



## **ORGANIZATIONAL THEORETICAL FOUNDATIONS OF DIGITALIZATION OF PUBLIC CONTROL IN INTERNATIONAL PRACTICE**

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<b>Received:</b> August 20 <sup>th</sup> 2021 <b>Accepted:</b> September 20 <sup>th</sup> 2021 <b>Published:</b> October 29 <sup>th</sup> 2021	This article is devoted to the implementation of modern forms digitalization of public control, their solutions, advanced experience of public control of developed foreign countries, public control, and further improvement of their legal foundations. The proposals and recommendations put forward in it can be used in the development of national legislation on public control, ensuring the rule of law through further implementation and digitalization of public control practices, research on scientific and theoretical aspects of public control.
<b>Keywords:</b> Digitalization of Public control", "modern forms of public control and digitalization", "methods of public control", "public control units", "public control of developed" "international experience on public control", "public control practices", "theories of public control".	

The establishment of public control as a separate social concept and its separation from the content of various concepts took quite a long time. We all know that the emergence of theoretical concepts and their transformation into practical-social relations will depend on various factors inherent in them. From all this, first of all, it is considered important on which theoretical interpretations and general dependencies it were based on.

Public control and the factors of its implementation, although they remain unnoticed, manifest themselves in different ways in each era. We can see that the concept of public control initially entered the structure of the legal system from the branch of social psychology, and later developed and turned into a separate branch of science. In the formation of public control as a separate social concept, many scientists conducted research and tried to create its theoretical foundations. Because of their research, this historical and theoretical development progressed.

One of the founders of the concept of public control, **T.V.Tard** made a great contribution to the formation and development of this concept, singling it out as a separate social concept. In his research, Tard tries to prove its difference from social concepts and that it is a separate social factor. In his opinion, the set of methods used to return the behavior of society to the framework of regulatory rules is precisely the society itself, that is, the system of public control [1. Kupreev S.S. Public control as a method of countering against corruption in government and management bodies\ Administrative and municipal law 2010. 9. P-10-12.]. This was one of the first steps in interpreting public

control as a separate social concept. Here we can see that the emphasis is placed on the exercise of public control over state bodies.

**On the one hand**, all other similar phenomena inherent in a state-organized society (in particular, state, civil and other forms of government management), as well as this phenomenon itself in changing (under the influence of certain circumstances) circumstances (for example, in the pre-state period of the society's existence), on the other hand, depends on its significance for ensuring the preservation and development of the people, their properties and the fact that, as a carrier of sovereignty and, in particular, it will be appropriate if we say "yes!"

Public control of administrative bodies in a broad sense is the activity of subjects of public control in relation to their objects, carried out in certain forms to achieve the goals and solve the tasks established by the current legislation [2. Executive law in Republic of Uzbekistan. Monographic- Tashkent: TSUL 2006. -268 p ].

**Public control** – in its definition, we must firstly pay attention to the fact that a single word creates a single integral meaning. Including, *community*: this is a community of people in a particular group, which can be considered as a community representing society as a whole. However, at the same time, it does not represent the interests of a particular group, that is, the community should be a whole team. The term "public control" is legitimately used to denote a set of means and methods by which the society, through its members, guarantees that the actions of individual



management entities and social groups are carried out in accordance with established norms and values [3. Bakhrah D.N. Administrative law of Russia. M.: Norm, 2009. 712 - p].

**As for the second part, control:** we can say that it is an established form of observation of a particular social process, it is applied in the sense that it constantly monitors the implementation of all stages of the process and controls its interpretation and application. In general, public control is also understood as People's control, which is carried out under direct control over the observation of the reality and implementation of all social processes. Defining the concept of public control, it is possible to distinguish public authorities by their general nature and methods of its implementation, separately formed social groups of society.

**Public control is:** as a separate form of social science, state executive and control authorities and practically all its branch forms, their officials, as a special form of public control over the executive system, as a special initiative of the citizen, and social factors in the established form will be directed to coordination.

One of the first people to introduce a system of social relations and separate control was the Englishman **F. A. Bacon** studied theoretically. He proved by proving facts that disregard for public opinion, mistakes in the management process, social maladaptation, the spread of rumors and gossip lead to conflicts in society. It was also one of the first steps in the form of public control.

Control over the activities of public authorities as a social institution is carried out using a wide range of social methods and social norms. The legal dominance of control presupposes the dominance of legal methods, that is, methods of influencing the activities of the state through legal norms, the effectiveness of which is ensured by state coercion. Legal management practices make it easier to manage with public participation.

