

Theoretic-Methodological Basis of Globalization Processes

**QandovBakhodirMirzaevich, NazarovQiyomiddin, MirzokulovIzzatullo, Ernazarov
Shermuhammad**

ABSTRACT---*This article analyzes the creation of global notions about a number of other planetary realities-global world, global democracy, global security, global inequality, global agreement, human rights by the notion of “globalization” which are differently evaluated and defined in scientific and theoretical literature, their aspects directly connected with the problem. Theoretical views in scientific literature are studied.*

Keywords: *globalization, global problems, globalization processes, modern global problems, global compact, global constitutional ideal, international right, international judicial cooperation, global safety, global inequality, global open society, global civil society, global democracy, political globalistics, social existence.*

I. INTRODUCTION

Although nowadays the notions like “global”, “globalistics”, “globalization processes”, “counter-globalization movement”, “global problems” frequently occurring in scientific literature are accepted as in essence planetary realities, there are certain etymological and axiological differences between them. Over 3200 terms, organizations and phenomena related to globalization are cited in the book “Globalistics: International interdisciplinary encyclopedia” published by professor I.I.Mazur Doctor of Engineering Science and professor A.N.Chumakov Doctor of Philosophy in 2006[1]. Therefore, there are no fields of social life, institutes, nations, countries that are not impacted by globalization processes. However, the objective of our research is certain, notably it is the study of the role of the human rights in globalization processes. Therefore we will reflect on the notions directly related to the objective of our research like “global”, “globalization processes”, “modern global problems”, “global compact”, “global constitutional ideal”, “international right”, “international judicial cooperation”, “global safety”, “global inequality”, “global open society”, “global civil society”, “global democracy”, “political globalistics”, “international covenant on human rights”, their essence and internal characteristics.

The term of “global” is derived from French and means “related to the all, whole[2: 183]. Actually, it is derived

from Latin “globus” (“globe”). If we proceed from this etymologic interpretation, “global” means whole, i.e. relevance to the Globe.

It is known that Aristotle was the first to state the idea of the Earth being a round globe[3: 116]. Notions relevant to planet Earth have been called “globe” ever since. In 1492, the German traveler and geographer M.Behaim created the Earth globe and called it “Earth apple”. Thereby the notion of “globe” has started to be applied in relation to Earth. However, it is difficult to state any exact idea of how the word “globus” was contaminated into “global” in French and came into scientific use.

According to associate professor B. Umarov Doctor of Philosophy, western scientists consider globalization as a phenomenon, which appeared fifty, even twenty-five years ago from now and in their opinion, “globalization is enhancement of financial markets, transnational corporations and their influence on national economies”. According to the author’s interpretation, “globalization” is referred to processes of uniting the markets of various products manufactured by large transnational corporations. Transnational corporations and financial resources have profound effect on the world’s economic development; “global open society” is formed in the world[4: 8].

Indeed the increase of the quantity of transnational corporations, enhancement of their financial impact year on year and obtaining a planetary significance is observed in the world economy. For example, over 40 thousand transnational companies carrying on business in the world support globalization, they have assets in the amount of 8.8 trn. USD, they spend 2.7 trn. USD on product manufacturing and service rendering fields each year[5: 56]. On the assumption of these changes, A.I.Utkin refers to globalization as “a new paradigm of the world development”[5: 9]. In doing so, he considers globalization as a phenomenon, planetary reality related to the second half of the 20th century.

There are also scientists calling on study of the genesis of globalization processes from the 17th century, even from the classical times. According to I. Prigojin, bifurcation (division, fragmentation) and fluctuation (variation, change) is characteristic to the globalizing world. Indeed bifurcation happened all over the Earth in social-historic stages, for example, in passing from the Paleolithic age to the late Stone Age. New things – iron, coal, oil discovery, transition to use of electric power, now information system

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QandovBakhodirMirzaevich, Senior teacher of The Tashkent Institute of Irrigation and agricultural mechanization engineers, Tashkent, Uzbekistan.

