


The Concept Of The Social State And The System Of Its Constitutional Principles

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Abstract: The article is devoted to a theoretical and legal analysis of the concept of the social state in the context of modern constitutional and legal doctrine and the practice of the Republic of Uzbekistan. The philosophical and scholarly origins of the idea of the social state in the works of Western and Eastern thinkers are examined, as well as the contribution of European and domestic legal scholarship to the formation of this concept. Particular attention is paid to the interpretation of the social state as a constitutional principle that determines the content of state policy and the limits of discretion of public authorities. The fundamental principles of the social state—human dignity, social justice, social solidarity, equality, and the guaranteed nature of social rights—are analyzed, along with the specific features of their normative consolidation and implementation in the Constitution of the Republic of Uzbekistan and strategic development documents. The article concludes that an “active social state” model is being formed in Uzbekistan, aimed at ensuring a decent standard of living, reducing social inequality, and guaranteeing the real enjoyment of social rights.

Keywords: Social state, Constitution of the Republic of Uzbekistan, social rights, human dignity, social justice, social solidarity, social policy, social constitutionalism, rule-of-law state, guarantees of rights.

Introduction: The modern understanding of the “social state” is based on the theoretical foundation developed by such scholars as Gierke, Gneist, Ihering, Stahl, Jellinek, and Mohl. In turn, they borrowed ideas from Montesquieu, Rousseau, Kant, Hobbes, and others. In the East, these ideas were reflected in the works of al-Farabi, Nizami Ganjavi, Confucius, and others.

The philosophical ideas and concepts of the German and, more broadly, the European scholarly tradition had a significant influence on the formation of the views of domestic theorists of state and law on the problems of the origin and evolution of the state and law. Within the theory of state and law, the concept of public popular representation in the system of legislative power acquires particular importance, as it is regarded as one of the fundamental foundations of the constitutional social state. In modern constitutional and legal doctrine, the social state is considered a special form of organization of public authority oriented toward ensuring a decent standard of living, social justice, and the reality of social rights.

METHOD

The social state is not reduced to a system of social payments but represents a constitutional principle that determines the content of state policy and the limits of discretion of public authority (Kutafin O., 2012).

The basic constitutional principle of the social state is the principle of human dignity, which serves as the axiological foundation of the entire system of social rights. S. S. Alekseev (2020) emphasizes that it is precisely human dignity that determines the obligation of the state to ensure conditions for the free and comprehensive development of the individual. Social rights in this context function as a legal instrument for the realization of human dignity. The principle of human dignity is reflected in the Constitution of the Republic of Uzbekistan, as well as in the “Uzbekistan–2030” Strategy, which provides specific mechanisms for the implementation of this principle.

An integral element of the concept of the social state is the principle of social justice, which presupposes the fair distribution of social benefits and the reduction of

social inequality. As noted by V. E. Chirkin, social justice in constitutional law is expressed not in an egalitarian approach but in differentiated regulation that takes into account real social differences (Chirkin V. E., 2020).

An important place is occupied by the principle of social solidarity, which reflects the mutual responsibility of the individual, society, and the state. In foreign and Russian doctrine, this principle is regarded as the constitutional foundation of redistributive mechanisms and social insurance systems (Hesse K., 2017). An important instrument for implementing the principle of social justice is state policy in the field of employment and income support for the population. Increases in the minimum wage, reform of the wage system in the public sector, programs to promote employment, entrepreneurship, and self-employment are aimed at reducing poverty and social stratification. In this context, social justice manifests itself as ensuring fair remuneration for labor and creating conditions for the economic independence of citizens.

In the law-enforcement and institutional dimension, the principle of social justice is implemented through the activities of public authorities and local self-government bodies (mahallas), which are involved in identifying socially vulnerable groups and implementing social programs. The institution of the mahalla plays a special role as a form of public-state partnership that ensures more equitable and targeted distribution of social assistance at the local level.

