



THE FORMATION OF THE CONCEPT OF HUMAN RIGHTS IN THE MEDIEVAL PERIOD AND ITS MODERN SIGNIFICANCE

Sadullayeva Shokhista Davron kizi

shoxistamirazova1999@gmail.com

<https://doi.org/10.5281/zenodo.18976388>

ARTICLE INFO

Received: 08th March 2026

Accepted: 10th March 2026

Online: 12th March 2026

KEYWORDS

The protection of human rights has been a pressing issue throughout all historical stages of societal and state development

ABSTRACT

This article analyzes the formation of human rights within the system of the medieval state and law, their historical development, and their role in governance and legal thought. The study examines the period of Amir Temur, the legal heritage of the East and the West, as well as the universal nature of human rights.

The protection of human rights has been a pressing issue throughout all historical stages of societal and state development. Although the concept of human rights as a modern legal category was formed in the modern era, its theoretical roots and certain practical manifestations existed in the medieval system of state and law. During that period, ideas such as justice, human dignity, obedience to the law, and ensuring social stability played an important role in regulating state governance and legal relations.

Despite the dominance of strict social hierarchy and class restrictions in medieval societies, legal thought gradually developed views recognizing individuals as bearers of certain rights and obligations. Particularly in Eastern statehood traditions, principles related to fair governance, consideration of the interests of the population, the right to work, and the right to own property were reflected in legal sources. This indicates that ideas related to human rights existed to some extent within the legal heritage of the medieval period.

This article examines the formation of human rights ideas within the medieval state and legal system, their place in legal thought, and their historical significance. Furthermore, by studying medieval legal experience, the universal nature of human rights and their influence on the development of later legal systems are revealed.

According to Professor **A.X. Saidov**, human rights are the most important feature of a democratic state governed by the rule of law. Therefore, human rights occupy an important place both in international law and in national legal systems. The democratic or non-democratic nature of a state can be determined by the extent to which human rights are respected within it.

As the famous Russian scholar and academician **V.S. Nersesyants** emphasized: "The theory and practice of human rights have a long and instructive history. Despite the novelty and specific features associated with the present stage of world civilization, the modern formulation of the human rights issue relies on the rich historical experience of

humanity, especially on the legal forms of organizing social and state life and the legal regulation of social relations.”¹

The idea of protecting human rights emerged during the medieval period and today continues to develop through new forms and mechanisms in the era of digital technologies. However, this does not mean that the core subject — the ideas and principles of human rights — is new. Fundamental rights such as the right to life, the right to form a family, and the right to own property are as ancient as law itself. This also demonstrates the universality of human rights: to some extent they have existed among all peoples and societies throughout different historical periods.²

Considering that medieval societies were characterized by rigid hierarchies and class restrictions, it should be noted that human rights ideas were not always directly connected with concrete legal practice. Therefore, there are grounds for a critical assessment of the claim that full-fledged human rights existed during the medieval period.

For instance, the Senegalese jurist **K. Mbaye** argued that when attempts are made to discover the “traces” of a human rights system in ancient times, it should be remembered that they are merely “traces” and nothing more.³ Similarly, the Hungarian academician **I. Szabó** expressed an even stricter opinion: “It would be a serious mistake to attempt to trace the origins of human rights back to social systems that were unfamiliar with the fundamental ideas of freedom and equality.”⁴

Documents substantiating the universal significance of human rights first found clear expression in the **American Declaration of Independence (1776)** and the **French Declaration of the Rights of Man and of the Citizen (1789)**. These declarations proclaimed, for the first time at the level of state policy, rights such as freedom of thought, freedom of conscience, participation in peaceful assemblies and associations, involvement in state affairs, and the prohibition of violence and oppression against individuals.

The development of human rights legislation has gone through three major stages.

The first stage began with the French Declaration of the Rights of Man and of the Citizen in 1789 and continued until the First World War. During this period, legislation concerning civil and political rights developed predominantly.

Particular attention was given to regulating issues such as:

- personal liberty and equality of citizens;
- personal inviolability;
- the right to private property;
- electoral rights (although limited by various qualifications).

The second stage covered the first half of the twentieth century. Under the influence of social democracy, legislation concerning socio-economic rights developed rapidly. Laws guaranteeing the right to work, the right to rest, and the right to social assistance gained

¹ Общая теория права и государства. М., "Инфра М. – Норма", 1999-2002 гг., 34,5 п.л.

