

OWNERS – THE ECONOMIC BASIS OF CIVIL SOCIETY

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Annotation: In today's complex geopolitical situation, the formation of a layer of owners occupies a special place in ensuring the stability of society. From this point of view, the concept of the proprietary layer, the study of its political and legal evolution becomes one of the most pressing issues. An important condition for the existence of civil society is the institution of private property. The development of private property creates conditions for the expansion of freedom and constant access to the outside world. Property is an open activity as a material embodiment of the outside world; it expresses the behavior of civil society and its members. The growth trends of the middle social class in developed countries, its role in the development and improvement of civil society and the experience of Western countries in this area are analyzed. The main strategic task of developed countries in the modern period is to achieve a general civil consensus by taking into account and coordinating the interests of various social groups, ensuring civil solidarity aimed at the integration of society. Uzbekistan is also on the path to building a civil society based on a combination of Western, Eastern and national experience. As a result of the implementation of the tasks identified in the "Development Strategy of New Uzbekistan for 2022-2026" on "protecting the right of private property and further strengthening its priority position, stimulating the development of small businesses and private entrepreneurship", the social layer of owners will become a more active force in the country's civil society and will inevitably become an economic pillar.

Key words: civil society, democratic society, law, rule of law, legal awareness, legal culture, public consciousness, market economy.

СОБСТВЕННИКИ – ЭКОНОМИЧЕСКАЯ ОСНОВА ГРАЖДАНСКОГО ОБЩЕСТВА

Аннотация: В современной сложной геополитической ситуации формирование слоя собственников занимает особое место в обеспечении стабильности общества. С этой точки зрения понятие собственнического слоя, изучение его политико-правовой эволюции становится одним из наиболее актуальных вопросов. Важным условием существования гражданского общества является институт частной собственности. Развитие частной собственности создает условия для расширения свободы и постоянного доступа к внешнему миру. Собственность представляет собой открытую деятельность как материальное воплощение внешнего мира, в ней выражается поведение гражданского общества и его членов. Анализируются тенденции роста среднего социального класса в

развитых странах, его роль в развитии и совершенствовании гражданского общества, опыт западных стран в этой области. Главной стратегической задачей развитых стран в современный период является достижение общегражданского консенсуса путем учета и согласования интересов различных социальных групп, обеспечение гражданской солидарности, направленной на интеграцию общества. Узбекистан также находится на пути построения гражданского общества на основе сочетания западного, восточного и национального опыта. В результате реализации задач, определенных в «Стратегии развития Нового Узбекистана на 2022-2026 годы» по «защите права частной собственности и дальнейшему укреплению ее приоритетного положения, стимулированию развития малого бизнеса и частного предпринимательства», Социальный слой собственников станет более активной силой гражданского общества страны и неизбежно станет экономической опорой.

Ключевые слова: гражданское общество, демократическое общество, право, правовое государство, правосознание, правовая культура, общественное сознание, рыночная экономика

Annotatsiya: Hozirgi zamon murakkab geosiyosiy vaziyatda jamiyat barqarorligini ta'minlashda mulkdorlar qatlamining shakllanishi alohida o'ringa ega. Shu nuqtai nazardan mulkdorlar qatlami tushunchasi, uning siyosiy huquqiy evolyutsiyasini o'rganish xar qachongidan ham dolzarb masalalardan biriga aylanmoqda. Fuqarolik jamiyati yashashining muhim shart-sharoiti xususiy mulk instituti hisoblanadi. Xususiy mulkning rivojlanishi tashqi dunyoga nisbatan muttasil daxldorlik va erkinlikni kengaytirishga sharoit yaratadi. Mulk tashqi dunyoning moddiy mujassamligi sifatidagi ochiq faoliyatini ifodalab, unda fuqarolik jamiyati va uning a'zolarining xatti-harakati ifodalanadi. Rivojlangan mamlakatlarda o'rta ijtimoiy qatlamning o'sib borish tendentsiyalari, ularning fuqarolik jamiyatini rivojlantirish va takomillashtirishdagi o'rni, bu sohadagi G'arb mamlakatlari tajribasi tahlil etiladi. Hozirgi davrdagi rivojlangan mamlakatlarning asosiy strategik vazifasi – turli sotsial guruhlarning manfaatlarini hisobga olish va muvofiqlashtirish yo'li bilan umum fuqaroviy konsensusga erishish, jamiyatni integratsiyalashga qaratilgan fuqarolik birdamligini ta'minlashdan iboratdir. O'zbekiston mamlakati ham G'arb, Sharq va milliy tajribalar uyg'unligi asosida fuqarolik jamiyati qurish yo'lidan bormoqda. “2022 — 2026 yillarga mo'ljallangan Yangi O'zbekistonning taraqqiyot strategiyasi”da belgilangan “xususiy mulk huquqini himoya qilish va uning ustuvor mavqeini yanada kuchaytirish, kichik biznes va xususiy tadbirkorlik rivojini rag'batlantirish”ga doir vazifalarni amalga natijasida yanada faol kuchga aylanadigan mulkdorlar ijtimoiy qatlami mamlakatda fuqarolik jamiyatining ijtimoiy va iqtisodiy tayanchiga aylanishi muqarrar.

