

Improving the Participation of Civil Society Institutions in State Management

Nazarov Shavkat Nazarovich¹

¹ Associate Professor of the Constitutional Law Department at the Tashkent State University of Law (TSUL)

Abstract:

The article examines the main factors of interaction between civil institutions and authorities, and the author also analyzes the problem of interaction between institutions of public participation and public administration.

Keywords: civil society institutions, authorities, public administration, factors, interaction.

In modern Uzbekistan, there is a process of modernization of the public administration system, the main goal of which is to reorient the goals, methods and priorities of public administration to the interests and needs of citizens. It is known that the quality of public administration largely depends on indicators of social development, involvement and the degree of freedom of participation of citizens in public administration processes. The relevance of using various forms of involving citizens and organizations in the public administration system is obvious. Power relations by their nature are public, which, in turn, predetermines their properties such as openness and transparency. In fact, any form of public involvement in the management of state affairs ensures clarity of decision-making, optimizing the balance of interests between the government and civil society. The participation of citizens in the management of state affairs is a defining property of a democratic civil society, which allows not only to influence policy directions, but also to control the management process, ensuring the effectiveness of the implementation of power resources and preventing the abuse of their use.

In modern domestic and foreign socio-political thought, many interpretations of civil institutions have developed. At the same time, the key in determining the essence of civil institutions are the provisions that

1. they express the specific historical level of democracy;

2. demonstrate the ability to protect private interests;
3. clarify and demonstrate the degree of civilian control over the activities of the state and authorities.

Public policy and public administration are formed and implemented by public authorities in interaction with civil society institutions, depending on many factors.

The Constitution of the Republic of Uzbekistan proclaims the sovereignty of the people: the bearer of sovereignty and the only source of power in Uzbekistan is its multinational people [1]. This is typical for a democratic state governed by the rule of law with a republican form of government. The constitutional principle of democracy predetermined the development of various forms of citizen participation in government at all levels of state and municipal government, each of which in practice has a greater or lesser degree of effectiveness in influencing political decision-making. According to Article 32 of the Constitution of the Republic of Uzbekistan, "Citizens of the Republic of Uzbekistan have the right to participate in the management of the affairs of society and the state, both directly and through their representatives. Such participation is carried out through self-government, referendums and the democratic formation of government bodies" [1].

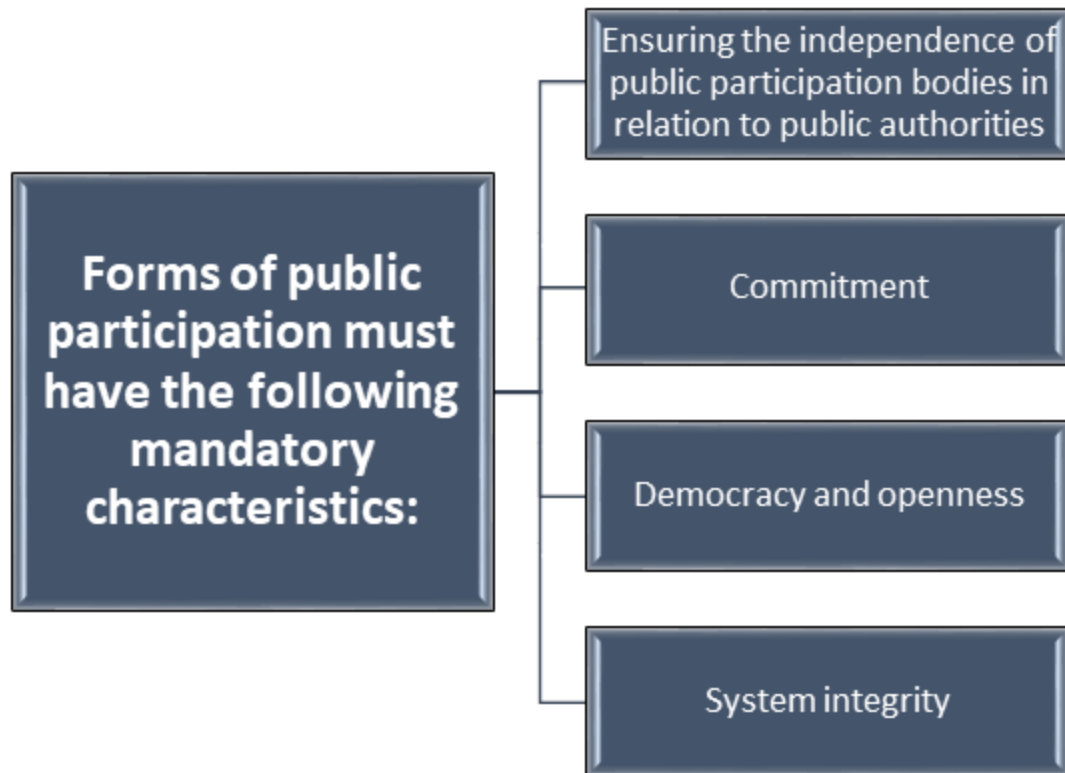
If we talk about the direct participation of citizens in governance processes, then one of the main directions is elections. All state, legislative, local self-government and some representative bodies of local government are formed through elections. Today, through elections, a number of officials are appointed. "A referendum, along with free elections, is the highest direct expression of the power of the people. The state guarantees the free expression of the will of citizens of the Republic of Uzbekistan in a referendum, the protection of democratic principles and legal norms that determine the right of citizens to participate in a referendum. A referendum of the Republic of Uzbekistan cannot be used for the purpose of making decisions that contradict the Constitution of the Republic of Uzbekistan, as well as for the purpose of limiting, canceling or belittling the generally recognized rights and freedoms of man and citizen, constitutional guarantees for the implementation of such rights and freedoms" [2].

