

Uzbekistan: Correlation Between State, Law, and Morality Explored

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Abstract: In this article, the author highlights the issues of the appointment of fair punishment in the history of political and legal teachings in Uzbekistan from ancient times to the present day. The scientific heritage of our great scientists is revealed. The article analyzes the historical and theoretical aspects of the principle of justice in the imposition of punishment for crimes in historical sources. This approach to this issue will serve as additional material to previously published works in international scientific circles.

1 INTRODUCTION

Changes in a certain area of social life become the cause of necessary changes in other areas since society is a dynamically developing organism. The reforms did not bypass one of the traditional branches of law - criminal law. The main reason for changes in criminal law is the renewal of the content and essence of social relations under criminal legal protection. The emergence of new priority social values requires their appropriate legal protection from possible antisocial acts. In this sense, the criminal legal protection of these values and the fight against crime in general comes to the fore. At the present stage of development of modern Uzbekistan, when the country is following the path of a new Renaissance, criminal punishment remains a necessary and at the same time quite acute means of the state's response to a crime committed. Therefore, its purpose requires careful legal regulation and scientific justification so that the perpetrators receive the deserved punishment, the requirement of justice is met, and criminal law measures are used only to the extent necessary to achieve the goals and objectives set for the punishment.

This sums up one of the main points of the speech made by President Shavkat Mirziyoyev of the Republic of Uzbekistan at the 78th session of the UN General Assembly. The speech is significant because it stressed the importance of maintaining the spirit of consensus and real cooperation in order to bring

nations together on the grounds that shared interests outweigh current conflicts.

One of the main pillars of statehood is justice. A vital part in maintaining justice and the rule of law is the judiciary.

We still have a great deal of work ahead of us in this regard. The goal of integrating humanism into the criminal justice system will not stop. In particular, 25 settlement colonies will be phased down in accordance with international norms.

A person condemned to jail for the first time will now be placed under probation monitoring rather than being transported to a correctional colony if the punishment is changed to a more mild one. Six thousand prisoners completing their sentences will be able to live at home with their families under the mahalla's supervision as a result of this relaxation.

At the same time, the powers to replace the sentence with a more lenient one and submit an application for parole are transferred from the institutions for the execution of sentences to the newly created humanitarian commissions.

2 RESEARCH METHODOLOGY

The essay is predicated on the well recognized historical techniques' tenets of objectivity, systematicity, comparative-logical analysis, and history. The comparative, historical, and legal methods were often applied as a holistic approach.

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The problem posed in this article is also analyzed on the basis of the scientific works of many of our scientists. In particular, in the field of scientific research into the history of state and law, academician of the Academy of Sciences of the Republic of Uzbekistan, professor Sulaimonova Kh.S., lawyer A.I. Ishanov, academician Sh.Z.Urazaev A.Kh.Saidov, as well as the works of legal scholars professors Kh.B. Babaev, Z. Mukimov, Kh. Adilkariyev, Ya. T. Tashkulov, and A.Sh. Zhuzhani deserve high praise.

Also presented are scientific works devoted to the study of the analysis of the development of legal institutions in different periods of the history of the law of Uzbekistan by A.A. Azamkhadzhaeva, G.A. Akhmedova, I.B. Zokirov. Sh. Ulzhaev, N. Yusupova and others (Aziz, 2019 - Salaydinovich, 2020). Already in the years of independence, new works appeared in which researchers turned to individual histories of political and legal doctrines. Hundreds of articles and books are devoted to them, in which historical sources were mainly used and analyzed.

In particular, new studies, such as the great lawyers-scientists of Mavrennahr of his period such as Burhanuddin Marginani, require the relevance of studying the 30th anniversary of our independence, the history of new legal doctrines on the threshold of a new Renaissance. Historian and legal scholar Shakhista Ulzhaeva analyzed the practical expression of the ideas of public administration and the judicial system, human rights and justice in the state of Amir Timur.

