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The Evolution Of The Constitution Of Uzbekistan: History, Importance And Its Role In The Restoration Of The New Uzbekistan

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ABSTRACT

In the current article, the author studies the processes associated with the adoption of the Constitution of the country and its historical development in comparison with the activities related to the development of foreign constitutionalism. The evolution of the National Constitution is also discussed in stages.

KEYWORDS

Constitution, Constitutionalism, The History Of The Constitution, The Experience Of Foreign Countries, Evolution, Rights And Freedoms.

INTRODUCTION

Looking at the history of states and legal systems, we understand that it has not been a long time before the appearance of the constitutions that we imagine now. According to some sources, the US Constitution, adopted in Philadelphia in 1787, was the first Constitution. In fact, there are also constitutions that were adopted before it. This is the basic law of the Republic of San Marino, one of the smallest enclave states in the world

(surrounded on all sides by Italian territory), adopted in 1600. The very beginning of the Constitution is not surprising, if in fact it is the legal acts of ancient Greece. Created in ancient Babylon almost four thousand years ago, the laws of Khammurapi, also reflected many aspects inherent in the Constitution. In the countries of the East, the religious doctrine, in particular the Islamic religion guidelines, sharia rules also served as a Constitution. In addition,

in the book "Knowledge of Happiness" by our glorious Yusuf Khoshhodhib, the need for relations between the state, society and man is deeply reflected. In particular, the "Rules" of Amir Temur are a valuable political, legal, educational guide in this regard, and many of its ideas have not lost their relevance (1).

THE MAIN FINDINGS AND RESULTS

Although the term "constitution" was known in ancient Greece and Rome (for example, in Greece, especially in Sparta, a set of basic governing laws, the law called the Imperial Constitution in Rome), Amir Temur's "Regulations" have a special form (dispositive norms) as well as imperative norms) which had the character of a constitutional document. Along with Sharia law, it had a strong influence on the lives of the peoples of the Central Asian region. It is also worth noting that it was one of the most advanced legal documents of that time. Interestingly, among the countries of the world there are those who do not have a constitution. Although the United Kingdom, New Zealand, and a few other countries are constitutional democracies or developed democracies, they do not have a single legal document called the Constitution, which is clearly different among the countries of the world. In Great Britain, constitutional rights are reflected in the laws adopted by the parliament. It was here that the Habeas Corpus Act was adopted in 1689.

The history of the current Constitution of the Republic of Uzbekistan is also rich in significant events and processes. The term Constitution is derived from Latin language and means structure, order, which is the Basic Law of the state. It determines the structure of the state, the system of power and governing bodies, the

order of their competence and formation, the electoral system, the rights and freedoms of citizens, the interaction of society and the individual, as well as the judicial system, as well as the interaction of the state and society.

No one denies that the creation of the Constitution of the Republic of Uzbekistan is the result of our people's long-term pursuit of independence. First of all, the construction of the constitution architecture of our state is based on more than three thousand years of experience of national statehood. **Today's new Uzbekistan embodies the ancient Khorezm and Sogdiana, Bactria, Karakhanids, Khorezmshahs, Amir Temur and Temurids, Uzbek khanates, historical traditions in the national spirit.**

Our Basic Law was created taking into account the world constitutional experience, which includes Eastern and Western civilizations, the progressive constitutional experience of more than 100 countries.

Therefore, the fact that the ideas and norms of the Constitution of Uzbekistan reflect centuries-old experience and spiritual values of our people, rich historical and legal heritage is the guarantee of its viability.

At the same time, our Constitution embodies the best practices of constitutional construction in many democracies, the mechanism for ensuring and protecting human rights and interests, freedoms based on the universally recognized norms of the Universal Declaration of Human Rights and other international instruments in this area.

The adoption of the Constitution established a clear legal system that regulates relations in all spheres of social and state construction, in all spheres of national legislation.

Over the past period, the parliament of our country has adopted about 700 laws in

accordance with the Constitution, ratified more than 200 multilateral international agreements, and thus created an integrated legal mechanism for the implementation of our Basic Law. Its effectiveness has been shown by time itself, and it is recognized by the world community today.

As noted by Academician AH Saidov, it is not in vain that such a high and objective assessment of our Basic Law. This can be explained by the following reasons, among others.

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

Second, our Constitution is based on the historical experience of the most developed, developed countries. In doing so, we have studied and taken into account the most advanced foreign constitutional practices, rather than blindly copying the ready Constitution of any state. As a result, our General Law System now competes with the Constitution of any developed country in the world.

Third, the ideas and norms of the Constitution are based on the deep historical roots of the Uzbek people, which includes centuries of experience and spiritual values, the legal heritage of our great ancestors [1].

The Constitution strictly defines the most important aspects of the state structure, the powers of the legislature, the executive and the judiciary, the electoral system, the rights, duties and responsibilities of citizens, society and the individual, as well as the relationship between state and citizen.

If we turn to the history of the state and law of our country, we will see that the emergence of the first books, which embodied the peculiarities of the constitution, goes back a

long way. In particular, Amir Temur's book "Temur's Statutes" covers many aspects of public administration, the division of power, the formation of the executive branch, the appointment and dismissal of officials, the relationship between state and citizen, the formation of the tax and financial system. In his research work related to the candidate's dissertation, the author paid great attention to these issues in 1995-1997 [2].