A referendum is a special type of citizen participation in state affairs; important state issues are considered at a referendum and decisions made with its help are generally binding and do not require additional approval. Also, citizens can participate in government through various forms of expression of public opinion. The Constitution of the Republic of Uzbekistan enshrines the right to apply in person, to send appeals to state and local government bodies, both collective and personal [1]. This right can be identified as an important means of demonstrating the socio-political activity of the population. And appeals are an important channel for strengthening ties between government bodies and the people. In addition to the listed forms of public participation in management, there are forms of public control and co-government on the part of civil society institutions. Public control involves the activities of civil society institutions and individual citizens aimed at establishing compliance of the actions of government bodies with the interests of citizens, legal norms, the interests of public associations and organizations, as well as the interests of the development and security of the country, the subjects of the Republic of Uzbekistan, and municipalities. Also, public control involves the correction of identified deviations. It is an important element in solving the problem of effective feedback from the state to society, since many public demands lead to the aggravation of social conflicts.

In recent years, such institutions of public control as public chambers of Uzbekistan, state entities, municipal bodies, and federal executive authorities have been effectively operating in our country. Also, public organizations, professional associations, non-profit organizations. The principles of public control and the activities of public councils are based on the democratic nature of the country's social structure established by the Constitution of the Republic of Uzbekistan. The importance of additional institutions for stabilizing the structures of representative democracy is

growing. Direct civic participation increasingly fulfills the functions of such institutions. Moreover, in modern conditions, the formation and development of mechanisms for taking public opinion into account is by no means always associated with the modernization of the structures of representative democracy.

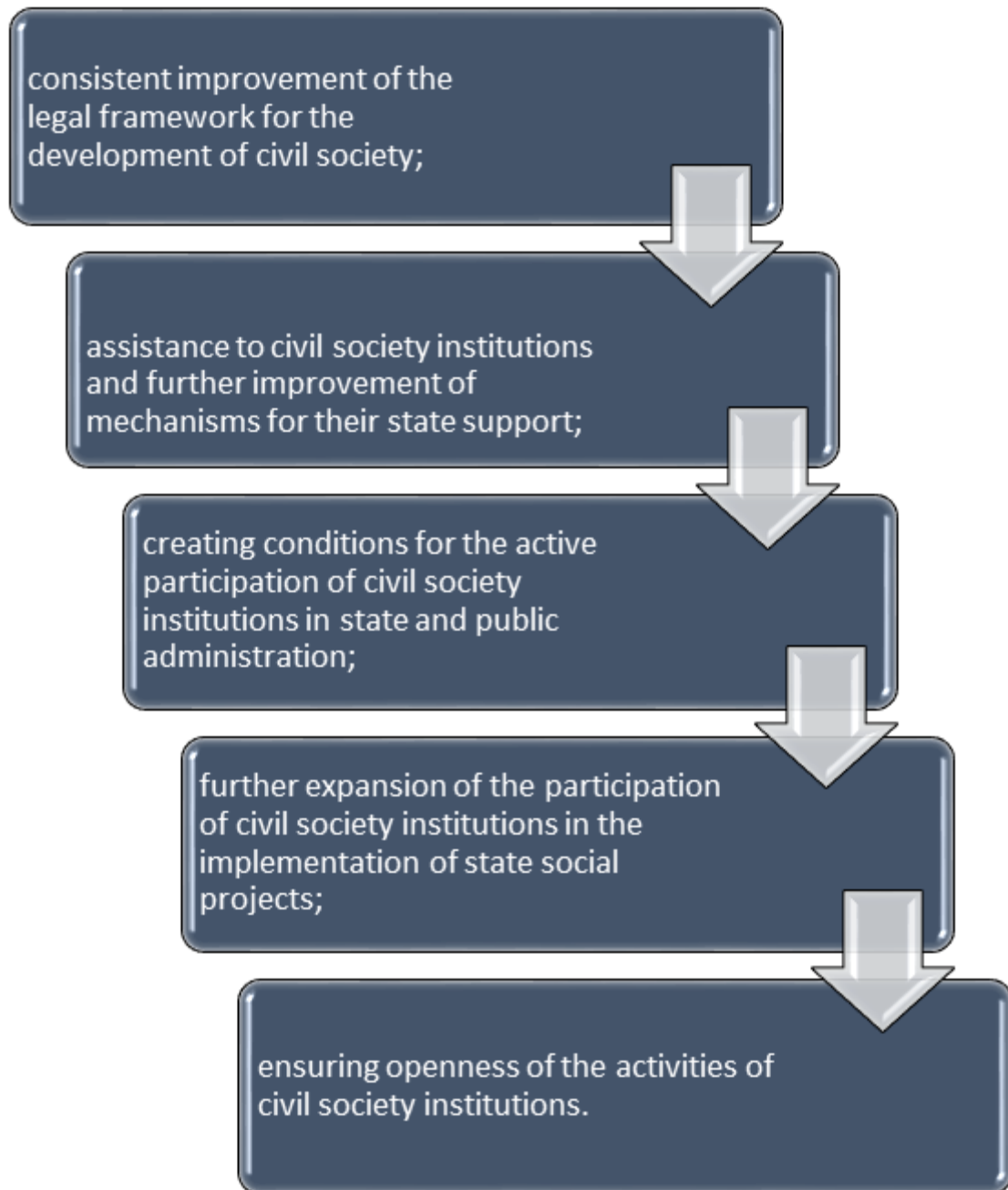
In the conditions of the Republic of Uzbekistan, the development of public control structures is updated by specific factors determined by the state of the domestic political system.



