

PROCEEDING BOOK



ÜSKÜP
4 - 7 Nisan 2024

BALKAN 11. ULUSLARARASI SOSYAL BİLİMLER KONGRESİ



BALKAN 11th INTERNATIONAL CONFERENCE ON SOCIAL SCIENCES
APRIL 4 - 7, 2024
SKOPJE

Published by Academy Global Publishing House



www.balkankongresi.org



*BALKAN 11TH INTERNATIONAL CONFERENCE ON SOCIAL SCIENCES
APRIL 4 - 7, 2024
SKOPJE*

*Edited By
PROF. DR. SUYATNO*

CONGRESS ORGANIZING BOARD

*HEAD OF CONFERENCE : Prof. Dr. Ali Bilgili
Head of Organizing Board: Assit. Prof. Dr. Gültekin Gürçay
Organizing Committee Member: Dr. Amaneh Manafidizaji
Organizing Committee Member: Prof. Dr. Hülya Çiçek
Organizing Committee Member: Prof. Dr. Naile Bilgili
Organizing Committee Member: Prof. Dr. Başak Hanedan
Organizing Committee Member.: Prof. Dr. Dwi Solisworo
Organizing Committee Member.: Prof. Dr. Raihan YUSOPH
Organizing Committee Member: Prof. Dr. Hajar HUSEYNOVA
Organizing Committee Member: Doç. Dr. Elif Akpınar Külekçi
Organizing Committee Member: Aynur Əliyeva
Organizing Committee Member: Doç. Dr. Nazikə Abdullazadə
Organizing Committee Member: Dr. Mehdi Meskini Heydarlou*

*All rights of this book belong to Academy Global Publishing House
Without permission can't be duplicate or copied.
Authors of chapters are responsible both ethically and juridically.
Academy Global–2024©*

*Issued: 15.05.2024
ISBN: 978-625-6830-98-1*

CONFERENCE ID

BALKAN 11TH INTERNATIONAL CONFERENCE ON SOCIAL SCIENCES

DATE – PLACE

APRIL 4 - 7, 2024

SKOPJE

ORGANIZATION

ACADEMY GLOBAL CONFERENCES & JOURNALS

EVALUATION PROCESS

All applications have undergone a double-blind peer review process.

PARTICIPATING COUNTRIES

Turkey - Malaysia. United Arab Emirates - Spain – Japan- Nigeria- India - Italy- Ghana- UK- Iran- Egypt- China- Kazakhstan- Indonesia- Lebanon- Bangladesh - Philippines- West Africa- Pakistan- Nepal - Thailand- Hungary- Portugal- Morocco- Australia- Georgia- Maldives. Ukraine – Germany – Greece – Russia – Tajikistan - Iraq- Algeria- Azerbaijan- Sweden – France

PRESENTATION

Oral presentation

ASSOCIATION & ACADEMIC INCENTIVES :

In the conference 107 papers have been presented by Turkish participants and 156 papers by foreign participants.

Members of the organizing committees of the conference perform their duties with an "official assignment letter"

LANGUAGES

Turkish, English, Russian, Persian, Arabic



T.C.
ATATÜRK ÜNİVERSİTESİ REKTÖRLÜĞÜ
Personel Daire Başkanlığı



Sayı : E-16710634-03-903.07.02-2300384284
Konu : Doç.Dr.Elif AKPINAR
KÜLEKÇİ'nin Görevlendirilmesi

01.12.2023

MİMARLIK VE TASARIM FAKÜLTESİ DEKANLIĞINA

İlgi : 29.11.2023 tarihli ve E-53120705-000-2300381989 sayılı belge.

