

## THE LEGAL FOUNDATIONS AND PRIORITY TASKS OF BUILDING CIVIL SOCIETY

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### Abstract

This article analyzes the legal foundations of building civil society, its essence and significance, as well as its role in the development of a democratic state governed by the rule of law. It also examines the legal mechanisms regulating the activities of civil society institutions, issues related to ensuring the rights and freedoms of citizens, and the priority tasks for the development of civil society. Particular attention is paid to ensuring the rule of law, strengthening public oversight, increasing the socio-political participation of citizens, and improving cooperation between the state and civil society institutions.

**Keywords:** Civil society, rule-of-law state, rule of law, human rights, civil society institutions, public oversight, democratic principles, legal guarantees, civic engagement, cooperation between the state and society.

### Introduction

In the context of globalization and democratic reforms, the issue of building civil society is recognized as one of the key factors in the development of the state and society. Civil society is a socio-legal system that enables citizens to freely express their interests, exercise their rights and freedoms, and actively participate in public administration. In such a society, human beings, their rights, freedoms, and legitimate interests are regarded as the highest values.

Since gaining independence, the Republic of Uzbekistan has implemented large-scale legal, political, and institutional reforms aimed at establishing and developing civil society. The Constitution of the country has enshrined provisions aimed at ensuring human rights and freedoms, strengthening the rule of law, developing public oversight, and supporting civil society institutions. These reforms have created the necessary legal foundations for building a democratic state governed by the rule of law and a strong civil society.

The effective functioning of civil society largely depends on the legal culture, social activity, and cooperation of citizens with state institutions. Therefore, studying the legal foundations of civil society and identifying its priority tasks remain among the most important issues in contemporary legal scholarship.

### Main Part

Civil society is a system of social relations that exists relatively independently from the state and encompasses voluntary associations of citizens, non-governmental non-profit organizations, mass media, neighborhood self-governing bodies (mahallas), and other public institutions. The primary purpose of civil society is to ensure human rights and freedoms, protect the interests of citizens, and establish effective dialogue between the state and society.

The legal foundations of civil society are primarily reflected in the Constitution of the Republic



of Uzbekistan and other normative legal acts. The Constitution guarantees human rights, freedom of speech, freedom of association, freedom of conscience, and citizens' participation in public administration. These provisions constitute the legal basis for the formation and development of civil society.

Furthermore, legislation regulating the activities of non-governmental non-profit organizations, public oversight institutions, mass media, and citizens' self-governing bodies contributes to the effective functioning of civil society institutions.

After gaining independence, Uzbekistan set itself the strategic goal of building a democratic state based on a market economy, aimed at promoting the interests, rights, and freedoms of its citizens, ensuring the rule of law, and developing a civil society in which all citizens enjoy equal rights before the law.

As is well known, the concept of civil society is the result of a long historical process of individual development and the evolution of human rights and freedoms. Civil society represents a complex system of social relations composed of various forms of human interaction, cooperation, and interdependence within society.[1]

First and foremost, in order to establish and effectively develop civil society in practice, it is necessary to study its genesis, that is, its origins and stages of development, and to gain a clear understanding of the fundamental ideas and principles underlying civil society. Civil society can only be formed and developed when certain economic, socio-political, legal, and spiritual conditions and principles are established. These factors constitute the foundation of civil society and ensure its stable and effective functioning.

In the East, including Uzbekistan, under the conditions of traditional societies and during the colonial period, the state exercised a decisive influence over all spheres of life. The individual was entirely dependent on both the state and the community, while the fate of the community itself was also largely determined by the state. As a result, civil society either did not exist or remained in its embryonic stage.

How can this be explained? First, it is attributable to the fact that in the East, property was predominantly communal, whereas in the West private property held primary importance from an early stage. Of course, this form of ownership does not automatically create the institutions of civil society. The state and the political system as a whole must meet certain democratic requirements. Only under such conditions does the need for civil society emerge.[2]

As can be seen, the conditions created by the state should serve the interests and needs of citizens. In this context, social activities are carried out on the basis of persuasion, legal and moral norms, and the inalienable rights of a free individual through the functioning of non-political organizations. Thus, civil society acts as an important mechanism for protecting citizens' interests and ensuring their active participation in social life.

