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The Ideosphere of Uzbekistan Society: Examining the Legal Foundations of Human Rights

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ABSTRACT

This article delves into the intricate relationship between the sociopolitical landscape of Uzbekistan and the legal framework that underpins the protection of human rights in the new edition Constitution of country. Research analyzes the concept of the ideosphere within Uzbekistani society, exploring how it influences the perception and implementation of human rights. By examining the constitutional basis for human rights in Uzbekistan, the article sheds light on the complex interplay between legal provisions and societal norms. Furthermore, the article provides a comprehensive overview of the challenges and opportunities in upholding human rights within the Uzbekistan ideosphere. Through a comparative lens, the article highlights key differences and similarities between the legal foundations of human rights in Uzbekistan and those of other countries. By considering historical, cultural, and political factors, the article offers valuable insights into the evolving landscape of human rights in Uzbekistan.

Keywords: Ideosphere; Human rights; Freedom; Citizen; Constitution; Honor; Dignity; Freedom of speech; Conscience.

1. Introduction

Today, the provision of basic human rights and freedoms is the most important part of the reforms in Uzbekistan. Our Constitution enshrines the following important international legal provisions on human rights:

First, recognition and protection of human rights and freedoms is the obligation of the state;

Second, the system of human rights and freedoms conforms to international legal standards and the supremacy of international law in this field;

Third, the fact that human rights and freedoms apply to him from birth, that is, recognition of the idea and theory of natural rights;

Fourth, human rights and freedoms apply equally to everyone;

Fifth, human rights and freedoms constitute the content of the activities of state agencies;

Sixth, provision of guaranteed judicial protection of citizens;

Seventh, the necessity of not violating the rights of other persons in the implementation of human rights and freedoms.

2. Methodology

The research will adopt a qualitative approach, focusing on exploring the ideosphere of Uzbekistan society and scrutinizing the legal underpinnings of human rights within the country. Qualitative research is deemed appropriate as it allows for an in-depth understanding of the subject matter, attitudes, and perceptions prevalent in society. A comprehensive review of existing literature on human rights in Uzbekistan will be conducted to lay the theoretical groundwork for the study. This review will encompass academic articles, official reports, legal texts, and relevant international documents.

3. Discussion and Results

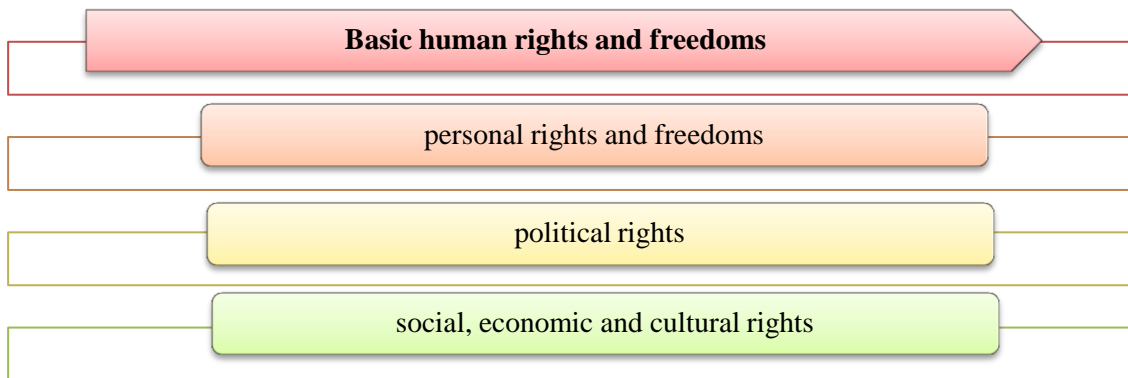


Figure 1. Basic human rights and freedoms

Basic human rights and freedoms refer to the fundamental rights and privileges that every individual is inherently entitled to simply by virtue of being human. These rights are considered essential for the dignity, well-being, and autonomy of individuals and are typically protected by international agreements, national constitutions, and laws. Some common examples of basic human rights and freedoms include:

Personal rights and freedoms refer to the rights that are inherent to individuals, protecting their autonomy, dignity, and well-being in various aspects of their lives. These rights are typically focused on safeguarding individual autonomy and providing protection from arbitrary interference by the state or other individuals. Personal rights and freedoms are often enshrined in international human rights treaties, national constitutions, and laws to ensure their protection and enforcement.

