

THE ROLE OF PUBLIC CONTROL IN IMPROVING THE SYSTEM OF PUBLIC ADMINISTRATION

Odil Musaev¹, m_odil@nuu.uz,
Rukhsora Ruziyeva¹, r_ruziyeva@nuu.uz
Oynisa Muhammadiyeva¹, m_oynisa@nuu.uz
Ulugbek Makhkamov¹, m_ulugbek@nuu.uz
Etibarkhon Mallaeva², e_mallaeva@jspi.uz

1. National University of Uzbekistan named after Mirzo Ulugbek, Republic of Uzbekistan

2. Jizzakh State Pedagogical Institute named after A.Kadiriy, Republic of Uzbekistan

Abstract. *The exercising of public control on government agencies and activities of officials is one of the necessary conditions for the formation of a democratic state and civil society. The great attention is to support public control over state power and leaders in developed countries. This type of control is provided by citizens, civil society structures, in particular the Mass media. At the same time, citizens can complain about the violation of their rights and duties by the authorities. The role of control institution will be to protect citizens from the arbitrariness of officials. The role of such control institution is to protect citizens from the arbitrariness of officials. In the civil society being built in our country, state power is controlled by the Constitution and laws, and the state, its agencies and officials are under the broad public control. Because the state is a “hired servant” of civil society and is accountable to the people. In particular, the acceleration of liberalization in all spheres of life, methodology of communication with the public in ensuring public control over the activities of public authorities in the implementation of laws, the principles of state agencies sever public for people play important roles.*

Keywords: *public control, civil society institutions, government agencies, political parties, civil control, rule of law, non-profit organizations, control institution*

Introduction

In recent years, special attention is paid to democratization of society, accelerating the process of liberalization in all spheres of life, ensuring the implementation of laws, ensuring public control over the activities of public authorities. In the first application of the President to the Parliament of the country- the Oliy Majlis, the proposal to adopt the Law “On Public Oversight” plays an important role for introducing effective and practical mechanisms for public control in public administration [1]. As the head of our state Sh. Mirziyoyev noted: “The best way to build a strong civil society is to systematize public control. This is a tried and tested way in the world. When does the state fulfill successfully its mission? When effective public control over the activities of government agencies is established. Unfortunately, the effect of public scrutiny is not felt in practice today” [2]. Therefore, increasing the impact of public control in all spheres of public life, developing, identifying problem areas and finding answers to them are urgent tasks for researchers.

Review of the literature on the topic

Today, the number of scientific studies are being conducted on the construction and management of a democratic state, the mass media, public control. In particular, few researches have been done to liberalize government and increase the impact of public scrutiny. The works of Sh. Paxrutdinov, N. Juraev, R.Jumaev, I.Ergashev, T.Alimardonov,

F.Musaev, M.Kirgizbaev, V.Kuchkarov, A.Saidov, X. Odilkoriev, Q. Quranbaev, O.Abdulazimov, Sh.Qudratxujaev, N.Umarova, B. Hasanov, H. Rajabov and others[3] can be included in researches in this area. Their researches cover the history and theory of Uzbek national statehood, the role and place of the political system and democratic political order in society, the role of the media in building civil society, increasing public control over government and officials, and other issues. However, the analysis of the available scientific literature and research shows that there is a lack of work aimed at forming public control over the construction of civil society in Uzbekistan and the role of civil society institutions in this process, all these show that the new stage of development of Uzbekistan is not seriously studied in the context of freedom of information and speech. This causes to the selection of the research topic as an object of scientific study.

RESEARCH METHODOLOGY

In the course of the research, the following general and philosophical methods were used: historical, objectivity, abstraction, concrete, systematic analysis, comparative analysis.

