

PARTICIPATION OF CIVIL SOCIETY INSTITUTIONS IN THE LAW-MAKING AND LAW ENFORCEMENT ACTIVITIES OF MODERN UZBEKISTAN

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Abstract: the article examines the socio-political system in the conditions of modern development of Uzbekistan, which is particularly relevant to the problem of reconciliation, ensuring the balance of personal, public and state interests, the solution of which depends on the level of development of mutually directed relations between the state and society. The formation of a functioning society is one of the most important strategic tasks of the country's state policy, because without the development of democracy and civil society, without ensuring the rights and freedoms of citizens and the effective organization of the state itself, it is impossible to solve any of the urgent tasks facing any state. The author analyzes the improvement and development of civil society, integrating public, private, personal interests and needs of the system. Attention is paid to a certain impact on the economic, political, spiritual and moral spheres of people's life, where civil society becomes a powerful transmission and connecting mechanism, thanks to which objectively necessary and practically significant forms of communication and interaction of public and private structures with the state as a whole and its relevant links are established.

Keywords: society, state, people, democracy, politics, economy, morality, law

Introduction

As we know, the political Foundation of civil society is the rule of law and democracy, which are necessary to ensure the rights and freedoms of individuals, the development of society in order to create an environment of stability, security, justice and cooperation. A state governed by the rule of law is not designed to resist civil society, but to create the most favorable conditions for its normal functioning and development. In modern Uzbekistan, due to the historical features of its state-political and social development, civil society institutions have been established for many centuries. The economic basis of civil society consists of a variety of forms of ownership and the economic independence of individual owners guaranteed by law, who are provided with legislative guarantees of equal recognition and protection of property rights, which is typical today in modern Uzbekistan, and the creation of a Public chamber is an innovation. It is interesting that the ideas of civil society are reflected in the works of Eastern thinkers such as Farabi, Biruni, Ibn Sina, etc.

The methodological basis of the article is based on modern General scientific methods

Discussion

Issues of the legal status of the individual, ensuring and protecting rights at the General theoretical and sectoral levels have been studied by foreign scientists, as well as Eastern ones. As we pay attention to the institutions of civil society on the scope and specifics of the activities carried out in –perwich in the sphere of rendering qualified legal aid; secondly, in the political sphere, today the people interested in the ongoing reforms; as well as in the socio-economic and cultural spheres when the nation is undergoing a period of quarantine, should be thoroughly alert. Since the modern Uzbekistan is an integral part of the international community proclaims and supports the priority of the rights and freedoms of the person, free development of personality, the government recognizes that given the negative historical experience of the existence of civil society institutions in the country, the need not only for creation of favorable legal, organizational, material and other conditions for their revival, but also the realization of the main directions of the state legal mechanism of support for their further development and expansion, together forming a single state concept of the development and support of civil society institutions. After all, the peculiarity of civil society is the internal contradiction inherent in its institutions: the dominant private interest in them, developing the social and economic activity of individuals, at the same time generates their competition and opposition in various non-state spheres (economic, social, cultural, etc.). This internal contradiction serves as a driving force for the development of civil society and the state. As a power-political phenomenon, the state assumes a number of important functions to provide the necessary favorable basis for the proper, progressive, effective formation, improvement and functioning of an integral system of civil society relations. The goals of civil society institutions in a democratic state governed by the rule of law are:

- respect for human rights and democratic freedoms;
- creation of favorable conditions for the sustainable development of civil society institutions;
- a harmonious combination of rights and freedoms with a person's responsibility to society;
- effective control of the company over the activities of the state authority. Formation of a culture of cooperation based on the principles of partnership between government bodies and civil society organizations;
- creation of an effective social protection system;
- formation of a system for coordinating the interests of society and the government. Therefore, civil society is a real social phenomenon that has a complex socio-political nature. The political character of civil society, its active influence

on the state power, is a constituent characteristic of society as a civil society. The functions of civil society are the main areas of activity of the entire complex of public institutions to achieve the goals of social integration. Depending on the sphere of public relations in which civil society institutions operate, it is necessary to distinguish between political and non-political functions. Among the political functions are: legitimization of state power; socio-political control over the adoption and implementation of state decisions; participation of non-state institutions in the process of making and implementing state decisions by involving the public in the law-making and law enforcement process; delegated exercise of state monopoly rights. The condition for public control is the openness of the government and the guarantee of the right to information. The Constitution of the Republic of Uzbekistan contains an important provision on the need for all state bodies, public associations and officials of the Republic of Uzbekistan to allow citizens to familiarize themselves with documents, decisions and other materials related to their rights and interests.