The drafting of the Constitution of independent Uzbekistan takes into account similar historical works, as well as the experience of more than 100 countries and aspects that are important for the development of our country.

One of the most important steps in the creation of the Constitution of the Republic of Uzbekistan was the formation on June 21, 1990 of a 64-member Constitutional Commission including statesmen and deputies chaired by the First President of the Republic of Uzbekistan Islam Karimov.

It is noteworthy that the President of the Republic of Uzbekistan Shavkat Miromonovich Mirziyoyev was also a member of this council and made a significant contribution to the creation of our encyclopedia. As a result of more than 2 years of work by this commission, the draft Constitution of our country has been prepared.

The first draft of the Constitution was published in the press on September 26, 1992 and put up for a public discussion. If we look at the historical data, the Constitutional Commission has received about 600 letters with different views on the draft of our Constitution. At the same time, the views expressed by citizens of our country amounted to more than 5,000 [3].

Taking into account the views expressed by citizens, the draft Constitution was supplemented and submitted for public discussion for the second time on November 21, 1992. It was adopted December 8, 1992.

It is clear that the Constitution was adopted at the most difficult period in the history of our country. In general, the first years of independence were a period of various threats to political stability, various actions to provoke interethnic conflicts in regions such as Namangan and Tashkent, as well as economic difficulties, including serious problems with food provision security.

In such a dangerous period, the Constitution of the Republic of Uzbekistan was adopted on the way to build a state that considers the interests of man as the highest value, able to live a decent, prosperous life, ensuring peace and harmony.

The Constitution of our country is a historical document that considers human rights as the highest value, embodies the principles of democracy and aims to ensure the well-being of every citizen living in our country, the rule of law, equality before the law.

CONCLUSION

In conclusion, it is worth noting that the main encyclopedia of our country has played a great role in the historical course of our country, which has been occupied to this day. We can see this in the following directions.

First, the Constitution enshrined in the law that the Republic of Uzbekistan is a sovereign democratic state. In particular, Article 1 states that "Uzbekistan is a sovereign democratic republic. The names of the country "Republic of Uzbekistan" and "Uzbekistan" mean the same thing [4].

"From the first article to the last, Article 128 of the Constitution of Uzbekistan, which is fundamentally different from previous constitutions in terms of its structure, direction and content, has been enriched with the idea of independence. It is also a feature of our Constitution that the world community relies on its achievements in the field of human rights and democratic values [5]."

Second, our encyclopedia has created legal guarantees that the only source of power is the people, that every citizen can participate in the decision-making process on the most important issues of the country's life through referendums and express their civic position. It should be noted that these aspects are the most important, in other words, the primary principles of democracy.

Thirdly, unlike the legislation that existed before independence, the Constitution emphasizes economic rights, in particular the rights of every person to own property, to work and to freely choose a profession.

In this regard, the fact that the norms on the protection of property rights are reflected in the encyclopedia is a huge step in the development of a market economy in our country.

During the first years of independence, as the Republic of Uzbekistan abandoned the centrally planned economy and transitioned to a market economy, strengthening its legal framework became an urgent task.

First of all, there was a need to strengthen property rights, because the market economy is based on the inviolability of private property. In this regard, the importance of the constitution is incomparable.

Fourth, all citizens are guaranteed equality before the law, regardless of race, gender, religion, language, or social origin.

Due to the path of development of developed countries, the legal basis for development is equality and justice. In this case, the equality of citizens before the law is the basis of democratic development.

“Human interests are considered as paramount in our constitution. Every person who has carefully studied our Basic Law will witness firsthand that its whole essence is to serve man. Nowhere in our Constitution there are such provisions as "the right of the state" or "citizens must fulfill the will of the state." On the contrary, in our Constitution, “the state expresses the will of the people and serves its interests. The Constitution states "State bodies and officials are accountable to society and citizens," "The state ensures the rights and freedoms of citizens enshrined in the Constitution and laws (1)."

Fifth, one of the most important aspects of building a developed civil society in the Constitution is that the rights of everyone, such as life, liberty, personal inviolability, freedom of thought, speech, belief and conscience, have been elevated to the highest value.

In this case, the encyclopedia of these rights further enhances the importance of these concepts in society.

Sixth, it has been firmly established in the legal system of our state that no normative legal act or its separate norm may contradict the Constitution. In particular, **Article 16 states that "No law or other normative legal act may contradict the norms and rules of the Constitution [4]."** The importance of this norm in building a democratic state based on the rule of law is incomparable. As this constitutional norm, on the one hand, prevents the emergence of various contradictions in the law, on the other hand, serves as a basis for its elimination in the event of conflicts.

In fact, a new system of communication with the people has been introduced in our country on the basis of the principle of hearing people's grief, open communication with them, lightening their pain, relying on the basic principle that "state bodies should serve the people, but not the contrary". The same can be said about the virtual and public receptions of the President, established on the initiative of the head of our state.

The Action Strategy, developed on the basis of the Constitution of the Republic of Uzbekistan has laid the foundation for a completely new stage in the development of the state and society in the recent past. At present, on the initiative of President Shavkat Mirziyoyev, large-scale and huge reforms are being carried out to build a new Uzbekistan.

Our General Law System plays an important role in the implementation of this strategy, because the implementation of all aspects of the New Uzbekistan Strategy is closely linked with our legal encyclopedia.

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