



## The Combination of Socio-Political and Economic Criteria in Liberal Democratic Ideas

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### ABSTRACT

The article analyzes the process of development of the liberal worldview and political practice, reveals the main ideas of Constitutional priority-constitutionalism. In the conditions of liberal democracy, the Constitution is justified as one of the guarantees of the demand by society, the manifestation of the political, legal and economic capabilities of the individual. The features of the development of constitutionalism in Uzbekistan were analyzed as such characteristic forces as democratic modernization, national accord, independence.

### Keywords:

liberalism, Constitution, democracy, democratic modernization, national harmony, independence, justice, political outlook, freedom of speech, retrospective, perspective, human rights and interests.

**Introduction.** The process of development of the Liberal worldview and political practice is directly related to the origin of constitutionalism. It is in the conditions of Liberal democracy that the Constitution is fully demanded by society and appears as one of the guarantees of the manifestation of the political-legal and economic capabilities of the individual. President of the Republic of Uzbekistan Sh. at the celebrations dedicated to the 5th anniversary of the Constitution of the Republic of Uzbekistan. Referring to the role and importance of our Constitution in society, Mirziyoyev emphasizes: «at the moment, we understand perfectly well that there are still huge tasks ahead of us regarding the full implementation of the requirements of our main law. That is, we still have a lot to do to further improve the level and quality of life of our people, to ensure human rights and interests in practice. First of all, it is necessary for our people to feel the effect

of reforms not in the future, but in their life today.

It is for this purpose that we are entering a new stage of development, in addition to an impartial assessment of our potential and capabilities, we have also made a thorough critical analysis of our mistakes and shortcomings.

On this basis, we adopted the strategy of action in five priority areas of development of the Republic of Uzbekistan in 2017-2021. In essence, this document has become a «road map» of systemic reforms in all spheres of public life»<sup>1</sup>.

**Methodology.** Usually, the Constitution, together with the new state, is born. It expresses the highest dreams of the people. It is directed to the preservation of the nation from a return to a form of ineffective social relations, which has passed its life. At the moment, advanced

<sup>1</sup> From the speech of the president of the Republic of Uzbekistan Shavkat Mirziyoyev at the solemn ceremony on

the occasion of the 25th anniversary of the adoption of our Constitution

ideas and development tasks are determined in it. This was stated by Alexander Hamilton during the formation of American statehood (J. Washington and J. Madison follower) commented: «The biggest difficulty in creating a management system that governs others is the following: at first it is necessary for the government to have the ability to control the governors, and then it must be forced to self-control»<sup>2</sup>.

This reasoning, in essence, reflected the essence of the functional task in the Constitution, that is, ensuring the legal and political implementation and protection of the basic Liberal principles.

It is no coincidence that the first document in which Liberal ideas and principles Forman were expressed was also the «United States Declaration of independence» of July 4, 1776. In Europe, ten years later, in 1789, the «Declaration of the right of Man and citizens» appeared, in which the basic principles of traditional liberalism were briefly expressed. Liberal principles were introduced into the practice of the formation of a limited constitutional system in France after the July Revolution of 1830, as well as the establishment of the Third Republic of 1870. For example, the US Constitution from articles of the Declaration of independence and Confederations (1871y.) grew up and was born as a result of complex disputes and agreements. Among them was an agreement to introduce «Bill rights» into the Constitution, which consisted of 10 amendments. These «amendments» emphasize: freedom of speech, the right of the ring to appeal to the government and freedom of Assembly; the right to store and carry weapons (Amendment 2); strict adherence to legal procedures in the consideration of a criminal case or in the conduct of judicial acts; the right to judicial protection and the dahllessness of private property; the reading of the Constitution in a positive tone, in which no rights expressed

in it should be interpreted in exchange for reducing other rights granted to the people.

In the US Constitution, Liberal political opinions deserve to be cited as an example, even for finding expression in practice. It has become an institution capable of regulating the sphere of power, providing assistance to every active member of society involved in the construction of a just and free country and interethnic relations. «Power is necessary and at the same time dangerous. Ensuring the management of power and at the same time the Prevention of abuse of its owners can only be carried out if the right balance of institutions of power is maintained»<sup>3</sup> – emphasizes.

