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CONSTITUTIONAL REFORMS IN UZBEKISTAN DURING THE YEARS OF INDEPENDENCE

ALIKHANOV MUKHAMMADJON

Associate Professor of Namangan Institute of Engineering and Technology, Namangan, Uzbekistan
Phone.: (0893) 678-1977

Abstract: The article covers the history of the adoption of the Constitution of the Independent Republic of Uzbekistan, the changes and amendments made to it during the years of independence, and the processes of adoption of the new version of the constitution in 2023 using various articles, works and sources.

Keywords: Constitution, independence, reform, constitutional commission, public discussion, referendum.

Introduction. Deepening of democratic reforms and development of civil society are being carried out consistently in Uzbekistan. Any changes and reforms should be based on the principle of humanitarianism and must have their own legal basis. The legal basis of the reforms and development of the Republic of Uzbekistan is its constitution.

During the years of independence, constitutional reforms in Uzbekistan consisted of several stages. The creation, discussion and adoption of the constitution, subsequent changes made to it over the years, and the adoption of the new version of the constitution have their own history. The idea of the need to develop a new Constitution of the Republic was raised in March 1990, at the I session of the twelfth convocation of the Supreme Council [1; 3]. On June 20, 1990, at the II session of the Supreme Council, it was concluded that a new Constitution of the state should be developed based on the principles adopted in the Declaration of Independence. The session made a decision to create a Constitutional Commission consisting of 64 people chaired by President I.A. Karimov [2;]. Deputies, representatives of regions and the Republic of Karakalpakstan, heads of state, public organizations, enterprises, farms, well-known lawyers, scientists and experts were included in the commission.

The changes that took place in the socio-political life shaped the political and legal thinking of people. This, in turn, activated the work on the draft Constitution. A 32-person working group consisting of members of the Constitutional Commission and leading experts and scientists was established to coordinate all organizational and creative processes related to the creation of the draft constitution [3; 9]. 6 small groups were formed to prepare the intended sections of the draft constitution. 50 researchers and specialists were involved in small groups [4; 11]. They should study the world experience of constitutional development, take into account the achievements of other countries in the field of human rights, democracy and legislation, and "create a political and legal document that is understandable to everyone as much as possible" [1; 4] started work. Scientists have studied the constitutions of the USA, France, Canada, Germany, Sweden, Japan, Italy, Spain, Portugal, Greece, Turkey, Iran, India, Pakistan, Egypt, Hungary, Bulgaria, Lithuania, Russia, Belarus, Ukraine, Kazakhstan, Kyrgyzstan and

Turkmenistan. Additionally, drafts of the main law and constitution have been studied in depth [3; 10].

The Constitution is a perfect and monumental work, which is the core of all legislation. That is why its ideological core, that is, its concept, was developed first. As a result, three alternative concepts were created. 1) the concept of the Institute of Philosophy and Law of the FA of the Republic of Uzbekistan (discussed and approved by the Presidium of the FA of the Republic of Uzbekistan); 2) Concept of the Institute of Political Science; 3) Concept of the state-legal sector (legal department) of the presidential office [3; 10]. The working group combined the third concept with the others to form a single conceptual framework.

The first version of the draft constitution, consisting of six sections and 158 articles, was prepared in November 1991. In the spring of 1992, the second version of the project, consisting of 149 articles, was developed. The third option consisted of 137 items. The draft constitution was reduced to 127 articles before it was submitted to public discussion. The President, as the chairman of the Constitutional Commission, carefully examined each of its articles and expressed his opinions.

On September 5, 1992, a meeting of the Constitutional Commission was held. After that, the first draft of the Constitution was prepared, reflecting the historical, national and spiritual characteristics of the Uzbek people as much as possible. The draft constitution was published in the press on September 26, 1992 for public discussion.

The discussion of the draft constitution became intense among the general public. Many discussions and debates took place in the press, radio and television, at meetings of enterprises, institutions and organizations, and in student auditoriums with the participation of experts. In particular, the leading scientists of the Institute of Philosophy and Law of the Academy of Sciences of the Republic of Uzbekistan, members of the working group for the preparation of the draft Constitution, as well as other legal and sociological experts actively participated in a number of activities on the study of the draft Constitution in the labor communities of the Tashkent region[5].

Scientists and writers, teachers and medical workers, religious figures and military personnel, students and pensioners, workers and farmers, representatives of different strata of the population, people of different ages and positions sent their letters, opinions, suggestions and comments to the constitutional commission[4; 20]. About 80 important amendments, additions, clarifications were made to the draft Constitution announced on September 26, 1992 [1; 8].

The draft constitution was revised on the basis of citizens' suggestions and published in the press for the second time on November 21, 1992. During the national discussion, more than 6,000 suggestions and comments were made on the draft Constitution [3; 14]. 1978 suggestions and opinions were received on the section "Basic rights, freedoms and duties of man and citizens" of the draft constitution [3; 15].

After heated discussions, the Constitution of the Republic of Uzbekistan was adopted at the XI session of the Supreme Council of the Republic of Uzbekistan

(December 8, 1992). The Constitution fully meets recognized international requirements and world standards.

