

## The Institution of Public Control as a Phenomenon of Social Philosophy in Uzbekistan

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### ABSTRACT

This article examines the establishment and growth of the public control institution in the Republic of Uzbekistan using a methodology, demonstrating its tight relationship to state and legal development as a crucial component of civil society. The idea for the growth of civil society, the content of normative legal acts, and other significant laws and decrees are also reviewed. Simultaneously, four historical periods of public control's emergence and growth are described, and each period's institutional and legislative features are examined.

**Keywords:** Public Control; Civil Society; Mass Media; Legal Engagement; Social Justice; Political Institutions; Public Funds; Development; Strategy; Ideology; Transparency; Liberty.

### 1. Introduction

In the path of building a modern legal and democratic state and establishing a new, comprehensively developed society, our people are uniting around high goals and moving forward with a single, coordinated effort. This unity and aspiration have recently become clearly visible in the society's positive attitude toward the ongoing reforms in the country. The strengthening of the principles of openness and transparency by Uzbekistan, the guarantee of freedom of speech and the press, as well as the establishment of public control over state governance, once again confirm the relevance of these directions. In particular, our President Shavkat Mirziyoyev emphasizes the following: "...the most effective way to build a strong civil society is to establish public control in a systematic manner. This is a path that has been tested by global experience. When does the state successfully fulfill its functions? Only when effective public control is established over the activities of state institutions" [1]. In this sense, if we analyze the systematic formation and development of the institution of public control in the Republic of Uzbekistan, it should be noted that public control has developed in parallel with the state and legal development of the country as an integral part of civil society.

#### 1.1. Study Objectives

This study is aimed at the systematic examination of the legal, institutional, and social aspects of the public control institution and at determining its role in public administration. The main objectives of the research are as follows:

- to systematically analyze the stages of formation and development of the public control institution in Uzbekistan (from 1991 to the present);
- to identify and evaluate the legal foundations of public control, in particular the content of the Law "On Public control" and related normative legal acts;
- to clarify the legal status and practical powers of the subjects of public control – citizens, citizens' self-governing bodies, NGOs, and mass media;

- to substantiate the relationship between public control and institutional and socio-political factors (civil society development, reforms, and openness policy);
- to demonstrate the role of public control in ensuring transparency, accountability, and effectiveness in public administration;
- to generalize practical problems encountered in the implementation of public control and to develop a scientific basis for proposals to address them.

## 2. Methodology

Using a methodical approach, this essay examines the establishment and growth of the public control system in the Republic of Uzbekistan. The study examines the legal, institutional, and sociopolitical aspects of public control at different phases in an interrelated way while adhering to the principles of historicity, logic, and coherence. The study used normative legal document analysis as its methodological foundation. In particular, the content of laws such as “On self-government bodies of citizens”, “On non-governmental non-profit organizations”, “On the mass media”, and “On public control”, as well as presidential decrees and resolutions, was examined. Legal analysis demonstrated their importance and influence in the evolution of public control.

## 3. Discussion and Results

Today, the development of public control institutions is directly linked to several factors:

**firstly**, the formation and effective functioning of public control are closely connected with the development of non-governmental non-profit organizations and other civil society institutions. Practical experience shows that these organizations play a decisive role in implementing almost all forms of public control;

**secondly**, in recent years, during the large-scale democratic reforms taking place in the country, the role and influence of NGOs and civil society institutions in social and political life have been steadily increasing. They act as a connecting force between society and state governance;

**thirdly**, in order to regulate legal relations related to public control, the Law of the Republic of Uzbekistan “On public control” was adopted. This law establishes the right of citizens, self-governing bodies, non-governmental non-profit organizations, and mass media to exercise public control [2].

In this regard, the emergence and development of public control in Uzbekistan can be divided into four major stages:

**The first stage (1991–2000)** is rightfully called the period of the formation of national statehood in the Republic of Uzbekistan. This period is characterized by the principle of a “strong state”. The main focus was on strengthening state sovereignty and ensuring the territorial integrity of the country, for which the necessary laws were adopted. Since the state assumed full responsibility as the initiator and executor of reforms, its control functions were significantly strengthened during this period [3].

At the same time, during this stage, the legal foundations for civil society and public control emerging in the country were established. In particular, during this period, the following laws of the Republic of Uzbekistan were

adopted: “On self-government bodies of citizens” [4], “On public associations in the Republic of Uzbekistan” [5], “On the mass media” [6], “On political parties” [7], “On non-governmental non-profit organizations” [8], and “On liberty of conscience and religious organizations” [9]. It was precisely at this stage that the foundations of a new democratic political system, based on various political institutions, ideologies, and perspectives, were laid, as well as conditions created for broad citizen participation in managing state and societal affairs.

The participation of citizens’ self-government bodies in public control is steadily expanding. According to Article 10 of the Law of the Republic of Uzbekistan “On self-government bodies of citizens”, adopted on April 14, 1999, these bodies are granted a range of supervisory powers. In particular, the citizens’ assemblies of mahallas, towns, villages, and city neighborhoods have the following rights: to elect the chairman of the citizens’ assembly, their advisors, and the heads and members of commissions, and to hear quarterly reports on their activities; to determine the main directions of the work of councils, inspection, and administrative commissions and to review their quarterly accountability; to oversee, on a public basis, the implementation of laws, normative documents, and their own decisions; and to monitor the execution of citizens’ appeals [10].

