

Direct Application of the Constitution - the Basis of a Unified Legal Space throughout the Country

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Annotation: Ensuring the stability of the constitution and law is also an important factor in state and society management. It is well known that justice cannot be found in a society that does not have a stable constitution and law. Ensuring the supremacy of the Constitution is visible in the direct application of its norms. This article analyzes the positive aspects of direct application of constitutional norms.

Keywords: Constitution, rule of law, fair society, direct application of norms.

One of the main purposes of the Constitution is the protection of human rights and freedoms and also its direct action and application throughout the country is one of the main conditions of a **legal and democratic government**.

The direct application of the Constitution provides the independent application of constitutional norms to the relations between the **individual, society and the government**.

The direct effect of the Basic Law allows public administration authorities, public officials, the judiciary and citizens to directly apply constitutional norms in practice without the need for other laws or legal acts.

In this regard, it is important that the new edition of Article 15 of the draft of the Constitution establishes the norm that **“the Constitution of the Republic of Uzbekistan has supreme legal force, direct action and forms the basis of a unified legal space throughout the country”**.

First of all, the direct action of the Constitution implies that decisions are made by state authorities and their public officials, including the courts, directly applying the norms of the Constitution in law enforcement practice. Since constitutional norms, by their legal nature, primarily define the limits and limitations of government authority, which serves to prevent abuses of authority and protect the rights and freedoms of citizens.

In particular, ministries, khokimiyats, courts, prosecutor's offices, internal affairs authorities and other government authorities, public officials make decisions on a particular case or matter with reference to the norms established in the Constitution.

Secondly, the principle provides for the direct use and observance of constitutional norms by citizens. This means that every citizen, in order to protect his rights and freedoms, can appeal directly to the authorities of the public administration and the courts to constitutional norms.

At the same time, a court may apply constitutional norms directly, without the need for additional national legislation. The direct operation of the Constitution protects citizens from unlawful acts of government authorities and their public officials.

That is, this norm will further increase the possibility of fair and effective protection of the rights and freedoms of citizens in case of their violation.

Citizens exercise their rights and freedoms in their daily lives by resorting to the norms established by the Constitution. For example, according to the provision included in Article 31 of the Constitution, everyone has the right to privacy, to personal and family secrets and to protection of one's honor and dignity. When this right is violated, a citizen may have his right restored as provided by the Constitution.

Thirdly, it can contribute to strengthening the legal culture in society. Because citizens are eager to learn more about their constitutional rights and freedoms and try to protect them.

The direct application of constitutional norms is a basic characteristic of the rule of law. This means that constitutional norms have a direct impact on the entire country and are binding on all. This contributes to the creation of a unified legal space throughout the country and ensures the protection of civil rights and freedoms.

It should be noted that the system of direct action of the constitution should be aimed at protecting the direct application of the norms of fundamental law.

We consider it advisable to take the following measures to ensure the direct operation of the constitution:

1. The development and enactment of laws that ensure the spirit of the Constitution in practice.
2. Creation of mechanisms to protect the constitutional rights and freedoms of citizens, including government and non-governmental organizations that assist citizens in protecting their rights.
3. Improving an independent and competent judicial system that allows citizens to go to court to protect their constitutional rights.
4. Ensuring the efficiency of justice, including the elimination of bureaucratic barriers and improving the quality of judicial decisions.
5. Introducing a system of informing citizens about their rights and freedoms guaranteed by the Constitution to better protect their rights and legitimate interests.
6. Creating conditions to ensure free access to information and freedom of speech, allowing citizens to more effectively exercise their constitutional rights and freedoms.
7. Creation of a system of public control over the observance of constitutional norms and guarantees by public authorities and their officials, prevention of abuse of this power, and protection of the rights and freedoms of citizens.

In general, ensuring the direct operation of the Constitution requires a wide range of measures to protect and enforce constitutional norms, as well as the development of mechanisms to protect the rights and freedoms of citizens.

As a result of this rule, when we want to exercise any privilege or right in our daily lives, excuses from government officials that may “the procedure has not yet been developed” or “we have not been given instructions or orders from above” do not apply to the standards set forth in the Constitution.

That is, through this provision inserted into the Constitution, the direct effect of constitutional norms is achieved, regardless of whether the procedure for their application is contained in separate legislative acts or not.

In conclusion, every citizen relies on the Constitution in his or her daily life to exercise and protect his or her rights. By enshrining the direct action of the constitution as a constitutional

principle, human and civil rights and freedoms can be better protected and the legal culture and democratic institutions can be strengthened.

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