Analysis and Results

The obligation to have the institution of public control in a democratic society- is a universally recognized principle of international law. Democratic society regardless of its cultural, political, social and economic foundations, is defined by the existence of principles and institutions such as pluralism, rule of law, legitimacy, political equality, public scrutiny and government accountability to society, which in turn begin with the concept of human rights and freedoms. Such an approach to a democratic society is not limited to our country, perhaps while most countries in the world are recognized in the field of political science, however, the definition of the concept of “public control” is still the subject of many debates. As any political concept, the term “public control” can be considered through its doctrinal and formal interpretations. Unfortunately, the official definition of the term is not given in any legislation. For example, the Law of the Republic of Uzbekistan N. LRU-474 “On Public Control” states that the purpose of the law is to regulate relations in the field of organization and implementation of public control over the activities of state agencies and institutions, the subjects, objects, principles, forms and results of public control, but the concept of public control in a clear and unambiguous manner is not defined [4]. For this and these reasons, the President of the Republic of Uzbekistan on October 4, 2019 the decision–“On additional measures to increase the effectiveness of public control over socio-economic reforms in the country, as well as active participation of citizens in democratic change” was announced in order to further developing and improving the implementation mechanisms of this Law. Also, the decision is aimed at raising the quality of management decisions to a new level based on the analysis of public opinion, expanding the participation of citizens in the management of state and public affairs, ensuring greater transparency of government agencies and organizations [5].

However, this concept has been defined by experts in many legal literatures, they can be generally combined under the following definition: “Public control is a public inspection, analysis and public evaluation of the subjects of public control in order to monitor the activities of local self-government bodies, state and local organizations, other agencies and organizations exercising special public powers in accordance with the law, as well as their laws and decisions. activities that are carried out for the purposes” [6].

At the same time, it should be noted that the scientific interpretation of the category that we are analyzing is much broader than its official definition. The doctrinal interpretation of public control is more relative to the legal field under consideration. In our opinion, summarizing the results obtained from other disciplines, it is expedient to study public control from the point of view of constitutional law. It is the constitutional law of the state

that determines the status of the institution of public control in the system of state building. Public control over the activities of the state is monitoring and inspection of the activities of state bodies and officials of society by citizens, the implementation of the principle of legality, the protection of human rights and national interests.

Experts focus on the combination of sovereignty and democracy - that the state and public affairs are governed by the people themselves, through the institutions of civil society and public authorities, which are authorized by them and must operate under the control of the people. It should be noted that, public authorities if they are formed democratically and under the control of the population, stemming from the constitutional provisions which shows that they are important means of exercising popular power. Because the Constitution of the Republic of Uzbekistan contains such rules as sovereignty and democracy, sources of state and power, responsibility of officials [7].

Thus, it can be said that public control is an element of people's power that the state is characterized democratically. In order to better understand this definition, we consider it appropriate to analyze other definitions that focus on public control. For example, the Office of Constitutional Oversight stated that public control over public authorities and their officials should be provided by the state.

Public control is the main task that transparency of the judiciary, in order to ensure democracy and independence as an institution of people's power is carried out by public judges. It should also be noted that public control can be exercised over the organization and conduct of elections through the institution of observers.

Of course, this list of these approaches is not exhaustive in further clarifying the definition of this concept. But in our opinion, it helps to identify the main features of public control; it is expedient to supplement these symptoms by analyzing its types, which are present in the legislation of our country.

Public control in our country consists of the work of public authorities and the targeted activities of the population for establishing a balance between the criteria set in society and the needs of society, as well as to correct the shortcoming which is identified during the inspection. This activity is carried out by both citizens and social groups that form the institution of civil society and interact with public authorities, such as public associations.

Therefore, we consider that the term "public control" in the broadest sense encompasses all forms of interaction between civil society and the state. At the same time, this definition can be explained more precisely. For example, within the legal system, other institutionally formed organizations with public constitutional control and legal status, politically oriented initiative groups and associations for the implementation of civic initiatives, mass media, foundations, etc. will be involved.

Collection of information on the activities of the state apparatus, systematization and distribution work form the basis of their activities. They bring opportunities for increasing the efficiency of the work of public authorities with information will be evaluated for people by the public. This activity is the essence of public control in the narrow sense.

The immutability of the nature of public control cannot be an obstacle to the improvement of its ever-changing forms and methods. For example, the development of modern information and telecommunications networks has led to the formation of institutions of "electronic democracy" and "transparent governance", which complement the classic elements of public control.