The second stage (2001–2010) is associated in Uzbekistan with the formation and development of the foundations of civil society based on the principle of “from a strong state to a strong civil society”. During this period, reforms were carried out in the state and economic governance systems, resulting in a reduction of the state’s control powers and an improvement of management mechanisms. A bicameral parliamentary system was introduced. At the same time, the formation of civil society institutions accelerated, enabling them to find their place within the existing structures between society and the state. This created the groundwork for establishing the legal and organizational foundations of public control.

During this stage of the state’s development, the legal basis for public control was established through the adoption of a number of laws, including: the constitutional laws of the Republic of Uzbekistan “On the results of the referendum and the basic principles of the organization of state power” and “On strengthening the role of political parties in the renewal and further democratization of public administration and modernization of the country”; as well as laws “On the principles and guarantees of freedom of information”, “On citizens’ and legal entities’ appeals” (in the new edition), “On public funds”, “On informatization”, “On the election of the chairman of the citizens’ assembly and his advisors”, “On the Chamber of Commerce and Industry of the Republic of Uzbekistan”, “On guarantees for the activities of non-governmental non-profit organizations”, “On the mass media”, and several other laws. These legal acts laid the foundation for public control.

**The third stage (2011–2017)** is characterized by the development of civil society and the deepening of democratic reforms in the country, during which the legal foundations of public control were established. At this stage, the normative-legal framework regulating the social partnership and the exercise of public control by non-governmental non-profit organizations and other civil society institutions was strengthened.

**The fourth stage**, beginning in 2018 and continuing to the present, is considered an important period in the development of public control. This stage is guided by the fundamental principle of the President of the Republic of Uzbekistan that “The people should not serve state bodies; rather, state bodies should serve the people”. This

approach formed the basis of the Action Strategy for the five priority areas of Uzbekistan's development for 2017 – 2021. Within the framework of this strategy, the Law “On Public control” was adopted in 2018, further strengthening the legal foundations of this field.

This law, together with a number of other documents within the legal framework for NGOs and other civil society institutions, fully enables the exercise of public control.

On March 4, 2021, the President of the Republic of Uzbekistan approved the “On approval of the concept of civil society development for 2021 – 2025”. This document was developed to strengthen the role of civil society in public control and other areas, as well as to improve social institutions. The concept sets as its main objectives the further development of a free civil society, the protection of human rights and legal interests, the consolidation of democratic principles, the enhancement of citizens' political culture and legal awareness, the strengthening of social cooperation between state bodies and non-governmental non-profit organizations, and the promotion of active participation of NGOs in reforms [11].

This concept served as a conceptual program for implementing the following idea of President Sh.M. Mirziyoyev: “Public control is not merely control over the activities of state bodies, but also a form of self-governance for society; in other words, it is one of the key factors in the development of civil society” [12].

During the first 25 years of Uzbekistan's independence, more than 50 normative-legal acts regulating the activities of mahallas were adopted, including two key laws: “On self-government bodies of citizens” and “On the election of the chairman of the citizens' assembly and his advisors”. During this period, nearly ten thousand self-governing bodies were operating. The principle of “from a strong state to a strong civil society” was implemented in practice; in particular, more than 30 socio-economic functions that were previously under the authority of local state governments were directly assigned to the mahallas. In efforts to provide material support to the most vulnerable segments of the population, such as elderly individuals living alone, people with disabilities, orphans, and needy families, citizens' self-government bodies actively participated, thereby putting the principle of social justice into practice.

#### **4. Conclusion**

Public control has evolved in tandem with the nation's political, legal, and social reforms over the years of independence. It is a crucial instrument for guaranteeing openness and transparency in state governance and is an essential component of civil society. Based on the idea of “from a strong state to a strong civil society”, the legal and organisational underpinnings of public control were reinforced in the second stage after the foundations of national statehood had been established in the first. Non-governmental non-profit organisations and other civil society institutions played a bigger role in the third stage as democratic reforms deepened. The methodical growth of public control, its legal consolidation, and its widespread practical application are the hallmarks of the fourth stage.

The legal underpinnings of this organisation were further reinforced by the acceptance of the Concept for the Development of Civil Society for 2021 – 2025 and the enactment of the Law “On Public Control”. The efficient

operation of public control is ensured by the active involvement of mass media, non-governmental non-profit organisations, and mahalla institutions.

Based on the research findings and the analyses conducted, the following proposals are put forward to further develop the public oversight system and increase its effectiveness in public administration:

- it is necessary to further improve the regulatory and legal framework of public oversight and harmonize supervisory powers scattered across various legal acts within a unified and systematic mechanism;
- grant programs, social orders, and institutional support mechanisms should be strengthened to expand the participation of non-governmental non-profit organizations and civil society institutions in public oversight;
- it is advisable to practically expand the oversight powers of mahalla and citizens' self-governing bodies and to introduce mandatory procedures for reviewing the results of their reporting hearings and monitoring activities;
- the effectiveness of media oversight should be increased by supporting mass media and the institution of journalistic investigations, as well as by expanding access to open data sources;
- open reporting by public authorities and public discussion mechanisms should be widely implemented through digital platforms;
- it is recommended to introduce special training programs and workshops to improve citizens' legal culture and their skills for participation in public oversight.

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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.

##### **Institutional Review Board Statement**

Not applicable for this study.

##### **Informed Consent**

Not applicable for this study.

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