

**SOCIAL AND LEGAL STATUS OF PERSONS WITH DISABILITIES IN THE NEW  
STAGE OF DEVELOPMENT OF SOCIETY**

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**Abstract:** In this article, the legal status of persons with disabilities in society includes a number of elements such as "rights, freedoms, legal interests, legal principles, legal guarantees and their obligations of persons in need of special attention" and social protection of disabled persons. The importance of normative legal documents in the Republic of Uzbekistan is highlighted.

**Keywords.** Society, socio-legal status, disabled, legislation, disabled, disability, models, changes.

**Introduction.** At the current stage of society's development, large-scale reforms are being implemented to realize the rights of persons with disabilities. Determining the socio-legal status of persons with disabilities on the basis of the implemented reforms and thereby increasing the effectiveness of the measures - activities carried out within the field is becoming one of the urgent issues of today. In this sense, it is appropriate to analyze the issue of the socio-legal status of persons with disabilities from a socio-legal point of view. The legal status of persons with disabilities or persons with disabilities is the legal criteria for exercising, changing or revoking their rights based on legal principles, using legal guarantees, as well as fulfilling their legal obligations through independent or legal representatives. The legal status of persons with disabilities includes a number of elements such as "rights, freedoms, legal interests, legal principles, legal guarantees and their obligations of persons in need of special attention".

Protection of the rights and interests of persons with disabilities is the most important issue in the new stage of development of Uzbekistan. Today, about 800,000 people with disabilities live in our republic. In this regard, in recent years, in our country, the support of the population in need of social protection has been raised to the level of state policy. In this regard, the President of the Republic of Uzbekistan Shavkat Mirziyoyev said, "The new development strategy of Uzbekistan will start a new stage of our national development. From now on, we will organize our activities on the basis of the new principle of "man - society - state", and the life-giving idea of "human value and his interests" is reflected in the center of all ongoing reforms. Based on this , a new legal system was created to protect the rights and interests of persons with disabilities among the wide-scale reforms being carried out in our country . Based on this system, the rights and interests of persons with disabilities were defined. In their content, disability was defined primarily as a human rights issue, not as a social protection or medical issue. In particular, taking into account that the population of our republic consists of more than 100,000 children with disabilities under the age of 16, privileges have been created for them to get an education, acquire a profession, and have a place in an independent life. They are defined in the following legal documents:

First, the Decree of the President of the Republic of Uzbekistan dated December 1, 2017 "On measures to fundamentally improve the system of state support for persons with disabilities" was adopted. The peculiarity of this Decree is that "not to allow discrimination based on the sign of disability, to ensure equal conditions in the realization of the rights, freedoms and legal interests of persons with disabilities and the inevitability of liability for their violation." In addition, the decree approved the program "Comprehensive measures to further improve the system of support for persons with disabilities and to strengthen the guarantees of protection of their rights and freedoms". In this program, starting from the 2018/2019 academic year, a procedure for allocating an additional two percent quota for persons with disabilities from the total number of applicants to higher education institutions was introduced. With this, the task of forming the distribution of

additional two percent quotas for persons with disabilities in our country by higher education institutions was determined. Also, the category of admission of persons with disabilities to higher education institutions on the basis of an additional quota includes persons with a certificate of completion of a general secondary education or secondary special vocational education institution and a certificate of group I and II disability issued in the prescribed manner.

Secondly, by the Decision of the Cabinet of Ministers of the Republic of Uzbekistan dated June 2, 2018, the Regulation "On the procedure for admission of persons with disabilities to higher education institutions based on additional state grant quotas" was approved. This Regulation defines the procedure for admission of persons with disabilities to higher education institutions based on additional state grant quotas. In addition, the category of admission of persons with disabilities to higher education institutions on the basis of an additional quota was established. According to it, a document stating that he has completed general secondary education (on the basis of 11th grade) or a secondary special vocational educational institution (academic lyceum, vocational college) and a certificate of disability of groups I and II in the prescribed form, groups I and II The composition of the disabled was determined.

Thirdly, on October 15, 2020, the Law of the Republic of Uzbekistan "On the Rights of Persons with Disabilities" was adopted. This law became an important legal basis for the fundamental improvement of the state support system for persons with disabilities. In addition, a social innovation in this law is the introduction of the concept of "discrimination based on the sign of disability", which did not exist before in the legislation of Uzbekistan. Also, Chapter 6 of this law stipulates: Education of persons with disabilities, vocational training, retraining and improvement of their qualifications. In particular, Article 38 of the law stipulates that "Persons with disabilities have the right to receive education in educational institutions of all levels and to participate in the life of society and the state throughout their lives in order to develop their abilities more fully".

