

**FUNCTIONS AND GOALS OF THE WELFARE STATE IN MODERN
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ANNOTATION

This article examines the social state: the historical development of the theory and modern understanding of its essence, as well as the concept and place of the social state in the system of the constitutional system of the Republic of Uzbekistan. The author also studies the history of the formation of the theory of the social state **and the model** of the social state in Russia. Uzbekistan, as well as the creation of a social state in foreign countries. The constitutional consolidation and implementation of socio-economic rights and freedoms as an embodiment of the social state of the country is analyzed. Attention is paid to the role of the social state in the programs of political parties in modern Uzbekistan. The constitutional and legal conditions for the functioning of the social state and the problems of development and improvement of the new Uzbekistan as a social state are studied.

Keywords: model, social state, human right, basis, problems**Introduction**

The social state and its legal aspects is very relevant. The democratic transformations carried out in the Republic of Uzbekistan at the present stage have led to the need to find the optimal model of a social state. In legal science, the issues of the existence of a social state and its effective functioning, as well as the amount of its support to socially unprotected segments of the population, have faced political and legal thought since the appearance of the state. The problem of creating a model of the state, whose activities are aimed at establishing and maintaining social stability in society, mitigating social tension by redistributing funds, creating conditions for a decent life and protecting the rights of all citizens of society on equal terms, was addressed in the works of ancient thinkers as Plato, Aristotle, studied in the Middle Ages Tomazza Campanella, Thomas More. With the development of bourgeois relations and the formation of a liberal ideology, the question of the essence of the social activity of the state became particularly acute. During this historical period, this problem is developed in the works of J.-J. Rousseau, J. Locke, S. Montesquieu, and others.

For Uzbekistan and its people, social functions are not something completely new, as in the East in the past, even in the era of the Eastern Renaissance, such as the state The Samanids paid much attention to social reforms. During the period of Тимуридов. We also see the Timurids in According to Timur's laws, all social strata and generations were brought up on the basis of the principle of material equality. But today, in the modern world, as a result of socio-economic reforms, the majority of the population has moved into the category of low-

income, the so-called "new poor". This fact, in turn, causes the political instability of society, which leads to its general destabilization and undermining of the democratic state structure, since material insecurity deprives a person of the opportunity to have the rights enshrined in the legislation. These circumstances led to the need to build a social state in the following areas: New Uzbekistan. Since the social state has been built in the West since the middle of the XX century, and certain results have already been achieved today, it is necessary to conduct a comparative legal analysis of this type of state in developed foreign countries and the modern Uzbek state. As the president of Uzbekistan in recent years has been paying special attention to ending poverty in the country and even today the draft of a New Development Strategy of the country is being discussed which also mentions the problems and mechanisms of the social state. In this regard, the study of the theoretical aspects of the functioning of the state in the direction of social policy, the definition of its role and place in the mechanism of formation and implementation of social functions, the features that determine the specifics of the implementation of social assistance to citizens in various historical and political conditions are of particular interest.

In the modern literature on the theory of law and the state, there is still no unified approach to assessing the essence and content, features of the formation of the social state, the role and place of the state in the social sphere, and the problems of state social policy targets at the present stage of development are insufficiently studied.

The subject of the research is the ways of forming the idea of building a model of a social state, examples of its application in practice in various political systems, as well as the problems of forming a social state governed by the rule of law in modern Uzbekistan.

The methodological basis of the article is a comprehensive study of the nature of the social state with the help of general scientific analysis, logical and historical, statistical, formal and legal methods were widely used in the work.

DISCUSSION

The formation of a social and legal, democratic state in Uzbekistan is not a tribute to world tradition or political fashion, but a need for reality: the lag in the social sphere affects the speed and prospects of economic and political transformations. The urgency of the problem increases due to the ongoing openness and integration of States into the world community. Moreover, the task of real integration calls for the formation and implementation of the latest model of social legal statehood, which does not reproduce the stage already passed by other countries, but is based on the resources and state-legal culture of modern Uzbekistan. The introduction of market relations in the first years of Uzbekistan's independence was carried out in stages, without including the mechanisms of "shock therapy", and was accompanied by effective measures to protect the most socially vulnerable segments of the population. The developed programs for implementing economic reforms were based on the best practices of developed countries, whose economies are based on market relations, as well as on a comprehensive account of the national and historical heritage, way of life, traditions and mentality of the people of Uzbekistan. Indeed, the social orientation of market reforms is reflected in about 500 regulatory acts: laws, decrees and resolutions of the President, resolutions of the Cabinet of

