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THE CONSTITUTION – A GUARANTEE OF A FREE AND PROSPEROUS LIFE

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ABSTRACT

The article “The Constitution – A Guarantee of a Free and Prosperous Life” analyzes the role of the constitution in society and its significance in protecting human rights. As the primary legal document of the state structure, the constitution plays a crucial role in guaranteeing citizens’ freedoms and rights, regulating the powers of government, and ensuring democracy, the rule of law, and justice. The article discusses the uniqueness of the constitution, its historical development, and its role in ensuring a free and prosperous life in society. Moreover, the constitution regulates relations between the state and its citizens, limits governmental actions, and provides legal protection and fair governance for citizens. The article also examines the role of the constitution in state governance, human rights, social stability, and maintaining prosperity.

KEYWORDS

Constitution, rights, freedoms, prosperity, state governance, human rights, democratic system, rule of law, civil society, social stability.

INTRODUCTION

The constitution is the fundamental law of every state, establishing the foundations of its social, political, and

economic systems. It is the most important document that guarantees the will of the people, ensures human rights and freedoms, and promotes the stable

development of society. The essence of the constitution lies not only in its legal provisions but also in its practical application, creating a basis for individuals to lead a free and prosperous life.

The primary function of the constitution is to protect human rights and freedoms. It provides a legal framework to ensure freedom, equality, and prosperity for every citizen. Through the constitution, a just legal system is established, maintaining a balance between different branches of government and preventing any one side from dominating. In this sense, the constitution serves as a vital document that earns the respect and trust of the citizens.

The origin of the term “constitution” traces back to ancient Latin. The Latin word “constitutio” means “establishment,” “regulation,” or “organization of governance.” It is derived from the verb “constituere,” which translates as “to establish” or “to set up.” Initially, the term “constitution” referred solely to normative documents aimed at organizing state governance or forming governments.

Historically, the concept of a constitution expanded only later within modern legal systems, evolving into a significant document defining the fundamental legal framework of governance. The term “constitution” was first used in its modern sense in France during the 18th century, following the French Revolution, to define the foundations of legislation and state administration [1]. However, the concept gained broader recognition in subsequent years, particularly after the United States adopted its enduring constitution in 1787. This event marked the constitution as an essential legal instrument in international law and governance.

In modern states, the constitution is not only the fundamental law of governance but also a necessary

legal instrument for protecting citizens’ rights and freedoms, ensuring the rule of law, and implementing the principle of separation of powers. Therefore, the term “constitution” today is recognized not merely as the foundational document of a state system but also as the most critical document ensuring the stability and durability of legal and political systems.

The first written constitution in world history is often considered to be the U.S. Constitution, adopted in 1787. This document serves as the fundamental law of the United States as an independent state and is regarded as one of the key models for modern constitutional systems. Moreover, it remains in force today, earning its reputation as the oldest functioning constitution in the world.

However, if viewed more broadly, earlier documents such as Poland’s “Constitution Nihil Novi” adopted in 1791 or France’s constitutions from 1791 are also significant. These documents contributed to the development of freedom and legal systems in their respective societies. Nonetheless, the U.S. Constitution is widely recognized as the “first modern constitution” in many contexts [2].

The world’s first written constitution covered the following key areas essential for society:

- Establishing the Foundations of the Legal System. The U.S. Constitution defined the structure of the state, the separation of powers, and the principles of governance. It introduced a system of checks and balances among the three branches of government—legislative, executive, and judicial—aimed at preventing abuses of power.

Protecting Civil Rights. The Constitution became a significant document guaranteeing human rights. Its initial framework included the Bill of Rights, which safeguarded fundamental freedoms such as freedom

of speech, freedom of religion, and the right to assemble.

- Defining the Foundations of Democratic Governance. The U.S. Constitution is recognized as the first document to introduce democratic principles. It established that the people are the ultimate source of authority and that governance is conducted through elections.
- Ensuring the Rule of Law. The Constitution strengthened the principle of the rule of law, ensuring fair governance and enabling oversight of the activities of government officials.
- Promoting National Unity and Stability. The Constitution united independent states into a single nation, fostering national unity. It also provided a legal foundation for economic and political stability. [2]

The freedom of any society is reflected in its citizens' ability to independently manage their own lives. The constitution legally guarantees these opportunities. It enshrines fundamental human rights, the inviolability of private property, freedom of speech, the right to education, and other democratic values.

For independent states, the constitution is also a symbol of national sovereignty, as it strengthens the state's independence, territorial integrity, and position on the international stage.

