far, it has been amended 16 times.

The topic can open endless discussion as the Constitution is multisided legal document covering broaden scope of the life of state and society. As can be seen from the comparison, constitutionalism existed even when Uzbekistan was part of the former Soviet Union. More precisely, the Constitution was

adopted 3 times in the country at the time of the Soviet Union:

First Constitution on March 31, 1927;

Second Constitution on February 14, 1937;

Third Constitution on April 19, 1978.

The following factors created organizational and legal conditions for the adoption of the Basic Law of the country - the Constitution:

The social, economic, and political tensions that have arisen in the last days of the former Soviet Union;

The acquisition of state independence by the Uzbek people and the formation of a new sovereign state on the world map - the Republic of Uzbekistan;

The goal of the people of Uzbekistan is to build a democratic state and civil society based on the rule of law;

The adoption of the "Declaration of Independence" [1] and the Constitutional Law "On the Foundations of State Independence of the Republic of Uzbekistan" [2].

Importantly, the Constitution was not irrigated in the spirit of extreme ideology and politicization. It has strengthened the sovereignty of the state, the fundamental rights and freedoms and duties of citizens. It paved the way for property pluralism. In this sense, the study and analysis of these cases remain still scientifically important.

METHODS USED

Problem-chronological, comparative-analytical and theoretical research methods were used for exploring the topic.

THE MAIN PART

As each state chooses its own path of development, it sets its most important goals and objectives. The Constitution, adopted in the first period of independence of our country, also reflects the will of our people, human rights and interests, the structure of the state. It enshrined the guarantee of equality of citizens of our country, regardless of gender, race, nationality, religion, social origin, and laid the foundation for modern democratic development.

That is the first reason for which we respect, glorify and study the Constitution.

In the Republic of Uzbekistan, the supremacy of the Constitution of the Republic of Uzbekistan is unconditionally recognized. This means that it has the highest legal force in the country. He is the determinant. He is a guide. The basic principles set out in the preamble of the Constitution, such as commitment to human rights and state sovereignty, understanding of high responsibility before present and future generations, reliance on the historical experience of Uzbek statehood, recognition of the supremacy of universally recognized rules of international law, are a roadmap for our daily life and practice.

In each of his speeches, President of the Republic of Uzbekistan Sh.M. Mirziyoyev stresses that ensuring the rule of law is the main criterion of a democratic state governed by the rule of law, the documents developed by public authorities, the actions of officials

must be in accordance with the Constitution and laws.

As the Head of State outlines, there is no more effective means of achieving the supremacy of the Constitution and the law than public control.

It was noted that the public and the media have “waken up” and now are active contributors to the process of establishing the rule of law and counteracting its violations. For example, building on the proposals of citizens and deputies during the discussion of the draft State Budget, it was decided to allocate an additional 50 billion soums to schools, and a moratorium on cutting trees was announced under the influence of public opinion. This shows that the population's sense of responsibility and involvement in social processes is growing.

The Head of our state emphasizes the need to continue the work on raising the legal awareness and culture in society, to inculcate these skills in the upbringing of children from childhood.

“Our Constitution should become a real code of living standards and rules for us, fully guaranteeing rights and freedoms, penetrating deeply into the consciousness and heart of every citizen”, said Shavkat Mirziyoyev [3].

The principles of humanism reflected in the Basic Law find their practical embodiment. In recent years, the President has signed 8 pardoning decrees, in accordance with which over 4 thousand people were released from the penitentiary. In general, in the last 5 years, 16 amnesty acts were issued in Uzbekistan and 4965 people were pardoned.

On the eve of this Constitutional holiday, the President of Uzbekistan signed another similar decree according to which 92 convicts who sincerely repented of their crimes and resolutely embarked on the path of recovery were pardoned.

The closure of the “Jaslyk” penal colony was also a practical example of humanitarian policy. In addition, for the first time, the procedure for payment of pensions and social insurance to persons deprived of their liberty has been established.

This year, as part of the humanitarian operations Mehr-1 and Mehr-2, a group of 261 citizens, mostly women and children, was returned to their homeland from the zone of armed conflict. Over the past three years, a total of 9,692 people, including 5,868 this year alone, have been granted citizenship of Uzbekistan [5].

Indeed, in explaining the essence of our Constitution today it is worthy to remember the words of the President Shavkat Mirziyoyev: “The effectiveness of any democratic reforms, the main guarantee of peace and development is directly related to the Constitution and the rule of law. The rule of law means that the documents issued by public authorities and administration, the actions of officials must be in accordance with the Constitution and the law. That is why we need to create an environment in which all levels of personnel, whether ministers, governors or ordinary citizens, must know the Constitution and laws, ensure their implementation and, above all, strictly adhere to these rules”[6].

Another moment for reflexion. Large-scale changes are taking place in the education

system as well as in inter-parties political debates. New procedures, principles of governance, modern structures have appeared in the field of education, namely, preschools built on the basis of public-private partnership, Presidential schools, branches of advanced foreign higher education institutions, and they are working successfully in practice. In short, a competitive environment is entering the education system.

Indeed, achieving high quality efficiency in the education system is a problem for society as a whole. The owners of tomorrow, as long as they are in school desks and higher education institutions today, should be brought up as educated, enterprising, open-minded, politically vigilant, patriotic people with their own civic position on all fronts and this task requires high knowledge, professional skills and competencies from teachers and support staff.

Indeed, the Constitution of the Republic of Uzbekistan is a guarantee of human and civil rights and freedoms.

After the adoption of the Action Strategy, the Constitution of the Republic of Uzbekistan was amended 9 times [7]. It should be noted that the amendments and additions to the Constitution of the Republic of Uzbekistan in recent years are directly connected with the priorities of the Action Strategy 2017-2021. These two documents have become a close legal system aimed at enriching and complementing each other. Our current efforts are directed through "From the Strategy of Action – to the Strategy of Development". New Uzbekistan Development Strategy concentrates on the principle of "man - society - state" which is the basis of our work [8].

CONCLUSION

Based on the above mentioned points, the following conclusions can be drawn:

First of all, our Constitution is a historical political and legal document that introduced Uzbekistan to the world as an independent state.

Secondly, our Constitution is a truly democratic Constitution. It is a document that embodies universal, universal values and international standards tested in history.

Third, our Constitution has found its place on the world constitutional map, and it reflects the world's constitutional experience and achievements. That is, our Basic Law was created based on the historical experience of developed countries.

Fourth, the ideas and norms of our Constitution are based on the historical roots of the Uzbek people, which includes real experience and spiritual values, the legal heritage of our great ancestors.

Fifth, our Constitution has become the legal basis for our own development.

Sixth, our experience in studying the Constitution, that is, the system of continuous legal education aimed at forming a constitutional legal culture, is of international importance.

Seventh, our Constitution is a symbol of independence.

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