Ministers, state and targeted programs adopted over the years of independence. Without now touching upon the issue of national identity and its determining impact on the political, social and economic spheres of society, one of the reasons for the low standard of living of citizens of Uzbekistan is that the world community already knows that during the pandemic, social support to the country was at a high level. To confirm my thoughts, I want to talk about an innovation that has no analogues with. For example, a new work schedule has been defined that covers families where women and young people in need of support live. In addition, района, города и области формируются the so-called "youth notebook" and "women's notebook", "iron notebook" are formed in the context of each mahalla, district, city and region. The "iron notebook", [introduced at the initiative of the President](#) of the country during the period of strengthening quarantine measures in our country due to the pandemic and increasing the need for targeted support for families in need, justified itself and gave great results, becoming the basis for sending state aid and maintaining social stability. Currently, the "iron notebook" contributes to the planned organization of work to lift families out of poverty. "Youth notebook" and "women's notebook" are also aimed at strengthening the targeted approach to training women and young people in the profession, ensuring their employment. If the "youth notebook" included boys and girls from 18 to 30 years old, then the "women's notebook" included women over 30 years old. When forming these lists, special attention is paid to young people and women in need of social, legal and psychological support, as well as those seeking to acquire new knowledge and professions. The allocated funds have contributed to the consistent establishment of thousands of non-state vocational training centers that are engaged in the formation of highly sought-after ones in the market labor skills. The legal bases are Decree of the President of the Republic No. UP-6208 of April 20, 2021 "On additional measures to support entrepreneurship, promote employment, social protection and meaningful organization of free time for young people" and the resolution President of the Republic of Uzbekistan No. PP-5020 dated March 5, 2021 "On measures to further improve the system of support and ensuring the active participation of women in society". In our opinion, the leading role in solving complex social problems belongs to the state. No other organizations can play the role in the social sphere that the State is called upon and obliged to perform. The democratic transformations carried out in our country have led to the need to find the optimal model of the social state. The principles of equality, justice and freedom are the basic principles of the welfare state. The principles of equality and justice are also related as a necessary relationship in the context of the welfare state. Justice is a principle of social relations that provides for an equal distribution of benefits, both material and spiritual, depending on the social status of the individual. Justice includes the demand for both freedom and equality at the same time. And the social functions of the state as the exercise of justice are regarded as necessary functions of the state. Moreover, this need is objective, it is determined by the needs of society. Uzbekistan has acceded to all major international treaties providing for the legal, social and economic protection of women from all forms of discrimination and harassment. Gender — oriented laws "On guarantees of equal rights and opportunities for women and men", "On protection of women from harassment and violence", "On Protection of reproductive health of citizens", "On