The problem is more relevant now since Uzbekistan has gained independence and has had time to develop innovative approaches to protecting human rights, gender equality, children's rights, disabilities, and social protection. The history of the laws of the peoples of Central Asia, notably Uzbekistan, has received a lot of attention lately. Therefore, the topic we are researching, as it turned out in the process of determining the degree of knowledge of the problem, requires a fundamentally new methodological approach, which is what we tried to do.

3 RESULTS

Yes, indeed, imposing punishment for a crime is one of the most important tasks of justice. Thus, when assigning punishment for a set of crimes, it is often not clear what the court should be guided by when choosing one of the rules for imposing the final punishment. This circumstance creates difficulties for

the court in the administration of justice, while at the same time giving rise to doubts, both for the convicted person and for society, about the fairness of the imposed punishment, since sometimes the punishment in its entirety differs slightly in size from the punishment imposed for a single crime. The results of the study of criminal cases with the imposition of punishment for a set of crimes indicate that the courts do not always take into account the nature and degree of social danger of the crimes committed, and make mistakes when assigning the final punishment by absorption or partial addition of punishments. An analysis of judicial errors indicates that these errors are not always a consequence of the judge's carelessness or ignorance of the law. Scientists studying problems in this area sometimes come to the conclusion that the cause of the error may also be an unsuccessful edition of the rule of law, which allows its meaning to be interpreted in two ways.

Therefore, the problems of sentencing for a set of crimes have always been and are in the attention of the scientific community, but the degree of their study remains insufficient from the point of view of the history of political and legal doctrines. Thus, until now there is no unambiguous approach to determining the time from which the commission of a new crime entails the imposition of punishment according to the totality of sentences - from the moment the sentence is announced or from the moment it enters into legal force. It is not clear in which cases it is necessary to apply the rule of absorption of a less severe punishment by a more severe one, in which cases - a partial addition of these punishments.

As we remember, in December 2019, the Ministry of Justice proposed an initiative to exclude two articles from the Criminal Code of Uzbekistan, and the fact that violation of trade rules threatens with administrative penalties, financial sanctions of the Tax Code, and huge fines based on by-laws. In addition, the perpetrator is held criminally liable when it comes to Articles 189 ("Violation of the rules of trade or provision of services") and 192 ("Discrediting a competitor"). "This leads to the fact that two or more punitive measures are applied for the same offence, which in practice leads to a violation of the established order of administration of justice and justifying the need to exclude Article 192, the Ministry of Justice recalled that in Uzbekistan, social relations related to the formation competitive environment and the fight against monopolistic activities are regulated by the Law "On Competition". Article 27 of this law provides for administrative

liability for violation of competition law, and the issue of criminal liability is not discussed there. Therefore, it must be taken into account that modern jurisprudence shows that regulating relations in this area, is desirable not within the framework of criminal law, but within the framework of economic-legal or civil-law relations, depending on the damage caused.

The existence of the institution of multiple crimes in the criminal law of Uzbekistan is due to the need to implement the principle of the inevitability of criminal liability for every crime committed, as well as to ensure social justice through additional legal justification for more severe punishment for a person who has committed several crimes, which are being studied by young academic lawyers at the present stage. As a researcher of the history of state and law, as well as the history of political and legal doctrines, I wanted to draw attention to historical sources and ways of solving crimes and punishments on the territory of our country.

The purpose of this work is to classify crime and criminal punishment as current phenomena, which were quite well covered in the political and legal teachings of Uzbekistan, the oldest of which is the Avesta. On the eve of the celebration of the 30th anniversary of independence, we think about the relevance of studying the Avesta, where there are often norms that strictly prohibit many criminal acts for which criminals were punished. Categories of crimes in Avesta and Zoroastrianism were determined by the object of the crime, and the composition of the objective side of the crime. At the same time, we identified from them, based on well-reasoned data, actually existing legal institutions. When writing this article, we set ourselves the following tasks:

- trace the degree of knowledge of the problem;
- compile a list of the names of all crimes and punishments in the Avesta;
- if possible, create a general picture of the study of the problem with the historical significance of the problem.

