



The Interaction of National Social Policy and International Legal Norms

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Abstract The interaction between national social policy and international legal norms has become increasingly complex in the context of globalization, reshaping state sovereignty and requiring adaptation of domestic systems. The Republic of Uzbekistan exemplifies this shift, integrating over 50 international treaties, including ILO conventions and UN covenants, into its national legal framework. Despite extensive legal scholarship, limited attention has been paid to how specific national systems, like Uzbekistan's, balance international obligations with domestic priorities while preserving democratic legitimacy. This study aims to analyze the mechanisms, phases, and impacts of harmonizing national social legislation with international legal norms, focusing on labor rights, gender equality, education, healthcare, and social protection. The research identifies three stages of harmonization ratification, legislative adaptation, and implementation revealing over 127 national legal changes, improved labor and gender protections, modernized education, and enhanced healthcare aligned with international standards. Comparative legal analysis shows that Uzbekistan's approach reflects continental legal system traditions, emphasizing legislative transformation over direct application. This study offers a nuanced understanding of how legal pluralism, transnational labor law, and the capabilities approach manifest practically in Uzbekistan, providing rare empirical insights into balancing international integration with national sovereignty. The findings contribute to global governance theories, offering practical models for other developing countries seeking to harmonize international commitments with domestic democratic processes while preserving national identity and legal coherence.

Keywords: national social policy, international legal norms, state sovereignty, globalization, supranational organizations, international treaties, social rights, legal adaptation

Introduction

In the 21st century, states' domestic social policies are increasingly shaped under the influence of international legal norms. Globalization processes, while transforming national legal systems, also

necessitate a reconsideration of the traditional concept of state sovereignty. This situation is particularly evident in social legislation, as social rights increasingly demonstrate a trend toward universalization.

The Republic of Uzbekistan has also pursued a consistent policy of recognizing international legal standards and integrating them into national legislation in its legal development. This approach is enshrined in the Constitution of the Republic of Uzbekistan. Specifically, Article 17 of the Constitution states: "The Republic of Uzbekistan is a full-fledged subject of international relations. Uzbekistan's foreign policy is based on the principles of sovereign equality of states, non-use of force or threat of force, inviolability of borders, territorial integrity of states, peaceful settlement of disputes, non-interference in the internal affairs of other states, and other universally recognized principles and norms of international law" [1].

In contemporary international law, human social rights are moving beyond the domestic jurisdiction of nation-states and entering the sphere of influence of international protection mechanisms [2]. The standards of influential international organizations such as the UN, ILO, Council of Europe, and OSCE have direct impact on national legislation. Simultaneously, regional integration processes - such as the European Union, EAEU, and ASEAN - require member states' social policies to conform to common standards [3].

The urgency of the problem manifests in several factors. First, in the process of harmonizing national social legislation with international standards, states are compelled to redefine their social policy priorities. Second, credit and aid programs of international financial institutions impose specific requirements on national social policy. Third, the activities of transnational corporations demand new regulatory mechanisms in the field of labor and social rights [4].

This problem has been addressed from various perspectives in scholarly literature. Legal scholars such as G. Teubner and A. Fischer-Lescano emphasize the dominance of global law over national systems, while researchers like J. L. Dunoff and J. P. Trachtman argue for the necessity of preserving national sovereignty. Meanwhile, scholars such as N. Walker and M. Kumm have developed the theory of "constitutional pluralism," advancing the concept of parallel existence of national and international legal systems [5].

The Republic of Uzbekistan has not remained outside these global processes. Since independence, our republic has joined more than 50 international treaties, most of which relate to social rights. Joining ILO conventions and the UN International Covenant on Economic, Social and Cultural Rights required fundamental revision of national legislation. Simultaneously, WTO membership and activities in the SCO and other regional organizations imposed new legal obligations [6].

Materials and Methods

This study was conducted based on several interconnected methodological approaches, arising from the characteristics of studying complex legal-social phenomena. The methodological foundation of the research is based on the principles of dialectical materialism and allows examination of the contradictory relationships between national social policy and international law in the context of development, interaction, and change. The principle of objectivity ensured reflection of the real state of phenomena and avoidance of subjectivism. In the data collection process, primary sources included the Constitution and laws of the Republic of Uzbekistan, international treaties and conventions, documents and reports of <https://sociometrics.us/index.php/jclds>

international organizations, as well as court decisions and precedent cases. Secondary sources included scholarly articles and monographs, dissertation works, conference materials, and expert analyses. Data collection extensively utilized library research, electronic databases Westlaw, HeinOnline, JSTOR, official websites, and archival materials [7].

The research was conducted in three main phases. The first phase involved studying theoretical foundations and creating a conceptual framework, analyzing theoretical materials related to the topic, and establishing the methodological foundations of the research. The second phase involved collecting and analyzing empirical data, comparing national legislation with international norms, and conducting expert surveys. The third phase involved generalizing results and developing recommendations, synthesizing obtained data, and forming practical proposals.

During the research process, certain objective limitations existed, including the unavailability of complete translations of some international documents, limited information about certain states' practices, and restricted opportunities for direct meetings with experts due to the COVID-19 pandemic. Nevertheless, to ensure the reliability of research results, measures were taken such as comparing data from various sources and methods through triangulation, expert validation, and creating opportunities for replication of results by other researchers.

Results

The conducted research identified complex mechanisms of interaction between national social policy and international legal norms. The analysis showed that the traditional concept of state sovereignty is fundamentally changing in contemporary conditions, and the social sphere is one of the areas most actively affected by this process. The study of the impact of international treaties and conventions on national legislation revealed that 34 out of 52 international documents ratified by Uzbekistan directly relate to the field of social rights. These include 14 ILO conventions, the UN International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and other important documents. These international obligations have led to the adoption or modification of 127 laws and regulatory documents in national legislation [8].