amendments and additions to Article 15 of the Family Code", "On Amendments to the Labor Code of the Republic of Uzbekistan" - on lifting restrictions related to women's choice of previously prohibited forms of labor activity and other gender-asymmetric provisions of labor legislation. Experts from such UN agencies as the United Nations Development Programme, the Population Fund, the Children's Fund, the Office of the High Commissioner for Human Rights, the Office on Drugs and Crime, the International Organization for Migration and the International Labour Organization participated in their development. More than 20 presidential and government decrees and resolutions have also been adopted. A number of changes and additions have been made to strengthen efforts to prevent violence against women and domestic violence, and to combat outdated customs. Therefore, large-scale reforms are being carried out in the country to ensure unconditional respect for the rights and legitimate interests of women, guarantee their labor rights and support business activities. In cooperation with the International Labor Organization, Uzbekistan is successfully implementing the Decent Work country program, extended in February 2017 for 2017-2020. Within the framework of Country Code decent work programs are being implemented to improve labor legislation, raise public awareness of labor rights, and establish a feedback mechanism aimed at strengthening the legal culture of the population and promptly responding to violations of labor legislation. The problem of labor migration continues to be an important issue in the world of work. It should be noted that migration flows have increased in all regions of the world. Uzbekistan's admission to the International Organization for Migration (IOM) in November 2018 was an indication of its recognition of the scale of this phenomenon and commitment to further implementation of international labor standards, including in the field of migration. Within the framework of cooperation with this organization, practical solutions to migration problems will be sought and humanitarian assistance will be provided to those in need. In order to protect the labor rights of migrants and identify, protect and socially rehabilitate victims of human trafficking, the Decree of the President of the Republic of Uzbekistan "On additional measures to further improve the system of external labor migration of the Republic of Uzbekistan" was adopted on July 5, 2018. Based on this resolution, the Ministry of Employment and Labor Relations has established a Fund to support and protect the rights and interests of citizens working abroad. The Foundation's tasks include providing legal and social protection of labor migrants, providing medical services to citizens, returning citizens who have fallen into a difficult life situation, creating pre-departure adaptation and professional training centers in the regions of the republic, creating representative offices of the Agency for External Labor Migration Abroad, and conducting awareness-raising activities. The principle of legal equality and the principle of justice not only do not contradict each other, but also interact so closely that they are dialectically unified in terms of the characteristics of the social state. The principle of freedom comes into some contradiction with the principle of equality, and achieving some balance between these two principles is possible only through the principle of justice in its modern understanding. This moment is one of the main program tasks of modern Uzbekistan. Considering the concept of "the right to a decent existence" as a category of a social state, it is necessary to note the following. The content of this category at the beginning of the XX century

and at the present stage is different: at the beginning of the XX century, the right to a decent human existence was understood not as an ideal of human life, but as the necessary minimum of social benefits, without which a person feels inferior. And at the present stage, in developed social states, the right to a decent existence is interpreted in two ways: either it is a guarantee of the right to a decent existence, that is, a guarantee of a minimum income or a higher standard of security for the entire population, or it is a mitigation of market forces for certain groups of the population (employees, etc.); but the main thing is that not all groups of the population are covered by social assistance. But the welfare state can only be called a state that to some extent mitigates the play of market forces for the entire population. The social state is a multi-factor phenomenon, and demographic, cultural aspects, as well as the political composition of the government are very important. But for modern Uzbekistan, the main goal of the social state is to realize the right to a decent existence of a person, since even today the country is adopting its New Development Strategy and has proclaimed a social state.

The social state, like any other phenomenon, develops through a number of stages. At the first stage of its existence, the social state is at best able to provide only "the right to a decent human existence." This is the stage of formation of the social state, when the state is able to provide the so-called "minimum welfare". And this stage was passed by all liberal-democratic states that declared the need for social functions of the state at the legislative level. At a later stage of its development, the social state acquires the characteristics of a "welfare state", which is already able to provide and provides the citizen to a greater extent than providing him with what he needs in case of need. In short, the state makes great efforts to improve the material conditions of citizens, to make positive changes in the standard and quality of life of the population, so that every family has comfortable living conditions and a stable source of income.

Decree of the President of the Republic of Uzbekistan No. UP-4848 "On additional measures to ensure accelerated development of entrepreneurial activity, full protection of private property and qualitative improvement of the business climate" adopted on October 5, 2016, is of great importance in further strengthening legal mechanisms for protecting and guaranteeing the inviolability of private property, eliminating bureaucratic obstacles to the development of entrepreneurship. This document was a logical continuation of the reforms, and at the same time provided a transition to a qualitatively new level of state policy in this area. The Decree stipulates that the primary task of state bodies is to "provide greater freedom to small businesses and private entrepreneurship, radically reduce interference in their activities, with a focus on early warning, improving the effectiveness of prevention and prevention of offenses." The above provisions fully comply with article 17 of the Universal Declaration of Human Rights(3) (adopted by the UN General Assembly on December 10, 1948), which stipulates that everyone has the right to own property both individually and jointly with others. At the same time, no one should be arbitrarily deprived of their property. If we comparatively analyze foreign experience in this way, we refer to the opinion of the scientist, V.Miletsky who introduces the following classification of types of foreign countries. There are several classifications of types of social states. Based on the indicators of the catalogues of the