All this determines the nature of our research as a source analysis and we hope that it will further serve as a comparative analysis of new research works of young scientists, masters, and students.

So, if we pay attention to our analysis, one of the historical sources about the state and, according to the Zoroastrian holy book "Avesta," which dates back to ancient Turan, the family was referred to as nmana. Pariaitar, Vaisa, and Vira were among the family's partial members. Although vira is typically translated as "man" or "warrior," it can also mean "slave." The

term "vispati" denoted the leader of the clan ("vis"), which was made up of many agnatic groupings. The clan council, which comprised the leaders of agnatic groupings, decided a number of significant matters. The council resolved issues of internal life, both industrial and social, including those related to the practice of worship and justice, as well as issues of relationships with other clan groups. Zoroastrianism is the oldest of the revealed religions, and, apparently, it has had a greater influence on humanity, directly or indirectly, than any other faith, which arose in the 1st millennium BC and became widespread in a number of Central Asian countries. "Avesta" translated into Russian means "firmly established laws and rules." "Avesta" was created in Khorezm 2700 years ago. Nowadays "Avesta" is being studied as an ancient written source about the historical past, traditions and customs of the peoples of Central Asia and, above all, Uzbekistan. It can nevertheless be argued that it was located on the territory of Central Asia or its border areas. This is quite reliably evidenced by the geographical horizon of the Avesta itself and the composition of the countries listed in it.

The most detailed list of these countries is contained in the first chapter of Videvdata. Thus, the geographical horizons of the compilers of this Avestan text covered almost all the main historical regions of Central Asia, as well as the adjacent territories of Uzbekistan. It also gives a description of the country where Zarathushtra was born and began his activities. This is "a country where courageous leaders rule and lead numerous armies, where high mountains, abounding in pastures and waters, produce everything necessary for cattle breeding, where there are deep lakes with vast waters, where navigable rivers with wide channels rush their stormy waters across the countries: Iskata (Scythia), Pouruta, Mouru (Merv), Khareva (Aria), Gava (Sogd region), Sugda (Sogd), Khvayrizema (Khorezm)." There is no doubt that "navigable rivers with wide channels"; are the Amu Darya and Syr Darya, and this circumstance, together with the list of countries through which they flow, firmly substantiates the Central Asian theory of the origin of the Avesta and, therefore, Zoroastrianism.

When forming his religion, Zoroaster pays special attention to tortious legal relations. These were mainly considered to be those acts that, based on the worldview and worldview of ancient people, encroached on the values on which order and stability in society were based. Taking into account the above, in order to determine an offence or crime in Zoroastrianism, it is necessary to understand the concept of the worldview and world order of this

religion, which defines value relations, interests, and objects that are subject to special protection. In the Avesta and Zoroastrianism, there are often norms that strictly prohibit many acts. Violation of these prohibitions entails punishment. At the same time, we note that these actions and their content are very difficult to classify according to any basic principles. In most cases, they do not coincide with a single classification basis. But punishment for acts with rods and a ban on these acts is in any case clear evidence of recognition of the act as a tort. If we compare the concepts of crime in the modern understanding with the ancient establishment, they are not much different. Modern criminal law and legislation understand crimes as "...a guilty committed socially dangerous act prohibited by criminal law under threat of punishment".

Zoroastrian law and the Avesta also recognize crimes for socially dangerous act that encroaches on the life of a person, animal, angels, religion and the environment, prohibited by the Avesta and other sources of Zoroastrian law under threat of punishment. The main attention in the Avesta is paid to the categories of guilt. Classification of crimes Categories of crimes in Avesta and Zoroastrianism are determined depending on various grounds. For example, depending on the composition of the objective side, crimes in the Avesta can be divided into simple and complex.