At the same time, homogeneous rules of relations (legal norms) that are binding on all parties are determined by the mechanisms of interaction. These methods include lawmaking, legal regulation, and the method of fair legality. The correct creative method of control is designed to identify the needs of subjects in a timely manner, and in legal regulation, one can cite as an example a certain segment of management relations, relevant prepared systems and regulatory acts of their adoption. The main legislative acts and norms that establish the legal basis for the organization and implementation of public control, the rights and obligations of their participants, and the procedure for

using legal means, including through organization, should include the following.

In this regard, **Jean-Jacques Rousseau**, who has a great place in the interpretation of social spheres of life, distinguished certain forms of social life from the point of view of social connection. His teachings are still actively used today. Rousseau distinguished in his works separate views on the forms of public control. "Interaction between citizens with forms of linking forms of justice and its implementation is based on public analysis" [4. Rumyantseva V.G. Public control over activities of the state means: to the theory of a question // History of state and law. — 2009. — № 11.] - he stressed that.

We see that **Adam Smith**, who has made significant contributions to community research and socialization, has also done extensive research. In his works, he explained that the main goal of the public is not to make a profit, but to exercise control over its own interests and the institutions in which it is carried out. His theory of "natural order", which he applied to the public, stands out separately [5. The author's collective "fundamentals of ensuring public control over its implementation by state authorities". Academy of the Prosecutor General's Office of the Republic of Uzbekistan. - Tashkent-2020. -57 P.]. The views of this scientist on methodological interpretations of the practical application of public control are considered as significant.

**German scientist G. Jacob:** "voluntary associations of citizens aimed on realizing opportunities for participation in public affairs embody an active civil society. This society is characterized by the fact that citizens take on social responsibility, carry out voluntary activities for the benefit of society. Citizens get the right to participate in the affairs of society and make political decisions, even if they are socially responsible for their duties" " he said [6. Jacob G. Voluntary labor in civil society. //http://zluka.isr.lviv.ua /Files/SCI\_ 66/HTM.- Б.38-39.].

In world practice, the emergence of public associations in a democratic society and its development is considered not only as one of the laws governing society, but also as one of the fundamental principles of this concept. According to the rationale of Alexis de Tocqueville, the most democratic country in the world is one where citizens work closely together to achieve a goal and use this method of collective action more than others [7. Alexis De Tocqueville "Fundamentals of the Social Movement" by nasri to'plami. UKMARY, -2019.-123b]. It also provides a framework for explaining democracy in conjunction with how well public control is enforced in the development



of States. Another of the forms of social relations studied in his time is basic social interaction, that is, relations between the state and the people. In particular, the French scientist-philosopher L.O. Blanc and following up capitalist society considers historical progress as the development of the enlightenment and the formation of social relations on this basis. Theoretical conceptual foundations of social partnership and social control on the basis of the theory of social action, ideas about mutual social solidarity, socially flexible agreement, and social equality, a public understanding was formed and developed.

According to research by **M. Weber**, the traditional movement is a model and basis of behavior that is firmly rooted in cultural traditions that cannot be analyzed and rationally criticized and controlled. In general, control is a social method through which the Social and legal maturity of society and the inviolability of citizens are carried out, a legal method that covers socially significant control goals and the main part of managerial relations.

Another important aspect of social control is its theoretical aspects based on social action. This meaning of action is justified by the fact that this is how often people's everyday behavior occurs. Another American sociologist, **Charles Cole**, continues this idea, emphasizing that public control plays an important role in eliminating vices in society; it effectively serves to prevent existing offenses. This phenomenon not only creates a kind of competitive environment in society, but also serves in its own way to form social conscience.

In some countries headed by powerful leaders, it is the head of State who is the factor that ensures the effectiveness of public control. In this regard, the American anthropologist **Ruth Benedict** writes "by itself, the rejection of final social control over people cannot guarantee that people will live a free life. Societies that feel like they belong in a free, democratic society but have a strong leader or king have a common feature, such as the guarantee of certain freedoms shared by all citizens." [8. Роман Макаров: Подробнее на ПГ: <https://www.pnp.ru/in-world/2014/03/19/kak-u-nikh-obshhestvennyy-kontrol-vzarubezhnykh-stranakh.>].

Versatile public control is the main tool for social interaction. It controls behavior, interpersonal relationships, and discipline to help stabilize the social situation. Every person living in society is forced to obey the existing rules and values, to follow the norms. As proof of these claims, it is public control and the norm it contains that harmonizes social relations and serves to create unity in society. Compliance with norms in a society means acceptance by its members. Public

control identifies and holds accountable those who do not comply with them.

In addition to what we said above, based on another aspect of research, it can be argued that control between the state and society can only be carried out by mutual consent. He believed that in society it was necessary to find a form of social unit that would be able to limit and protect the personality and property of each of its members, by which each person included in the masses should obey only himself and remain as free as before. This is the main task that the social contract fulfills" Some scientists believe that public control is social control carried out by political parties, various public associations, voluntary organizations, mass media, citizens, that is, subjects of public control over the observance of the rule of law and ensuring human rights in the activities of state bodies.