In article 8 of the Law “On principles and guarantees of freedom of information” is also defined that the state authorities and administration, local authorities, public associations and other non-profit organizations and officials are obliged in an order established by legislation to provide everyone with the opportunity to review the information that affects their rights, freedoms and legitimate interests, create accessible information resources, to carry out mass information support users on issues of rights, freedoms and duties of citizens, their security and other issues of public interest.

The law of the Republic of Uzbekistan “on openness of activities of state authorities and administration”, developed in accordance with the Concept of further deepening democratic reforms and formation of civil society in the country, is one of the important democratic steps towards strengthening the legal framework for ensuring openness of activities of state authorities and administration.

The law defines such basic tasks as ensuring access of individuals and legal entities to information about activities of state authorities and management, guaranteeing the right to receive information about the activities of public authorities and management, enhancing the responsibility of state authorities and administration and their officials for their decisions, defining the procedure of distributing information about the activities of public authorities and management, and orderly principles of openness of activities of state authorities and management.

It is noteworthy that this law defines specific deadlines for consideration by public authorities and management of requests for information from users. If present, requests for activities was held in accordance with the requirements of the current law “On appeals of citizens”, now enshrined in law, that request user information is considered in a period not later than fifteen days from the date of registration,

request the media to obtain information about the activities of public authorities and management, and arranging interviews of officers in a period not later than network days.

Another important aspect of the law is that the rights of media workers accredited to state authorities and management bodies are secured. In particular, having such rights correspondents may first obtain information about upcoming meetings, conferences and other activities to be in accordance with the accreditation body right in the building (the premises) and other objects of the authority conducting the accreditation to participate in sessions, meetings, briefings (press conferences) and other events held by the accrediting bodies. Thus, it should be noted that this law, first of all, serves as an important legal basis for ensuring the openness of the activities of state authorities and management, further expanding the opportunities of citizens and mass media to obtain information about the activities of state bodies. Improving mechanisms and tools for monitoring the activities of state authorities is one of the most pressing issues of ongoing administrative reforms in Uzbekistan. Against the background of comprehensive improvement of all their types, public control deserves special attention. The legal basis for public control is laid down in article 32 of the Constitution of the Republic of Uzbekistan, according to which citizens have the right to participate in the management of the Affairs of society and the state, both directly and through their representatives. Participation is carried out through self-government, holding referendums and the democratic formation of state bodies, as well as the development and improvement of public control over the activities of state bodies. The legislative framework of public control over the activities of state bodies defined by Law of the Republic of Uzbekistan "On public control", which was adopted in the framework of implementation of the State program on realization of Strategy of actions in five priority directions of development of the Republic of Uzbekistan in 2017-2021 years and in the current year in the "Year of science and about the time Omnia and the digital economy", approved by the decree of the President of the Republic of Uzbekistan created the Public Chamber. A number of forms of public control are regulated by law, such as appeals and inquiries, participation in open collegial meetings of state bodies, public discussion, and others. At the same time, unlike other types, the subjects of public control are directly citizens of the Republic of Uzbekistan, as well as citizens' self-government bodies, non-governmental non-profit organizations, mass media, public councils, commissions and other public structures. The object of social control is the activity of state bodies and their officials on such socially important areas as taking into account public opinion when adopting normative legal acts, decisions and government's development programmes; the enforcement of requirements of the legislation in the sphere of

protection of rights and interests of citizens, legal persons and society; the tasks and functions affecting the social and public interests; the public services; the implementation of the agreements, contracts, projects and programmes in the framework of social partnership.

The content of the constitutional right to participate in the management of state Affairs allows us to speak about the direct participation of individuals and their organizations in the activities of the state at all stages of the mechanism of state-legal regulation of public relations (in the process of law-making, application and protection of law), which is carried out in two forms: a) assistance to state institutions, b) delegated exercise of state-power powers. The functions of civil society are the main areas of activity of the entire complex of public institutions to achieve the goals of social integration. The main goal of civil society functioning is the satisfaction of public interests, which can be achieved by solving certain tasks related to the expression, satisfaction, coordination, and resolution of conflicts of particular private interests. From the point of view of the sphere of public relations, within which the functioning of public institutions is carried out, it is necessary to distinguish between the political and non-political functions of civil society. Among the political functions, most of which are realized in the sphere of political participation, must include the following: individual and collective realization of political rights and freedoms and control over their observance, legitimation of government, social and political control over the adoption and implementation of state decisions, the involvement of non-state institutions in the process of making and implementing government decisions through public involvement in law-making and enforcement process, delegated the exercise of exclusive state powers in the lawmaking process, law enforcement and legal coercion. The functions of legitimation of state power and socio-political control have their conceptual basis in the principle of popular sovereignty. Only a society that has the characteristics of a civil society and is able to act as an equal counterparty of the state in the political system, carries out the process of legitimation on a rational basis, regulated by political and legal norms. The implementation of state functions takes place through legal and organizational forms, as well as through methods such as persuasion and coercion, which necessitates the analysis of the role of public institutions in the process of the state authorities ' exercise of exclusive powers in the field of law-making, law enforcement and the implementation of legal coercion. The content of the constitutional right to participate in the management of state Affairs allows us to speak about the direct participation of individuals and their organizations in the activities of the state at all stages of the mechanism of state-legal regulation of public relations: in the process of law-making, application and protection of law. Socio-political control is a political function of civil society, which is carried out in order to take into account private and public interests in the process of making and implementing power decisions, respecting human rights and communities. Speaking about the mechanisms and ways of functioning of civil society, it should be noted that for a long time they remained at the level of forming special institutions (parties, public and trade unions, non-governmental

