

Peculiarities of Public Control over the Development of Civil Society

Rasulov Bekzod Boymuratovich

Doctor of Philosophy in Political Science (PhD), Senior Lecturer, Samarkand State Institute of Architecture and Construction

ABSTRACT

The broad use of various types of control is a crucial aspect in ensuring transparency, just as openness is a key pillar of civil society development.

This article presents a scholarly examination of the types of controls that promote transparency, as well as the legal processes that enable them to function.

KEYWORDS: civil society, openness, forms of control, legal mechanism, social control, public control, public administration, public administration, public authorities, information and mediation control, parliamentary control, political parties.

Introduction.

Expanding the participation and influence of civil society institutions in state and society governance is one of the most crucial criteria for establishing civil society.

Controlling the activities of authorities has been vital in the formation of civilization from the dawn of time, and scholars say that "nothing is more hazardous than an unregulated government based on the threat of violence rather than the law" [1]. Furthermore, "a hallmark of civil society is society's ability to exercise control over power." Only legal control subordinates the government to the rule of law, and the state can only be "subject to the rule of law" and have the status of a "rule of law" in the framework of civil society. [2]

In today's country, there are about 10,500 non-governmental non-profit groups, over 2,200 religious organizations, and around 2,000 media outlets. When we examine the actions of non-governmental non-profit organizations, we can observe that some substantial work is being done by NGOs whose founders are primarily the government. The remaining types of organizations' operations are essentially non-existent. In the media, we can only witness substantial positive developments.

It is rare for groups other than the mass media to openly explore or hold serious dialogues with government agencies and their officials in the sphere of public oversight, which is one of the core functions of NGOs. Currently, despite the fact that citizens' self-government groups and a variety of other organizations and citizens exercise public control, their efforts are insufficient.

The purpose of the research.

It entails examining the processes of public control over civil society development and formulating practical solutions.

Method and object of research.

In the formation of civil society, methods such as examination of public control implementation, comparative analysis of scientific views and conceptions, and generalization were applied.

The specifics of the application of public control over the development of civil society are the focus of this study.

Research results and their discussion.

The institute of public control has been understood in a variety of ways in scientific literature. The exercise of public control over the operations of public authorities, according to Russian scientist A.V. Sokolov, who performed study in this area, is a vital component of democracy, as is the process of public knowledge of the activities of public authorities [3].

The control of civil society institutions over inhabitants of the Republic of Uzbekistan and their associations, authorities, and administration, according to B.I. Ismailov [4].

T. Dustjanov and S. Khasanov emphasize the importance of public control in the formation and proper organization of civil society, defining it as "the state. control over the activities of authorities and non-governmental organizations by citizens, their associations and self-government, other civil society structures (institutions), as well as public bodies formed within state and non-governmental bodies." [5]

According to them, public control is a critical component in achieving social justice in society by balancing equity, equality, reciprocal responsibility, and accountability in the person, society, and state relationships. This institution ensures that human rights and freedoms are not only protected by the state, but also given priority in the operations of public authorities, and the presence of public control indicates that political power is in the people's hands.

Simultaneously, as B.I. Ismailov correctly points out, public control is one of the most essential modes of contact between civil society institutions and national and local governments.

President Sh.M.Mirziyoyev regards it as the primary reform mechanism. "Public control is not only control over the operations of government institutions," the President says, "but also a manner of society's self-governance, in other words, one of the important aspects in the growth of civil society."

Public oversight should be introduced, first and foremost, in law enforcement and regulatory agencies, finance, banking, education, health, utilities, energy, and transportation. Issues such as the quality of products and services in markets and shopping malls should also be under constant public scrutiny. " [6]

In order to further improve public control in our country, the Public Chamber under the President of the Republic of Uzbekistan was established in accordance with the Decree of the President of the Republic of Uzbekistan on April 16, 2020 PD-5980 [7]. The decree defines the activities of the public council.