Finally, in the value-ideological dimension, social justice in Uzbekistan is regarded as a balance between personal responsibility and the social responsibility of the state. On the one hand, the state undertakes to support those in need, and on the other hand, it stimulates activity, labor participation, and civic initiative, which reflects the modern model of an "active social state."

A key feature of the social state is the guarantee of social rights, which implies their reality and enforceability. Social rights cannot be declarative in nature, since their realization constitutes a constitutional obligation of the state. In this regard, the social state presupposes an active role of public authority in creating legal, economic, and institutional conditions for social protection.

The social state is also based on the principle of equality and non-discrimination, which presupposes equal access to social benefits and allows for positive measures with respect to socially vulnerable groups of the population.

Doctrine also emphasizes the principle of state responsibility for social development, according to which social policy cannot be fully delegated to market

mechanisms. The state bears public-law responsibility for the level of social well-being of society.

Finally, the social state implements its functions within the framework of the principle of the legal nature of social policy, which presupposes legislative regulation of the state's social obligations and the possibility of judicial protection of social rights.

Article 1 of the Constitution of the Republic of Uzbekistan stipulates that Uzbekistan is a sovereign, democratic, rule-of-law, social, and secular state. Thus, the principle of the social state receives direct constitutional recognition and belongs to the foundations of the constitutional system.

The principle of human dignity is further developed in the provisions of the Constitution that proclaim the individual, his or her rights and freedoms as the highest value, as well as in the norms concerning the right to a decent life and social protection. This corresponds to the doctrinal understanding of the social state as a state oriented toward the individual.

The principle of social justice is implemented through the закрепление of social rights and state obligations in the fields of labor, social protection, education, and healthcare. The Constitution of Uzbekistan proceeds from the necessity of reducing social inequality and ensuring social support for needy categories of the population.

The principle of social solidarity is reflected in the constitutional recognition of state responsibility for the social well-being of society and in the establishment of social support mechanisms based on the redistribution of public resources (Umarova, 2025).

The guarantee of social rights in the Constitution of the Republic of Uzbekistan is expressed in an expanded catalogue of social rights and in a direct indication of the obligation of the state to ensure their implementation. This corresponds to the modern understanding of the social state as a state with an active social function.

The principle of equality and non-discrimination is закреплён in constitutional norms on equality of all before the law and the courts and extends to the sphere of social rights, allowing for special measures of social protection. Thus, Article 1 and the social norms of the Constitution of the Republic of Uzbekistan form a holistic model of the social state, which generally correlates with the basic doctrinal principles of social constitutionalism developed in domestic and foreign constitutional law scholarship.

CONCLUSION

Thus, the analysis of doctrinal approaches and constitutional and legal regulation allows us to

conclude that the social state in its modern understanding represents not only a theoretical construct but also a genuinely functioning constitutional principle that determines the content and orientation of public authority. Its formation is based on the rich philosophical and legal heritage of Western and Eastern thought, as well as on the achievements of European and domestic theories of state and law.

The social state acts as a special form of organization of public authority oriented toward ensuring human dignity, social justice, solidarity, and the reality of social rights. At the same time, the social function of the state is not reduced to a system of material support but presupposes a comprehensive and active social policy aimed at creating conditions for a decent life, the free development of the individual, and the reduction of social inequality.

The Constitution of the Republic of Uzbekistan enshrines the social state as one of the foundations of the constitutional system, thereby conferring the highest legal force on this principle. The principles of human dignity, social justice, solidarity, equality, and the guarantee of social rights find their normative expression and institutional embodiment in constitutional norms and strategic development documents of the state. A distinctive feature of the Uzbek model of the social state is the combination of constitutional guarantees, targeted social policy, and mechanisms of public–state partnership, including the institution of the mahalla.

Overall, the social state in the Republic of Uzbekistan is being formed as a dynamic, human-centered model that corresponds to modern trends in social constitutionalism. Its further development is associated with strengthening the legal nature of social policy, increasing the effectiveness of mechanisms for the implementation and judicial protection of social rights, and reinforcing the balance between personal responsibility of citizens and the social responsibility of the state.

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