The Institute of Public Oversight has a cumulative nature, which creates certain difficulties. For example, in science, its place in the system of civil society and other institutions of democracy, as well as the fact is confirmed that discussions about the mechanisms of its interaction with the state are still continuing. However, one of the most important issues is the issue of subjects of public control, and according to our opinion,

depending on the subject, public control can be divided into individual and collective public control.

Individual public control is a relatively new phenomenon for society. According to Article 2 of the Constitution, the people exercise their power directly, as well as through state authorities and local self-government agencies. Therefore, we believe that the main subject of public control is the citizen. The mechanism of public control by citizens is based on their constitutional and legal status, which includes a number of political rights, for example, the right to information. For example, any person can assess the compatibility between the work of government agencies and the criteria established in society by receiving information about their activities. Modern means of communication can publish the result of such public control without the mediation of the media, for example, through social media on the Internet. Thus, the formation of independent and full-fledged individuals who exercise individual public control in society has become a specific aspect of the mechanism of public control that exists in the world today.

In our country, the legal status of the individual subject of public control is still forming in its infancy. However, the government has taken the first steps to legalize this activity. In the Law of the Republic of Uzbekistan “On Public Control” LRU-474, citizens of the Republic of Uzbekistan, citizens' self-government agencies, as well as non-governmental non-profit organizations registered in the manner prescribed by law, the mass media are as subjects of public control. However, it is not clear what type of public oversight subject bloggers are currently involved in the exercise of public oversight. For example in 2014 in the Russian Federation, defining the specifics of the dissemination of information intended for by the blogger - amendments were made to the Law N. 149-FL of July 27, 2006 “On Information, Information Technologies and Information Protection”[8].

As collective subjects of public control can be distinguished both classical public associations, such as unions and associations, the media, and politically oriented groups and associations for the implementation of civic initiatives. It should also be noted that the issue of the possibility of including a particular subject in the subject of public control is a topic of discussion in the scientific literature. For example, Sh. Kudratkhodjaev states that the mass media is the subject of control, or the Law of the Republic of Uzbekistan No. LRU-474 “On Public Control” also defines the media as a subject of public control [9]. Some researchers suggest that the mass media is not a subject of public control but it should be considered as a means of transmitting information. These discussions are not the subject of this study, but in our view, the media performs all the functions inherent in public control. In the course of their activities, they establish consistency between the public authorities and the generally accepted criteria and the needs of society, and allow to correct the shortcomings identified during the control.

In addition to the classification of public control by subjects, it can be divided into internal and external public control over the object of control in relation to the authorities. The classic form of public control is external control, but through the entry of members of the public into the governing body, for example, forms of internal public control, such as the participation of the institution of people's representatives in the courts or the inclusion of members of public organizations in election commissions are also known in history.

The article 4 of the Law of the Republic of Uzbekistan N. LRU-474 “On public control” specifies the object of public control. According to it, state agencies and their officials: in the adopted normative legal acts, decisions, as well as state, sectoral and regional development programs, taking into account the interests of the public, public opinion, protection of the rights and legitimate interests of citizens, legal entities, public interests Ensuring the implementation of the tasks and functions entrusted to it, related to the social and public interests, the provision of public services and the implementation of agreements,

contracts, projects and programs in the framework of social partnership is the object of public control [10].

According to the experience of foreign countries, depending on the scale, public control can be general or network-related (functional) public control. General public control is exercised over all or some government agencies. For example, the activity of the Public Chamber in the Russian Federation is such an activity. Public control over the network is exercised over the activities of a particular government agency, or a specific area of its work. For example, public councils under various ministries and organizations or public oversight commissions operating under various laws are examples of this.

The lack of a single law in our country for a long time to regulate the institution of public control is the reason for many debates and discussions about the system of public control in Uzbekistan. However, some of its forms are reflected in the legislation. At present, this shortcoming is expected to be addressed.

In addition to the types of public control described above, there are other classifications in the literature. For example, it differs from the initial, current, and subsequent controls depending on the time of implementation. Depending on the periodicity of control measures are divided into systematic, periodic and periodic (episodic) controls. This list may continue, but we believe that we have cited the main types of public scrutiny that are sufficient to shape its definition in a broad sense in the scientific community. In our opinion, such a logical operation which carrying out with understanding is the most acceptable for the political sciences. However, the over-narrowing of such terms in science leads to a narrowing of research topics and, consequently, a narrowing of the field of application.