The problem is the absence of one or more characteristics, which in turn calls into question the effectiveness of forms of public participation in the management of state affairs. If, for example, we talk about the independence of public participation bodies, then the problem of its absence is relevant for regional public chambers, which in turn cannot be independent and are accountable to the state level. To resolve this issue, it is necessary to adopt a law that will determine common approaches to their formation, functioning and determination of their terms of reference.

Also, an important problem is the lack of mandatory status for public participation. An acute issue is the mechanisms for government bodies to take into account comments and suggestions from public participation structures. To do this, it is necessary to establish a list of issues and problems on which it will be necessary to take into account the conclusions and proposals of public councils and other structures of public participation, and to expand the number of grounds for mandatory public hearings. In recent years, the increased status of forms of public participation has given rise to attempts to make them closed, and cases of hushing up the results of public actions have become more frequent. In this regard, the issue of legislative provision for maximum openness and transparency of public opinions arises. It is necessary to adopt a basic legislative act that would help solve the above-mentioned problems, as well as ensure the systematic nature of public participation, with the help of which a more successful modernization of the country's socio-political system would be possible.

The Cabinet of Ministers also adopted Resolution No. 192 dated May 6, 2023, "On measures to implement the Concept for the Development of Civil Society in 2023 and 2024" [3]. The document approves a "Road Map" of 26 activities aimed at:



In particular, it is planned to revise the Law on Social Partnership, create an electronic platform for organizing grants from the Public Fund for Support of Non-Governmental Non-Profit Organizations, establish cooperation with the Association for the Implementation of the United Nations Convention against Corruption (UNCAC) [3], etc.

The approval of legal acts can become a powerful impetus for the further development of public participation bodies and strengthen the influence of civil society structures on the functioning of the political system of the Republic of Uzbekistan. In this regard, it is advisable to actively include public associations in the discussion of the documents under consideration.

References

1. <https://lex.uz/docs/6445147> [Constitution of the Republic of Uzbekistan]

2. <http://insonhuquqlari.uz/ru/news/m10846> [Interaction between government bodies and representatives of civil society in ensuring human rights was discussed]
3. https://www.norma.uz/novoe_v_zakonodatelstve/kak_budet_razvivatsya_grajdanskoe_obshchestvo
4. Назаров, Ш. Н. (2009). Ўзбекистонда фуқаролик жамиятини шакллантиришда жамоат ташкилотларининг роли (назарий ва ҳуқуқий масалалар): юрид. фан. номз.... дисс. Тошкент.: ТДЮИ.
5. Nazarov, S. (2024). INSON HUQUQ VA ERKINLIKLARINI HIMOYA QILISH TIZIMINI TAKOMILLASHTIRISH MASALALARI. Евразийский журнал права, финансов и прикладных наук, 4(1), 82-86.