

Public Control and its Legal Guarantees in Uzbekistan

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ABSTRACT

The establishment of public control in the Uzbek Constitution and its legal guarantees are covered in this article. Citizens can keep an eye on government operations, impact reforms, and boost political engagement through public control. The article emphasises the forms, functions, and practical importance of public control in democratic governance. It also evaluates the modifications made to the new version of the law and the Republic of Uzbekistan's Constitution, which recognises public control as a constitutional right.

Keywords: Public Control; Civil Society; Public Service; Social Justice; Localism; Nepotism; Corruption; Equality; Accountability.

1. Introduction

A democratic society must have public control as a practical tool in addition to it being a legal concept. It makes it possible for the people to directly and openly control political power. By guaranteeing citizens' involvement in state bodies' operations, this lays the groundwork for transforming authority into true public service. There are good reasons why this principle is becoming more and more significant in Uzbekistan. After all, the public's actions and the control systems are directly related to the pursuit of prompt and equitable solutions to societal problems.

As stated earlier, public control is a useful instrument that influences direct communication between society and government in the real world, not merely a theoretical-legal idea. It guarantees that citizens have open and legitimate control over political power, allowing state entities to operate in a way that serves the interests of the populace.

Through this process, citizens become engaged participants in societal and governmental affairs. This creates a public assessment of government representatives' decisions, their execution, budgetary expenditures, the standard of public services, and other aspects. A situation like this raises the bar for accountability in state governance, effectively combats corruption, and guarantees that reforms are implemented in a transparent and equitable manner. Shavkat Mirziyoyev, the President of the Republic of Uzbekistan, has always addressed the topic of public control. The head of state has underlined that "public control is the most effective tool in ensuring the supremacy of the Constitution and the law" [1]. This notion indicates that public control is a crucial component in establishing a rule of law state, in addition to being a tool of control. Because public control is essential to laws and regulations being more than just paper documents and working in real life.

Furthermore, the head of state's statement that "public control is not only control over the activities of state bodies but also a method of self-governance for society" emphasises a crucial point. In other words, public control is not just a form of top-down control; rather, it is a means for citizens to regulate their surroundings through initiative and

social responsibility. This helps increase political culture, strengthens the role of civil society institutions in society, and helps activate them.

1.1. Study Objectives

- 1) to analyze the concept of public control as a fundamental democratic mechanism that enables citizen oversight of government activities in Uzbekistan;
- 2) to explore the constitutional and legal framework that establishes and protects public control, particularly the provisions in Article 36 of the new Constitution of the Republic of Uzbekistan and the Law “On Public Control” (LRU-474, 2018);
- 3) to identify the practical forms and mechanisms of public control, such as public hearings, opinion surveys, monitoring, expertise, and participation in open government meetings, and assess their effectiveness in promoting transparency and accountability;
- 4) to examine the role of public control in strengthening democratic governance, increasing citizen participation, and combating corruption, nepotism, and localism in public administration.

2. Discussion

The legal underpinnings, practical importance, and mechanisms for the efficient operation of public control are examined in this article. Legal, social, and political analysis techniques are all part of the research methodology. The types of public control and their function in the social system are investigated in light of the Republic of Uzbekistan’s new Constitution and the laws “On Public Control”. During this process, real-world examples are used to discuss the efficiency of control procedures and citizen political activity.

Numerous academics and researchers have shared their opinions regarding the idea of public control. In particular, Sh. Bafayev discusses the importance of public control for efficient social and economic governance. According to him, the ability of the populace and civil society organisations to monitor the actions of governmental authorities is just as important to effective governance as the calibre of decisions made by state bodies. Consequently, one of the most pressing issues of our day is the establishment of public control [2].

According to J. Abdullayev, one of the most crucial prerequisites for civil society is robust public control, which highlights the media’s influence on civil society. He emphasises how crucial it is for citizens to be involved and for public officials to believe that the public is watching them [3].

