

THEORETICAL AND METHODOLOGICAL FOUNDATIONS OF THE FORMATION OF GOVERNMENT AUTHORITIES IN LOCAL GOVERNMENT

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Annotation

This scientific article describes the concept of management, the analysis of theories and approaches related to it, its types and manifestations by fields. The effectiveness of public administration, strengthening the role of local representative bodies in local state government, the process of democratization of local government institutions have been scientifically analyzed through the theories of foreign scientists. The specifics of local government in Uzbekistan are also highlighted.

Keywords: governance, public administration, local government, local representative bodies, local government institutions.

МАҲАЛЛИЙ БОШҚАРУВДА ДАВЛАТ ҲОКИМИЯТИ ОРГАНЛАРИНИ ТАШКИЛ ЭТИШНИНГ НАЗАРИЙ МЕТОДОЛОГИК АСОСЛАРИ

Мақсад ИСАБАЕВ

Ўзбекистон Республикаси Ёшлар ишлари агентлиги ҳузуридаги
Ёшлар муаммоларини ўрганиш ва истиқболли кадрларни тайёрлаш институти
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Аннотация

Мазкур илмий мақолада бошқарув тушунчаси, унга доир назария ва ёндашувлар таҳлили, унинг соҳалар бўйича намоён бўлиши, турлари баён этилган. Давлат бошқаруви органлари фаолияти самарадорлиги, маҳаллий вакиллик органларининг маҳаллий давлат бошқарувидаги мавқеини кучайтириш, маҳаллий бошқарув институтларининг демократлашув жараёни хорижий назарийётчи олимларнинг назариялари орқали илмий таҳлил этилган. Шунингдек, Ўзбекистондаги маҳаллий бошқарувнинг ўзига хос хусусияти ёритиб берилган.

Калит сўзлар: бошқарув, давлат бошқаруви, маҳаллий бошқарув, маҳаллий вакиллик органлари, маҳаллий бошқарув институтлари

ТЕОРЕТИКО-МЕТОДОЛОГИЧЕСКИЕ ОСНОВЫ ФОРМИРОВАНИЯ ОРГАНОВ ВЛАСТИ В МЕСТНОМ САМОУПРАВЛЕНИИ

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Аннотация: В данной научной статье описывается понятие менеджмента, анализ связанных с ним теорий и подходов, его виды и проявления по областям. Через теории зарубежных ученых научно проанализированы эффективность государственного управления, усиление роли местных представительных органов в местном государственном управлении, процесс демократизации органов местного самоуправления. Также освещается специфика местного самоуправления в Узбекистане.

Ключевые слова: государственное управление, государственное управление, местное самоуправление, местные представительные органы, органы местного самоуправления. The effectiveness of the activities of state administration bodies depends not on the decision made by them, but on the result of the decision. The head of state of Uzbekistan, Sh. Mirziyoev, during his visit to Namangan region on February 19-20, 2021, during his visit to the “Bunyodkor” neighborhood of Namangan city, confirmed this very idea. From this point of view, the head of state is repeatedly telling the representatives of the local authorities how vital the decisions are. The implementation of the decision made by each local executive body can be considered as a decision of the representative body at the same time. But today, due to the fact that the executive power and the representative power are not completely separated from each other in the state management practice of Uzbekistan, many problems and uncertainties are visible in this field.

In the Address of the President of the Republic of Uzbekistan Sh. Mirziyoev to the Oliy Majlis on December 29, 2020 [1], it was emphasized that the institutional foundations of local executive bodies and representative offices should be further improved. Because the local councils are working on the basis of the Law adopted in 1993, and considering that this Law does not meet the requirements of the present time, it was noted that it is necessary to renew it.

This means that it is necessary to strengthen the position of local representative bodies in the local state administration and to create a new system for increasing the effectiveness of its activities. From the point of view of the topic of the dissertation, it is appropriate to consider this issue, first of all, in the section of the political and legal foundations of the representative

bodies of local state power. It is known that the first elements of important processes in state administration were developed in ancient times. In the writings of Plato, Aristotle and Cicero, it is interpreted as the central and only mechanism of management and the process carried out mainly by leaders. For example, the Greek philosopher Plato in his work entitled “The State” [2] recognized that the state was formed based on people living together and helping each other, “in democratic states, there is no need for citizens to participate in state management, even if they are able to do so.”, he says. Aristotle, considered one of the Greek thinkers after Plato, in his work entitled “Politics” [3] sees the state as a type of mutual communication and states that it is a political organization with supreme authority. He also mentions some of Plato's and Socrates' views on statehood, including the family, slavery, and common property, which is a type of communication, and emphasizes that citizens should participate in all issues related to state life. Cicero, one of the exponents of the ancient Roman political doctrine, in his works “On the State” and “On the Laws” [4] raises questions about the principles of local self-government, the limits of power and the interests of the state. Like Plato, he believes that “the reason for the emergence of the state is the desire of people to live together”. In our opinion, the state first arose as a result of the natural needs of people, and later it began to reflect political attributes.

