

## The Rule of Law is An Important Factor and A Basic Condition of Civil Society.

*Ahror Ganiyevich Alijanov*

*Kokand state pedagogical institute*

*Kokand, Uzbekistan*

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**Abstract** One of the most important features of a democratic society is the equality of its members before the law, the Constitution and the equality of laws. Also, the ultimate goal of the Constitution and laws should be to ensure human rights and freedoms. This article highlights the priority of law as a factor and condition for the development of a civil society.

**Keywords:** Constitution of the Republic of Uzbekistan, rule of law, rights and freedoms, liberalization of criminal penalties, legal consciousness and culture, rule of law, branches of government, elections, suffrage, justice, judicial system.

### Introduction

The ultimate goal of Uzbekistan is to build a democratic state governed by the rule of law and a free civil society. As the First President of the Republic of Uzbekistan Islam Karimov said: "We want to build not just a democratic society, but a democratic and just society ... The idea of justice and truth must cover all spheres of our social life. The idea of justice and truth must be the basis of our legislative activity" [1].

Indeed, the concept of justice and the rule of law are inextricably linked. As the President said, justice must be at the heart of the laws we pass. The implementation of laws based on justice leads to the triumph of justice.

"Ensuring the rule of law, strengthening the protection of the rights and interests of the individual, family, society and the state, raising

the legal culture and legal awareness of the population, educating citizens in the spirit of obedience and respect - a truly democratic, legal state and freedom based on a developed market economy. "Civil society is not only the goal of building, but also its means, the most important condition" [2]. An important feature of the rule of law - ensuring the rule of law in society - is very important for any country, especially for Uzbekistan, which is on the path to building a state governed by the rule of law.

### Main Part

The essence of the rule of law is defined in Chapter III, Articles 15 and 16 of the Constitution of the Republic of Uzbekistan. According to Article 15 of the Constitution, "In the Republic of Uzbekistan, the Constitution of the Republic of Uzbekistan and the supremacy of laws are unconditionally recognized.

The state, its bodies, officials, public associations and citizens shall act in accordance with the Constitution and the law. "

The essence of the concept of the rule of law is deeply analyzed in a number of works of the First President Islam Karimov.

- The rule of law is a basic principle of the rule of law. It implies the strict rule of law in all spheres of life. No government agency, no business or socio-political organization, no official, no one can escape the obligation to obey the law. All are equal before the law. The rule of law means that basic social, first of all, economic relations are regulated only by law, and all its

participants, without exception, are responsible for violations of rights and norms” - said Karimov.

The rule of law is the foundation of a democratic society. At the same time, it is a measure of justice. Because only when the rule of law is upheld, justice will be done, and people will achieve equality in terms of nationality, language, customs, traditions, values, religious beliefs, gender, and social status. It is the basis for ensuring stability in the economic, socio-political and spiritual life of the country. In a country where the rule of law is violated, looting, inequality, injustice, violence and many other negative phenomena occur. That is why the rule of law has risen to the level of universal values. Achieving the rule of law is an important aspect of national development.

The rule of law is one of the sacred principles of the life of any state and society. Democracy can only be established and strengthened in a law-abiding society. In addition, all democratic institutions, human rights and freedoms are enshrined in law. The law reflects the will, desires and aspirations, interests and aspirations of the people. Obedience to the law is a sign of high culture, spirituality and enlightenment. Obedience to the law should not be construed as blind obedience. A conscious understanding of the purpose and function of the law, its meaning, and its humanitarian significance, helps to follow it voluntarily and to act on its basis.

Strict observance of the law is one of the necessary conditions for the prevention of crime. The power, prestige, influence, and practical significance of the law lies in its honest, true, and fair application in life. If law enforcement officers treat their duties and responsibilities objectively and fairly, and do not deviate from the right path, and apply the law fairly to marriage, considering

the interests and destiny of the Motherland and the state as their highest goal, then both the state and society and the people will benefit.

The main goal for officials in a democratic state governed by the rule of law and civil society is to act on the basis of honesty and justice in the implementation of laws, a great human duty to society, the people and the Motherland [3].

The formation of a democratic state governed by the rule of law requires the rule of law in society. In order to build a true state governed by the rule of law, the country must celebrate fair, humane and democratic laws. The supremacy of law is one of the sacred principles of the life of the state and society. In socio-political life, the law is considered sacred and has a high authority because it reflects the will, desires and aspirations, interests and aspirations of the people.

It is noteworthy that among the five principles of the transition to market relations in the country, announced by the First President of Uzbekistan Islam Karimov, the supremacy of the law and the principle of obedience to the law have a special place. "In a truly democratic society, both the president and the ordinary citizen obey the law," he said. It's impossible. "

The importance of the rule of law in a democratic society is very important. Because our First President I.A. As Karimov said, the weapon, the eye, the shield and the shield of a "rule of law" state are the law. "

In a democratic society, the rule of law ensures the implementation of the characteristics of democracy in the first place, that is, everything prescribed by law is binding or prohibitive, and this rule applies to all persons living in society. That is, it is a concept that is equal before the law.