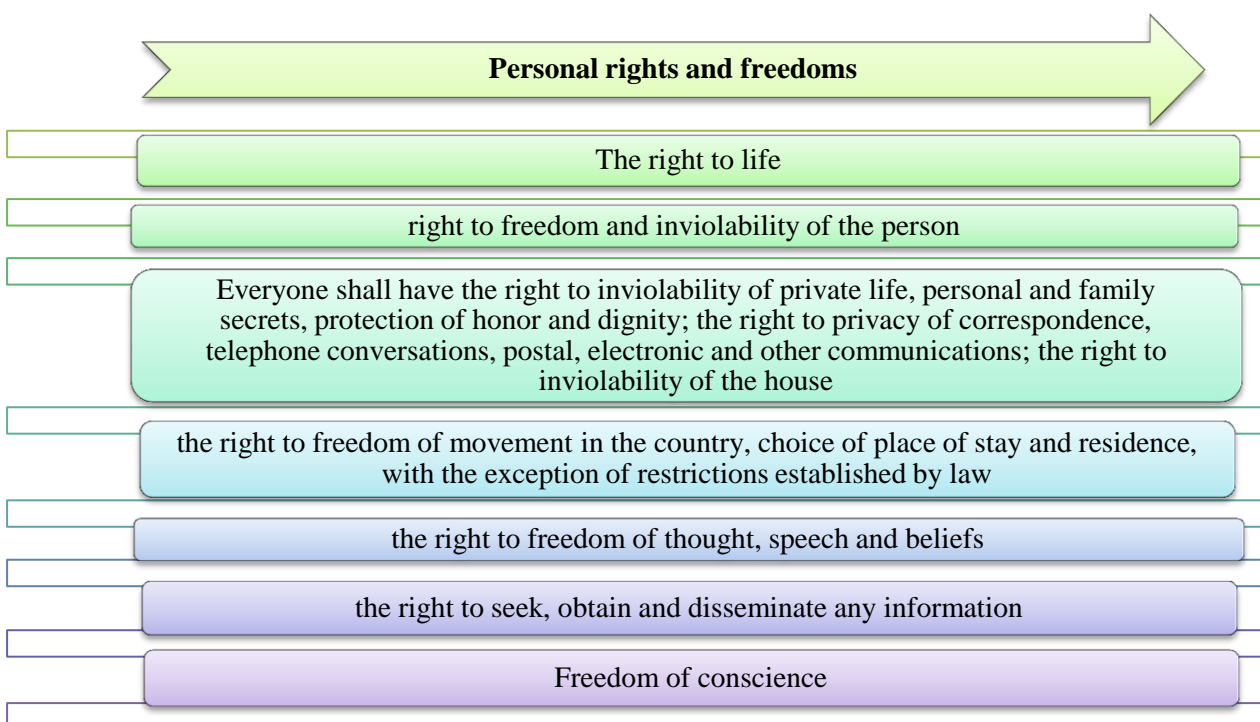


Figure 2. Personal rights and freedoms

Honor and dignity are a quality inherent only to man, and it is an indispensable and impenetrable right to man from birth, that is, one of the intangible riches that characterize the spiritual world of man.

The honor of a person is the spiritual and moral evaluation given to other persons in relation to the person's behavior.

Dignity is the internal self-evaluation of a person based on his place in society, personal characteristics, abilities, worldview.

The right of citizens to move, according to this right, a person can move, leave and return from one place to another within the territory of Uzbekistan. Except for cases of limitation established by law.

Freedom of thought and expression may be restricted by law only in the case of state secrets and other secrets.

Everyone's right to freely express their opinion includes the freedom to seek, receive, distribute, and express any information in written or published form or in artistic form.

Freedom of thought is realized through freedom of speech, which is understood as expressing one's opinion openly and bringing it to the attention of other persons.

In most cases, freedom of speech is exercised through the mass media, and they guarantee the freedom of speech of every citizen, the right to appear in the mass media, and to express their opinions and objections openly. This is guaranteed on the basis of the Law of the Republic of Uzbekistan "On Mass Media".

Relations in the field of information systems, creation, implementation and use of other systems of information processing and transmission related to the collection, collection, processing, transmission and protection against unauthorized access are regulated by the Law "On Guarantees and Freedom of Information" and Law "On Principles and Guarantees of Freedom of Information".

Freedom of conscience is expressed by the fact that every person can believe in the religion he wants or not believe in any religion and be neutral about religion, as well as being against religion. It has to do with acknowledging the existence or non-existence of God.

