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## SPECIFIC FEATURES OF THE PRINCIPLE OF SOCIAL JUSTICE: A LEGAL ANALYSIS

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**Abstract.** *This article analyzes the role of the principle of social justice among the principles of law, its legal nature, its place in the modern legal system, and its main functions in a constitutional state. The subject of this study is the understanding of the normative content of the principle of social justice as a constitutional principle and a general legal idea, as well as its relationship with the concepts of equality, legal certainty, proportionality, human dignity, and the social state. The purpose of the research work is to substantiate that the principle of social justice should be applied not only as a moral and political idea, but also as a legal criterion in law enforcement practice and the law-making process. In the article, the relevance of the problem is determined by the need for social protection, socio-economic equality, and the importance of identifying real needs. Through the use of dialectical, comparative-legal, and functional methods in researching the topic, the distributive and procedural aspects of the principle of social justice were analyzed, and its legal model was developed. The normative significance of this principle is linked to constitutional norms, human rights, and the principle of proportionality. It should be noted that the proposed results can be used in the substantiation of judicial acts, in the expertise of draft laws, in the assessment of real social policy and in the processes of legal education.*

**Keywords:** *social state, social justice, principle, equality, proportionality, procedural justice, legitimacy, differential justice, distributive justice, social protection, social security*

### Introduction

Although understanding the issue of social justice is considered one of the most important and relevant topics in the philosophy of law, its content is acquiring new significance today. Income and opportunity disparities, demographic shifts, and environmental problems demonstrate that law cannot be limited to proclaiming formal equality between individuals. In the United Nations World Social Report 2025, economic instability, high levels of inequality, and a decline in social trust are assessed as

problems, and it is argued that both economic security and solidarity for all should be built as a new political agreement (United Nations, 2025). It is clear from this that social justice is evaluated not only as a theoretical concept but also appears as one of the practical categories evaluating the sustainable functioning of state policy and the legal order.

The revised Constitution of the Republic of Uzbekistan has established the principle of social justice as an important constitutional direction by affirming Uzbekistan as a social and legal state, recognizing human dignity as the highest value, and guaranteeing equality before the law together with economic and social rights (Constitution of the Republic of Uzbekistan, 2023). In this Constitution, not all structural elements of the principle of social justice are concentrated in a single article, but its normative structure is derived from a systematic analysis of the provisions that serve to guarantee the social state, equality, dignity, proportionality and rights.

The relevance of the research work is due to the fact that the principle of social justice is often used as an ambiguous concept. If this concept is not divided into legal categories, it can become a means of justifying any actions and decisions. From this point of view, it is advisable to determine the legal nature and limits of application of the principle of social justice.

The aim of this study is to systematize the specific features of the principle of social justice, determine its legal nature, and interpret this principle at the level of legal value as a general legal principle and a guiding norm applied by the state. To address these issues, it is necessary to distinguish the relationship between the principles of justice, equality, and social justice, clarify their structural dimensions, clarify their functions in lawmaking and justice, and develop criteria for legal monitoring.

As we analyze the theory of justice, this distributive approach is based on the idea of the equality of basic rights and freedoms, the fairness of the opportunities provided, and the fact that socio-economic inequalities serve the benefit of those who truly need social assistance (Rawls, 1999). Rawls's model focuses on the basic structure of institutions. Sen, on the other hand, considers it more accurate to make a comparative assessment of real-life injustices that can be eliminated rather than a perfect institutional structure (Sen, 2009).

It should be noted that it is incorrect to understand equality solely as the distribution of available goods. Anderson believes that the goal of equality is to free people from discriminatory, dependent relations (Anderson, 1999). Fourie links social justice to individuals treating each other as subjects of equal status (Fourie, 2012). As a result of the analysis of the above, we have witnessed that modern social justice is not limited only to property benefits.

In recent years, research has evaluated not only the formal granting of rights to individuals but also the conditions under which these rights can be exercised in practice (Robins, 2017). J. Rawls linked justice to how the main institutions of society distribute primary social goods and proposed the principles that equal fundamental freedoms and socio-economic inequalities serve the interests of the population in need of social assistance. The significance of this view for law lies in the fact that any inequality is evaluated not by its existence, but by its application on the basis of reasonable and open criteria, especially if it does not worsen the situation of vulnerable groups.

The concept of procedural justice is also of particular importance within the framework of legal institutions. If the extent to which a decision is useful and

legitimate does not allow the person to express their opinion, review the evidence, and challenge it, its true legitimacy is likely to decrease (Tyler, 2006). Although specific dimensions of social justice are comprehensively covered in the available literature, the issue of transforming the principle of social justice into a unified legal model for the constitutional and legal system of Uzbekistan has not been sufficiently studied.