Based on the above, public control means public authorities (legislative, executive, judicial), certain types of legal entities and management processes by any public institution, it is possible to understand the form of the exercise of government of nation, including through various forms of control which provided by the state and based on protected electoral processes.

In our opinion, public control is a mandatory symbol of every state, but the mechanisms of its development are not the same. Public control is developed in democracies.

Given the importance of public scrutiny, these social relations have been studied by many disciplines, they formed their own terms. The difference in definitions given to public scrutiny by philosophy, social sciences, and jurisprudence stems from the diversity of research methodologies. In this sense, the terms discussed in this section are not contradictory but complementary.

In this study, we examined public oversight from the perspective of the political sciences. Therefore, a scientific definition of public control was proposed based on some legal documents.

The importance of public control is great for the state, and it is clear that there is not state can exist without a system of public control. The level of development of this system determines the form of management. Only an advanced system of public control is an indicator of a democratic form of government. Based on the importance of the public oversight system, the different approaches and the definition that we have given, public control over the activities of government agencies and their officials should be provided by the state in conjunction with the provisions of various articles of the law on public relations.

Depending on the basis of the distribution of public control can be classified into individual and collective, external and internal, public control over public authorities and public control over certain types of legal entities, and so on. We believe that new types of control, such as individual public control or forms of public control over certain types of legal entities may be explored for further in-depth research.

According to the activity, public control is divided into socio-legal, political, economic, environmental, spiritual and moral, and so on. This control is exercised in the form of public and private law, this is influenced by protecting the rights of the citizen and the content of normative legal acts related to access to judicial and administrative mechanisms, and the management of public law is carried out through political institutions, primarily civil society institutions.

Public control can be integrated or institutionalized, these are carried out by civil society institutions, primarily by the mass media. In this case, the identification and expression of development problems of society and the state, it seeks to identify their causes and to identify those responsible for the exercise of political power by the state, which enables the realization of the legitimate interests of the individual and society.

Depending on the level of participation, public control can be divided into: public, which is carried out by all participants in social relations; group - by individual organizations and institutions; individual - individual citizen. Depending on the level of legal integrity, public oversight is exercised, which distinguishes between national, institutional, regulatory, and informal oversight. Public control is exercised over justice, the functioning of the state apparatus, the electoral process, human rights, consumer protection, environmental security and other areas.

Public control is an integral part of civil society, which means regular monitoring and inspection of the activities of citizens, civil society institutions, the general public, public authorities and their officials in terms of compliance with the law. This control is usually exercised by public authorities and administrations, analysis of the activities of their officials, this is done through the study, formulation, and appropriate articulation of public opinion on the subject [11].

Effective organization of public control and a moderate, optimal legal space is essential for its implementation. The adoption of the Law "On Public Oversight" in our country is a very practical step in this direction. Based on this law, public control is actively carried out not only at the national level, but also at the local level. In this case, the neighborhoods, citizens' self-government agencies, local party organizations and groups, local community and non - profit organizations, is being further intensified public control by the media is being further intensified.

"It is gratifying to note that in recent years, the literature and magazines have focused on the activities of local public and non-governmental non-profit organizations, self-government bodies in the field of public control" [12].

For years, the idea of the rule of law in our country has remained only a project, a strategy, a goal. In many ways, the impossibility of effectively implementing this idea is due to the persistence of corruption and the activities of officials who do not perform their duties supervised. According to most analysts, the main difficulty in ensuring the rule of law is to eradicate corruption. Because the obedience of citizens to the law plays a key role not only in the implementation of social policy of the state, but also in the implementation of the principle of legality in the activities of state agencies and officials.

It is true, state control over officials is important, but it is not enough. Because these cases such as sponsorship and the "telephone law" in the activities of officials cannot be repealed by law or decree. Signaling violations of the law in their activities that groups is unified, such "defects" in the state mechanism. Therefore, ensuring public control in practice, improving its legal framework is an important condition for establishing the rule of law in our country.