It is interesting that in the Avesta and Zoroastrianism, the types of crimes depending on the form of guilt are quite well represented. Guilt, as a special part and element of offences, in Zoroastrian law acts as the basis for sentencing. According to Zoroastrian law, placing a corpse on the ground or its contact with any other pure object - wood, water, etc. - was considered a grave sin and was severely punished. Even a person who knew, for example, about the contamination of firewood or other objects, but used them in the service of the gods, was considered a criminal. If such pollution occurred regardless of the will and knowledge of a person, then he was not considered guilty. For example, in lines 1-3 of Fargard 5 it says: "When the remains of a dead bird are brought to a tree, after a while someone from this tree will make firewood for the son of fire - Ahura Mazda and burn them in the fire, what is the punishment for him?" Ahura Mazda answers: "The remains of the dead, brought by a bird, a dog, a wolf, a wind and a fly, do not blame anyone."

A criminal act, according to the Zoroastrian canon, can encroach only on one object through the commission of one action by the criminal. For example, fargard 4 line 34: "When someone inflicts

bodily injury on another, causing blood to flow from the body of the victim, the offender is punished with 50 lashes and 50 blows with the staff." From the point of view of the objective side of the crime, this act is simple. In it, a criminal inflicts injury on an innocent by one act. There are cases when the action of a criminal entails several consequences, and such an action is recognized as a single form of crime on classification grounds. For example, according to Fargard 15, line 5, "When someone beats or drives a pregnant dog so hard that the bitch falls into a gorge, pit, canal and as a result dies, then the perpetrator of the act becomes a pectin."⁴ Or, according to Fargard 4, line 1; "When someone enters into a rental agreement, and as a result, the recipient of the rental refuses to return what was taken, then the violator of the agreement is equivalent to a thief and is punished."⁵ In all these cases, the actions of the criminal are complex. The classification of crimes, according to Avesta, can be carried out depending on their degree of severity. Crimes against people and animals are divided into several groups. For example, part 3 of Fargard 4 Vendidad is devoted to the protection of human health. It defines the degree of threat and actual harm to human health. Here are 4 types of crimes depending on the severity of the offender's act. These are the crimes of Ogerepta, Avarishta, Aredush and Peshutanu¹⁸. In the Avesta, depending on the object of the crimes, crimes against humans, property, the environment, land, water, flora and fauna, crimes against religion, angels, holy fire phenomena, etc. are mentioned.

4 DISCUSSIONS

Authors are highly encouraged to prepare their camera-ready work using this guide. To ensure that the volume seems as uniform as possible, please carefully follow the directions (Moore and Lopes, 1999).

Please keep in mind that all papers must be written in English and free of typographical mistakes.

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Shavkat Mirziyoyev, the president of Uzbekistan, presented many measures aimed at resolving the most urgent problems on the regional and international agendas, concentrating on the extensive and

permanent changes implemented in Uzbekistan in recent years. Specifically endorsing the UN Secretary-General's "Global Accelerator for Job Creation and Social Protection" initiative, the heads of state suggested hosting a UN-sponsored World Conference titled "Social Protection: The Path to Sustainable Development" in our nation in 2024.

Features in modern Uzbekistan of large-scale reforms implemented in Uzbekistan on the basis of the noble idea "In the name of the honour and dignity of man," as well as the results achieved in the field of protecting human rights and the complete elimination of forced and child labour.

We know from history that millions of people in our country were forced to pick cotton over the course of a century.

"Thanks to our strong will, all this is a thing of the past," noted President Shavkat Mirziyoyev. - Our people have completely freed themselves from cotton slavery.

The head of our state proposed creating a Working Group at the United Nations to promote the development of youth in Central Asia and developing within its framework the "Central Asia Youth Agenda-2030" program.

