

# ФИЛОСОФСКИЕ НАУКИ

## HUMAN RIGHTS AND MODERNIZATION PROCESSES IN THE NATIONAL LEGAL SYSTEM (LEGAL-SOCIOLOGICAL ANALYSIS)

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*Atavullayev Mirkomil Ahmadovich*  
National University of Uzbekistan  
Faculty of social sciences  
Doctor of Philosophy  
Atavullayev Mirkomil Ahmadovich  
Uzbekistan

### RESUME

This article describes the social humanistic essence of legal values and its reflection in human activity, as well as the human humanistic essence of human rights.

**Key words:** value, justice, modernization, positive power, parliament, human rights, reflection, human essence, social essence.

The social-humanistic nature of legal values is reflected in human rights activities. Human rights therefore express the social humanistic nature of the national legal system and encourage its sociological analysis. Legal-sociological analysis comes as an approach to the study of social thought in science and law. We use it in a secondary sense here and refer to our sociological observations. It should be noted that the legal-sociological analysis studies all aspects of the phenomenon of law related to human, society, state, in other words, their national, local characteristics, relations with real social life, relations with the individual, activity, culture, legislative processes [1].

Extensive coverage of modernization processes also requires a legal-sociological approach to the study of legal values, the problems of their formation and strengthening. But this approach is not just a study of social thought, it involves either direct or indirect observation, analysis of statistical and press sources, Conversation, interview, etc. When we study human rights and their aspects related to modernization in the national legal system, we use the above opportunities of legal-sociological analysis.

Ensuring human rights and freedoms is the main goal and indicator of modernization in the system of Law of Uzbekistan. The modernization in the field of law carried out during the years of independence recognized human rights and freedoms as a high value, and all legal creativity is directed towards the decision of this principle.

To the respondents "do you often encounter legal problems? when addressed with the question "quot;, 62% of them answered the question "yes", 21 % "not mudom", 16% "no". The remaining 1% of respondents did not find it necessary to answer. This means that the majority of respondents (61 %) faced rights problems. And 21 % are those who, although not mudom, in any case come across legal problems and need help in this regard. In fact, this implies an increase in the role of the right in our social life, as well as in the activity of a person.

The question "What are the legal problems that you or your closest ones face" clarifies fills the answers above. According to this, 82% of respondents "find

work" and "build a family", 80 % "being residential" and "preserving health" , 69% "going abroad", 68 % "appeal to the authorities", 61 % "appeal to the Cabinet", 52 % "appeal to the prosecutor's office", 37 % "not to borrow", 36 % "appeal to the Internal Affairs offices", 29 % "ensuring human rights", 21 % "appeal to the media", 17% "obtaining information", 16 % , "creativity", 7% stated that they are facing right problems with "appeal to the Ombudsman". Each of these answers can be analyzed from a legal-sociological point of view. Among the legal problems, there are leading issues related to finding a job, building a family, being a home, and health. Answers indicate that the problems with law are of interest to many, that there is a need, an object for the transformation of legal values into a sustainable reality. Most importantly, this is confirmed by our citizens, the processes of modernization that are taking place in social life.

"They say that the scale of modernization depends on reforms in the field of law. Do you agree with this idea?"51% of respondents to the question "yes", 38% indicate that "no "is 11%" not always". More than half of the respondents recognize the positive, lasting impact of the right to modernization, stating that they are aware of the changes in this regard. At the same time, 38% of them do not feel the influence of real life, especially the right to social changes. As social change is taking place without the influence of the reindeer, the legal factor and the reins. In fact, this is not so. Respondents do not reject the positive impact of the right, but are unable to perceive this effect through reality. Law, first of all, affects the consciousness, imagination of people, and then moves to practice, behavior. This process is not immediately noticeable. "Are you satisfied with the reforms in the field of law?"our answers to this question can clarify this idea. To him, 49% of the respondents answered "No", 36% said "Yes", 15% said "not always". So, between the answers to the above and subsequent questions, there is an affinity, a connection. Citizens who are not satisfied with the reforms in the field of law, do not even notice the connection of modernization with the phenomenon of law, with the reforms in it. Interestingly, among these respondents 80% of higher education, 14% of