Analyses indicate that treating the principle of social justice merely as the equal distribution of resources is not considered a correct approach. It should cover at least four dimensions:

First, distributive justice – the distribution of benefits and obligations;

Second, procedural justice – the objectivity and fairness of the decision-making process;

Third, corrective justice – restoring and balancing the violated right;

Fourth, recognition justice concerns respect for the dignity and specific needs of each individual.

The aforementioned measures are interconnected, and the absence of one of them may cast doubt on the fairness of the final conclusion.

### **Methods**

A number of general and special legal methods were used to analyze the specifics of the principle of social justice and to reveal its legal nature. Through the dialectical method, the relationship between the principle of justice and freedom, equality, formal and factual equality, the common good, and individual rights was revealed. Through the systemic-structural method, issues were resolved through analysis alongside constitutional norms and other general legal principles. With the help of the formal-legal method, the content of the rules of equality, social justice, the social state and dignity in the texts of normative legal acts was revealed.

In addition, through the active use of the comparative legal method, it was possible to compare universal views and theories with the constitutional model of Uzbekistan.

### **Results**

Regarding the dynamics of the principle of social justice, analysis shows that the concept of social justice is transitioning from ideas of equalizing existing results to a specific legal model. At this point, it is possible to get to the point more clearly through one question: What is allocated to whom, and according to which criteria? However, this question is supplemented by questions about how this decision will affect future results and whether it will create social inequality.

Changes at the international level also confirm the above issue. The International Labour Organization emphasizes that social justice must act in harmony with the concepts of decent working conditions, fundamental labor rights, and social protection (International Labour Organization, 2023).

According to statistical data, as of 2025, Uzbekistan ranked 81st among 143 countries in the Rule of Law Index, with a total score of 0.50 (World Justice Project, 2025). Although it is not possible to determine a direct indicator of the principle of social justice through this, it is possible to see to what extent the restriction of state power and the protection of fundamental rights for the individual are being protected. For this reason, it is advisable to view statistical data not as a final assessment of the principle of social justice, but as an evaluative tool that determines the problematic direction.

Speaking of the specific features of the principle of social justice, it is advisable to highlight several of them.

First, the principle of social justice is considered axiological and normative in nature. The reason is that, in addition to expressing the purpose and value of the legal system, it also requires certain actions from authorized state bodies. From a value perspective, it answers the question of what kind of society is just, while from a principle perspective, it answers the question of how legislators and law enforcement agencies should act.

Secondly, the principle of social justice can be classified as both a general legal principle and an intersectoral principle. The reason is that it manifests in various forms in constitutional, civil, labor, tax, criminal, and procedural law. For example, labor law is characterized by equal remuneration for equal labor, while tax law is characterized by the proportionality of solvency and burden, and criminal law is characterized by the correspondence between the committed act and the imposed penalty, as well as the need for social protection.

Thirdly, the principle of social justice requires not only equality but also a combination of differential characteristics. In particular, Article 19 of the Constitution of the Republic of Uzbekistan establishes the equality of all citizens before the law and provides that any privileges shall be granted solely by law and must conform to the principles of social justice. This constitutional norm does not aim to abolish benefits; on the contrary, it requires that the main goal of the provided benefits be consistent with objective criteria. In particular, it should be noted that the additional guarantees provided to socially vulnerable segments of the population or needy families do not contradict the principle of social equality, but are one of the means of ensuring true equality.

Fourthly, the principle of social justice is inextricably linked to the principle of proportionality, and Article 20 of our Constitution stipulates that measures of legal influence applied by state bodies must comply with the principle of proportionality. It should be noted that the principle of proportionality is a practical verification sequence of the principle of social justice and helps to assess the degree of justification for inequality or restrictions.

Fifth, human dignity lies at the heart of the principle of social justice. In particular, Article 1 of the Universal Declaration of Human Rights states that all human beings are born free and equal in dignity and rights (United Nations, 1948). Dignity requires viewing the individual not as a passive object of social policy, but as a possessor of rights. Therefore, it is advisable to provide assistance and benefits in a way that does not discriminate against a person, preserves their ability to make independent decisions, and expands their participation in public life.

Sixthly, the principle of social justice is considered to be both material and procedural in nature, and its legitimacy can be undermined if an otherwise fair outcome is reached through a biased or non-transparent procedure. The possibility for individuals to express their opinions, the objectivity of evidence, and the existence of the right to appeal are considered important manifestations of procedural justice.

Seventh, the principle of social justice also demonstrates a balance between the concepts of personal responsibility and solidarity. Overcoming social risks in solidarity, financing shared services through tax payments, and supporting those in need embody the idea of solidarity. However, justice is not only a demand from the state, but also implies the obligation to honestly use rights, fulfill legal obligations, and respect the rights of others. From this perspective, it would not be a mistake to say that social justice ensures the mutual harmony of rights and obligations.

