

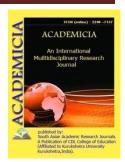
ISSN: 2249-7137 Vol. 11, Issue 8, August 2021 Impact Factor: SJIF 2021 = 7.492



ACADEMICIA

An International Multidisciplinary Research Journal

(Double Blind Refereed & Peer Reviewed Journal)



DOI: 10.5958/2249-7137.2021.01832.2

ESTABLISHMENT OF SOVEREIGNTY AS A LEGAL INSTITUTE

Shavkat Gaybullaevich Asadov*

*DSc (Law), Professor,
Department of Legal basis of Public Administration and Structure,
Academy of Public Administrationunder the President,
Republic of UZBEKISTAN

ABSTRACT

This article aims to analyze the concept of sovereignty, its legal nature and its emergence as a legal category. The article is based on the norms of international law and national legislation on the concept of sovereignty. The analysis of the article refers to the scientific work of national and foreign scientists, their theoretical views. A number of proposals and recommendations have been developed based on normative legal acts and theories of scientists. The Westphalian Peace Treaty recognized the sovereignty of states over their territory. It was from this period that a number of thinkers of their time began to lay the scientific foundations for the consolidation of monarchical power and made a great contribution to the establishment of secular power. The content of sovereignty consists of socio-political and legal relations. These relations demonstrate the strong connection and interdependence of sovereignty with politics and law, as their interrelationships constitute the essence of both politics and law. The practice of international recognition (legitimization) of states or governments is evolving as opposed to the content of national state sovereignty. State sovereignty is formed on the basis of the absolute internal political processes of the state and is limited to the territory of the respective state.

KEYWORDS: Sovereignty, Emergence Sovereignty, Legal Institute, Treaty Of Westphalia, Independence, Country, State, State Power.

REFERENCES:

- 1. Asadov Sh.G. The concept of sovereignty: essence and content // Bulletin of Karakalpak State University. 2019. №2. (43)
- 2. Malberg square. Contributions to the general theory of the state. Paris, 1920. T. I.

ISSN: 2249-7137 Vol. 11, Issue 8, August 2021 Impact Factor: SJIF 2021 = 7.492

- 3. Yuldoshev A. E.. Urgent issues of ensuring the right of citizens to participate in the management of public and state affairs // Журнал правовых исследований. 2020. Т. 5. № 11.
- **4.** Maritain J. Man and the State / per. from English T. Lifintseva. M., 2000.
- **5.** Vikhrov A.A., Salnikov M.V., Adamiyan G.A., Biktasov O.V. The concept and essence of sovereignty. Bulletin of the St. Petersburg University of the Ministry of Internal Affairs of Russia., 2005. No. 3 (27).
- **6.** Kotov A.K. State sovereignty of the Republic of Kazakhstan: political and legal analysis of the formation and problems of national-state development: abstract of thesis. ... Doctors of Law: Almaty, 1994.
- 7. Chirkin V.E. State science. M., 2012.
- **8.** Pozdnyakov, E. A. Philosophy of State and Law / E. A. Pozdnyakov. M.: Polygraph-Service, 1995.
- **9.** Esmen A. Basic principles of state law: Translation from French. Newest freedom, principles and institutions. T. 1 / Esmen A., prof. Paris. jurid. fac .; Ed. and with a foreword: M.M. Kovalevsky; Per .: N. Konchevskaya. M .: K.T. Soldatenkov, 1898.
- **10.** Tikhomirov Yu. A. Legal sovereignty: spheres and guarantees // Journal of Russian law., 2013. No. 3.
- **11.** Abboskhuzhayev O., Umarova N., Kuchkorov R. Conflict in ideological training grounds. T.: Akademiya, 2007.
- 12. Urazaev Sh.Z. Constitution of independent Uzbekistan. T.: Adolat, 1993.
- **13.** Manelis B.L. The problem of sovereignty and its significance in modern conditions. Tashkent: Nauka UzSSR, 1964. (305 p.)
- **14.** Adilkariev Kh.T. The new Constitution is a great symbol of the sovereignty of Uzbekistan. T .: Adolat, 1993.
- **15.** Islomov Z., Zhuraev Zh. Historical-legal, scientific-theoretical aspects of the relationship between international law and the national legal system // Bulletin of TSU. 2006, issue 5. (Islomov Z., Jo'raev J. Historical-legal, scientific-theoretical aspects of the relationship between international law and the national legal system // Bulletin of TSIL. 2006, Issue 5.)
- **16.** Knight E.-H. On the territorial dimension in the European Constitution / E.-H. Ritter // Journal for Political and European Studies (ZSE): Journal for Comparative Government and European Policy. 2003. Vol. 1, N 2. P. 240-250.
- **17.** Yuldoshev A. State and prospects of harmonization of legislative acts with the institutions of civil society in Uzbekistan // Review of law sciences. 2020.Badie B. La fin de territores. P., 1996, 318 p.
- **18.** Lyubashits V.Ya. State power: paradigm, methodology and typology / V.Ya. Lyubashits, A. Yu. Mordovtsev, A. Yu. Mamychev M.: Yurlitinform, 2013.
- **19.** Schmitt K. The concept of the political // Questions of sociology., 1992. № 1.