Tayanch so'zlar: fuqarolik jamiyati, demokratik jamiyat, huquq, huquqiy davlat, huquqiy ong, huquqiy madaniyat, ijtimoiy ong, bozor iqtisodiyoti.

Introduction. One of the most important lessons of human history is that the pursuit of well-being is one of the universal values inherent in any person, society and state. Of course, there are significant differences between the pursuit of well-being and its achievement. If we pay attention to the fact that the main source of achieving well-being is labor, we will observe that its organization, fair implementation of the division of labor, and the importance of paying attention

to it as the main criterion for satisfying human interests are different in different societies and political regimes. These different circumstances lead to different levels of well-being not only for each individual person, but also for different countries. In other words, the conditions created for labor activity aimed at creating a product or item by a person determine the value and value of the wealth that appears as a result of it.

Of course, first of all, the main factor in achieving well-being is a person's deep understanding of his personal interests and a high level of aspiration to achieve them. Because the pursuit of interests is more widely and deeply manifested in a space where human freedom is ensured and favorable conditions for labor activity are created. In highly developed societies, economic freedoms and broad conditions for human labor activity are initially created. In other words, in a civil society, the state effectively uses the main motives of man to create wealth to increase the well-being of the people. After all, it was not for nothing that Adam Smith, a supporter of economic liberalism, put forward the following wise idea in his work "An Inquiry into the Nature and Causes of the Wealth of Nations": "Personal interest is a powerful force for the prosperity of society. As people strive for personal well-being, they are guided by an "invisible hand" towards the higher goals of society. It is necessary to allow an individual "to freely pursue his own self-interest, as he sees fit, and to compete with his labor and capital with another person or with a whole class." For when a person increases his wealth through business, diligence and thrift, he thereby contributes to the increase in the wealth of society. At the same time, free competition, while equalizing standards, ensures the most favorable distribution of labor and capital among sectors."

Literature analysis According to Adam Smith, by the 20th century, as a result of the establishment of civil societies in Western countries, the transition to civil society had become a historical necessity as a result of the exchange of human civilizations, the wider provision of human freedom and rights, and the discovery and application of high technologies.

If we look at it from the perspective of building a civil society that creates an environment for achieving prosperity while ensuring human freedom and rights, protecting private property ownership, we see that in the very first days of Sh.M. Mirziyoyev's presidency, in his decree "On additional measures to ensure the accelerated development of entrepreneurial activity, comprehensive protection of private property and qualitative improvement of the business environment" (October 5, 2016), we see the embodiment of conceptual ideas that have the potential to increase people's well-being. Each clause of the decree is imbued with the spirit of the goals of ensuring the ownership of private property, its preservation and increase, and a prosperous life for people. The following goals set out in it are evidence of our opinion: "Giving wide freedom to small business and private entrepreneurship, radically reducing the interference of state bodies in their activities, ensuring the early prevention of violations, increasing the effectiveness of their prevention, and preventing violations should be defined as an important priority direction of state policy in the field of further development of entrepreneurial activity and a primary task of state bodies." The decree, for the first time in our country, put forward the ideas of strict adherence to the democratic principle that "The people should serve the state bodies, not the state bodies," that the main task of the state is to ensure the well-being of the

people, and limiting the powers of state bodies in economic relations and interference in the formation of private property. In particular, the fair legal regulation in the decree, which states that “they shall ensure strict implementation of the requirements of the legislative acts on the liability of officials for unlawful interference and obstruction of entrepreneurial activity, as well as the recovery of damage caused to business entities from the direct perpetrators,” put an end to the long-standing and habitual vice of officials - the unfair attitude of officials towards private property, and created broad conditions for owners to operate freely and confidently.

