



PECULIAR FEATURES OF THE PRINCIPLE OF SEPARATION OF POWERS IN THE REPUBLIC OF UZBEKISTAN: THEORETICAL AND LEGAL FOUNDATIONS

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Abstract

The principle of separation of powers constitutes one of the fundamental pillars of modern constitutionalism and democratic governance. It is traditionally associated with the division of state authority into legislative, executive, and judicial branches, each functioning independently while maintaining a system of mutual checks and balances. In the Republic of Uzbekistan, the principle of separation of powers has undergone a distinctive process of formation and development shaped by historical experience, national legal traditions, and the country's gradual transition toward a democratic state governed by the rule of law.

This article explores the theoretical and legal foundations of the principle of separation of powers in Uzbekistan, emphasizing its specific features and national characteristics. The study analyzes the constitutional basis of the principle, its implementation within the system of state authorities, and the interaction between branches of power in the Uzbek model of governance. Particular attention is paid to the role of constitutional reforms, institutional evolution, and legal mechanisms that ensure balance and cooperation among state bodies. The research demonstrates that the Uzbek approach to the separation of powers represents a unique synthesis of classical constitutional theory and national state-building priorities.

Keywords: Separation of powers, constitutionalism, state authority, checks and balances, legislative power, executive power, judicial power, Republic of Uzbekistan, constitutional reforms, rule of law.



Introduction

The concept of separation of powers occupies a central place in the theory and practice of constitutional law. It emerged as a response to the concentration of political authority in a single institution or individual, which historically led to arbitrariness, abuse of power, and violations of fundamental rights. By dividing state power into separate branches with clearly defined competences, constitutional systems aim to ensure political stability, legal certainty, and the protection of individual freedoms.

In contemporary constitutional states, the principle of separation of powers is not applied in a uniform or mechanical manner. Each country adapts this principle to its historical conditions, political culture, and legal traditions. As a result, various national models of separation of powers have emerged, reflecting both universal democratic values and specific state-building needs.

The Republic of Uzbekistan provides an illustrative example of such adaptation. Since gaining independence, Uzbekistan has pursued a gradual process of constitutional and institutional development aimed at strengthening state sovereignty, ensuring social stability, and advancing democratic governance. Within this context, the principle of separation of powers has been incorporated into the constitutional framework as a foundational principle, yet its practical implementation exhibits distinctive features that differentiate it from classical Western models.

The purpose of this article is to examine the theoretical and legal foundations of the principle of separation of powers in Uzbekistan and to identify its unique characteristics. The study seeks to answer the following questions: How is the principle of separation of powers conceptualized in Uzbek constitutional law? What legal mechanisms regulate the interaction between branches of power? And how do national reforms influence the functioning of this principle in practice?

Theoretical Foundations of the Principle of Separation of Powers

The principle of separation of powers originates from classical political and legal thought. Philosophers and legal theorists developed the idea that liberty could only be preserved when state power was not concentrated in the hands of a single authority.



***Modern American Journal of Linguistics,
Education, and Pedagogy***

ISSN (E): 3067-7874

Volume 2, Issue 2, February, 2026

Website: usajournals.org

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The theoretical core of the principle lies in the differentiation of state functions and the institutional independence of bodies responsible for exercising those functions.

In its classical formulation, the separation of powers includes three main components. First, the legislative power is responsible for adopting laws that reflect the will of the people. Second, the executive power implements laws and manages public administration. Third, the judicial power resolves disputes and ensures the supremacy of law through impartial adjudication. The effectiveness of this system depends on the existence of checks and balances that prevent any branch from exceeding its constitutional limits.

Modern constitutional theory recognizes that absolute separation of powers is neither possible nor desirable. Instead, contemporary systems emphasize functional cooperation and institutional balance. Branches of power remain independent in their core functions but interact through constitutionally prescribed mechanisms. This dynamic understanding of separation of powers allows states to maintain effective governance while safeguarding democratic principles.

For post-socialist states, including Uzbekistan, the adoption of the separation of powers principle has been closely linked to the transition from centralized governance to constitutional democracy. In such contexts, the principle serves not only as a legal doctrine but also as a tool for restructuring state authority and redefining relations between the state and society.

Constitutional Basis of the Separation of Powers in Uzbekistan

The constitutional framework of the Republic of Uzbekistan establishes the principle of separation of powers as a fundamental principle of state organization. The Constitution affirms that state power is exercised on the basis of the division of authority into legislative, executive, and judicial branches, which operate independently within their respective competences.

This constitutional provision reflects a deliberate commitment to democratic governance and the rule of law. At the same time, it acknowledges the need for coordinated action among state institutions to ensure effective public administration and national development. As a result, the Uzbek constitutional



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model combines institutional independence with mechanisms of interaction and accountability.

The legislative power is vested in a representative body that expresses the will of the people through lawmaking. Its authority includes adopting laws, approving the state budget, and exercising parliamentary oversight over executive bodies. The executive power is entrusted with implementing laws, managing state policy, and ensuring the functioning of public administration. The judicial power operates as an independent branch responsible for protecting constitutional rights and ensuring legal justice.