I would also like to note the analysis of the ongoing reforms of the President of the Republic of Uzbekistan shows a new humanistic criminal policy. The address, for instance, tells us that "we will continue our reforms aimed at ensuring the protection of human rights and freedoms, the rule of law, in the new year." We have made significant changes to the legal and judicial systems during the last four years, as you are aware. Over forty laws, decrees, and resolutions addressing important matters in this field were passed. Crimes in the Avesta also differ depending on the composition of the criminal's act - a completed crime or an unfinished one. According to Zoroastrian law, preparation and attempt to commit a crime and the commission of a crime are punishable. Preparation for a crime is the search, production and adaptation of means and instruments... to intentionally carry out a criminal or set up the conditions for a crime to be committed, even if the act was not carried out because of circumstances outside of the individual's control. Line 17 provides for preparation for a crime by causing bodily harm with a military instrument. "Whoever gets up from his seat with the intention of causing bodily harm to another is a criminal - operetta." Ogerepta is a criminal who, with the aim of causing harm to the health of another, picks up a military instrument, even a blunt or defensive one, but for unknown reasons does not commit a crime. Most likely, we are talking about

those cases in which the criminal cannot commit a crime against his own will. In the case when he approaches the object of the crime with a military instrument and for the purpose of a crime, i.e. to another person, then his guilt in the attempt as a more real threat to human health is classified more strictly and punished more harshly.

When we examine a person's guilt for planned murder in a condition of intense emotional excitement, we find that it manifests in his quick decision to carry out this crime; in other words, he recognizes the risk of attacking life and permits death to occur. According to the Republic of Uzbekistan's Criminal Code, Article 17, in certain circumstances, a person who is 14 years of age or older and sane (mentally sound) may be held accountable. Premeditated murder committed during a period of intense emotional arousal carries a relatively light sentence of two to five years in jail or restriction of freedom.

This offense is less serious in accordance with the categorization of crimes as stated in Article 15 of the Criminal Code of the Republic of Uzbekistan. The following are considered less serious crimes: purposeful crimes, which carry a sentence of three to five years in jail; and reckless crimes, which carry a sentence of more than five years in prison.

The study of the criminal law norms of the Avesta and Zoroastrianism led us to the conclusion that even in ancient times, many types of crimes and methods of punishment for them were provided for on the basis of more developed provisions of state criminal law. And here the opinions of researchers differ. J. Dusthokh believes that we are talking about the murder of a man who was sentenced to death - "Margarzan" by the will of God. Hashim Razi believes that we are talking about the murder of a believer and murder by witchcraft. In general, Hashim Razi is inclined to believe that all these crimes are the acts of a person that he committed before entering the Zoroastrian faith. Most likely, here we are faced with the problem that "a law that worsens the situation of believers does not have retroactive force." This feature manifests itself even more clearly when analyzing other types of crimes. At that time, many institutions of criminal law were still established, such as repetition of crimes, recidivism of crimes, punishments, amnesty and pardons, penalties, attempted crimes, suspended sentences and much more, which require special attention in modern criminal law. Recognition of the principle "the law does not have retroactive force", limiting the action of the tort law norms of the Avesta within the framework of Zoroastrianism, made it

possible for the active spread of the new Mazdayasnian religion. J. Dusthokh understands these lines differently, which gives the mechanism of legal regulation of the Avesta a different quality - "need knows no prohibition." Thus, exemption from punishment is of a purely historical nature, and it mainly refers to those actions that people committed before entering Zoroastrianism. Therefore, initially this principle, as a special method of spreading Zoroastrianism, contributed to the development of this young religion. Later this principle was used in relation to captured peoples. The most acceptable is the classification of crimes depending on the object of the attack: crimes against a person: causing bodily injury, harm to health, murder, restriction of freedom, etc.; crimes against wildlife and the environment; crimes against religious cults. Today, a person's guilt in intentional grievous injury is expressed in his premeditated intention to commit this act, that is, the person understands the danger of an attack on health, desires or consciously allows such damage to be caused to the victim. According to Article 17 of the Criminal Code of the Republic of Uzbekistan, a person who is sane (healthy) and has reached the age of 14 years is brought to justice under this article. The penalty for intentional grievous bodily harm is high - this is restriction of liberty from three to five years or imprisonment from three to five years (for part one), imprisonment from five to eight years (for part two), imprisonment from eight to ten years (about thirds). According to the classification of crimes, according to Article 15 of the Criminal Code of the Republic of Uzbekistan, this crime is less serious (part one of Article 104) and serious (parts two and three of Article 104). "Particular cruelty is manifested, in particular, in torment and torture resulting in severe or moderate bodily injury. In this case, torture should be understood as actions that cause suffering through prolonged deprivation of food, drink or warmth, or placing or leaving a person in conditions harmful to health, etc. Torture should be understood as actions associated with repeated or prolonged infliction of pain, including systematic beatings, pinching, cutting, causing multiple but shallow injuries with blunt or sharp-piercing (cutting) objects, exposure to electrical or thermal factors, etc. Resolving the issue of recognizing a method of intentional grievous or moderate bodily injury as having the nature of special cruelty belongs to the competence of the investigative authorities and the court and not the forensic expert. The infliction of intentional grievous or moderate bodily injury in the presence of persons close to the victim, when the perpetrator was aware that his actions were causing them special suffering, should