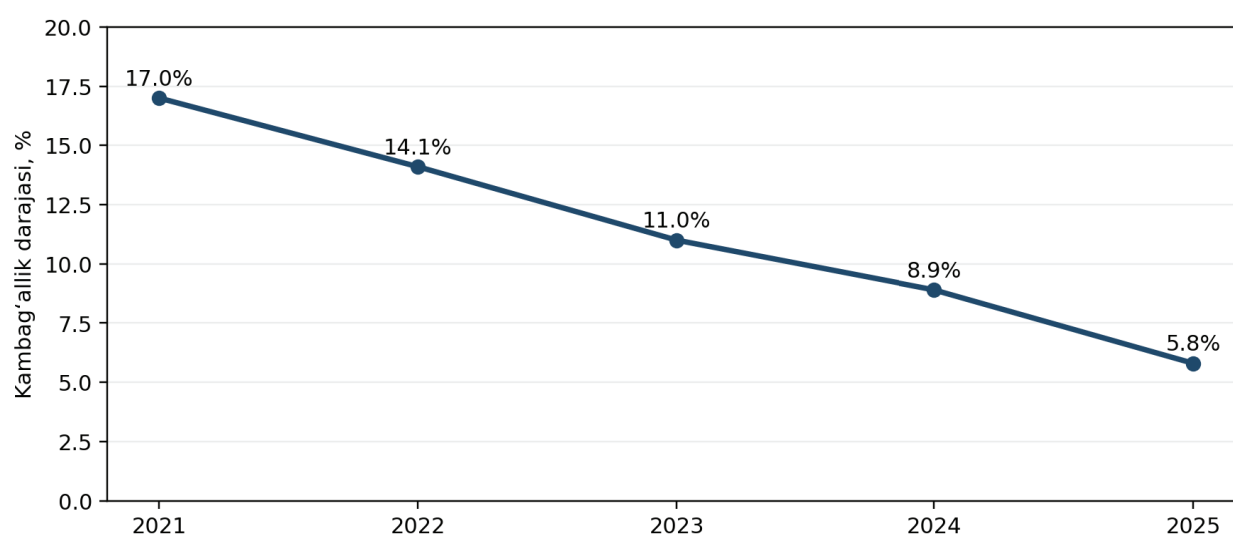
Table

**Criteria for the legal assessment of social justice**

| Criteria            | Meaning                                                                   | Legal manifestation                         | Key question                                                |
|---------------------|---------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------|
| Formal equality     | Same rule for persons of equal legal status                               | Equality before the law, non-discrimination | Is there a similar reaction to the same situations?         |
| Real equality       | Equalization of opportunities for the effective enjoyment of rights       | Rational adaptation, positive measures      | Have the obstacles been removed?                            |
| Proportionality     | Balance between goal, means, and consequence                              | Control of restrictions and sanctions       | Is the measure excessive in relation to its legitimate aim? |
| Distributivity      | Distribution of benefits and obligations according to reasonable criteria | Tax, budget, social security                | Is the distribution criterion transparent and justified?    |
| Procedural justice  | Impartial, transparent, and participatory procedure                       | Hearing, Justification, Appeal              | Was the decision made fairly?                               |
| Restorative justice | Restoration of violated rights and balance                                | Restitution, compensation, rehabilitation   | Has the damage been eliminated in practice?                 |

The criteria indicated in the table above must be implemented sequentially and together. First and foremost, the persons and circumstances being compared are determined. Subsequently, the existence of a different relationship and its legitimate purpose must be verified.

One of the main features of the principle of social justice is that it facilitates the creation of decent living conditions for the population. According to statistical data, the national poverty rate in Uzbekistan has significantly decreased. In particular, the poverty level decreased by 11.2 percentage points over the four-year period from 2021 to 2025. The largest annual decline was recorded in 2024–2025 at 3.1 percentage points, in 2022–2023 at 3.1 percentage points, and in 2021–2022 at 2.9 percentage points (National Statistical Committee of the Republic of Uzbekistan, 2025).



**Figure. Dynamics of the national poverty level in Uzbekistan, broken down by 2021–2025**

Through these indicators, it can be seen that the distribution result has improved.

According to World Bank data for 2025, the national poverty rate decreased from 17% in 2021 to 8.9% in 2024. At the same time, it can be seen that in 2021-2023, the growth brought more benefits to high-income households. In 2024, the poorest segments of the population, especially in rural areas, benefited relatively more from growth (World Bank, 2025). These indicators confirm that it is not the rate of economic growth, but rather who it is distributed to and how it is distributed that is of decisive importance for justice.

### **Discussion**

Speaking about the mechanisms for implementing the principle of social justice, it can be said that the principle of social justice should be implemented organically at three levels within the legal system. The first is implementation at the normative level, which assesses the impact of draft laws on various population groups, the grounds for the benefits and obligations provided, and other financial instruments. The second is the participation of interested individuals in assessment at the institutional level, as well as the reliability and openness of the data. The third is the level of protection, which assesses the issues of applying to state bodies or the court demanding compensation.