² Саидов А.Х. Ўзбекистон ва инсон ҳуқуқлари умумжаҳон декларацияси. – Тошкент: “Адолат”, 2018. – 240 б.

³ Mbaye K. Introduction / Human Rights and Rights of Peoples / International Law: Achievements and prospects / Ed. By M. Bedjaoui. UNESCO, 1992, P. 1043.

⁴ Szabo I. Historical Foundations of Human Rights // The international Dimensions of Human Rights. UNESCO, 1982, P. 12.

particular importance. Examples include social legislation in France and Sweden, the **Weimar Constitution of 1920**, and the constitutions of France and Italy adopted in 1946.

The third stage corresponds to the second half of the twentieth century, during which legislation concerning the “new generation” of human rights developed.

These rights include:

the right to peace;

the right to a clean and healthy environment;

the right to information.

During this stage, an international system of human rights law was formed.

During the medieval period, as in many parts of the world, human rights in the Eastern world were often violated in various ways. At that time, personal rights and freedoms, as well as socio-economic, political, and spiritual rights, were restricted by dominant political powers. Protests against such conditions were brutally suppressed. People often lacked the freedom to fully exercise even basic human rights such as the right to live, work, and rest. Human dignity, honor, and freedoms were not legally guaranteed, and violations of these rights were common. The difficult living conditions of large segments of the population prevented them from recognizing and defending their rights.⁵

In the protection of human rights and the provision of opportunities to exercise them, the activities of **Amir Temur** deserve particular attention. The life and struggles of Amir Temur were closely connected with valuing human dignity and creating favorable conditions for people to live a prosperous life. In his work “**Temur Tuzuklari**” (**The Code of Temur**), he repeatedly emphasized the importance of protecting the rights of citizens. The right to work is described in the work as follows:

“If a person belongs to the people of craft and knowledge, they should be given employment in the state institutions. Those who possess physical strength but are poor should engage in work according to their abilities and occupations.”⁶

Amir Temur highly valued and protected human dignity and rights. While governing a powerful centralized state, he demanded that his officials constantly monitor the welfare of citizens and ensure the protection of their personal and social rights.

The Constitution of Uzbekistan is based on the ideas of commitment to human rights, awareness of high responsibility before present and future generations, reliance on the historical experience of Uzbek statehood, respect for democracy and the rule of law, recognition of universally accepted principles of international law, and ensuring a standard of living for citizens. The creation of effective mechanisms for the protection and promotion of human rights has become one of the main goals of state policy.

In conclusion, the idea of protecting human rights has played an important role in all stages of social and state development, including the medieval period. Although human rights were not fully guaranteed in the modern legal sense during that time, fundamental ideas such as justice, human dignity, the right to work, and the right to own property were present to

⁵ Inson huquqlari: o'quv qo'llanma/ O. A. Tadjibayeva, N.K.Ramazonova. – Toshkent: «O'zbekiston faylasuflari milliy jamiyati» nashriyoti, 2010 – 136 b.

⁶ «Temur tuzuklari». –T.; G'.G'ulom nomidagi nashriyot, 1991, 67-bet.

some extent in legal thought and governance practices. This demonstrates the universal and historically continuous nature of human rights.

The recognition of human rights protection as a priority of state policy in Uzbekistan, particularly the adoption of the National Strategy on Human Rights, reflects consistent reforms aimed at harmonizing historical legal heritage with international standards. Therefore, integrating the humanistic ideas of medieval statehood and law with the possibilities of modern digital technologies has significant scientific and practical importance for further improving the system of human rights protection.

References:

- 1.Общая теория права и государства. М., "Инфра М. – Норма", 1999-2002 гг., 34,5 п.л.
- 2.Саидов А.Х. Ўзбекистон ва инсон ҳуқуқлари умумжаҳон декларацияси. – Тошкент: "Адолат", 2018. – 240 б.
- 3.Mbaye K. Introduction / Human Rights and Rights of Peoples / International Law: Achievements and prospects / Ed. By M.Bedjaoui. UNESCO, 1992, P. 1043.
- 4.Szabo I. Historical Foundations of Human Rights // The international Dimensions of Human Rights. UNESCO, 1982, P. 12.
- 5.Inson huquqlari: o'quv qo'llanma/ O. A. Tadjibayeva, N.K.Ramazonova. – Toshkent: «O'zbekiston faylasuflari milliy jamiyati» nashriyoti, 2010 – 136b.
- 6.«Temur tuzuklari». –T.; G'G'ulom nomidagi nashriyot, 1991, 67-bet.