also be regarded as a circumstance indicating the manifestation of special cruelty by the perpetrator. Persons close to the victim, along with close relatives, may include persons who had special friendly relations with the victim." Paragraph 9 of the resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan "On judicial practice in cases of intentional bodily harm." Thus, particular cruelty is determined not by a forensic expert, but by a court or investigative agency.

Analysis of the entire set of materials presented in the work allows us to believe that an almost complete classification of Avestan judicial power is presented here. The study revealed that even in ancient times, many types of crimes and methods of punishment for them were provided for on the basis of more developed provisions of criminal law. The study of the criminal law norms of the Avesta and Zoroastrianism led us to the conclusion that even in ancient times, many types of crimes and methods of punishment for them were provided for on the basis of more developed provisions of state criminal law. At that time, many institutions of criminal law were still established, such as repetition of crimes, recidivism of crimes, punishments, amnesty and pardons, penalties, attempted crimes, suspended sentences and much more, which require special attention in modern criminal law. Particular attention is paid to the definition of the concept of criminal punishment, the establishment of specific features of criminal liability and punishment, the determination of the structure and content of each type of punishment, the identification of features of the general principles of sentencing, and analysis from a historical point of view. By studying the historical development of this institution, the current criminal legislation is improved, which requires theoretical understanding and study of modern international experience in this area for its use in national legislation. Interesting observations about legality and justice in Timur's state are contained in the published "Diary of a Journey to Samarkand to the Court of Timur," which was kept by the Spanish ambassador Clavijo. He, in particular, wrote: "In the city of Samarkand, the rule of law is observed, so that no person has the right to offend another or commit (any) violence without the order of the lord..." (that is, Timur).

Clavijo further reports that Timur always carried judges with him, who resolved "important cases and quarrels." After listening to the parties, the judges reported the cases to Timur, after which they made decisions on six or four cases at once. Moreover, as emphasized in the Code, judges were strictly

forbidden to punish citizens for the accusations and slander of suspicious and ill-intentioned people. However, according to the conviction based on 4 testimonies, the perpetrator was subject to a fine or other punishment commensurate with his crime. According to Clavijo, the decisions of the judges were carried out “on the same day, at the same hour, without the slightest delay.”

The rules and regulations developed by Timur for his subjects, and the state legal practice of their application, did not long outlive their creator. In the “Autobiography of Tamerlane” there are the following words: “I heard that if God exalts someone, and this person in all his affairs is guided by justice and is merciful to his subjects, then his power will increase, but if such a person deviates from the path injustice and cruelty, then his power will fall.” Timur turned out to be a seer in this too: after his death, the vast empire he created as a result of military campaigns disintegrated. However, such is the fate of all empires.

This is also from historical sources, which is of great importance in state humanistic policy.