secondary special education, 6% of secondary education. It means that respondents with higher education are not satisfied with the processes of modernization, changes and reforms in the field of law, their impact on reforms, in this regard it is still necessary to carry out a lot of work. "How do you assess the modernization processes taking place in our country?" in the question "unsatisfactory", higher education accounts for 47% of those who evaluate. A situation in which a person with higher education approaches the side, in a critical attitude to life, with high demand. National and legal values are formed by taking into account the requirements of this layer. Self-assertiveness, a critical approach encourages the preparation and adoption of laws at the required level. This is the reason why only highly qualified lawyers, employees of legal institutions are involved in this process.

Today it is customary to apply to the Cabinet of Ministers and the President. However, respondents consider it unacceptable to disturb these higher authorities on the issue related to work. True, 37% of respondents say that they can apply to the Cabinet of Ministers, 21% to the President. So they are aware that applying to the higher authorities of the country is their human rights. Closer results are also cited in other studies. For instance, according to H. Mamatov, 22.1% of citizens applied to the presidential apparatus for various legal problems, 8% to the representative of the Supreme Assembly for Human Rights (Ombudsman), 6.5% to the Cabinet of Ministers, 5.2% to the internal affairs bodies. 38 % of respondents indicate indifference and neglect of responsible employees, 13% indicate corruption, bribery, maltreatment, 52% lack of professional level, 19,5% indicate violations of the laws of the Republic of Uzbekistan, 7,8% are the main causes of malpractice such as bureaucracy. 83,1 % of those who apply believe that the problem is solved positively, 14,3% do not believe [2].

Despite the fact that in the internal affairs bodies, as in all national law systems, there are changes in modernization, citizens are dissatisfied with their activities, violation of legal norms. For example, 11.7% of respondents are the chairman of the district sudi, 9.1% are the head of the district internal affairs department, 7.8% are the general prosecutor of the Republic of Uzbekistan, 6.5% are the city prosecutor, 6.5% are the regional prosecutor, 6.5% are the chairman of the Supreme Court, 3.9% are the district governor, 3.9% are the chairman. Modernization is not a smooth-going change, it is natural that it will arouse a depressed mood in some employees. But this modernization should be supported by responsible personnel, in particular, they should contribute to the transition of modernization in the legal system in accordance with the printouts of Justice.

Modernization of the legal system:

- first, in the direction of institutional (creation of new law institutions ,training of personnel meeting the requirements of modernization, structural change of internal management);

- secondly, it is carried out in the ideological-paradigmical direction.

We have already mentioned above what kind of new law institute has emerged in the first direction. Among them, undoubtedly, it is necessary to include the presidential Institute, the two-chamber parliament. Because all changes in the social and legal sphere are carried out on the initiative and participation of these two institutions.

Ideological-paradigmical modernization has a historical and political basis in accordance with the traditions of social justice, equality, solidarity, cooperation and humanitarian values of our people, that is, the system of national law, human rights values, they are enriched with modern legal approaches. An example of this is the implementation of more than 70 international norms into the national legal system. The essence of this modernization is integrated into 16 codes and more than 600 laws adopted in our country. In the same interpretation, human rights are subject to international standards, in essence, it becomes a social and legal value. Therefore, "human rights are not only considered the fruit of Western civilization, it belongs to all mankind, so they can not be interpreted and can not be so, regardless of the culture of different peoples." In the explanation of international human rights standards, it is necessary to distinguish between human rights violations (salsality at human rights) and human rights violations (salsalizym in human rights) [3]. It is important to us that this rationality also relies on universal values inherent in the Uzbek people, which in this context harmonizes the national legal system with universal legal values and humanitarian law.

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