If we dwell on the role of the principle of social justice in international law, first of all, we can see that although the principle of social justice is not repeated in every article of the Universal Declaration of Human Rights, its main normative foundation includes issues of equality, social protection, dignity and ensuring a decent lifestyle for the population. The International Covenant on Economic, Social and Cultural Rights also deals with labor, social security and a number of other issues, and these rights form the material basis of the principle of social justice (United Nations. International Covenant on Economic, Social and Cultural Rights).

It should be noted that there are a number of problems related to the implementation of the principle of social justice, its application and monitoring.

First, the principle of social justice is vulnerable to excessive generalization. In the absence of clearly defined legal criteria, its application may result in inconsistent decision-making and may be invoked to justify contradictory decisions and actions.

Second, excessive reliance on formal equality may also create difficulties. It is a mistake to expect the same rule to produce the same result for all individuals. For this reason, the concepts of indirect discrimination, reasonable accommodation, and positive measures must be consistently developed in legislation and practice.

To reveal the legal nature of the principle of social justice, it is necessary to analyze this principle from the perspective of the legal system. First of all, if we analyze this principle from the perspective of the legal principle, it should be noted that this principle, which was initially formed as a philosophical, moral, and later political concept, began to acquire legal significance as a result of its reflection in the constitutions and laws of countries.

The legal nature of this principle is reflected in the following:

- state recognition;
- reflection in the laws of countries;
- to provide a guiding role in the activities of the legislative, executive, and judicial branches.

The principle of social justice can be classified as a general legal principle. The reason is that the requirements reflecting its content are found in all fields of law.

The principle of social justice also performs a number of functions, including guiding, interpreting, balancing, legitimizing, corrective, and protective.

Generally speaking, the legal nature of the principle of social justice is characterized by its embodiment as a constitutional principle in conjunction with a general legal principle

requiring human dignity, proportionality, equality, social protection, the systematic distribution of benefits, the creation of necessary guarantees for vulnerable groups, and the restoration of a disturbed social balance.

Thus, the legal nature of the principle of social justice combines several interrelated features. First of all, it is a general legal principle and has a constitutional character. Furthermore, it serves as a guiding criterion for state authorities.

### **Conclusion**

As a result of this research, the principle of social justice is a legal concept between moral idealism and positive law. Its content consists of the unity of human dignity, equal status, real opportunity, fair distribution, and objective and effective restoration. The uniqueness of the principle lies in the fact that it simultaneously defines the purpose of the legal system, the direction of interpretation of norms, and the standard for justifying public decisions.

As a result of the analysis, a number of proposals were developed to solve the problems raised.

First, a methodology should be introduced for assessing the impact of draft regulatory legal acts on social justice. The reason is that it must analyze the distribution of benefits and obligations, compensation measures, and the consequences for segments of the population in need of social assistance.

Secondly, it is necessary to introduce a justified standard for individual legal acts of state bodies regarding benefits and social rights. This decision must reflect the facts, the criteria used, the purpose, and the proportionality.

Third, social justice criteria should not be limited to average values but should be based on data broken down by region, gender, age, disability status, income, and other circumstances.

Fourth, it is advisable to establish guarantees of human control and effective complaints for digital public services and automated decisions.

Fifth, although the principle of social justice is mentioned in the Constitution, its true legal essence is not reflected in the legislation. This may make it difficult to evaluate it from a legal standpoint. For this reason, it is advisable to include the following norm in the Law "On Normative Legal Acts": "The principle of social justice is the distribution of opportunities, rights, and social resources by the state among citizens and social groups based on criteria of need, proportionality, and fair distribution, which means that the interests of segments of the population in need of social protection are protected at a high level." Through this approach, social justice proves that it is not limited to the redistribution of material goods.

Sixth, it is necessary to promote the obligation to justify regressive measures regarding social rights. The reason is that due to economic tension and budget deficits, it is possible that previously provided social guarantees and benefits will be reduced. For this reason, a new norm should be introduced into the legislative acts on the guarantee of social rights as follows: "Norms that reduce the level of guarantees of the social rights of persons may be adopted only if necessary and in exceptional cases, in the absence of other less restrictive means, in cases where these measures are temporary and proportional." However, such a norm must provide for compensatory means for socially vulnerable segments of the population. This situation should be formulated as a principle for preventing social regression.

In conclusion, the practical significance of the principle of social justice lies not in promising the same result for all individuals, but in demanding that the authorities justify every difference, burden, and priority based on human dignity, equal status,

and proportionality. It is through this feature that social justice can be regarded as a fundamental principle of a modern social and legal state.

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