



THE SIGNIFICANCE OF THE SOCIAL FUNCTION OF THE STATE IN ENSURING HUMAN RIGHTS

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Abstract. This article examines the importance of the social function of the state in ensuring and protecting human rights in modern society. The study analyzes the relationship between the welfare-oriented activities of the state and the effective realization of fundamental human rights and freedoms. Particular attention is paid to the role of the state in guaranteeing social protection, reducing poverty, supporting vulnerable groups, and creating equal opportunities for all citizens. The article also explores the constitutional and international legal foundations of the state's social function, including international human rights standards and national legislation of the Republic of Uzbekistan. The author argues that the implementation of social policies and social justice mechanisms serves as an essential factor in strengthening human dignity, equality, and the rule of law. Furthermore, the research highlights the significance of social reforms and institutional mechanisms aimed at improving the quality of life and ensuring sustainable social development. The study concludes that the effective realization of the social function of the state is one of the key guarantees for the protection and promotion of human rights in a democratic society.

Keywords: human rights, social function of the state, social protection, social justice, welfare state, constitutional law, vulnerable groups, equality, poverty reduction, democratic society, rule of law, social policy.

INTRODUCTION



One of the important criteria for the development of a modern democratic state is closely linked to the formation of effective mechanisms for ensuring human rights and freedoms. In the current context of intensifying globalization and digitalization processes, the importance of not only political and legal but also social functions of the state is increasing. In particular, ensuring a decent standard of living for citizens, developing the social protection system, and implementing effective state policy in the fields of education, healthcare, and employment are emerging as important conditions for the real protection of human rights. In this regard, the concept of the Social State is one of the most relevant scientific directions in the theory of modern state and law.

Today, ensuring human interests, rights, and freedoms is recognized as a priority in the large-scale constitutional and social reforms being implemented in our country. In particular, the new edition of the Constitution of the Republic of Uzbekistan further strengthens the social essence of the state and expands constitutional guarantees related to human dignity, social justice, and the social protection of citizens. The Constitution pays special attention to the social obligations of the state, poverty reduction, support for vulnerable segments of the population, ensuring the rights of persons with disabilities, and the right to access high-quality medical and educational services. Therefore, Article 1 of the Constitution of the Republic of Uzbekistan establishes that Uzbekistan is a sovereign, democratic, legal, social, and secular state with a republican form of government (Constitution of the Republic of Uzbekistan, 2023).

In recent years, a number of regulatory legal acts have been adopted in the country to ensure human rights, and reforms aimed at implementing the principles of the social state are being implemented. A vivid example of this is the adoption of the Decree of the President of the Republic of Uzbekistan "On measures to further expand the scale of material assistance to low-income families and the fight against



poverty." The main goal of this decree is to increase the efficiency of the support system for families raising children, strengthen the material security of families in need of social protection and support, develop the child potential of the benefit payment system and reduce poverty by introducing universally recognized international standards and automated transparent electronic assessment mechanisms for identifying low-income families (President of the Republic of Uzbekistan, 2021).

The relevance of this topic lies in the fact that the social function of the state in ensuring human rights is of great importance not only from a theoretical and legal perspective but also from a practical one. The effective implementation of the state's social functions is an important factor in realizing the constitutional rights of citizens, ensuring social justice and stability in society, and building a democratic state governed by the rule of law. Therefore, the theoretical foundations of the social function of the state, its role in ensuring human rights, and the study of national and foreign experience in this field are of great scientific importance.

MATERIALS AND METODS

In this study, the theoretical and legal foundations of the state's social function in ensuring human rights and its significance in modern democratic society were comprehensively examined. The methodological basis of the research consists of general scientific and special legal methods. In particular, formal-legal, comparative-legal, system-analytical, historical-legal and logical approaches were used.

In the course of researching this topic, the UN Universal Declaration of Human Rights, the Convention on the Rights of Persons with Disabilities, the Constitution of the Republic of Uzbekistan, the Decree of the President of the Republic of Uzbekistan "On measures to further expand the scale of material assistance to low-income families and the fight against poverty", the Law "On the



Rights of Persons with Disabilities”, the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan “On measures to further improve the system of social protection of the population” and other legislative acts were used.

RESULTS

The results of this study demonstrated that the social function of the state in effectively ensuring human rights is considered an integral component of constitutional and legal mechanisms. Social policy implemented by the state creates a real guarantee of human rights by ensuring a decent standard of living for citizens, strengthening social equality, and providing social protection for the population. The social function of the state is not only economic support but also the practical realization of constitutional rights such as education, healthcare, labor, and social security.

It was also analyzed that the level of human rights protection in modern democratic states is closely linked to the state's socially oriented policy. It has been established that the development of the social state concept not only increases citizens' trust in the state but also serves to ensure social stability in society. In particular, programs aimed at supporting vulnerable segments of the population, pension and benefit systems, and employment mechanisms serve as an important factor in the practical protection of human rights.

The constitutional reforms being implemented in the Republic of Uzbekistan serve to further strengthen the social function of the state. In particular, the constitutional consolidation of the principle of human dignity, the improvement of the social protection system, and the introduction of norms aimed at broadly guaranteeing the socio-economic rights of citizens are forming effective mechanisms for ensuring human rights. At the same time, the study emphasized the need to develop a system of targeted social assistance, strengthen public control over the quality of social services, and widely implement digital technologies to increase



the efficiency of the state's social function.