Secondly, the laws of a free-market economy are such that free individuals, in pursuit of their own interests and relying on existing democratic order in various spheres of social life, must and are able to create the necessary organizations. This is because the free and independent individual is the central figure of civil society.

Thirdly, the state, in its activities, is obliged to take citizens' needs into account to the greatest possible extent, as this is directed toward ensuring its own stable and continuous existence.



Fourthly, citizens also turn to the state mechanism in order to secure their diverse interests. In doing so, they activate and mobilize their numerous non-political organizations.

Citizens, under the conditions of the existing democratic social order, are the determining source of power. Their society constitutes a strong intermediary link between the free individual and centralized state authority. The state, in turn, by creating the necessary conditions for the realization of rights and duties of a relatively independent individual, prevents possible conflicts of interest.[3]

The specific conditions that necessitate the creation of civil society are quite diverse. This can easily be observed, for example, in non-governmental and private charitable foundations. The various viewpoints existing in the literature on this issue can be summarized as follows:

- The need of citizens to organize collectively is based on a sense of compassion and an instinctive desire to help people in need;
- It is believed that a person, by providing assistance to others, gains inner satisfaction;
- People's inclination toward charity and its organizational formalization can be regarded as a form of self-expression before the public;
- It reflects the level of people's awareness of changes occurring in their surrounding environment;
- It expresses loyalty to a sense of duty in relations with close people;
- From the perspective of civic consciousness, providing assistance to those in need without material benefit is accompanied by the attainment of inner satisfaction;
- As a civic duty, it expresses loyalty to justice in a universal human sense.

#### **Priority Tasks for the Development of Civil Society**

One of the most important tasks in the development of civil society is ensuring the rule of law. In a society governed by the rule of law, citizens' rights and freedoms are reliably protected, state bodies operate within the framework of the law, and the principle of justice is upheld.

Another priority task is increasing the socio-political activity of citizens. Active participation of citizens in elections, public discussions, local governance processes, and public oversight serves as an important indicator of a democratic society. In this regard, improving legal education and enhancing legal awareness are of particular significance.

Strengthening public oversight is also an essential task in the development of civil society. Public oversight helps ensure transparency and openness in the activities of state institutions, prevents corruption, and expands citizens' participation in governance.

In addition, it is necessary to support non-governmental non-profit organizations and other civil society institutions, strengthen their legal status, and create favorable conditions for their activities. These institutions play a crucial role in representing and protecting the interests of citizens.

Developing cooperation between the state and civil society institutions is another priority task. Such cooperation enhances the effectiveness of addressing social issues and broadens citizens' participation in the formulation and implementation of public policies.

Civil society is an integral component of a democratic state. It ensures a balance between public authorities and citizens and serves as an important mechanism for protecting human rights and freedoms. In countries with a strong civil society, the principles of democracy, transparency, and



accountability are implemented more effectively.

Therefore, further developing civil society, improving its legal foundations, and increasing citizens' participation in social and political life remain among the key priorities of democratic reforms

### Conclusion

The analysis of the legal foundations and priority tasks of building civil society shows that civil society institutions play an important role in the process of forming a democratic state governed by the rule of law. The sustainable development of civil society primarily depends on the guarantee of human rights and freedoms enshrined in the Constitution and current legislation, the ensuring of the rule of law, as well as the openness and transparency of state authorities.

In general, the process of building civil society is a complex socio-legal system that requires continuous reforms, and its success depends on the strength of mutual cooperation and trust between the state, society, and citizens.

### References

1. М.Бекмуродов. Социология. Учебное пособие. Ташкент, 2002 г., 31-стр.
2. Саифназаров И. Философия. Курс лекции. Ташкент, 2203 г., 67-стр.
3. Эркаев А. Духовность – энергия независимости. Ташкент, 1998 г., 98-стр.
4. Nilufar, M. (2023). FORMATION OF LEGAL CULTURE AMONG YOUNG PEOPLE AND ITS IMPORTANCE IN BUILDING A CIVIL SOCIETY. IMRAS, 6(7), 416-421.