The main reason for the formation of the Public Chamber and the personal initiative of President Mirziyoyev is that the development of civil society in our country is not in demand. As noted by political scientist S. Saidov, "In my opinion, the adoption of the decree" On the establishment of the Public Chamber under the President of the Republic of Uzbekistan "indicates the lack of a clear national strategy for the formation and development of civil society in our country. For example, in the last three or four years, there have been duplicate and sometimes contradictory documents related to the construction of civil society: Resolution "On additional measures to improve the activities of the Independent Institute for Monitoring the Formation of Civil Society" (March 27, 2017), Decree "On measures to radically increase the role of civil society institutions in the process of democratic renewal of the country" (May 4, 2018), "Resolution on Measures to Support the Activities of the Center for Civil Society Development (October 30, 2019)." [8]

Article 17 of the Law of the Republic of Uzbekistan "On Public Oversight" [9] states that based on

the results of public oversight, a final document may be prepared in the form of a report, conclusion, reference or other form provided by law. information and recommendation. In my opinion, these legal norms are designed in the interests of a democratic society. However, its subsequent results are important. Paragraph 3 of this article of the law stipulates that the information, recommendations and proposals contained in the final document are subject to mandatory review by public authorities and the adoption of legal decisions on them, and there are some comments on the implementation of this article. The first consideration is that the submission of proposals and recommendations to public authorities by the subjects of public control is weak. On the other hand, government agencies often do not take into account the suggestions and recommendations of public oversight bodies.

Due to these factors, the creation of a public chamber, the effective implementation of public control and the further expansion of the participation of NGOs in it, the introduction of new mechanisms to increase their effectiveness is a requirement of today.

In our opinion, it should be noted that today the information and media control is the most effective method of control of public authorities and local governments. Because this type of control is not limited in time and space. The activities of public authorities and local governments are constantly monitored by the media space (ordinary users), bloggers, journalists, social networking groups, the Internet community. Critical comments and suggestions lead to the adoption of political decisions, organizational, legal and regulatory documents by the heads of public authorities and local governments or higher subjects (for example, the President).

"It is necessary to strengthen the role of the chambers of the Oliy Majlis in the system of state power, to address important tasks in domestic and foreign policy, to expand the rights and powers of parliament in overseeing the activities of the executive branch." [10]

We know from the experience of democracies that the purpose of public oversight is to increase the efficiency of public authorities and local government, the rule of law in the formulation and implementation of public policy, and the effective conduct of citizens, organizations and their officials. consists of bragging.

An analysis of the nature of civil society, the importance of public oversight in its development, and ways to increase the effectiveness of public oversight can highlight the following:

- Conduct regular systematic monitoring of government activities. This pattern is particularly common in countries in transition and changing socio-political systems;
- Targeted monitoring of government activities. For example, environmental public organizations monitor the environmental policy of public authorities;
- Public participation in making socially important decisions;
- Establishment of control commissions and public councils under the authorities.

In our opinion, public control is an integral part of a strong civil society, which means regular monitoring of the activities of civil society institutions, public authorities and their officials by the general public in terms of the rule of law. Such control is usually manifested through the analysis of the activities of public authorities and their officials, the study, formation, evaluation and expression of public opinion in this regard.

To this end, over the past years, the country has paid special attention to ensuring the participation of citizens in the management of public and state affairs, creating effective mechanisms for public control over the activities of the executive branch, strengthening the functions of public control. Today, effective mechanisms for public control over the activities of the executive branch have been formed in our country.

In particular, the specifics of public control and the mechanisms of its implementation are reflected in the Constitution of the Republic of Uzbekistan and a number of legislative acts. The Law "On Public Oversight" has taken this work to a new level.

Public control is carried out in the following forms:

- ✓ Appeals and inquiries to government agencies;
- ✓ participation in open board meetings of government agencies;
- ✓ public discussion, public hearings, public monitoring, public expertise, public opinion research;
- ✓ hearing of reports of government officials by citizens' self-government bodies.

In this regard, as the First President of the Republic of Uzbekistan IA Karimov rightly noted: "Let us not forget that the more we strengthen the oversight functions of the state, the more the state structures and bodies engaged in oversight, the more the violence and corruption of officials will increase. Therefore, we must pay special attention to strengthening public control, public control over the activities of the state, including the activities of its power structures. There is no other way" [11].