And also the radical transformations being carried out in the country are based on the idea of “In the name of the honour and dignity of man”, strengthening the principles of democracy and justice. The same goals are served by the constitutional reforms carried out and the new version of the Constitution of Uzbekistan adopted on the basis of a popular referendum, as well as the Uzbekistan-2030 Strategy, which outlined the priorities for the further development of the country and ensured the irreversible nature of the reforms.

The updated version of the Constitution reaffirms the Uzbek people's dedication to national and universal values, which place a premium on the human being, his life, freedom, honor, dignity, and other unalienable rights. It also enshrines widely accepted democratic principles like social justice and solidarity, legality, freedom of speech and conscience, and sustainable development for the benefit of society as a whole.

The UN leadership and the international community positively assess the significant results achieved in recent years in Uzbekistan in protecting human rights, the abolition of forced and child labour, and the establishment of criminal liability for them. Taking into account the positive experience of Uzbekistan in this area, the President's initiative to strengthen the fight against forced and child labour on a global scale was supported. This also indicates growing respect and attention to the initiatives of New Uzbekistan in the international arena

Increasing the population's legal awareness and culture, as well as facilitating productive interactions between civil society organizations, government structures, and the media, are among the nation's recognized primary goals. Developing information and concepts about crime in general and crimes against human life and health in particular is required in order to carry out these activities. The goal of integrating humanism into the criminal justice system will not stop. In particular, 25 settlement colonies will be phased down in accordance with international norms.

A person condemned to jail for the first time will now be placed under probation monitoring rather than being transported to a correctional colony if the punishment is changed to a more mild one. Six thousand prisoners completing their sentences will be able to live at home with their families under the mahalla's supervision as a result of this relaxation.

At the same time, the powers to replace the sentence with a more lenient one and submit an application for parole are transferred from the institutions for the execution of punishments to the newly created humanitarian commissions.

Among the duties are the necessity for a drastic overhaul to enhance the operational investigative activities system's ability to avoid torture, as well as investigative and penal authorities. This still deeply infuriates the populace and damages the nation's standing abroad.

It is necessary to set up a system of public representative monitoring visits to pre-trial detention facilities and prisons on a quarterly basis.

The Commissioner for Human Rights' yearly report on the prevention of torture is to be heard by the Chambers of the Oliy Majlis, which will then decide what steps need to be taken to entirely eradicate this very detrimental problem.

The system of plea agreements has been implemented via changes and a great deal of work. However, in certain cases, a written agreement with the bodies of inquiry and preliminary investigation is required if the offender has confessed, sincerely repented, actively assisted in the detection of the crime, and made restitution for the harm caused. The court will then determine the term and/or amount of punishment for the offence committed by the offender, with no maximum penalty allowed by the relevant article of the Special Part of the Criminal Code of the Republic of Uzbekistan exceeding half of that amount.

In addition, a procedure has been introduced for applying the institution of reconciliation in the event of a change in the charge brought against a person to

an article or part of an article of the Special Part of the Criminal Code of the Republic of Uzbekistan, which are subject to the institution of reconciliation, regardless of the court in which the criminal case is heard.

It should be noted that previously this provision was not in the Criminal Code. That is, even if the defendant's actions were reclassified as an article that fell under the institution of reconciliation, the court did not have the right to reconcile the parties. Accordingly, the person should have been found guilty and received punishment. A higher authority could not do the same when the reconciliation of the parties in the first instance failed for some reason. Today the legislation will be brought into compliance, and the court at any judicial instance will be able to terminate the case due to the reconciliation of the parties.

Article 57 states that the state protects the rights of those with disabilities, the elderly who are alone and handicapped, and other groups of people who are socially vulnerable. The state is acting to raise the standard of living for socially disadvantaged groups in society, facilitate their full participation in public and state life, and increase their capacity to meet their fundamental requirements on their own.