The demands of the times and the experience gained during the years of independence demanded amendments and additions to the Constitution and other laws over time. In particular, in accordance with the results of the referendum held on January 27, 2002 on the issue of establishing a bicameral national parliament, and on this basis, in accordance with the constitutional law "On the results of the referendum and the basic principles of the organization of state power" adopted on April 24, 2003, Articles XVIII, XIX, XX, XXII of the Constitution Amendments and additions to the chapters set the foundations for radical reform of the Legislative Power. As a result, in the development of the national parliament of the Republic of Uzbekistan, the status, powers and mechanisms of activity of the new parliament and each of its chambers were clearly defined.

On April 11, 2007, amendments were made to Article 89, Clause 15 of Article 93 and the second part of Article 102 of the Constitution of the Republic of Uzbekistan. According to him, the issuance of the norm, which determines that the President of the country is the head of the executive power at the same time, was one of the important political and legal events of this period. Article 89 of the Constitution states that "The President of the Republic of Uzbekistan is the head of state and ensures the coordinated operation and cooperation of state authorities"[6; 22] has been established.

The first part of Article 77 of the Constitution of the Republic of Uzbekistan was amended by the law adopted on December 25, 2008. Amendments and additions to Articles 78, 80, 93, 96, 98 of the Constitution were made by the Law adopted on April 18, 2011. Amendments were made to the second part of Article 90 of the Constitution by the Law adopted on December 12, 2011 [11. 116].

In the speech of the first President of the Republic of Uzbekistan, Islam Karimov, at the joint meeting of the Legislative Chamber and the Senate of the Oliy Majlis of the Republic of Uzbekistan entitled "The concept of deepening democratic reforms and development of civil society in our country" , ensuring freedom of information and speech, ensuring the freedom of suffrage in Uzbekistan and developing electoral legislation, forming and developing civil society institutions, deepening democratic market reforms and economic liberalization were analyzed in depth. The reforms and changes that should be implemented for the development of these areas were disclosed and recommendations were made. In particular, a proposal was made to amend Articles 78, 93, and 98 of the Constitution of the Republic of Uzbekistan. In essence, these changes served to democratize state power and management.

The years 2017-2021 were full of sharp changes and new reforms in various spheres of the country's life. During this period, the Constitution was amended eight times by law. In particular, amendments to Articles 7, 33, 79, 80, 81, 83, 85, 86, 93, 96, 98, 99, 100, 102, 105, 107, 108, 109, 110, 111, 117 of the Constitution supplements included.

Implementation of constitutional reforms has become a necessity in order to establish a new Uzbekistan. On November 6, 2021, in the speech of the President of the

Republic of Uzbekistan Sh. Mirziyoyev at the joint session of the chambers of the Oliy Majlis, dedicated to the inauguration ceremony, he said, "If we look at the world experience, we see that constitutional reforms were implemented in many countries during the period of radical change. Therefore, first of all, after consulting with our senators and deputies, the general public, and our people, we should study the constitutional experience of the world and carefully consider the issue of improving our Basic Law, which determines our current and future development" [8]. After this speech, a new stage of constitutional reforms began. On December 7, 2021, President Sh. Mirziyoyev congratulated the people of Uzbekistan on the 29th anniversary of the adoption of the Constitution and made a special mention of updating the main dictionary [9]. Sh. Mirziyoev listed the circumstances that make constitutional reforms an objective necessity.

On May 16, 2022, at the meeting of the faction of the Liberal-Democratic Party of Uzbekistan held in the Legislative Chamber of the Oliy Majlis, deputies made a proposal to start the process of making amendments and additions to the Constitution, such a proposal was also put forward by the "National Revival" party [10].

Before preparing the draft of the new version of the constitution, people's representatives, active citizens, in general, all residents of Uzbekistan were asked to express their suggestions and opinions. Opinions on amendments and additions to the constitution were expressed by many, and various speeches were made in the media. First, the opinions and proposals of our people were studied in 2 stages, after which scientists or specialists prepared the draft Constitution.

On June 25, 2022, the draft law on amending the constitution was published in Uzbek and Russian languages on the "This is my Constitution" portal for public discussion. Initially, it was announced that the discussion would last 10 days - until July 4, and the final draft of the Constitutional Law would be put to a referendum, but it was extended until August 1 [12]. Due to the events that took place in Nukus on July 1-2, the articles related to Karakalpakstan were excluded from the proposed amendments to the status of the Republic of Karakalpakstan[12].

The President of Uzbekistan, Sh. Mirziyoev, emphasized the need not to rush to reform the Constitution at the beginning of October 2022. On November 24, the Legislature decided to send the amendments for reconsideration[13].

According to the new edition, the number of articles in the Constitution of Uzbekistan has been increased from 128 to 155, and the norms in it have been increased from 275 to 434. Conceptual changes have been made to 91 of 128 articles, and the constitution has been revised to 65%. The Legislative Chamber of the Oliy Majlis adopted the Law on the New Constitution of the Republic of Uzbekistan. The law was put to a national referendum, and the referendum was held on April 30.

Any law must necessarily serve the interests of people, the basic law is of great importance in establishing New Uzbekistan, guaranteeing the rights and freedoms and legal interests of citizens, ensuring transparency in state administration, and implementing justice. Observing the historical events of the creation of the Constitution

of the Republic of Uzbekistan and the amendments made to it, it shows that our country is on the way to building a secular legal state and civil society. In addition, it should be concluded that the development of the basic law and the additions and amendments made to it serve the interests of the people of Uzbekistan, strengthening of independence, peace and prosperity of the country.

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