



MILITARY-POLITICAL AND LEGAL BASIS OF ENSURING STATE MILITARY SECURITY

Khalilov Mirzoxid Shavkidinovich

Head of the University Cycle, Associate Professor

<https://doi.org/10.5281/zenodo.20621579>

Annotation. This article analyzes the military-political, economic and constitutional-legal foundations of ensuring state military security based on a systematic approach. The author reveals the connection of the mechanisms of reforming the armed forces with long-term macroeconomic prospects, the laws of proportionality between political tasks and military capabilities. The article scientifically covers the hierarchical relationship between the Constitution of the Republic of Uzbekistan, the National Security Concept and the Defense Doctrine, the specific features of interdisciplinary legal institutions regulating political and environmental security.

Keywords: Military reform, macroeconomic perspective, military-technical tasks, unification, Constitution, National Security Concept, Defense Doctrine, interdisciplinary institutions, people's power.

The sovereignty and geostrategic stability of a state are measured by its military power and the perfection of the legal and economic mechanisms that activate this power. In the era of modern hybrid wars and asymmetric threats, reforms in the field of military construction are not only a change in the composition of the army, but are a law inextricably linked to the macroeconomic potential and constitutional principles of the country. This article systematically and comparatively analyzes the economic balance indicators of military reforms, the priority military-technical tasks of modern army construction, and the hierarchy of political and legal acts ensuring national security.

The basis of the country's defense is the armed forces. They perform tasks such as repelling aggression directed against the state, protecting the territorial integrity and inviolability of the country with weapons, and fulfilling tasks in accordance with international agreements.

The composition, structure, and status of the state's armed forces must correspond to the importance and complexity of the tasks assigned to them.

The tasks of reforming the armed forces can be implemented only if there is sufficient financial and economic support. Therefore, it is necessary to closely link the reforms in the development of the armed forces with the long-term macroeconomic prospects of the state economy.

Politicians set tasks for the military. They, in turn, determine whether these tasks can be fulfilled or not, based on their own calculations. If it is impossible to fulfill the task set, the military requires additional resources or proposes to solve it using other means. If the gap between political tasks and capabilities increases, military reforms are carried out.

Military reform is a military policy aimed at improving the military construction of the state. In the process of military reform, the military construction of the state is carried out based

on the military experience of the country and foreign countries, which arose from current and future wars, and on today's military policy.

The purpose of the reform is to bring the composition, structure and number of combat, compact and mobile armed forces, which are highly equipped, capable of providing sufficient defense, modern, professional and meet moral and psychological requirements, into line with the current military-political situation and the capabilities of the state.

The number of armed forces. The entire world experience shows that for a state, the optimal number of armed forces in peacetime is one percent of the country's population.

The priority military-technical tasks of ensuring military security for the implementation of the above-mentioned situations are:

- effective improvement of the strategic armament complex;
- development of a system of providing troops, weapons, communications, intelligence, radio-electronic warfare, non-nuclear precision weapons and information with a high-level management system;
- unification, standardization and reduction of the nomenclature of weapons and military equipment.

The human factor and the social status of the military are of particular importance in ensuring state military security. To achieve this, a number of measures are being implemented, such as social protection of the military, raising the prestige of military service, and forming the consciousness of society in the spirit of armed protection of the country's national interests.

The constitutional legal framework, which determines the basic principles and norms of ensuring national security in the field of state and social construction, as well as ideological rules, occupies a special place in this system. The Constitution of the Republic of Uzbekistan, as the supreme normative-legal source, defines the established national interests and priority principles and norms on the main issues of ensuring national security, as well as ideological rules. In essence, each article in it on one or another issue of social relations is aimed at protecting the main subject of these relations - man, society, the state. Laws and other regulatory documents that form the organizational and legal system of protecting national security in all spheres of the life of our society are developed on the basis of the Constitution. First of all, the Constitution guarantees and protects the principle and system of people's power - the main and solid foundation for the country's democratic development. Article 7 of the Constitution of the Republic of Uzbekistan states that the people are the only source of state power.

The Constitution also defines the system of bodies called upon to ensure the security of the country and its citizens.

