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## JUDICIAL SYSTEM IN THE CONSTITUTION AND LEGISLATION OF THE REPUBLIC OF UZBEKISTAN

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### ABSTRACT

The independence and development of the Republic of Uzbekistan is directly related to the Constitution and the law. Our constitution and laws contribute to the establishment of our country on the world scale and the strengthening of our statehood, and never ignore human dignity, rights and freedoms. We all know that the rules that put human dignity in its place and ensure that it is manifested as a supreme value are implemented by the judicial system established in the Constitution and laws. This article talks about the work being done on the judicial system in the Constitution and legislation of the Republic of Uzbekistan.

### KEYWORDS

Constitution, law, electoral system, president of the court, code, parliament, ratification.

### INTRODUCTION

One of the priorities of the further development of the country is the consistent democratization of the

judicial system, ensuring strict adherence to constitutional norms on the independence of the

judiciary. Over the years, significant work has been carried out to establish the court as an independent and separate branch of power, to transform it from a past punitive body into a truly independent institution of a state that protects and reliably protects human rights and freedoms. In this regard, consistent work is carried out in the Constitution and legislation of the Republic of Uzbekistan on decisions on the judicial system and ensuring their implementation. First of all, let's talk about what the Constitution is and what its essence consists of.

The Constitution (latin: constitutio — "structure", "structure") is the fundamental law of the state. It defines the structure of the state, the system of authorities and governing bodies, their competence and the procedure for formation, the electoral system, the rights and freedoms of citizens, as well as the judicial system. The Constitution is the basis of all current laws.

The Constitution is a sign of statehood. There are concepts of a legal and real constitution that differ from each other. The legal constitution is a system of certain legal norms that regulate the scope of social relations. And the real constitution is the relationship itself, that is, the real existing relationship. According to its form, the Constitution is divided into codified, non-codified and mixed types. A codified constitution is a whole written document that regulates all major issues of a constitutional nature. If the same issues are

regulated by several written documents, then the Constitution is considered non-codified. A mixed-type constitution would include Customs and theoretical shakhs, i.e. be partially written, along with laws and judicial precedents passed by Parliament. Under the method of amending, the Constitution is divided into soft and hard types. The first of them can be changed by passing a simple law. The latter can be changed in a specially improved procedure (a qualified majority of the votes of members of Parliament, and sometimes a referendum, ratification of amendments by a certain number of Federation entities). By terms of validity, constitutions are divided into permanent and provisional types.

Control over the observance of the Constitution in various areas of state activity is entrusted to the Supreme Court or the Constitutional Court. The term "Constitution" existed as early as Ancient Rome. The Amir Temur "Tuzuks" had the character of a constitutional document of a separate form, typical of the civilization of eastern and Asian countries. Along with Sharia law, he had a strong influence on the fate of the peoples of Central Asia.

Historical progress in Europe gave rise to 2 groups of constitutions currently in force. Group 1-old constitutions adopted in conditions that are sharply different from the current ones. Examples, for these of constitutions in include the United States Constitution of 1787, the Belgian Constitution of 1831, and the Swiss

constitution of 1874. Group 2 includes the "new generation" constitutions adopted in the 2nd half of the 20th century. Group 2 includes the "new generation" constitutions adopted in the 2nd half of the 20th century. They differ from the original constitutions in the increase in the volume of constitutional regulation as a result of the expansion of the institution of rights and freedoms, the mechanisms of protection of the Constitution and the mechanisms of reference to social problems.

The Constitution of the Republic of Uzbekistan, created as a result of studying international constitutional experiments, taking into account the rules of the international document, drawing from national statehood traditions, corresponds to World templates and meets international requirements.

Chapter XXII of the Constitution of the Republic of Uzbekistan adopted on December 8, 1992 is dedicated to the judicial power of the Republic of Uzbekistan. The Constitution provides for judicial power from Article 106 to Article 116. Below I will cite some of these substances as examples. Article 106. In the Republic of Uzbekistan, the judiciary acts independently of the legislative and executive authorities, political parties, other public associations. Article 107. The judicial system in the Republic of Uzbekistan consists of the Constitutional Court of the Republic of Uzbekistan, the Supreme Court of the Republic of Uzbekistan, military courts, the court of the Republic of Karakalpakstan,

the courts of the regions and the city of Tashkent, the administrative court of the Republic of Karakalpakstan, the administration of the regions and the city of Tashkent. consists of municipal courts, inter-district, district, city courts for civil cases, district, city courts, inter-district, district, city economic courts and inter-district administrative courts for criminal cases.

The procedure for the organization of courts and their functioning is determined by law. The formation of emergency courts is not allowed. In addition to the Constitution, the law of the Republic of Uzbekistan "on courts" provides detailed information on judicial power.

It should be noted that although the general principles of international-legal recognition apply in the judicial systems in the world's States and the procedures for their proceedings, the system of judicial bodies of states, the scope of their activities, the structure of courts differ from each other. They differ among themselves in the categories of disputes, cases of huqubuzar, circle of relations, subject, subjects of work and relations considered.

In Uzbekistan, too, the judicial system and the procedures for their proceedings have been changed several times. In particular, according to Article 1 of the law of the Republic of Uzbekistan dated September 2, 1993, there is a Constitutional Court of the Republic of Uzbekistan, which is elected for a period of five years.

The law was amended twice in 1995-1996. Then, a new version was adopted on December 14, 2000. In accordance with Article 1 of this law, the court system of the Republic of Uzbekistan is defined as follows: In the Republic of Uzbekistan, the Constitutional Court of the Republic of Uzbekistan, the Supreme Court of the Republic of Uzbekistan, the Supreme Court of the Republic of Uzbekistan, the Supreme Courts of civil and criminal affairs of the Republic of Karakalpakstan, the regional and Tashkent City Courts of civil and criminal affairs, inter-district, District (City) Courts of Criminal Affairs, military courts, the economic Court of the Republic of Uzbekistan.

It is through this law that all-Russian courts are divided into civil and criminal courts, and the law also states that the specialization of courts can be carried out in the Republic of Uzbekistan, depending on the categories of cases. In conclusion, it should be noted that in the Republic of Uzbekistan, the court is urged to protect the rights and freedoms of citizens, the rights of enterprises, institutions and organizations, and the interests protected by law, which are declared in the Constitution and other laws of the Republic of Uzbekistan, international human rights documents. The activities of the court are aimed at ensuring the rule of law, social justice, peace and harmony of citizens.

1. The Constitution of the Republic of Uzbekistan.  
URL: <https://lex.uz/docs/-20596?ONDATE=09.02.2021>
2. Law of the Republic of Uzbekistan “On Courts”.  
September 2, 1993. No. LRUz 924-XII. URL:  
<https://lex.uz/ru/docs/-68425>
3. Constitution. URL:  
<https://uz.wikipedia.org/wiki/Konstitutsiya>
4. <https://zarnews.uz/uz/post/>
5. Qudratullayeva E. The constitution is a guarantee of our rights // Proceedings of International Educators Conference. Hosted online from Rome, Italy. 25 th May, 2023. –P.211.
6. Shamsutdinov R., Muminov Kh. History of Uzbekistan: Textbook. - Tashkent: Science, 2020. – P. 353-354.

## REFERENCES