Fakülteniz Peyzaj Mimarlığı Bölümü öğretim üyelerinden Doç.Dr.Elif AKPINAR KÜLEKÇİ'nin, Yükseköğretim Genel Kurulunun 15.06.2023 tarihli, 10 sayılı oturumunda alınan 2023.10.183 sayılı kararı gereğince Doçentlik Başvuru Şartlarında bulunan ve doçent olacak adaylardan istenen "Diğer uluslararası/ ulusal bilimsel toplantının düzenleme komitesinde resmi olarak görevlendirilmiş üniversite akademisyen temsilcisi bulunması zorunludur." maddesi gereğince, Academy Global Conference & Journals tarafından yapılan kongrelerin düzenleme kurullarında yolluksuz ve gündeliksiz olarak görevlendirilmesi Rektörlüğümüzce uygun görülmüştür.

Bilgilerini ve gereğini rica ederim.

Prof.Dr. Ömer ÇOMAKLI
Rektör

Bu belge, güvenli elektronik imza ile imzalanmıştır.

Do rulama Kodu: 87c7a395-d4b6-4f7a-abc6-5dee8674e3d1

Do rulama Adresi: <https://www.turkiye.gov.tr/ata Turk-universitesi-ebys>

Atatürk Üniversitesi Rektörlü ü 25240 Erzurum

Tel: +90 442 2311023

Elektronik A : www.atauni.edu.tr

Kep Adresi: atauni@hs01.kep.tr

Bilgi: Mehmet KOÇ

Faks: +90 442 2361014

E-Posta: personel@atauni.edu.tr



BALKAN 11TH INTERNATIONAL CONFERENCE ON SOCIAL SCIENCES BALKAN 11TH INTERNATIONAL CONFERENCE ON APPLIED SCIENCES ARTAcademy 4th INTERNATIONAL GROUP EXHIBITION APRIL 4 - 7, 2024 SKOPJE Meeting ID: 816 0458 4722 Passcode: 202224 5 Nisan / April 5, 2024 / 15:00 – 17:00 Time zone in Turkey (GMT+3)				
Salon	Moderator		Bildiri No ve Başlığı / Paper ID and Title	Authors
SALON 2	Prof. Dr. A. BERİL TUĞRUL	1	THE FOUNDATIONAL ROLE OF THE NEW CONSTITUTION OF THE REPUBLIC OF UZBEKISTAN IN RNEWING IDIOSPHERE OF THE SOCIETY	Turdiyev Bexruz Sobirovich
		2	EVALUATION OF ENERGY SECURITY WITH PEST ANALYSIS	Prof. Dr. A. BERİL TUĞRUL
		3	ENERJİ JEOPOLİTİĞİNDEKİ DEĞİŞİMLERİN BALKANLAR'DAKİ ÇATIŞMA DİNAMİKLERİNE ETKİSİ: BÖLGESEL VE KÜRESEL PERSPEKTİF	İhsan ALPARGIN
		4	THE UK'S RELATIONS WITH THE EUROPEAN UNION AFTER BREXIT	Prof. Dr. Ali AYATA Said Abdulrasul SADAT
		5	ARAP BAHARINDAN SONRA MISIR VE TUNUSUN DEMOKRATİKLEŞME SÜREÇLERİNİN DEĞERLENDİRİLMESİ	Furkan ÇAPOĞLU
		6	NAZİM HİKMETİN KİŞİLİĞİNİN SİYASET VE TOPLUM ÜZERİNE YANSIMALARI	Furkan ÇAPOĞLU
		7	ŞUFA DAVASI	Ebru Nur TURAN