On July 5, 2021 (in a new edition) the Law of the Republic of Uzbekistan "On Freedom of Conscience and Religious Organizations" was adopted. In Article 4 of this law, the right of citizens to freedom of conscience is strengthened, and it is stated that this is a guaranteed constitutional right of citizens to believe in any religion or not to believe in any religion [1].

Also, according to the law, it is not allowed to force a citizen to believe or not to believe in religion, to participate in prayers, religious rituals and ceremonies or not to participate.

It is not allowed to attract minors to religious organizations against their will, the will of their parents or legal representatives. The freedom to practice or believe in one's religion is limited only by law.

It is not allowed to use religion for the following purposes:

✓ forcefully changing the constitutional system of the Republic of Uzbekistan, undermining its sovereignty and territorial integrity;

- ✓ discrimination of the constitutional rights and freedoms of citizens, promotion of war, national, racial, ethnic or religious enmity;
- ✓ to attack the health and morals of citizens, to disturb the harmony of citizens, to spread defamatory fabrications that destabilize the situation;
- ✓ creating confusion among the population and committing other actions against individuals, society and the state;

Political rights and freedoms mean rights related to the direct political interests of people. Political rights represent a person's ability to participate in the political process and implementation of state power.

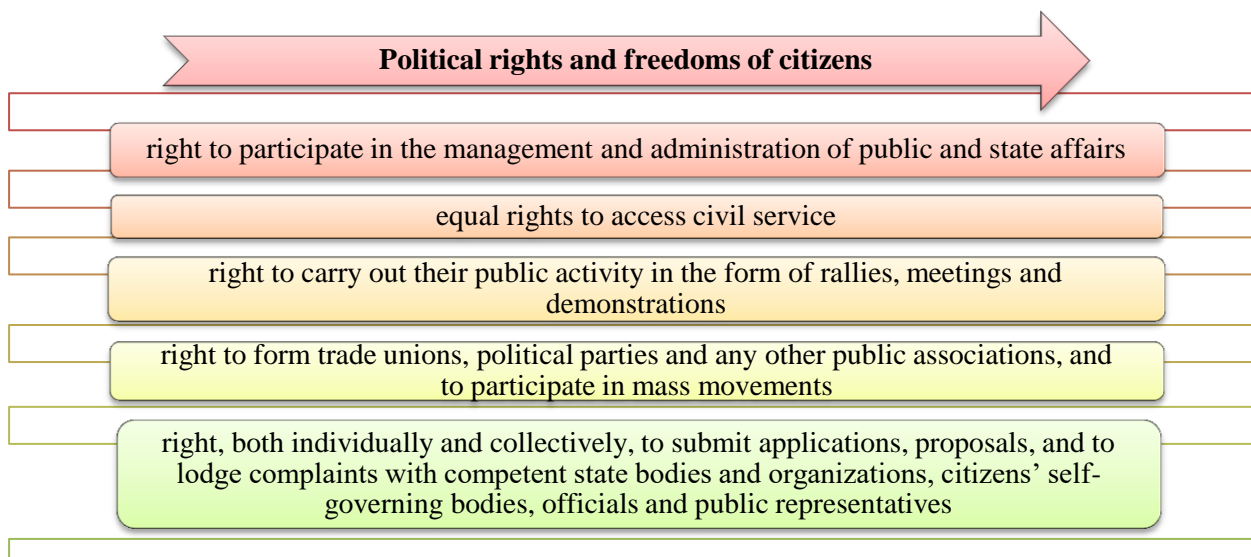


Figure 3. Political rights and freedoms of citizens

Voting rights are divided into passive and active types.

Voting is an **active right**. Citizens who have reached the age of 18 have the right to vote, and through this right, they can nominate a candidate for one or another position in accordance with the current legislation.

Passive right is the right to be elected to a state authority or local self-government body. Passive right is acquired at different ages depending on the nature of the state power body or local self-government body. For example, a person who is not younger than 35 years old can be elected to the position of the President of the Republic of Uzbekistan, 25 years old to the Legislative Chamber of the Oliy Majlis, and 21 years old to the local representative bodies [2].

The Republic of Uzbekistan recognizes and guarantees the rights of citizens to exercise their social activities: through rallies, meetings and demonstrations.

A rally is a group meeting to discuss political issues.

A meeting is a meeting of persons gathered to discuss certain issues and make decisions, held in a closed building or in a room.

Demonstration is an open manifestation of social and political protest, it is an open attitude of the protesters on one or another issue. The demonstration basically starts and ends with a rally [3].

