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The Concept Of Legitimacy Of State Power And Its Socio-Political Significance

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ABSTRACT

The state power of the Republic of Uzbekistan is divided into legislative, executive and judicial powers. The three branches of government, only they and of course all three of them together form a single state power. The functioning and cooperation of this system on a legal basis implies the legitimacy of state power. No other body can claim power. The Constitution of the Republic of Uzbekistan states that “It is unconstitutional to change the powers of state power, suspend or terminate the activity of government bodies, create new and balanced structures of power in a manner not provided for in the Constitution, and is the basis for legal liability” (Article 7). Taking this article simply, we can see that it serves as a legal basis for the legitimacy of state power in independent Uzbekistan.

KEYWORDS

Constitution, legitimacy, succession, traditional legitimacy, charismatic legitimacy, rational legitimacy.

INTRODUCTION

French political scientist J.L. Kermonn defines legitimacy as the political power of a country in accordance with the values of that country.

M. Dyuverje adds that any order in which the people are united is legitimate [1. 4].

In fact, an analysis of the notion of legitimacy explains why people submit to those who claim dominance; what internal foundations justify domination and what external means serve as its basis? Must answer questions. Weber identified three types of internal justification, namely, the fundamentals of legitimacy. First, he writes, it is the “traditional domination” of the “always past”: the authority of the deities, deified by antiquity, content, and the habit of following it, in the manner in which it is exercised by a patriarch or an old-fashioned patriarchal prince. “Then the authority of the divine personal ability (charisma), genius in a person, leadership qualities: various personal devotion and personal trust arising from the presence of miracles, heroism, etc., in the field of prophet or politics, the great prince - the leader of the army, charismatic domination in the manner exercised by a ruler or a great orator, or the leader of a political party; and, finally, the rule of obedience to established rules, the rule of law because of the way in which it is exercised by the modern “civil servant” and those with similar abilities. [1. 9]”

MAIN PART

Traditional legitimacy can be assessed as adherence to tradition. The origin of the original concept (French - legal “legitimate”) is now in French law the legal heirs to the throne, their supporters are called legitimists. That is, claims to the throne by supporters or members of the monarchy are called legitimacy. This type of legitimacy is common to all societies. In particular, the history of Amir Temur’s khanate status is a clear proof of this [2. 43.].

Rational legal legitimacy is based not on traditions or personal qualities, but on the origin and functioning of political power in

accordance with the requirements of a democratic legal order. The 2000 presidential election in the United States is a shining example of rational legitimacy: the winner is determined by law, and the parties abide by it [2. 44].

There are other types of legitimacy. In democracies, rational-legal legitimacy is manifested mainly in the form of structural or institutional legitimacy. It is based on the trust of citizens in the state structure, not on individuals (personal legitimacy), and today the legitimacy of state power in Uzbekistan is based on this. [2. 46].

The essence of ideological legitimacy is to justify power through ideology. Ideology is based on the right of government to govern in the interests of the people, nation or class. Depending on, who the ideology is aimed at and what ideas are used, ideological legitimacy can have the nature of class or ethnic legitimacy, that is, the right to govern society is based on the ownership of a particular class (nation) [3. 52].

Class legitimacy was prevalent in the countries of the former socialism. In the second half of the twentieth century, many young states tried to legitimize their governments on the basis of nationalist ideas (ethnic legitimacy) and establish ethno-democratic regimes in order to gain the recognition and support of the population. This process is now considered neo-fascism, and it is becoming clear that this trend will have negative consequences.

Thus, legitimacy is such a quality of the relationship between government and society that subordinates voluntarily recognize authority as its highest value and its right to govern. Legitimacy is based on the ability of

the government to form and maintain people's confidence in the effectiveness of existing political institutions [4. 58].

There are three classic types of government legitimacy (Max Weber). These types include:

1. Traditional legitimacy. It is based on the belief in the inviolability and sanctity of the ancient order and the tradition of obedience to authority. It is based on trust in political traditions and customs. Traditional legitimacy is a characteristic of monarchies. It is based on centuries-old traditions, centuries-old forms of power, the inheritance of power, the unconditional submission of citizens to rulers, the informality of relations between them. Although traditional legitimacy has changed significantly over the course of history, it can still be traced today.
2. Charismatic legitimacy (Greek “charisma” - a divine gift from God). This legitimacy is based on the belief in the supreme divine ability, extraordinary talent, that is, charisma of the leader. It is based not on historical traditions, but on the people's unconditional trust in the individual. The charismatic form of legitimacy is the complete opposite of traditional legitimacy. While traditional legitimacy is tied to tradition, charismatic legitimacy, on the contrary, is based on completely new things, new ideas that have not been recognized before. Historical experience shows that charismatic legitimacy is often observed in transition. Each historical period promotes a certain kind of charismatic legitimacy. The present period is no exception.
3. Reasonable legal legitimacy is an independent form of legitimacy. It differs from traditional, charismatic forms of

legitimacy. Reasonable legal legitimacy is based on the fact that citizens belong to the state, not to individuals. Its source is a rationally understood interest. This interest encourages people to submit voluntarily to government decisions based on universally recognized rules. [4. 76-77].

The deepening of the separation of powers is one of the most important trends in the development of political power today. This is reflected in the redistribution of powers of the branches of government, that is, the redistribution of powers of the executive in favor of the legislature and the judiciary.

The legislature develops legislation to regulate changes in various spheres of public life, to regulate relations, and to provide them with legal guarantees. It is mandatory to comply with and comply with the laws developed by the state authorities.

The executive branch is made up of various government agencies and institutions that implement the measures set out in the law.

The judiciary is made up of government agencies and institutions that oversee the implementation of laws that have been passed and are being implemented.

This principle was theoretically based in England and France in the XVII-XVIII centuries, and provided for the active involvement of a wide circle of the masses in governing the state, directed against feudal absolute monarchy - the monarchy. In the former USSR, this principle was practically denied.

The principle of separation of state power in independent Uzbekistan is based on the creative use of the experience of advanced

democracies in the world, taking into account the specifics of the existing conditions [5. 23]. They operate independently of each other in a democratic society.

CONCLUSION

Reasonable legal legitimacy is a characteristic of advanced democracies. In such countries, people are subject to laws, not to a leader. Authorities are elected and act on democratic principles. In them, the Constitution is the main legal act, which defines certain rules of social behavior. It will become a tradition for all citizens, including political leaders, to strictly adhere to these rules. In modern political practice, it is difficult to find rational legal legitimacy in a pure, ideal way. It is often associated with other species, supplemented and enriched by the tradition of rationality.

The current events in Belarus and in 2014 in Ukraine show how important the legitimacy of state power is. While these states opted for charismatic legitimacy, the people preferred traditional legitimacy. As a result, social revolutions are taking place. It is clear that the legitimacy of state power is determined by the people, not by its rulers.

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