(Email: b.kandov@tiiame.uz)

NazarovQiyomiddin, Senior teacher of The Tashkent Institute of Irrigation and agricultural mechanization engineers, Tashkent, Uzbekistan

(Email: k.nazarov@tiiame.uz)

MirzokulovIzzatullo, Senior teacher of The Uzbek state university of physical culture and sport, Tashkent, Uzbekistan

ErnazarovShermuhammad, A teacher of Tashkent Institute of Irrigation and Agricultural Mechanization Engineers, Tashkent, Uzbekistan
(Email: sh.ernazarov@tiiame.uz)

development, robotics and artificial intellect in planetary scale are bringing closer to networked society, i.e. “to a society dreaming of a global village” according to I.Prigojin’s expression[6: 18]. It can be seen that the scientist interprets globalization processes characteristic to the humanity, as a phenomenon related to discovery of a new notion, transition from one social-historic stage to the second social-historic stage. Such processes can be seen in formation of a religion, culture, trade, even empires. In our opinion, emergence and spread of the world religions, appearance of languages, trade expansion, formation of empires by Darius I, Alexander the Great, Genghis Khan are universal, planetary phenomena. Therefore, we can say that they are realities related to the background of history of modern globalization.

Binding the notion of “global” with modern problems formed the notion of “modern global problems”. If the notion of “global” expresses planetary reality, “modern global problems” often implies events faced by the humanity nowadays, being very urgent for civilization development. It is true that global problems are all urgent for the humanity and civilization, however, in the existing scientific literature “modern global problems” imply events requiring immediate resolution today, without delaying until tomorrow[1]. Therefore, the notion of “modern global problems” is also expressed with the terms “global problems of civilization”, “global problems of social development”, “global problems of economy development plan”, “super global problems”, “subglobal problems”, “ecologically global problems”. In these notions, attention is paid to certain aspects, views of global problems, however they are close in essence, i.e. an appeal to resolve these problems faced by the humanity today and quickly.

Planetary events, which occurred in the 20th century, are mainly included into modern global problems. Friedrich Nietzsche already distinguished the germ of these problems in the 19th century. In his book called “Will to power. Experience of reevaluating all values”(1884-1888) he declares that all the values – language, religion, science, morality “are losing their value”. He tries to replace this collapse with new values. Actually, his Superman was an image designated to rescue the humanity from global collapses. Later O.Spengler expressed these collapses in the form of “The Decline of the West”[7], B.Russel substantiated that they are becoming a universal, philosophical problem, V.I. Vernadsky substantiated that they are a threat to the noosphere. Researches in this field developed more in the 70’s of the past century. In this respect, the researches carried out by the president of “Club of Rome” A.Peccei, D. Meadows, J. Forrester, Y. Kaya (Japan), A. Ererri (Argentina), H. Linneman (Holland), V. Leontiev (the USA), G.Kan, U.Brown, L.Martel, J.Simon can be cited. Ideas on modern global problems being comprised of world-scale general economics, open market relations, and fast transfer of goods and capital from countries to countries, liberalization of financial flows, planetary communications, management systems in new transport and sales were formed under the influence of published works, monographs of these researches[8: 20-28]. Hereby the notion of “modern global problems” was

expanded. However, researches in this field are continuing, therefore this notion may be still supplemented.

The notion of “Global contract” was introduced into use by the UNO’s former Chief Secretary K.Annan. According to it, to solve planetary problems faced by the humanity, it is envisaged to involve private business and international organizations, to conclude contracts with them. According to these contracts, organizations, business centers will comply with the documents adopted with regard to UNO’s human rights, undertake obligations like nature protection, not to manufacture weapons, not to prevent people from exercising political rights. According to 2003 data, such contracts have been concluded with 1368 transnational corporations[1: 237].

The most important thing is according to global contract, entities conducting international relations, transnational economy, notwithstanding in which zone, state or region carry on their business, they comply with the judicial-political norms adopted by UNO, they cooperate with UNO and its relevant institutes in this field. Experience shows that the contract protects the rights of transnational corporations; they arrange negotiations, if a dispute emerges with the countries in which they carry on business[9: 55-58].

Although the notion of “global constitutional ideal” is an imagination, image which has a political-judicial importance, intended for far future, in scientific literature, especially, it is considered as a reality slowly establishing in international judicial and world countries’ constitutions theory. It can also be seen in the fact that countries have their own constitutions, management of the society and state according to the basic laws is becoming a wide, planetary reality.