Through comparative analysis methods, it was determined that states belonging to different legal families integrate international social standards into their national systems through various approaches. In states belonging to the Anglo-Saxon legal system, direct application of international norms through the precedent method is observed, while in the continental legal system, the process of transforming international norms into national legislation predominates. Uzbekistan, belonging to the continental legal system, has chosen the path of implementing international norms through national legislation.

The harmonization of national legislation with international standards was analyzed, and it was determined that this process in Uzbekistan is being implemented in three main stages. The first stage involves joining international documents and their ratification. The second stage involves adapting national legislation to international obligations. The third stage involves creating implementation mechanisms and introducing monitoring systems [9].

Analysis of the field of labor rights showed that 68 amendments were made to the Labor Code during the process of harmonization with ILO conventions, based on the principle enshrined in the Constitution of the Republic of Uzbekistan: "Everyone has the right to decent work, free choice of profession and type
<https://sociometrics.us/index.php/jclds>

of activity, and to work in comfortable working conditions that meet safety and hygiene requirements” [10]. These changes mainly relate to issues of labor protection, ensuring gender equality, restricting child labor, and regulating trade union activities. At the same time, a strategy for gradual implementation of certain international standards was adopted, taking into account the specific characteristics of the national labor market.

The study of social protection system transformation revealed that a new social services system is being created based on international standards. In accordance with the UN Convention on the Rights of Persons with Disabilities, the system of social protection and rehabilitation services was reorganized. Significant changes were also implemented in ensuring gender equality, and mechanisms for protecting women’s labor rights were strengthened [11].

The study of the impact of international standards in the field of education revealed that modernization of the education system is being carried out based on recommendations from UNESCO and other international organizations. International experience was studied and adapted to national conditions in issues such as extending the duration of compulsory education, implementing education quality assessment standards, and developing an inclusive education system [12].

In the field of healthcare, the primary healthcare system was reformed based on WHO recommendations, and measures to ensure the availability of medical services for the population were strengthened. During the COVID-19 pandemic, cooperation with the international community resulted in increased preparedness of the healthcare system for emergency situations [13].

Analysis of the impact of regional integration processes showed that mechanisms for protecting the social rights of labor migrants are being developed within organizations such as the SCO and EAEU. Issues of ensuring social protection of Uzbek citizens during labor migration processes are being resolved based on international agreements.

Discussion

The research reveals complex relationships between contemporary international law and national social interests. The concept of social interests in the Westphalian system is now changing and is reflected in practical policy. Uzbekistan’s experience is a practical example of the theory of “legal pluralism” – international and national law can be mutually enriching. However, based on Kelsen’s “pure theory of law,” this integration may pose a threat to legal system coherence [14].

According to Dworkin’s and Raz’s theory of “legal authority,” fulfilling international obligations strengthens state legitimacy. In the field of labor rights, Guy Mundlak’s ideas of “transnational labor law” are finding practical confirmation, but national characteristics must be taken into account [15]. In the field of gender equality, MacKinnon’s and Nussbaum’s “capabilities approach” has proven effective, showing that it is possible to ensure a balance between international and national values. In education, based on Gutmann’s theory of “democratic education,” international standards are enriching national policy [16].

Financially, as Stiglitz noted, excessive reliance on international aid may weaken economic independence. Uzbekistan’s experience shows that this balance can be achieved. Theoretically, these results confirm Held and McGrew’s concept of “global governance” in practice. At the same time, the “democratic legitimacy crisis” proposed by Zürn demonstrates the necessity of accepting international obligations through national democratic processes.

The practical significance lies in the fact that this experience can serve as guidance for other developing countries in finding a balance between international integration and national characteristics.

Future research should focus on studying the legal consequences of digitalization, global problems climate, pandemic, and artificial intelligence.

Conclusion

The results of this research clearly demonstrate that the interrelationships between international law and national social interests have taken on a complex, multi-level, and dynamic character in the contemporary stage. The analyses conducted using the example of the Republic of Uzbekistan show that the integration of international legal norms into the national legislative system emerges not as complex contradictions, but as a process of constructive relationships and mutual enrichment between legal systems. This situation is solidly grounded by theoretical approaches such as legal pluralism, legal authority, global governance, and responsible social interests.

The application of international standards in social spheres such as labor law, gender equality, education, and civil society in Uzbekistan demonstrates in practice that it is possible to ensure balance between global and national approaches. Particularly, analyses conducted based on Guy Mundlak's concept of transnational labor law, Martha Nussbaum's capabilities approach, Amy Gutmann's democratic education model, and Jürgen Habermas's public sphere theory confirm that the application of international legal norms adapted to national conditions serves to enrich the state's legal-institutional capacity.

At the same time, critical approaches regarding the possibility that excessive unification of international law may lead to the weakening of national democratic institutions and sovereign political decision-making mechanisms, particularly the ideas proposed by Jeremy Waldron and Michael Zürn, are of current importance. Uzbekistan's experience offers a balanced approach to this problem namely, it is possible to preserve democratic legitimacy and sovereignty by accepting international obligations through national democratic mechanisms and adapting them to local conditions.

The research results make a practical contribution to the development of theoretical concepts such as global governance, transnational law, and legal integration, which are widely discussed in international jurisprudence. Uzbekistan's experience, particularly for other post-Soviet states, provides useful directions for harmonizing international integration and national identity in the process of legal modernization.

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