On September 11, 2017, the Law of the Republic of Uzbekistan “On Appeals of Individuals and Legal Entities” was adopted. It defines the basic rules defining the right of citizens’ appeals, as well as the term and procedure for consideration of citizens’ appeals. According to the content of the citizens’ appeals, they are in the following forms:

application - an appeal stating a request for assistance in the implementation of rights, freedoms and legal interests;

proposal - an appeal containing recommendations for improving the state and society’s activities;

complaint – an appeal stating the demand for the restoration of violated rights and freedoms and the protection of legal interests;

electronic appeal - submitted in the prescribed manner by means of information and communication technologies, including an appeal posted on the official website of a state body, organization, excluding verbal appeals made in real time using information and communication technologies [4].

The application or complaint shall be considered within 15 days from the date of receipt by the state body, organization or their official who is obliged to resolve the matter in substance. If the document requires additional study and (or) verification, and additional documents are requested, it will be considered within a period of up to 1 month.

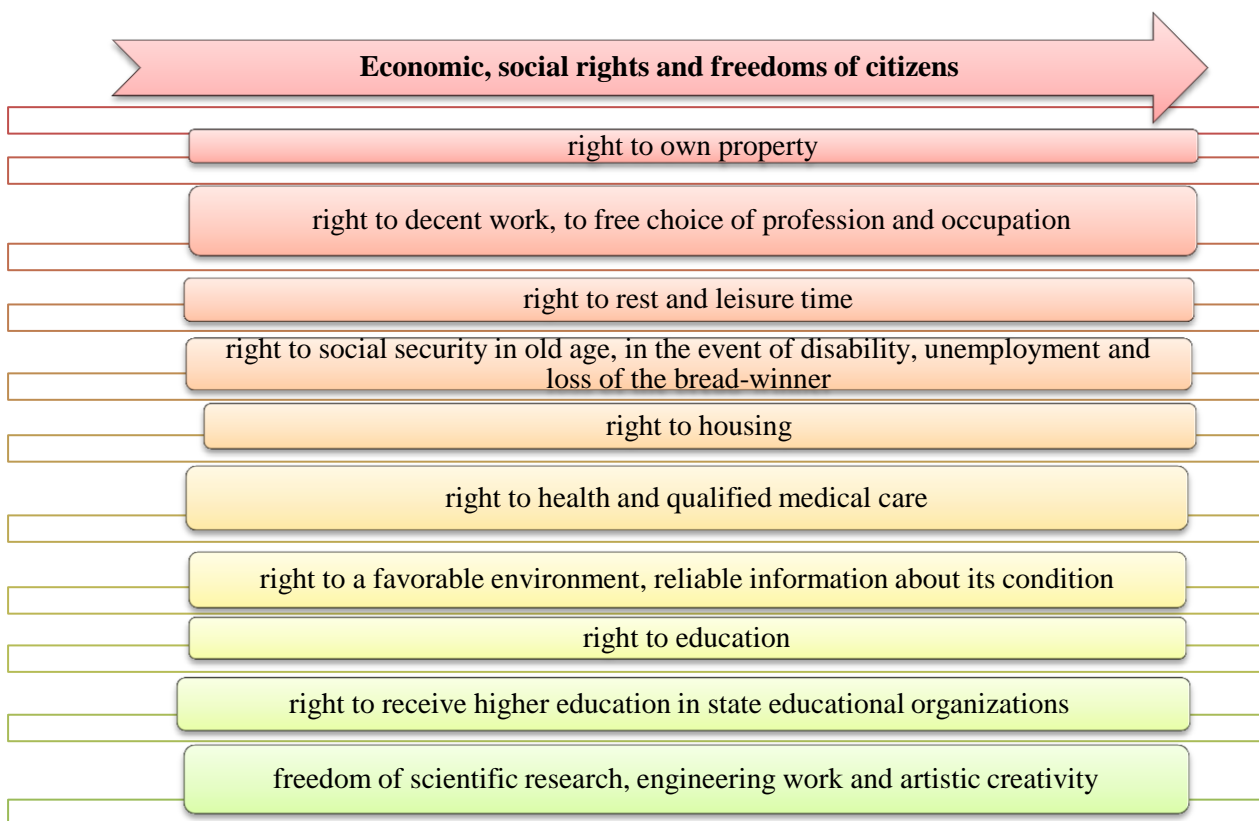


Figure 4. Economic, social rights and freedoms of citizens

A guarantee is a set of tools, methods and conditions that help the state to ensure the implementation of the rights and freedoms of citizens established in the Constitution and laws. According to Article 54 of the Constitution of the Republic of Uzbekistan, “The provision of human rights and freedoms is the paramount objective of the State. The State shall safeguard the human and civil rights and freedoms proclaimed by the Constitution and laws” [5].

