

HUMAN AND CIVIL RIGHTS AND FREEDOMS

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Annotation:

This article is about human rights and freedoms. Covenants on human rights, which have been evolving since time immemorial. How much human legal freedom is there today?

Key words:

Human Rights, Declarations, Natural Freedom, Property Freedom, Social Equality

For each stage of the historical development of law and the state is characterized by the concept of man as a subject of law and the corresponding notions of his rights and obligations, freedom and liberty. In this sense, the history of law is at the same time the history of the formation and evolution of modern notions, from the primitively limited and underdeveloped notions of human rights.

Human rights are, first of all, the recognition of the legal capacity of a person in a particular area of social relations and the fact that this system of law recognizes who is a person and who has the right, according to the scope of legal capacity and the scope of legal entities at different times. can be judged according to

For example, under Athenian and Roman law, a slave was not recognized as a human being; on this positive legal dimension, the slave (all people in the state of slavery) was perhaps the object, not the subject of law.

In the Middle Ages, instead of the forward polarization between the subject of law and the lawlessness of the free, a branched and detailed structure of law and legal relations was formed in accordance with the hierarchical structure and existence of the feudal system as a whole.

At various stages of the historical path to the modern concept of human rights, we encounter this or that variant of a partial, limited, privileged person. In this historical line, the citizen (a person as a member of the state) is the last type of such a privileged person, and the last form of privileged human rights is (in relation to human rights) civil rights.

The history of human rights is an ever-expanding extension of the legal recognition of a person as a human being for any area of historical human relations. [5]

Perceptions of natural and inalienable human rights have played an important role in these processes of gradual (first domestically and then internationally) universalization of the rule of law on human equality and human rights. These perceptions must be preserved even in the context of statehood, and must be recognized and guaranteed by public authorities and laws.

The proclamation of freedom and legal equality of all peoples in the French Declaration of Human and Civil Rights of 1789 is of constant historical significance. The Declaration emphasizes that in the spirit of social contract, the goal of every state union is to ensure the natural and inalienable rights of man. The Declaration includes such rights as freedom, property, security, and resistance to oppression. Freedom of expression, including on religious matters, is recognized as a human right. The principle of equality of all citizens before the law was also proclaimed as an expression of the common will. The declaration emphasized that the source of sovereignty was

essentially the nation. Various articles of the Declaration are devoted to the protection of human rights and freedoms in the field of criminal law.

The difference between human rights and civil rights in the Declaration of 1789 is essentially the difference between a person who is an individual (a member of civil society) and a citizen who is a citizen of the state, a political person who is a member of a political state. The distinction between human rights and civil rights, the limitation of concrete historical economic and political relations, and the bourgeois situation of relatively independent life, the distinction between civil society and the state (as a political community).

The ideas and principles proclaimed in the French Declaration of Human Rights and Freedoms (1789) resonated around the world and became an imperative for the renewal and humanization of social and state law and order.

In the new historical context of the 20th century, international cooperation on humanitarian issues in the field of human rights and freedoms has developed and strengthened, the Universal Declaration of Human Rights (1948), the European Convention for the Protection of Fundamental Freedoms (1950), Economic, Social and Cultural Rights International Covenant on Civil and Political Rights (1966), Optional Protocol to the International Covenant on Civil and Political Rights (1966), Final Act of the Helsinki Council (1975), Final Act of the Vienna Meeting of the States Parties to the Security and Cooperation Council in Europe 1989) and others [1]

Recognition and protection of human rights and freedoms is now a powerful factor and a clear sign of progressive development of the world community in the direction of the rule of law, the criterion of humanization of domestic and foreign policy, the implementation of the rule of law has become an indicator. [2]. Of course, in a state governed by the rule of law, the distance from the proclamation of human and civil rights to the legal reality sought without such declarations, which determine the way in which they are to be exercised, is even greater.

In modern conditions, the issue of human rights has acquired a global significance, and its adherence has become a test and a symbol of justice in the internal and external affairs of all countries and peoples of the world.

In cases when decisions of an election commission are declared invalid, the election commission that adopted them shall be obliged to prove the circumstances on which these decisions were based.[6]

Therefore, in order to study corruption, conflicts of interest, it is necessary to analyze a number of official crimes, as well as the areas of service of officials.[7]

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