



THE PREDOMINANCE OF LAW IS AN IMPORTANT CRITERION OF A LEGAL DEMOCRATIC STATE

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ABSTRACT

This article describes the effect of democratic reforms in ensuring the Constitution and the predominance of law and issues related to the main criteria of a democratic legal state. Also, it illustrates the predominance of law - the documents issued by state authorities and management bodies, the actions of officials, and analyzes of the operation in accordance with the law.

Introduction. The main goal of the people of Uzbekistan is to establish a legal state. An important and indispensable sign of the legal state is the predominance of law. It is known that the predominance of law is directly related to the concepts of people's authority and human rights. Because people's authority can be understood as the right of citizens to directly or indirectly participate in the decision-making process. Also, the laws that are an expression of the will of the people, adopted by the citizens through their elected representatives to the parliament or by themselves directly through a referendum, are the result of the people's power, to put it simply, the fruit.

It is known that human rights and freedoms are implemented to life through laws, and the highest goal of laws is to protect a person, his rights and freedoms. As the main elements of the predominance of law in international documents, the law-making process is based on legality, covering a transparent, accountable and democratic process; legal certainty; prohibition of disobedience; openness of independent and impartial judiciary; as well as the establishment of judicial control over administrative documents; respect for human rights and non-discrimination and equality before the law.

Today, the necessary normative-legal and organizational institutional foundations for ensuring the predominance of law have been formed in the Republic of Uzbekistan. In particular, Chapter III of the Constitution of the Republic of Uzbekistan is called "Constitution and supremacy of law", and this chapter is located in the Basic Principles section of our Constitution. It is known from the theory that the principle refers to the governing rules. If any misunderstanding arises between the other sections of the Constitution, the matter should be resolved including to theory by referring to the fundamental principles. In this

sense, the fact that the predominance of law is placed in the Basic Principles section is a sign that this principle is given special importance in our country. The analysis of the provisions of this chapter and other norms of the Constitution leads to the following points: first, the supremacy of the Constitution and laws of the Republic of Uzbekistan is implicitly admitted in the Republic of Uzbekistan. Secondly, the state, its bodies, officials, public associations, citizens work in accordance with the Constitution and laws. Thirdly, not any law or other regulatory legal document may conflict with the norms and provisions of the Constitution.

Methods. The Law "On Normative-Legal Documents" states that the Constitution of the Republic of Uzbekistan has the highest legal force, statutory documents are adopted on the basis of the law and for its implementation, laws regulate the most important and stable social relations, the normative legal document must be in accordance with normative legal documents which has a higher legal force, in case of discrepancy between normative legal documents, the normative legal document with higher legal force shall be applied.

Results. In fact, the organizational and legal foundations for ensuring legitimacy and the predominance of law have been created in our republic. First of all, it is the fact that the President of the Republic of Uzbekistan is considered the guarantor of the observance of the rights and freedoms of citizens, the Constitution and laws of the Republic of Uzbekistan, the control of parliamentary, public and departmental and judicial bodies over the implementation of laws is established, the Constitutional Court examines cases related to the conformity of the documents of the legislative and executive authorities with the Constitution, that the activity of the court is aimed at ensuring the rule of law, that every person is guaranteed the right to protect his rights and freedoms through the court, to appeal to the court against the illegal actions of state bodies, officials, public associations, that the prosecutorial control over the clear and uniform execution of laws is strengthened, in organizations It is directly reflected in the establishment of legal services.

Legal means such as legal expertise, the system for assessing the impact of legal documents, monitoring, and registration of departmental documents are also defined in our legislation, which are also important elements of ensuring legality and the rule of law. Also, it's specified as the predominance of law, main principles of ensuring legality and tasks in many laws. For example, in Article 2 of the Law "On Internal Affairs Bodies" ensuring the predominance of law is given as one of the main tasks of internal affairs bodies. In Article 6 of this Law, the employees of the internal affairs bodies must strictly comply with and fulfill the requirements of the Constitution of the Republic of Uzbekistan, this Law and other legal documents in their activities. Any deviation from the strict implementation and compliance with the laws, regardless of the reasons, is considered a violation of legality and causes the prescribed liability. Employees of internal affairs bodies may not plead the interests of the service, economic expediency, illegal demands, orders and decrees of higher officials or any other situation that is not in accordance with the law in order to justify their illegal actions (inaction) while performing their duties. It is prohibited for employees of internal affairs bodies to interest, encourage and persuade someone to commit illegal acts directly or indirectly. In article 2 of the Law "On the Prosecutor's Office" ensuring the predominance of law and strengthening legality are noted as one of the main tasks of the prosecutor's office. In article 5 of this law states that any retreat from the strict implementation and observance of the laws, regardless of the reasons, is considered a violation of legality and causes liability.