The growth of public control is critical to our nation’s reforms, according to T. Nabiyeu and A. Soleyev, because it is vital in thwarting and averting threats like localism, nepotism, and corruption [4].

An essential tool for establishing social justice in society is public control. Its primary goal is to guarantee equality, accountability, responsibility, and balance in the interactions between people, the state, and society. This procedure guarantees that human rights and freedoms are prioritised in real life in addition to improving openness and transparency in governance. Important indicators of progress in this area are the continuous growth of Uzbekistan’s public control institution, particularly the growing chances for mass media, civil society institutions, and

non-governmental non-profit organisations to engage in state operations. A democratic state is characterised by the presence of public control, which is the actualisation of the constitutional idea that the people form and govern political power [5].

Above all, this control mechanism incentivizes state entities to conduct their operations not only legally but also in a manner that serves the public interest. In this way, citizens actively participate in the governance process and, in addition to defending their rights and liberties, help to establish democratic values like social justice, accountability, and integrity.

Article 36 of the new edition of the Constitution of the Republic of Uzbekistan elevates the concept of “public control” to the status of a constitutional institution. This article defines the following: “The citizens of the Republic of Uzbekistan have the right to participate directly and through their representatives in the management of societal and state affairs. Such participation is carried out through self-governance, conducting referendums, forming state bodies democratically, and through public control over the activities of state bodies. The procedure for exercising public control over the activities of state bodies is defined by law” [6].

Public control is described in Article 36 of the Constitution as both a constitutional legal tool and a type of civil initiative. This innovation represents the continued development of Uzbekistan’s citizen participation mechanisms in state affairs. Legal guarantees have been established to ensure the implementation of public control, which is now acknowledged as a significant form of state control. This gives people the chance to engage in political activity through both public control and participation.

According to Article 36 of the Constitution, citizens can participate in state and societal affairs in four main ways:

- 1) **Self-governance:** Neighbourhood and community self-governance mechanisms allow citizens to participate.
- 2) **Conducting referendums:** Through referendums, citizens can directly impact state policies and legal matters.
- 3) **Democratic formation of state bodies:** In addition to choosing their representatives, citizens can take part in the establishment of state institutions.
- 4) **Public control over state bodies:** Through public control, citizens make sure that state entities’ operations are carried out in an open and equitable manner.

Public control becomes a crucial component of this process, and these forms give citizens multiple avenues for engaging in political and legal activity.

Additionally, the article highlights that “the process for exercising public control over the activities of state bodies is defined by law”. This indicates that public control is a legally sanctioned and methodically regulated activity in addition to being a political one. Citizens are given legal guarantees by the procedures and pillars of public control, which are outlined in particular laws. This demonstrates the practical application of the constitutionally reinforced legal norm. The new edition of the Constitution strengthens its legal obligations and accountability by elevating the

principle of public control to the constitutional level. In practice, this norm is consistent with Law of the Republic of Uzbekistan No. LRU-474 dated April 12, 2018, “On Public Control” [7].

3. Results

The Constitution’s provision for public control forces state entities to be more accountable, open, and transparent. This improves the efficiency of state governance, holds the government responsible to the people, and gives the people the chance to monitor all state operations. Since power can only be used by taking into account and serving the people, public control is essential to democratic governance.

Article 6 of the Law of the Republic of Uzbekistan No. LRU-474 dated April 12, 2018, “On Public Control”, titled “Forms of Public control”, defines the following forms of public control:

The forms of public control are as follows:

- appeals and inquiries to state bodies;
- participation in open meetings of state bodies;
- public discussions;
- public hearings;
- public monitoring;
- public expertise;
- public opinion surveys;
- hearing reports and information from officials of state bodies by citizens’ self-governance bodies.

Public control can also be carried out in other forms in accordance with the legislation.

Different types of public control are defined in Article 6. The law eloquently illustrates both the legal and practical applications of public control. Public control programmes are crucial instruments for raising citizen participation in state affairs, enhancing government openness, and ensuring accountability from state entities. Every one of the following forms demonstrates the efficient operation of public control and its function within the social and political system.