The decree also provides for the abolition of all types of unscheduled inspections of business entities, as well as all types of alternative inspections of the activities of business entities, including those within the framework of criminal cases, from January 1, 2017. The decree also declares the humanitarian qualities of granting entrepreneurs a number of legal, economic and social benefits, such as the suspension of the application of criminal penalties in the form of deprivation of the right to conduct entrepreneurial activities against business entities, as well as the granting of a number of legal, economic and social privileges to business entities, in the event that business entities and their employees who have committed violations for the first time in the implementation of financial and economic activities voluntarily eliminate the violations committed within the deadlines established by law and compensate for the material damage caused (except for cases of harm to human health and life), and the suspension of the application of criminal penalties in the form of deprivation of the right to conduct entrepreneurial activities against business entities, while for the first time in the country, it raised the protection of the rights of a person to create, increase and preserve his private property to the level of state policy.

Conclusion and discussion. Another reality inherent in civil society, such as protecting the rights of entrepreneurs and owners in the country, further expanding their participation in improving the well-being of society, and ensuring the legality of private property ownership in life, was the establishment of the Institute of the Ombudsman for the Protection of the Rights and Legal Interests of Business Entities under the Oliy Majlis of the Republic of Uzbekistan.

The following tasks were set for this institute: to participate in the formation and implementation of state policy in the field of development of entrepreneurial activity, protection of the rights and legitimate interests of business entities; to provide legal support to business entities when their activities are being investigated; to study the practical implementation of the norms and requirements of legislative acts on guarantees of freedom of entrepreneurial activity; to assess the effectiveness of the impact of adopted regulatory legal acts on the implementation of entrepreneurial activity; to exercise control over the observance of the rights and legitimate interests of business entities by state bodies, law enforcement and regulatory bodies, as well as local government bodies. It is clear that the legal norms that have been formed in Western countries for almost a century to protect the property of citizens and create opportunities for them to increase their property have found their expression in a single presidential decree.

The decree also completely removed the obstacles that made it possible to exercise strict control over business entities in the country: the gradual transfer of the functions and powers of the supervisory state bodies to apply administrative penalties to business entities and their employees to judicial bodies, the development of justified unified criteria and bases for

determining the damage caused by the commission of economic crimes, as well as illegal interference in the activities of business entities, further liberalization of the norms of criminal legislation related to the implementation of entrepreneurial activities, amendments and additions to legislative acts aimed, first of all, at ensuring the inviolability of private property, preventing unjustified interference in the activities of business entities and suspension of their activities, establishing a clear procedural procedure for appointing, conducting and extending financial and economic audits in criminal cases initiated, and the establishment of a judicial review of the rights of entrepreneurs by the Supreme Economic Court. Fundamental changes aimed at ensuring the freedom and rights of owners, such as the gradual introduction of audio and video recording mechanisms for court sessions in order to ensure transparency and impartiality, as well as the development of a program that provides for the posting of adopted court decisions on websites, expanding the list of state services provided to business entities only through unified centers for the provision of state services on the basis of the "single window" principle, have created the basis for the development of the lifeblood of society - the economy, and have given mental alertness to owners.

Over the past year and a half, the impact, vitality, and practical effectiveness of this decree on society have further increased. Over the past year, customs duty rates have been reduced by 2 times, unscheduled and alternative inspections of the activities of business entities have been canceled. President Sh.M. Mirziyoyev's statement that "obstacles to the path of an entrepreneur should be perceived as a betrayal of state policy" has made the development of this sector the main strategic goal of the state.

To date, as a result of the creation of broad opportunities and favorable conditions for the development of private ownership and entrepreneurship, small business in our country, the share of small business and private entrepreneurship in the gross domestic product has reached 56.5 percent. 78 percent of the employed population works in this sector. The establishment of unified centers for the provision of state services to business entities on the "single window" principle from January 1, 2016, and their transfer from the structure of district (city) khokimiyats to the jurisdiction of the Ministry of Justice of the Republic of Uzbekistan from February 1, 2017, is an important fact for the development of this sector. This practice has made it possible to form vertical management, organize their effective activities, and the number of state services provided by these unified centers has reached 33. Preparations are underway to launch an automated system for state registration of business entities, which will reduce the time required to complete registration procedures to 30 minutes, starting from April 1, 2017. In 2017 alone, more than 336 thousand new jobs were created due to the construction of new industrial enterprises, the launch of service facilities, and the development of small business and private entrepreneurship.