The principle of justice plays a decisive role in the constitution's application. Building a just society requires a strong belief in the equality of all citizens' rights and responsibilities. The constitution ensures this equality and establishes the legal foundation for dialogue and cooperation among all segments of society. This legal balance is a vital condition for peace and stability within the community.

The constitution regulates the relationship between the state and its citizens. It ensures that the powers and responsibilities of state institutions, as well as the rights and duties of citizens, are implemented based on clear and defined rules. By promoting transparency in governance, the constitution enables citizens to influence state decisions. This, in turn, deepens democratic processes and fosters the development of civil society.

The constitution plays a crucial role in ensuring a prosperous life. It guarantees citizens' economic and social rights, including the right to work, fair wages, access to healthcare, and housing. The legal system established by the constitution provides opportunities for every individual to realize their potential and strive for a prosperous life.

The stability and development of the state depend on the effective realization of these rights. The constitution not only protects human rights but also safeguards the interests of future generations. It includes provisions addressing urgent issues such as environmental sustainability, rational use of natural resources, and the preservation of cultural and spiritual heritage. Through such laws, foundations for stability and prosperity are established not only for today but also for future generations.

In the years of independence, Uzbekistan's constitution has been developed as a document considering national interests, playing a crucial role in building a democratic society in our country. It serves as the legal foundation in all areas of the nation's development. The constitution of independent Uzbekistan embodies the people's will, aspirations, and national values. As its provisions are practically implemented, they ensure sustainable development and a prosperous life in society.

The process of drafting a constitution varies in each country according to its historical, political, and social contexts. This process is shaped by the state's structure, national values, the level of the public's legal awareness, and the perspectives of political leaders, which result in unique characteristics. A constitution is not only a legal document but also the primary normative framework regulating the social, political, and economic life of the people. The historical heritage and national values of a state play a significant role in its formulation. The normative provisions of the constitution must be acceptable to the people of that state and align with their lifestyle. For instance, in some countries, religious or customary rights may be integral parts of the constitution. Therefore, the constitution reflects not only general legal principles but also the social and cultural needs of the people [3].

Another important aspect in drafting a constitution is defining the form and structure of government. The constitution must clearly define the form of governance. In centralized states, the constitution ensures that all branches of government are subordinated to the central government. In federal states, the constitution guarantees the specific autonomy of individual states or regions.

Moreover, the principle of the separation of powers is crucial for the strength of the constitutional system. This principle involves the distribution of responsibilities among the legislative, executive, and judicial branches of government during the establishment of the constitutional system. It is essential for preventing the abuse of power. The constitution also includes guarantees regarding civil society and human rights. The protection of citizens' freedoms and rights, equality, freedom of speech, religious freedom, and other fundamental rights form a critical part of the constitutional process. This process requires adherence to international legal

principles. For instance, the Universal Declaration of Human Rights, adopted by the United Nations, is often integrated into constitutional norms [4].

Another important aspect in drafting a constitution is that it requires a personalized approach. The process of drafting a constitution reflects the unique conditions of each state. Constitutions adopted after revolutions or independence are often aimed at creating a new governance system, while in stable states, the constitution serves to legally strengthen the existing governance. Additionally, the process of adopting a constitution can involve legislative endorsement, either through special constitutional councils drafting the proposal and its approval by referendum, or through a parliamentary vote or other authorized bodies. Moreover, the stability of a constitution is complemented by its adaptability. The constitution must be able to evolve in response to changing times and needs. However, these changes must occur within a specific legal framework. For example, the process of making amendments to the US Constitution is highly stringent, whereas in other countries, the process of updating constitutions may be simpler. In drafting a constitution, a balance between international legal principles and internal needs of the state is crucial.

These principles include [4]:

Democracy: Recognizes the people as the source of government authority.

Rule of Law: Ensures that laws are applied equally to all.

Sovereignty: Guarantees the independence of the state and the right of the people to determine their own destiny.

These principles define the role of the constitution in both domestic and foreign policy, ensuring adherence to fundamental legal principles and promoting stability, justice, and legal equality within society. In each state, this process is tailored to meet the specific needs, national values, and aspirations of its people, while also considering the future development of the state.

CONCLUSION

In conclusion, the constitution is not only a legal document but also the cornerstone of every individual's right to a free and prosperous life. It ensures justice and equality within society, fostering an environment of mutual respect and trust among its members. Compliance with the constitutional rules is the duty of every citizen, enabling the establishment of a free and prosperous society. Therefore, the constitution is the firm foundation for freedom, stability, and well-being.

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