THE FOUNDATIONAL ROLE OF THE NEW CONSTITUTION OF THE REPUBLIC OF UZBEKISTAN IN RNEWING IDIOSPHERE OF THE SOCIETY

¹ Turdiyev Bexruz Sobirovich, Faculty of History and Laws

b.s.turdiev@buxdu.uz

ORCID ID: <https://orcid.org/0000-0003-3260-3327>

ABSTRACT

The Constitution serves as a fundamental legal, political, and ideological document that underpins the development of every state, embodying the core principles as the Basic Law. Following the adoption of the new edition of the Constitution of the Republic of Uzbekistan on May 1, 2023, it has become the cornerstone of safeguarding the basic rights and freedoms of individuals, laying a sturdy legal foundation for an independent, democratic state and a free society. The newly revised Constitution was the first document to be directly adopted by the people and directly implemented in our history. The most important aspect of this is that everyone's voice has the same status and power when dealing with the new Constitution. In fact, in the conditions of New Uzbekistan, the most important aspects of the newly revised draft of the Constitution are related to the provision of human life, freedom, dignity, inviolable rights and interests, the development of a free and fair civil society, and the establishment of a democratic legal state. In recent years, Uzbekistan has undergone extensive updates and reforms aimed at establishing a democratic legal system and a just civil society in accordance with the Constitution, reflecting a commitment to upholding human dignity and rights. The Constitution plays a vital role as Uzbekistan progresses into a new era, facilitating the successful realization of urgent tasks outlined in the development strategy of New Uzbekistan. The ongoing constitutional reforms signify a natural progression and are crucial for guiding the nation towards a fair and people-centric state. Emphasizing the significance of prioritizing human dignity, rights, and freedoms across all spheres, these reforms pave the way for determining the nation's future steps and affirming its commitment to fostering a society that values and protects its citizens.

Keywords: citizen, Constitution, human rights, social state, self-governance, gender equality

1. INTRODUCTION

In the developed democratic countries of the world, a person or a citizen cannot imagine his social and personal life, protection of his rights and legal interests without the Constitution. Because every person directly addresses to the rights and freedoms stipulated in the Constitution in his daily life. That is why it is necessary for every person living in a democratic society to deeply understand the essence of the Constitution and to be able to find solutions to the problems encountered in his personal life from the Constitution.

It is known that the first and most important step towards building a democratic legal state begins with the study of the Constitution and its implementation. For this purpose, it is an urgent task to teach the Constitution of Uzbekistan in education system. The Constitution, as

the main law, is the basic source of all legislative spheres, because in the Constitution, the supreme will of the people finds its legal expression.

As President Shavkat Mirziyoyev specifically noted, “Now we are on the threshold of an even more responsible and decisive historical stage, we are entering a fundamentally new period of the country’s development. With the adoption of the updated Constitution, we have laid the legal foundations for the Third Renaissance in Uzbekistan. Today, every compatriot who wishes to make a worthy contribution to the achievement of such a great goal of our people must act primarily on the basis of this foundation. The Basic Law opens up boundless possibilities for realizing the hopes and aspirations of the younger generation, in particular, and for laying a solid foundation for their future” [1].

2. EXPERIMENTAL RESEARCH (or METHODS)

1. Literature Review: This section would involve reviewing existing literature, previous studies, and historical documents related to constitutional reforms, democratic principles, economic development, social welfare, and international relations in Uzbekistan. It would provide a theoretical foundation for the analysis of the new Constitution's impact on national progress.

2. Document Analysis: The methods could include a detailed analysis of the text of the new Constitution of Uzbekistan. This analysis would involve examining specific articles, provisions, and amendments within the Constitution that relate to democracy, rule of law, human rights, economic development, social welfare, and international cooperation.

3. Statistical Analysis: Depending on the availability of data, statistical analysis could be included to assess the socio-economic indicators, political stability, or international relations of Uzbekistan before and after the introduction of the new Constitution.

By incorporating these methodological approaches, the article can provide a comprehensive analysis of the foundational role of the new Constitution of the Republic of Uzbekistan in driving national progress.

MAIN PART

Figure-1. The historical necessity of adopting the Constitution of the Republic of Uzbekistan includes the following

“It can be said with full confidence that the Constitution of the Republic of Uzbekistan is a high example of the political and legal thinking of our people, says President Shavkat Mirziyoyev. It is a legal guarantee of a free, independent and peaceful life, without dependence on anyone. It serves as a solid foundation for building a legal democratic state based on market relations and a strong civil society. On the basis of our constitution, the national legal system, state bodies, civil society institutions were formed in our country. Today, large-scale reforms are being implemented on all fronts. Our socio-economic, political and military potential is increasing, and the worldview of our citizens is growing more and more. All this is primarily the result of the life-giving power of our General Constitution” [2].