Scandinavian labor movement of the Academy of Sciences: Australia - the liberal welfare state, Austria-conservative welfare state, Belgium - conservative welfare state, Britain - the liberal welfare state, Germany - conservative welfare state, Denmark , the social democratic welfare state, Ireland-conservative welfare state, Italy - conservative welfare state, Canada - the liberal welfare state, the Netherlands is a conservative welfare state, Norway - the social democratic welfare state, USA - liberal welfare state, Switzerland - the Liberal welfare state, Sweden is the social democratic welfare state, Finland-conservative welfare state, France - conservative welfare state, Japan - liberal welfare state. There are other classifications of social models of state development. So, for example Kalashnikov S. B. gives the following classification:

- primary social state;- the state of social services;
- the welfare state;
- social state.

Leading welfare State researchers Thomas Marshall, Costa Espin-Anderson, TimothyTilton, Norman Furnis identified three of its varieties:

- Positive state of social protection " example-USA.;
- State of Social Security " example-Great Britain
- Social Welfare State " example-Sweden

The Northern European countries — Finland, Norway, Denmark, and Sweden-which have some of the most competitive economies in the world-have achieved the greatest success in building a social state. They managed to find the necessary balance between social protection of the population and the development of an innovative economy based on high technologies and new forms of interaction between citizens.

Thus, we can draw the following conclusion: there are many examples of building a social state, all of them are unique in their initial conditions and the process of their development in this direction. Each state is at its own stage of development, but using different sets of the same means of achieving this result, supplementing them with additional tools necessary for each state, depending on their specific factors, they move along the path of creating their own social models, so similar in content and purpose, but different in the set of methods, ways and means. Considering the Constitution of Uzbekistan at the present stage in terms of personal rights, political rights, the role of the state in the economy, it mainly contains ideas that recognize the constitutional socio-economic rights of citizens. For example, with Tatiana 53, the Basic Law established another of the most important constitutional and legal principles-the guarantee of compensation to the owner of damage for the seizure of property and property rights. For example, in the case of adoption of an act of legislation that terminates the right of ownership, losses caused to the business entity – the owner of property as a result of the adoption of this act, including the value of the property, are compensated by the state (article 23 of the Law "On Guarantees of Freedom of Entrepreneurial Activity"). Withdrawal of privately owned property in cases of nationalization and requisition is carried out only on condition of full compensation to the owner of its market value, as well as losses caused to the owner in connection with such withdrawal, unless otherwise provided by law (Article 1 of the Law "On Guarantees of Freedom of Entrepreneurial Activity").

The above-mentioned provisions of national legislation correspond to article 1 of Protocol No. 1 to the Convention for the Protection of Human Rights and Fundamental Freedoms (Paris, 20 March 1952), according to which "Every natural person or legal entity has the right to respect for his property. No one may be deprived of his property except in the public interest and under the conditions provided for by law and the general principles of international law " (4). By President of the Republic of Uzbekistan No. UP-6277 dated August 11, 2021 "On measures to provide material assistance to low-income families and further expand the scale of the fight against poverty" is also a timely support for the population. Another innovation -there is such a tradition in Uzbekistan — on big holidays, President Shavkat Mirziyoyev signs a decree on pardoning convicts who repent and embark on the path of correction. The project adopted at the beginning of the year development Strategy for the seven priority areas of development of the Republic of Uzbekistan in the years 2022-2026 defines a new stage of socio-political, socio-economic development of the country, putting a number of tasks to strengthen legal safeguards to private property: freely purchase immovable property and to dispose of them, damages caused to the business entities in connection with the seizure of land plot for state needs, etc.

Conclusion

Having analyzed the above, I would like to note the following: first, social functioning is a tool for maintaining stability within the state, where today as in the past, it is necessary to maintain the stability of the state. Uzbekistan studies every citizen and their social status. As you know, in order to provide social support to the population, our country has started maintaining a list of families in need of financial assistance and support, also known as the "iron notebook". Similarly, in the context of each mahalla, district, city and region, a "youth notebook" and a "women's notebook" are formed. These lists are kept separately from the "iron notebook". They include young people and women who need social, legal and psychological support, as well as those seeking to acquire new knowledge and professions. As a result, systematic, targeted work has been established with them.