The state guarantees the possibility for individuals with disabilities to freely get the information they require, supports their work and education, and establishes the circumstances necessary for them to have full access to goods and services in the social, economic, and cultural domains. The Decree under consideration, which for the first time establishes a procedure that states that the rule does not allow exemption from criminal liability in connection with the reconciliation of a person who has an outstanding or unexpunged conviction for committing serious or especially serious crimes, is evidence of the implementation of this Basic Law norm. This procedure does not apply to minors, disabled individuals from the first and second groups, women, men over sixty years of age, or individuals who have committed a crime through negligence. Furthermore, the use of preventive measures in the form of detention will no longer be permitted in cases of intentional crimes, for which the maximum sentence is three years in prison for minors, disabled individuals in the first and second categories, and people who are past retirement age, as well as crimes committed through negligence, for which the maximum sentence is five years in prison.

It should be mentioned that articles 50 and 51 of the present Criminal Procedure Code govern the process of inviting a defense attorney and his

obligatory involvement. The assistance of a lawyer in criminal cases is one of the basic guarantees of the exercise of the right to defence, therefore it is very important that from the moment of detention, a person has the opportunity to understand what is happening to him, to count on qualified legal assistance and support, so that his rights and interests are correctly and timely protected.

Every state has a commitment to uphold the basic freedoms and rights of every individual. This is the population's legal culture's relevance.

The Decree of the President of the Republic of Uzbekistan dated January 9, 2019, "On radical improvement of the system for increasing legal awareness and legal culture in society," provides for better measures to increase citizens' legal knowledge in harmony with the nation's sociopolitical transformations. This Decree places particular emphasis on the development of a mechanism for regularly informing the public about the goals and implications of the nation's socioeconomic changes as well as the laws that have been passed. The state's primary objective in carrying out these duties is to instill in people the belief that "creating a spirit of respect for rules in society - the key to constructing a democratic rule-of-law state."

5 CONCLUSIONS

Of course, much attention is paid to improving the legal culture and literacy of the population; in particular, criminal legislation seems to be a very urgent task. After all, the fundamental principle of the criminal procedural law, enshrined in the Constitution of the Republic of Uzbekistan, is the presumption of innocence, according to which a person is considered innocent until his guilt in committing a crime is proven in the manner prescribed by law.

Therefore, a correct understanding of the history of the development of the essence of the norms of criminal legislation according to historical sources can help achieve significant results in combating crime at the present stage. The development of human capital and the education of a creative young generation is one of the strategic tasks that Uzbekistan has set for itself. In recent years, there has been a dynamic development of cooperation between Uzbekistan and the UN, about 140 joint programs and projects in these areas are being successfully implemented.

At the same time, accessible and high-quality education for all is the most effective factor in eradicating poverty, improving the well-being of the

population and achieving sustainable economic growth.

In this regard, our country has accumulated a lot of experience in recent years - a radical transformation of the education system is being carried out. Over the past six years, enrollment in preschool education has increased from 21 to 70 percent, and in higher education from nine to 38 percent. By 2030, every child will be able to attend kindergarten, and every second-school graduate will be able to study at a university.

Systematic work is also being carried out to achieve gender equality: 49 per cent of students who entered universities last year were girls. The share of women in public administration reached 35 per cent for the first time. A separate law on protection against violence against women and minors has been adopted.

Article 56 of Uzbekistan's amended Constitution declares: "National human rights institutions enhance the culture of human rights, support the growth of civil society, and supplement existing forms and means of protecting human rights and freedoms." The state establishes the framework for national human rights organizations to plan their operations. Furthermore, upholding liberties and human rights is the state's top priority. The rights and liberties of every person, as guaranteed by the Constitution and legal framework, are protected by the state.

In modern Uzbekistan today, every lawyer is thinking about further improving the punishment system, increasing alternative types of punishment for certain crimes, introducing additional grounds for exemption from punishment, liberalizing punishments and other issues that require scientific and practical research. Based on the research conducted, we can draw the conclusion that the variety of crimes continues to be a highly relevant area of study in the fields of criminal law science, state and legal history, political and legal doctrine history, and among scholars at Tashkent State Law University's Department of Theory of State and Law.

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