non-profit organizations, etc.), whose activities contributed to the protection and promotion of the interests of isolated social groups. The diverse activities of such organizations have played a certain valuable role in the development of democracy, in protecting the rights and interests of citizens, and in improving the socio-economic conditions of public life. The most important such institutional mechanism, actively used in international experience, is the practice of creating Public chambers. It is through the creation of Public chambers that many complex issues of achieving greater efficiency of the public administration system, smoothing out shortcomings in its activities, and ensuring the consistency of positive modernization processes are being solved in the world practice. The work of Public chambers allows creating new channels of citizens' influence on the government and using these channels to democratize and modernize the system, without creating serious threats to social stability. The creation of the Public chamber in Uzbekistan is a significant historical event. The study of the meaning and goals of the policy of reforms and democratization implemented in modern Uzbekistan leads to the idea of the regularity and logical validity of the emergence of this institution. If you look at the foreign experience, then in some countries of the world there are similar Advisory bodies. For example, in France, there is – **Economic, social and environmental Council (CESE)** he advises the Parliament and the government on the development of socio-political processes. In Russia **The public chamber** was established to ensure interaction of citizens with state and local authorities in order to take into account the needs and interests of citizens, protect their rights and freedoms in the formation and implementation of state policy. Valid in Finland **The civil society policy Advisory Council**, which performs many tasks for the development of democracy and civil society. In Germany there is **Questionnaire-a Commission** under the Parliament dealing with issues of civic engagement in the life of the state and society, which is a key element of civil society. In 2019, Kazakhstan was established **The national Council of public trust**, which includes representatives of various political parties and public associations, non-governmental organizations, mass media; human rights defenders and leading experts. The program tasks of the Public chamber created in Uzbekistan are similar to the functions of similar structures in foreign countries.

The authority of the Public chamber includes the right to send a request to state bodies and organizations of the Public chamber with the requirement to provide reasonable explanations or state their point of view on the implementation of laws, state programs in various spheres, as well as on other important issues within their jurisdiction. At the same time, state bodies and organizations are obliged to send a response to the request no later than ten days from the date of its receipt, unless another term is established. The public chamber and regional public chambers involved in the formation of the public Council at each state Agency, including the Council of Ministers of the Republic of Karakalpakstan, khokimiyats of regions and Tashkent city (with the exception of community councils in law enforcement). Central and local government bodies carry out their activities in close mutual

cooperation with the Public chamber and regional public chambers, with strict observance of the principles of independence of non-governmental non-profit organizations and non-interference in their activities.

It is important that members of the Public chamber and regional public chambers have the right to attend open collegial meetings of each state body, as well as at meetings of chambers of the Oliy Majlis of the Republic of Uzbekistan, the "Government hour" at the meetings of Jokargy Kenes of the Republic of Karakalpakstan, Kengashes of people's deputies of the regions, the city of Tashkent, districts (cities). Proposals on amendments and additions to the Constitution of the Republic of Uzbekistan, draft normative legal acts on the most important issues of socio-economic life of the country are sent for consideration to the Public chamber.

Conclusion

The public chamber in the political and legal space of our country has become a natural, logical and new institution designed to provide not only an effective counteraction to abuses of public power and official authority, but also a systematic, effective dialogue that unites the efforts of the state, citizens and civil society institutions. The effective work of the Public Chamber has a synergistic effect on the development of sectors: for the public sector, this will allow the development and implementation of policies that will enhance the legitimacy of the state system; for public organizations it gives an opportunity for organizational development, the acquisition of additional resources, the formation of lobbying skills, strengthening the status of NGOs in society; this platform helps the business sector to improve its brand, build positive relationships in local markets, and enhance public-private partnerships.

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