The first idea to create the Constitution of the Republic of Uzbekistan was expressed at the first session of the 12th convocation of the Supreme Council of the Republic of Uzbekistan held in March 1990. The “Declaration of Independence” announced by the Supreme Council of Uzbekistan on June 20, 1990 became the basis for the development of the new Constitution

of our country. On the same day, a constitutional commission consisting of 64 people was formed under the leadership of the President of the Supreme Council of Uzbekistan. The commission included deputies from state and public organizations, heads of enterprises and farms, well-known lawyers, scientists, and specialists.

After considering and improving the draft, the Constitutional Commission decided to include its consideration in the session of the Supreme Council of the Republic of Uzbekistan at its meeting held on December 7, 1992. At this last meeting of the commission, many norms of the project were improved at the suggestion of the Chairman.

On December 8, 1992, the Supreme Council held its 12th convocation and 11th session. This session was a historical session and discussed an issue of historical importance.

Each article, chapter, and section of the project was discussed separately, after taking into account relevant reasonable proposals and making changes, it was voted for adoption. Deputies unanimously adopted the Constitution, which consisted of a Preamble, 6 sections, 26 chapters and 128 articles.

The new Constitution is a vital necessity arising from the evolutionary development of the society of Uzbekistan, and it is an extremely important issue for us to determine our next steps, a huge step towards building a fair society.

We have achieved our achievements in the last 6 years, in particular, the removal of hundreds of restrictions in the fields of economy, human rights, justice, freedom of speech and religion, social protection, solving problems in cash, currency, credit issues, the 25-year relations between us and our neighbors, and it is necessary to ensure the constitutional protection of these positive actions. If we pay attention, our country is becoming a huge country in every aspect. By 2040, our population will reach 50 million, and more than half of the society will be youth. In order to create decent living conditions for them, there should be a stable economy, a safe state efficient administration, and social guarantees. The solution of these and many other problems required a solid legal foundation - the new Constitution of Uzbekistan.

One thing must be said that this text of the Constitution was not created by scientists and experts only in the offices. Perhaps, in the first two stages, the opinion and suggestions of our people were studied, and only after that the draft Constitution was prepared.

- at the first stage, our citizens made more than 60,000 suggestions for the formation of the draft Constitution. About 1 out of every 4 of them got a place in this project of Constitution;

- in the second stage, the draft Constitution was submitted to the public discussion. 5 million people got acquainted with the project through mass media and Internet networks, and more than 150 thousand suggestions and comments were made.

Currently, international legal documents and the experience of more than 190 countries were studied, the project underwent 6 types of expertise.

All this indicates that the interests of all layers of the society are taken into account in the updated Constitution, that the whole society is united around the idea of building New Uzbekistan, and that it is literally becoming the People's Constitution.

The number of articles in the Constitution has increased from 128 to 155 and the number of norms has increased from 275 to 434. That is, the text of our Basic Law increased by almost 65 percent and was updated based on the suggestions of our people.

Figure-2. Structure of the new edition Constitution of the Republic of Uzbekistan

In the constitution, it is determined that Uzbekistan is a sovereign, democratic, legal and social state.

Strong social protection and care for the needy will remain an important direction of state policy. For the first time in our history, Uzbekistan was defined as a social state. That is confirmed that attention and care for people is the most important duty of the state and society.

The constitution stipulates that the state will undertake a number of new obligations to reduce poverty, ensure employment, and protect against unemployment. In general, the norms of the Constitution related to the obligations of the state in the social sphere have been increased by 3 times.

In particular, the Constitution stipulates the right of everyone to have a home. Implementation of this norm ensures that every citizen, including young families, has their own shelter, and increases people's satisfaction with life.

In addition, no one can be deprived of their home without a court decision and in violation of the law, and it is ensured that the owner deprived of his housing will be compensated for the value of the housing and the damages he suffered in the cases and procedures stipulated by the law in advance and at an equal value (market value) is guaranteed.

The population is also guaranteed free medical services. In general, norms related to the protection of public health, in the constitution have been increased 4 times. This is very important for reliable protection of public health and elimination of the threat of maternal and child mortality and infectious diseases.