Generally, there are different views on searching the ideal, management of the society and state according to the legal norms in the history of philosophic-judicial and social-historic doctrines. For example, Faroby reasoned about conducting activity, government of a state based on “City of educated people”, I.Kant “Perceived legal ideal”[10: 231, 241-279], V.Solovyov – based on “constitution and moral standards”[11: 12], M.Weber reasoned about “legal official-rational management”[12: 636-639]. Relying on general norms, i.e. “constitutional ideal” was considered as the basis to ensure social justice in the philosophical-legal legacy of these thinkers. Indeed the idea of constitutional ideal is continuation of these approaches. Only by 1928 K. Schmidt interpreted it at the level of a certain doctrine, philosophical-legal theory, started considering as global “constitutional-legal norm”[13: 17-18].

Global constitutional ideal is expressed by relying of national constitutions on international legal norms from official-legal point of view. In addition, the constitutional law is first formed in the national judicial system[14: 3], however expansion of integration ties, international law obtaining planetary and universal character which occurred in the 20th century played an important role in its becoming an international legal reality. After the Second World War the issue of protection and ensuring of not only the human

freedom and natural rights, but also, his/her social, economic and cultural rights in the international life became an international problem, as a result, new requirements to the constitutional law, notably, a demand in approaching from the planetary, global point of view has emerged[14: 4]. Proximity in life style, hobby and demands, generality in information and cultural relations, wish of using new technologies, prevention of war and terrorism, making democracy one of the universal values, demands in elimination of infectious diseases, poverty expanded cooperation in legal field. International law and at the present time global law is forming on this basis.

Acknowledgement of the stability of universal legal norms in the Constitutions of national countries will speed up the formation of global law beyond all doubt. For example, the introduction of the Constitution of the Republic of Uzbekistan states that the superiority of generally recognized rules of the international law[15: 3].

As the notion of “international law” is related to globalization processes, specialists consider it as an international activity, which is broader than the national judicial system, conducting interstate relations, integration based on the mutual agreement of entities of international relations[16: 12]. International law ensures conducting different international relations individually or through international transnational organizations. Institutions of international law may be comprised of International Court of Justice, UN Security Council, commission ensuring and controlling human rights. International law like the national judicial systems also has its norms, juristic institutions and law enforcement mechanisms. It also prohibits use of force, establishes the necessity to resolve borders-related and regional issues by peace, acknowledges the integrity of the state borders, prohibits armament, establishes acknowledgement of other countries’ independence and not to interfere in their internal affairs, determines protection of nature, environment, and respect of human rights and freedom of other countries’ citizens.

RESULTS & DISCUSSIONS

International legal entities establish a legal address, legal norms in a certain field. In doing so we can make an example: law of international organization, law of international navigation, international environmental law, international transport or cosmic law, law of external relations. These legal (judicial) norms help carry out global relations, especially interstate integration for the purpose, notably, from the planetary point of view.

International legal entities are deemed equal in resolution of global problems, amendment or adopting of new legal norms[16: 10-11]. No country may adopt laws against other countries or trampling on their rights. Contracts, alliances, declarations concluded between the countries have international legal force, and they are concluded according to the international legal norms. Therefore, states try to resolve global and regional problems by concluding international contracts. Introduction of some changes to the international law, quick resolution of the emerged problems requires much time, but international contracts are the most convenient work method with their fastness, immediacy.

The notion of “international judicial cooperation” is related to global cooperation. In fact, this notion implies resolution of problems resolution of which is necessary quickly and today. For example, international terrorism and criminality have become a widespread reality in recent years. Every year over 500 mln.crimes are committed, one third of which are committed almost in the territory of two countries or states. In addition, the reasons of most committed crimes are external factors, i.e. under the influence of other countries[1: 52]. This in itself requires a productive use of international cooperation mechanisms in resolution of legal problems.

According to the writing of B. Umarov relying on the Russia and USA sources, due to the activity of Russian “hackers” European banks have been robbed of 200 bln USD up to date... The fact that only in the USA and European countries every year drugs (heroin, cocaine, hashish etc. are sold for bln USD must not leave anyone indifferent. According to information of the White House Statistical Reporting Service, one and a half million people were arrested for sales of narcotic drugs and their consumption during 1988-1999 in the USA”[4: 22]. Such examples can be made from all regions and countries of the world. Therefore the scope of cooperation of international law has expanded for the recent years. Nowadays this task is dealt with by UNO and its institutions, European Union, Council of Europe, Organization of American States, League of Arab States, Association of Southeast Asian Nations, Shanghai Cooperation Organization, African Union, the CIS, Europol, Interpol and antiterrorist centers established in the continents. Permanent Councils of the countries’ Ministries of Justice and Internal Affairs, International Association of Prosecutors carry on activity, regular meetings of heads of the state security authorities, the border troops and the office of customs service are held in the scope of international judicial cooperation.