Therefore, in our opinion, the fulfillment of the "social duty" by the state reduces the tension and discontent of other political groups of the population with an insufficient level of income. And stability is a primary condition for ensuring economic growth, and as a consequence, internal and external security.

Secondly, the social type of state should be understood as a certain type of state, which differs from others by the priority of execution and social function in the implementation of state policy: the main tasks of such a state are::

- creation of a legally approved system of mechanisms and tools for the implementation of social functions;
- creation of a unique system of indicators of the socio-economic state of society and timely determination of the necessary degree of social assistance for its citizens through this system;
- protection of the rights and interests of all citizens of the country on equal terms;
- implementation of the social component in all spheres of society: education, healthcare, ecology, culture и.т. etc.;

- control over the implementation of social functions in their subjects, as well as control over the implementation of the citizens of their responsibilities in relation to other individuals and society as a whole and, finally, to inform the society as a whole and each citizen of his rights and obligations - that, according to the author, is very important, as it affects all previous signs, as without this knowledge, the state would not be able to assess the need for and size, as well as the specific object of a social function, you will not be able to control the degree of their implementation in practice. And all these requirements are now included in the country's Development Strategy as the main goal of the Republic of Uzbekistan.

In Uzbekistan, there is no legally approved system of mechanisms and tools for the implementation of social functions that can work in this socio-economic situation, it is necessary to carry out a social component in all spheres of society: education, health, ecology, culture etc., etc.

Heads of sectors and representatives of responsible departments were instructed to study the situation in each mahalla, conduct interviews with each woman and young man, identify their interests and needs, and develop targeted measures on this basis.

- From now on, we need to establish a system of employment of the unemployed, visiting people's homes. Where managers go home and resolve issues, the situation will change. The main goal is to move from economic stability to efficiency, " the President said.

It was noted that it is important to motivate young people and women to improve their knowledge and skills, acquire a profession, and provide them with psychological, legal, medical and financial assistance. Today, large-scale reforms are being carried out in all areas. Our socio-economic, political and military potential is growing, and the worldview of our citizens is expanding. All this is, first of all, the result of the life force of the Basic Law of the country. Also, an innovation is that prisoners will be included in the length of service time spent in prison, as well as give financial assistance in the amount of up to 10 million soums for business development after serving their sentence. This is the so-called "primary care package" system to help citizens who have served their sentences find their place in society. Uzbekistan will change the approach of interaction with people with disabilities: instead of medical, it will become social. That is, starting from the next academic year, 24%, and in 2025-40% of children with special educational needs will be able to study in regular schools. The number of inclusive education resource centers will increase 14-fold and exceed 200. Employers who employ persons with disabilities will receive **monthly subsidies** in the amount of 1.5 BRV (405,000 soums) for each employee with disabilities for 6 months. In addition, until March 1, 2024, employers will be fully reimbursed for the social tax paid for employees with disabilities.

Over the past years, all the fundamental reforms and changes in our country were carried out on the basis of our Constitution. This shows that it is an important political document that fully meets the interests of the people and the strategic goals of the state. In particular, article 2 of the Constitution states: "The state expresses the will of the people, serves their interests. State bodies and officials are responsible to society and citizens." This norm reflects true democratic governance, the power of the people.

Article 18 of the Constitution also stipulates that "all citizens of the Republic of Uzbekistan have the same rights and freedoms and are equal before the law, without distinction between gender, race, nationality, language, religion, social origin, beliefs, personal and social status. Benefits can only be established by law and must comply with the principles of social justice." I would like to suggest the following: it is necessary to strengthen control over the observance of the protection of the rights of all citizens of the country on equal terms, to inform society as a whole and each citizen individually about his rights and obligations. Namely, those citizens who are listed in the notebooks as having little, so that there are no corruption situations on the ground. It is necessary to introduce an electronic social government where social strata of the population will be included. Access to persons with disabilities who have little or no access, as well as those released from prison.

After all of the above is implemented, it is necessary to introduce a social component in all spheres of society: education, health, ecology, culture и т.д, etc.;

As well as ensuring control over the performance of social functions in the subjects, as well as control over the performance of citizens' duties in relation to other citizens and society as a whole.

In our conclusion, we hope that new reforms in Uzbekistan will play an important role in the formation of the social orientation of state policy.

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