Based on the above, the constitutional foundations of the state's social functions in the Constitution of the Republic of Uzbekistan are as follows:

Article 43. The state takes measures to ensure the employment of citizens, protect them from unemployment, and reduce poverty. The state organizes and stimulates the professional training and retraining of citizens.

Article 44. Any forms of child labor that pose a threat to the health, safety, morality, mental and physical development of a child, including those that hinder their education, are prohibited.

Article 45. Everyone has the right to rest. The right to rest for employees is ensured by establishing the duration of working hours, rest and non-working holidays, and annual paid labor leave.

Article 46. Everyone has the right to social security in old age, disability, unemployment, as well as in the event of the loss of a breadwinner and in other cases provided for by law.

Article 48. Everyone has the right to health protection and access to qualified medical care.

Article 50. Everyone has the right to education.

DISCUSSION

Although it has been shown that the social function of the state occupies an important place in the system of ensuring human rights, there are different approaches to this issue in scientific circles. While some scholars link the guarantee of human rights primarily to legal mechanisms and judicial protection, other researchers emphasize that the full realization of human rights is impossible without an active social policy of the state.

Ensuring human rights is of great importance not only in the Republic of Uzbekistan but also on a global scale. The adoption of the UN Universal Declaration



of Human Rights serves as a vivid example of this. Article 1 of this Universal Declaration states: "All human beings are born free and equal in dignity and rights. They must possess reason and conscience and treat one another in a spirit of brotherhood. In ensuring human rights, everyone has equal rights and freedoms (United Nations, 1948). The preamble of the Constitution of the Republic of Uzbekistan also states that the Constitution was adopted based on the ideas of democracy, freedom and equality, social justice, and solidarity.

In our country, we can obtain guarantees of the right to education in ensuring the social functions of the state. The state ensures a system of continuous education. The state has also undertaken the obligation to create all conditions for the development of preschool education and upbringing. In particular, the guarantee of the right to free education is of particular importance. There are very few countries in the world where the education system is free. Furthermore, the right to inclusive education is also enshrined at the constitutional level.

In order to increase the efficiency of the support system for families raising children, strengthen the material security of families in need of social protection and assistance, develop the child potential of the benefit payment system through the introduction of universally recognized international standards and automated transparent electronic assessment mechanisms for identifying needy families, and reduce poverty, the Decree of the President of the Republic of Uzbekistan "On measures to further expand the scale of financial assistance to low-income families and the fight against poverty" was adopted. Within the framework of this decree, one can see the ways in which the state's social functions are being systematically implemented. To ensure the implementation of this decree, a resolution of the Cabinet of Ministers of the Republic of Uzbekistan "On measures to further improve the system of social protection of the population" was adopted. This decree stipulates the introduction of a series of benefits and privileges to provide support and create



amenities for the segments of the population in need of social protection (Cabinet of Ministers of the Republic of Uzbekistan, 2021).

Another important aspect of the state's social function is the existence of systems for the protection and social support of persons with disabilities. A clear example of this is the ratification of the Convention on the Rights of Persons with Disabilities by the Republic of Uzbekistan on July 28, 2021 (United Nations, n.d.). Also, on January 16, 2021, the Law "On the Rights of Persons with Disabilities" was adopted, and its Article 5 states that respect for the dignity of persons with disabilities, their independence, and freedom of choice are ensured by establishing guarantees for the protection and implementation of the rights and freedoms of persons with disabilities and their families on an equal basis with other citizens (Law of the Republic of Uzbekistan, 2021).

The social function of the state is not limited to material assistance or social benefits. In a broad sense, it also encompasses the creation of social, economic, and legal conditions necessary for citizens to lead a decent life. In particular, state policy in the fields of education, healthcare, and employment directly affects the realization of fundamental constitutional human rights. Therefore, there is a need to strengthen the provision of human rights not only with declarative norms, but also with effective social mechanisms.

The aforementioned various standards demonstrate that the social function of the state in Uzbekistan is gradually strengthening. It can be observed that the constitutional and institutional reforms implemented in recent years have become a practical expression of the principle "for human dignity." However, issues of increasing the effectiveness of social protection mechanisms, reducing social inequality between regions, and creating equal opportunities for all segments of the population remain relevant.

In addition, the introduction of digital technologies in public administration



creates new opportunities for ensuring human rights, but also creates certain risks and problems. In particular, issues such as information security, personal data protection, and digital inequality when using electronic social services require special attention. Therefore, it is important to harmonize innovative technologies with the principles of human rights in the implementation of the state's social function.

CONCLUSION

In general, the social function of the state is one of the important constitutional and legal foundations for ensuring human rights. During the study, it was determined that the social policy implemented by the state is of decisive importance in the practical realization of the fundamental rights and freedoms of citizens. In particular, the guarantee of rights such as education, healthcare, labor, social security, and ensuring a decent standard of living is directly linked to the effectiveness of the state's social function. The principle of the social state has proven to be an important factor in ensuring the real protection of human rights. By supporting vulnerable segments of the population, strengthening social equality, and developing social protection mechanisms, the state serves to ensure stability and justice in society. At the same time, it was substantiated that for the effective protection of human rights, the existence of a regulatory and legal framework alone is insufficient, and the effective functioning of practical enforcement mechanisms is also necessary.

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