Today, in the field of political science, there is a growing need for research aimed at developing the concept of public control, substantiating the need to implement it in the practice of state organizing, and on this basis to ensure the practical implementation of

various forms of control. In particular, it is possible to define public control over the activities of state agencies and officials as a form of socio-legal control, to consider public control as an element of various concepts of the rule of law, to carry out historical and political analysis of public control in our national statehood. Also, the purpose of research in this area should also be to form the theoretical and legal basis of public control and to substantiate its integral connection with the doctrine of civil society.

Control over the activities of government agencies related to the activities of civil society institutions, public control ensures the effective participation of citizens in the interests of civil society, guarantees the legal limitation of power, checks the rule of law and the development of legitimacy in the activities of public authorities. Moreover, it facilitates the implementation of legal norms or management decisions in the activities of officials and monitoring the quality of work of all government agencies.

Important features of public control in the modern state are as follows.

- a) it is based on the values of ideology and the rule of law;
- b) it is regulated by regulations;
- c) it is not law enforcement;
- g) it is not obligatory, unless otherwise provided by law;
- e) its subjects may be citizens who are not representatives of public associations and employees of state and local authorities;
- f) its activities are carried out on the basis of electorate, periodic circulation, transparency;

Thus, effective control over the activities of state agencies and officials allows to protect not only the interests of citizens, but also the national interests within the goals and objectives of the state. And also, public control is a sign of the rule of law and the maturity of society. Because the principle of public control is carried out in a state where the activities of public authorities depend on public opinion through the implementation of socio-organizational functions of civil society.

Conclusions and Suggestions

Based on the study of mechanisms for the effective use of public control in our country and increasing the role of civil society institutions in this, there are following conclusions:

1. In recent years, the debate on the qualitative and quantitative indicators of civic participation has been developing. The formation of civic activism must continue on a permanent, voluntary basis. In turn, an important condition for maintaining the social base of public control is the constant improvement of norms and values that define civic consciousness. In our time, the issue of not only public participation, but also the ability of population groups and public associations to express and consolidate public interests remains particularly relevant.

2. Insufficient level of political culture of citizens, lack of formation of civil society and low activity of subjects of public control retard the development of processes in society and do not contribute to the growth of the activity of state structures. The supremacy of the state and the pressure on non-governmental organizations, the efforts to manage them "from above" have a negative impact on the full development of the institution of public control.

3. From the point of view of the organization of public control, it is very important to take into account the experience of the elements of civil society in the Soviet period. However, in modern reality, past experience is not often paid attention, which negatively affects the effectiveness of public oversight. One of the latest important trends is the development and testing of new tools to help develop communication between the state and society. Designated negotiation platforms and public councils of departments will appear. General recommendations for the formation of such councils include the establishment of working groups, which are mandatory for representatives of public and government agencies.

4. The state is interested in the preservation of democratic values and the development of civil society institutions in general, and in particular the subjects of public control. The activities' effectiveness of the public control's subjects is largely determined by the use of new ICTs in relations, the change of the concepts of "e-democracy", "e-government". The digitization of media content places new demands on the interaction between the state and civil society on new platforms. At the same time, the implementation of public control and the popularization of the subjects activities of public control are inseparable from the essence study of public authorities. In other words, the openness of public authority is a necessary condition for the development of the practice of public control.

5. The Parties that make up the politicized part of civil society, trade unions and in addition to other public associations, the media, all non-political space of civil society and plays the role of a link between the political sphere of the state. The mass media is encouraged to provide information links between social institutions and the state, and to strengthen the state's channels of communication with society and control over political processes. The legal support of such mediation requires great attention: on the one hand, it is necessary to encourage the interaction of the media with state and public structures, and on the other hand, to prevent out-of-control. In such a situation, the regulatory mechanism requires a skillful combination of legal incentives and restrictions. Practical recommendations for the study are as follows:

6. to hold regular discussion, televised debates with the authorities on the results of public control in the media and on the Internet. It also provides an opportunity to work together on testing and implementing a national system of public oversight indicators;

7. It is necessary to make amendments to the law on the implementation of public control in the appropriate order in order to improve the mechanism of interaction of civil society institutions and the media with government agencies.

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