Fourthly, the Decision of the President of the Republic of Uzbekistan dated December 21, 2021 "On comprehensive support of persons with disabilities, assistance in their employment and additional measures to further increase their social activity" and the Decree of the Cabinet of Ministers of the Republic of Uzbekistan dated December 23, 2021 "Affairs of persons with disabilities "On measures to further improve the activities of the interdepartmental council" was adopted. The practical significance of these decisions is that, in line with the UN Sustainable Development Goals, the mechanisms for creating an effective system of support for persons with disabilities, increasing the quality and level of life by involving them in labor activities, and creating new jobs for persons with disabilities have been determined.

Based on the above analysis, we would like to highlight the issue of social and legal status of persons with disabilities in the new stage of development of the society.

We know that the state and society, while recognizing a person as a subject of law, also determines his social and legal status. In turn, people regularly use the protective and regulatory functions of the state to ensure their rights and freedoms. Studying the concept of the legal status of persons with disabilities by classifying it serves to reveal the legal nature of this concept. The status of this category of persons in society and the duties they perform are the main factors of the legal status that is determined for them. It goes without saying that the medical and social level of disability of persons with additional needs appears as a component of the factors of this issue.

When we talk about the guarantees of the rights of persons with disabilities, it should be mentioned that the guarantees serve as an important factor in ensuring the rights of this category of persons. Legal guarantees in this regard are divided into two: 1. Constitutional legal guarantees. These guarantees include the legal norms defined in articles 54-55 of the new version of the main law. Legal norms such as the right of citizens to appeal to the courts and the provision of the rights of persons with disabilities by the state are clear examples of constitutional legal guarantees.

Sectoral legal guarantees. These guarantees are provided by the sectoral law "On the rights of persons with disabilities" and by-laws developed on the basis of this law. Obligations of persons with disabilities acquire general legal content and are regulated on the basis of the norms contained in the Constitution of the Republic of Uzbekistan. Among these obligations, we can include: compliance with laws, respect for the rights and freedoms of others, careful attitude to the natural environment. In particular, Article 57 of the new version of the Constitution includes the following norm: "The state creates conditions for the full use of facilities and services of social, economic and cultural spheres by persons with disabilities, assists them in their employment, education, provides them with the opportunity to obtain the necessary information without hindrance".

Y.R.Yarskaya-Smirnova, E.K.Naberushkina put forward the opinion that disability is a level of physical limitation, which is designated by the Bureau of the Medical Labor Expertise Commission and protected by special sectoral laws. This opinion can be supported in a certain sense, but we cannot agree with the view of the content of the level of physical limitation expressed in the opinion. It is true that the above view could probably be supported if the concept was approached from a medical point of view. We believe that disability is a legal status. As a result of the designation of the legal status of disability, additional benefits arise in the rights and freedoms of this person. In a word, his individual status in society changes.

Due to the definition of disability, a special legal status is created for persons with limited physical abilities. According to the conclusions of K.D.Gaybatov, M.A.Orskhanova, the state of disability occurs only in situations where the recovery of a person's health is impossible. The registration of cases of disability in persons by the medical labor examination commission determines their medical and legal status in civil society. According to K.D.Gaybatov, M.A.Orskhanova, cases of disability occur only in cases where a person's health cannot be restored, but we cannot support this opinion. Disability cases are also defined in situations where full recovery of health is impossible. That is, it can be defined as a complete loss of vision or a serious decrease in vision. In fact, the registration of a person's disability status by the medical labor examination commission serves as an important factor in determining his social and legal status in society.

M.A.Usmonova, a jurist of our country, said that a person who needs social assistance and social protection due to limited activity due to mental or physical disabilities is recognized as disabled. It states that the limitation of the person's life activity is expressed in his complete or partial loss of the ability or opportunity to serve himself, to walk, to find the way, even to control his own movement. In fact, in order to define a person as disabled, it is assumed that he has a serious mental and physical limitation. The disability status of this category of persons directly affects their educational opportunities. According to M.A. Usmonova, a person whose activity is limited due to mental or physical disability is recognized as a person with a disability.