Researchers of the present time of the origin of the American Constitution M.D. Skidmar and M.K. Flu. So, first from the very beginning, the Constitution provides for the creation of a document capable of responding, without exception, to the long-term and diverse interests of the entire nation. The «Founding Fathers» of American Society sought to bring the country to mutual harmony, taking into account the problems that arise in the context of a diverse and large number of conflicts of interest, in which the social, religious and political composition was diverse. «It is for this reason that the constitution significantly reflects the set of contradictions and antagonisms that existed at that time, as well as the process of agreement in the result of its occurrence»<sup>4</sup>. In other words, the Constitution is considered as a legal document and an expression of the reflection of a complex of Liberal and national principles of development as a phenomenon of political life. It is this circumstance that applies to both retrospective (history) and perspective (perspective). In this sense, constitutionalism is the result of the addition of liberalism and national statehood, in which, first of all, the nature of the Democratic political system is determined through the decision of the basic principles. Secondly, the

<sup>2</sup> Skidmor M.D., Tripp M.K. Amerikanskaya sistema gosudarstvennogo upravleniya. - M.: Kvadrat, 1993. 45- (384 c).

<sup>3</sup> Skidmor M.D., Tripp M.K. bo'yicha iqtibos: Amerikanskaya sistema gosudarstvennogo upravleniya. - M.: Kvadrat, 1993. 49-c (384 c).

<sup>4</sup> Skidmor M.D., Tripp M.K. bo'yicha iqtibos: Amerikanskaya sistema gosudarstvennogo upravleniya. - M.: Kvadrat, 1993. 50-c (384 c).

fate of the nation, its past period, present and future will be connected, the prospect of statehood and the construction of society will be determined, the impetus for the development of national self-awareness will be given.

The priority of the Constitution is the main idea of constitutionalism. Constitutionalism is a product of the development of the political philosophy of liberalism, which determines the issues of the implementation of its basic principles in the practice of the construction of the state and society. In this regard, the Constitution of the Republic of Uzbekistan is an organic part of the process of development of world-class constitutionalism. It also serves the goals of the development of the Liberal foundations of national statehood, in particular, the creation of a legal state. "The uniqueness of the Constitution of Uzbekistan is that it instilled in itself the historical and national values of the Uzbek people, as well as the humanistic principles of Fapb democracy. In line with modern, political and vital realities, this is evident in the fact that the rules of the Constitution today can emerge as a socio-legal paradigm and a kind of ideal of the construction of political statehood»<sup>5</sup>

**Method.** In this sense, the Constitution of the Republic of Uzbekistan performs an important function, which consists in the integration of Liberal requirements in the structure of National-traditional relations in order to balance and harmonize universal and national priorities of development. He, from the very beginning, consolidated in himself the rational ratio of state and human interests. As stated in the preamble of the Constitution, the Basic Law is in order to ensure adherence to the principles of human rights and state independence; based on the historical experience of the development of Uzbek statehood and recognizing its commitment to the ideals of democracy and social justice; generally recognized the priority of the norms of law and considered the task of creating a humane democratic legal state.

A distinctive feature of the development of Uzbek constitutionalism is the desire for independence, Democratic modernization and national harmony in our country, etc. k. the main driving force and factor. appeared on the field. At the same time, it is impossible not to note the old heritage inherited from the totalitarian regime, that is, to treat the Constitution from the point of view of formalism, in which the Constitution played the role of a demonstration «stand» or «voveska», and was practically not included in the process of social relations. This circumstance still does not allow the normal development of Uzbek constitutionalism today. It is worth recalling once again the words of our Constitution that it has not yet managed to fully unleash its legal, socio-political and ideological capabilities.

The Constitution of the Republic of Uzbekistan is aimed at eliminating these problems. The following circumstance serves as the main factor contributing to the implementation of this goal. That is, the new Constitution can only express the desire for the development of society, having appeared on the field not as a product of power, but as a product of the will of the ring and history. The origin of the Constitution is inextricably linked with the development of national statehood, which today follows the path of gradual liberalization of the state and society, so to speak, liberalization. Liberal ideas and principles make up the first three parts of our Basic Law. Separate provisions for the organization of state power on the basis of Liberal principles are reflected in the fifth part.