CONCLUSIONS

These measures are oriented against crimes globalizing in the world, firstly international terrorism, organized criminal groups and drug addiction threatening the human life. These spoilers intending the purposes of growing rick, power struggle, arranging agitation in a certain country can be stopped only by cooperation of international forces.

Although “cold war” period is behind, the notion of “war” has not been got out from the human life. Local, national and regional conflicts occupied the place of “cold war”. Specialists express an opinion that these conflicts may become global realities. For example, internal, sometimes irregular forces committed 90% of the wars, conflicts, which occurred in 2000 [1: 523].

Production and sales of weapons is becoming countries’ policy. Russia sells weapons to other countries for 13.5 bln USD every year. Meanwhile 28 secondary schools can be built for the fund spent on production one tank[17]. Without doubt, these weapons are produced and sold for a certain military purposes.

We can make such examples from the countries like the USA, Great Britain. So, big countries of the world tend to outpace in production of weapons, to grow rich by selling them.

Global declines are inevitable because of these endeavors. Therefore, in 1991 J. Rosenau made a stand for an idea about ensuring international peace.

According to the scientist's writing, a change at the global level is occurring in the world political system. On the one part, countries' global integration, commonwealth occurs, on the other part, individuals also appear on the historical arena in global processes. In national countries, arranged political games have influence over international relations. Integration in the international arena as well as pluralism, disintegration, political power struggles cause a new approach for ensuring the international securitization [18: 17]. Therefore, to understand the integration and disintegration in global processes correctly and to avoid their taking a destructive tendency, a global securitization conception must also be created. Actually intrinsic properties in global processes are also comprised of integration and disintegration problems.

One of the reasons turning the notion of "global" and globalization processes into complex, conflicting events is inequality, inequality turning into a global reality. In scientific literature, nowadays use of the phrase of "global inequality" is also evidence of globalization being a conflicting phenomenon. "Inequality, - writes doctor of law A. Tursunov, - is continuing in many cases in some veiled form, it is difficult to define and evaluate this situation legally" [19: 52]. Indeed it is impossible to explain with any legal definition that the profit of the 20% of people of the world population, who are considered the richest category, is more than the poor's profit by 30 times, that they are expected to increase so much at the beginning of the 21st century [4: 18]. Therefore A. Tursunov writes correctly: "Notwithstanding how and to what extent is the inequality between the states, the only way to put an end to it is strengthening of an active standing of the states in implementation of the role of the international role and principle of sovereign equality" [19: 52]. It is true that in doing so such problems like equal use of natural resources, ensuring the social-economic development, establishing new enterprises for workforces, liquidation of neocolonialism and exploitation, abrupt differences between the incomes, transition to an open market economy, increase of the population's literacy, implementation of technologies of a rich country into lagging and developing countries are to be resolved too, however, mobilization of the internal resources in each country cannot be forgotten.

The notion of "global" is also considered tying it with the notions of "global democracy", "political globalistics", "covenant on human rights". If global processes are a planetary reality, democracy, human rights are often researched as a phenomenon concerning a certain region, nation and person. In this way, relations between general and private, whole and part become the subject of the research. Thus, globalization is not only a reality with respect to the economic life, the activity of transnational corporations; it also includes human rights and democratic issues. In doing so conflicts between globalism and localism

emerge. In globalization process, enhancement of the case of non-acknowledgement or absolute non-acknowledgement of the values like "sovereignty", "neutrality", "respect of individuality", formed in localism (glocalism – B.Q.) conditions, is observed. Therefore each culture, civilization, which has big resources in globalization conditions, tries to learn other cultures too as the only condition of its rescue. From this point of view, basis is provided for creation of conceptions similar to "unless there is democracy in the whole world, a threat to our safety will be preserved" [20: 28].

It can be seen from the above, global processes include complex realities like integration and disintegration, globalism and localism, planetary and regional, universal and national ones as phenomena having a planetary character. Therefore they cannot be approached with ready definitions, models and criteria, each reality concerning global processes must be researched separately.

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