The main purpose of the guarantee is to ensure the fulfillment of obligations related to the elimination of obstacles arising in the process of exercising the rights and freedoms of citizens. In general, the dictionary meaning of the word “guarantee” means to assure, to ensure, taking responsibility.

If the right is an opportunity to choose the type and norm of one’s own action given to a person by nature, society, and the state, the duty is the need to fulfill the requirements set by society and the state and reflected in legal norms. Duty mainly originates from rules, moral norms, and obligation, in most cases, originates from contracts and agreements; the duty lasts from the birth of a person to the end of his life, and the obligation lasts until the contract is valid. Also, the duty is determined by the state and society, and its fulfillment is required. There are different measures taken in case of non-fulfilment of duty and obligation. If the duty is not fulfilled, legal measures are applied.

According to Article 59 of the Constitution of the Republic of Uzbekistan, “All citizens shall perform the duties established by the Constitution”.



According to Article 60 of the Constitution of the Republic of Uzbekistan, “Citizens shall be obliged to observe the Constitution and laws, and to respect the rights, freedoms, honour and dignity of others”.

According to Article 61 of the Constitution of the Republic of Uzbekistan, “It is the duty of citizens to protect the historical, spiritual and cultural scientific and natural heritage of the people of Uzbekistan. The historical, spiritual, cultural, scientific and natural heritage shall be protected by the state”.

According to Article 62 of the Constitution of the Republic of Uzbekistan, “Citizens shall be obliged to protect the environment”.

The purpose of nature protection is as follows:

- to create favorable conditions for human health, to maintain ecological balance, to use nature in a way that does not destroy it, in the interests of effective and stable socio-economic development of the republic;
- preserving the wealth of species and genetic fund of living nature;
- preserving the diversity of ecological systems, landscapes and unique natural objects;
- ensuring environmental safety;
- preservation of cultural heritage related to natural objects.

According to Article 63 of the Constitution of the Republic of Uzbekistan, ***“Citizens shall be obliged to pay taxes and fees prescribed by law. Taxes and fees must be fair and must not hinder citizens from exercising their constitutional rights”***. One of the constitutional duties of citizens is their obligation to pay taxes and local fees established by law.

In many cases, defense of the homeland, military and alternative service are considered as one duty. According to Article 64 of the Constitution of the Republic of Uzbekistan, ***“Defense of the Republic of Uzbekistan is the duty of every citizen of the Republic of Uzbekistan. Citizens shall be obliged to perform military or alternative service in the procedure prescribed by law”***.

Every citizen should take all measures to comprehensively protect the interests of the Republic of Uzbekistan, to strengthen its power and prestige. The main goal of this is to implement measures aimed at ensuring the independence of the state, its territorial integrity, and the peaceful life of the population.

4. Conclusion

In conclusion, the exploration of the ideosphere of Uzbekistan society and its impact on the legal foundations of human rights reveals a complex and multifaceted landscape. Through a critical analysis of constitutional provisions and societal norms, it becomes evident that the protection and promotion of human rights in Uzbekistan are intricately tied to the prevailing ideological and cultural context. The interplay between legal frameworks and societal values underscores the importance of understanding the unique challenges and opportunities inherent in upholding human rights within the Uzbekistani context.

Declarations

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Competing Interests Statement

The author declares no competing financial, professional, or personal interests.

Consent for publication

The author declares that he consented to the publication of this study.

References

- [1] Law of the Republic of Uzbekistan (2021). On Freedom of Conscience and Religious Organizations. July 5, 2021, No. O'RQ-699//. <https://lex.uz/docs/-5491534>.
- [2] Rustamboyev, M.Kh., Ahmedov, D.Q., Khidirov, S.M., & Bekov, I.R. (2005). Studying the Constitution of the Republic of Uzbekistan. Tashkent: New Century Generation, Pages 109.
- [3] Constitutional right of the Republic of Uzbekistan (2002). Tashkent: Finance, Pages 271–272.
- [4] Law of the Republic of Uzbekistan (2017). On Appeals of Natural and Legal Entities. September 11, 2017, No. ORQ-445//. <https://lex.uz/docs/-3336169>.
- [5] Constitution of the Republic of Uzbekistan (2023). Uzbekistan, Pages 80.