By defining the system of bodies called upon to ensure the security of the country and its citizens in one way or another, the Constitution of the Republic of Uzbekistan also creates the necessary foundations for a clear definition of the concept of national security. "State power in the Republic of Uzbekistan shall be exercised solely by bodies authorized by the Constitution of the Republic of Uzbekistan and the laws adopted on its basis, in the interests of the people. The usurpation of the powers of state power in a manner not provided for by the Constitution, the suspension or termination of the activities of government bodies, the formation of new and parallel structures of government shall be considered unconstitutional and shall be grounds for liability in accordance with the law."



The National Security Concept of the Republic of Uzbekistan is in force in accordance with the Law of the Republic of Uzbekistan "On Approval of the National Security Concept of the Republic of Uzbekistan" adopted on August 29, 1997. It includes issues of a political nature and normative-legal terms and principles that serve as the basis for the preparation of relevant laws and by-laws. This Concept is also a political-legal document in the sense that it reflects the official views of our state on ensuring national security, and accordingly, this Concept is a document that embodies a system of holistic, state-wide views on the security problem, the strategy and tactics of its solution, including those related to the legislative sphere.

The first part of the Concept describes the characteristics of the current period, factors related to the geopolitical situation of Uzbekistan, including its position in Central Asia, and tasks in the field of international cooperation.

The second part of the Concept reveals the content of the vital interests of the individual, society and the state;

The third part describes national security by sector.

The fourth part describes the main directions of ensuring national security.

The fifth part discusses the system and principles of ensuring national security.

The Concept itself reveals the main idea and practical principles of creating an appropriate system of national security. Based on it, an appropriate organizational and legal mechanism is formed, a system of cooperation between legislative and executive authorities, public organizations and citizens is laid. Most importantly, this Concept, like the Constitution, provides an opportunity to understand the problem and find a common approach to solving it. For example, it comprehensively interprets the meaning of such concepts as "National security", "national interest", "threat" as applied to the Republic of Uzbekistan. It interprets the interests of statehood as a specific state of the nation and the form in which the nation lives and realizes its interests - a form that must be protected and developed.

The public interest is a harmonious and mutually reinforcing combination of the interests of the individual and society. Thus, "The supreme interests of the state, the people, their well-being and security" are, in their entirety, vital national interests. Since the concept does not specify national interests at other levels, it should be emphasized that national interests are, first of all, vital interests. In the United States, such a categorization (vital, merely important, narrower, and other levels of interests) serves to determine the proportionality of the measures taken: for example, it serves as the basis for taking measures ranging from the use of nuclear weapons to administrative decisions at the ministerial or state level.

It should be noted that the Concept describes in detail the interests of the individual, society and the state, as well as threats to national security arising in the political, economic, social, humanitarian, military, environmental, scientific and technical, technological and information spheres. On this basis, the main directions of national security are also determined. The activities of the state should be coordinated with these same rules, and the legislation should be developed accordingly. This is not only a structural statement of the content of national interests, but also an expression of the main directions of security, identification of objects of threats and implementation of interests.

Each type of security, in turn, has structural types, which, in the conditions of high integration of modern social relations, can intersect with other types and structural types of security. For example, food security is not only an economic issue, but also a political, legal,

social, medical, sanitary and environmental issue. Therefore, it is always necessary to take into account that the division of security into types is conditional. However, in this matter, for the sake of legislation and the proper organization of state administration, such a division of security is fully justified. In particular, the differentiation of threats to national security and the main directions of ensuring national security by sector (political and foreign policy, economic, society and state-building, social, humanitarian, military, scientific and technical, technological, information, ecological spheres) largely reflect the corresponding sectors of the legislation. On the other hand, these sectors determine the direction of study of a narrower range of a set of interdisciplinary norms and require the formation of special institutions. For example, legal norms for ensuring security in the political sphere are mainly of a guarantee, protection or protection nature, and in essence form a complex interdisciplinary institution. In particular, relations arising in the field of ensuring political security are regulated by the following norms:

- international law (these are bilateral, regional and universal treaties and agreements), norms, norms of national legislation in force in the field of foreign policy and aimed at protecting the Republic of Uzbekistan from interference in its internal affairs, encroachment on its sovereignty and protecting national interests in the system of international relations in general;
- legislation on combating terrorism;
- laws on protecting the constitutional order, on non-governmental non-profit organizations, political parties, on the media, on protecting freedom of speech, humanitarian, electoral and other legislative acts protecting human rights and freedoms, ensuring and guaranteeing the improvement of democratic institutions;
- norms preventing the intensification of aggressive nationalism and interethnic conflict;
- laws preventing the spread of religious extremism;
- norms aimed at preventing and combating the emergence of corruption, bureaucracy, localism and nepotism in state power and administration;
- laws aimed at preventing the growth of crime, especially organized crime, combating the illegal trade in weapons and the spread of drug addiction.