The fundamental changes in the development of entrepreneurship and private entrepreneurship in the country have not gone unnoticed by international organizations. This is evidenced by the fact that Uzbekistan's position in the "Business Registration" indicator in the global ranking "Doing Business 2018" has risen from 24th to 11th place.

In his Address to the Oliy Majlis, President Sh.M. Mirziyoyev openly revealed that the reason why the entrepreneurship sector in our country is not developing at the expected level and at a rapid pace is the large number of cases of unfounded inspections of representatives of this sector, and the fact that government officials do not allow entrepreneurship to develop. He declared 2018 the “Year of Active Entrepreneurship, Support for Innovative Ideas and Technologies,” and at the same time announced the decision to suspend the audit of the financial and economic activities of all business entities for 2 years. Of course, this will remain in the memory of generations as an unforgettable historical fact in this country. This fact can be called a great turning point in the field of strengthening the social stratum of owners and protecting private property by the state. Such high attention to owners is rarely found in countries.

The head of the country also introduced new concepts and essences into entrepreneurial activity: “Active entrepreneurship is an economic direction that organizes business activities on the basis of innovative, that is, modern approaches, advanced technologies and management methods. By active entrepreneurs, we mean business people who are capable of producing competitive products and, most importantly, creating new jobs, providing not only themselves and their families with food, but also benefiting society as a whole.”

The decentralization of the procedures and rules for issuing licenses and permits in the field of entrepreneurship and private property development by state agencies - the transfer of their issuance from the center to the district and region - is also recognized as a reform in this area. As a result of this reform, the burden on the owner will be reduced, now instead of waiting from office to office for 3-4 months, he will be engaged in his private activities, saving his own funds.

The country has adopted a free currency policy, the heads of regulatory bodies, headed by the Prosecutor General, have established a procedure for organizing monthly meetings with exemplary, active entrepreneurs to hear their problems, identify shortcomings that hinder their legal activities, and consider measures to eliminate them, starting from this year, the abandonment of drastic measures in the implementation of tax policy, the transition to a policy of reducing and facilitating the tax burden for all categories of businesses, and on this basis, the expansion of production and the taxable base, the introduction of the right to defer the payment of a single tax for a certain period for newly established small and medium-sized businesses that are building facilities for their own needs, as well as the introduction of new measures such as encouraging the transition to value-added tax for small enterprises, the transition to a policy of encouraging rapidly developing, growing enterprises, the abandonment of individual approaches to providing tax benefits and the transition to the practice of applying them only to certain sectors of the economy. changes in this area indicate the beginning of processes characteristic of developed countries.

What does the formation of legal foundations and practices in our country over the past year, reflecting modern and democratic values, regarding the social stratum of owners and the increase in private property, indicate? This situation, firstly, indicates the intensification of the processes of building a civil society and a legal state in the country. Secondly, it indicates the realization of concepts of ensuring human rights and freedoms in life. Because the most important freedom and right for a person is his ownership of property. Freedom does not have deep meaning without

property, without property a person does not fully realize his potential in exercising his rights. Thirdly, freedom of entrepreneurship and private property are important components of economic freedom. In the current period, economicIt is no secret that without freedom there is no way to increase the well-being of society. Fourth, as a result of the growth of private ownership, competition between different forms of ownership increases, which creates the basis for the formation of pluralism in society, the need to attract more foreign and modern technologies increases, society becomes more active in economic and social aspects, and the conditions for deeper integration into the world economic integration expand.

The content of the newly adopted legal framework on entrepreneurship and private property indicate that our country is striving to build a civil society and a state based on the rule of law. In the conditions of civil society, state property is decreasing, and the property of private and self-governing bodies is increasing. For example, in France, private property accounts for 74 percent of all types of property. This figure is 65 percent in Austria, and 42 percent in Great Britain. The share of state property is 23, 30 and 55 percent, respectively, and municipal property is 3, 5 and 3 percent. Another different indicator is that the share of private property in the gross domestic product in the United States is 63.7 percent (the state's share is 31 percent), in Japan it is 74.8 percent (the state's share is 18.1 percent), in China it is 50.8 (the state's share is 31), in Germany it is 67.1 (the state's share is 30.4), and in the European Union it is 53.7 (the state's share is 35).