How are the Liberal indicators of the development of the state, man and society expressed in the Constitution of the Republic of Uzbekistan? First of all, in the provisions on state sovereignty, i.e., Article 2, the role of the mechanism of the state in the system of social relations is clearly expressed, which arises as a reflection of the Will and interests of the people, that is, society in relation to the state-is unifying. State bodies and officials, - said in a speech,-are responsible to society and citizens. In this

<sup>5</sup> Boboev X., Qahhorov A. Sosialno-pravovo'e grani demokraticeskoy Konstitusii.-T., O'zbekiston, 2000 -44-c.

sentence, it is no coincidence that «citizens» are promoted as subjects of control over the activities of state bodies and officials.

It is on this principle that the core of constitutional thought is expressed. All subsequent rules should clarify, develop and concretize this principle. In particular, chapter P of the Constitution defines the idea of the state's responsibility to society and citizens as follows:

1. The source of state power is the people (society and citizens).

2. The foundations of the formation of state authorities are approved by the Constitution of the Republic of Uzbekistan and legislation.

3. A nationwide vote (referendum) is called as a procedure for discussing and accepting the most important issues in the life of society and the state.

4. The principle of competence, according to which only the Oliy Majlis and the president of the Republic elected by the people can come out on behalf of the people of Uzbekistan.

5. On the basis of the principle of division of power into legislative, executive and judicial power, a system of state power is built. This principle is aimed, first of all, at the extreme centralization of power and the Prevention of arbitrariness of officials.

6. The principle of pluralism, according to which social life should develop on the basis of a variety of political institutions, ideologies and opinions.

7. Democratic (Liberal - implied. Author's comment) the priority of universal principles in development, that is, the highest value, according to which a person, freedom of his life, conscience, pride, Constitution and other inalienable rights protected by laws.

8. The main task in the essence of the state mechanism is the provision of the principles of social justice and legality.

These principles of popular power not only meet Liberal requirements, but also arise as a reliable guarantee of their implementation. The main thing is that all these principles, in fact, lie on the basis of the mechanism for ensuring the responsibility of the state and officials to society and citizens. The imperative

of the need to recognize the unconditional priority of the Constitution can be understood as an obligation to accept our basic law only by laws and norms that meet the essence of humanity. «No rule of this Constitution,» says Article 16, «cannot be interpreted without prejudice to the rights and interests of the Republic of Uzbekistan. no law or other regulatory act can contradict the norms and principles of the Constitution» These requirements, as an integral attribute of civil society, bring the Republican legal system closer to the norms of modern, humane law.

The priority of the Constitution arises in itself as a delimiter of state power, imposes on the government its duties as well as obligations to act within the established procedures. If the government coordinates its actions with the norms of the Liberal Constitution, makes decisions that correspond to it, we consider such a government naturally Liberal.

In general, in the first part of the Constitution of the Republic of Uzbekistan, principles and requirements of Liberal content have been expressed. These principles, taken together, emphasize the following Liberal look elements of roads and conditions in the construction of a legal state:

- Constitutionalism, the priority of constitutionalism;
- political institutions, ideologies and opinion diversity;
- sovereignty of the people in relation to the state and state sovereignty in the system of international relations;
- control of the state by society;
- power branching;
- priority of the interests of Man and society.

The rule on human rights and freedoms came immediately after the General part of the Constitution, which reflected the basic principles. In other words, the next rules arise from the need to ensure human rights, and they contribute to the implementation of legislative and administrative-organizational aspects. This circumstance emphasizes the high constitutional position on human rights and their importance in the life of society. Hence, the increase in the level of legal culture of the

population is inevitably associated with an increase in such roles in the criteria for the development of state-legal institutions, which also directly results from the constitutional rights and freedoms of the individual.

What factors and conditions does our Constitution create for the development of political liberalism?

In addition to the above principles, the Basic Law clearly expresses the value of equality, justice and responsibility; Political Rights, basic rights of Public Associations and the media are distinguished.

It is noteworthy that the principle of "equality" in the Constitution was considered in absolute terms, that is, without being legislated by eliminating social, individual and other natural and necessary differences, but as a feature of the same status of people in relation to freedom, law and law from different social categories and strata of society.