Article 1 of the Law of the Republic of Uzbekistan "On Social Protection of the Disabled" defines this concept as follows: "A person in need of social assistance and protection due to limited life activities due to physical or mental disabilities is considered disabled. The limitation of a person's life activity is expressed in the complete or partial loss of his ability or ability to serve himself, walk, find his way, communicate, control his behavior, as well as work" According to the existing legal norms, persons with disabilities are considered as full-fledged subjects of civil society. It is this aspect that should be taken as the main criterion of this definition. We think that the conceptual level of the concept will be further strengthened if we define the concept of a person with a disability as follows. A person with a disability is a person who has special rights and general obligations, is considered a full-fledged subject of society, and needs the creation of additional privileges and conditions due to the limitation of life activities due to the presence of

physical, mental, mental or sensory defects. In our opinion, this definition is the most appropriate option for the legal description of the concept.

In addition, based on the study of the problem in the research, it is permissible to say exactly the difference between two specific concepts about the socio-legal status of persons with disabilities. In the study, we used the concepts of persons with disabilities and persons with disabilities. In our opinion, it is appropriate to analyze the theoretical foundations between the concepts of persons with physical disabilities and persons with disabilities. People with physical disabilities are generally considered to be people who lack the ability to move independently. That is, there is a serious disturbance in their basic movement system. As a result, a specially appointed guardian acts on their behalf. In our opinion, persons with disabilities are considered persons with a greater capacity to deal with them. Therefore, we are taken as the object of research as persons with disabilities.

Persons with disabilities are socio-legally classified according to the level of physical, mental or mental disability as follows:

- persons with disabilities due to general diseases ;
- persons who have fallen into a state of disability as a result of accidents during work ;
- persons with disabilities since childhood.

From a medical point of view, it is proposed to classify persons with disabilities as follows:

1. Persons with a serious defect in the basic movement hardware system; based on the type of persons with disabilities, this category includes persons who cannot perform their actions independently or move with the help of additional means of movement.
2. Visually impaired persons; this category of people includes people with completely limited vision and people with severe visual impairment.
3. Hearing impaired persons; This category of people is usually considered to be completely deaf or hard of hearing.
4. Individuals with visual and hearing impairments at the same time.

While we are talking about the socio-legal status of persons with limited opportunities, we should pay attention to another aspect of the issue. We can see that the concept of a disabled person is analyzed purely philosophically. Even in our country, researches in this regard have not been carried out yet. This issue has been studied sociologically, economically, legally and psychologically. Since the definitions given to the social status of the concept of a disabled person are analyzed in the framework of the above-mentioned scientific areas, it gives the conclusion that the content of this concept is also researched in this framework. It is correct to look at the social status of a disabled person from the point of view of his situation in society. It is understood that individuals of this category have their own status or vice versa, based on the use of all their rights in the society. For example, the famous philosopher P.A. Sorokin (1889-1968) had a strong influence on the development of the philosophy of history. He looked at society as an integrated whole, which is determined by the activities of individuals and social groups aimed at satisfying their needs, and is formed as a result of their interactions with each other and with society. In our opinion, if we rely on these views of Sorokin, disabled people also enter into a relationship with society to meet their needs. How this relationship is implemented is a separate issue. A person with a disability begins to understand the reality in society from a social point of view. According to L.V. Kostin, "...understanding is a cognitive process that is considered by the subject as an object-subject relationship aimed at clarifying the understanding of the meaning of the object in the evaluative activity of the subject. The purpose of this treatment is to open and expand the meaning of the object to be understood by comparing its objective properties and qualities with the needs of the understander, the expected result. In the encyclopedic dictionary of philosophy, understanding is defined as a mental process that consists of creating ideas, concepts, judgments



about objects and events in the objective world and connecting them with existing knowledge in the mind. In our opinion, a person with disabilities can have his own status in society, and we think that his status will be improved in exchange for the formation of existing knowledge based on the description of the objective apple. L.V. In Ponamar's words, "...relies on cognitive activity as the illumination of the objectively existing description of objects, events, situations. At the same time, understanding itself turns out to be a necessary condition of knowledge and an objective cultural-historical ground".

**In conclusion**, it should be said that every adult, sane person has a certain worldview. This worldview is formed in a series of social relations. "Worldview," it is said in one of the textbooks of philosophy, "is, first of all, a system of generalizations formed on the basis of the conclusions and knowledge that arise as a result of a person's necessary awareness, understanding, knowledge and evaluation of himself and the world. "It is people with disabilities who are socialized with their own worldview in the development of society. This determines his status in social and political life.

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