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ON THE EVOLUTION OF THE CONSTITUTION REFORMS OF MODERN UZBEKISTAN

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Dr. A.A. Tulyaganov

Doctor Of Sciences In Law, Professor, Vice-Director, Institute Of State And Law, Uzbekistan Academy Of Sciences

ABSTRACT

This article presents the evolutionary development of the Constitution of the Republic of Uzbekistan, consideration of positive experience and some reviews. The proposals made to the Constitution adopted in 1992, as well as the proposals made in 2022, were studied by comparison and some noteworthy points were outlined.

KEYWORDS

Constitution, comparative studies, article, constitutions of foreign countries, the Codes of Timur, referendum, additions and amendments to constitution, the Constitutional Commission.

INTRODUCTION

Constitution is – a historical and legal document that is very serious and is not fully understood by us. It will be necessary to study and consider deeply, as well as thoroughly in order to bring the importance of this strategic document to the heart of the people. To do this, we must necessarily turn to history.

History is rich in exciting events and processes. For example, when it comes to the Constitution (the so-called “Basic Law”), there is an opinion that the first encyclopaedic document appeared in Western states, and this concept has been introduced into the consciousness of the peoples of the world community

for centuries. Today, it is the time to tell and correct the historical justice and truth openly. In fact, we have the right to say that the “Timur tuzuklari” (The Codes of Timur) is literally the Constitution of the period of the Early Middle Ages, and there are scientific provements for this statement.

The history of the creation of the current Constitution of the Republic of Uzbekistan is also very remarkable. Constitution (from Latin “Constitution” – structure, code) – the basic law of any state. It defines the structure of the state, the system of authorities and administration, the order of their competence and formation, the electoral system, the rights and freedoms of citizens, the relationship between society and the individual, as well as the judicial system and the relationship between the state and society.

The Main Findings and Results

We may not deny the fact that the political processes that began in the late 90s of the last century, and the creation of the Constitution of the Republic of Uzbekistan are the result of a long desire of our people for independence.

During the construction of the constitutional “column” of our state, more than three thousand years of experience in national statehood were used. It is also noteworthy to mention that our basic law was created taking into account world constitutional experiments, advanced constitutional experience accumulated by 193 countries, including Eastern and Western civilizations.

For some reason, many experts call the US Constitution, adopted in 1789, the first Constitution in the world. This main document, which was said to be the most democratic and perfect for its time, was also not without flaws. The Constitution, considered sacred

by Americans, has been corrected a total of 27 times to this day. Interestingly, the authors who take the US Constitution were well aware from the very beginning that it could be imperfect and that at some point it could be amended. For this reason, Article no. 5 establishes the procedure for amending the Constitution. He said the proposed amendment would be approved by two-thirds of the deputies and senators in the House of Representatives (the Lower House) and Senate (the Upper House), and would only direct it to be included in the Constitution if three-quarters of the state legislatures (38 out of 50 states) are ratified by the House of Representatives (the Lower House).

In contrast to the above points, we would like to mention that there were other constitutions in the world before the US Constitution. Therefore, positive international experience, centuries-old experience and spiritual values, rich historical and legal heritage of our people are a guarantee of its viability in the ideas and norms of the Constitution of Uzbekistan.

Our Basic Law contains the best aspects of best practices in the field of constitutional building in many democracies, a mechanism for ensuring and protecting human rights and interests, freedom, based on the generally accepted norms of the Universal Declaration of Human Rights and other international documents in this area.

The adoption of the Constitution created a clear legal system that regulated relations in all aspects of social and state building, in all areas of our national legislation.

Over the past period, the parliament of our country adopted more than 750 laws in accordance with the norms of the Constitution, ratified more than 200

multilateral international treaties, thereby creating an integral legal mechanism for the implementation of our fundamental law. Its effectiveness has been proven by time itself, and this is recognized today by the world community.

Our Constitution is indeed a democratic Constitution. This is a document that combines universal values, international standards, proven by history. We would like to remind the fact that in the course of a broad discussion of the draft of our first Constitution (in 1991-1992), more than 6,000 proposals and recommendations were received from the citizens of our country.

Our Constitution was created on the basis of the historical experience of the most developed, civilized states. In this, we did not follow the path of blind copying of the finished Constitution of some state, but studied and took note of the most advanced foreign constitutional experiments. As a result, our main body now freely tests power through the state constitution, which has made some progress even on a global scale.

The ideas and norms of our basic law are based on the deep historical roots of the Uzbek people, which include many centuries of experience and spiritual values, the legal heritage of our great ancestors.

One of the most important steps in the creation of the Constitution of the Republic of Uzbekistan was the formation of the Constitutional Commission consisting of 64 members of statesmen, deputies and experts on June 21, 1990 under the chairmanship of the First President of the Republic of Uzbekistan Islam Karimov.

It is worth noting that the current President of the Republic of Uzbekistan Shavkat Mirmonovich Mirziyoyev was a member of this council and that he made a great contribution to the creation of our Basic

Law. As a result of the work carried out by this commission for more than 2 years, the draft Constitution of our country was prepared.

The first draft of the Constitution was published in the press on September 26, 1992, and was put up for public discussion .

Our current Constitution considers human rights as the highest value, embodies the principles of democracy, and is a historical document aimed at ensuring a comfortable life for every citizen living in our country, the rule of law, and equality before the law.

Our next task at is to make changes and additions to our current general law based on the needs of the times. Amendments to the Constitution will determine the most necessary directions for the further development of a democratic society and create its legal basis. By now, the general public has made about 170,000 proposals and recommendations on the new draft law on amendments and additions to the current Constitution, which indicates that society is extremely interested in this issue.

In conclusion, it should be highlighted that a new system of communication with the people has been introduced in our country based on the basic principle that “the people should not serve the public bodies, but the public bodies should serve the people”. A similar opinion can be expressed regarding the virtual and public receptions of the President, which were established at the initiative of the head of our state.

The official documents – Strategy of Actions and the Development Strategy of New Uzbekistan developed on the basis of the Constitution of the Republic of Uzbekistan laid the foundation for a completely new stage of development of the state and society in the past short period. Today on the initiative of the

President of New Uzbekistan, Shavkat Mirziyoyev, large-scale and huge reforms are being carried out in order to establish New Uzbekistan. In the implementation of this strategy, our Basic Law is also of great importance, because the implementation of all directions of the Strategy of New Uzbekistan is closely related to our Constitution.

CONCLUSION

The most important thing is that the socio-economic reforms carried out since 2016 in order to implement the strategic tasks facing Uzbekistan can achieve success only with the help of the effective and responsive Constitution. At the same time, there is no doubt that it will serve as a foundation for better resistance to external influences and building a stable economy in times of global crises and uncertainty.

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