The state takes measures to increase, preserve and maintain the purity of our natural resources.

As a necessary condition for improving the quality of life and health of the population, the Constitution established comprehensive measures for environmental protection.

In this regard, the state implements measures to improve, restore and protect the environment, maintain ecological balance, creates conditions for public control in the field of urban development activities in order to ensure the environmental rights of citizens and prevent harmful effects on the environment.

The constitutional norm on mandatory public discussion of the master plans of the cities allows to solve the issues related to the urban development in consultation with our people.

The right and access to education is expanded, teachers have a constitutional status. Approaches specific to the social state are also reflected in many articles and norms related to the field of education. Norms related to education and science are increasing by almost 2 times.

In particular, the right of citizens to study in higher education institutions at the expense of a state grant was strictly defined.

For information, we can say that the number of grants has doubled to 40 thousand. And for the master's degree, it increased 5 times.

The basic law also established free basic vocational training for citizens.

It was intended to create all the conditions for our children with disabilities to receive the same education as their peers. Therefore, such opportunities were included in the Constitution as inclusive education.

In the Constitution, the obligation of the state to protect the honor and dignity of teachers, to take care of their social and material well-being and professional growth is strengthened. These rules serve the professional growth and social and material support of more than 685,000 teachers in our country, and further increase their social status and reputation in society.

Academic freedom, self-governance, research and teaching rights are provided to higher education institutions.

In particular, in recent years, many non-state higher educational institutions have been opened, the number of branches of foreign universities number is increasing, academic and financial independence has been granted to 41 state higher educational institutions.

Another important innovation is that the state creates social, economic, legal and other conditions for the full development of the family, which is constitutionally strengthened. The introduction of this norm will serve to ensure stable family strength and dignity in our society.

Now raising children, educating them, and raising them to adulthood is also defined as a parental responsibility. It is the duty of the state to ensure and protect the rights, freedoms and legal interests of the child, and to create the best conditions for its full physical, mental and cultural development.

The Constitution guarantees everyone's right to a fair wage for their work without any discrimination and not less than the minimum wage (980 000 sum).

The constitution prohibits the refusal of employment, the dismissal of women and the reduction of their wages due to reasons related to pregnancy or having a child. This will lead to full implementation of gender equality principles in our country.

Uzbekistan is defined as a legal state in the Constitution.

In particular, when it is announced that the provision of human rights and freedoms is the highest goal of the state, the norms of human rights have been increased more than 3 times.

In particular, the death penalty is prohibited in Uzbekistan. The constitutional prohibition of the death penalty guaranteed that not even the state has the right to deprive a person of his life.

In addition, it is determined that a person cannot be detained for more than 48 hours without a court decision. That is, any action related to the restriction of a person's freedom must be carried out only on the basis of a court decision. This provision is aimed at preventing illegal arrest, unjustified detention and detention of people by investigative bodies. Through this, the scope of application of the internationally recognized "habeas corpus" institution will be expanded.

When arresting a person for the first time, his rights and grounds for detention should be explained to him in an understandable languages (internationally recognized "Miranda Warning").

It is established that everyone has the right to privacy of correspondence, telephone conversations, mail, electronic messages and other communications.

It was established that restrictions on such rights or the conduct of searches in housing are allowed only in accordance with the law and based on the decision of the court.

Another important rule is that if a person's confession is the only evidence against him, he cannot be found guilty or punished. This case serves to establish the truth about the crime,

as well as to prevent the prosecution of innocent people, and at the same time, to identify the real guilty person or persons who committed the crime.

In addition, it is determined that the conviction of a person and the legal consequences arising from it cannot be the basis for limiting the rights of his relatives, which will put an end to the evil left from the authoritarian system, the inhuman prohibitions that forced many of our young people to give up their dreams.

The right of every person to move freely in the territory of the republic, to freely choose the place of residence, the right to leave the republic, and the right of citizens of Uzbekistan to return to Uzbekistan without hindrance were established.

