

The Functions and Objects of the Institutes of Civil Society in the Implementation of Public Control in the Republic Of Uzbekistan

Kholmanova Dilafuz Rustamovna

Ph.D., senior science researcher at the Centre for research on law, Tashkent state university of law

Annotation: *In this article studied and analysed the issues which influences the the functions and objects of the institutes of civil society in the implementation of public control in legal democratic state.*

Key words: public control, the institutes of civil society, non-state noncommercial organization, objects and functions.

Nowadays the movements to development of civil society initiated the reforms in the sphere of competences of civil society. It is necessary to civil society institutions to carry out their own tasks strictly.

These tasks comprise the sphere of the implementation of public control. The public control is directly related with the system of formation of the institutes of civil society.

As The First President of Republic of Uzbekistan I.A.Karimov mentioned "More importantly, non-state noncommercial organizations, public associations, organized on the basis of laws shouldn't turn into charitable and humanitarian institutions. Of course, it's also one of the aspects of the activity of public organizations, but not the primary side. Their main function is, above all, to protect democratic values, the legitimate rights and freedoms of the people."¹

The functions of civil society in the framework of this research can be classified as follows:

First of all, it contributes the state to the performance of functions within their competence.

Second, it activates as a representative of the rights and interests of citizens.

The level of development of the society, among other things is determined by the degree of people's participation in the process of

solving the problems. The main direction of decentralization in the Republic of Uzbekistan are: - from executive power - to the other branches of power; - from center - to regions; - from the state - to the non-state economic institutions; - from the state - to society and citizens.

Facilitation the implementation of certain functions of the state are related to the powers of the state and civil society institutions, in this regard used the terms: "decentralization"² and "civil administration"³, "mass outsourcing"⁴. Specialist scientist by approaching to the issue of the transfer of some functions and powers to non-governmental organizations E.Kenjayevev said "In the political sphere if the attention is given to the weakening progressively of state power to the administration of society, it considered an important factor of attracting society and citizens to the public decision-making process. Although in the civil society state remains, however it participates as a passive institute in the governance of society. Due to the development of democratic processes, political

¹ Karimov I.A. Ўзбекистон XXI асрга интилоқда. - Т.: Uzbekistan, 2000.-P.18.

² Azizxujayev A.A. Liberalization is the requirement of period // Society and governance, 2000. -№1.-P. 6-8.

³ Kenjayevev E. The notion and concept of the civil society institutions // Society and administration 3/2008. -P.77.

Vasileva S.V. «The lower floors» democracy: the legal forms of participation of non-governmental organizations in the state governance//Constitutional and municipal law .2009.№1.-P.11.

governance loss its importance and it can occur in the process of civil governance⁵.

It should be noted that E.Kenjayeve puts emphasis on the issues of weakening of state power. In this regard, Sh.Nazarov stated that “In the condition of formation of civil society the above mentioned actions of public associations don’t lead the “weakening” the state power, but it positively impacts the rapprochement between government and people and transfers gradually a lot of the functions of administration”⁶.

There is always the necessity for centralization of certain functions of the state. Otherwise, it is difficult to the provision the unity of law, the development and implementation economic, social, scientific, technical policy.⁷

In addition, scientists A.Huseynova expressed “it is not appropriate for the theory of strong state being equal with institutions of civil society, only strong state can ensure the stability in society, enforcement of laws, prevents elimination of social institutes”⁸.

In our opinion, delegation some powers to the institutes of civil society does not weaken the state governance, but it provides the wide participation of organizations in democratic process.

The government can create an environment that facilitates development of human potential by delegating its powers and responsibilities to lower levels of authority - or to community organizations, civil society institutions. Moreover, as public control stimulates interaction among all strata of civil society, more information about the real needs of the population reaches the government, enabling it to take more effective and relevant policy decisions.

Centralization and decentralization is depending on each other. Decentralization brings government bodies closer to those who

are being governed, thereby ensuring the provision of more appropriate and better quality services to the population. Decentralization enables citizens to participate in decision making that affects their lives - through involvement of local authorities, non-government organizations, and other civil society institutions. The increased participation of the population in decision-making improves the transparency and effectiveness of policy decisions and, in this way, ensures sustainability of incomes and opportunities for building human capacity.

With developing and strengthening their authority in the society there is a stronger role of the civil society institutions in implementing an effective public supervision over the activity of state bodies and authorities. Today the institution of public and civil control becomes one of the significant elements to provide an effective feedback between society and government, reveal the mindset of people and their attitude towards the ongoing changes in the country.

Today, it is widely recognized that the decentralization of government functions often improves the supply of services offered by the state, helping to raise the level of human development.

The past years were the time of dynamic formation and development of various institutions of civil society and non-state noncommercial organizations, which enjoy the support of a broad public of the country. The stipulation in the Constitution of the principles of activity of non-state public organizations since the early years of Independence created conditions for development of extensive network of non-state noncommercial organizations which reflect the interests of different strata of population.