Submitting appeals and enquiries to state entities is the first way that the public is supervised. Directly observing state operations and guaranteeing accountability can be accomplished through citizen or civil society institution appeals and enquiries to state authorities. Through appeals, citizens can draw attention to issues, get information from state agencies, and get the answers they need. This type of public control is practical and gives citizens a chance to affect state actions. By attending public meetings of state bodies, citizens can see firsthand how decisions are made. Open meetings improve state bodies’ accountability while also making their operations more transparent. This structure encourages citizens to actively participate in state policy while guaranteeing that state bodies’ operations are transparent and subject to public control.

Citizens are given the chance to voice their opinions on significant state decisions through public discussions. This form is specifically designed to include citizens in the decision-making process, particularly with regard to significant laws or decisions. The ability of citizens to freely and openly express their opinions enables consideration of the needs and viewpoints of various societal groups. Public discussions are essential for enhancing democratic governance and raising political engagement among citizens. Analysing and assessing state agencies' or other accountable parties' actions in front of the public is known as a public hearing. Decisions pertaining to state bodies' operations can be directly heard by citizens or experts, who can then evaluate the pertinent data. This form is crucial for evaluating the efficacy of the government and enables public discussion of the effects of decisions made by the state.

Public monitoring is the ongoing observation and evaluation of state agencies' operations. In order to improve the performance of state bodies, citizens and civil society organisations use this form to conduct control and analysis. The monitoring system aids in swiftly identifying current problems and ensuring government accountability. An essential tool for guaranteeing the openness of governmental operations and spotting issues is public monitoring.

In order to evaluate government operations, public expertise entails consulting experts. This form enables a range of experts to examine state-sponsored projects, laws, and initiatives. Specialists contribute their knowledge and experience through their expertise, which has a positive impact on government policy. In order to ensure effective governance and improve state decisions, expertise is essential.

Research on public opinion gives citizens a chance to shape policy. This form allows citizens to freely express their opinions, and state entities have the ability to respond to them. By actively involving citizens in politics, democratic governance is strengthened and societal demands are reflected in governmental decisions.

The process through which citizens hear reports from state officials via their self-governing bodies is known as "hearing reports and information from state officials by citizens' self-governing bodies". One of the most significant types of public control is this one, which enables citizens to evaluate the actions of officials via their own self-governing bodies. This gives citizens the chance to have an impact on decision-making and improves the transparency of state operations.

4. Conclusion

An essential component of Uzbekistan's democratic governance system is public control, which fosters citizen participation in state affairs and increases the efficiency, accountability, and transparency of state institutions. By fortifying the Constitution's legal guarantees of public control, citizens can gain direct control over state operations. This procedure is especially crucial for combating corruption and guaranteeing that reforms are applied fairly. Citizens' opportunities to influence state governance are increased by the new forms of public control, which include instruments like monitoring, open meetings, petitioning state organs, and public discussions. This not only makes state organs operate better, but it also helps civil society become more active.

Public hearings and expert evaluations, among other practical forms of public control, are crucial instruments for assessing state decisions. Involving citizens in politics and taking into account their viewpoints improves governance effectiveness and produces policies that meet societal demands.

Based on the above, the following proposals have been developed:

1. Specific legal standards must be created in order to advance public control mechanisms and improve their usability and accessibility for citizens.
2. Cooperation between civil society and state authorities must be strengthened in order to improve the efficacy of public control.
3. Actively including non-governmental organisations and the media in broader public monitoring initiatives to guarantee openness in state operations.
4. Legislation must be updated frequently within the parameters of public control, and new, creative tools must be put in place to boost citizen participation.
5. Programmes that educate citizens about politics and the law and encourage their participation are essential for the successful implementation of public control.

Declarations

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Consent for publication

The author declares that he/she consented to the publication of this study.

Authors' contributions

Author's independent contribution.

Informed Consent

Not applicable.

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