There are threats that can be prevented by means of relevant legal norms, which have a different essence and a different subject. However, their subjects act on the front of political relations, have their own political goals or, by implementing these threats, cause serious damage to the political system and the constitutional order. On the other hand, each of the above-listed areas has its own specifics. They can, so to speak, manifest themselves in the form of "sub-institutes" (for example, the Institute for Combating Terrorism, the Institute for Protecting and Guaranteeing Freedom of Speech in the Media, etc.).

There are a number of branches in the legislative system related to ensuring national security, the place of which is quite difficult to determine. Because, by their legal nature, in addition to being aimed at ensuring security in a particular area, they also regulate other issues. For example, while the legislation on nature protection establishes the legal, economic and organizational foundations for preserving natural environmental conditions and rational use of natural resources, it is also aimed at ensuring the balanced and harmonious development of relations between man and nature, protecting ecological systems, natural complexes and certain objects, and guaranteeing the right of citizens to a favorable natural environment.

Nature protection and rational use of natural resources in the Republic of Uzbekistan is implemented not only through the Law "On Nature Protection", but also, as is clear from the example of the laws on land, water, forestry, subsoil resources, atmospheric air, flora and fauna, the complex of such laws encompasses a complex inter-sectoral system, which, along with ensuring environmental safety, also performs other tasks. Therefore, it is difficult to apply the classical method based on the division of legislative systems into sectors. The exception is the military law sector, since this legislation is practically entirely devoted to ensuring military security.

The Defense Doctrine of the Republic of Uzbekistan, approved by the Law of the Republic of Uzbekistan No. 458 dated January 9, 2018, is based on the Constitution of the Republic of Uzbekistan, the National Security Concept and other legislative acts, relies on the principles and norms of international law, the Charter of the United Nations, as well as international treaties to which the Republic of Uzbekistan is a party;

proceeds from the national interests of the country, the military-political situation in the world and the region, the level of threats to national security in the military sphere, the nature of modern military conflicts;

takes into account the main provisions of the Concept of Foreign Policy and other documents on planning the country's defense;

reveals the directions and methods of organizing the activities of the state, society and citizens to prevent military conflicts and protect vital national interests;

determines the priorities of the state's future defense policy, the main principles and directions for the preparation, formation and use of the Armed Forces of the Republic of Uzbekistan.

In conclusion, ensuring the military security of the state is a multifaceted geostrategic process based on the interrelation of economic opportunities, military-technical progress and legal norms. Maintaining the golden balance between the goals set by political leaders and the real resources of the military, as well as maintaining the number of the army at the optimal level of 1 percent of the population in peacetime, allows creating a high defense capability without straining the state economy.

The principle of people's power, enshrined in Article 7 of the Constitution, is the highest guarantee of the legality and operation of national security bodies in the interests of the people. The integrated system of the National Security Concept and the inter-sectoral legal sub-institutions (political, environmental, criminogenic security norms) arising from it legally protect the stability of society.

Today, in accordance with the requirements of the Defense Doctrine adopted in 2018, the re-equipment of our national Armed Forces with intellectual and innovative weapons, digital communications and radio-electronic warfare means, the unification of military equipment and the improvement of the social status of military personnel are the main strategic strategies for reliably protecting the sovereignty and territorial integrity of New Uzbekistan from any external and internal hybrid threats.

List of used literature:

1. Defense Doctrine of the Republic of Uzbekistan. January 9, 2018. – T.: - P.4.



2.Захаров В., Муханбеткалиев Х. Эволюция взглядов на военную безопасность и пути ее обеспечения // Журнал "Власт ". 2005. № 12. – С. 37.

3.Huntington S. The Soldiers and the state. Cambridge: The Belknap Press of Harvard Univ Press. - P.2. 1957.

4.Odiljon, G. (2021). Stages of combating corruption in the Republic of Uzbekistan. Middle European Scientific Bulletin, 8, 270-274.