According to the famous English historian Arnold Toynbee, "modern civilization is a civilization of the middle class." The middle class in the structure of society in developed countries accounts for 60-70 percent. Different schools of thought use different criteria to define the middle class as a social unit. Often, self-assessment of status and income are used as criteria. It is widely believed that two-thirds of Western societies have incomes close to the middle class, with relatively few poor or rich people. Most analysts also believe that the current middle class consists of small owners of the means of production. Such small business owners - the so-called "old middle class" of US farmers and British merchants - make up 10-15 percent. The so-called "new middle class" or "class of managers and specialists" in developed countries makes up 20-25 percent, most of whom are highly educated professionals, intellectual workers, and representatives of the liberal professions. If the main criterion is the type of labor, then the middle class also includes "white-collar" workers, that is, employees without higher education ("lower middle class"). Also, in addition to determining the middle classes based on market relations and type of labor, the method of determining them based on cultural and value orientation is also widely used.

The middle classes satisfy all the needs necessary for a prosperous life in society: jobs, consumer goods, medical care, scientific discoveries, etc. According to sociologists, the middle classes also act as a factor that smooths out conflicts between opposing classes. From a socio-economic point of view, the middle class is characterized by the principle of reducing conflicts between different professions and between urban and rural life. In family relations, the middle class is manifested in the creation of equal opportunities for women and men in society, as a factor spreading traditional family values. Politically, the middle classes are the social support of centrist movements, carrying traditions, norms, knowledge, demonstrating high citizenship and

independent personality.

The fact that the middle class occupies a leading place in the social structure of societies of developed countries creates ample opportunities for the stable existence of society, despite the occasional increase in socio-political tension between the lower classes. Such tensions are mitigated as a result of the neutral position of the majority (the middle class). The most important thing is that the middle class is the social and economic support of civil society, the political basis of democracy and change. At the same time, various conflicting social tensions are also mitigated because the middle class is in a conflicting situation between the influence of the upper class and the pressure from the lower class - a "double layer". One of the most significant changes in the social structure of societies in developed countries is the growth of real incomes of the working population. At the same time, the distribution of incomes occurs on the basis of inequality. The ratio of the incomes of the richest 20 percent and the poorest strata is 12: 1 in the USA, 9: 1 in France, 8: 1 in Great Britain, 5: 1 in the FRG, Sweden, the Kingdom of the Netherlands, and 4: 1 in Japan.

An analysis of the social structure of societies in industrialized countries shows that this structure includes various social groups and layers, which differ from each other in a number of indicators. In order to determine these indicators and the boundaries of classes in the current era, it is necessary to use various criteria of social stratification. They are: the situation in the system of social distribution of labor, the size and ways of earning income, the characteristics of the professional function, the characteristics of the lifestyle, the level of education, etc.

The social categorization of societies in developed countries is characterized by the following: the emergence of numerous groups that reflect the signs of several classes, the activation of internal class stratification, the growth of the mobility of structural elements, the increase in the material standard of living. These processes in many respects create opportunities for the sustainable development of developed countries and the further deepening of the ideas of civil society. The main strategic task of developed countries in the current period is to achieve a general civil consensus by taking into account and coordinating the interests of various social groups, to ensure civil solidarity aimed at integrating society.

In conclusion, the country of Uzbekistan is also on the path of building a civil society based on the harmony of Western, Eastern and national experiences. As a result of the implementation of the tasks set out in the "Development Strategy of New Uzbekistan for 2022-2026" to "protect private property rights and further strengthen their priority position, and stimulate the development of small business and private entrepreneurship", the social stratum of owners, which will become a more active force, will inevitably become the social and economic pillar of civil society in the country. As a result of the formation of civil society, citizens' participation in the activities of state authorities will be activated, which will pave the way for the priority areas of these bodies' activities to be focused on improving the well-being of the people. Also, this process of change will be manifested as the legal basis for the development of socio-political, legal and economic relations inherent in civil society and the rule of law. Of course, the implementation of these changes, the further democratization of society, and the greater representation of the interests of the people in the activities of state authorities will inevitably

have a positive impact on the development of market economy relations and the further increase in the country's economic potential.

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