According to the traditional philosophy of liberalism, the categories of freedom and equality cannot be viewed politically and legally separated. «Freedom» and «equality» are given to a person as an inalienable right from the moment of his birth. The need to prove this category that does not require comment is yuq. J. The main meaning of «equality» in Locke can be noticed from his definition of «state of equality». «In this,» writes The Thinker, «the entire jurisdiction will be mutual, no one will have more than the other»<sup>6</sup>. Justice ensures equality of rights and freedoms. These initial categories should be viewed as a socio-political balancing and opposing system in a very close relationship with each other. This in turn gives rise to mutual responsibility.

In terms of equality, it is worth noting that only the rights that all citizens can use regardless of their class, national, religious and any other affiliation are fundamental (fundamental) rights. Depending on the time and space, the list of basic human rights may change. It is impossible to see them once and for all times in the prescribed way. It is necessary to

assume that the fundamental rights are those that are recorded in the Constitution, which apply to all citizens. In other words, these are the rights that all citizens belong to in a situation where they are equal among themselves.

In the Constitution of the Republic of Uzbekistan, just such an explanation of the above categories is given. In accordance with Article 18 of the Basic Law, the category of «equality» is recognized as an initial condition as a «Equality of possibilities», especially as the main conditions for ensuring justice. All citizens must have the same rights and freedoms, be equal before the law, regardless of gender, nationality, race, language, religion, social origin, faith, personal and social status. Benefits are linked to the principles of social justice and, in accordance with this, are applied to people of socially disadvantaged categories (disabled people, War Veterans, lonely elderly people, orphans, etc.). k.) payment of benefits (assistance) can only be as an event, but should not be as a right arising from human nature itself.

Article 20 of the general rules is also expressed in the traditional Liberal spirit. There it was mentioned that the implementation of the rights and freedoms of citizens should not violate the legitimate interests, rights and freedoms of other persons, the state and society.

It should be noted that the general provisions expressed in the main part of the Constitution about human rights and freedoms, in essence, reflect the essence of the constitutional goal, give Liberal content to the desired democracy. The development of these rules in joroy legislation - unconditional adherence to them in the practice of reform in the political, legal, social and economic spheres - is both simple (for understanding) and complex (for execution) at the same time. This process cannot be imitated, since it exists, as it were, supposedly does not exist. It is precisely on the issue of equality of rights and freedoms before the law that citizens take with passion some mistakes, paying special attention. And these

<sup>6</sup> Lolk J. Sochineniya: 3 tomlik. -3-t.-M: Misl, 1988.-263-c (668 c).

are the most important issues of everyday life, which are constantly present. It is no secret that individ faces the problems of justice every day. The realization of someone's rights and freedoms violates someone's legitimate interests, rights and freedoms.

**Conclusion:** One of the main directions of legal reforms carried out in Uzbekistan is the legal support of the human rights system in society. This is stated by the well-known lawyer-scientist A.Saidov notes: "we cannot fail to see that citizens do not yet fully perceive the results of legal reforms. In their daily lives, they are still faced with the inconsistency of the lines of the law and its implementation in life. The will of the people is strengthened. The fact that legal norms remain unfulfilled, unfulfilled is nothing more than a blatant political declaration that has acquired a legal meaning»<sup>7</sup>.

This problem is relevant for any country in the world and is being solved everywhere in different ways. Those closest to the solution to this problem are developed democratic countries. It is the developed system of law and law that makes it possible to come to a relatively acceptable and fair decision. The criterion for this is a Liberal principle that is equal in legal terms. This system creates barriers that, contrary to the occurrence and implementation of unfair decisions through legal mechanisms and procedures, are many overcome wear. The main thing is that the level of provision of these rules is an indicator of efficiency and justification of the state mechanism, developing from the path of liberalism. This is directly related to the solution of problems in the construction of the legal state and the futuristic society. In this sense, the Constitution creates conditions for the resolution of legal procedures in the state and ensuring that the citizen is protected.

In short, the fate of the legal state and the development of civil society and Liberal ideas within the national ideology largely depends on the development of national constitutionalism, strict adherence to the principles of Constitution. First of all, it is necessary to

convey to everyone that liberalism is a political - legal principle that opposes or limits the self-restriction of power. This is not only a political point of view, but also a conscious recognition of it. In addition, through the development of national constitutionalism, it is necessary to achieve that fundamental human rights should be the heritage of national ideology, the essence of the political system, as well as legal ideology. The Constitution makes these tasks the task of not only the state, society or its segments, but also of each individual taken separately.

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