



DEMOCRACY: ITS CONCEPT AND LEGAL FOUNDATIONS

Muxammadova Marjona Zavqiy qizi

Uzbekistan National University,

Faculty of Law, 2nd-year student

Annotation: *This article explores the concept of democracy, its historical development and evolution, as well as the modern political and legal foundations of democratic governance. It analyzes core democratic principles such as sovereignty of the people, election freedom, participation of citizens in governance, and rule of law. The study pays particular attention to the legal foundations of democracy in the Republic of Uzbekistan, including constitutional norms, reforms, and democratic institutions. It also highlights the interdependence between democratic governance and the rule of law.*

Keywords: *democracy, rule of the people, legal foundation, constitution, sovereignty, elections, civil society, rule of law.*

Introduction. Democracy is not merely a form of governance, but a system of principles that legally ensure the implementation of the will of the people. It provides every citizen with the right to participate in the political and public life of the country. In today's global political context, democracy is recognized as the most acceptable and just form of governance, ensuring personal freedoms, legal equality, separation of powers, and the functioning of civil society.

After gaining independence, the Republic of Uzbekistan adopted democratic values as the primary direction of national development. Constitutional reforms, changes in the electoral system, open dialogue with the people, and the formation of civil society are clear indicators of the country's democratic progress, built upon a strong legal foundation.

Main Body

1. The Concept and Historical Origins of Democracy


The term "democracy" originates from the Greek words "demos" (people) and "kratos" (power), meaning "power of the people." The first forms of democracy appeared in ancient Athens, where citizens made decisions through direct assemblies—an early example of direct democracy.

In later centuries, European Enlightenment thinkers such as John Locke, Jean-Jacques Rousseau, Charles Montesquieu, and Thomas Hobbes developed the theoretical basis of democracy. According to their views, the state must be formed on the will of the people and be controlled by the people. These principles were reflected in the U.S. Constitution of 1787 and the French Declaration of the Rights of Man and of the Citizen of 1789.

2. The Legal Principles of Modern Democracy

Modern democratic societies are built upon the following fundamental principles:

Popular Sovereignty – the people are the sole source of state power.



Free and Fair Elections – all citizens vote freely and equally.

Freedom of Expression and Assembly – citizens have the right to express opinions and gather collectively.

Separation of Powers – legislative, executive, and judicial branches function independently.

Rule of Law – everyone, including government officials, is subject to the law.

Protection of Human Rights and Freedoms – constitutional and legal guarantees of civil rights.

These principles are reflected in international legal documents such as the Universal Declaration of Human Rights (1948), OSCE agreements, and various UN conventions.

3. Legal Foundations of Democracy in Uzbekistan

The Constitution of the Republic of Uzbekistan, adopted on December 8, 1992, provides a clear legal foundation for democracy. Article 1 states that "Uzbekistan is a sovereign democratic republic." According to Article 7, the people are the sole source of state power.

Article 117 defines the right to vote, and Article 32 guarantees citizens' right to participate in state governance. The "Uzbekistan-2030" strategy sets citizen participation, transparency, and accountability as key democratic priorities.

Uzbekistan has adopted various laws- such as the Law on Mass Media, the Law on Public Assemblies, and updated Electoral Codes- which strengthen the legal basis of democratic governance. Under the leadership of President Shavkat Mirziyoyev, democratic reforms have expanded citizens' participation. The idea that "the people should not serve the state, but the state should serve the people" illustrates the practical realization of democratic values.

4. Democracy and the Rule of Law: An Interconnection

The rule of law is a system of governance that operates on the principles of democracy. If democracy is a political framework, the rule of law provides the organizational and normative support for its effective functioning. In a democratic legal state:

Human rights are guaranteed by law;

State authorities act strictly within their powers;

An independent judiciary is established;


Laws hold the highest authority.

Thus, democracy and the rule of law reinforce and sustain one another.

Following its independence, the Republic of Uzbekistan chose the path of building a democratic society. Over the past three decades, legal foundations have been laid, institutions have emerged, and democratic awareness has gradually taken root in society. The idea of democracy is first and foremost reflected in the Constitution of the Republic of Uzbekistan. Article 1 of the Constitution, adopted on December 8, 1992, declares:

"Uzbekistan is a sovereign democratic republic."

This provision sets the country's political and legal orientation. According to Article 7 of the Constitution: "The people are the sole source of state power." This firmly establishes



the principle of popular sovereignty. Furthermore, Article 32 guarantees the right of citizens to participate directly or through their representatives in state governance. These constitutional provisions form the legal basis for every citizen's involvement in political processes.

One of the most significant indicators of democracy in Uzbekistan is the development of the electoral system. The adoption of the Electoral Code, the institutional independence of election commissions, increased political competition, and the nomination of young people and women as candidates all demonstrate positive democratic reforms. In recent elections, the participation of international observers and improvements in transparency have also been evident. Notably, the 2023 constitutional referendum saw over 84% voter turnout, with a majority supporting the revised Constitution. This demonstrates the practical functioning of democracy and the growing political awareness and trust of the people.


A milestone in Uzbekistan's modern democratic development was marked by President Shavkat Mirziyoyev's declaration in 2017 that: "It is not the people who should serve the state bodies, but the state bodies that must serve the people." This principle has become a foundation of state policy. Communication between the government and citizens has improved significantly through public initiatives such as People's Receptions, the "My Opinion" platform, and the Open Budget system. The President's direct dialogue with citizens in each region reflects the practical embodiment of democratic values in governance.

The development of civil society—an essential feature of a democratic state—has also progressed in Uzbekistan. Non-governmental organizations, independent media, and public councils now operate more freely. The Law "On Civil Society Institutions" (2021) and other legal acts have expanded the role of non-state sectors in democratic governance. Freedom of speech and freedom of the press are increasingly protected. The absence of censorship and the presence of legal safeguards for journalists are signs of the state's commitment to democratic and legal standards.

International Recognition of Democratic Reforms In recent years, Uzbekistan has improved its position in several international indices. Notably, certain components of the Democracy Index show positive trends, indicating the effectiveness of democratic reforms.

Uzbekistan's foreign policy, based on openness, peace, and constructive cooperation, reflects the country's integration of democratic values into both domestic and international spheres.

In conclusion, democracy is a form of governance based on the will of the people, which functions effectively only when supported by the principles of the rule of law. In the Republic of Uzbekistan, democratic institutions have been developed on a constitutional basis. The improvement of the electoral system, the growth of civil society, and the protection of human rights reflect the steady democratization process. In the future, strengthening democratic values, ensuring rule of law, and promoting transparency and



accountability will serve as key priorities for Uzbekistan's continued political and legal development.

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