When we talk about the importance of the rule of law, it is important, first of all, in the

interests of the people, social relations in society, the organization of public affairs and so on.

In order to achieve the rule of law, it is first necessary to develop them thoroughly and thoroughly in the process of their adoption, so that they can benefit the society in the long run [4]. In addition, in the process of making laws, it is necessary to take into account whether the society, the people need this law or not. In a society where the rule of law prevails, there will be no protests, because there will be no protests and misunderstandings as long as all sectors act in accordance with the law. The fact that the rule of law applies to all citizens of society, including those working in the civil service, as well as to all spheres of society, makes it more perfect. When we talk about the rule of law, we should not forget about the state bodies that ensure its rule. Because the adoption of the law does not mean that it is a priority in society, it requires the services and efforts of government agencies in this regard.

In addition, those responsible for enforcing the law will always be a "standard" for ordinary citizens. Every small act of their violation of the law leads not only to the general development, but also to the loss of public confidence in the government. In this sense, the rule of law requires that those responsible for enforcing the law take the lead rather than the citizen. Democracy can only be developed and enforced in society by ensuring that the law takes precedence over the interests of any individual, group, political force or social class. Its implementation is in the interests of both the government and the citizen.

The constitution and laws must be obeyed not only by citizens, government agencies and officials who enforce them, but also by the legislature [5]. The rational distribution of power

is an important guarantee of the effective functioning of state structures, the elimination of abuses, the practical implementation of human rights and freedoms, democracy and the rule of law in general.

The main conditions that ensure the principle of the rule of law in a society based on the rule of law are as follows.

First, the real introduction of the principle of separation of powers. According to this principle, the legislative, executive and judicial branches of government operate within the limits of their powers established by the Constitution and the law.

The Constitution and laws must be obeyed not only by citizens, government agencies and officials who enforce them, but also by the law-making body. The rational distribution of power is an important guarantee of the effective functioning of state structures, the elimination of abuses, the practical implementation of human rights and freedoms, in general, democracy and the rule of law.

Secondly, in accordance with the first paragraph of Article 93 of the Constitution of the Republic of Uzbekistan, the President of the Republic of Uzbekistan guarantees the observance of the rights and freedoms of citizens, the Constitution and laws of the Republic of Uzbekistan. By his decrees and legal decisions, the President paves the way for the full implementation of the provisions of the Constitutional principles enshrined in law, and creates appropriate legal mechanisms. By strictly adhering to the law, the President himself sets an example for government agencies and officials and mobilizes them to abide by the Constitution and the law.

Third, current laws and all normative legal acts must be created in full accordance with and

in accordance with the Constitution. This will lead to the rule of law and order, development and stability in the country.

The second paragraph of Article 16 of our Basic Law stipulates that "No law or other normative legal act may contradict the norms and rules of the Constitution." The Constitutional Court of the Republic of Uzbekistan seeks to ensure compliance with this important constitutional and legal principle.

It requires a separate protection mechanism to ensure the supremacy of the Constitution. The main and central link in such a mechanism is the Constitutional Court. The Constitutional Court shall be independent in the performance of its functions and shall act only in accordance with the norms and rules of the Constitution. It is tasked with overseeing the constitutionality of decisions of the legislature, the government and local authorities. Adherence to the Constitution, independence, transparency and equality of judges' rights are the basic principles of the Constitutional Court.

Fourth, one of the tools to ensure and strengthen the rule of law is codification. Codes are created as the main law of the legal system in the development of the principles of the Constitution, and they have the status of the constitution, after the constitutional laws. Due to the fact that codes follow the rules of law, their logical perfection, perseverance, internal stability, the norms of the code easily find their application in life.

The main factors of ensuring the rule of law can be recognized as follows:

- the constant democratization of the legislative process is a guarantee of the creation of humane, just people's laws;

- improving the quality of the law, ensuring that its internal mechanism is thorough, technically sound;
- in reforming and improving the legislation "everything that is not prohibited by law is allowed" (for citizens). Achieve strict adherence to the principle that "only what is enshrined in law is allowed" (for officials and government agencies);
- development of the strategy of legislative activity for the near future and the future, as well as the concept of ensuring the rule of law;
- focus on the social mechanism of law enforcement. Careful study of social factors (influencing forces, means) in this area;
- increasing the legal culture and literacy of the population.

### Conclusion

In order to build the rule of law and civil society in Uzbekistan, a complex of organizational and legal guarantees has been created to ensure the supremacy of the Constitution and laws. Of course, it is necessary to constantly improve the constitutional legal guarantees and legal mechanisms and increase their effectiveness. It should not be forgotten that there are economic, political, moral and spiritual guarantees to ensure the supremacy of the Constitution and laws.

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