Discussion. It is worth mentioning that in order to increase the effectiveness of the work of the prosecutor's office on ensuring the rule of law and legality in the country, the Senate's supervisory commission over the activities of the prosecutor's office was set in Article 19 of the Law "On Parliamentary Control" by the chambers of the Oliy Majlis. In clause 7 of the regulation on the Ministry of Justice the consistent implementation of the unified state policy is defined as one of the main tasks and areas of activity of the ministry in the field of law creation and law enforcement in the sphere of society and state building aimed at ensuring the predominance of law. In clause 1 of the Decision PQ-2733 of the President of the Republic of Uzbekistan on January 19, 2017 "On measures to fundamentally improve the activity of the legal service", establishment of ensuring the predominance of law and legality in the the law enforcement activities of state bodies and organizations is defined as one of the main directions of the activity of the legal services of state bodies and organizations. In the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan on May 1, 2017 "On measures to implement the decision of the President of the Republic of Uzbekistan "On measures to fundamentally improve the activity of the legal service" on January 19, 2017 PQ-2733" officials of state bodies and organizations and their regional divisions are assigned personal responsibility to hear the report of the legal service on the work of ensuring the predominance of law and legality in the activities of the specified bodies and organizations aligned every year. Besides that, in order to ensure the predominance of law not only in state bodies, but also in each neighborhood, in the regulation on the public structure "Neighborhood guard" of the Citizens' Assembly approved by the decision of the Cabinet of Ministers on March 4, 2014, it is noted that members of the public structure ensure the predominance of law in the relevant area in cooperation with law enforcement officers, the rules of behavior and ethics criteria in the society, and they perform the task of assisting law enforcement officers in establishing order in the area.

Tasks related to ensuring the predominance of law are indicated as one of the important issues in the Strategy of Actions on five priority fields in developing the Republic of Uzbekistan in 2017-2021 approved by the Decree of the President of the Republic of Uzbekistan PF-4947 on February 7, 2017. The predominance of law gives a person the opportunity to conduct his rights and freedoms without hindrance, to live peacefully, calmly without fear of any external influences, violence and arbitrariness due to the fact that his life, freedom, honor, dignity and other inviolable rights are guaranteed by law. The predominance of law also allows a person to participate in the process of accepting these documents that are binding on him or through his elected representatives, to influence the state administration, to exercise public control over the activities of state bodies, to protect his rights and freedoms through the courts, state bodies, officials provides the right to appeal to the court against the illegal actions of individuals and public associations.

Conclusions. In conclusion, if the predominance of law is not ensured in the society, people will lose confidence not only in today, but also in tomorrow, justice, equality and freedom will not be respected. In a society where the predominance of law is not ensured, the economy will not develop, and economic reforms will not be effective. Because no one wants to bring their property and fortune to a place where the law does not work. In a state where the law prevails freedom, justice, and equality are guaranteed, the power's influence on the individual is limited, human rights are protected, property rights are respected, and the judiciary is

independent and effective. That is why special attention is paid to the predominance of law in the ratings compiled by various international organizations and research centers. In particular, The World Justice Project, an international non-governmental organization, conducts a special "Rule of Law Index" every year. The predominance of law is noted as one of the indicators that ensure prosperity in the State Management quality index maintained by the World Bank, "Transformation Index", "Bertelsman International Foundation". Administrative courts in ensuring the predominance of law, laws on administrative procedures planned to be adopted are also important. It can be noted that the predominance of law is a guarantee of guaranteeing freedom, justice, equality, protection of human rights in society, and the formation of strong confidence in entrepreneurs and foreign investors for the stable growth of the country's economy.

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