By the new era, such views have changed. It begins to mean an organization that has political power, performing all functions related to management processes. In particular, the famous thinker and political figure T. Jefferson [5] states that everyone has the right to participate in the formation of state power and its control, and no one can be deprived of this right. It is no coincidence that his political ideal was a form of democratic republican government, which allows the state to be managed and controlled by representatives elected by the people. It also states that all officials should be elected for a certain period of time and be under the control of the people. J. Locke [6], one of the classic representatives of political theory, opposes absolutism and supports the principle of separation of powers by limiting absolute power. The ideologues of the bourgeois revolutions of the XVII-XVIII centuries - Montesquieu, Rousseau, Franklin, Jefferson - analyzed in detail the socio-political determinants of the process of interaction between the formation of a democratic state and local government. In the works of A. Smith, Diderot and others, the concept of the actual formation of local government was developed as the basis of general government. Including J. Rousseau justifies the contractual relationship between the higher and local authorities in settlements [7]. As a result, local authorities transfer part of their powers to the higher authorities. In his opinion, freedom is ensured only when the whole people participates in making laws. Only when the state adheres to democratic principles does a person have political freedom instead of the natural freedom he has lost. The French thinker S. Montesque, having studied the relationship between the political system and the type of social order, states that the important role is played not by the form of government (monarchy, republic), but by the way of exercising power based on

compliance with laws. In his book "On the Spirit of Laws", he states that the essence of governance is the expediency of laws, values and moral guidelines. Among political thinkers, the theorist of democratic problems, liberal A. Tocqueville [8] emphasizes the need to decentralize power. He says that the ever-increasing and deeper penetration of state power into the life of society will lead to the increase of dependence of individuals on the state, the destruction of local self-government, and finally, administrative centralization will appear instead of it. The existence of a democratic government means freedom, the absence of arbitrariness and the exercise of power in accordance with the law. This determines the safety of individuals. We also agree with the above opinions, and we believe that some powers and functions of state administration should be distributed from top to bottom, citizens' participation in state and community management should be strengthened, and local representative institutions should have many powers in lower level management.

In political science, the issue of local government institutions of state administration is based on the experience of countries that have reached a high stage of the democratization process. This allows for a comparative study of the systems of organization of local government institutions in developed foreign countries, to determine its existing forms, rules and principles. Western scientists I. Bentham, H. Shtimpfl, O. Roy, E. Harlof, H. Aldelfer, A. Gasser, S. Duncan, L. Tonilar in the review of the theoretical principles of local government, local state authorities and self-government organization ideas are important. Their theoretical ideas and practical instructions on the management process are important. However, in these works, mainly local governments under the federal structure and their tasks in the process of decentralization are studied. In market conditions, the degree of autonomy for the implementation of these functions at the local level naturally increases, and therefore implies the availability of independent resources for their provision. In countries with a developed market economy, local authorities are taking an important place. For example, if the level of local expenses in the EU countries averages 12% of the GDP (3.5% in Romania, up to 33% in Denmark), in Germany, the expenses of more than 9,000 communes (communities, cities and regions) make up 10% of GDP [9]. In Western Europe and the United States, local self-government was gradually formed as a result of the initiative of citizens. Its most effective forms were selected according to vital requirements. New trends such as reliance on internal resources, diversification, regional cooperation and strategic principles, formation of innovation centers and implementation of municipal marketing have appeared in the development of local government bodies by German researchers. The formation of local self-government in Russia followed a different path: it was created in a short time by the decisions of state bodies.

In our country, increasing the activity of representative bodies of local state power and their work efficiency is one of the painful problems that still require fundamental changes. It should be said that for many years these representative bodies have been led by governors, who are

actually the heads of local government, as the most corrupt form of governance. The problem was sharply criticized by President Sh.M. Mirziyoev in 2017. Since then, discussions have been ongoing on the issue of increasing the effectiveness of the activities of these representative bodies, forming their powers and role as a component of the legislative power in the literal sense. All over the world, local government is one of the most important institutions of a democratic society. But since some elements of self-government are unique to individual states, it has not been fully implemented in any country. This is directly related to the activity of state administration. Management activity is a type of professional activity, the uniqueness of which is determined by its most general task - organizing the activities of other people in the direction of achieving common goals, based on the principles of hierarchy [10]. Based on this, it can be said that public administration activities are carried out at the upper, middle and lower (local) levels. In the course of our research, we will study the management activities at the local level. Local management is a component of general management activities, which is characterized by the following features. First, local government has its own special concept, which directs its authority to local government as an institution of democracy and civil society. Secondly, in the local government system, the following are considered as objects of management: local councils, the importance of the territory as a socio-economic system, and the socio-economic and political processes taking place in the local territory. Thirdly, the leading personnel of local management organizations and elected officials of local self-government bodies are considered as management subjects in this system. Thus, local government is complex in nature, it is diverse in its forms and consequences, socio-political phenomena. Having a great impact on social development, it itself affects political, socio-economic and other factors.

According to some representatives of the economic approach, the local government directs its activities to meet the needs of the population for various services, develop the territory, and create conditions for the development of the individual [11]. In our opinion, local government will have its own characteristics as an integral part of social management. A distinctive feature of local government is the maximum and effective use of the social and political potential of local councils based on human resources as the main factor of local areas. Local administration is based on the mentality, traditions, spiritual and moral values of territorial communities.

At the same time, it is not correct to compare local councils with a cooperative or a joint-stock company, whose members have united to realize common interests. In addition, it is local management that can be considered as the main principle of exercising power in society and the state. This, along with the principle of separation of powers, forms the basis of the governance system in a democratic state governed by the rule of law. Some researchers note the dual nature of the concept of "local authority"[12].

The content of local government activities is that, on the one hand, local government includes issues related to the general interaction of local self-government bodies with entities operating

in various forms operating in the territory, and on the other hand, it is related to the regulation of economic relations for city enterprises, institutions and organizations. will be Other researchers divide local government management into two types: economic and socio-political. The main type of economic activity of local government bodies is directing the activities of enterprises and institutions located in the local area to the realization of public interests of citizens. In conclusion, it should be said that local government is closely related to self-government. Local councils follow their unique role as local self-governing entities. Therefore, not only the results in the economic sphere, but also other main areas: socio-cultural, political and ideological aspects are important as criteria of their activity efficiency.

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