As the political scientist I. Ergashev noted, the presence of strong public control over state authorities is one of the most important conditions for building a civil society. Consequently, the activity of citizens, their indifference to social phenomena and a deep sense of public control over the activities of each civil servant are important in the process of forming a civil society [10. Ergashev I. Strong civil society at once. Tashkent, "Spirituality", 2011. 10-b].

Doctor of Law, R. Khakimov believes that public control is an integral feature of a strong civil society and represents systematic control by civil society institutions and the public over the activities of state authorities and their officials in terms of compliance with the law [11. Offering repentance. Bulletin of Legal Sciences-Bulletin of Legal Sciences-Review of Law Sciences 1 (2017) – Tashkent.p-25-32].

The above considerations are also important for understanding the theoretical aspects of the concept of public control. The issues of exercising public control over the executive power are monographically investigated. By opinion of R. Hakimov control is carried out by public associations, political parties, mass movements, creative unions, the society of scientists, women's, veterans' and youth organizations, mass media, citizens and their self-government bodies, and other associations in order to ensure and strengthen the rule of law and respect for human rights in the activities of a controlled state body. In this definition, the researcher lists the subjects of public control by name [12. M. V. Lomonosov. Actual issues of modernization of the armed forces and improvement of state control in the construction of the armed forces // civil engineering. - 2011. - No. 10 ].

Democratization, carried out in the leadership of the state "from above", without the participation of



representatives of the people, does not always represent the interests of society. This practice leads to negative consequences, including inertia of citizens, incomplete understanding of their rights and interests, lack of formed ability to cope with problems that arise in public life. Public control, being one of the most effective institutions for overcoming such difficulties that arise in state – public relations, requires a scientific and technical approach [13. Mukhamedkhodzhayeva H.R. Public control over the activities of executive authorities: Theoretical and legal problems. Legal Sciences nomz. Diss...Autoref. - Tashkent, 2011. - B.16 ].

In order to effectively ensure state and public communication in this area, the first stage of the project is being implemented. First president of our country I. Karimov noted "today the institute of public and civil control is becoming one of the most important tools for ensuring effective interaction between society and the state, determining people's moods, their attitude to the changes taking place in the country.

We consider it appropriate to use the following definition, which covers the main social characteristics of public control and provides a reasonable conclusion about it: *Public control is* – it is a complex of general social factors, such as strengthening the factor of public control, comprehensive development of the state, the priority of the human factor, the creation of a legal, humane system, and in general the recognition of man as a "great miracle of nature". The most frequently used form of public control in relation to modern practice is the consolidation of the legal basis of public control [15. Sh. Yakubov. "Electronic public control: essence, meaning, necessity and prospects " // Bulletin of Legal Sciences, Scientific and Legal Journal.TSU- 2020,-Issue No. 3.-32 p].

#### **SUMMARY ON ARTICLE.**

In general, we are currently also facing a lot of work on creating and developing the legal framework for public control, and we will give suggestions on how to ensure its mechanisms in the following chapters.

This based on the above, we define the concept of public control *general theoretical significance and methodological classification* We would describe this type of legal process, defined by legal norms, as a consistent procedure for the participation of citizens and civil society institutions in determining the quality of regulatory legal acts adopted in the field of public administration, the effectiveness of their implementation by state and local authorities in order to prevent violations of the rights, freedoms and legitimate interests of individuals and legal entities, and minimize

their consequences. Control of rights violated by similar offenses and criteria of justice, and conduct of these cases in aggregate.

We can see the importance and real power of active public control in the fact that citizens of a country can freely express their freedom of thought and its foundations and ensure it by the state. Systematic implementation of control over the activities of State bodies in the sphere of public control based on the principles of justice. We also believe that officials should apply the requirements of the legislation in the public interest, while at the same time refraining from focusing their activities on negative factors and putting national interests above their own.

Currently, in order to combat the above-mentioned negative factors, reforms are being gradually implemented aimed at improving public supervision, strengthening organizational and legal mechanisms for its implementation, according to which citizens' participation in the management of public and state affairs will be carried out by developing and improving public control over the activities of state bodies.

We believe that the main theoretical interpretations of public control have a lot in common and that they cannot be understood and interpreted in isolation from each other. Here it is necessary to consistently systematize the existing problems in this area and, based on the conditions of Uzbekistan, ensure a large-scale approach to their solution and development of recommendations. As a basis for developing new concrete proposals in the field of public control, as well as studying the active proposals of citizens and selecting the experience recognized as effective and justified, it is possible to systematize, draw a general conclusion and create a "**Model of National digitalization of public Control**" as its large-scale proof.

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