Indeed, it is safe to say that the liberalization of state control and the strengthening of public control are bold steps towards the formation of civil society and the establishment of a strong democratic state governed by the rule of law. It is well known that social control is a system of methods by which society and social groups influence an individual in order to correct his or her behavior and bring it into line with generally accepted norms. Social control serves to achieve and maintain the stability of the social system and to ensure its positive development. There are three forms of social control:

- 1 Simple (mostly coercive) sanctions;
- 2 Public opinion;
- 3 Social institutions [12].

According to R.A. Lapper, social control is seen as a means of ensuring the process of assimilation of an individual's culture and its transmission from generation to generation.

"The most effective way is that the social control exercised by the group builds self-control in the members of the group and allows them to successfully integrate into the group and social thought in general." [13]

Civil society consists of a system of mutually beneficial social relations between free citizens, public organizations, and volunteer associations that are not directly regulated or governed by the state. Civil society is based on specific laws that differ from the economic and political principles of the state.

The model of building civil society in Uzbekistan is in many respects paternalistic. That is, the process is governed by the state (government), which stimulates social activity in society, ensuring its transformation into a socially oriented movement in the form of various non-governmental non-profit organizations. The structure of the Public Chamber can be called the product of such a worldview. [14]

Researcher S. Saidov's opinion on this issue can be partially agreed. Because the development of civil society in Uzbekistan is based on high trends. Therefore, the establishment, reorganization and other structural changes of the Public Chamber are a natural process. This is an unfinished process. Therefore, one should not rush to draw conclusions.

Conclusions and suggestions.

In conclusion, public oversight does not solve all problems, but it creates the conditions for solving many problems and serves as an effective tool to increase the efficiency and transparency of public authorities. Public control is a crucial direction in the formation of civil society, without its participation it is impossible to build a democratic state governed by the rule of law and modernize the economy and society. This is because without the active participation of civil society institutions and citizens, the measures, programs and funds allocated for their implementation often do not reach the intended goals due to inefficient use and (or) misappropriation. That is why the control activity of citizens, indifference to the affairs of society and the state, ultimately contributes to the development of the country, has a positive impact on improving the living conditions of citizens.

Today, much emphasis is placed on strengthening the role and influence of civic institutions in making the most important decisions of state importance. Only with the active participation of citizens and civil society institutions can effective public oversight be organized. This is the only way to prevent crime, ensure the inevitability of punishment, reduce the risk of corruption and, most importantly, ensure openness and transparency in governance.

We believe that in order to exercise effective social control and increase the role and importance of civil society institutions in the life of the state and society, it is necessary to carry out the following tasks:

- further liberalization of all spheres of political life, state and society building;
- strengthening the political and economic activity of citizens and creating appropriate conditions for the full realization of their potential;
- the formation of an effective mechanism to ensure a balance between the various interests, opposing forces and actions that exist in society;
- gradual transfer of state functions to non-governmental organizations and citizens' self-government bodies as the political and legal consciousness, culture and political activity of the people increase;
- ensuring the diversity of opinions and views in society, the conditions for their free expression;
- removal of all barriers to obtaining information related to the activities of public administration bodies (except for state secrets and personal data);
- sharply increase the role and importance of non-governmental and public organizations in society, which is an important condition for the formation of civil society, in other words, the implementation of the principle of "from a strong state to a strong society";
- ensuring the implementation of laws, strengthening public control over the activities of public authorities in the implementation of regulations adopted and in force in the country;
- further development of civil society will be possible by strengthening public control over the executive branch by expanding the powers of the Councils of People's Deputies with the broad involvement of non-governmental organizations and a number of other tasks.

There are a number of factors that hinder the implementation of these tasks, and to address them, the following should be done:

First, a high level of openness and transparency in government is only effective when a civil society with a high political and legal culture is formed, otherwise it can lead to chaos, especially revolutions, political turmoil and economic decline, which take place against the background of the blind following of different peoples.

Second, to form a legal culture and a positive attitude towards civil society among government officials. This is also a problem in many cases. It is alleged that civic institutions interfere with the executive branch.

Third, the rule of law must be upheld. As well as raising the democratic spirit of the law at the level of the rule of law. In many countries, the law provides for the torture of citizens and large-scale looting by officials. When we look at such cases from a natural legal point of view, we see a violation of the rule of law. In order to avoid these aspects, it is necessary to conduct a special examination to ensure that the laws do not violate human rights and freedoms.

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