An important feature of the Uzbek constitutional model is the emphasis on constitutional supremacy. All branches of power are bound by the Constitution, and their activities must conform to its provisions. This principle serves as a unifying legal framework that regulates the distribution and exercise of state authority.

Specific Features of the Uzbek Model of Separation of Powers

While the Constitution formally establishes the separation of powers, the practical implementation of this principle in Uzbekistan reflects several distinctive characteristics.

First, the Uzbek model prioritizes stability and gradual reform. Rather than adopting abrupt institutional changes, Uzbekistan has pursued a phased approach to strengthening the independence and effectiveness of each branch of power. This strategy has been shaped by historical experience and the need to maintain social cohesion during periods of transformation.

Second, the interaction between branches of power is characterized by a cooperative rather than confrontational approach.

Constitutional mechanisms encourage dialogue and coordination among state bodies, particularly in areas of national importance such as economic development, social policy, and security. This cooperative model seeks to prevent institutional deadlock while preserving the autonomy of each branch.

Third, the role of the executive branch has traditionally been significant in the governance system. However, recent constitutional reforms have aimed at enhancing parliamentary oversight and strengthening judicial independence.



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Volume 2, Issue 2, February, 2026

Website: usajournals.org

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These reforms indicate a clear trend toward balancing executive authority with stronger legislative and judicial control.

Fourth, the judiciary in Uzbekistan has undergone substantial reforms aimed at ensuring its independence and professionalism. Legal guarantees, institutional restructuring, and procedural reforms have contributed to enhancing public trust in the judicial system and reinforcing its role as a guardian of constitutional rights.

Legislative Power and Its Role in the System of Separation of Powers

The legislative branch occupies a central position in the system of separation of powers, as it embodies the principle of popular sovereignty. Through the adoption of laws, the legislature defines the legal framework within which executive and judicial bodies operate.

In Uzbekistan, the legislature performs not only lawmaking functions but also exercises oversight over the executive branch. Parliamentary control mechanisms include hearings, inquiries, and the evaluation of government reports. These instruments serve to enhance transparency and accountability in public administration.

At the same time, the effectiveness of legislative power depends on its institutional capacity and independence. Ongoing reforms aim to strengthen the professional expertise of legislators and improve legislative procedures, thereby increasing the quality of lawmaking and the effectiveness of parliamentary oversight.

Executive Power and Its Constitutional Functions

The executive branch is responsible for implementing laws and managing state affairs. In Uzbekistan, the executive plays a crucial role in policy formulation and public administration. Its activities are guided by constitutional principles and subject to legal accountability.

The interaction between the executive and legislative branches reflects the principle of checks and balances. While the executive possesses significant administrative authority, it remains accountable to the legislature and operates within the limits established by law. This balance is essential for preventing the concentration of power and ensuring lawful governance.



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Education, and Pedagogy***

ISSN (E): 3067-7874

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Judicial Power and the Guarantee of Constitutional Supremacy

Judicial independence is a cornerstone of the separation of powers. In Uzbekistan, the judiciary is constitutionally recognized as an independent branch tasked with administering justice and protecting individual rights.

Judicial reforms have focused on strengthening institutional independence, improving procedural safeguards, and enhancing professional standards. These measures contribute to the development of a legal system based on fairness, impartiality, and respect for the rule of law.

The judiciary also plays a critical role in resolving disputes between state bodies, thereby contributing to the balance of powers and the stability of the constitutional order.

Conclusion

The principle of separation of powers in the Republic of Uzbekistan represents a distinctive model shaped by constitutional theory, national legal traditions, and the country's developmental priorities. While grounded in classical concepts of constitutionalism, the Uzbek approach emphasizes gradual reform, institutional cooperation, and legal stability.

The constitutional framework provides a solid foundation for the separation of powers, while ongoing reforms continue to enhance the balance and effectiveness of state institutions.

As Uzbekistan advances its democratic development, the principle of separation of powers remains a key mechanism for ensuring lawful governance, protecting individual rights, and strengthening public trust in state authority.

References

1. Constitution of the Republic of Uzbekistan.
2. Dicey, A. V. *Introduction to the Study of the Law of the Constitution*. London: Macmillan.
3. Montesquieu, C. L. *The Spirit of the Laws*. Cambridge University Press.
4. Bogdanor, V. *The New British Constitution*. Oxford University Press.
5. Rosenfeld, M., Sajó, A. *The Oxford Handbook of Comparative Constitutional Law*. Oxford University Press.
6. Tikhomirov, Yu. A. *Public Law Theory*. Moscow.



*Modern American Journal of Linguistics,
Education, and Pedagogy*

ISSN (E): 3067-7874

Volume 2, Issue 2, February, 2026

Website: usajournals.org

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4.0 International License.*

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7. Markovits, I. Constitutionalism in Post-Socialist States.
 8. Reports on Constitutional Reforms in the Republic of Uzbekistan.
 9. UNDP. Rule of Law and Democratic Gover