Scientist S.Jurayeva researched the role of civil society institutions in society and paid more attention to the legal-political aspect of civil society institutions.

In particular, " to promote the active participation of the population in the political life of their citizens, adopted by the government under the course to inform decisions about the

⁵ Kenjayeve E. The notion and concept of the civil society institutions // Society and administration 3/2008. –P.77.

⁶ Nazarov Sh. Legal relations between Civil society and public organizations // TDYUI, Bulletin 8/2008. –P.11.

⁷ Ochilova B. The issues of centralization of state power// Democracy and human rights 3/2009. – P.5.

⁸ Huseynova A. The notion and genesis of the civil society // Democracy and human rights 4/2010. –P.28.

explanation of the ways to influence the decision-making process", ⁹ she noted.

In addition, scientist S.Jo'raeva's point of view about civil society institutes "will serve as the Institute which solves the disputes in society," is vague because she does not express exactly which types of disputes (family, professional, etc.), civil society can possibility of resolving the issue.

Sh.Nazarov emphasized legal point of view the role of Civil society institutions and substantiated. ¹⁰

Civil society in Uzbekistan has been primarily associated with non-state noncommercial organizations, which are the main part of democracy non-state noncommercial organizations system in Uzbekistan is an important institution self-governance, which plays a significant socioeconomic development role.

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Indeed, during the formation of the the purpose of civil society institutions appears its social duty to achieve this goal is the need to complete certain tasks, and it is appropriate to carry out the functions necessary to keep in mind.

Scientist X.Muxamedxodjaeva "Public control is an important functional role of public institutions" ¹¹, she described.

It should be noted that the primary and basic function of the Institute of civil society

organizations. Which is an important component of society is restriction to a certain level of authority of the state the implementation of public control over the activities of public authorities¹². Law science "function" refers to the state and used for social responsibility and the role of law ¹³.

From the point of view of the theory, which public control has state competences the objects in this area *functions of the institutions of civil society* that would be appropriate to rename it. .

Therefore the institution of civil society participate in public control by carrying out a specific function in society, through the execution of its functions under the supervision of the public.

At the same time the "function" and "duty" to note that it is an inseparable concepts.

Descriptions of the tasks and functions are similar to each other. Because if there are specific tasks of the institution of civil society occurs the necessity to carry out relating functions. Otherwise, the functions of civil society may not be fulfilled. As a result, the function consists the two different means to achieve any goal and a specific type of activity involved.

Based on the above, the functions of public control in the field over civil society institutions classified the following:

- the control function over State authorities to exercise control over the activities of officials and their function;
- function to protect the rights and interests of citizens;
- function of crime prevention;
- function of education officials.

Legal scholar H.Mamatov analyzed the Platon's idea about the ideal state is that, "any judge (a judge) and official control can not work

⁹ Jurayeva S. The role of civil society institutions to raise the political culture.// Democracy and human rights.2009. № 4. -P.24.

¹⁰ Nazarov Sh. The role of public organizations in the formation of civil society in Uzbekistan. (theoretical and political issues) Autoref. .dis. ... ph.d.-T, 2009.-P.17.

¹¹ Muhammedxojayeva X.R. The public control over the executive power: theoretical and legal problems Ph.D...dis. T. TSUL, 2011. – P. 72.

¹² Nazarov Sh.N. The role of public organizations in the deepening the democratic reforms and developing the civil society. Monography/ Toshkent:TSUL, 2012. – P. 62.

¹³ Odilqoriyev X.T., Yakubov Sh.U. The national legal system and values: Monography. – T.:SMI-ASIA, 2010. – P.329.

• in this place the by meaning the nature of state governance referred the public control over the state organs and their officials (D. Kholmanova).

without control except as kings like to make a final decision.¹⁴

He describes this situation as an idea of public control in civil society¹⁵.

The action may be described as a education and checks of state officials.

The functions of the state government and civil society, civil society will have its own functions that they complement each other, ensure a high survival rate of the developed countries¹⁶.

The significance of the function of civil society institutions in the field of public control, **first of all**, to examine the level of enforcement of the laws adopted in practice and, **secondly**, that negatively affects the implementation of the normative legal acts to determine the objective and subjective factors, and **thirdly**, to eliminate the existing shortcomings in the development of recommendations on measures aimed at fourth, the government and government officials, as well as some of the functions of the state, non-state noncommercial organizations are responsible for strict observance of the requirements of the law and the commitment to increase.

To sum up, civil society institutions in the process of formation of civil society, political and legal culture of the population and the implementation of public control over its duties and functions shall be proof of the high confidence in them.

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¹⁴ Mamatov X. Legal culture and the problems of formation of civil society Monography T. The centre of jurist media, 2009. -P.42.

¹⁵ Mamatov X. Legal culture and the problems of formation of civil society Monography T. The centre of jurist media, 2009. -P.42.

¹⁶ Kirgizboyev M. The geneses, formation and development of civil society. Т.: Uzbekistan, 2010. - P.53-54.

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