Now, with the introduction of this constitutional provision, free movement is strengthened as a high legal norm at the level of value, which also put an end to the problem of the “propiska” system.

It is guaranteed that the state would create conditions for citizens to use the Internet. After all, the number of Internet users in Uzbekistan was 12.1 million in 2016, and by 2022 it doubled, that is, it will exceed 24 million, also, the Internet coverage of residential areas of our country has increased from 28% in 2016 to 98% in 2022.

Figure-3. Protection of youth rights and promotion of their active participation in society and state life is guaranteed. In particular, the state:

In addition, creating conditions for education, social and medical protection, housing and employment of youth is included as a constitutional obligation of the state. The state is thus taking on important obligations that these norms are important not only for the benefit of the youth, but also for the future fate of our society and country.

For the first time in the constitution, land can be a private property.

The absolute powers of the Legislative Chamber increased from 5 to 12, and the Senate increased from 14 to 18.

In particular, it was decided to reduce the number of senators from the current 100 to 65, in which 4 senators will be elected equally from each region, and the number of senators appointed by the President will be reduced from 16 to 9.

The procedure for electing judges of the Constitutional Court for 10 years without the right to re-election is being established (now they are elected for the first time for 5 years, then for another 10 years).

A separate chapter dedicated to the institution of advocacy and strengthening the guarantees of the activities of lawyers was included in the Constitution. It was confirmed that the lawyer and his professional activity are under the protection of the state and that the rights, honor and dignity of the lawyer are protected by law.

In particular, it is established that obstruction or interference with media activities is a cause of liability according to the law. This norm ensures that journalists can work freely, without fear of various administrative pressures, and serves to increase the freedom of information in our country, to strengthen the environment of openness and transparency, legality in the society.

Ultimately, it will strengthen the dialogue between the state and society, establish strong public oversight and ensure freedom of speech.

Also, the Constitution guaranteed the freedom of mass media activities, their rights to seek, receive, use and distribute information.

For the first time, the inclusion of a separate chapter dedicated to civil society institutions and the establishment of guarantees of their activity in our constitution has prepared a solid ground for strengthening the atmosphere of openness, transparency and legality in society, the dialogue between the state and society, and establishing strong public control.

3. RESULTS AND DISCUSSION

One of the main tasks of the science of constitutional law is to inculcate the role and importance of the Constitution in the life of society, its essence, into the legal consciousness, thinking and culture of the people, especially the young generation, thus forming a high respect for the Constitution and the law in the society. The adoption of the Constitution established a clear legal system that regulates relations in all aspects of social and state construction, encompassing all areas of our national legislation.

It is no coincidence that such high and impartial evaluations are attributed to the newly revised Constitution of Uzbekistan. This can be explained by several reasons, among others:

firstly, the new Constitution is truly a democratic Constitution. It is a document that embodies universal values and international standards tested in history;

secondly, new Constitution was prepared based on the historical experiences of the most developed nations. In this process, we did not simply replicate the Constitution of any country but instead studied and incorporated the most progressive foreign constitutional practices. Consequently, the new constitution now stands on par with the Constitutions of developed countries worldwide;

thirdly, the ideas and norms of the Constitution are rooted in the deep historical heritage of the Uzbek people, encompassing centuries of experience and spiritual values, as well as the legal legacy of our esteemed ancestors.

fourthly, the revised Constitution is intended to establish the groundwork for a socially-oriented, democratic legal system that genuinely serves the people, enhances the welfare of the population, further strengthens human rights and dignity, and acts as a significant catalyst for liberalizing all areas of life, marking the beginning of a new era in the development of the New Uzbekistan.

REFERENCES:

- Mirziyoyev Sh.M. The renewed constitution will be a strong legal foundation for the Third Renaissance in our country //“Xalq so’zi” newspaper, May 9, 2023, No. 93 (8394).
- Mirziyoyev Sh.M. Milliy taraqqiyot yo’limizni qat’iyat bilan davom ettirib, yangi bosqichga ko’taramiz. – Tashkent: “Uzbekistan”, 2017. –p.100.